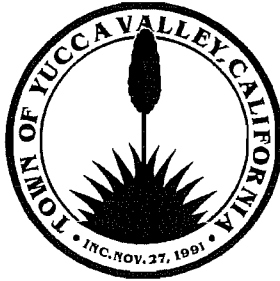


# TOWN OF YUCCA VALLEY TOWN COUNCIL MEETING



*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, APRIL 21, 2015  
YUCCA VALLEY COMMUNITY CENTER  
YUCCA ROOM  
57090 - 29 PALMS HIGHWAY  
YUCCA VALLEY, CALIFORNIA 92284**

\* \* \* \*

## **TOWN COUNCIL**

*George Huntington, Mayor  
Robert Leone, Mayor Pro Tem  
Merl Abel, Council Member  
Rick Denison, Council Member  
Robert Lombardo, Council Member*

\* \* \* \*

**TOWN ADMINISTRATIVE OFFICE:**

**760-369-7207**

**[www.yucca-valley.org](http://www.yucca-valley.org)**

**AGENDA  
MEETING OF THE  
TOWN OF YUCCA VALLEY COUNCIL  
TUESDAY, APRIL 21, 2015  
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, and any additional documents submitted to the majority of the Town Council, are available for public view in the Town Hall lobby and with respect to the staff agenda packet, on the Town's website, [www.yucca-valley.org](http://www.yucca-valley.org), prior to the Council meeting. Any materials submitted to the Agency after distribution of the agenda packet will be available for public review in the Town Clerk's Office during normal business hours and will be available for review at the Town Council meeting. 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, Denison, Leone, Lombardo and Mayor Huntington

**PLEDGE OF ALLEGIANCE**

**INVOCATION** Led by Pastor David DiFalco, Yucca Valley Church of the Nazarene

**PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS**

- 1-1 1. San Bernardino County Children's Network- Child Abuse Awareness Month Proclamation

**APPROVAL OF AGENDA**

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

## CONSENT AGENDA

*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 before the consent calendar is called.*

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

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

- 2-54 3. Approval of Final Parcel Map No. 19392, Marrone  
Two Commercial Lots  
Northeast Corner of Yucca Trail and Cherokee

**Recommendation:**

- **Approve Final Parcel Map No. 19392**
- **Direct the Town Clerk to forward the map to the San Bernardino County Recorder for recordation.**

- 55-64 4. Authorization to Release Requests for Proposals  
SR 62 Median Island Landscape Maintenance

**Recommendation: Authorize the release of the Request for Proposals for median island maintenance.**

- 65-70 5. LTF Claim for Local Streets and Roads

**Recommendation:**

- **Authorize the Town Manager to file a claim with the San Bernardino Associated Governments (SANBAG) for Local Transportation Funds (LTF) in the amount of \$55,306.**
- **Amend the LTF Fund 516 budget for FY2014-15 to reflect the decrease in revenue to \$55,306 and revise expenditures to accommodate the lower revenue.**

- 71-75 6. Amendment to Animal Shelter Services Contract with San Bernardino County

**Recommendation: Approve the amendment to Contract No. 14-609 between the County of San Bernardino and the Town of Yucca Valley contracting animal shelter services for a three year contract period to include FY 2015-16, FY 2016-17, and FY 2017-18**

76-78 7. AB1234 Reporting Requirements

**Recommendation: Receive and file the AB1234 Reporting Requirement Schedule for the month of March 2015**

**Recommendation: Adopt Consent Agenda (items 2-7)**

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

**DEPARTMENT REPORTS**

79-163 8. Active Transportation Program (ATP) – Cycle 2, Call for Projects  
June 1, 2015 Application Deadline  
Safe Routes to Schools Project  
Recreational and Multi-Purpose Trail Projects  
Trails and Bike Routes Plan  
General Plan Policies  
Parks and Recreation Master Plan

**Recommendation: Receive the presentation, and provide direction to staff as deemed necessary based upon the presentation and available information**

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

164-198 9. Town Facility Update and Award of Professional Services Contract

**Recommendation:**

- 1. Receive and file the status update of the prior Pomona First Federal bank building;**
- 2. Authorize the award of contract to Gillis & Panichapan Architects, Incorporated for a not to exceed amount of \$60,600 for professional services related to assessments and concept activities for the existing facility, utilizing the Town’s standard contract form, and authorizing the Mayor, Town Manager and Town Attorney to execute the contract, subject to non-substantive changes;**
- 3. Direct staff to work through the Town’s Public Facilities ad hoc committee for review, input and recommendations to the full Council;**
- 4. Accept the offer of participation in the study from the County of San Bernardino, and direct staff to engage County staff as appropriate.**

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

- 199-212 10. Introduction of Ordinance No. XXX Amending Municipal Code Chapter 11.90, Relating to the Regulation of Registered Sex Offenders; CEQA Exemption 15061 (b)(3)

AN ORDINANCE OF THE TOWN OF YUCCA VALLEY AMENDING CERTAIN PROVISIONS OF TOWN MUNICIPAL CODE CHAPTER 11.90, RELATING TO THE REGULATION OF REGISTERED SEX OFFENDERS, TO ALIGN WITH STATE LAW AND COMPLY WITH RECENT COURT DECISIONS

**Recommendation:**

- **Waive further reading and introduce, for first reading: “AN ORDINANCE OF THE TOWN OF YUCCA VALLEY AMENDING CERTAIN PROVISIONS OF TOWN MUNICIPAL CODE CHAPTER 11.90, RELATING TO THE REGULATION OF REGISTERED SEX OFFENDERS, TO ALIGN WITH STATE LAW AND COMPLY WITH RECENT COURT DECISIONS” (the “Amended Ordinance, attached hereto as Attachment 1 to this Staff Report).**
- **Finds that the project is exempt from CEQA in accordance with Section 15061 (b)(3) of the California Environmental Quality Act. The proposed amendment to revise the Town’s Municipal Code has no potential to impact the environment. The proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Ordinance No. XXX meets the exemption criteria which states “that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA”**

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

**FUTURE AGENDA ITEMS**

**PUBLIC COMMENTS**

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

## **STAFF REPORTS AND COMMENTS**

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

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

## **ANNOUNCEMENTS**

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

The next meeting of the Yucca Valley Town Council is scheduled for Tuesday, May 5, 2015 at 6:00 p.m. in the Yucca Valley Community Center Yucca Room.

## **ADJOURNMENT**

## Yucca Valley Town Council

### **Meeting Procedures**

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

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

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

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

**Public Testimony on any Item** - Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Town Council should complete a "Request to Speak" form, provided near the Town Clerk's desk at 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. 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
HDWD	Hi Desert Water District
HUD	US Department of Housing and Urban Development
IIEP	Inland Empire Economic Partnership
IIPP	Injury and Illness Prevention Plan
IRC	Internal Revenue Code
LAIF	Local Agency Investment Fund
LLEBG	Local Law Enforcement Block Grant
LTF	Local Transportation Fund
MBTA	Morongo Basin Transit Authority
MBYSA	Morongo Basin Youth Soccer Association
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MUSD	Morongo Unified School District
PARSAC	Public Agency Risk Sharing Authority of California
PERS	California Public Employees Retirement System
PPA	Prior Period Adjustment
PVEA	Petroleum Violation Escrow Account
RDA	Redevelopment Agency
RSA	Regional Statistical Area
RTP	Regional Transportation Plan
SANBAG	San Bernardino Associated Governments
SCAG	Southern California Association of Governments
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TEA-21	Transportation Enhancement Act for the 21 <sup>st</sup> Century
TOT	Transient Occupancy Tax



## Town Council Committee Assignments

COMMITTEE	REPRESENTATIVE	MEETING SCHEDULE	LOCATION
CITY / COUNTY ANIMAL SERVICES JPA	Huntington Lombardo	12:00 pm. Last Thursday	Yucca Valley
DESERT SOLID WASTE JPA	Huntington Leone (Alt)	10:00 a.m. 2 <sup>nd</sup> Thursday Feb, May, Aug, Nov	Victorville
LEAGUE OF CALIFORNIA CITIES DESERT MOUNTAIN DIVISION	Lombardo Denison (Alt)	10:00 a.m. 4 <sup>th</sup> Friday- Quarterly	Varies
LEAGUE OF CALIFORNIA CITIES LEGISLATIVE DELEGATE	Mayor		
LEGISLATIVE TEAM	Huntington Denison	Proposed for Council Members to work with Town Manager meeting with legislators when necessary	
HOMELESS PARTNERSHIP (SBCO) AND INTERAGENCY COUNCIL ON HOMELESSNESS	Staff	9:00 a.m. 4 <sup>th</sup> Wednesday	San Bernardino
MEASURE I	Huntington Abel (Alt)	9:30 a.m. 3 <sup>rd</sup> Friday	Apple Valley
MORONGO BASIN TRANSIT AUTHORITY	Abel Leone Lombardo (Alt)	5:00 p.m. 4 <sup>th</sup> Thursday	Joshua Tree
MOJAVE AIR QUALITY DISTRICT	Leone Abel (Alt)	10:00 a.m. 4 <sup>th</sup> Monday	Victorville
SANBAG	Huntington Abel (Alt)	10:30 a.m. 1 <sup>st</sup> Wednesday	San Bernardino
SCAG VOTING DELEGATES	SANBAG APPOINTEES	Annual General Assembly	Varies
SPORTS COUNCIL	Denison	6:30 p.m. 2 <sup>nd</sup> Monday March, June, Sept	Yucca Valley

## Ad Hoc Committee Assignments

COMMITTEE	REPRESENTATIVES
AUDIT	Denison Huntington
BREHM PARK	Abel Lombardo
CLASS AND COMPENSATION REVIEW	Abel Huntington
MEDICAL MARIJUANA INITIATIVE	Lombardo Abel
ONLINE VIDEO	Huntington Evans (PRCC)
PUBLIC FACILITIES	Huntington Leone
RDA BONDS	Huntington Leone
SEWER FINANCING	Denison Leone
DIVISION	Huntington Leone

**PROCLAMATION**  
**TOWN OF YUCCA VALLEY**

**CHILD ABUSE PREVENTION MONTH**  
**APRIL 2015**

WHEREAS, all children have the right to receive the care, protection and guidance a family provides, to be free from harm, and to have their physical, emotional, and educational needs met, the State and Federal governments have proclaimed April 2015 as Child Abuse Prevention Month for the purpose of promoting community involvement in the prevention of child abuse; and

WHEREAS, more than 30,000 children in San Bernardino County were referred to the Department of Children's Services for suspected child abuse and neglect in 2014; and

WHEREAS, as the prevention of child abuse requires rigorous solutions, energy, strength, determination and commitment from concerned citizens and the entire community, the County of San Bernardino provides services and professionals in the field of child abuse who are dedicated, compassionate and skilled in the prevention of child abuse; and

WHEREAS, the Town of Yucca Valley is invited to join with the San Bernardino County Board of Supervisors, Children and Family Services, Probation, Public Health, Behavior Health, Preschool Services, County Superintendent of Schools, First 5 San Bernardino, County Library, Sheriff's Department, Fire Department, Loma Linda University Children's Hospital Safe Kids Coalition, Children's Fund, Community Action Partnership, Children's Assessment Center of San Bernardino County, Loma Linda University Children's Hospital and Arrowhead Regional Medical Center, to declare April 2015 as Child Abuse Prevention Month,

NOW THEREFORE, BE IT PROCLAIMED by the Mayor of the Town of Yucca Valley, California on behalf of the entire Town Council, that April 2015 is Child Abuse Prevention Month in our community.

PRESENTED THIS 21<sup>st</sup> day of April, 2015.

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MAYOR

## TOWN COUNCIL STAFF REPORT

**To:** Honorable Mayor & Town Council  
**From:** Shane Stueckle, Deputy Town Manager  
Alex Qishta, Project Engineer  
**Date:** April 14, 2015  
**For Council Meeting:** April 21, 2015

**Subject:** Approval of Final Parcel Map No. 19392, Marrone  
Two Commercial Lots  
Northeast corner of Yucca Trail and Cherokee

**Prior Council Review:** There has been no prior review of this matter. The Planning Commission approved the Tentative Parcel Map at their meeting of August 28, 2012.

**Recommendation:** That the Town Council:

- Approves Final Parcel Map No. 19392;
- Directs the Town Clerk to forward the map to the San Bernardino County Recorder for recordation.

**Executive Summary:** Tentative Parcel Map No. 19392 was approved by the Planning Commission on August 28, 2012, subject to several conditions of approval. The applicant has satisfied those conditions which are required to be satisfied prior to recordation of the final map.


**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:** Final Parcel Map No. 19392 is a subdivision of approximately 1.13 acres (49,166 square feet) into two commercial parcels. The project is located at the north east corner of Cherokee Trail and Yucca Trail, and is currently identified as Assessor Parcel Number 0594-081-34. The northern proposed lot is fully developed with an existing 20 unit apartment complex on .49 acres (21,147 square feet). The southern proposed lot is a vacant .64 acre (28,018 square feet). No development is proposed at this time.

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Reviewed By:

  
Town Manager

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

\_\_\_\_\_  
Finance Manager

  
Department

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Department Report  
 Consent

Ordinance Action  
 Minute Action

Resolution Action  
 Receive and File

Public Hearing  
 Study Session

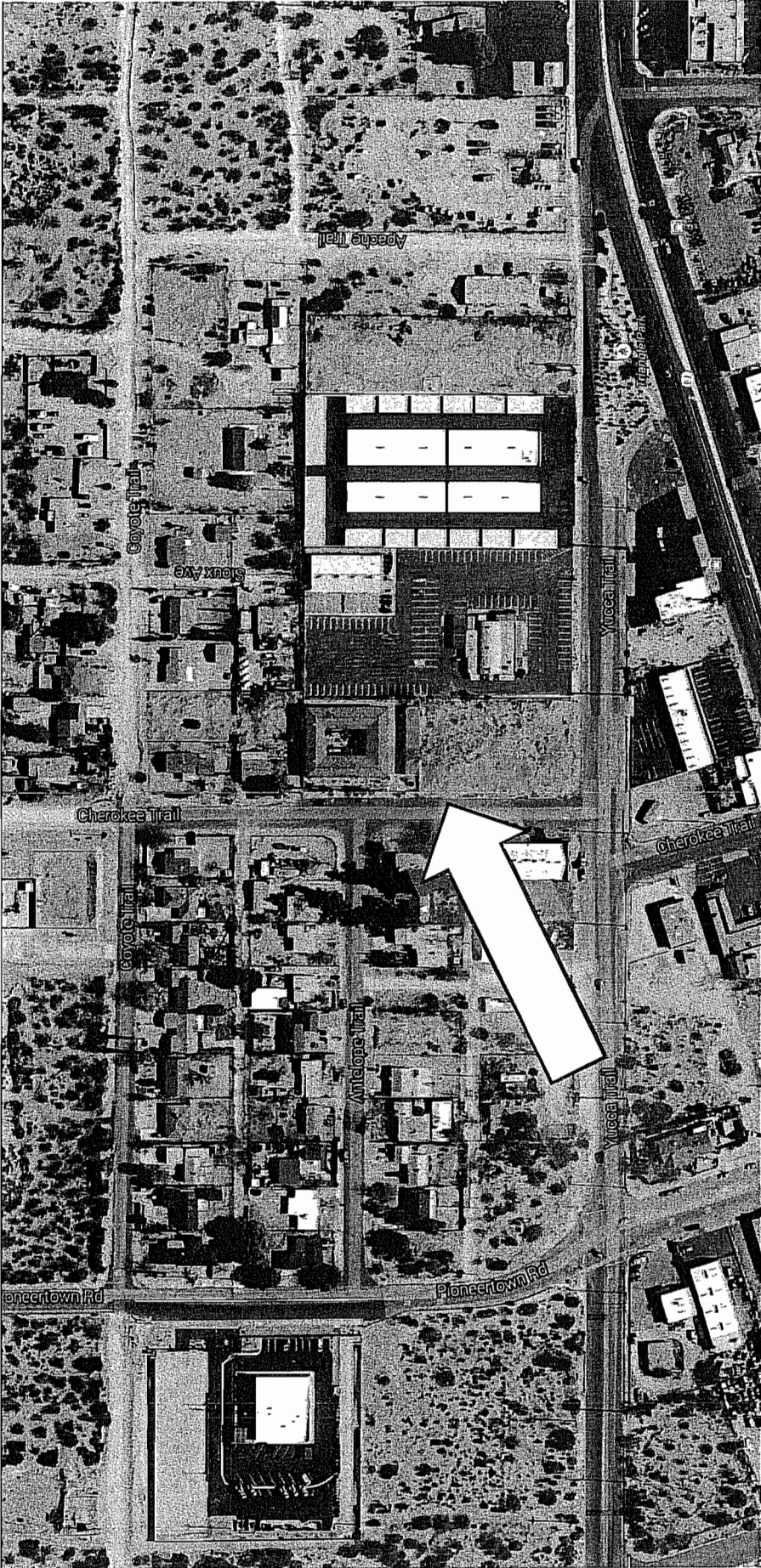
The tentative parcel map was approved by the Planning Commission on August 28, 2012 subject to several conditions of approval. The conditions required to be satisfied, prior to final map approval, have been completed.

Following adoption of the General Plan Update, and therefore the elimination of the Old Town Specific Plan State Route 62 realignment, no additional right of way dedication was necessary for this project. The applicant is now proceeding with recording of the final map.

**Alternatives:** Staff recommends no alternative actions. Final Council approval is required to record the Parcel Map.

**Fiscal impact:** None.

**Attachments:** August 28, 2012 Planning Commission Staff Report and Minutes  
Reduced Copy of Map



IN THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, CALIFORNIA

# PARCEL MAP NO. 19392

BEING A SUBDIVISION OF A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T 1 N, R5E, S8M

J. D. COLE & ASSOCIATES INC. February, 2015

### SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF J. V. MARRONE AND PAMELA M. CONBOY IN MAY, 2012. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. ALL MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN SUCH POSITIONS WITHIN 30 DAYS OF APPROVAL OF MAP IN COMPLIANCE WITH SECTIONS 66400 AND 66406 OF THE SUBDIVISION MAP ACT AND WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. THE SURVEY IS TRUE AND COMPLETE AS SHOWN.

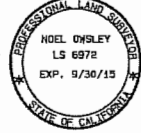
*James D. Cole*  
JAMES D. COLE PLS 5613 EXP. 9-30-16  
3-30-15  
DATE



### TOWN SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN MAP OF PARCEL MAP NO. 19392 CONSISTING OF TWO (2) SHEETS; THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
NOEL OWSLEY TOWN SURVEYOR  
LS 6972, EXP. 9/30/15



### OWNERS STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PARCEL MAP AND WE CONSENT TO THE PREPARATION AND RECORDATION OF THIS PARCEL MAP.  
THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE TO THE TOWN OF YUCCA VALLEY FOR PUBLIC PURPOSES: THE AREA SHOWN ON MAP AS PARCEL "A".  
WE ALSO OFFER THE REAL PROPERTY AS DESCRIBED AS A 10' WIDE DRAINAGE EASEMENT FOR THE BENEFIT OF PARCEL 1.

OWNERS:  
J. V. MARRONE, TRUSTEE OF THE J. V. MARRONE REVOCABLE TRUST, DATED DECEMBER 12, 1998, AS TO AN UNDIVIDED 1/2 INTEREST; AND PAMELA M. CONBOY, TRUSTEE OF THE PAMELA M. CONBOY TRUST DATED SEPTEMBER 7, 2005, AS TO AN UNDIVIDED 1/2 INTEREST.  
*J.V. Marrone* *Pamela M. Conboy*  
(SIGNATURE) (SIGNATURE)  
J.V. Marrone, Trustee Pamela M. Conboy, Trustee  
(PRINTED NAME) (PRINTED NAME)

### BOARD OF SUPERVISORS' CERTIFICATE

I HEREBY CERTIFY THAT A BOND IN THE SUM OF \$ \_\_\_\_\_ HAS BEEN EXECUTED AND FILED WITH THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, CONDITIONED UPON THE PAYMENT OF ALL TAXES, STATE COUNTY MUNICIPAL OR LOCAL AND ALL SPECIAL ASSESSMENTS COLLECTED AS TAXES, WHICH AT THE TIME OF FILING OF THIS MAP WITH THE COUNTY RECORDER ARE A LIEU AGAINST SAID PROPERTY, BUT NOT YET PAYABLE, AND THAT THE SURVEYOR HAS FILED WITH ME A CERTIFICATE BY THE PROPER OFFICER GIVING HIS OR HER ESTIMATE OF THE AMOUNT OF SAID TAXES AND SPECIAL ASSESSMENT, AND SAID BOND IS HEREBY ACCEPTED.

DATE: \_\_\_\_\_  
LAURA H. WELCH  
CLERK OF BOARD OF SUPERVISORS  
OF THE COUNTY OF SAN BERNARDINO  
BY: \_\_\_\_\_ DEPUTY

### NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF San Bernardino  
ON April 3, 2015 BEFORE ME Kim Delfolito Notary Public  
(insert name and title of officer), PERSONALLY APPEARED J.V. Marrone WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/WE EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.  
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.  
*Kim Delfolito* SIGNATURE  
NAME PRINTED  
MY COMMISSION EXPIRES: 3-8-16  
MY PRINCIPAL PLACE OF BUSINESS IS IN San Bernardino COUNTY.

### NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF San Bernardino  
ON April 3, 2015 BEFORE ME Kim Delfolito Notary Public  
(insert name and title of officer), PERSONALLY APPEARED Pamela M. Conboy WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/WE EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.  
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.  
*Kim Delfolito* SIGNATURE  
NAME PRINTED  
MY COMMISSION EXPIRES: 3-8-16  
MY PRINCIPAL PLACE OF BUSINESS IS IN San Bernardino COUNTY.

### TOWN CLERK'S ACCEPTANCE STATEMENT

I, LESLEY COPELAND, TOWN CLERK OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, HEREBY CERTIFY THAT SAID TOWN COUNCIL AT ITS REGULAR MEETING HELD ON \_\_\_\_\_ APPROVED THE ANNEXED MAP OF PARCEL MAP NO. 19392, AND ACCEPTS ON BEHALF OF THE PUBLIC FOR PUBLIC ROAD AND PUBLIC UTILITY PURPOSES IN UNDER, OVER, THROUGH AND ACROSS CHEROKEE TRAIL AS SHOWN AS PARCEL "A".

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
LESLEY COPELAND  
TOWN CLERK  
TOWN OF YUCCA VALLEY, CALIFORNIA

### MGAGOC STATEMENT

"THE MARINE CORPS AIR GROUND COMBAT CENTER IS LOCATED IN THE MORGANS BASIN. TO PREPARE WARINES FOR FUTURE CONFLICTS, THE MGAGOC CARRIES OUT REALISTIC TRAINING WITH MILITARY MUNITIONS, BOTH DAY AND NIGHT. AS A RESULT, MILITARY AIRCRAFT FLY OVER THE AREA, AND MILITARY VEHICLES DRIVE ON AND OFF THE BASE EVERY DAY. THIS PROPERTY IS LOCATED DIRECTLY UNDER TWO AIRCRAFT FLYING ROUTES AND IS LOCATED APPROXIMATELY 13 MILES FROM THE INSTALLATION BOUNDARY. CONSEQUENTLY, YOU SHOULD EXPECT TO HEAR MILITARY TRAININGS, SEE LOW-FLYING MILITARY AIRCRAFT, AND ENCOUNTER OTHER EXPERIENCES ASSOCIATED WITH THE IMPORTANT MISSION OF THE MGAGOC."

### COUNTY AUDITOR'S CERTIFICATE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE, THERE ARE NO LIENS AGAINST THE REAL PROPERTY SHOWN UPON THIS MAP FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES, OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS NOT YET PAYABLE, ESTIMATED TO BE \$ \_\_\_\_\_

DATE: \_\_\_\_\_  
LARRY WALKER, COUNTY AUDITOR/CONTROLLER/TREASURER/TAX COLLECTOR  
COUNTY OF SAN BERNARDINO.  
BY: \_\_\_\_\_ DEPUTY

### SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE

THIS MAP HAS BEEN FILED UNDER DOCUMENT NUMBER \_\_\_\_\_  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_  
OF \_\_\_\_\_ AT PAGE \_\_\_\_\_, AT THE  
REQUEST OF \_\_\_\_\_  
IN THE AMOUNT OF \$ \_\_\_\_\_  
BOB DUTTON  
ASSESSOR-RECORDER  
COUNTY OF SAN BERNARDINO  
BY: \_\_\_\_\_ DEPUTY RECORDER

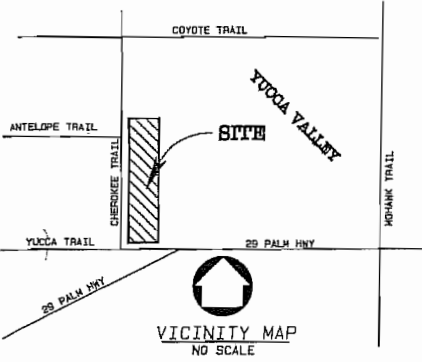
IN THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, CALIFORNIA  
**PARCEL MAP NO. 19392**  
 BEING A SUBDIVISION OF A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T 1 N, R5E, S6M

J. D. COLE & ASSOCIATES INC. February, 2015



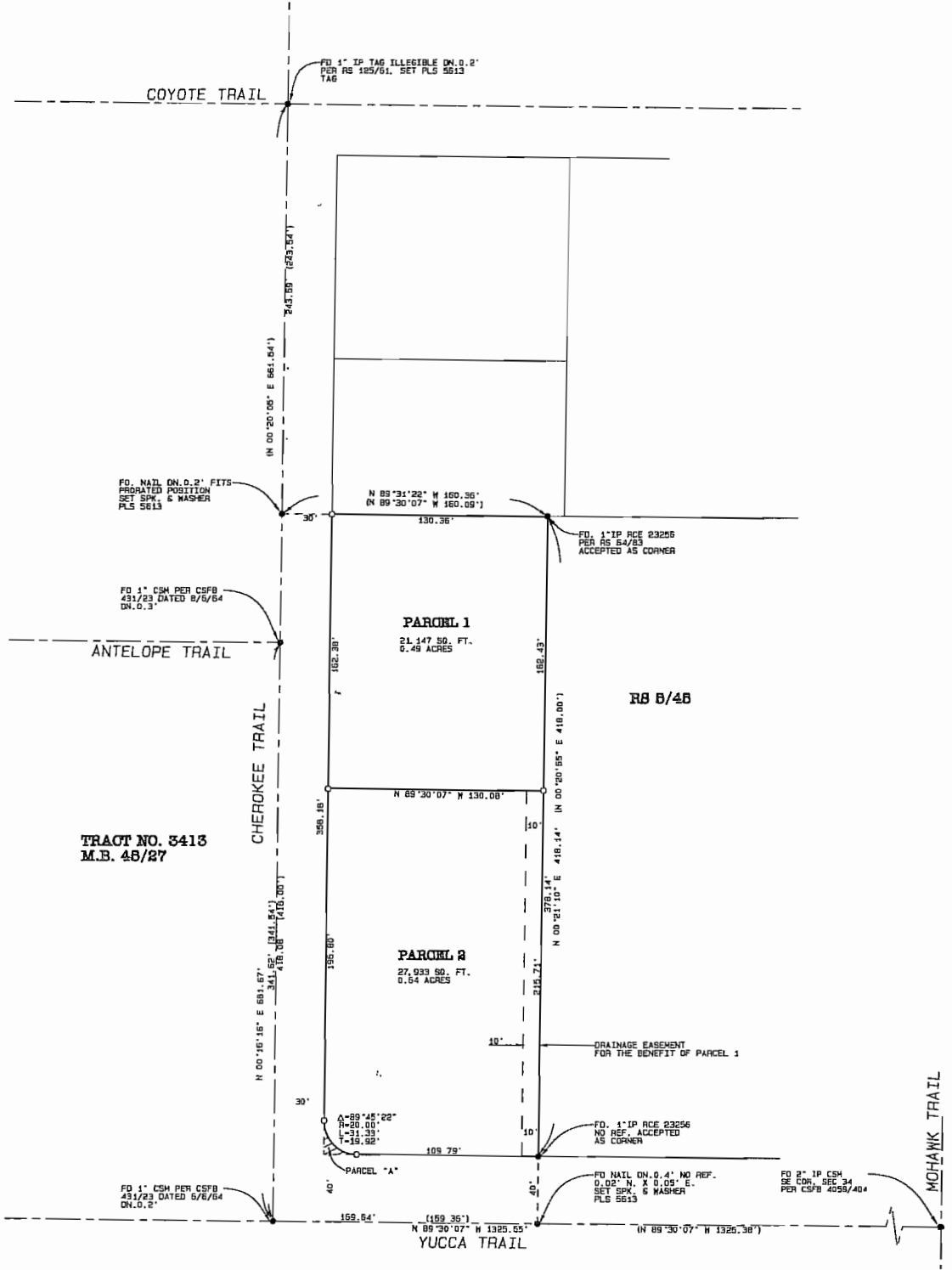
**SURVEYOR NOTES**

1. BASIS OF BEARINGS IS THE CENTERLINE OF YUCCA TRAIL BEING N 89°30'07" W PER PL 5/45
2. ● INDICATES FOUND MONUMENT AS NOTED
3. ○ INDICATES SET 1" IRON PIPE WITH PP STAMPED PLS 5613
4. | INDICATES RECORD DATA PER RS 5/45
5. | INDICATES RECORD DATA PER RS 45/27



**VICINITY MAP**  
NO SCALE

FD 1" IP TAG ILLEGIBLE DN.0.2'  
 PER RS 125/51, SET PLS 5613  
 TAG



**TRACT NO. 3413**  
**M.B. 48/27**

**TOWN OF YUCCA VALLEY  
PLANNING COMMISSION MEETING MINUTES  
AUGUST 28, 2012**

Chair Humphreville called the regular meeting of the Yucca Valley Planning Commission to order at 6:00 p.m.

Commissioners Present: Alberg, Bridenstine, Drozd, Hildebrand, and Chair Humphreville.

Pledge of Allegiance was led by Chair Humphreville

**APPROVAL OF AGENDA**

Commissioner Alberg moved to approve the agenda. Commissioner Hildebrand seconded. Motion carried 5-0-0.

**PUBLIC COMMENTS**

None

**PUBLIC HEARING:**

**1. PARCEL MAP, PM 19392 MARRONE**

Request for the Planning Commission to review the proposed subdivision of a 1.13 acre lot into two separate lots. Parcel 1 contains an existing multi-family apartment building on 0.49 acres. Parcel 2 is a vacant 0.64 acre lot.

Chair Humphreville opened the public hearing .

Associate Planner Kirschmann gave staff report contained in the printed agenda and displayed a power point presentation during the discussion. The property is zoned Old Town Highway Commercial, Highway Environs Overlay District. Future development of the site, under separate application could include a wide range of commercial uses.

The property is located at the North-East corner of Cherokee Trail and Yucca Trail. Yucca Valley Elks Lodge is to the east of the project, an existing single family unit to the west, and commercial buildings across Yucca Trail. Land use designation to the north is single family, two units per acre; to the south, Old Town Mixed Use; to the West, Old Town Residential; to the east, Old Town Commercial Use, all with the Highway Environs Overlay included.

Associate Planner Kirschmann continued by explaining that the Highway Environs Overlay is an area that provides for a heightened level of discretionary use. Regulations may be changed depending upon future realignment of State Route 62. One of the conditions of approval for this item is for the project to give a provisional 27 feet right-of-way in



consideration of the potential realignment of State Route 62. He explained that the Town is currently reviewing the State Route 62 realignment as part of its General Plan update process and there is a potential that the right-of-way may not be necessary in the future and the Town could vacate the right-of-way back to the applicant if it is not needed. The additional condition states that if the additional right-of-way is not required, and the vacation of the easement is required; it shall be processed at no charge. Town staff will continue to draft language for a solution with the intent that the vacation will not be required in the future.

Commissioner Hildebrand asked for confirmation of 67 feet, Kirschmann confirmed that 67 feet is considered the ultimate half-width, with 40 feet considered easement.

**Public Comment:**

Chair Humphreville opened public comment.

Jeff Marrone, Applicant, spoke in favor of the item. He expressed concern about the dedication of the 27 feet. If the highway will be rerouted as stated in the Old Town Specific Plan he would sign the right-of-way. If an alternate route is determined, the conditions presented tonight would be moot.

There being no one else wishing to speak, Chair Humphreville closed public hearing.

Commissioner Hildebrand questioned if there were any expiration dates on the decision tonight, based on potential rerouting of State Route 62. Deputy Town Manager Stueckle explained that Town staff tried to combine the best for both potential scenarios. The updated General Plan is anticipated to be completed by summer, 2013.

Commissioner Bridenstine asked for clarification on the finalization of the parcel map. Deputy Town Manager Stueckle responded.

Commissioner Alberg asked when this tentative map would expire. Associate Planner Kirschmann responded.

Chair Humphreville invited the applicant to speak again. Mr. Marrone stated that as long as staff can come up with appropriate wording of what was presented tonight, he is pleased with the discussion.

Commissioner Bridenstine moved to find the project to be exempt from CEQA under Section 15061(B) (3) since there is no possibility of a significant impact on the environment caused by this project and approve Tentative Parcel Map, TPM 19392 to allow the subdivision of a 1.13 acre (49,166 square feet) lot into two lots based on the findings contained within the staff report and the recommended conditions of approval. Commissioner Hildebrand

seconded. Motion carried 5-0-0.

**2. CONDITIONAL USE PERMIT, CUP 01-12 GAS COMPANY**

Proposal to convert an existing 6,665 square foot building to an administrative / maintenance facility for Southern California Gas Company. The project is located at 7230 Pioneertown Road, approximately 300 ft. north of Yucca Trail. The property is 1.9 acres and is zoned Service Commercial (C-S) The project includes an administrative office, warehouse and the outside storage of utility vehicles, utility pipes, non-flammable, flammable and compressed natural gas bottles and miscellaneous items.

The project includes a variance to allow an 8' tall fence along Pioneertown Road where a maximum 4' high is allowed. The project also includes a request to vacate a 12' wide by 330.94' portion of Pioneertown Road.

Associate Planner Kirschmann presented the staff report and visual presentation regarding CUP 01-12, EA 02-12, Street Vacation 01-12, and Variance 01-12 for Southern California Gas Company. He explained the reason for the street vacation, advising the applicant is proposing to construct Pioneertown Road to current specifications which will allow for additional landscaping and fencing. Current easements will stay in place for utilities such as water.

A Variance is requested for the southern half of the eastern property line, approximately 169.6 feet to place an eight foot high fence to increase security. A three foot section on the southern property line is also included in the variance. If the variance is approved, fencing along the front will encroach into the 15 foot setback by approximately four feet. Landscaping and a retention basin will also be constructed within this 15 foot section.

Southern California Gas Company anticipates using the property for an administrative and maintenance facility for approximately 14-15 employees. No public access is planned. Normal working hours at the facility are 6:00 a.m. to 4:30 p.m., however 24-hour operation may occur in the event of an emergency. The use is consistent with the current general plan and development code. As of meeting time, there have been no public inquiries received regarding this project.

Commissioner Bridenstine expressed concern about fencing materials and the possibility of blowing trash getting caught on it.

Chair Humphreville opened public hearing.

Christopher White, Yucca Valley, spoke in opposition of the item, expressing concern about plans to reduce the width of the road due to the number of vehicles he sees on

Planning Commission: August 28, 2012  
**TOWN OF YUCCA VALLEY**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**CURRENT PLANNING DIVISION STAFF REPORT**  
**TENTATIVE PARCEL MAP 19392 MARRONE**

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**Case:** TENTATIVE PARCEL MAP, TPM 19392 MARRONE  
ENVIRONMENTAL ASSESSMENT, EA 01-12

THE PROJECT WAS REVIEWED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). THE TOWN, AS LEAD AGENCY, DETERMINED THAT THE PROJECT IS EXEMPT FROM CEQA UNDER SECTION 15061(B) (3) SINCE THERE IS NO POSSIBILITY OF A SIGNIFICANT IMPACT ON THE ENVIRONMENT CAUSED BY THIS PROJECT.

**Request:** A REQUEST TO SUBDIVIDE A 1.13 ACRE (49,166 SQUARE FOOT) LOT INTO TWO PARCELS. LOT 1 IS PROPOSED AT .49 ACRES (21,147 SQUARE FEET) AND LOT 2 IS PROPOSED AT .64 ACRES (28,018 SQUARE FEET). NO DEVELOPMENT IS PROPOSED AT THIS TIME. FUTURE DEVELOPMENT OF THE SITE, UNDER SEPARATE APPLICATION, COULD INCLUDE A WIDE RANGE OF COMMERCIAL USES (I.E. RETAIL, OFFICE, HOTELS, BIG BOX STORES, RESTAURANTS, SHOPPING CENTERS AND MIX USE COMMERCIAL AND RESIDENTIAL).

**Applicant:** JV MARRONE AND PAMELA CONBOY  
55 COLONIAL DRIVE  
RANCHO MIRAGE, CA 92270

**Property Owner:**

SAME

**Representative:**

RJ MULLINS  
50 OAKMONT DRIVE  
RANCHO MIRAGE, CA 92270

**Location:** THE PROJECT IS LOCATED AT THE NORTH EAST CORNER OF CHEROKEE TRAIL AND YUCCA TRAIL AND IS IDENTIFIED AS APN 0594-081-34.

**Division Approvals:**

Engineering \_\_\_\_\_ Building & Safety \_\_\_\_\_ Public Works \_\_\_\_\_

**Existing General Plan Land Use Designation:**

THE SITE IS DESIGNATED OLD TOWN HIGHWAY COMMERCIAL (OTHC). THE VACANT PORTION OF THE SITE, APPROXIMATELY THE SOUTHERN 200 FEET IS LOCATED IN THE HIGHWAY ENVIRONS OVERLAY.

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**Existing Zoning Designation:**

THE SITE IS DESIGNATED OLD TOWN HIGHWAY COMMERCIAL (OTHC). THE VACANT PORTION OF THE SITE APPROXIMATELY THE SOUTHERN 200 FEET IS LOCATED IN THE HIGHWAY ENVIRONS OVERLAY.

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**Surrounding General Plan Land Use Designations:**

NORTH: RESIDENTIAL SINGLE FAMILY 2 UNITS PER ACRE (RS-2)  
SOUTH: OLD TOWN MIXED USE (OTMU) ACROSS YUCCA TRAIL,  
WITH HIGHWAY ENVIRONS OVERLAY  
WEST: OLD TOWN COMMERCIAL /RESIDENTIAL (OTC/R)  
EAST: OLD TOWN HIGHWAY COMMERCIAL (OTHC), WITH  
HIGHWAY ENVIRONS OVERLAY

---

**Surrounding Zoning Designations:**

NORTH: RESIDENTIAL SINGLE FAMILY 2 UNITS PER ACRE (RS-2)  
SOUTH: OLD TOWN MIXED USE (OTMU) ACROSS YUCCA TRAIL,  
WITH HIGHWAY ENVIRONS OVERLAY  
WEST: OLD TOWN COMMERCIAL /RESIDENTIAL (OTC/R)  
EAST: OLD TOWN HIGHWAY COMMERCIAL (OTHC), WITH  
HIGHWAY ENVIRONS OVERLAY

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**Surrounding Land Use:**

NORTH: EXISTING SINGLE FAMILY RESIDENCE  
SOUTH: MULTI TENANT COMMERCIAL BUILDING ACROSS YUCCA  
TRAIL  
WEST: EXISTING SINGLE FAMILY RESIDENTIAL NEIGHBORHOOD/  
MULTI TENANT COMMERCIAL BUILDING  
EAST: ELKS LODGE

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**Public Notification:**

PURSUANT TO SECTION 83.010330, LEGAL NOTICE IS REQUIRED TO BE GIVEN TO ALL PROPERTY OWNERS WITHIN A THREE (300) HUNDRED FOOT RADIUS OF THE EXTERIOR BOUNDARIES OF THE SUBJECT SITE. THIS PROJECT WAS POSTED AND PUBLISHED ON WEDNESDAY AUGUST 15, 2012. NO RESPONSES HAVE BEEN RECEIVED AS OF THE WRITING OF THE STAFF REPORT.

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**OUTSIDE AGENCIES COMMENTS RECEIVED**

THE TOWN OF YUCCA VALLEY HAS RECEIVED COMMENTS FROM THE FOLLOWING AGENCIES:

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT**  
A LETTER WAS PROVIDED, DATED JUNE 25, 2012, INFORMING THE APPLICANT THAT THEY HAVE NO COMMENTS ON THE APPLICATION.

**SAN BERNARDINO COUNTY FIRE DEPARTMENT**  
A LETTER WAS PROVIDED, DATED AUGUST 14, 2012, INFORMING THE APPLICANT OF THE FIRE DEPARTMENTS CONDITIONS

(COPIES OF ALL LETTERS ARE INCLUDED IN THE PACKET.)

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

THE PROJECT WAS REVIEWED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). THE TOWN, AS LEAD AGENCY, DETERMINED THAT THE PROJECT IS EXEMPT FROM CEQA UNDER SECTION 15061(B) (3) SINCE IT CAN BE SEEN WITH CERTAINTY THAT THERE IS NO POSSIBILITY THAT THE ACTIVITY IN QUESTION MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

**RECOMMENDATIONS:**

**ENVIRONMENTAL ASSESSMENT, EA-01-12:** That the Planning Commission finds the project to be exempt from CEQA under Section 15061(b) (3), since there is no possibility of a significant impact on the environment caused by this project.

**TENTATIVE PARCEL MAP TPM 19392:** That the Planning Commission approves Tentative Parcel Map, TPM 19392 to allow the subdivision of a 1.13 acre (49,166 square foot) lot into two lots based on the findings contained within the staff report and the recommended conditions of approval.

Project planner: Robert Kirschmann

Reviewed by: Shane Stueckle

**Appeal Information:**

Actions by the Planning Commission, including any finding that a negative declaration be adopted, may be appealed to the Town Council within 10 calendar days. Appeal filing and processing information may be obtained from the Planning Division of the Community Development Department. Town Staff cannot modify Planning Commission Actions except for substantial conformance determinations.

## I. GENERAL INFORMATION

**PROJECT DESCRIPTION:** A request to subdivide a 1.13 acre (49,166 square foot) lot into two lots. The northern proposed lot is fully developed with an existing 20 unit apartment complex on .49 acres (21,147 square feet). The southern proposed lot is a vacant .64 acres (28,018 square feet). No development is proposed at this time. Future development of the site, under separate application, could include a wide range of commercial uses. (i.e. retail, office, hotels, big box stores, restaurants, shopping centers and mix use commercial and residential). No development timeline has been provided.

**PROJECT OBJECTIVES:** The site is currently "split" from the layout of the existing apartment complex. A 20 unit apartment complex is constructed on the northern .49 acres. A garage and wall is constructed between the two proposed lots and separates the apartment complex from the vacant .64

The entire lot is designated Old Town Highway Commercial (OTHC) with the Highway environs overlay on the front vacant portion of the lot. The OTHC allows for a wide variety of commercial and commercial mixed uses.

The parcel map would subdivide the property into two lots and allow the south portion of the lot to be sold separate of the apartment complex.

**LOCATION:** The project is located at the north east corner of Cherokee Trail and Yucca Trail and is identified as APN 0594-081-34.

<u>PROJECT SYNOPSIS:</u>	<u>SITE COVERAGE</u>
PROJECT AREA:	1.13 acres
BUILDING AREA:	Lot 1 (apartments) .49 acres <u>Lot 2 (vacant) .64 acres</u> Total area 1.13
PHASED CONSTRUCTION:	No construction is proposed at this time. Future development of the site will require an application at that time
FLOOD ZONE:	Map 8855 Zone A, 1% chance annual flood (100 year flood). No base flood elevations determined
ALQUIST PRIOLO ZONE:	No, Yucca Valley South, shows no Alquist-Priolo Special Study

	areas faults on or adjacent to the site
OFF-SITE IMPROVEMENTS REQ:	No
COMMUNITY FACILITIES DISTRICT	This will be required with future development of the vacant parcel.
RIGHT-OF-WAY DEDICATION REQ:	Yes, 27' on Yucca Trail for realignment of SR62
UTILITY UNDERGROUNDING:	All new service lines shall be underground in conformance to Ordinance in place at time of construction
HI DESERT WATER DISTRICT WASTE-WATER PHASE:	Phase 1
AIRPORT INFLUENCE AREA:	Outside the Airport Influence area
TRAILS & BIKE LANE MASTER PLAN:	There are no trails or bike lanes on or adjacent to the site.
PUBLIC FACILITY MASTER PLAN:	There are no facilities on or adjacent to the site.
PARKS AND RECREATION MASTER PLAN:	There are no facilities on or adjacent to the site.
MASTER PLAN OF DRAINAGE:	There are no facilities on or adjacent to the site.
STREET LIGHTS:	No
SPECIFIC PLAN/ PLANNED DEVELOPMENT AREA:	Yes, Old Town Specific Plan
FUTURE PLANNING COMMISSION ACTION REQUIRED:	Yes, development of vacant portion
FUTURE TOWN COUNCIL ACTION REQUIRED:	Final map

## II. PROJECT ANALYSIS

**GENERAL PLAN CONSIDERATION:** The proposed project is located in the Old Town Highway Commercial (OTHC), Old Town Specific Plan.

The site is currently "split" as it is built. A 20 unit apartment complex is constructed on the northern .49 acres. A garage and wall is constructed between the two proposed lots and separates the apartment complex from the vacant .64 acres.

The entire lot is designated Old Town Highway Commercial (OTHC) with the Highway environs overlay on the front vacant portion of the lot. The OTHC allows for a wide variety of commercial uses.

The parcel map would allow the southern 215.71' of the lot to be sold separate from the existing apartment complex.

The project as proposed is consistent with General Plan and the Old Town Specific Plan.

**ENVIRONMENTAL CONSIDERATIONS:** The project was reviewed under the requirements of the California Environmental Quality Act (CEQA). Since there is no development proposed at this time there is no possibility that the approval of this map will have an impact on the environment. Any future development will require review and approval.

Staff finds the project to be exempt from CEQA under section 15061(b) (3) since there is no possibility of a significant impact on the environment caused by this project.

**ADJACENT LAND USES/ZONING:** The property is located in an area that is developed with a variety of uses. Properties to the west include single family residences and a commercial building. These properties are designated as Old Town Commercial/Residential. The properties to the north are developed with single family residences and is designated Residential Single Family, 2 units to the acre (RS-2). The Elks Lodge is directly to the east of the site and designated Old Town Highway Commercial (OTHC). To the south, across Yucca Trail is a variety of commercial buildings and the area is designated Old Town Mixed Use (OTMU).

**SITE CHARACTERISTICS:** The northern .49 acres of the site is fully developed with an existing 20 unit apartment complex. The southern .64 acres is a vacant lot. The northwestern corner has is the high point of the site at an elevation of approximately 3,329' and the southeastern portion is the low spot at 3,322, an elevation change of 9'. The vacant southern .64 acres ranges 3,227' to 3,322 a different of 5'. The site contains minimal vegetation and is bladed each year to mitigate potential fire hazards.



**BUILDING ELEVATIONS:** The apartment complex is existing. No changes are proposed to the building. No construction is proposed for the vacant lot at this time. Future construction will require additional review and approval.

**ROADWAY IMPROVEMENTS:** The proposed project is bounded by Cherokee Trail on the west and Yucca Trail on the South. There is existing curb and gutter along the boundaries of the project and sidewalk on Cherokee Trail adjacent to the apartment complex. Cherokee Trail is currently constructed at 44 feet curb to curb, which allows for two travel lanes and parking on both sides of Cherokee.

Curb and gutter also exists on Yucca Trail, and is currently constructed at 51 feet in width (total). The General Plan and the Development Code/Old Town Specific Plan require widening of Yucca Trail to 104 feet curb to curb within a 134 foot (67 foot half street) right of way.

Staff is recommending that no additional street improvements be constructed at this time on either street, however Staff has included a Condition of Approval requiring an additional 27' offer of dedication for the future right of way on Yucca Trail for consistency with the General Plan and the Development Code/Old Town Specific Plan. The vacant portion of the property along Yucca Trail is located in the Highway Environs Overlay, ensures that "future development proposals are not adversely affected by the realignment of SR-62".

As the Commission is aware, the Town is evaluating the Old Town Realignment project as part of the current General Plan Update project. If the General Plan Update project results in the elimination of the realignment of SR 62, the applicant would be able to apply to the Town for vacation of the additional 27 foot offer of dedication on Yucca Trail. Because of the requirement in the Development Code that the right of way must be obtained while processing the map the Town must obtain the additional right of way at this time. If the realignment is eliminated then the only option for the applicant to re-acquire the 27 feet is through the vacation process.

A brief breakdown of the vacation process would be that the applicant would apply to the Town for vacation of the excess right of way. Staff would present the application to the Planning Commission who would determine that the request is in conformance to the General Plan. Once that determination is made the request is forwarded to the Town Council who will set a public hearing for the item. After proper noticing and the final Town Council approval, the item can be approved.

**COMMUNITY FACILITIES DISTRICT:** Future development of the vacant parcel will be subject to the formation of a Community Facilities District for the maintenance of public improvements including pavement, curb gutter, sidewalk, street lighting and landscaping along Yucca Trail and Cherokee trail.

**Landscaping:** The apartment complex is existing. No additional landscaping is recommended to be required.

**CONCLUSION:** The proposed project is consistent with both the General Plan, the Zoning designation, the Development Code, and the Old Town Specific Plan. The findings for approval can be made.

**TENTATIVE PARCEL MAP FINDINGS:**

1. The proposed map is consistent with the applicable general and specific plans.

*The parcel is designated Old Town Highway Commercial (OTHC) with the Highway Environs Overlay on the vacant portion of the lot. The potential future relocation has been taken into consideration by requiring the additional 27' right of way dedication for Yucca Trail. The project meets the requirements of the designation and Specific Plan with the dedication.*

2. The design or improvement of the proposed subdivision is consistent with the applicable general plan or specific plans.

*The existing parcel is designated Old Town Highway Commercial (OTHC) with the Highway Environs Overlay on the vacant portion of the lot. The potential future relocation has been taken into consideration by requiring the additional 27' right of way dedication for Yucca Trail. The project meets the requirements of the designation and Specific Plan.*

3. The site is physically suitable for the type of development.

*The site has been zoned and developed to facilitate the existing apartment complex. The lot size of the vacant portion is similar to others in the area with commercial businesses operating. Future development will be reviewed based upon its own merits.*

4. The site is physically suitable for the proposed density of development.

*As discussed above the site has been zoned and developed to facilitate the existing apartment complex. The lot size of the vacant portion is similar to others in the area with commercial businesses operating. Future development will be reviewed based upon its own merits.*

5. The design of the subdivision or the improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife. The site is completely surrounded by development.

*The apartment complex has already been constructed. The vacant portion is completely graded each year to mitigate any potential fire hazards. There are no drainage areas on the site and there will be no impacts to fish or wildlife as a result of this project.*

6. The design of the subdivision or proposed improvements are not likely to cause serious public health problems.

*The proposed project is consistent with the Town's General Plan and Development Code and Specific Plan with the offer of dedication for Yucca Trail. There are no potential impacts to public health expected.*

7. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision

*The project is conditioned to provide a dedication for the potential future right of way should SR 62 be rerouted in accordance with the Old Town Specific Plan. No conflicts are identified as a result of the map approval.*

**Attachments:**

1. Standard Exhibits
2. Application materials
3. Agency Comment Letters
4. Notice of Hearing
5. Preliminary Notice of Exemption

**TOWN OF YUCCA VALLEY  
COMMUNITY DEVELOPMENT DEPARTMENT  
RECOMMENDED CONDITIONS OF APPROVAL  
TENTATIVE PARCEL MAP, TPM 19392 MARRONE**

A request to subdivide a 1.13 acre (49,166 square foot) lot into two lots. The northern proposed lot is fully developed with an existing 20 unit apartment complex on .49 acres (21,147 square feet). The southern proposed lot is a vacant .64 acres (28,018 square feet). No development is proposed at this time. Future development of the site, under separate application, could include a wide range of commercial uses.

- G1. The applicant shall agree to defend, indemnify and hold harmless the Town of Yucca Valley, its agents, officers and employees, at his sole expense, against any action, claim or proceedings brought against the Town or its agents, officers or employees, to attack, set aside, void, or annul this approval or because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the Town of Yucca Valley Development Code. The applicant shall reimburse the Town, its agents, officers, or employees for any court costs, and attorney's fees which the Town, its agents, officers or employees may be required by a court to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition. The Town shall promptly notify the applicant of any claim, action or proceedings arising from the Town's approval of this project, and the Town shall cooperate in the defense.
- G2. This Tentative Parcel Map shall become null and void if the Tentative Parcel Map has not recorded within three (3) years of the Town of Yucca Valley date of approval. Extensions of time may be granted by the Planning Commission and/or Town Council, in conformance with the Town of Yucca Valley Development Code. The applicant is responsible for the initiation of an extension request.

**Approval Date: August 28, 2012**

**Expiration Date: August 28, 2015**

- G3. The applicant shall ascertain and comply with requirements of all State, County, Town and local agencies as are applicable to the project. These include, but are not limited to, County of San Bernardino Environmental Health Services, County of San Bernardino Transportation/Flood Control, County of San Bernardino Fire Department, Yucca Valley Building and Safety, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water Quality Control Board, Colorado River Region, the Federal Emergency Management Agency, MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town Departments.

- G4. No on-site or off-site work shall commence without obtaining the appropriate permits for the work required by the Town and the appropriate utilities. The approved permits shall be readily available on the job site for inspection by Town personnel.
- G5. The applicant shall pay all fees charged by the Town as required for application processing, plan checking, construction and/or inspection. The fee amounts shall be those which are applicable and in effect at the time work is undertaken and accomplished. Fees for entitlement prior to construction permits are based on estimated costs for similar projects. Additional fees may be incurred, depending upon the specific project. If additional fees for services are incurred, they must be paid prior to any further processing, consideration, or approval(s).
- G6. All refuse shall be removed from the premises in conformance with Yucca Valley Town Code 33.083.
- G7. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB 1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a qualified licensed land surveyor or civil engineer to reset those monuments per Town Standards and file the necessary information with the County Recorder's office as required by law (AB 1414).
- G8. At the time of map recordation the applicant shall be responsible for the payment of fees associated with electronic file storage of documents
- G9. The Applicant shall reimburse the Town for the Town's costs incurred in monitoring the developer's compliance with the Conditions of Approval including, but not limited to, inspections and review of developer's operations and activities for compliance with all applicable dust and noise operations. This condition of approval is supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Yucca Valley Municipal Code.
- G10. After final plan check by the Town, original mylars (4 mil) of the Final Map shall be submitted to the Town for signature by the Town Engineer. All original mylars submitted for Town Engineer's signature must contain the design engineer's wet signature and stamp and all other required signatures.
- G11. The applicant or the applicant's successor-in-interest shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust.
- G12. All street dedications shall be irrevocably offered to the public and shall continue in force until the Town accepts or abandons such offers. All dedications shall be free of all encumbrances as approved by the Town Engineer.

- G13. Violations of any condition or restriction or prohibition set forth in these conditions, including all approved construction plans, public and private, for this project and subject to the Town's overall project approval and these conditions of approval, shall subject the owner, applicant, developer or contractor(s) to the remedies as noted in the Municipal Code. In addition, the Town Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
- G14. All property corners, logs, easements, street centerlines and curve radii shall be monumented and horizontally tied to identified control points. A copy of the monumentation survey and centerline tie notes shall be provided to the Town Engineer for approval.

#### **PLANNING CONDITIONS**

- P1. The development of the property shall be in conformance with FEMA requirements and the Town's Floodplain Management Ordinance requirements. Adequate provision shall be made to intercept and conduct the existing tributary drainage flows around or through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to modifying existing facilities or by securing a drainage easement.
- P2. All utilities shall be undergrounded in accordance with Ordinance 233.
- P3. All exterior lighting shall comply with the Ordinance 90, Outdoor Lighting and shall be illustrated on all construction plans.

#### **ENGINEERING CONDITIONS**

- E1. Dedicate an additional 27 feet of street right of way (67 feet total) along Yucca Trail.
- E2. Dedicate an easement for a 20 foot radius corner cutoff at the northeast corner of Yucca Trail and Cherokee Trail.
- E3. Prior to any work being performed in the public right-of-way, fees shall be paid and an encroachment permit shall be obtained from the Town. The Applicant shall apply for an encroachment permit from the Town for utility trenching, utility connection, or any other encroachment onto public right-of-way. The Applicant

shall be responsible for the associated costs and arrangements with each public utility.

- E4. It is understood that the tentative map correctly shows all existing easements, traveled ways and drainage courses, and that their omission may require the tentative map to be resubmitted for further consideration.
- E5. The following information regarding the presence of the Marine Corps Air Ground Combat Center (MGAGCC) shall be recorded on the title of each property contained within the boundaries of the parcel map.

"The Marine Corps Air Ground Combat Center is located in the Morongo Basin. To prepare Marines for future conflicts, the MGAGCC carries out realistic training with military munitions, both day and night. As a result, Military aircraft fly over the area, and military vehicles drive on and off the base every day. This property is located directly under two aircraft flying routes and is located approximately 13 miles from the installation boundary. Consequently, you should expect to hear military training, see low-flying military aircraft, and encounter other experiences associated with the important mission of the MCAGCC".

- E6. The Applicant shall cause to be formed or shall record a non-opposition agreement to participation in a future public safety assessment district formed by the Town not to exceed \$.1307 per square foot for non- residential.

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

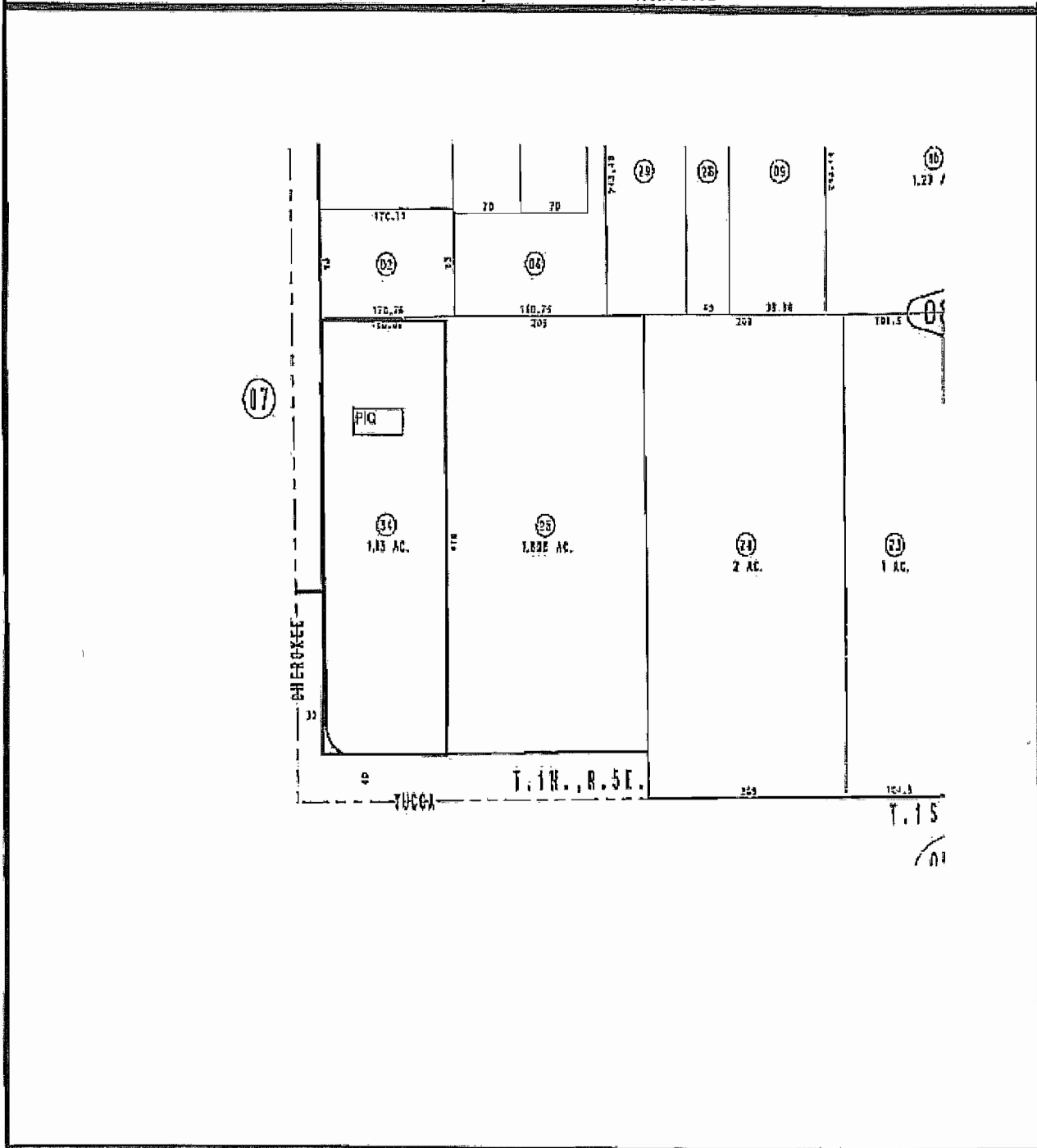
Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_





# TOWN OF YUCCA VALLEY

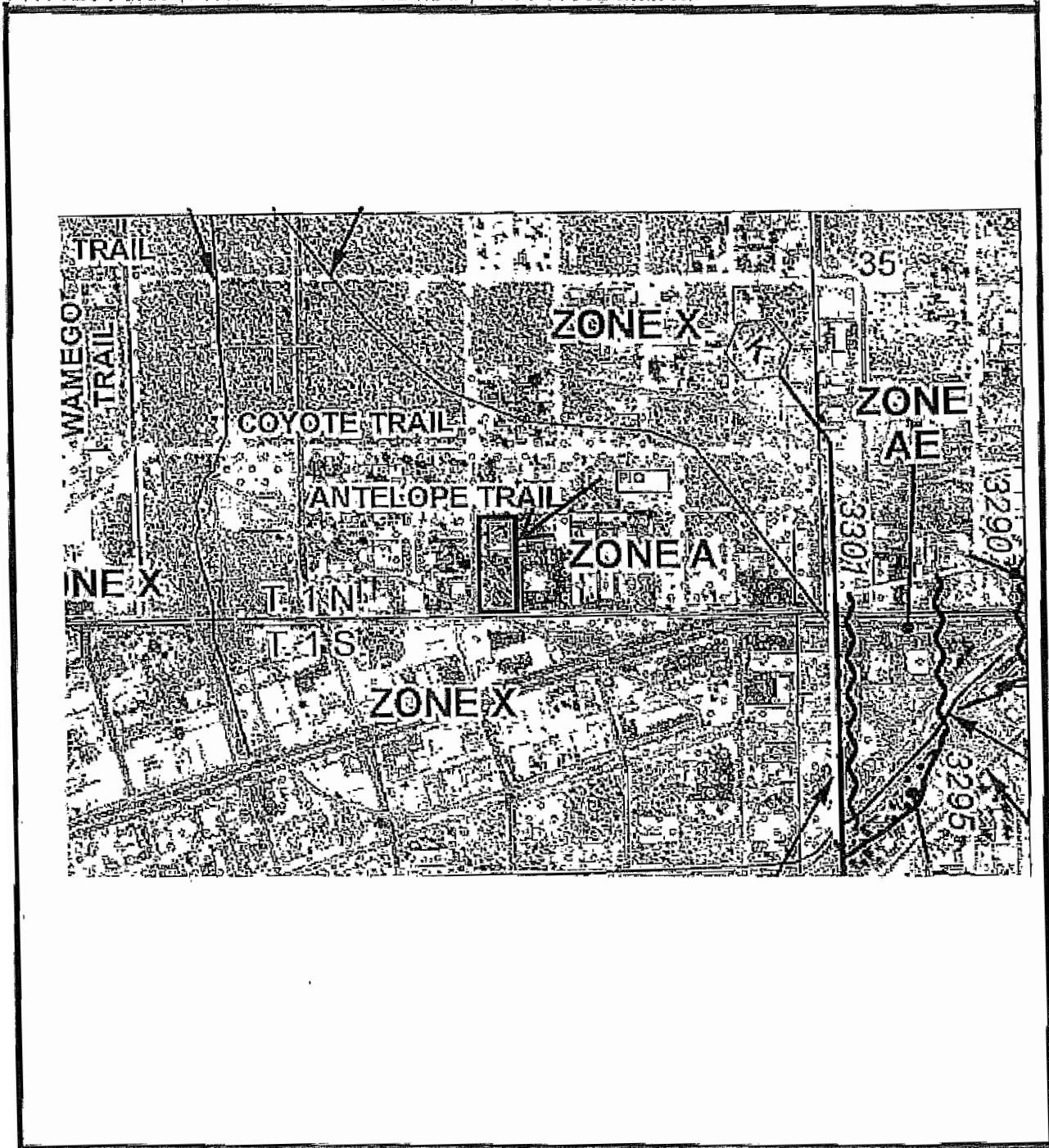
PROJECT NO.: TENTATIVE PARCEL MAP, TPM 19392 Marrone



Assessor's Parcel Map

# TOWN OF YUCCA VALLEY

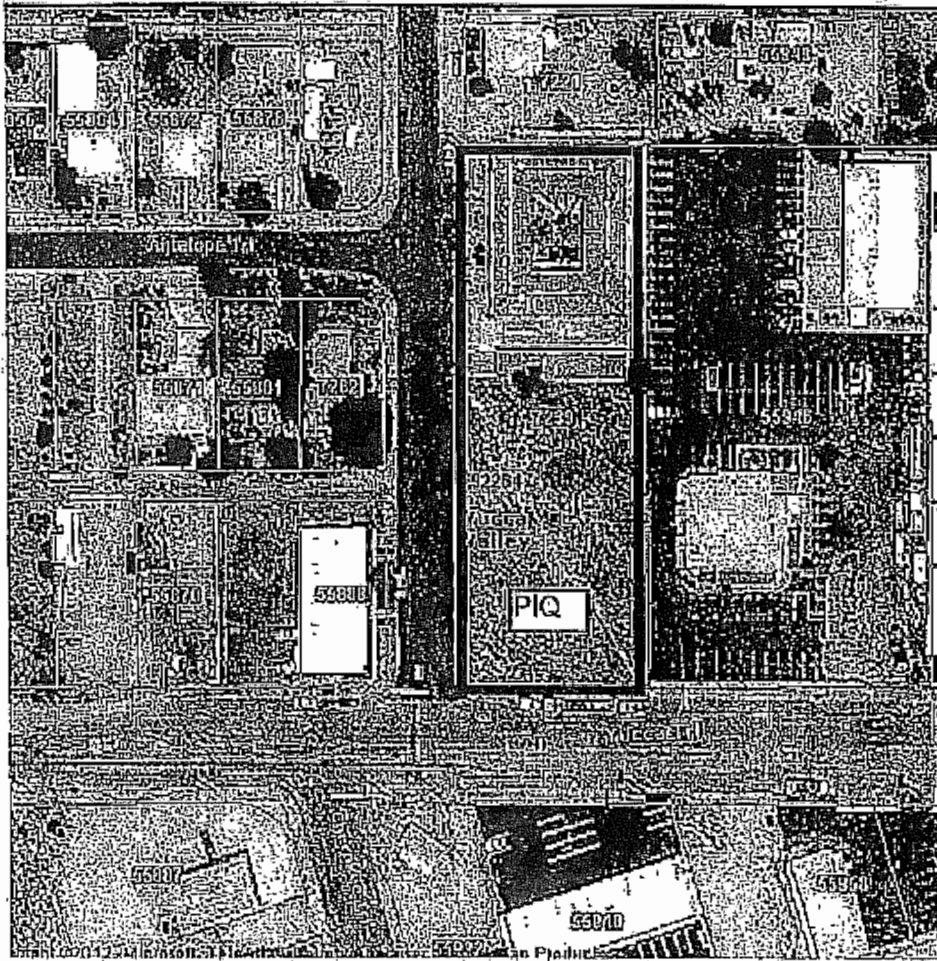
PROJECT NO: TENTATIVE PARCEL MAP, TPM 19392 Marrone



FEMA Map

# TOWN OF YUCCA VALLEY

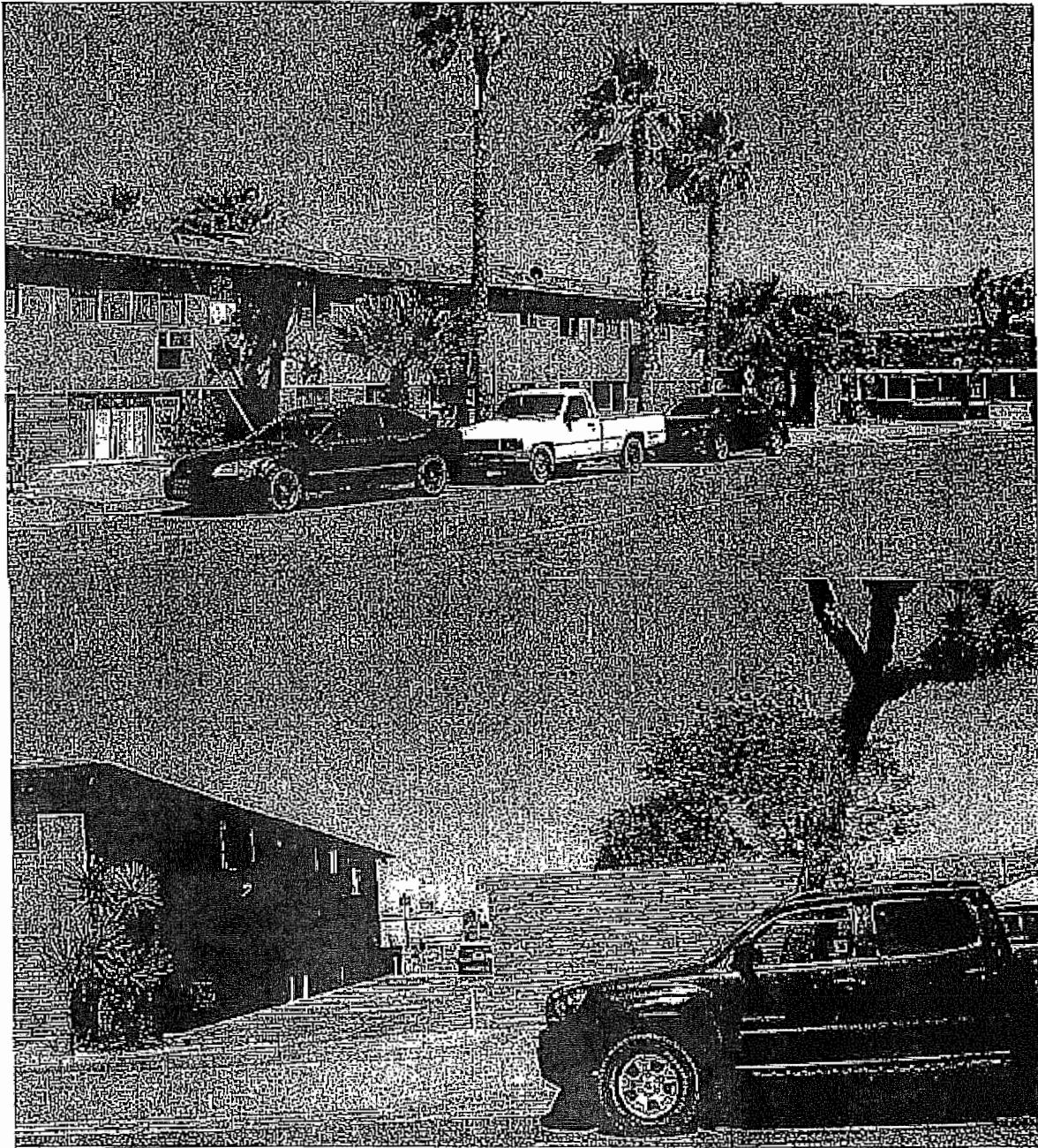
PROJECT NO.: TENTATIVE PARCEL MAP, TPM 19392 Marrone



Aerial Photo

# TOWN OF YUCCA VALLEY

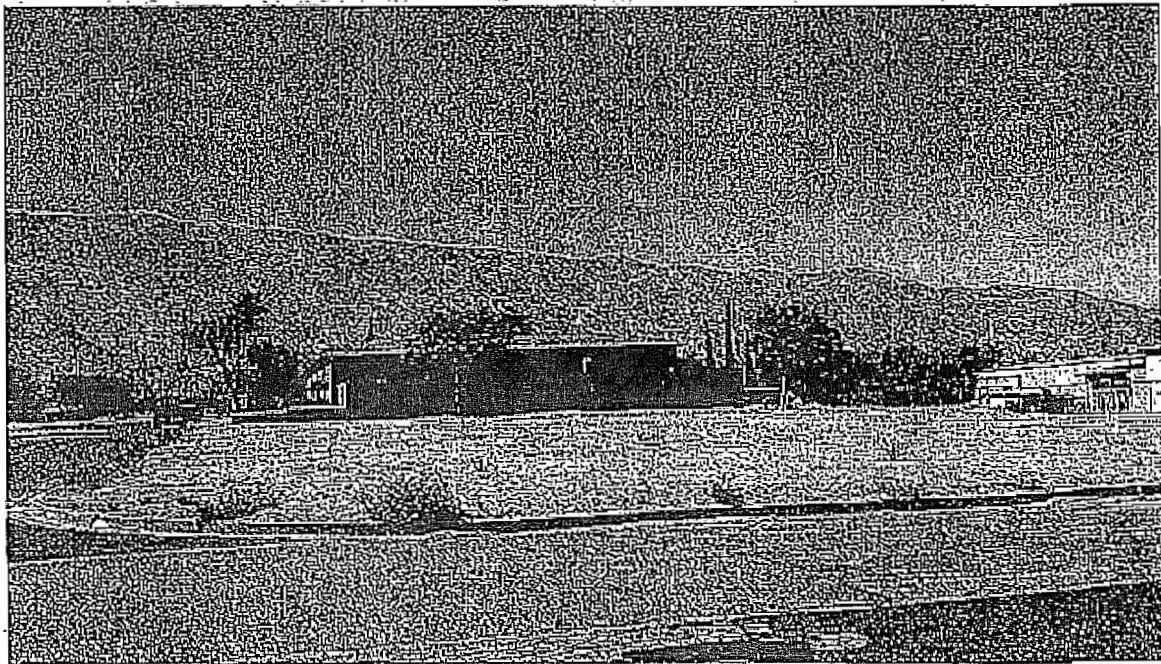
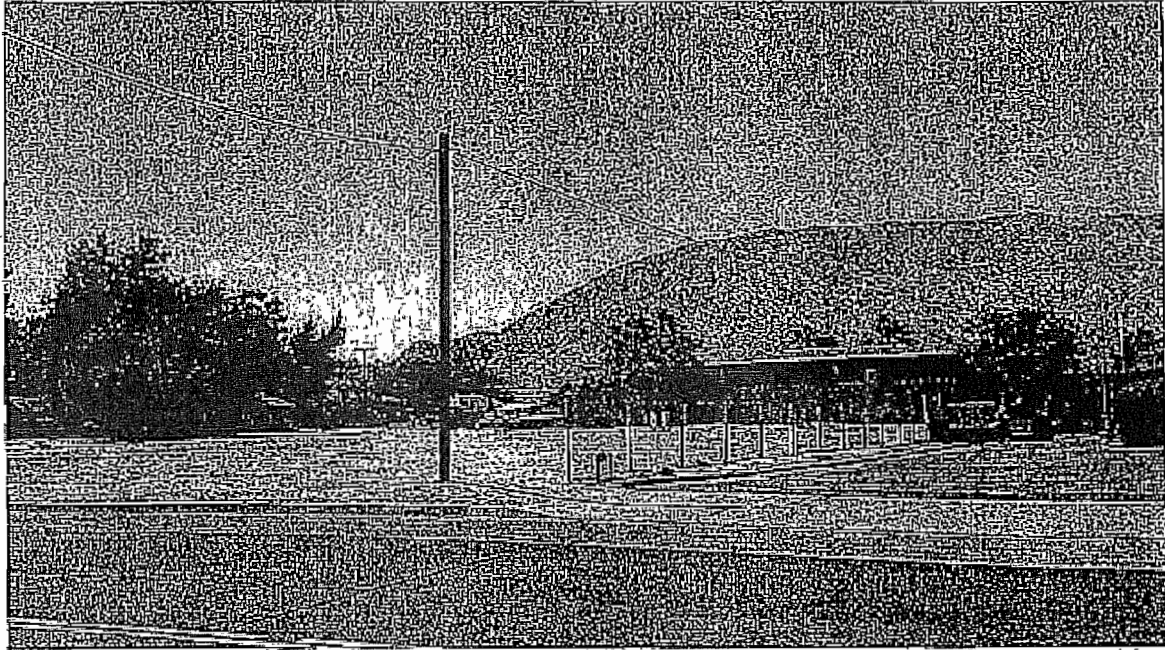
PROJECT NO.: TENTATIVE PARCEL MAP, TPM 19392 Marrone



Site Photos

# TOWN OF YUCCA VALLEY

PROJECT NO.: TENTATIVE PARCEL MAP, TPM 19392 Marrone



Site Photos

P.19

P.28



# Tract Map Application

Date Received 6/5/17  
 By Robert Kuschner  
 Fee \$2,410  
 Case# PM 19392  
 EA# 01-12

Map # 19392  
 Parcel  
 Tract

### General Information

APPLICANT JV Marrone & Pamela Conboy Phone (760) 770-3920 Fax \_\_\_\_\_  
 Mailing Address 55 Colonial Drive Email jmarr54098@aol.com  
 City Rancho Mirage State CA Zip 92270  
 REPRESENTATIVE RJ Mullins Phone (760) 202-3986 Fax (760) 202-3987  
 Mailing Address 50 Oakmont Driv Email russelljmullins@aol.com  
 City Rancho Mirage State CA ZIP 92270  
 PROPERTY OWNER JV Marrone & Pamela Conboy Phone (760) 770-3920 Fax \_\_\_\_\_  
 Mailing Address 55 Colonial Drive Email jmarr54098@aol.com  
 City Rancho Mirage State CA Zip 92270

### Project Information

Project Address &@#( Cherokee Trail, Yucca Valley, CA Assessor Parcel Number(s) 0594-081-34  
 Project Location NW cornerr of Yucca Trail and Cherokee Trail  
 Project Description: Ptn SE 1/4, SE 1/4, Sec 34, T.1N., R.5 E., SBBM

Please attach any additional information that is pertinent to the application.

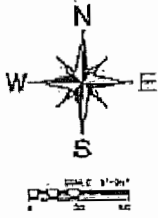
Town of Yucca Valley  
 Community Development Department  
 Planning Division  
 58928 Business Center Dr  
 Yucca Valley, CA 92284  
 760 369-6575 Fax 760 228-0084  
[www.yucca-valley.org](http://www.yucca-valley.org)

IN THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, CALIFORNIA

# TENTATIVE PARCEL MAP NO. 19392

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 36, T 1 N, R 6S, E 6M

J. D. SMITH & ASSOCIATES INC. MAY, 1980

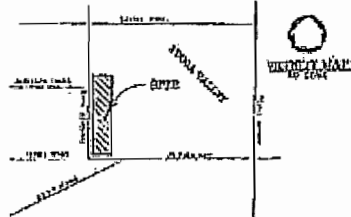


**SURVEYOR NOTES**

1. THIS PARCEL MAP WAS PREPARED FROM THE RECORDS OF THE COUNTY CLERK OF SAN BERNARDINO COUNTY, CALIFORNIA, AND THE RECORDS OF THE COUNTY CLERK OF SAN BERNARDINO COUNTY, CALIFORNIA.

**ANNOUNCEMENT**

THIS PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY CLERK OF SAN BERNARDINO COUNTY, CALIFORNIA.



**OWNER/APPLICANT**

J. D. SMITH & ASSOCIATES INC.

**PROJECT DESCRIPTION**

REVISION OF THE PARCEL MAP TO CORRECT THE LEGAL DESCRIPTION.

**LEGAL DESCRIPTION**

THE PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY CLERK OF SAN BERNARDINO COUNTY, CALIFORNIA. THE PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY CLERK OF SAN BERNARDINO COUNTY, CALIFORNIA.

**LOT AREAS**

LOT 1: 0.20 ACRES  
LOT 2: 0.20 ACRES

**UTILITIES/SERVICES**

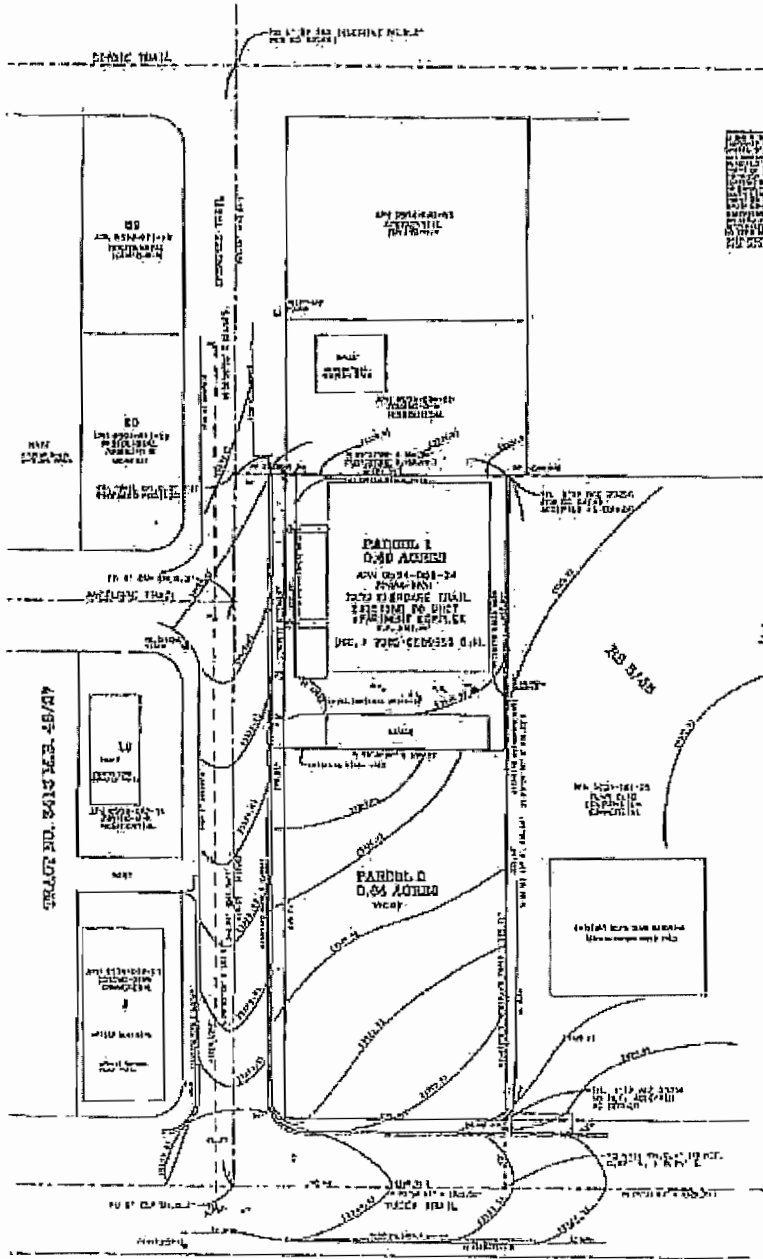
WATER: 12" DUCTILE IRON PIPE  
SEWER: 12" DUCTILE IRON PIPE  
GAS: 12" DUCTILE IRON PIPE  
ELECTRIC: 12" DUCTILE IRON PIPE  
TELEPHONE: 12" DUCTILE IRON PIPE  
CABLE: 12" DUCTILE IRON PIPE

**FEMA FLOOD ZONE DESIGNATION**

NO FLOOD ZONE DESIGNATION

**ABBREVIATIONS**

AS: ASBESTOS  
C: CEMENT  
D: DUCTILE IRON PIPE  
E: ELECTRIC  
G: GAS  
S: SEWER  
W: WATER



THIS PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY CLERK OF SAN BERNARDINO COUNTY, CALIFORNIA.

Environmental Assessment

1. Property boundaries, dimensions and area (also attach an 8 1/2 x 11" site plan):  
130' X 378' 1.13 Ac
2. Existing site zoning: OTHC      3. Existing General Plan designation: OTHC
4. Precisely describe the existing use and condition of the site: Nty .49 Ac is an existing 20-unit apartment bldg. S'ly .64 Ac is vacant land
5. Existing Zoning of adjacent parcels:  
North R-M      South OTHC      East OTHC      West OTC/R
6. Existing General Plan designation of adjacent parcels:  
North R-M      South OTHC      East OTHC      West OTC/R
7. Precisely describe existing uses adjacent to the site: Residential to north; commercial/residential to west; commercial to south; commercial to east.
8. Describe the plant cover found on the site, including the number and type of all protected plants: None, apartment complex on nty parcel is landscaped and s'ly parcel is clean graded.

**Note:** Explain any "Yes" or "Maybe" responses to questions below. If the information and responses are insufficient or not complete, the application may be determined incomplete and returned to the applicant.

Yes    Maybe    No

- |                          |                          |                                     |   |
|--------------------------|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Is the Site on filled or slopes of 15% or more or in a canyon? (A geological and/or soils investigation report is required with this application.)               |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Has the site been surveyed for historical, paleontological or archaeological resources? (If yes, a copy of the survey report is to accompany this application.) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Is the site within a resource area as identified in the archaeological and historical resource element?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Does the site contain any unique natural, ecological, or scenic resources?  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 13. Do any drainage swales or channels border or cross the site?  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 14. Has a traffic study been prepared? (If yes, a copy of the study is to accompany this application.)  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 15. Is the site in a flood plain? (See appropriate FIRM)  |



**Project Description**

Complete the items below as they pertain to your project. Attach a copy of any plans submitted as part of the project application and any other supplemental information that will assist in the review of the proposed project pursuant to CEQA.

**1. Commercial, Industrial, or Institutional Projects:**

- A. Specific type of use proposed: N/A
- B. Gross square footage by each type of use: Nly 0.49 Ac is an existing apartment building  
Sly 0.64 Ac is vacant land
- C. Gross square footage and number of floors of each building: 20-unit 2 storey apt bldg  
99036 SF, plus 1840 parking garage
- D. Estimate of employment by shift: N/A
- E. Planned outdoor activities: N/A

**2. Percentage of project site covered by:**

\_\_\_\_\_ % Paving, \_\_\_\_\_ % Building, \_\_\_\_\_ % Landscaping, \_\_\_\_\_ % Parking

3. Maximum height of structures 20' ft. \_\_\_\_\_ in.

4. Amount and type of off street parking proposed: 18 existing covered parking

5. How will drainage be accommodated? surface

\_\_\_\_\_

\_\_\_\_\_

6. Off-site construction (public or private) required to support this project: None

7. Preliminary grading plans estimate 0 cubic yards of cut and 0 cubic yards of fill

8. Description of project phasing if applicable: None

\_\_\_\_\_

9. Permits or public agency approvals required for this project: None

\_\_\_\_\_

10. Is this project part of a larger project previously reviewed by the Town? if yes, identify the review process and associated project title(s) No

\_\_\_\_\_

11. During construction, will the project: (Explain any "yes" or "maybe" responses to questions below – attach extra pages if necessary.)

Yes Maybe No

- |                          |                          |                                     |   |
|--------------------------|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | A. Emit dust, ash, smoke, fumes or odors?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | B. Alter existing drainage patterns?  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | C. Create a substantial demand for energy or water?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | D. Discharge water of poor quality?   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | E. Increase noise levels on site or for adjoining areas?  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | F. Generate abnormally large amounts of solid waste or litter?  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | G. Use, produce, store, or dispose of potentially hazardous materials such as toxic or radioactive substances, flammable or explosives? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | H. Require unusually high demands for such services as police, fire, sewer, schools, water, public recreation, etc.                     |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | I. Displace any residential occupants?  |

#### Certification

I hereby certify that the information furnished above, and in the attached exhibits, is true and correct to the best of my knowledge and belief.

Signature: \_\_\_\_\_

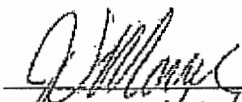


Date: \_\_\_\_\_

5/16/2012

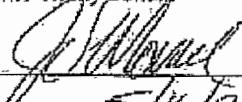
**Owner/Applicant Authorization**

**Applicant/Representative:** I/We have reviewed this completed application and the attached material. The information included with this application is true and correct to the best of my/our knowledge. I/We further understand that the Town may not approve the application as submitted, and may set conditions of approval. Further, I understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. Additional fees may be required depending on additional administrative costs

Signed:   
Date: 5/16/2012

**Property Owner:** I/We certify that I/We are presently the legal owner(s) of the above described property (If the undersigned is different from the legal property owner, a letter of authorization must accompany the form). Further, I/We acknowledge the filing of this application and certify that all of the above information is true and accurate. I/We understand that I/We are responsible for ensuring compliance with conditions of approval. I hereby authorize the Town of Yucca Valley and/or its designated agent(s) to enter onto the subject property to confirm the location of existing conditions and proposed improvements including compliance with applicable Town Code Requirements. Further, I understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. Additional fees may be required depending on additional administrative costs. I am hereby authorizing

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

Signed:   
Dated: 5/16/2012

**Agreement to Pay All Development Application Fees**

In accordance with Town Council Resolution 04-38 the Town collects certain fees based on the actual cost of providing service. The application deposit for this project (as indicated below) may not cover the total cost of processing this application. We are aware that if the account has 25% or less remaining prior to completion of the project, staff will notify the undersigned in writing, of the amount of additional deposit required to complete the processing of the application, based on Staff's reasonable estimate of the hours remaining to complete this application process.

Further, I understand that if I do not submit the required additional deposit to the Town within 15 business days from the date of notification by the Town, the Town will cease processing of the application and/ or not schedule the project for action by the Planning Commission or Town Council until the fees have been paid.

Any remaining deposit will be refunded to me at time of closeout after I have submitted any required approved project plans and forms, including signed conditions of approval, or upon my written request to withdraw the application.

As the applicant, I understand that I am responsible for the cost of processing this application and I agree that the actual costs incurred processing this application will be paid to the Town of Yucca Valley.

Deposit Paid: \$ 2410<sup>00</sup>

Applicant's Signature *J.V. MARRONE* Date: 5/16/2012

Applicants Name J.V. MARRONE  
(Please print)

**Developer Disclosure Statement**

This portion of the Application must be fully completed and signed by the Applicant. If not fully completed and signed, the Application will be deemed incomplete.

Address of subject property: 7239 CHEROKEE TRAIL YUCCA VALLEY

Cross street: YUCCA TRAIL

Date this Disclosure Statement is completed: \_\_\_\_\_

Name of Applicant: J.V. MARRONE

The Applicant is a:

- Limited Liability Company (LLC)
- Partnership
- Corporation
- None of the above

**Information for LLC, Partnership, Corporation**

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

State of Registration \_\_\_\_\_

**Managing member(s), General Partner(s) officer(s)**

Name J.V. MARRONE Phone 760-770-3929 Fax 760-770-9751

Mailing Address 55 COLONIAL DR. Email JMARR54098@AOL.COM

City RANCHO MIRAGE State CA Zip 92270

Attach additional sheets if necessary

**Agent for Service of Process**

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder**

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

The Owner is a:

- Limited Liability Company (LLC)
- Partnership
- Corporation
- None of the above

**Information for LLC, Partnership, Corporation**

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

State of Registration \_\_\_\_\_

**Managing member(s), General Partner(s) officer(s)**

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Attach additional sheets if necessary

**Agent for Service of Process**

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder**

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

The Party in escrow is a (if property is in escrow):

- Limited Liability Company (LLC)
- Partnership
- Corporation
- None of the above

Information for LLC, Partnership, Corporation

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

State of Registration \_\_\_\_\_

Managing member(s), General Partner(s) officer(s)

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Attach additional sheets if necessary

Agent for Service of Process

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder

Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

For any deeds of trust or other liens on the property (other than real property tax liens) please state the following:

- A. Name of beneficiary of the deed of trust or lien NONE
- B. Date of the deed of trust or lien. NONE

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on the date and location set forth below

J. V. Marrone  
Signature

Print Name: J. V. MARRONE

Title: OWNER

Date of signing: 5/16/2012

Location: Rancho Mirage CA



## HAZARDOUS WASTE SITE STATEMENT

I have been informed by the Town of Yucca Valley of my responsibilities, pursuant to California Government Code Section 65962.5, to notify the Town as to whether the site for which a development application has been submitted is located within an area which has been designated as the location of a hazardous waste site by the Office of Planning and Research, State of California (OPR).

I am informed and believe that the proposed site, for which a development application has been submitted, is not within any area specified in said Section 65962.5 as a hazardous waste site.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Dated: 5/16/2012

*J. M. [Signature]*  
Applicant/Representative printed name

\_\_\_\_\_  
Applicant/Representative signature





**SURROUNDING PROPERTY OWNERS LIST CERTIFICATION**  
(To be submitted with application)

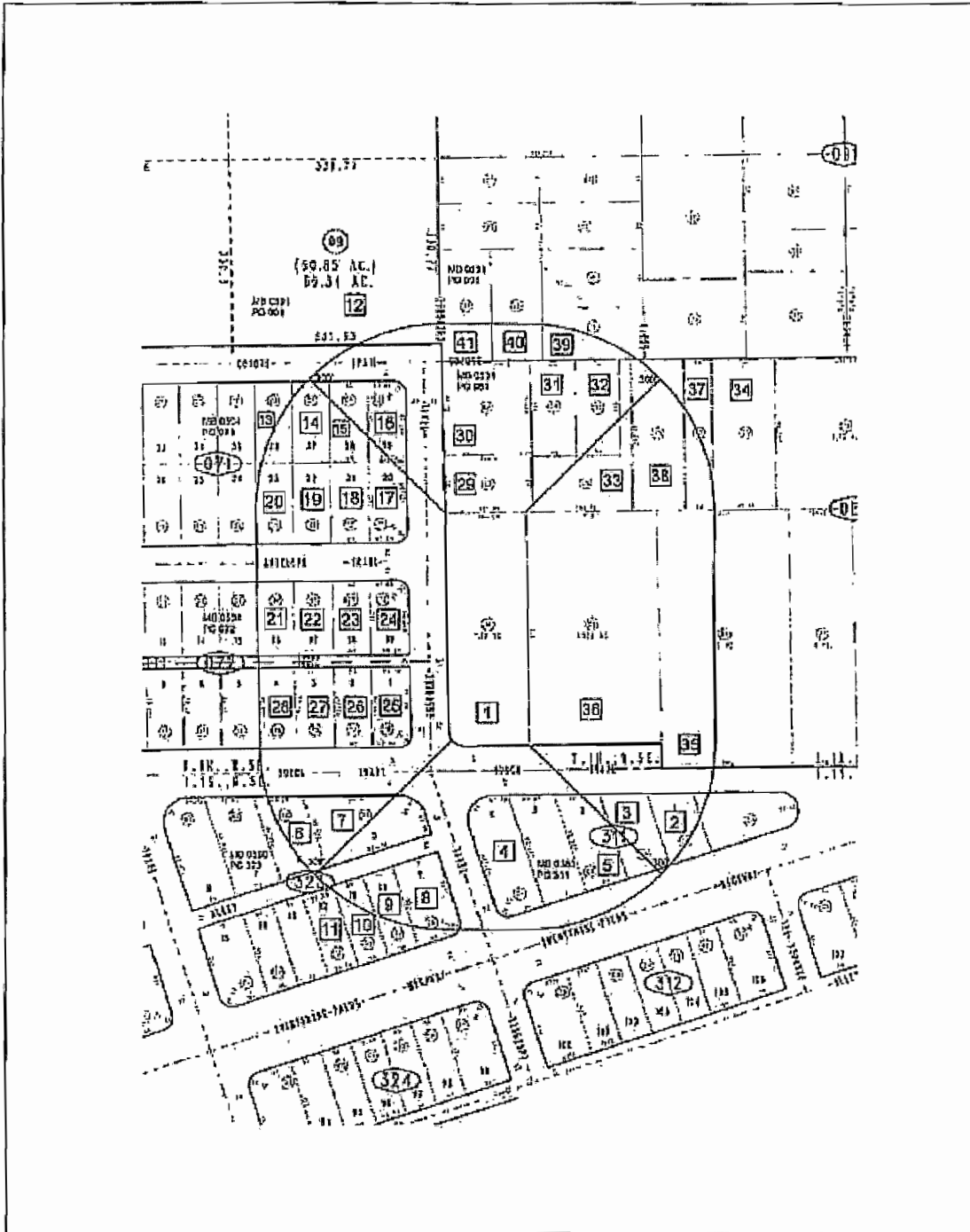
I, STANLEY SZETO, certify that on MAY 25, 2012 the attached property owners list was prepared by STANLEY SZETO pursuant to the requirements of the Town of Yucca Valley. Said list is a complete compilation of the owner(s), applicant(s) and representative of the subject property and all owners of surrounding properties within a radius of 300 feet from all exterior boundaries of the subject property and is based on the latest equalized assessment rolls of the San Bernardino County Assessor's Office dated MAY 25, 2012. I further certify that the information filed is true and correct to the best of my knowledge; I understand that incorrect and erroneous information may be grounds for rejection or denial of the development application.

Signed: \_\_\_\_\_

Print Name: STANLEY SZETO

Date: MAY 25, 2012

FILE THIS COPY TO:  
TOWN OF YUCCA VALLEY  
57000 TWENTYNINE PALMS HWY  
YUCCA VALLEY CA 92284  
**REMOVE THIS LABEL PRIOR TO FILING**



<p><b>TITLE OWNERSHIP MAP</b></p> <p>ADDRESS: 7233 CHILDMERE TRL PLATE CA WISLEY CA 92394-2096</p> <p><b>PROPERTY OWNER(S):</b> 15 COLONIAL DR RANCHO MIRAJE CA 92276-1000</p> <p><b>APPLICANT(S):</b> 15 COLONIAL DR RANCHO MIRAJE CA 92276-1000 E223 374-2358</p> <p>TRONEX GUIDE: SAN BERNARDINO COUNTY PAGE/BLK: 40/5147</p>	<p><b>LEGAL DESCRIPTION:</b> PTN SEC 34 TP 1N R 5E CO S 1/4 SD SEC 11 56 FT W OF BE CORNER SEC 11 N 03 DEG 20 MIN 58 SEC 08 IN 4 FT TO TRUE POB 111 N 00 DEG 20 MIN 58 SEC 08 AL E U SD FROM 010 FT 14 IN TO CORNER BY BECOMES W 150 FT 11 5 40 08 0 20 48 0 5 SECONDS W 316 FT 5 1/2 IN 03 SEC 08 E 161 28 FT TO TRUE POB EX ST</p> <p>APN: 0508-0511-344-000</p> <p>ACREAGE: ± 1.13</p> <p>DATE: MAY 25, 2017</p> <p>SCALE: 1" = 100'</p> <p>NO. SHEETS: 1</p>	<p><b>FOR DEPARTMENT USE</b></p> <p>CASE NO. _____</p> <p>RECEIVED BY: _____</p> <p>DATE: _____</p> <p><i>[Signature]</i></p> <p><b>SZETO + ASSOCIATES</b></p> <p>LAND USE ENTITLEMENT CONSULTANTS</p> <p>112, 1122, 1123 PAS 112222</p>
--	--	--

R.J. MULLINS & ASSOCIATES INC.

Town Of Yucca Valley  
58928 Business Center Drive  
Yucca Valley, CA 92284  
Attention: Robert Kirschmann

RE: Tentative Parcel Map No. 19392

Date: May 14, 2012

Dear Robert:

We hereby submit the Tentative Map, Application, and fee for approval. This Parcel Map is merely a "lot split" of an existing 1.13 Acre parcel into two (2) parcels. The land is in a fully developed area of Yucca valley, with the surrounding land fully developed, all utilities are existing, and the streets are improved with curb and gutter. The land use of the two (2) parcels will remain the same, with no impact on the existing infra-structure. Parcel 1 is proposed to be 0.49 Acres and will encompass the existing apartment building and garage area. This apartment was built in the 1960's and is fully served by all utilities. Parcel 2 is proposed to be 0.64 Acres and is a vacant, graded lot. No development is proposed for this parcel.

Due to the fact that no construction is proposed as part of the Parcel Map, and no utility "tie-ins" are required, as part of our submittal, we hereby request consideration of the waiver of certain documents that we feel are un-necessary for a simple "lot-split." Certainly, upon any development of Parcel 2, an application will be made, and the submittal of those reviews, studies, and reports will be made at that time.

Specifically, we request the waiver of the following:

Preliminary Grading Plan;  
Park Fees;  
County Fire Fees;  
Regional Water Control Board Fees;  
Air Quality Assessment;  
Green-house Gas Inventory;  
Biological Assessment;  
Fish and Game Review;  
High Desert Water District "Will Serve" letter;  
Geotechnical Investigation.

Thank you for all of the assistance you have provide to this point and for your consideration of our request as stated above. We look forward to working with you.

Sincerely,

  
Russell J. Mullins

**SAN BERNARDINO COUNTY  
FIRE DEPARTMENT**



**COUNTY OF SAN BERNARDINO  
PUBLIC AND SUPPORT  
SERVICES GROUP**

**MARK A. HARTWIG  
Fire Chief**

**OFFICE OF THE FIRE MARSHAL  
COMMUNITY SAFETY DIVISION  
15900 Smoke Tree Street, 1st Floor, STE 134  
Hesperia, CA. 92345  
(760) 995-8190 - Fax (760) 995-8205**

**DATE: August 14, 2012**

**EXPIRATION: August 2013**

**JV MARRONE & PAMELA CONBOY  
55 COLONIAL DRIVE  
RANCHO MIRAGE CA 92270**

**PERMIT NUMBER: F201200415  
PROJECT NUMBER:  
LOCATION: NWC YUCCA & CHEROKEE TRAIL  
PROJECT TYPE: TPM  
OCCUPANCY TYPE:  
APN: 0594-081-34-0000  
PROPOSAL:  
PLANNER:**

Dear Applicant:

With respect to the conditions of approval regarding the above referenced project, the San Bernardino County Fire Department requires the following fire protection measures to be provided in accordance with applicable local ordinances, codes, and/or recognized fire protection standards.

The *Fire Conditions Attachment* of this document sets forth the *FIRE CONDITIONS* and *STANDARDS* which are applied to this project.

**FIRE CONDITIONS: ALL FIRE CONDITIONS FOR THIS PROJECT ARE ATTACHED**

Page 1 of 2

Sincerely,

A handwritten signature in cursive script that reads "Curtis Markloff".

Curtis Markloff, Fire Prevention Specialist  
San Bernardino County Fire Department  
South Desert Division Community Safety Division  
Duty, Honor, Community

FIRE CONDITIONS ATTACHMENT

DATE: 08-14-2012  
PROJECT:  
PERMIT NUMBER: F201200415  
LOCATION: NWC YUCCA & CHEROKEE TRAIL  
PARCEL: 0594-081-34-0000



CONDITIONS

**Cond: F01**

**Jurisdiction.** The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. [F01]

**Cond: GON0021571**

**Fire Fee.** The required fire fees, currently \$383.00, has been paid to the San Bernardino County Fire Department Community Safety Division 760.995.8190. This fee is in addition to fire fees that are paid to other City or County offices. [F40]

**Cond: F72**

**Street Sign.** This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. Standard 901.4.4 [F72]

**Cond: F82**

**Commercial Addressing.** Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (6) inches in height and with a three quarter (3/4) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. Standard 901.4.4 [F82]

**Cond: F88**

**Fire Extinguishers.** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. [F88]

**Cond: F93**

**Fire Lanes.** The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan. Standard 901.4 [F93]

**SAN BERNARDINO COUNTY  
FIRE DEPARTMENT**



COUNTY OF SAN BERNARDINO  
PUBLIC AND SUPPORT  
SERVICES GROUP

MARK A. HARTWIG  
Fire Chief

OFFICE OF THE FIRE MARSHAL  
COMMUNITY SAFETY DIVISION  
15900 Smoke Tree Street, 1st Floor, STE 131  
Hesperia, CA. 92345  
(760) 995-8190 - Fax (760) 995-8205

PROJECT NAME: CHEROKEE TRAIL APARTMENTS  
Payor:

CHECK NUMBER: 1656  
RECEIPT NUMBER: FR1200517

Address: 69-930 HWY 111, SUITE #211  
City, State: RANCHO MIRAGE CA 92270  
Zip:  
Phone: 760-770-3920

TRACT: 0  
APN #: 0594-081-34-0000  
PERMIT NUMBER: F201200415

ITEM DESCRIPTION	CALC FEES	PAID FEES	CUR PMTS	BALANCE
7805 TTM	383.00	383.00	383.00	.00

TYPE	METHOD	DESCRIPTION	AMOUNT
Payment	Check	1656	383.00

DATE: 08/14/2012 FUND CODE: FPD-106-200-8655 GRC: YUCCA VLY

COMMENTS:

TOTAL FEES: \$383.00  
PRIOR PAYMENTS: \$383.00  
CURRENT PAYMENT: \$383.00  
**BALANCE DUE: \$0.00**

Taken By: D5304  
Office: SDD  
Date: 08/14/2012

FR1200517  
F201200415



**Mojave Desert Air Quality Management District**  
14306 Park Avenue, Victorville, CA 92392-2310  
760.245.1661 • fax 760.245.2699  
Visit our web site: <http://www.nidagmd.ca.gov>  
Eldon Heaston, Executive Director

June 25, 2012

Ms. Diane Olsen, Planning Technician  
Town of Yucca Valley  
58928 Business Center Drive  
Yucca Valley, CA 92284

**Project: Parcel Map, PM 19392 Marrone**

Dear Ms. Olsen:

The Mojave Desert Air Quality Management District (District) has received the Request for Comments for Parcel Map, PM 19392 Marrone. This project is a request to subdivide a 1.13 acre lot into two separate lots. Parcel 1 contains an existing multifamily apartment building on 0.49 acres. Parcel 2 is a vacant 0.62 acre lot. The property is zoned Old Town Highway Commercial, Highway Environs Overlay District. Future development of the site, under separate application, could include a wide range of commercial uses.

We have reviewed the project and, based on the information available to us at this time, the District has no comments.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan J. De Salvo". The signature is stylized and somewhat cursive.

Alan J. De Salvo  
Supervising Air Quality Engineer

AJD/tw

YV PM 19392 Marrone.doc

RECEIVED

JUN 28 2012

TOWN OF YUCCA VALLEY

(E) That the map, as modified, conforms with each of the findings required for map approval.

Any such modification shall be set for public hearing. The Board of Supervisors shall confine the hearing to consideration of and action on the proposed modification. These map amendments shall also be subject to the preparation, review, and recordation requirements of Subsection 83.041105(a)(5) where applicable.

#### 83.041115 General Requirements.

The procedures set forth in this section shall govern the requirements for Soils Report, Special Map Requirement, Environmental Review, Dedications, Monument, and Improvement requirements.

(a) Soils Report Requirement. The requirements set forth in this subsection shall apply to the Soils Report.

(1) A preliminary soils report may be required as part of the Tentative Map approval, providing the Planning Officer makes a finding, based upon existing knowledge of soil qualities, that a preliminary analysis is necessary. Said findings shall be based upon evidence, information, and recommendations of the Development Review Committee or Development Review Committee member acting within the departmental area of expertise.

(2) If the County has knowledge of, or the preliminary Soils Report indicates, the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required. Such soils investigation shall be done by a Civil Engineer registered in this State, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problems exist.

If the Planning Agency has knowledge of areas of districts which are characterized by such expansive soils or other soils problems, upon the recommendation of the Planning Officer, Development Review Committee, or Environmental Review Committee, the Planning Agency may require that a soils investigation be prepared for each lot of any subdivision proposed within said areas or districts.

(3) The Planning Agency may approve the subdivision or portion thereof where such soils problems exist if it determines that the Development Review Committee's recommended action is likely to prevent structural damage to each structure to be constructed. As a condition for the issuance of any building permit, it shall be required that the approved recommended action be incorporated in the construction of each structure.

(4) Each report shall be kept on file at the Office of Building and Safety for public inspection. The location of these reports shall be referenced on the Composite Development Plan.



(b) Special Map Requirement. Prior to Tentative or Parcel Map approval, the Planning Officer may require that the following information be reflected on the Tentative Map or minor subdivision plot plan:

(1) Submittal of a map showing any or all existing easements and locations of rock outcrops, high groundwater and spring discharge.

(2) Delineation of the portions of lots allocated for the subsurface disposal of sewage effluent.

(3) The approximate size of irregularly shaped lots where it is deemed necessary in order to accomplish the objectives of this Article and of the General Plan.

(4) A plan may be required where watercourses, significant drainage channels or bodies of water traverse or adjoin a lot, showing how sewage disposal systems will be installed and maintained.

Lines depicting the required setbacks from such watercourses, drainage channels or bodies of water shall be indicated on a copy of the Tentative Map. Said map shall be reviewed by the Development Review Committee and recommendations shall be forwarded to the Planning Agency. When subsurface waste-disposal systems are proposed, a preliminary soils report shall be provided by the subdivider which shall ascertain the acceptability of subsurface sewage-disposal systems where such will be the method for waste disposal.

This information shall be incorporated into the Composite Development Plan to be filed with the Office of Building and Safety. The location of any special maps shall be referenced on the Composite Development Plan.

(c) Dedications.

(1) Streets, Highways and Flood Control Rights-of-Way. As a condition of approval of a map, the subdivider shall dedicate or make an irrevocable offer of dedication of all parcels of land within the subdivision that are needed for:

- (A) Streets.
- (B) Alleys.
- (C) Access rights and abutters' rights.
- (D) Drainage easements.
- (E) Public utility easements.
- (F) Other public easements.

In addition, the subdivider shall improve or agree to improve all streets, alleys, including access rights and abutters' rights, drainage, public utility easements and other public easements. The subdivider may also be required to dedicate such additional land as may be necessary and feasible to provide bicycle paths for the use and safety of residents of the subdivision.

(2) Drainage Rights-of-Way. When, in the opinion of the Planning Agency, drainage rights-of-way are necessary, the subdivider shall offer to dedicate upon the Final Map of the subdivision the necessary rights-of-way for such drainage facilities.

(3) Flood Control Dedication. Where dedication is offered for Flood Control District rights-of-way, such rights-of-way shall be shown as lots lettered alphabetically on the Final Map. Such offer of dedication shall be made by an appropriate certificate on the title sheet of the Final Map, and, in addition, an executed deed conveying fee title to said right-of-way to the Flood Control District shall be delivered to said District.

(4) **Certification of Board Action.** At the time the Board of Supervisors approves a Final Map, it shall also accept, subject to improvement, or reject any offer of dedication. The Clerk of the Board shall certify on the map the action of the Board of Supervisors.

(5) **Resolution of Acceptance.** The Clerk of the Board shall cause a resolution of acceptance of dedications by the Board of Supervisors, to be filed with the County Recorder.

(6) If at the time the Final Map is approved, any streets, paths, alleys, public utility easements, rights-of-way for local transit facilities such as bus turnouts, benches, shelters, landing pads, and similar items, which directly benefit the residents of a subdivision, or storm drainage easements are rejected, subject to Section 771.010 of the California Code of Civil Procedure, the offer of dedication shall remain open and the Board of Supervisors may by resolution at any later date, and without further action by the subdivider, rescind its action and accept and open the streets, paths, alleys, rights-of-way for local transit facilities such as bus turnouts, benches, shelters, landing pads, and similar items, which directly benefit the residents of a subdivision, or storm drainage easements for public use. Such acceptance shall be recorded in the Office of the County Recorder.

(d) **Monuments.** The provisions of this subsection shall govern the placement of monuments for a subdivision.

(1) **Boundary Monuments.** At the time of making the survey for the Parcel Map or the Final Map, the engineer or surveyor shall set sufficient durable monuments to conform with the County Surveyor's standards and standards described in Section 8771 of the California Business and Professions Code so that another engineer or surveyor may readily retrace the survey. The Parcel Map or the Final Map shall show said monuments found or set at or near each boundary corner and at intermediate points approximately one thousand (1,000) feet apart or at such lesser distances as may be made necessary by topography or contour to insure accuracy in reestablishment of any point or line without unreasonable difficulty. The precise position and character of each monument shall be shown on the Final Map, together with the relative heights of the top of each such monument with respect to the surface of the ground.

(2) **Deferred, Final Map or Parcel Map Monuments.** Interior monuments need not be set at the time the Final Map is filed if the engineer or surveyor certifies on the map that the monuments will be set on or before a specified later date. All monuments so deferred and the furnishing of notes thereon as required in County Surveyor's standards, shall be agreed to be set and furnished by the subdivider. Such agreement shall be included and guaranteed in the "Agreement in Lieu of Improvements" as provided by this Division, and accompanied by a cash deposit.

(3) **Monument Inspection.** All monuments shall be subject to inspection and approval by the County Surveyor.

(4) **Centerline Monuments.** Durable monuments as described in County Surveyor's standards shall be set.

## (e) Improvement Plans:

(1) Submission of Improvement Plans: All improvement plans shall be submitted to the appropriate County agency or department, checked and approved prior to presentation of the Final Map to the Board of Supervisors for acceptance.

(2) Preparation of Plans and Specifications: All plans and specifications in connection with improvements shall be prepared by or under the supervision of a registered professional engineer.

(3) Street and Drainage Plans and Profiles: Plans, profiles and specifications of proposed street and drainage improvements shall be submitted to the County Transportation and Flood Control Department, checked and approved prior to presentation of the Final Map to the Board of Supervisors for acceptance. These plans and profiles shall show full details of the proposed improvements which shall be according to the standards of the County of San Bernardino.

(4) Water Systems Plans. Plans, specifications and all necessary details of the proposed water system to be installed shall be submitted to the Director of the Department of Environmental Health Services for review, provided that the supplier has certified that it is willing and able to supply water upon request.

(5) Sanitary Sewer Plans: Plans, profiles, specifications and all necessary details of the sanitary sewers to be installed shall be submitted to the Director of the Department of Environmental Health Services for review; provided, however, that prior to submitting such plans, that shall have been approved by the governmental jurisdiction by which the subdivision is to be served, or if a private sewage disposal company is to service the tract, the plans shall have been approved by the Director of the Department of Environmental Health Services.

## 83.041120 Subdivision Design and Improvement Standards.

The Design and Improvement Standards found in this section shall be considered as requirements for map approval.

(a) Land-Use Standards. The land-use standards in this subsection shall be applied as requirements for map approval.

The minimum areas and dimensions of lots shall be as required for the particular land use district classification in which the property is classified by the San Bernardino County Development Code; provided, however, that:

(1) Lot or parcel side lines shall be approximately normal to street lines.

(2) Each lot or parcel on a dead-end street where the side lines thereof are converging from front to the rear of such lot or parcel, shall have an average width of not less than sixty (60) feet, or that width required by the Development Code, whichever is greater, measured along the front building setback line.

(3) Each lot or parcel on a curved street where the side lines thereof are converging from the front to the rear of such lot or parcel, shall have an average width of not less than sixty (60) feet, or that width required by the Development Code, whichever is greater.

(4) Double frontage lots shall be discouraged except where essential to provide separation of residential developments from major or secondary highways or due to topographical conditions. When double frontage lots are permitted, vehicular

ADVERTISING FOR  
NOTICE OF PUBLIC HEARING  
YUCCA VALLEY COMMUNITY CENTER  
57090 29 PALMS HIGHWAY  
YUCCA VALLEY, CALIFORNIA 92284

TUESDAY, AUGUST 28, 2012, BEGINNING AT 6:00 P.M.

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE TOWN OF YUCCA VALLEY PLANNING COMMISSION TO CONSIDER THE FOLLOWING DESCRIBED APPLICATION:

**CASE NUMBER:** Tentative Parcel Map, TPM 19392 Marrone

**APPLICANT:** JV Marrone & Pamela Conboy  
55 Colonial Drive  
Rancho Mirage, CA 92270

**PROPOSAL:** A request to subdivide a 1.13 acre lot into two separate lots. Parcel 1 contains and existing multi-family apartment building on 0.49 acres. Parcel 2 is a vacant 0.62 acre lot. The property is zoned Old Town Highway Commercial, Highway Environs Overlay District. Future development of the site, under separate application, could include a wide range of commercial uses.

**LOCATION:** The project is located at the northeast corner of Yucca Trail and Cherokee Trail, and identified as APN 594-081-34.

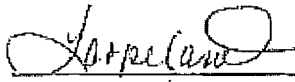
**ENVIRONMENTAL DETERMINATION:** The project was reviewed under the California Environmental Quality Act (CEQA) and the Town's Guidelines to implement same. The project is exempt from CEQA under Section 15301, Existing Facilities.

Any person affected by the application(s) may appear and be heard in support or opposition to the proposal at the time of the hearing. The environmental findings, along the with proposed project application(s) are available and may be reviewed at the Town of Yucca Valley Planning Division, 58928 Business Center Drive, Yucca Valley, CA 92284 from 7:30 a.m. to 5:30 p.m., Monday through Thursday or obtain information at (760) 369-6575.

The Planning Commission in their deliberation could recommend approval of the project, deny the project, or approve the project in an alternative form. If you challenge any of the projects in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Town Planning Division at, or prior to the Public Hearing.

Publish Date: Posted and published on August 15, 2012.

8/13/12  
Date

  
\_\_\_\_\_  
Lesley Copeland  
Deputy Town Clerk

Notice of Exemption

Form D

To: [ ] Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

From: (Public Agency) Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284

[x] County Clerk
County of San Bernardino
385 N. Arrowhead, 2nd Flr.
San Bernardino, CA. 92415

(Address)

Project Title: Tentative Parcel Map, TFM 19392

Project Location - Specific:

The project is located at the north east corner of Cherokee and Yucca Trails and is identified as APN 0594-081-34.

Project Location - City: Yucca Valley Project Location - County: San Bernardino

Description of Project:

A request to subdivide a 1.13 acre (49,166 square foot) lot into two lots. The northern proposed lot is fully developed with an existing 20 unit apartment complex on .49 acres (21,147 square feet). The southern proposed lot is a vacant .64 acres (28,018 square feet).

Name of Public Agency Approving Project: Town of Yucca Valley

Name of Person or Agency Carrying Out Project: JV MARRONE AND PAMELA CONBOY

Exempt Status: (check one)

- [ ] Ministerial (Sec. 21080(b)(1); 15268);
[ ] Declared Emergency (Sec. 21080(b)(3); 15269(a));
[ ] Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[x] Categorical Exemption. State type and section number: Section 15061(3), no potential impacts
[ ] Statutory Exemptions. State code number:

Reasons why project is exempt:

Since there is no development proposed at this time there is no possibility that the approval of this map will have an impact on the environment. Any future development will require full review and approval. Staff finds the project to be exempt from CEQA under section 15061(b) (3) since there is no possibility of a significant impact on the environment caused by this project.

Lead Agency

Contact Person: Robert Kirschmann Area Code/Telephone/Extension: (760) 369-6575

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [ ] Yes [ ] No

Signature: Date: Title:

- [x] Signed by Lead Agency
[ ] Signed by Applicant
Date received for filing at OPR:

Revised May 1999

(d) Designation of a lead agency by OPR shall be based on consideration of the criteria in Section 15052 as well as the capacity of the agency to adequately fulfill the requirements of CEQA.

Note: Authority cited: Sections 21083 and 21087, Public Resources Code. Reference: Section 21165, Public Resources Code; California Administrative Code, Title 14, Sections 16000-16041.

Discussion: The purpose of this section is to outline the process to be used by the Office of Planning and Research in resolving Lead Agency disputes. Because resolving a dispute involves additional costs and delays for a project, the Guidelines require the disputing agencies to try to resolve the issue among themselves. Only where an agreement cannot be reached, would the issue be submitted to OPR. Once the dispute is submitted to OPR, certain formal steps would be required in order to allow all interested parties to make their views known. These steps are contained in the regulations identified in subsection (c). This section outlines the process so that public agencies can understand the process before deciding to submit a dispute to OPR.

### Article 5. Preliminary Review of Projects and Conduct of Initial Study Sections 15060 to 15065

#### 15060 Preliminary Review

- (a) A public lead agency is allowed 30 days to review for completeness applications for permits or other entitlements for use. While conducting this review for completeness, the agency should be alert for environmental issues that might require preparation of an EIR or that may require additional explanation by the applicant. Accepting an application as complete does not limit the authority of the lead agency to require the applicant to submit additional information needed for environmental evaluation of the project. Requiring such additional information after the application is complete does not change the status of the application.
- (b) Except as provided in Section 15111, the lead agency shall begin the formal environmental evaluation of the project after accepting an application as complete and determining that the project is subject to CEQA. Accepting an application as complete does not limit the authority of the lead agency to require the applicant to submit additional information needed for environmental evaluation of the project.

(c) Once an application is deemed complete, a lead agency must first determine whether an activity is subject to CEQA before conducting an initial study. An activity is not subject to CEQA if:

- (1) The activity does not involve the exercise of discretionary powers by a public agency;
- (2) The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; or
- (3) The activity is not a project as defined in Section 15378.

(d) If the lead agency can determine that an EIR will be clearly required for a project, the agency may skip further initial review of the project and begin work directly on the EIR process described in Article 9, commencing with Section 15080. In the absence of an initial study, the lead agency shall still focus the EIR on the significant effects of the project and indicate briefly its reasons for determining that other effects would not be significant or potentially significant.

Note: Authority: Sections 21083 and 21087, Public Resources Code. Reference: Section 65244, Government Code; Sections 21080(b), 21080.2 and 21160, Public Resources Code.

Discussion: This section describes the actions required of the Lead Agency when it receives an application for a project. This section is necessary in order to save time that could otherwise be spent if the agency ignored environmental issues for the first 30 days of reviewing the application. The section is also necessary for allowing the efficiencies that result from moving directly to the preparation of an EIR where the agency can see that one will clearly be required. This avoids the time involved in the separate step of preparing an Initial Study where the Lead Agency believes it will perform the work of identifying effects as significant or non-significant while it does simultaneous work preparing the EIR.

This section also introduces the term "preliminary review" to apply to this early review of an application for completeness and for a possible exemption from CEQA. This term is needed to provide a shorthand way to referring to these early steps and to distinguish them from the more formal Initial Study process that follows preliminary review.

See Public Resources Code Section 21151.7 which provides that EIRs are required for certain projects.

Public Resources Code Section 21080.1, subdivision (b), requires the lead agency,

upon the request of the project applicant, to provide for consultation with responsible and trustee agencies before the filing of an application. The consultation is to cover the range of actions, potential alternatives, mitigation measures, and any potential and significant effects on the environment of the project.

The 1998 amendment emphasizes that preliminary review is the appropriate time to determine whether the project is indeed subject to CEQA. Subsection (c) offers basic guidance in that area. Further, accepting an application as complete does not restrict the lead agency from requiring additional information as may be necessary for the environmental evaluation of the project.

#### 15065 Preapplication Consultation

(a) For a potential project involving the issuance of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, the lead agency shall, upon the request of a potential applicant and prior to the filing of a formal application, provide for consultation with the potential applicant to consider the range of actions, potential alternatives, mitigation measures, and any potential significant effects on the environment of the potential project.

(b) The lead agency may include in the consultation one or more responsible agencies, trustee agencies, and other public agencies who in the opinion of the lead agency may have an interest in the proposed project. The lead agency may consult the Office of Permit Assistance in the Trade and Commerce Agency for help in identifying interested agencies.

Note: Authority cited: Sections 21083 and 21087, Public Resources Code. Reference: Section 21080.1, Public Resources Code.

Discussion: This section incorporates the provisions of Public Resources Code Section 21080.1 enabling a project proponent to request a preapplication meeting with the lead agency to discuss their project. The lead agency is responsible for holding the meeting and may ask the California Office of Permit Assistance for help in identifying state and regional agencies that may be interested in the proposed project.

#### 15061 Review for Exemption

(a) Once a lead agency has determined that an activity is a project subject to CEQA as part of the preliminary review, a public lead agency shall determine whether a particular activity the project is exempt from CEQA.

(b) A project is exempt from CEQA if possible exemptions from CEQA include:

(1) The activity is not a project as defined in Section 15378. The project is exempt by statute (see, e.g., Article 18, commencing with Section 15260).

(2) The project is exempt pursuant to a has been granted an exemption by statute (see Article 18, commencing with Section 15260) or by categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.

(3) The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

(4) The project will be rejected or disapproved by a public agency. (See Section 15270(d)).

(c) Each public agency should include in its implementing procedures a listing of the projects often handled by the agency that the agency has determined to be exempt. This listing should be used in preliminary review.

(d) After determining that a project is exempt, the agency may prepare a notice of exemption as provided in Section 15062. Although the notice may be kept with the project application at this time, the notice shall not be filed with OPR or the county clerk until the project has been approved.

**Note:** Authority cited: Sections 21083 and 21087, Public Resources Code. Reference: Sections 21080(b), 21080.9, 21080.10, 21084, 21108(b), and 21152(b), Public Resources Code; *No Oil, Inc. v. City of Los Angeles*, (1974) 13 Cal.3d 68.

**Discussion:** This section outlines the review of a project to see if the project is exempt from CEQA. This review corresponds to the first steps of the process as shown on the flow chart in Appendix A. Reviewing a project for exempt status at this early time can avoid the expense of the CEQA process.

Subsection (b)(3) provides a short way for agencies to deal with discretionary activities which could arguably be subject to the CEQA process but which common sense provides should not be subject to the Act.

This section is based on the idea that CEQA applies jurisdictionally to activities which have the potential for causing environmental effects. Where an activity has no possibility of causing a significant effect, the activity will not be subject to CEQA. This approach has been noted with approval in a number of appellate court decisions including the State Supreme Court opinion in *No Oil, Inc. v. City of Los Angeles*.

Subsection (d) notes that timing and processing of the Notice of Exemption is to be compatible with the requirement in Section 15062 that the notice not be filed until after the agency has made a decision on the project. Section 15061(d) allows the Notice of Exemption to be completed during the preliminary review and to be kept with the project file during the processing of the project application. By including the notice in the file, the agency would show any people reviewing the file that CEQA had been considered, that the agency regarded the project as exempt, and that the agency would be ready to file the notice as soon as the decision was made on the project.

#### 15062 Notice of Exemption

(a) When a public agency decides that a project is exempt from CEQA and the public agency approves or determines to carry out the project, the agency may file a notice of exemption. The notice shall be filed, if at all, after approval of the project. Such a notice shall include:

- (1) A brief description of the project,
- (2) A finding that the project is exempt from CEQA, including a citation to the State Guidelines section or statute under which it is found to be exempt, and
- (3) A brief statement of reasons to support the finding.

(b) A notice of exemption may be filed out and may accompany the project application through the approval process. The notice shall not be filed with the county clerk or the OPR until the project has been approved.

(c) When a public agency approves an applicant's project, either the agency or the applicant may file a notice of exemption.

- (1) When a state agency files this notice, the notice of exemption shall be filed with OPR. A form for this notice is provided in Appendix E. A list of all such notices shall be posted on a weekly basis at the Office of Planning and Research, 1400 Tenth Street, Sacramento, California.

The list shall remain posted for at least 30 days.

(2) When a local agency files this notice, the notice of exemption will be filed with the county clerk of the each county or counties in which the project will be located. Copies of all such notices shall be available for public inspection and a set of such notices shall be posted on a weekly basis within 24 hours of receipt in the office of the county clerk. Each such notice shall remain posted for a period of 30 days. Thereafter, the clerk shall return the notice to the local agency with a notation of the period it was posted. The local agency shall retain the notice for not less than 9 months.

(3) All public agencies are encouraged to make postings pursuant to this section available in electronic format on the Internet. Such electronic postings are in addition to the procedures required by these guidelines and the Public Resources Code.

(4) When an applicant files this notice, special rules apply.

(A) The notice filed by an applicant shall be filed in the same place as if it were filed by the agency granting the permit. If the permit was granted by a state agency, the notice shall be filed with OPR. If the permit was granted by a local agency, the notice shall be filed with the county clerk of the county or counties in which the project will be located.

(B) The notice of exemption filed by an applicant shall contain the information required in subdivision (a) together with a certified document issued by the public agency stating that the agency has found the project to be exempt. The certified document may be a certified copy of an existing document or record of the public agency.

(C) A notice filed by an applicant shall be subject to the same posting and time requirements as a notice filed by a public agency.

(4) The filing of a Notice of Exemption and the posting on the list of notices start a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. If a Notice of Exemption is not filed, a 180 day statute of limitations will apply.

## TOWN COUNCIL STAFF REPORT

**To:** Honorable Mayor & Town Council  
**From:** Shane R. Stueckle, Deputy Town Manager  
**Date:** April 2, 2015  
**For Council Meeting:** April 21, 2015

**Subject:** Authorization to Release Requests For Proposals  
SR 62 Median Island Landscape Maintenance

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

**Recommendation:** That the Town Council authorizes the release of the Request for Proposals for median island maintenance.

**Executive Summary:** The Town contracts for services in several service areas. Contract services are commonly sought through requests for proposals in order to provide maximum bidding opportunity as well as achieving competitive pricing for contract 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)



**Discussion:** A Request for Proposals (RFP) has been prepared seeking competitive bids for the landscaping maintenance of the median islands on SR 62. The RFP places responsibility upon any potential selected contractor for Caltrans and Town coordination, traffic control, maintenance and irrigation repairs.

If approved by the Town Council, the bidding period will begin on April 22 and close on June 4, 2015.

Staff continuously evaluates alternative means of providing services to the community. As park and facility maintenance needs increase, comparison of specific contract versus in house services provides a benchmark from which structural and organizational decisions can be made.

**Alternatives:** Do not authorize the release of the RFP and continue with maintenance

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



of the median islands through town forces.

**Fiscal impact:** Potential contract costs will not be known until bids are received. Annual costs for maintenance performed by Town personnel are estimated at approximately \$15,250.

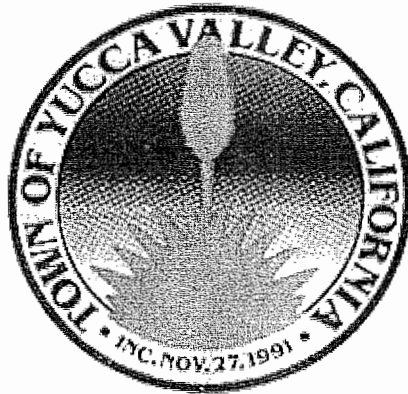
**Attachments:** Request For Proposals

REQUEST FOR PROPOSAL

FOR

LANDSCAPE MAINTENANCE ON STATE ROUTE 62 FOR  
RAISED MEDIAN ISLAND MAINTENANCE

TOWN OF YUCCA VALLEY



RELEASED ON APRIL 22, 2015

PROPOSAL DUE DATE: JUNE 4, 2015 @ 2:00 PM

**NOTICE INVITING SEALED PROPOSALS, MEDIAN ISLAND MAINTENANCE  
SERVICES IN THE TOWN OF YUCCA VALLEY, CALIFORNIA.**

The Town of Yucca Valley is requesting sealed proposals for maintenance services from qualified contractors, licensed in the State of California, for the purpose State Route 62 median island landscape and irrigation system maintenance. In general, the selected contractor shall be responsible for the maintenance of existing landscape on SR62 which includes permit and scheduled work coordination with Caltrans and Town staff, traffic control pursuant to Caltrans permit requirements, and landscape and irrigation system maintenance of raised landscaped median islands on SR 62.

**SUBMITTAL OF PROPOSALS**

Four (4) copies of the proposal and one (1) copy of fee proposal shall be submitted in two separate sealed envelopes:

1. Envelope one shall contain the proposal responding to this RFP, firm qualifications, and relevant experience.
2. Envelope two shall contain the fee to provide services for the service proposal and the terms thereof as described in Envelope One, including maximum limits not to be exceeded.

Proposals shall be submitted to:

Lesley Copeland  
Town Clerk  
Town of Yucca Valley  
57090 29 Palms Highway  
Yucca Valley, CA 92284  
[lcopeland@yucca-valley.org](mailto:lcopeland@yucca-valley.org)  
760-369-6585, Ext 224

Proposals shall be submitted no later than **2:00 p.m. on Thursday, June 4, 2015**. Postmarks and late proposals will not be accepted.

**BACKGROUND:**

The Town of Yucca Valley is soliciting Requests for Proposals (RFP) from qualified contractors/firms to provide annual services for raised median islands located on State Route 62 in the Town of Yucca Valley.

The purpose of the Maintenance Professional Services Agreement is to provide the Town of Yucca Valley with the best possible landscape care to maintain the Town's landscaped raised median islands at a level expected by the Town's residents, Town Council, Town staff and visitors to the community. The selected firm will work closely with the Parks Lead Skilled Maintenance Worker and other Town staff to ensure the most appropriate care and maintenance of the Town's landscaped raised median islands.

It is the intent of the Town to award a Professional Services Agreement in form approved by the Town Attorney, to the selected firm. The Town reserves the right to further negotiate the terms and conditions of the Agreement. The Town preserves the right to reject any proposal for noncompliance with Agreement requirements and provisions, or to not award an agreement because of unforeseen circumstances or if it is determined to be in the best interest of the Town. The project will be awarded based on demonstrated ability and performance providing similar services and proposed fees for services. The Professional Services agreement may not be awarded to the lowest cost respondent.

**QUALIFICATIONS OF CONTRACTORS:**

Each contractor shall be fully qualified by ability, knowledge, and experience to satisfactorily perform the work required in these specifications, and shall engage in the business of providing landscape maintenance services by the use of its owned trained and qualified employees and equipment, material, and supplies. Contractor shall be fully licensed to perform the services required under this contract.

**REFERENCES AND QUALIFICATION REQUIREMENTS:**

Contractor must present evidence indicative of its ability to finance provide, and sustain the specified landscape maintenance services to the satisfaction of the Town. Failure to include any of the following information as requested below may cause proposal to be deemed non-responsive if the Town has no prior experience with the contractor.

- 1. Client References:** Contractor shall furnish on a separate sheet of paper a list of five (5) current customers, including company name, street address, telephone number and contactor person for who contractor has or is providing similar services. The Town intends to contact these customers to determine reliability, contractor's performance, service quality and other information.
- 2. General Business Statement:** A statement of all the important business activities of contractor's major business. This statement should emphasize the required minimum of two consecutive years of recent experience in the provision of specified maintenance services at similar sized facilities and areas with similar services levels as those required for this Agreement.

3. **Work History:** In addition to Client References, list all contracts cancelled or not renewed within the last three (3) years, giving reason for cancellation or non-renewal. Provide names, street address, telephone numbers and contact person in each instance.

4. **Requirement for Supplemental Information:** Following evaluation of proposals, and prior to any consideration of award, the apparent responsible contractor(s) may be required to provide supplemental information. The supplemental information will be used to evaluate the contractor's ability to fulfill the terms of the Agreement and determine the relative values and benefits of utilizing the contractor in lieu of Town staff.

**LICENSES:**

Contractor shall comply with the following:

1. The Contractor's State License Board for the State of California has determined in writing that a C27 Landscape Contractor License is required to provide the services in these specifications. Each contractor shall hold a valid C27 Landscape Contractor's License and any other required permit or licenses at the time the proposal is submitted.
2. Contractor must obtain and maintain in effect during the term of this Agreement, a valid Town of Yucca Valley Business Registration Certificate prior to commencement of work.

**MANDATORY PRE-PROPOSAL CONFERENCE**

A mandatory conference shall be held for the purpose of answering questions. Due to the nature of the scope of work, no proposal will be accepted from a contractor who fails to attend the conference as scheduled. Contractors shall be required to sign-in at the conference.

**MANDATORY PRE-PROPOSAL CONFERENCE SCHEDULE**

Time: 9:00 am  
Date: Wednesday, May 13, 2015  
Location: Town of Yucca Valley  
Community Development/Public Works Facility  
58928 Business Center Drive  
Yucca Valley, CA 92284

**RECOMMENDED SITE VISITS:**

The Town of Yucca Valley recommends that the contractors independently visit each site prior to the Mandatory Pre Proposal Conference. It shall be the contractor's responsibility to examine each area and be familiar with the general condition of the site and its appurtenances and amenities.

There are currently four segments of raised median islands

- Area 1: SR 62, Avalon Avenue to Hermosa Avenue
- Area 2: SR 62, Trojan Lane to SR247
- Area 3: SR 62, Elk Trail to Cherokee Trail
- Area 4: SR 62, Airway Avenue to Hilton Avenue

**MAINTENANCE OF THE EXITING LANDSCAPE:**

The work shall include furnishing all labor, equipment and supplies necessary to provide four (4) cycles of landscape and irrigation maintenance services, which includes, but not limited to weed and trash removal, plant replacement, irrigation system repair and maintenance for the Town’s four areas of raised landscaped median islands located on SR62.

**PREPARATION OF TRAFFIC CONTROL PLAN:**

The Town will coordinate and assist consultant in preparation of traffic control plans required by Caltrans in order to obtain Caltrans Encroachment Permit(s).

**TRAFFIC CONTROL:**

The Consultant/contractor is completely responsible for installation, maintenance and removal of all traffic control required by the Caltrans Encroachment Permits. Sample traffic control plans are available from the Town as part of this RFP process.

**CALTRANS COORDINATION**

The Consultant/Contractor shall coordinate with Town and Caltrans staff for the scheduled work and to request the lane closures in accordance with Encroachment Permit requirements. Sample Encroachment Permits are available from Town staff as a part of this RFP process.

**PROPOSAL REQUIREMENTS**

Consultant Proposal, Responding to this RFP: Envelope “1” (maximum 10 pages)

The technical proposal shall contain the following information:

A project approach for all work describing how the consultant and any proposed subconsultant plans to accomplish the tasks described, including an estimate of the level of effort (man-hours) to be expended. This project approach should demonstrate a clear understanding of the required scope of services.

- **Contractor’s Employees:** The names of the consultant’s/contractor’s staff to be assigned to this project, their proposed duties, and their relative experience. Any specialized experience of the firm and its personnel, relative to the required scope of services, should be mentioned here.
- **Client References:** Contractor shall furnish on a separate sheet of paper a list of five (5) current customers, including company name, street address, telephone number and contactor person for who contractor has or is providing similar services. The Town intends to contact these customers to determine reliability, contractor’s performance, service quality and other information.
- **General Business Statement:** A statement of all the important business activities of contractor’s major business. This statement should emphasize the required minimum of two consecutive years of recent experience in the provision of specified maintenance services at

similar sized facilities and areas with similar services levels as those required for this Agreement.

- **Work History:** In addition to Client References, list all contracts cancelled or not renewed within the last three (3) years, giving reason for cancellation or non-renewal. Provide names, street address, telephone numbers and contact person in each instance.
- **Requirement for Supplemental Information:** Following evaluation of proposals, and prior to any consideration of award, the apparent responsible contractor(s) may be required to provide supplemental information. The supplemental information will be used to evaluate the contractor's ability to fulfill the terms of the Agreement and determine the relative values and benefits of utilizing the contractor in lieu of Town staff.
- **Professional Services Agreement:** Contractor shall identify any requested modifications to the Town's standard agreement or a statement that there will be no exceptions.
- **Conflicts of Interest:** Full disclosure of other client relationships that could present possible conflicts of interest or affect the proposed scope of services.
- **Contractor's Primary and Secondary Offices:** Contractor shall identify the physical location(s) of the consultant's primary and secondary office locations.

Fee proposal: consultant proposal envelope "two"

A fee schedule of the project, including numbers of hours, sub-consultants, and other costs shall be listed by item and phase. In addition, a current hourly fee schedule shall be included along with a "Not-to-Exceed" or a "Lump Sum" total project fee.

### **SELECTION CRITERIA**

The following selection criteria will be used in evaluating the proposals and selecting the successful consulting firm. This criterion is not listed in any order of priority

Each contractor shall be fully qualified by ability, knowledge, and experience to satisfactorily perform the work required in these specifications, and shall engage in the business of providing landscape maintenance services by the use of its owned trained and qualified employees and equipment, material, and supplies. Contractor shall be fully licensed to perform the services required under this contract.

Contractor must present evidence indicative of its ability to finance provide, and sustain the specified landscape maintenance services to the satisfaction of the Town. Failure to include any of the following information as requested below may cause proposal to be deemed non-responsive if the Town has no prior experience with the contractor.

Client References: Contractor shall furnish on a separate sheet of paper a list of five (5) current customers, including company name, street address, telephone number and contactor person for who contractor has or is providing similar services. The Town intends to contact these customers to determine reliability, contractor's performance, service quality and other information.

General Business Statement: A statement of all the important business activities of contractor's major business. This statement should emphasize the required minimum of two consecutive years of recent experience in the provision of specified maintenance services at similar sized facilities and areas with similar services levels as those required for this Agreement.

Work History: In addition to Client References, list all contracts cancelled or not renewed within the last three (3) years, giving reason for cancellation or non-renewal. Provide names, street address, telephone numbers and contact person in each instance.

Requirement for Supplemental Information: Following evaluation of proposals, and prior to any consideration of award, the apparent responsible contractor(s) may be required to provide supplemental information. The supplemental information will be used to evaluate the contractor's ability to fulfill the terms of the Agreement and determine the relative values and benefits of utilizing the contractor in lieu of Town staff.

Soundness and matter of completeness in which the proposed project approach is presented in the proposal.

Quality of work previously performed, and record of the contractor in accomplishing their work on schedule, and within cost proposals.

Accessibility to the contractor's office.

Costs for providing services as described in the proposal.

The consultant shall enter into a formal agreement with the Town for the services to be rendered. A sample agreement is enclosed for your review.

**The Consultant shall carefully review the agreement, especially in regard to the indemnity and insurance provisions, and include with the proposal a description of any exceptions requested to the standard agreement. If there are no exceptions, a statement to that effect shall be included in the proposal.**

## **ADDITIONAL INFORMATION**

### **Indemnification:**

Contractor shall indemnify, protect, defend and hold harmless the Town, and any and all of its employees, officials and agents from and against any liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or cost of any kind, whether actual alleged, or threatened, including attorneys' fees and costs, court costs, interest, defense costs and expert witness fees) where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement by Contractor or by any individual or entity for which Contractor is legally liable, including but not limited to officers, agents, employees or sub-contractor of contractor.



**Independent Contractor:**

While engaging in carrying out and comply with the terms and conditions of the duties outlined in this RFP, the Contractor is an independent contractor, and not an officer, agent or employee of the Town of Yucca Valley. The personnel performing services shall at all times be under the Contractor's exclusive direction and control and shall be employees of Contractor and not employees of the Town of Yucca Valley. The Contractor shall pay all wages, salaries and other amounts due its employees in connection with the Agreement and shall be responsible for all reports and obligations respecting them, including, but not limited to Social Security, income tax withholding, unemployment compensation, worker's compensation insurance, state disability insurance and all similar matters.

All services to be rendered under the Agreement by the Contractor shall be subject to the control of the Town. Contractor shall advise the Town of matters of importance and make recommendations when appropriate; however, final authority shall rest with the Town.

**Term of Agreement:**

The Agreement awarded to the successful contractor under this RFP shall be for a period of three (3) years, and may be extended for an additional two years upon the mutual consent of both parties.

**Termination:**

The Town of Yucca Valley, or the contractor, may terminate this agreement at any time during the term, upon thirty (90) days prior written notice to the other party without further liability.

**Other:**

This Request for Proposal does not commit the Town to award a contract, or to pay any costs incurred in the preparation of the proposal. The Town reserves the right to extend the due date for the proposal, to accept and reject any or all proposals received as a result of this request, to negotiate with any qualified consultant, to cancel this Request for Proposal in part or in its entirety, and to procure alternate or additional consulting services. The Town may require the selected consultant to participate in negotiations and to submit such technical fee, or other revisions of their proposals as may result from negotiations.

**TOWN COUNCIL STAFF REPORT**

**To:** Honorable Mayor & Town Council  
**From:** Sharon Cisneros, Finance Manager

**Date:** April 15, 2015  
**For Council Meeting:** April 21, 2014  
**Subject:** LTF Claim for Local Streets & Roads

**Prior Council Review:** At the meeting of October 7, 2014, Council authorized the Town Manager to file a claim with the San Bernardino Associated Governments (SANBAG) for Local Transportation Funds (LTF) in the amount of \$121,431.

**Recommendation:**  
Authorize the Town Manager to file a claim with the San Bernardino Associated Governments (SANBAG) for Local Transportation Funds (LTF) in the amount of \$55,306.




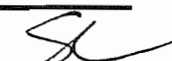
Amend the LTF Fund 516 budget for FY2014-15 to reflect the decrease in revenue to \$55,306 and revise expenditures to accommodate the lower revenue.

- 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:** Each year a portion of the ¼ cent State retail sales tax is made available to local associations of governments for distribution to member municipalities. In October 2014, SANBAG notified the Town that \$121,431 was available for claim for 2013-14. The Town filed the claim in October 2014, however, due to an issue during SANBAG's audit related to the FY2012-13 claim for MBTA, our available claim amount was reduced to \$55,306. In order for the funds to be made available to the Town of Yucca Valley, a claim has to be filed with SANBAG requesting the revised amount available. Once the funds are received, they must be utilized in strict compliance with LTF Article 8, PUC Section 99400a guidelines, (Local Streets and road improvements only).

**Alternatives:** None Recommended

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Reviewed By:	 Town Manager	 Town Attorney	 Finance Manager	 Department
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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

**Fiscal impact:** The revenue will be recognized in Town's Local Transportation Fund (516) in the amount of \$55,306 for fiscal year 2014-15. Project expenditures allocated to the Blackrock road repair which were returned to fund balance in action taken by Council on November 18, 2014 are sufficient to cover the decrease in revenue available on the revised claim.

**Attachments:**

LTF Claim Form materials  
Local Transportation (LTF) Fund 516 2014-15 Amended Budget

**San Bernardino County  
Transportation Commission  
Local Transportation Fund - Article 8  
Other Purposes Claim**

**Claimant:** Yucca Valley-Revised

**Date:** 4/13/2015

The Check-List below are items that must be included with your submission for reimbursement

- X 1. Claim Form
  
- X 2. Financial Reporting Form  
(Complete the estimated column for anticipated interest, refunds and expenditures)
  
- X 3. Governing Body Authorization  
(Submit a certified copy of resolution or minute action)
  
- X 4. Agency Budget  
(Submit a copy of agency budget or budget amendment documenting LTF included on claim)
  
- X 5. Project Listing-**See Bottom of Budget**  
(Listing of projects to be accomplished with Article 8 Funds)
  
- 6. Other (optional)  
(List any other information you wish to submit to support your claim)

**San Bernardino Associated Governments  
Local Transportation Fund - Article 8  
Other Puposos Claim**

**Fiscal Year:** 2013-2014 (Amount)

**Claimant:** Town of Yucca Valley  
57090 29 Palms Highway  
Yucca Valley, CA 92284

**Attention:** Sharon Cisneros  
**Phone #:** 760-369-7207

**Amount:** \$55,306

<b>PURPOSE:</b> ( ) Article 8, PUC Section 99400a Local Streets & Roads	\$	55,306
( ) Article 8, PUC Section 99400a Bicycle & Pedestrian Facilities	\$	-
( ) Article 8, PUC Section 99400.5 Multimodal Transportation Terminals	\$	-

**Authorizing Signature:**  
(Claimant's Chief Administrator or Financial Officer)

\_\_\_\_\_  
(Signature)

Sharon Cisneros, Finance Manager  
(Type Name & Title)

**Condition of Approval:**

**Approval of this claim and payment by the County Auditor to this claimant are subject to monies being available and to the provision that such monies will be used only in accordance with the allocation instruction.**

**Local Transportation Fund - Article 8**  
**Other Purposes Claim**  
 Financial Reporting Form

Claimant: Town of Yucca Valley

Revenue	Audited FY 2012-13	Audited FY 2013-14	Proposed FY 2014-15
Intergovernmental allocations LTF Article 8 Other Purposes			
Local Streets & Roads - PUC 99400(a)	\$ -	\$ 181,839	\$ 55,306
Bicycle & Pedestrian Facilities - PUC 99400(a)	-	-	-
Multimodal Transportation Terminals - PUC 99400.5	-	-	-
Miscellaneous			
Interest	1,649	1,001	500
Lease occupancy	-	-	-
Miscellaneous	85,000	-	-
<b>Total Revenues:</b>	<b>\$ 86,649</b>	<b>\$ 182,840</b>	<b>\$ 55,806</b>
<b>Expenditures</b>			
Construction, Maintenance and Engineering	\$ 4,623	\$ 50,000	\$ 628,833
Multimodal Transportation Terminals	-	-	-
<b>Total Expenditures</b>	<b>4,623</b>	<b>50,000</b>	<b>628,833</b>
Excess of Revenue over(under) Expenditures	82,026	132,840	(573,027)
Fund Balance At Beginning of Year	659,317	741,343	874,183
<b>Fund Balance at End of Year</b>	<b>\$ 741,343</b>	<b>\$ 874,183</b>	<b>\$ 301,156</b>

Town of Yucca Valley  
FY 2014-16 Amended Budget  
Special Revenue Funds

Proposed Amendment

		2013-14		2014-15		2015-16
		Amended Budget	Actual	Adopted Budget	Amended Budget	Adopted Budget
<b>516 - LTF</b>						
<b>RECEIPTS</b>						
SANBAG Revenue	4828	\$ 56,000	\$ -	\$ 56,000	\$ 55,306	\$ 56,000
SANBAG TDA Grant -TAIM	4167	91,000	-	-	-	-
Legal Settlement		-	-	-	-	-
Interest	4611	250	1,001	250	500	250
<b>TOTAL RECEIPTS</b>		<b>147,250</b>	<b>1,001</b>	<b>56,250</b>	<b>55,806</b>	<b>56,250</b>
<b>EXPENDITURES</b>						
Indirect Cost		-	-	-	-	-
Professional Services		4,600	-	4,600	4,600	4,600
<b>TOTAL EXPENDITURES</b>		<b>4,600</b>	<b>-</b>	<b>4,600</b>	<b>4,600</b>	<b>4,600</b>
<b>CAPITAL OUTLAY</b>						
Work in Progress		282,000	-	525,000	511,870	5,000
<b>TOTAL CAPITAL OUTLAY</b>		<b>282,000</b>	<b>-</b>	<b>525,000</b>	<b>511,870</b>	<b>5,000</b>
<b>OPERATING TRANSFERS IN (OUT)</b>						
Transfer OUT - Fund 529	9499	(50,000)	(50,000)	-	-	-
Transfer IN - Fund 529					7,637	
Transfer OUT - Fund 542	9499	-	-	(120,000)	(120,000)	
Transfer OUT - Fund 527	9499	-	-	-	-	-
<b>TOTAL OPERATING TRANSFERS IN (OUT)</b>		<b>(50,000)</b>	<b>(50,000)</b>	<b>(120,000)</b>	<b>(112,363)</b>	<b>-</b>
<b>INCREASE (DECREASE) IN FUND BALANCE</b>						
		<b>(189,350)</b>	<b>(48,999)</b>	<b>(593,350)</b>	<b>(573,027)</b>	<b>46,650</b>
<b>BEGINNING FUND BALANCE</b>		<b>923,182</b>	<b>923,182</b>	<b>899,832</b>	<b>874,183</b>	<b>301,156</b>
<b>ENDING FUND BALANCE</b>		<b>733,832</b>	<b>874,183</b>	<b>306,482</b>	<b>301,156</b>	<b>347,806</b>
Due to (from other funds)		(300,000)	(300,000)	(300,000)	(300,000)	(300,000)
<b>ENDING CASH BALANCE</b>		<b>\$ 433,832</b>	<b>\$ 574,183</b>	<b>\$ 6,482</b>	<b>\$ 1,156</b>	<b>\$ 47,806</b>
<b>Work in Progress Detail</b>						
		2013-14		2014-15		2015-16
		Amended Budget	Actual	Adopted Budget	Amended Budget	Adopted Budget
Project	Account					
Street Engineering Prof Serv	516 55-59 7117 0000	5,000	-	5,000	5,000	5,000
SANBAG TAIM Project	516 55-59 8310 8454	182,000	-	-	-	-
Town Wide Slurry Seal	516 55-59 8310 8340	-	-	-	-	-
Blackrock Road Repair	516 55-59 8310 8455	75,000	-	150,000	116,870	-
Fortuna	516 55-59 8310 8351	20,000	-	-	20,000	-
Grand/Palm Alley	516 55-59 8310 8559	-	-	170,000	170,000	-
Pima Trail	516 55-59 8310 8562	-	-	200,000	200,000	-
		<b>282,000</b>	<b>-</b>	<b>525,000</b>	<b>511,870</b>	<b>5,000</b>

**TOWN COUNCIL STAFF REPORT**

**To:** Honorable Mayor & Town Council  
**From:** Sharon Cisneros, Finance Manager  
**Date:** April 13, 2015  
**For Council Meeting:** April 21, 2015

**Subject:** Amendment to Animal Shelter Services Contract with San Bernardino County

**Prior Council Review:** The Town Council has reviewed and approved annual agreements with the County of San Bernardino for animal shelter services since 2006. Standard Contract No. 14-609 with San Bernardino County for FY2014-15 was approved on June 3, 2014.

**Recommendation:** Approve the amendment to Contract No. 14-609 between the County of San Bernardino and the Town of Yucca Valley contracting animal shelter services for a three year contract period to include FY2015-16, FY2016-17, and FY2017-18.

**Order of Procedure:**

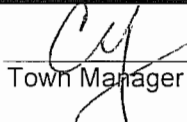
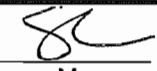
- Request Staff Report
- Request Public Comment
- Council Discussion/Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote, Consent Agenda)

**Discussion:**

The Town and County have entered into agreements which provide for operation of the animal shelter by the Town on an annual basis since August 14, 2006. The attached amendment continues the partnership for animal shelter operations.

The contract is amended to extend the term of the contract from its original expiration date of June 30, 2015, to expire on June 30, 2018. The Town will still submit an annual budget, however the contract provides a not to exceed amount which is a 3% increase over the prior year to allow for increases in costs due to inflation. Other changes to the contract are clarifications to existing procedures now in place. Extending the contract to three years allows for a continuation of services as they exist without returning to Council for annual contract approval.

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



**Alternatives:** Staff recommends no alternative action.

**Fiscal Impact:** The Contract provides County financial participation at a level that allows for safe operation of the facility. The 3% increase is both reasonable and realistic. Budget approvals will continue to be submitted to the Council as part of the regular Budget process.

**Attachments:** Proposed Animal Service Contract



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		14-609 A-1			
<input type="checkbox"/> Cancel									
ePro Vendor Number					ePro Contract Number				
00004399					1411304				
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		\$1,095,007			
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:				Amount of contract based on volume of services.					
Commodity Code		Contract Start Date	Contract End Date	Original Amount	Amendment Amount				
		7/01/14	6/30/18	\$257,686	\$837,321				
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No	Amount			
AAA	PHL	2605	200	2165		\$ 837,321			
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
				15-16	\$269,312	I			
				16-17	\$279,010	I			
				17-18	\$288,999	I			

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. 1

It is hereby agreed to amend contract No. 14-609 as follows:

V. FISCAL PROVISIONS

Paragraph B is amended to read as follows:

- B. The maximum amount of payment under this Contract shall not exceed \$1,095,007, 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

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

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. Town will submit an estimated annual budget to the County by March 31<sup>st</sup> of each year for approval by the Department of Public Health. The maximum amount is a total dollar amount that includes the original contract amount and all subsequent amendments, broken down as follows:

Original Contract	\$257,686	July 1, 2014 through June 30, 2015
Amendment No.1	\$837,321	July 1, 2015 through June 30, 2018

Paragraph C, Item 1 is amended to read as follows:

C. Payment Method and Reconciliation:

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 budgeted costs for the quarter, minus the revenue received for that quarter, as specified in Section V, Paragraph C, Item 2. 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. Quarterly invoices must include all required reports as defined in Section II, Paragraph T.

**VIII. TERM**

Section VIII is amended to read as follows:

This Contract is effective as of July 1, 2014, and is extended from its original expiration date of June 30, 2015, to expire on June 30, 2018, but may be terminated earlier in accordance with provisions of Section VI of the Contract.

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

COUNTY OF SAN BERNARDINO

By \_\_\_\_\_  
James Ramos, Chairman, 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 \_\_\_\_\_  
George Huntington  
*(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

By \_\_\_\_\_  
Phebe W. Chu, Deputy County Counsel

Date \_\_\_\_\_

Reviewed by Contract Compliance

By \_\_\_\_\_  
Regina Dalton, HS Contracts Unit

Date \_\_\_\_\_

Presented to BOS for Signature

By \_\_\_\_\_  
Trudy Raymundo, Director

Date \_\_\_\_\_



## TOWN COUNCIL STAFF REPORT

**To:** Honorable Mayor & Town Council  
**From:** Sharon Cisneros, Finance Manager  
**Date:** April 15, 2015  
**For Council Meeting:** April 21, 2015  
**Subject:** AB1234 Reporting Requirements

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

**Recommendation:** Receive and file the AB1234 Reporting Requirement Schedule for the month of March 2015.

### Order of Procedure:

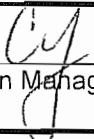
- Request Staff Report
- Request Public Comment
- Council Discussion / Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote, Consent Agenda)

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

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

Although the AB1234 report can be either written or oral, this report must be made at

Reviewed By:

  
Town Manager

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

  
Finance Manager

  
Department

\_\_\_\_ Department Report  
 Consent

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

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

\_\_\_\_ Public Hearing  
 \_\_\_\_ Study Session

the next meeting of the legislative body that paid for its member to attend the meeting.

**Alternatives:** None.

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

**Attachments:** AB1234 Reporting Requirement Schedule

**Town of Yucca Valley**

Councilmember AB1234 Meetings Schedule  
For Reimbursements in March 2015

<b>Date of Travel</b>	<b>Organization</b>	<b>Description</b>	<b>Location</b>
<b>Mayor Huntington</b>			
March 16-17, 2015	California Water Quality Control Board	Attend Meeting in support of Hi-Desert Water District loan application	Sacramento, CA

**Mayor Pro Tem Leone**

No Reportable Meetings

**Councilmember Abel**

No Reportable Meetings

**Councilmember Denison**

No Reportable Meetings

**Councilmember Lombardo**

No Reportable Meetings

## TOWN COUNCIL STAFF REPORT

**To:** Honorable Mayor & Town Council  
**From:** Shane Stueckle, Deputy Town Manager  
Alex Qishta, Project Engineer  
**Date:** April 14, 2015  
**For Council Meeting:** April 21, 2015

**Subject:** Active Transportation Program (ATP) – Cycle 2, Call For Projects  
June 1, 2015 Application Deadline  
Safe Routes to School Project  
Recreational and Multi-Purpose Trail Projects  
Trails and Bike Route Plan  
General Plan Policies  
Parks and Recreation Master Plan

**Prior Council Review:** The Town Council has had no prior review of this item.

**Recommendation:** That the Town Council receive the presentation, and provide direction to staff as deemed necessary based upon the presentation and available information.

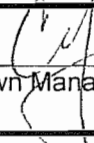
**Executive Summary:** Over the past several months, the Town Council identified the need to continue with Safe Routes to School access improvement projects and requested staff to continue searching for funding sources to continue those improvement projects. The Town Council also requested an update on the Town's recreational trails plans.

Governor Brown signed Senate Bill 99 and Assembly Bill 101 to create Active Transportation Program (ATP) which consolidated Federal and State transportation programs. A call for projects for both Safe Routes to School projects, as well as recreational trails, is currently open. The submittal deadline is June 1, 2015.

The purpose of this report and presentation is to:

- Provide an overview of Town's adopted plans, policies and implementation actions;
- Provide an overview of available funding;
- Provide identification of probable highest scoring safe routes to school projects;
- Receive input and direction from the Town Council, based upon the presentation and available information, on potential grant application projects for the ATP.

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



and available information, on potential grant application projects for the ATP.

**Order of Procedure:**

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

**Discussion:** The current ATP call for projects concludes on June 1, 2015. The minimum request for ATP funds is \$250,000. While non-infrastructure projects are eligible for funding, staff believes infrastructure projects are the priority. Although matching funds are not required, an agency may elect to provide a match and will be awarded up to 5 additional scoring points. There is \$360 million available in this funding cycle. There is no maximum number of applications that an agency may submit. This is a highly competitive call for projects. Funding is estimated to be available by approximately July 2016.

Eligible Projects are Infrastructure Projects, Non-Infrastructure Projects, Infrastructure Projects with Non-Infrastructure Components, and Plans for a community wide Bicycle, Pedestrian, Safe Routes to School or ATP.

The program goals of the Active Transportation Program (ATP) are to:

- Increase the proportion of trips accomplished by biking and walking;
- Increase the safety and mobility of non-motorized users;
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals as established pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) and Senate Bill 391(Chapter 585, Statutes of 2009);
- Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding;
- Ensure that disadvantaged communities fully share in the benefits of the program;
- Provide a broad spectrum of projects to benefit many types of active transportation users.

The application has many components that need to be addressed and scoring is based upon both technical and non-technical information, such as the following (summarized).

- How will the project result in increased walking and bicycling to and from school? (30 points);
- How will the project reduce the number and/or rate of pedestrian and bicyclist fatalities? (25 points);
- How did the submitting agency maximize public participation for the project? (15 points);
- How will the project improve public health? (10 points);
- Does the project benefit a disadvantage community? (10 points);
- What is the cost effectiveness of the project? (5 points);
- Is the agency providing a match to be used? ((20% match to achieve full points (5 points));
- Will the resulting project utilize a certified community conservative corps?(5 points)
- What is the agency's success and performance on past grants and deliverability of projects? (10 points).

The following schedule lists the major milestones for the development and adoption of the 2015 Active Transportation Program (ATP):

- June 1, 2015 - Project application to Caltrans (postmark date)
- September 15, 2015 – CTC Draft List
- October 22, 2015 – Final List
- July 1, 2016 – Funds Available

#### **Potential Safe Routes to School Projects:**

While staff has not had sufficient time to develop detailed project analysis, staff has made field observations of student/pedestrian traffic both before and after school hours. Based upon this evaluation alone, the following potential projects may likely result in the highest scoring Town projects.

- Yucca Valley High School: Onaga Trail, terminus of existing sidewalk west to Acoma Avenue: Installation of Curb, Gutter and sidewalk;
- Yucca Valley High School: Sage Avenue, Onaga Trail to Joshua Drive: Installation of Curb, Gutter and sidewalk;
- Yucca Elementary: Pueblo, Hopi, east to Deer Trail: installation of Curb, Gutter and sidewalk.

Staff conducted field observations at all public school sites in the Town (private schools are not eligible) and found no observable pedestrian traffic that would provide a sound basis for an application.

Please note that no right of way analysis has been completed. The need for right of way acquisition is considered a significant constraint on any project application. Right of way acquisition can also cause neighborhood opposition to projects, depending upon right of way purpose and location. Right of way acquisition, in and of itself, is time consuming and costly, without delivering any final project.

#### **Recreational and Multi-Purpose Trails:**

The General Plan and Parks and Recreation Master Plan provide policy guidance for implementation and development of all trail types within the community. As with any physical infrastructure to be developed, right of way is an essential component. As a majority of the infrastructure in this community was developed between the 1950s and 1980s, the land use and infrastructure plans implemented by the County did not address or plan for recreational trail facilities. Additionally, in many cases, both right of way deficiencies and insufficient roadway widths (built infrastructure) preclude the construction of bike lanes and/or recreational trails, especially combined with the costs necessary to acquire and construct those facilities.

The opportunity for acquisition of right of way and development of bike lanes and trail facilities primarily occurs with new development activity along trail routes, in addition to having access to adequate funding sources, particularly necessary to construct linkages through the previously developed areas of the community.

Attached to this Staff Report are materials from the General Plan and the Parks and Recreation Master Plan. Staff will present various aspects of these materials at the April 21, 2015 Town Council meeting, to assist the Council in consideration of not only ATP grant application opportunities, but also in the evaluation and discussion of a recreational trail implementation program.

**Alternatives:** NA

**Fiscal impact:** The minimum ATP grant application is \$250,000. No match is required, but a match by the local agency provides additional points. It is anticipated that many agencies will provide matching funds for their projects in order to improve scoring and to illustrate project commitment.

**Attachments:**       General Plan Information  
                          Park and Recreation Master Plan Information  
                          ATP Application Materials





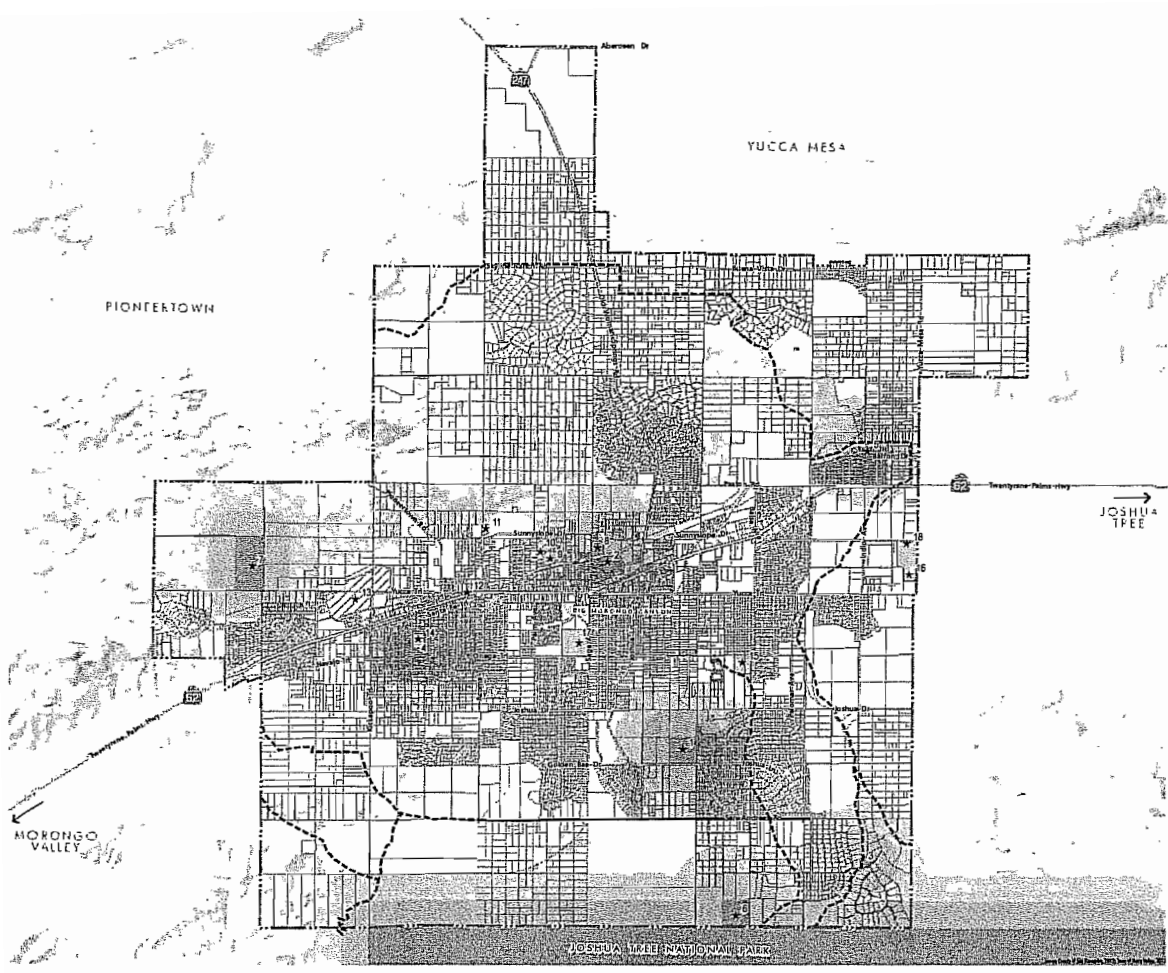


Figure OSC 2  
**PARKS AND RECREATIONAL TRAILS**

- LEGEND**
- PARKS**
- Walking Distance**
- 1/4 Mile
  - 1/2 Mile
- Community Parks**
- \* 1. Esig Park
  - \* 2. Community Center Park
- Neighborhood Parks**
- \* 3. Madras Park
  - \* 4. Jacobs Park
  - \* 5. Paradise Park
- Natural Land/Open Space**
- \* 6. South Park
  - \* 7. North Park
- Special Use Parks**
- \* 8. Sunnyslope Park, BMX track
- OTHER OPEN SPACE AREAS**
- \* 9. Pop Ranch Park (In Valley Little League)
  - \* 10. Braham Youth Park/ Boys and Girls Club
  - \* 11. Desert Crest Park (Desert Crest Park Foundation)
  - \* 12. Remembrance Park
  - \* 13. Golf Course (Semi-Private)
- PUBLIC SCHOOLS**
- \* 14. Yucca Valley Elementary School
  - \* 15. Onoga Elementary School
  - \* 16. La Centenario Middle School
  - \* 17. Yucca Valley High School
  - \* 18. Black Rock High School
- TRAILS**
- Multiuse Trails (Future)
  - Riding trails (Future)

NOTE: Park boundaries identified on this map are approximate to illustrate park locations. Actual on-ground and field availability, specific location and various other such factors determined as part of future development processes.

**YUCCA VALLEY GENERAL PLAN**

TPY 01 2012/2014

0 1,500 3,000 4,500 Feet

**CITY OF YUCCA VALLEY**

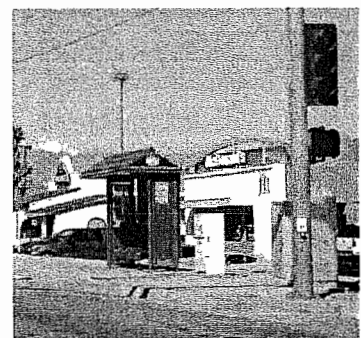
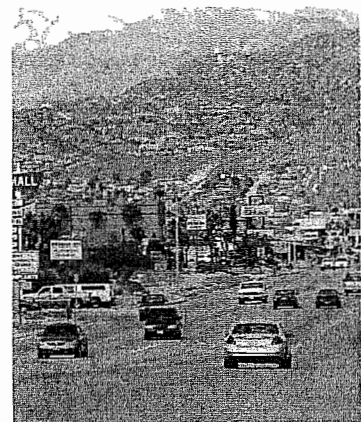
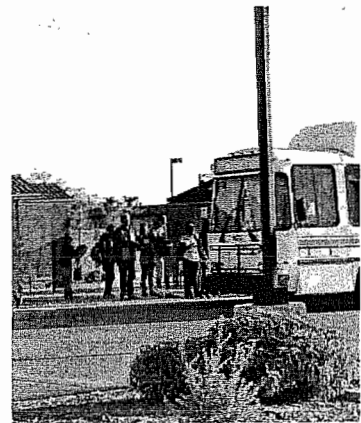
# IMPLEMENTATION

Open Space and Conservation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
OSC 2	Review the Parks and Recreation Master Plan and establish a list of priorities, action items, and target completion dates to implement the highest priority items identified in the plan. The plan should also be updated to reflect a minimum parkland objective of 3 acres per 1,000 residents and identify a strategy to provide access to land-locked passive park areas such as North Park.	OSC2-1 OSC2-5	CS	2 years
OSC 3	Implement a Capital Improvement Program to provide scheduled improvements needed for the park system to meet current and projected needs, ADA requirements, and to retrofit existing facilities using Crime Prevention through Environmental Design (CPTED) principles, based upon available financial resources.	OSC1-3 OSC2-2	PW/ENG, TC	2 years
OSC 4	Pursue agreements with San Bernardino County to establish pass-through parkland dedication and park in-lieu fees when residential development takes place within two miles of Town boundaries.	OSC1-1 OSC1-2	CS	5 years
OSC 5	Adopt and implement flexible development standards to ensure provision of parkland dedication within residential development to satisfy the 3 ac/1,000 population park standard.	OSC1-1 OSC1-4	CDD	2 years
OSC 6	Evaluate and utilize alternative available state, federal, and other funding sources to acquire and maintain recreational trail facilities; pursue identified funding sources as they become available.	OSC1-1 OSC1-3	CS	Ongoing
OSC 7	Establish and/or revise, as needed, agreements with Morongo Unified School District, other agencies, and community organizations that govern joint use of facilities to maximize availability and benefit to the community.	OSC1-1	CS	Ongoing
OSC 8	Evaluate alternative revenue sources, and use other forms of park financing and acquisition methods to fund the purchase, improvement, and maintenance of the Town park system.	OSC1-3	CS & TM	Ongoing
OSC 9	Update the Land Use Map when necessary to designate newly identified hazard zones as open space areas.	OSC1-1 OSC2-3	CDD & PW/ENG	Ongoing
OSC 10	Review development proposals adjacent to designated open space lands and assure that land uses are compatible, and buffers and/or linkages are provided when necessary to maintain natural resource value.	OSC1-5 OSC1-6	CDD	Ongoing
<b>5.2 Recreational Trails</b>				
OSC 11	Promote the development of pedestrian/multiuse/bike paths/lanes as an alternative mode of transportation to vehicular travel.	OSC3-3 OSC3-2	CS	Ongoing
OSC 12	Coordinate with local utility purveyors, County Flood Control District, and other appropriate parties to include the development of a multiuse trail system within easements and right-of-ways to the greatest extent possible.	OSC3-3	CS, CDD & PW	5 years
OSC 13	Review the Park Master Plan to assess the feasibility of trails and establish a priority list and associated implementation actions for priority trails.	OSC3-1	CS	5 years



Open Space and Conservation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
OSC 14	Amend the Park Master Plan to include natural trails design standards for hiking, riding, and mountain biking.	OSC3-1 OSC3-2	CS	5 years
<b>5.3 Biological Resources</b>				
OSC 15	Establish standards and regulations that implement, support, and protect open space, wildlife corridors, and protected biological resources.	OSC4-1 OSC4-2 OSC4-5 OSC4-7	CDD	3 years
OSC 16	Establish standards and regulations in the Development Code that minimize impacts of new development on open space and conservation areas.	OSC4-1 OSC4-2	CDD	3 years
OSC 17	Develop flexible development guidelines, standards, and regulations that encourage the provision of open space amenities within new development.	OSC4-2 OSC4-4	CDD	3 years
OSC 18	Adopt a comprehensive grading ordinance that will protect and conserve open space and natural and visual resources.	OSC4-1 OSC8-7	CDD	5 years
OSC 19	Revise landscape standards and guidelines to encourage the retention and use of existing native and approved nonnative drought-tolerant plant species in development.	OSC4-2 OSC4-6	CDD & PW/ENG	10 years
OSC 20	Identify and assess lands based upon site-specific biological resources evaluations within the WCEAs and OSRAs that are suitable for preservation and may be preserved as public or private lands and as passive or active open space.	OSC4-11 OSC4-1	CDD & PW/ENG	5 years
OSC 21	Develop standards and guidelines for the WCEA and OSRA areas that includes the following strategies: a) Maintain residential land use designations with low and very low densities in WCEA and OSRA areas. b) Discourage conversion of low density residential uses in the WCEA and OSRA to higher density or nonresidential uses, retaining onsite areas for undeveloped, natural open space. c) Apply design features in the WCEA and OSRA that interface with the natural environment such as: limiting the amount of grading that can occur on site or identifying the type of fencing that can be installed that supports wildlife movement. d) Develop and implement standards and guidelines that limit the maximum disturbance of the land in WCEAs and OSRAs. Design standards and guidelines shall address wildlife corridor connectivity, limitations of ground disturbance, and the retention of native, undisturbed open space.	OS 4-1 OSC4-4 OSC4-5 OSC 4-10 OSC 4-11 OSC8-4 OSC8-7 OSC8-8	CDD	2 years
OSC 22	Explore the possibility of developing a transfer of development rights ordinance to allow the transfer of units or square footage from one property to another to preserve properties with significant biological resources, hillside areas, and natural slopes. This may result in an increased density or intensity of the "receiving site" to preserve property development potential.	OSC4-1 OSC8-1 OSC8-2	CDD	10 years

# 4. CIRCULATION



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## 4 CIRCULATION ELEMENT

The Town of Yucca Valley is committed to providing its residents, visitors, and workers with an efficient and effective circulation system. The Circulation Element addresses the location and extent of existing and proposed major infrastructure, including thoroughfares, transportation routes, multimodal transportation options, air transportation, and the availability of utilities. It also provides guidance for the provision of other infrastructure needed to serve the Town.

The goals and policies of this Element affect the Town's physical, social, and economic environment because they impact the settlement pattern of residents and areas for economic activity. The Circulation Element is not solely a transportation plan; it also addresses the adequacy and related infrastructure for public and quasi-public utilities.

### Purpose of the Circulation Element

The state mandates that the Circulation Element identify and plan for the circulation needs of the Town. The intent of its goals and policies are to safely move people, goods, and utilities throughout Town.

The Circulation Element is complementary to the Land Use Element. It provides for a transportation network and utilities framework that supports the uses identified in the Land Use Plan, Figure LU-1 of the Land Use Element. This element recognizes the Town's priority to balance growth with the preservation of the desert environment by providing a plan that maintains and strengthens current infrastructure while expanding proportionately to the Town's growth.

Because mobile sources (e.g., vehicles) contribute to air pollution and greenhouse gas emissions and consume energy resources, the Circulation Element also corresponds to the Open Space and Conservation Element.

### Relationship to Other Documents

The Circulation Element is informed by several documents that guide federal, state, regional planning in this area:

*Surface Transportation Assistance Act (STAA)*

National act that identifies STAA-designated truck routes throughout the nation.

*Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS)*

Lays out a plan to meet the region's transportation, housing, economic, and environmental needs while lowering greenhouse gas



A view of SR-247.

emissions. Additionally, this document guides investment of regional transportation dollars toward circulation infrastructure.

*San Bernardino County Congestion Management Program*  
Program that monitors congestion and guides transportation impact requirements within the county.

*San Bernardino County Non-Motorized Transportation Plan*  
Identifies connectivity and facilities to facilitate nonmotorized travel within the county.

*Airport Comprehensive Land Use Plan (ACLUP)*  
The Yucca Valley Airport is a major transportation facility and geographic feature in Town. The ACLU specifies a plan for the orderly growth of the airport and the surrounding area.

**Constraints Based Planning:** Evaluative process that considers funding availability and environmental and political constraints in order to make recommendations for the transportation plan. Choices must be made that balance these constraints with the values and vision of the Town. Constraints based planning will allow Yucca Valley to plan for infrastructure transportation that can be implemented and maintained in the future.

## 4.1 Roadway Classifications

Using a constraints-based planning process, five roadway classifications were developed that will serve the mobility needs of the Town. The Yucca Valley Circulation Element Roadway Classifications are shown on Figure C-1. Characteristics of these roadway classifications are described below.

### Arterial Roadways / Highways (Two, Four, or Six Lanes)

Paved roadways that are designed to move large volumes of traffic and provide a high level of mobility between major residential, employment, and activity centers. These facilities also provide regional mobility, connecting different portions of the region to each other through the Town of Yucca Valley. These roadways may or may not include Class II bicycle lanes.

### Collector Roadways (Two Lanes)

Paved roadways intended to “collect” traffic and people from local roadways and carry them to arterial roadways and highways. These roadways may or may not include Class II bicycle lanes.

### Industrial Roadways

Industrial Roadways function similarly to Collector Roadways, but they serve industrial areas. As such, they need to be paved and designed to accommodate larger vehicles and larger vehicle turning radii.

### Local Streets

Local Streets serve predominantly residential adjacent properties and should enhance community livability. Speeds should be low and these facilities should discourage through traffic use. Local streets can be either paved or unpaved, depending on the type of

development they serve, the amount of development they serve, and the total traffic volumes expected on these facilities.

Although local streets are not specifically identified on Figure C-1, they provide additional connectivity throughout Town and can provide local parallel access to regional routes in the Town. One primary example of this is around the golf course area, where local streets such as Yucca Trail and Sunland Drive provide access to the north, east, west, and south without using highway facilities.

### Unpaved (Rural Local) Roadways

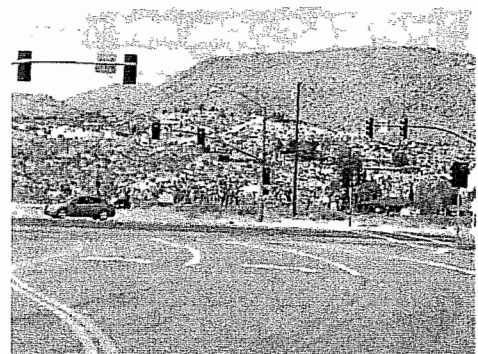
Low volume roadways that serve limited development in rural areas of the Town.

## 4.2 Levels of Service

Level of service (LOS) is a general measure of traffic operating conditions where a letter grade, from A (no congestion) to F (high levels of congestion), is assigned. LOS E represents “at capacity” operations.

These grades represent the perspective of drivers and are an indication of the comfort and convenience associated with driving as well as speed, travel time, traffic interruptions, and freedom to maneuver. The level of service grades are generally defined as follows:

- **LOS A** represents free flow travel for vehicles. Individual users are virtually unaffected by others in the traffic stream.
- **LOS B** represents stable flow, but the presence of other users in the traffic stream begins to be noticeable.
- **LOS C** represents a range in which the influence of traffic density on operations becomes noticeable. The ability to maneuver within the traffic stream and to select an operating speed is now clearly affected by the presence of other vehicles.
- **LOS D** borders on unstable flow. Speeds and ability to maneuver are severely restricted because of traffic congestion.
- **LOS E** represents unstable operating conditions at or near the capacity level where maneuverability is severely limited.
- **LOS F** is used to define forced or a breakdown traffic flow where unsignalized and signalized intersections exceed 50 and 80 seconds of delay, respectively.



Avalon Avenue is a collector roadway with a level of service of C or better north of the intersection with SR-62.

Table C-1 identifies the LOS thresholds for each roadway classification for the Town of Yucca:

**Table C-1**  
**Daily Roadway Segment Capacity (Maximum Trips)**

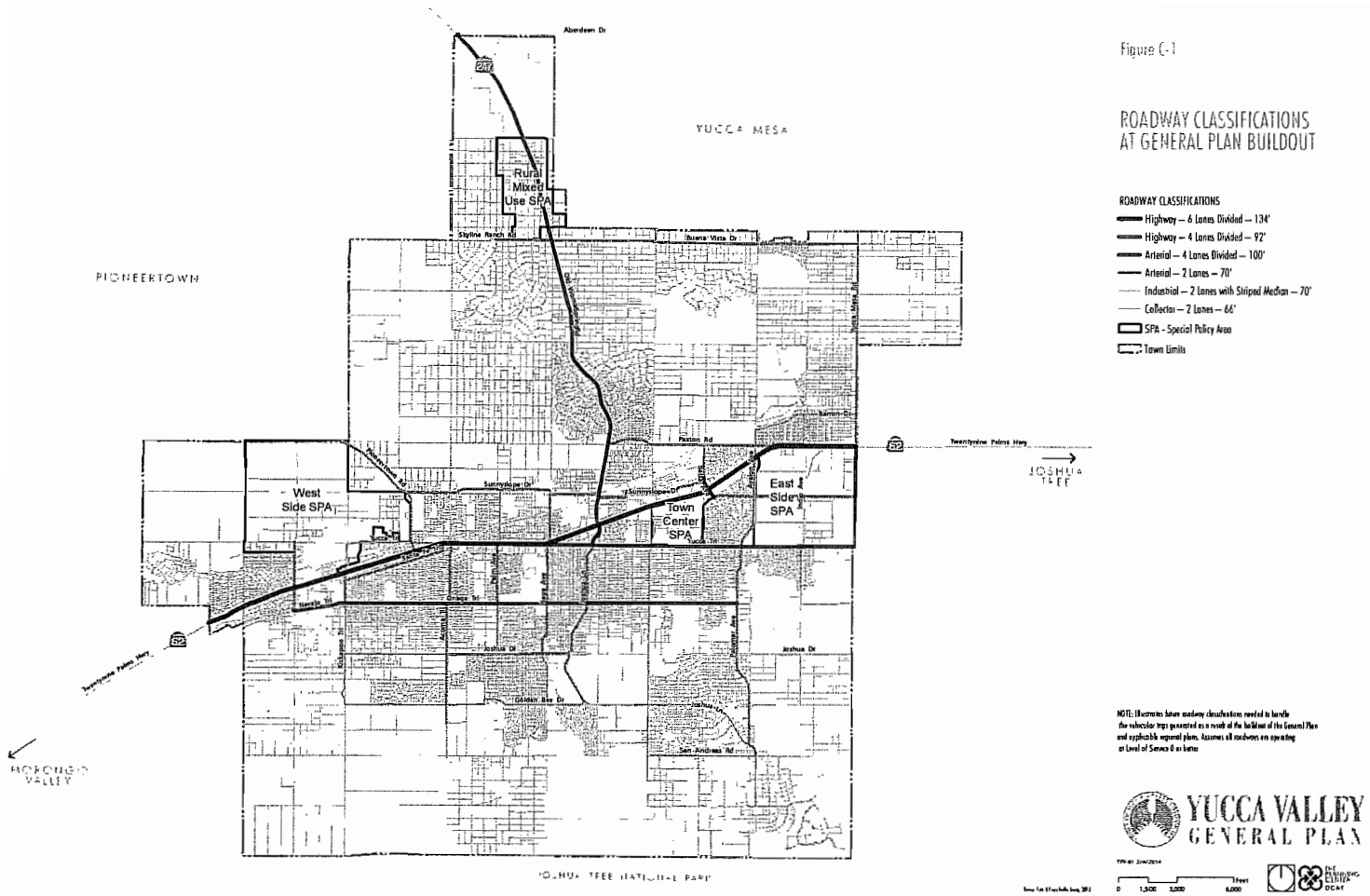
Facility Type	LOS A	LOS B	LOS C	LOS D	LOS E
Unpaved Road	-	-	-	500	-
Local Road	-	-	-	1,500	2,000
Collector	900	2,000	6,800	14,100	17,400
Industrial	900	2,000	6,800	14,100	17,400
Arterial (2-lanes, undivided)	-	-	9,700	17,600	18,700
Arterial / Highway (4-lanes, undivided)	-	-	17,500	27,400	28,900
Arterial / Highway (4-lanes, divided)	-	-	19,200	35,400	37,400
Arterial / Highway (6-lanes, divided)	-	-	27,100	53,200	56,000

Source: 2000 Highway Capacity Manual and FHWA guidelines for roadway paving.

### Levels of Service Exceptions

**Right-of-Way (ROW):** The land on which a roadway and/or utilities are located. Highway and utility right-of-ways are available to be implemented and maintained by the agency having jurisdiction over that specific roadway or utility.

Since the Town does not have significant funding to implement extensive infrastructure, it will need flexibility in maintaining service levels. Using a constraints-based planning process the Town can create a list of "protected" intersections and roadway segments where it is infeasible to provide the service standards in this Element until appropriate funding is available. Additionally, flexible service level standards can be used when there is limited right-of-way, where a local plan may have more pressing needs, where there are environmental constraints, or when other factors make implementing infrastructure infeasible or undesirable.





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### 4.3 Complete Streets

The California Complete Streets Act (AB 1358) of 2008 was signed into law on September 30, 2008. Beginning January 1, 2011, AB 1358 requires circulation elements to address the transportation system from a multimodal perspective. The bill states that streets, roads, and highways must “meet the needs of all users in a manner suitable to the rural, suburban, or urban context of the general plan.” Essentially, this bill requires a circulation element to plan for multimodal transportation accommodating all modes of transportation where appropriate, including walking, biking, car travel, and transit.

The Complete Streets Act also requires circulation elements to consider the multiple users of the transportation system, including children, adults, seniors, and the disabled. For further clarity, AB 1358 tasks the Governor’s Office of Planning and Research to release guidelines for compliance with this legislation by January 1, 2014.

Implementation of complete streets principles should be tailored to the individual jurisdiction and the individual roadway. For example, a complete street project that is similar in nature to the 3rd Street Promenade in Santa Monica is likely not appropriate or desirable in desert communities in the Morongo Basin. Therefore, the complete streets approach for Yucca Valley focuses on a network-based approach that has been tailored to the needs of the Town.

As part of a network-based approach, the Town has identified (and will implement through Master Plan updates) a complete network for each travel mode and will work to deliver infrastructure to support these modes. Key implementation measures include:

- Implementing the Trails System identified in the Parks and Recreation Master Plan (2008);
- Developing a comprehensive bicycle network;
- Completing pedestrian infrastructure, as appropriate, and providing safe and accessible pedestrian facilities in high-use areas;
- Coordinating with Morongo Basin Transit Authority (MBTA) to provide safe and convenient transit service to the area.

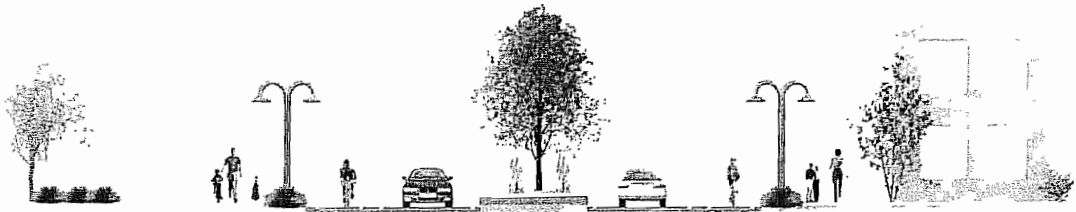
Yucca Valley’s complete streets network comprises four types of facilities—vehicular, pedestrian, bicycle, and public transit.

This complete streets approach will enable Yucca Valley residents to choose which travel mode best suits them. It also will ensure that streets are designed with the user in mind—accommodating for children, the elderly, bicyclists, and transit users.

**Complete Streets:** According to the National Complete Streets Coalition, complete streets are a means by which, “... planners and engineers (can) build road networks that are safer, more livable, and welcoming to everyone.... Instituting a complete streets policy ensures that transportation planners and engineers consistently design and operate the entire roadway with all users in mind – including bicyclists, public transportation vehicles and riders, and pedestrians of all ages and abilities.”

**Network-Based Complete Streets:** Combines individual travel mode networks into one multimodal transportation system, integrating infrastructure where appropriate, ultimately ensuring that all users can safely and efficiently access their destination.

The graphic below is an example of how complete streets can be designed to incorporate multiple modes of transportation.



Complete Streets incorporate pedestrian, bicycle, and automobile amenities into a user friendly multimodal roadway.

## Bicycle Facilities

Bicycle facilities consist of Class I, Class II, and Class III facilities. Currently, the Town only has Class III facilities, as summarized in the Fehr and Peers Existing Conditions Report: Yucca Valley General Plan Update (2012).

Proposed bicycle facilities are shown in Figure C-2, *Proposed Bicycle Facilities*.

### Class I

Completely separated bicycle right-of-way



### Class II

6" solid white stripe separates the bike lane from traffic



### Class III

Signs indicate that bikes share the roadway



Cross sections for typical Class I, II, and III bicycle facilities.

### Class I

Bike path providing completely separated right-of-way designated for the exclusive use of bicycles and pedestrians.

In Yucca Valley, Class I facilities will primarily be implemented through the Parks and Recreation Master Plan (2008). Future bicycle facilities have also been identified through the San Bernardino County Non-Motorized Transportation Plan (2011).

### Class II

Bikeway that provides designated lanes for the use of bicycles through the use of striping on the roadway and signage designations for the facility.

In Yucca Valley, this General Plan and the San Bernardino County Non-Motorized Transportation Plan envision a system of bicycle lanes on roadways that will connect the activity centers of the Town to the Town's residents, as shown on Figure C-2, *Proposed Bicycle Facilities*.

### Class III

Bikeway providing route designation by signage. Roadways are shared between bicyclists and motorists.

In Yucca Valley, Class III facilities are envisioned to be implemented on small segments of roadway that bridge gaps in the Class II and Class I roadway network. This includes Class III facilities on Yucca Trail, Baron Drive, and several other roadways, as shown on Figure C-2, *Proposed Bicycle Facilities*.

In addition to the future expansion of bicycle connectivity shown on Figure C-2, there is a desire to better connect the northern plateau area of the Town to the center of Town. However, SR-247 is the only connecting facility between the two areas. The Town will continue to look for opportunities to provide more direct bicycle connectivity in this area.

## Pedestrian Paths and Sidewalks

Pedestrian paths are primarily developed as part of the roadway and trail systems of a town and reflect the interconnected nature of circulation and transportation systems as a whole. Constructing wide streets increases the distance a pedestrian must travel to cross a street, thereby making it inconvenient for public use and inhibiting pedestrian circulation in the Town. Currently, limited continuous sidewalks are provided along major routes in the Town. Sections of discontinuous sidewalks exist, but most roads throughout Yucca Valley lack sidewalks.

The Parks and Recreation Master Plan (2008) identifies future recreational and bike trails within the Town that would not only provide recreation opportunities but could also be used to connect the pedestrian network throughout Town. In addition to connecting available pedestrian resources, the Town should also prioritize the completion of sidewalks along commercial retail areas to provide better access for pedestrians. Enhanced pedestrian crossings and sidewalks should also be considered in areas where high pedestrian demand occurs (such as schools) and in the Old Town Specific Plan area.

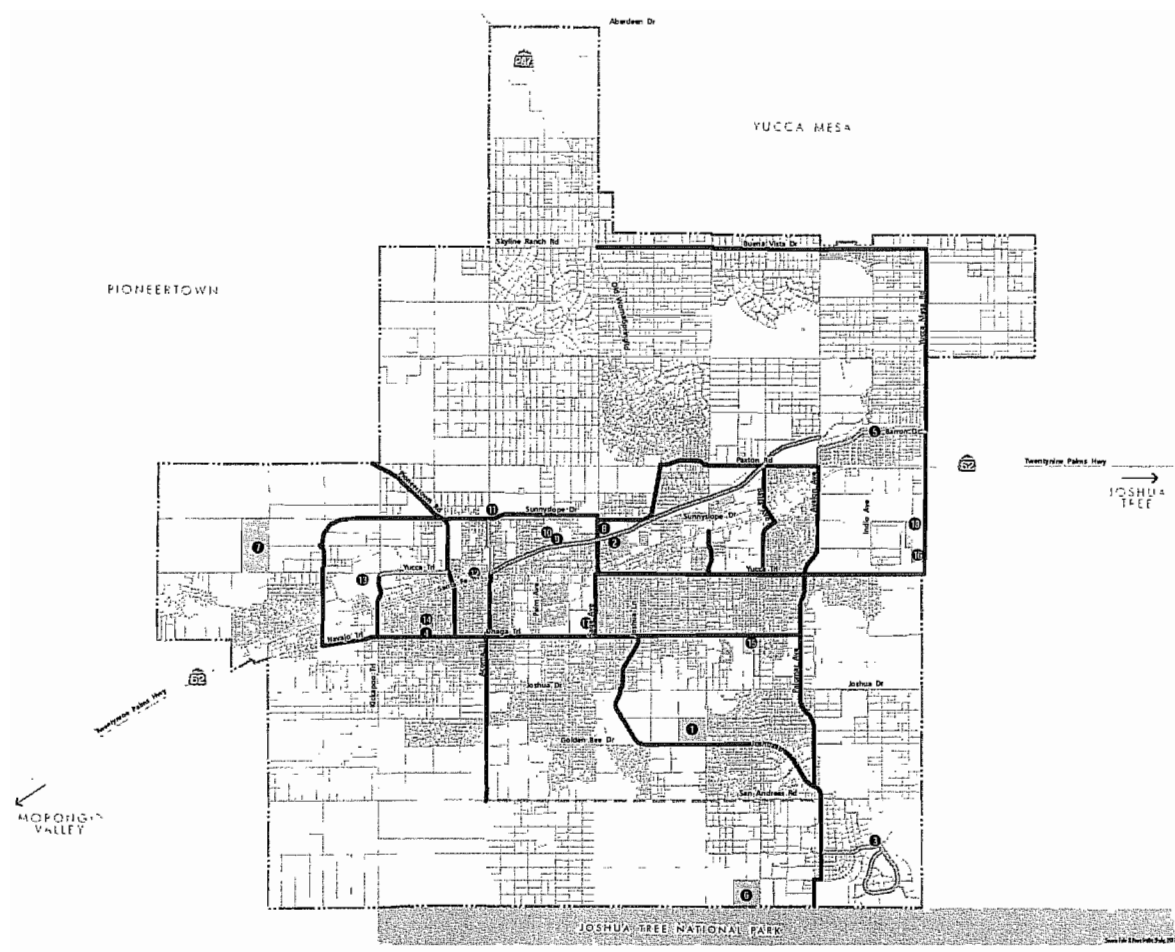
## Multiuse Trails

Multiuse trails are facilities that can be used by bicycles, pedestrians, equestrians, and other recreational users. The Town currently has one multiuse trail along San Andreas Road. Due to the recreational nature of the trail and its connection to other riding trails throughout Town, this trail is also discussed in Open Space and Conservation Element Section 5.2 and is shown on Figures OSC-2, *Parks and Recreational Trails*, and C-2, *Proposed Bicycle Facilities*. Future multiuse trails will be implemented through the Town's Trails Master Plan, which will address proposed section designs and recommended strategies to develop trails using a combination of both public right-of-way and private lands.

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Fig. 12

BICYCLE FACILITIES

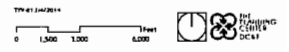


- Future Class I Bike Path
- Future Class II Bike Lane
- Future Class III Bike Route
- - - Future Multi-Use Trail
- - - Town Limits

- PARKS**
- 1 Essig Park
  - 2 Community Park
  - 3 Mathis Park
  - 4 Jacobs Park
  - 5 Paradise Park
  - 6 South Park
  - 7 North Park
  - 8 Sunnyslope Park BAK Track

- OTHER OPEN SPACE**
- 9 Pop Ranch Park (In Valley Little League)
  - 10 Braham Youth Park/ Boys and Girls Club
  - 11 Desert Christ Park (Desert Christ Park Foundation)
  - 12 Remembrance Park
  - 13 Golf Course (Semi-Private)

- PUBLIC SCHOOL**
- 14 Yucca Valley Elementary School
  - 15 Oanga Elementary School
  - 16 La Contenta Middle School
  - 17 Yucca Valley High School
  - 18 Black Rock High School



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## Transit Facilities

Transit options give users the ability to get to a destination without relying on the automobile. This also provides other community benefits, including reduced vehicle miles traveled (VMT). Reducing VMT will help the Town to achieve their greenhouse gas reduction target as discussed in the Open Space and Conservation Element, Section 5.9.

Public transportation services and facilities in Yucca Valley consist of public bus service, paratransit service, and park-and-ride locations. Existing transit facilities include the Yucca Valley Transit Center and Park-and-Ride lot.

### Public Bus Service

Public bus service is provided by the Morongo Basin Transit Authority, which enables commuters to travel within the Town and adjacent cities with minimal transfers. Currently, MBTA operates buses on five routes. All transit routes within Yucca Valley have a transfer point at the intermodal Yucca Valley Transit Center near the intersection of Yucca Trail and Valley Vista.

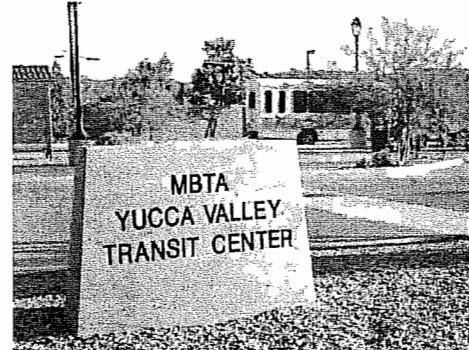
Additionally, MBTA has provided guidance for including transit within facilities development, as outlined in *Transit Guidelines in Project Development* (MBTA, 2005). These guidelines should be applied when considering new development to ensure appropriate connectivity and design features to support bus service.

### Paratransit Service

Paratransit is an alternative mode of passenger transportation that does not follow fixed routes or schedules. Typically, vans or mini-buses are used to provide paratransit service. Paratransit services vary considerably on the degree of flexibility they provide their customers. The most flexible systems offer on-demand, call-up, door-to-door service from any origin to any destination in a service area. Private local service providers and MBTA offer door-to-door service.

### Park-and-Ride Lots

Park-and-ride lots provide places for people to meet up and carpool to areas outside of the Town. The Yucca Valley Park-and-Ride facility is a lighted parking lot at the corner of SR-62 and Kickapoo Trail. This facility also provides a compressed natural gas refueling station. As the Town's population grows, additional park-and-ride locations would be best sited near the boundaries of Town or adjacent to the Transit Center.



Yucca Valley Transit Center is the transfer point for Morongo Basin Transit Authority's bus routes within Town.

**Vehicle Miles Traveled (VMT):** Vehicle miles traveled is the metric that identifies the total distance traveled in a car per driver. VMT drives roadway needs (the more people who drive, the more capacity and maintenance is needed on the roadway system).



Carpoolers who commute using shared vans often meet at the Yucca Valley Park-and-Ride lot.



## 4.4 Efficient Goods and Services Movement

The goods or freight movement system in Yucca Valley consists of designated truck routes. Additionally, the local airport provides opportunities for additional services to be accommodated. The operation and service of these facilities are described below.

Furthermore, the Town is located near the Marine Corps Air Ground Combat Center, and military vehicles, goods, and equipment pass through town on a frequent basis.

### Truck Routes

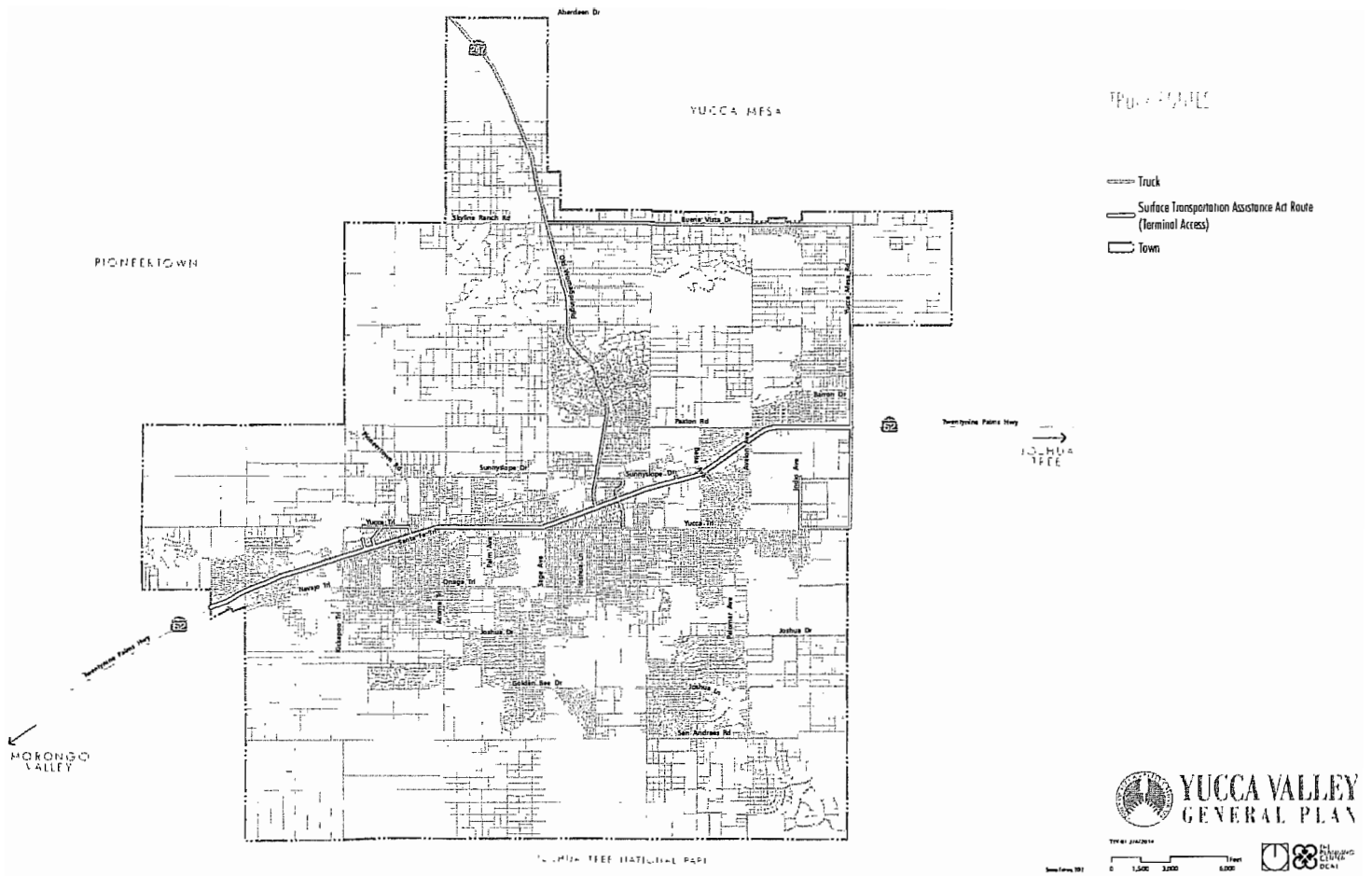
The Yucca Valley Municipal Code defines and regulates truck routes within the Town and specifies the ability of trucks to enter areas not designated as truck routes. State Routes 62 and 247 are designated truck routes that connect with commercial and industrial areas in Town. They are also important linkages for the movement of goods within the state and across the nation. Roadways in the system that are not designated truck routes are restricted to trucks under five tons, with the exception of vehicles making pickups or deliveries within the Town limits.

**Surface Transportation Assistance Act (STAA):** Overseen by the Federal Transit Administration and Federal Highway Administration, the act provides funds for highway and mass transit projects.

In addition, SR-62 is a designated STAA Route. This highway receives federal funding to maintain the roadway surface to accommodate STAA-specific vehicles that meet particular weight and truck size requirements. Designated truck and STAA routes in Town are shown on Figure C-3, *Truck Routes*.

### Aviation Facilities

Yucca Valley is home to Yucca Valley Airport, a privately owned airport available to the public for private aircraft and aircraft maintenance and flight training. The closest airport offering commercial flights is the Palm Springs International Airport, approximately 30 miles south of Yucca Valley. This airport provides nonstop service primarily to the Western United States and Canada. MBTA maintains a few routes that stop at the Palm Springs International Airport. Yucca Valley Airport is also discussed in the Land Use Element, Section 2.3.



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## 4.5 Traffic Management

There are three common ways for cities and towns to better manage traffic:

- Traffic signal coordination;
- Traffic calming on neighborhood streets;
- Paving nonpaved roadways.

Currently, the Town has implemented signal timing improvements to improve the efficiency of its system. Signal timing improvements consists of retiming traffic signals to improve vehicle progression through the Town (e.g., drivers will encounter few stops and will experience a more consistent speed). However, the Town has limited traffic calming applications on public streets, and the Town has a significant amount of unpaved roadways that will require paving or other air quality mitigation measures when future development occurs.

### Traffic Signal Coordination

One of the most cost-effective means to enhance traffic flow, improve safety, improve air quality, and manage traffic speeds is through signal coordination. This approach develops specific signal timings and implements appropriate signal control infrastructure to reduce the number of stops and improve vehicle progression through a corridor.

### Traffic Calming

Traffic calming includes traffic education, enforcement, and engineering, in an effort to reduce vehicle speeds, improve safety, and enhance quality of life. Although traffic calming does include education and enforcement, most traffic calming applications focus on engineering measures to change driver behavior (such as encouraging vehicles to travel at a lower rate of speed).

Applications of traffic calming include:

- Improvements to the roadway, such as curb extensions (e.g., extending the curb at intersections to reduce the pedestrian crossing distance and narrow the roadway), chicanes (midblock curb extensions to narrow the roadway), raised crosswalks, raised or textured intersections, or other speed-reducing measures; and
- Modifying appropriate intersections to remove traffic signals or stop signs and construct roundabouts or traffic circles.



Public works staff paving a road in Town.

Traffic calming could be considered within the Town on local and paved neighborhood streets and other areas where high levels of pedestrian activity take place (such as the Civic Center, schools, parks, and Old Town). This will help improve the quality of life for residents by managing the speed of traffic in appropriate areas.

## Paving Nonpaved Roadways

Residents and businesses in the Town of Yucca Valley are served by a combination of paved and unpaved roadways. Roughly half of the Town’s roadways are paved. As the Town grows, new development will be encouraged to provide paved roadways.

Though paving roadways is an important part of improving mobility infrastructure, it is equally important to maintain the character of this desert community. With limited funding, the Town will need to work with future development to strike a balance between maintaining community character, accessibility, and new growth.

Using the capacities identified in Table C-1, the Town should work with future development to identify appropriate roadways to be paved. Paving roadways will reduce air particulates, reduce noise, and improve mobility for the Town.

## GOAL C 1

A constraints-based circulation system that balances the needs of goods movement, nonautomotive use, and complete streets.

### Roadway Classification Policies

- Policy C 1-1 Utilize a constraints-based planning process to evaluate future transportation improvements.
- Policy C 1-2 Pursue funding, including updating the transportation impact mitigation fee program, to assist in implementing the transportation system by expanding its roadway capacity, pedestrian sidewalk facilities, bicycle facilities, and trail facilities.
- Policy C 1-3 Strive to maintain vehicle level of service (LOS) D on all roadways within the Town. Utilize the roadway capacities, as identified in Table C-1, to evaluate roadway operations.
- Policy C 1-4 Maintain protected intersections and roadways where vehicle capacity will remain less than the service goal outlined in Table C-1.
- Policy C 1-5 Prioritize low-cost transportation enhancements, such as signal timing improvements, that maximize

**Protected Intersection and Roadways:** Intersections or roadways that have been approved to operate at a lesser level of service due to the inability to physically expand the right-of-way.

the Town's return on infrastructure investment related to the efficiency of the transportation system.

- Policy C 1-6 Protect right-of-ways for SR-62 and SR-247, major arterials, collectors, residential streets, and for all other planned infrastructure as shown on the figures above.
- Policy C 1-7 Encourage development designs that integrate multiple modes of access, including pedestrian, bicycle, and public transportation.

### Complete Streets Policies

- Policy C 1-8 Apply complete street strategies that accommodate pedestrian, bicycle, and transit modes whenever practicable and feasible.
- Policy C 1-9 Require sidewalk improvements concurrent with new development where commercial and school uses are planned and where residential densities exceed two units per acre, or as required by the Planning Commission.
- Policy C 1-10 Encourage MBTA to provide enhanced bus service to employment areas outside of the Town, such as the Coachella Valley or other nearby areas in the County of San Bernardino.
- Policy C 1-11 Encourage MBTA to work with area religious facilities or other sites where underutilized parking or hours of operation could provide opportunities for implementing shared park-and-ride facilities.
- Policy C 1-12 Encourage MBTA to implement regional transportation solutions that reduce vehicle miles traveled and greenhouse gas emissions.
- Policy C 1-13 Work with new development to implement MBTA's *Transit Guidelines in Project Development* (MBTA, 2005) as appropriate.
- Policy C 1-14 Encourage employers to support Transportation Demand Management techniques, such as bus transit passes or other measures that reduce reliance on the single-occupant vehicle.

### Efficient Goods and Services Movement Policies

- Policy C 1-15 Design designated truck routes such that the pavement, roadway width, and curb return radii support anticipated heavy vehicle use.

- Policy C 1-16 Support and work with Caltrans to coordinate signals along SR-62 and SR-247 in Town.
- Policy C 1-17 Ensure funding is available to implement and maintain signal coordination.
- Policy C 1-18 Maintain truck route designations to support heavy vehicle use and connections to the Yucca Valley Airport as noted on Figure C-3.

#### **Traffic Management Policies**

- Policy C 1-19 Require traffic calming techniques in residential neighborhoods and in Special Policy Areas to slow and manage traffic volumes as deemed appropriate by the Town Engineer.
- Policy C 1-20 Require future development to pave roadways that will serve 500 or more daily trips as noted in Table C-1 unless paving of that facility is considered infeasible by the Town, there is no funding for the improvement, or when the majority of the residents on that facility desire it to be unpaved.
- Policy C 1-21 Pursue funding to pave unpaved roadways where the traffic volume exceeds 500 daily trips unless paving of that facility is infeasible or when the majority of the residents on that facility desire it to be unpaved.
- Policy C 1-22 Minimize dust emissions on existing and new unpaved roads where traffic volumes exceed 500 daily trips.
- Policy C 1-23 Work with future development between Yucca Trail, Palomar Avenue, La Contenta Road, and Juarez Drive to implement appropriate roadway, bicycle, and pedestrian connectivity based on the proposed land uses.
- Policy C 1-24 Work with the park service to the south of Town to appropriately provide connectivity to the Town's roadway network.
- Policy C 1-25 Maintain truck routes through town for efficient freight transportation service to businesses and industry while limiting impacts to residents and visitors.

## 4.6 Utilities Infrastructure

Future land use patterns and rates of development will impact the infrastructure for the Town's utilities. As the population increases, the demand for these services will also increase. It is important to ensure that demand for these services does not exceed the supply and that the expansion of infrastructure is sufficiently addressed to accommodate future needs.

The Town of Yucca Valley is jointly responsible for coordinating with private and quasi-public agencies offering public services such as telephone, gas and electricity, in compliance with the General Plan. The Town's Capital Improvement Program prioritizes and provides annual funding for infrastructure improvements. California Government Code Sections 65302 (a), (b), and (e) require that the local planning agency "annually review the capital improvement program of the city or county and the local public works projects of other local agencies for their consistency with the General Plan."

Utility services in Yucca Valley include natural gas, electricity, solid waste disposal, water, and storm drains, as well as telecommunication providers. Water and wastewater are discussed in Section 5.4 of the Open Space and Conservation Element. Storm drains are discussed in Section 6.3 of the Safety Element.

### Gas Service

Natural gas service is provided by Southern California Gas Company. Transmission and distribution gas lines run throughout the community along many of the existing streets. Due to rough terrain major gas lines do not exist in the southwest and northwest portions of the Town. Propane tanks are used by residents in these areas to provide gas for heating and cooking.

### Electrical Service

Electrical service is provided in the Yucca Valley area by Southern California Edison (SCE). SCE has adequate capacity to service the Town, but businesses and residents can help to maintain sustainable, cost effective service by conserving energy. SCE offers rebate and incentive programs to residents and businesses that encourage the conservation of energy through low consumption and solar partnerships. Energy resources are also discussed in the Open Space and Conservation Element, Section 5.7.

### Solid Waste Disposal Service

Waste disposal service is mandatory in Yucca Valley. The Town contracts with Burrtec Waste Industries for waste removal for both residential and commercial properties. Regionally, the Town is a member of the Mojave Desert and Mountain Solid Waste Joint



Powers Authority and participates in the County Waste Disposal Agreement as a member of the Education and Outreach Committee. As discussed in the Safety Element, hazardous waste disposal is provided in Yucca Valley by the County of San Bernardino.

## Telecommunications

Adequate telecommunication facilities are available to serve the needs of the Town. Time Warner Cable offers cable, telephone, and internet service to Yucca Valley. There are also several satellite and wireless providers that offer the same services to residents and businesses in the area.

## GOAL C 2

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A full range of public utilities and related services that provide for the immediate and long-term needs of the community.

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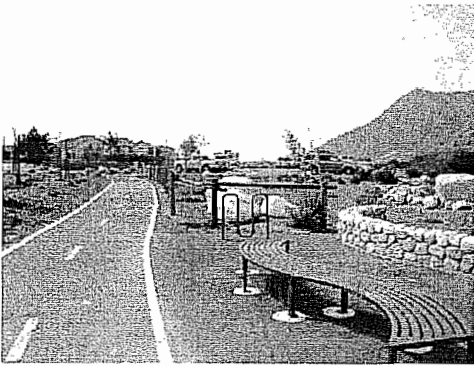
### Policies

- |              |  |
|--------------|--|
| Policy C 2-1 | Work with utility providers in the planning, designing, and siting of distribution and support facilities to comply with the standards of the General Plan and Development Code. |
| Policy C 2-2 | Work with utility providers to increase service capacity as demand increases.  |
| Policy C 2-3 | Coordinate public infrastructure improvements through the Town's Capital Improvement Program.  |
| Policy C 2-4 | Encourage the shared use of right-of-way, transmission corridors, and other appropriate measures to minimize the visual impact of utilities infrastructure throughout Town.      |
| Policy C 2-5 | Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.   |

- ♦ Improvements to Sunnyslope Park containing a skate park, improved BMX course, and a dog park designed for both passive and active pet uses.
- ♦ East End Community Sports Park and Gymnasium in coordination with La Contenta Middle School
- ♦ A new master plan for Brehm Park that includes building a new Boys & Girls Club, additional sports fields and neighborhood park amenities
- ♦ Trail Head and Self-Guided Nature Trail at North Park and South Park
- ♦ A community park in the Yucca Mesa area.
- ♦ A neighborhood park in the area formerly called the “Southside Community Center Property”.
- ♦ Implementation of the Yucca Valley Trails System.
- ♦ Improvements to Existing Parks
- ♦ Options regarding Blue Skies Golf and Country Club
- ♦ Potential development of Burnt Mountain Park

The recreation program recommendations and strategies provide a roadmap for the Community Services Department in its efforts to service the community in the future. Some existing programs will grow in the future as new facilities are developed to accommodate the growing demand, while other programs will be phased out to provide space for new programs demanded by the community. Recreation program recommendations and strategies are not tied to any specific timelines, but rather to when available space can be allocated to accomplish their implementation. Program recommendations were developed as a result of the needs analysis and the community outreach process, especially the community workshops and resident phone survey, which provided the consultant team with specific data of the types of recreational programming desired by the community. The dominant themes derived from the community input process regarding the need for recreation programs and services were as follows:

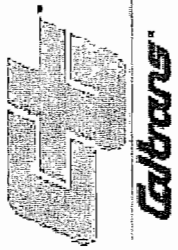
- ◆ Seating/benches
- ◆ Shaded rest area(s)
- ◆ Trash receptacles
- ◆ Animal watering stations
- ◆ Drinking fountains
- ◆ Pet waste facilities
- ◆ Gateway planting and irrigation at portals
- ◆ Decomposed granite pathways with concrete band edging
- ◆ Closable pathway barrier or gate.
- ◆ Gazebo, arbor or covered seating at entryway to create impact at major trail heads such as Community Center Park.



The costs for developing trail heads varies greatly depending on the topography of the intended site, existing infrastructure availability (utilities, water, sewer) and the size and amenities to be included. Trailhead sites can be enhanced with public art, interpretive stations, public restrooms, and other visitor serving amenities which naturally would increase the cost for such facilities.

The Master Plan suggests that a total of five potential sites be considered for development as trailheads. They include the East end of the Yucca Creek Wash Trail at the current community center park site; the West end of the Yucca Creek Wash Trail adjacent to Pop Rauch Park; at an entry location at North Park and South Park; and at the site where Burnt Mountain Neighborhood Park may be potentially developed.

The estimated cost to provide a trailhead at each of these proposed sites that would contain the amenities described above (without public art, interpretive stations, and public restrooms) would be between \$75,000 - \$125,000 for each site. The Town could seek sponsors for the sites and offer naming rights opportunities or designed kiosk advertising to offset the cost. Service clubs and organizations could also be contacted with regards to having them develop the trailhead sites as a community services project.

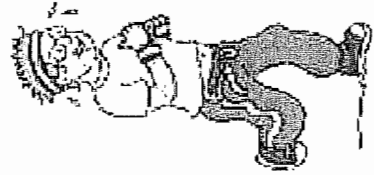
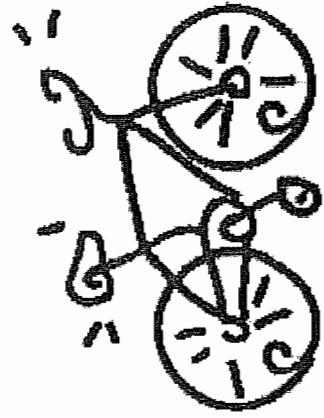


# ACTIVE TRANSPORTATION PROGRAM

Good Afternoon

**Vijay Kopparam**  
Interim Office Chief

District 7 Office of Local Assistance.





*Caltrans*

## ACTIVE TRANSPORTATION PROGRAM

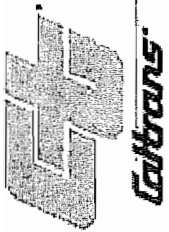
### HISTORY

Governor Brown Signed bills :

Senate Bill 99, Chapter 359

Assembly Bill 101, Chapter 354

Creating Active Transportation Program  
(ATP)

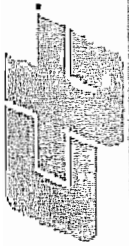


## ACTIVE TRANSPORTATION PROGRAM

ATP consolidates

Federal and State transportation programs  
including

- Transportation Alternative Program (TAP)
- Bicycle Transportation Account (BTA)
- State Safe Route to School (SR2S)

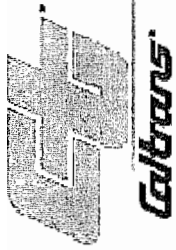


**Caltrans**

## **ACTIVE TRANSPORTATION PROGRAM**

**Purpose of ATP is to encourage increased use of active modes of transportation**

- Biking and walking.**
- Increase safety and mobility for non-motorized users,**
- Greenhouse gas (GHG) reduction goals,**
- Enhance public health,**
- Disadvantaged communities fully share the benefits.**
- Provide a broad spectrum of projects to benefit many types of active transportation users.**



## ACTIVE TRANSPORTATION PROGRAM

---

### Proposed changes for cycle

2

No required match-

+ 1- 5 points awarded for providing a match

The benefit/cost tool will be available for  
Cycle 2

Disadvantaged Communities definition

-- The CalEnviroScreen requirement has been  
changed from top 10% to top 25%.

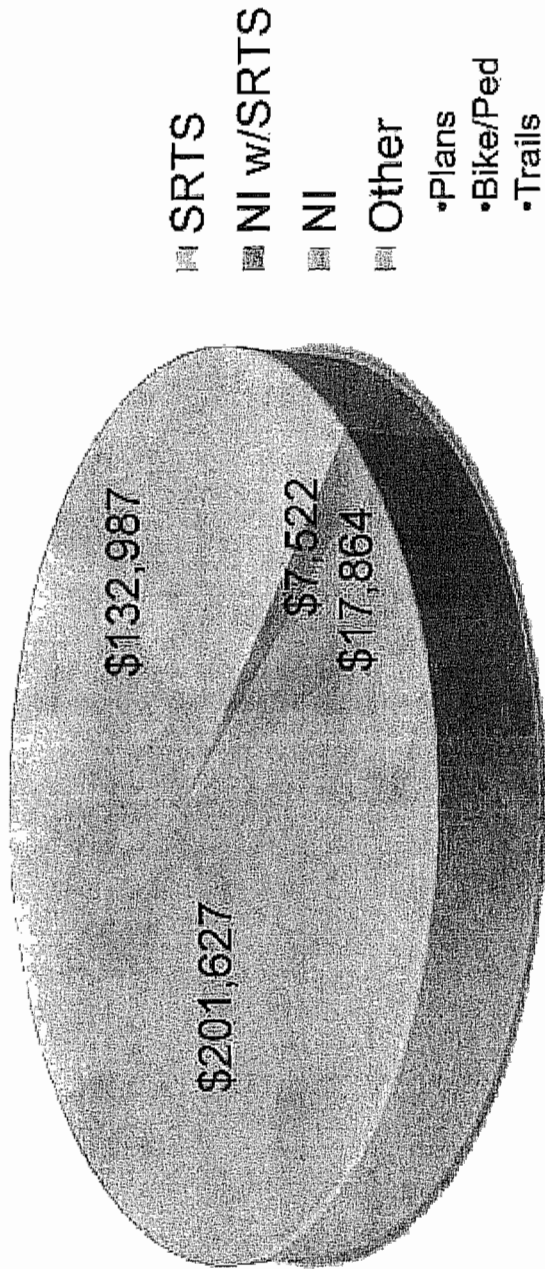




# ACTIVE TRANSPORTATION PROGRAM

Cycle - 771 applications, 265 projects selected

## Cycle 1 Project Types (x\$1,000)





*Caltrans*

## Active Transportation Program

---

### Lessons learned from Cycle -1

- Clearer Guidelines and simpler application
- Local Agencies must clearly define the scope and limits of work – the new Engineer’s Checklist form will help the Local Agency fulfill this requirement.
- Changes to improve the Statewide CTC scoring and ranking process.



*Caltrans*

# ACTIVE TRANSPORTATION PROGRAM

# CYCLE -2

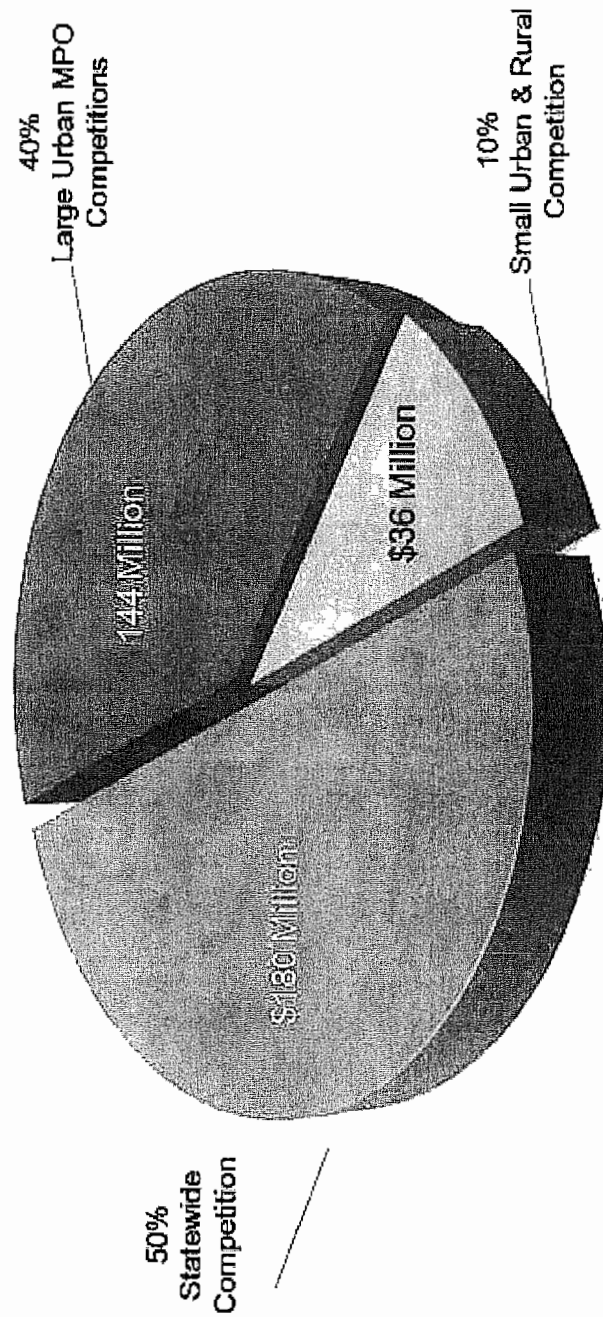


*Caltrans*

# ACTIVE TRANSPORTATION PROGRAM

## Cycle 2 \$360M

### Three years of funding awarded in one cycle (FY16/17, 17/18, 18/19)

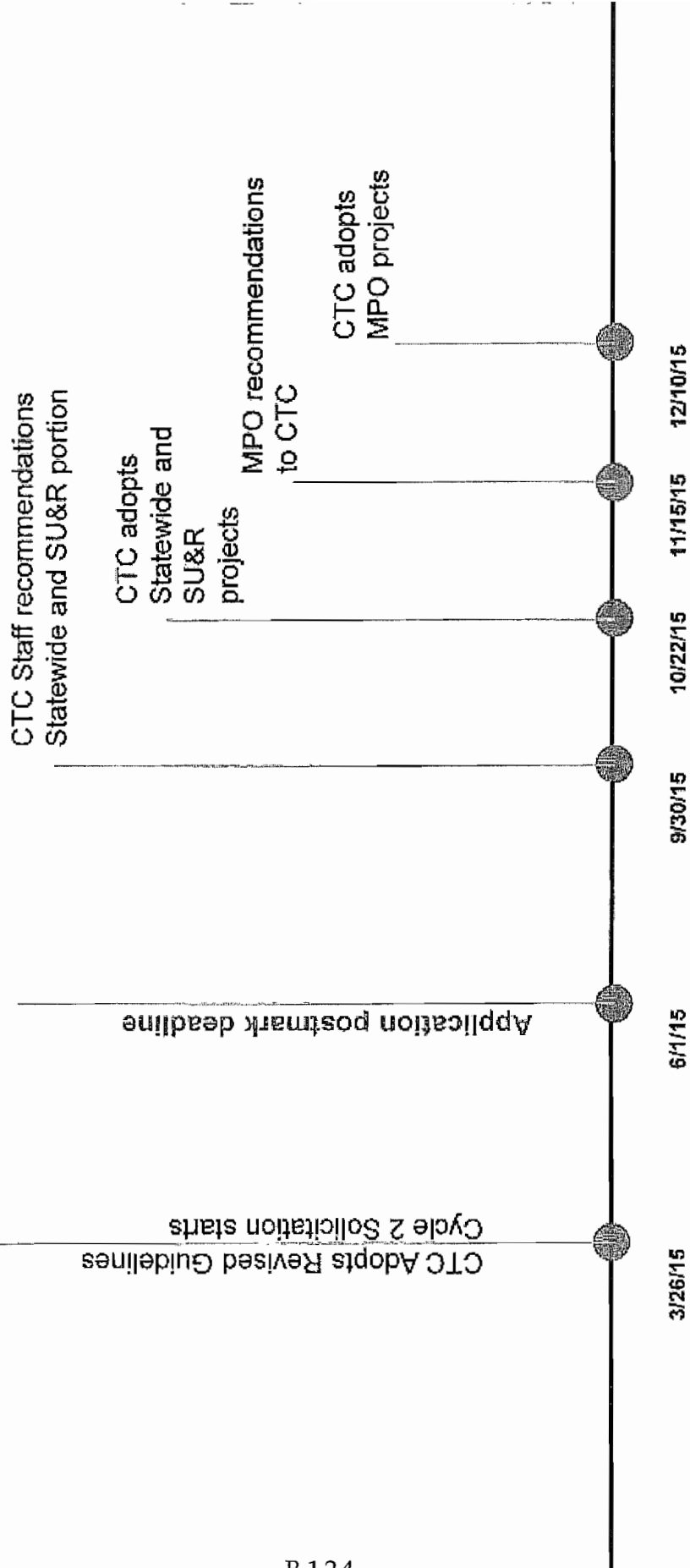


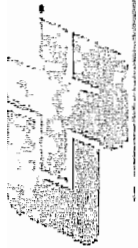


Caltrans

# ACTIVE TRANSPORTATION PROGRAM

## Tentative Cycle 2 Schedule

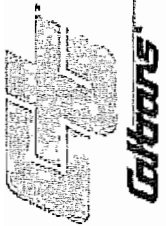




**Caltrans**

## ACTIVE TRANSPORTATION PROGRAM

# Resources

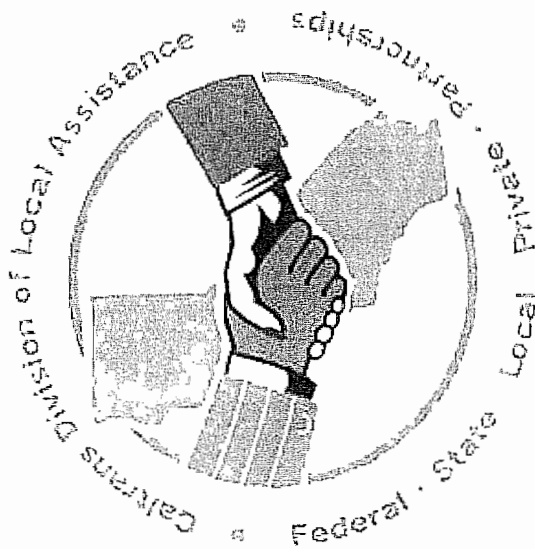


# ACTIVE TRANSPORTATION PROGRAM

<http://www.catc.ca.gov/programs/ATP.ht>

™

CALIFORNIA  
TRANSPORTATION  
COMMISSION



<http://www.dot.ca.gov/hq/LocalPrograms/atp>



# ACTIVE TRANSPORTATION PROGRAM



California Department of Transportation  
 Division of Local Assistance  
 Office of Active Transportation & Special Programs  
 1120 N Street, MS 1  
 Sacramento, CA 95814

**Teresa McWilliam, P.E.**  
 Active Transportation Program  
 Manager  
 Districts 6-9 & 11-12

Office (916) 653-0328  
 FAX (916) 653-1905

[www.dot.ca.gov](http://www.dot.ca.gov)

[Teresa.mcwilliam@dot.ca.gov](mailto:Teresa.mcwilliam@dot.ca.gov)

CALTRANS IMPROVES MOBILITY ACROSS CALIFORNIA

## Contact Information:

California Department of Transportation  
 District 7  
 Office of Local Assistance  
 100 S. Main, Street, MS 16  
 Los Angeles, CA 90012

**DALE BENSON, P.E.**  
 Senior Transportation Engineer

Office (213) 897-2934  
 FAX (213) 897-2999

[Date.Benson@dot.ca.gov](mailto:Date.Benson@dot.ca.gov)

[www.dot.ca.gov](http://www.dot.ca.gov)

CALTRANS IMPROVES MOBILITY ACROSS CALIFORNIA

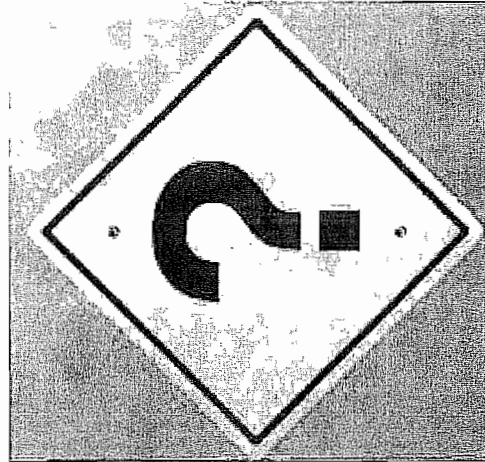




*Caltrans*

# ACTIVE TRANSPORTATION PROGRAM

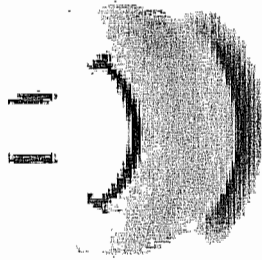
Questions  
?





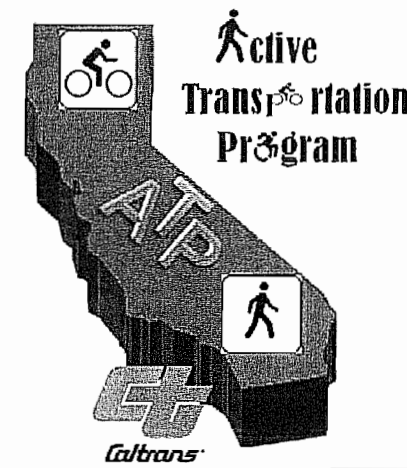
*Caltrans*

# ACTIVE TRANSPORTATION PROGRAM



Thank  
You!!!

# APPLICATION INSTRUCTIONS & GUIDANCE FOR ACTIVE TRANSPORTATION PROGRAM (ATP) CYCLE 2



These instructions are expected to be used on step-by-step basis for the preparation of ATP Cycle 2 Applications. Failure to follow these instructions may result in incomplete applications, which could result in a loss of points, ineligible project elements, and/or disqualification.

## APPLICATION INSTRUCTIONS & GUIDANCE

General Instructions	Page 2
Part A Instructions	Page 5
Part B Instructions	Page 12
Part C Instructions	Page 29
Additional References	Page 35

## **GENERAL - INSTRUCTIONS**

**Final Filing Date:** Applications must be postmarked by June 1, 2015. **NO EXCEPTIONS**  
(All applications postmarked after this date will not be scored)

### **QUESTIONS CONCERNING THE APPLICATION**

If you have questions on how to fill out the application, please contact your Caltrans Local Assistance ATP coordinator or District Local Assistance Engineer (DLAE). A list of the DLAEs is available at: <http://www.dot.ca.gov/hq/LocalPrograms/dlae.htm>

### **SUBMISSION REQUIREMENTS**

#### **1. To Caltrans:**

- a. **Submit five (5) hard copies: 1 original and 4 copies.** All copies shall be securely bound, e.g. spiral or comb bound (no clips, clamps, ringed binders, or rubber bands).
  - The original application must be marked "ORIGINAL COPY". All documents contained in the original application package must have original signatures.
  - The 4 copies of the application may contain photocopies of the original package (so long as the maps, photographs and other detailed exhibits are in color and/or high resolution that clearly depict of all relevant information.)
  - ❖ APPLICATIONS SHALL BE MAILED TO CALTRANS AT THE FOLLOWING ADDRESS:  
 CALTRANS  
 Division of Local Assistance, MS 1  
 Attn: Office of Active Transportation and Special Programs  
 P.O. Box 942874  
 Sacramento, CA 94274-0001
- b. **Submit two (2) electronic files:** Both electronic files must be submitted on a single disk or portable hard drive and must be included with the submittal of the 5 hard copies of the application. Each application shall have its own separate disk/portable drive. Applicants must adhere to the following steps to ensure the required electronic file-formats and file-contents are included in their submittal:

#### **First Electronic File:**

1. Download the "Part A" of the Cycle 2 Application from the Caltrans ATP website at: <http://www.dot.ca.gov/hq/LocalPrograms/atp/cycle-2.html>
2. Complete Part A (following the instructions outlined in this document and in the applications form) and save the file as follows:
  - Using the **original file format** of "Part A" of the Cycle 2 Application. The file-format must allow for Caltrans to extract the application data from the file. ***The file-format cannot be a scanned-copy. Applications will not be accepted, evaluated or scored without Part A of the application submitted in its original file format.***
  - Name the file with the word "PART A\_" followed by the Unique Application Number: "##-Agency Name-## ". In this number, the first two "#" symbols correspond to the Caltrans District and the last two "#" symbols correspond to the agency's application number (The Unique Application Number is shown in a auto-populated box on the top of the first page of Part A of the application).

**Second Electronic File:**

1. Complete, printout, and obtain all required signatures for the entire application and attachments (following the instructions outlined in this document and the Application Form). Once this is complete, save the second electronic file as follows:
    - Convert the entire application into a PDF file. Applicant can have the entire document (Parts A, B and C) scanned using a color/and or high resolution copier or print application elements directly to PDF files. If the entire document does not initially save into a single PDF file, the applicant must combine the files into **one PDF file that shows all pages in the same order as the hard copies**. All relevant information included in the original application must be clearly readable in this electronic copy, including but not limited to: signatures, color-coding, and oversized documents.
    - Name this file with the word “SCANNED\_” followed by the Unique Application Number: “##-Agency Name-## “. The Unique Application Number must exactly match the one used in the first electronic file discussed above.
  - ❖ NOTE: DUE TO THE LARGE NUMBER OF EXPECTED APPLICATIONS AND SUBMISSION SIZE, NO E-MAIL SUBMISSIONS WILL BE ACCEPTED.
2. **To Regional Transportation Planning Agency (RTPA) or County Transportation Commission:**
    - a. The California Transportation Commission – Guidelines for ATP require that the applicant submit an additional application copy to the Regional Transportation Planning Agency (RTPA) or County Transportation Commission and to the Metropolitan Planning Organization (MPO) within which the project is located by the final filing date. (An MPO contact list can be found at [www.dot.ca.gov/hq/tpp/offices/orip/](http://www.dot.ca.gov/hq/tpp/offices/orip/)) The copy may be hard copy or electronic – check with your regional agency and/or county commission for their preference.

**GENERAL ATP GUIDANCE**

Prior to filling out the application, applicants are encouraged to review the information and guidance provided on the CTC and Caltrans ATP websites at:

- CTC Website: <http://www.catc.ca.gov/programs/ATP.htm>
- Caltrans Website: <http://www.dot.ca.gov/hq/LocalPrograms/atp/index.html>

Applicants must download the “Part A” (PDF “fillable” form) and “Part B & C” (Microsoft Word form) elements of the application-form from the Division of Local Assistance ATP website at: <http://www.dot.ca.gov/hq/LocalPrograms/atp/cycle-2.html>. Applicants must prepare their electronic and hard-copy applications as defined in these instructions above.

**Part A of the application form must be completed on a computer with Adobe Acrobat Reader 8.0 or later.** Adobe Reader 8.0 can be downloaded for free at: <https://get.adobe.com/reader/>

Applicants are encouraged to read the entire Application Instructions and Guidance before attempting to prepare and submit the application. Applicants are expected to utilize and follow these instructions in a step-by-step process as they complete their application(s). Completing an application without adhering to these instructions may result in an incomplete application or an application with fatal flaws that will be excluded from the ranking and selection process. If an applicant has questions relating to their application, they should seek assistance from their Caltrans DLAE before submitting their application.

**APPLICATION ORGANIZATION****The hard copies of each application must be submitted using the following format:**

- Part A: After all project data is entered into “Part A”, a printout must be included
- Part B: After all the Screening Criteria and Narrative answers are entered into “Part B”, a printout must be included.
- Part C: Applicants are expected to build “Part C” of their application as needed based on the attachments to be included in their application. Part C must begin with the List of Application Attachments page. All attachments must be in the order designated in these instructions, including the “Signature Page” as Attachment A.

❖ “Step-by-Step” instructions are included for each of these sections of the application.

**Using a Cover Sheet is not allowed:** Applications shall not include a cover sheet to assist with application consistency, reviewing and filing.

**Using TABS in the application:** All applications must provide separation “tabs” in the hard-copies of the applications to identify the beginning location of each of the following application sections: Part A, Part B, Part C and each separate Attachment under Part C.

**Headers:** The project unique application number shall be included in the header of each page.

**Footers:** All pages of the application shall include page numbers in the footer section of the page. Attachments should either be numbered in the lower right hand corner or each page of the attachment should show the attachment letter (e.g. Attachment A).

**Paper Size and formatting:** In general, the hard-copies of the applications are to be on 8 ½” x 11” paper, single-sided, line spacing at 1.5, with minimum of 12 point font. Attachments are not required to be 8 ½” x 11”. If attachments are larger than a standard page, they should be folded to 8 ½” x 11”.

## **PART A - INSTRUCTIONS “General Project Information”**

### **AUTO-FILL INFORMATION:**

The first page of the application starts with two locked input fields that are auto-populated as the application is completed. As stated above in the “Submission Requirement”, applicants are required to use this exact “Project Unique Application No.” for their electronic file names.

### **IMPLEMENTING AGENCY AND PARTNERING AGENCY:**

**Implementing Agency:** This agency must enter into a Master Agreement (MA) with Caltrans and will be responsible for all requirements under the MA, including by not limited to, the use and expenditure of the program funds, delivery of the project within all pertinent Federal and State funding requirements and future operational and maintenance needs. (i.e. city, county, tribal government, public health department, transit agency, school district, natural resources agency, public lands agency, Metropolitan Planning Organization (MPO), or Regional Transit Planning Agency (RTPA).)

Note: Private nonprofit tax exempt organizations may apply for eligible Recreational Trails Projects that facilitate trail linkages or connectivity to non-motorized corridors, and conversion of abandoned railroad corridors trails. The project must benefit the general public and not only a private entity. For all other project types, private nonprofit organizations may ONLY take on the role of Partnering Agency, as described below.

### **Throughout the ATP application and application instructions, “Applicant” may be used to refer to the “Implementing Agency.”**

Enter the name, address and contact information for the Implementing Agency. For consistent naming conventions between cities and counties; Counties are expected to include “County” at the end of their name (e.g. Sacramento County) and cities should just enter their name (e.g. Sacramento).

**Partnering Agency:** Entities that are unable to apply for Active Transportation Program funds or that are unable to enter into a Master Agreement with the State must partner with an eligible applicant that can implement the project. **In addition, entities that are unfamiliar with the requirements to administer a Federal-Aid Highway Program project are encouraged to partner with an eligible applicant that can implement the project. For these projects and partnering agencies, the partner is not required to sign application on the signature page.**

If another entity (different from the Implementing Agency) agrees to assume responsibility for the ongoing operations and maintenance of the facility, documentation of the agreement (e.g., letter of intent) must be submitted with the project application, and a copy of the Memorandum of Understanding or Interagency Agreement between the parties must be submitted with the first request for allocation. **For these projects, the Partnering Agency responsible for the operation and maintenance of the completed projects must sign the application (Attachment A) and provide contact information in Part A.**

This partnering role is **not** required for ATP projects/applications and no points will be allocated on the basis of projects identifying a Project Partnering Agency.

The Partnering Agency will **not** enter into a Master Agreement with Caltrans and will **not** be financially and contractually responsible.

If there is a Partnering Agency for the project, as defined above, enter the name, address and contact information for the Partnering Agency.

**MASTER AGREEMENTS (MAs):**

Successful applicants must be able to meet the requirements of and enter into a Master Agreement (MA) with Caltrans if their application is awarded funding. Caltrans encourages applicants to submit their applications through Implementing Agencies with existing approved MAs. Agencies that do not currently have a MA with Caltrans must be able to enter into an MA with Caltrans prior to funds allocation.

For more information on the requirements to enter into a Master Agreement with Caltrans visit the links listed below:

General policies and procedures are discussed in the Caltrans Local Assistance Procedures Manual (LAPM) Chapter 4 at: [http://www.dot.ca.gov/hq/LocalPrograms/lam/prog\\_p/ch04-2011-04-08.pdf](http://www.dot.ca.gov/hq/LocalPrograms/lam/prog_p/ch04-2011-04-08.pdf). A sample Master Agreement is also located at this site.

Information concerning the auditing and accounting requirements can be found at: <http://www.dot.ca.gov/hq/audits/documents/auditbrochure.pdf>

For those agencies that are not familiar with the local Federal Aid process, Caltrans strongly encourages seeking an “Implementing Agency” such as a City, County, or regional transportation agency to act as the applicant for their application. These agencies should note: The MA approval process can take 6 to 12 months to complete and there is no guarantee the agency will meet the requirements necessary for the State to enter into a MA with the agency. Delays could result in a failure to meet the CTC Allocation timeline requirements and the loss of ATP funding.

The application must confirm if the Implementing Agency currently has a MA and if so, must include the Federal and/or State MA number.

**PROJECT NAME, DISCRPTION, AND OTHER GENERAL INFORMATION:**

**Project Name:** Enter a very brief project name. If funded, this name will be used in the CTC project listing.

*Good Example: City of Lakeside – Grand Avenue Bike Route Improvements*

*Bad Example: Bike Route Improvements*

**Application Number:** For tracking purposes, Caltrans needs every application to have a statewide unique application ID number. An element of this larger number is requiring applicants assign a numerical number to each of their applications (1, 2, 3, etc). Applicants must ensure that each of their applications has a different application number. **These numbers will not be considered to have any correlation to the agency’s priority of the project.**

**Project Description:** Enter a brief project description – no more than 250 characters. The project description should convey the types of work and/or the major elements that are proposed – without going into details like construction quantities. If the application is an infrastructure project that is only requesting preconstruction (PA&ED, PS&E and/or ROW) funds, this must be stated in the Project Description. If funded, this description will be used in the FSTIP programming document.

*Example: “Install Rectangular Rapid Flashing Beacons, pavement markings and signing” or “PS&E and ROW funding for the eventual construction of curb, gutter, sidewalk, and curb ramps”*



**Project Location:** Enter a brief project location – no more than 250 characters. The project location should convey the road names, intersection cross street names, and/or geographical references of where the project is located – without defining the limits of work in terms of “feet” offsets. For projects with multiple locations, it may be appropriate to list each location or simply state “Various locations . . .” If funded, this location will be used in the FSTIP programming document.

*Example: “On Elm St. between Oak Ave. and Cherry Blvd.” or “The intersection of Elm St. with Oak Ave.” or “Various locations along Oak Ave” or “Various locations throughout the County.”*

**Encroachments on the State right-of-way:** If the applicant’s project proposes improvements within a freeway or state highway right-of-way, whether it affects the safety or operations of the facility or not, it is required that the proposed improvements be reviewed by the district traffic operations office and either a letter of support or acknowledgement from the traffic operations office be attached or the signature of the traffic manager be secured in the application. **The Caltrans letter and/or signature does not imply approval of the project**, but merely acknowledges that Caltrans District staff is aware of the proposed project, and that, upon initial review, the project appears to be acceptable.

These applications must also include narrative text and maps clearly defining the proposed encroachments on state right-of-way. These maps (in their final form) and text must be available to the Caltrans District staff at the time of their review prior to the submittal of the application.

**Project Coordinates:** All applications are required to include one set of GPS latitude and longitude coordinates for the approximate central location of the project. These coordinates are expected to be used on a statewide basis (i.e. a statewide heat-map showing number of projects). *For further assistance search online for “Get the coordinates of a location”*. The numbers should be entered in decimal degrees. Negative latitude numbers means “South” and negative longitude numbers means “West”

**Congressional and State Districts:** For reporting purposes, all applications are required to include each of the Congressional, State Senate and State Assembly Districts where the project work is taking place. If more than 3 districts are impacted, only list the 3 where the majority of the work will occur.

**Caltrans District:** Use the drop down menu to select the Caltrans district in which the project will occur. If more than one district is impacted, select the district where the majority of the work will occur. See <http://www.dot.ca.gov/localoffice.htm> to determine which district your project is in.

**County:** Enter the county in which the project will occur. If the project covers multiple counties, select the county where the majority of the work will occur.

**MPO/RTPA:** Input the MPO (Metropolitan Planning Organization) that will be involved with the programming of the project in the FTIP. Input “Caltrans” for Small Urban and Rural projects. For information about MPOs, visit [http://www.dot.ca.gov/hq/transprog/federal/mpo\\_ftip\\_links.htm](http://www.dot.ca.gov/hq/transprog/federal/mpo_ftip_links.htm).

**RTPA:** From the drop down menu select the RTPA in which the project occurs.

**Urbanized Zone Area (UZA) Population:** From the drop down menu select the population size of the community in which the project occurs.

**ADDITIONAL PROJECT GENERAL DETAILS:**

The information in this section of the application **must exactly match** the information in the corresponding Narrative Questions in Part B of the applicant. *This information is included in Part A of the application so it can be extracted and included in future Caltrans and CTC databases.*

**ESTIMATION OF ACTIVE TRANSPORTATION USERS**

This information must match the information provide in Narrative Question Number 1.

**BICYCLE AND/OR PEDESTRIAN INFRASTRUCTURE**

This information must match the information provide in Narrative Question Number 1.

**DISADVANTAGED COMMUNITIES**

This information must match the information provide in Narrative Question Number 5.

**CORPS**

This information must match the information provide in Narrative Question Number 8.

Answering “Yes” means the project includes scope elements that the Corps can participate in AND the applicant intends to utilize them.

**PROJECT TYPE:**

The ATP encompasses three distinct project types: Infrastructure (I), Non-Infrastructure (NI) and Plans. These projects types are defined in the CTC Guidelines in Chapter 11. The CTC Guidelines can be found at: <http://www.catc.ca.gov/programs/ATP.htm>

- **Infrastructure (I):** See the CTC Guidelines referenced above.
- **Non-Infrastructure (NI):** See the CTC Guidelines referenced above. Non-Infrastructure projects and/or project components are eligible for all ATP applications and are not limited to those only benefiting school students. **The ATP program will focus funding for non-infrastructure projects on pilot and start-up projects that can demonstrate funding for ongoing efforts.** The ATP program funds are not intended to fund ongoing program operations. Non-infrastructure project applications must include a workplan (Form 22-R) with distinct tasks and deliverables that define the scope of the project. This information will be utilized in the evaluation process. See Part C for more information on Form 22-R.
- **Combination (I/NI):** Projects that include Infrastructure and Non-Infrastructure elements.
- ❖ *Note: In this section of Part A, applicants are expected to identify which of the above three project classifications represents their proposed project. In making this selection, applicants for “Plans” are to select “Non-Infrastructure”*

**Plans:** All Active Transportation Plan projects must be within and for the express benefit of a disadvantaged community. The expectations and requirements of Active Transportation Plans are defined in the CTC Guidelines in Sections 7 and 13-E. An active transportation plan must include, but not limited to, the components listed in Section 13-E of the CTC guidelines or explain why the component is not applicable.

Agencies must also document all of the existing plans they have previously approved relating to active modes of transportation.

**PROJECT SUB-TYPE:**

**All Projects:** Projects need to define the ‘rough approximation’ for the percentage of the **project-costs** that is Bicycle Transportation focused and Pedestrian Transportation focused – with the total percentage usually equaling 100%. Projects where all elements of the scope ONLY benefit one mode (either bicycle or pedestrian) of transportation should mark the appropriate box and input

100% for that mode. Projects with elements of the scope that benefit both bicycle and pedestrian modes of transportation should mark both boxes.

**Safe Routes to School Projects:** (Only safe routes to school projects should fill out this section.)

Projects that only benefit one school should provide all requested school-related information requested in Part A. If the project involves more than one school: 1) Insert “Multiple Schools” in the School Name, School Address, and distance from school fields; 2) Fill in the student information based on the total project; and 3) Include an attachment to the application which clearly summarizes the school information, the school official signature, and person to contact for each school. The following are additional instructions for Safe Routes to School projects:

- School Information: enter the Full School name(s) and Address(s) for the school(s) that will benefit from the project.
- School District Information: enter the School District Name(s) and School District Address(s) for the schools.
- The ‘distance’ from school should be inputted in terms of ‘miles’ to the nearest tenth.

**Trails (Recreational and Multi-Purpose Trails):** (Only trails projects should fill out this section.)

Trails Projects constructing multi-purpose trails and are generally eligible in the Active Transportation Program. (See the CTC guidelines for more information.) If the applicant believes all or part of their project meets the federal requirements of the Recreational Trails Program they are encouraged to seek a determination from the California Department of Parks and Recreation on the eligibility of their project to compete for this funding. This is optional, but recommended because some trails projects may compete well under this program. The federal requirements can be found at:

[http://www.fhwa.dot.gov/environment/recreational\\_trails/](http://www.fhwa.dot.gov/environment/recreational_trails/)

NOTE: Recreational Trails funded projects are the only ATP project type that Non-Profit agencies may apply for as an implementing agency.

The estimations shown in this section are expected to be rough approximations.

**Applicants intending to pursue “Recreational Trails Program funding” must submit the information noted below to the California Department of Parks and Recreation prior to the ATP application submissions deadline.** The following information must be included in the submittal:

- ❖ Project Name, Project Scope, Location Map, Cost Estimate, & Photos

The submittal must be addressed to:

To: California Department of Parks and Recreation  
 Attention: Richard Rendón  
 Office of Grants and Local Services  
 1416 9<sup>th</sup> Street  
 Sacramento, CA 95814

**PROJECT STATUS and EXPECTED DELIVERY SCHEDULE:**

This section of the application documents the current delivery phase of a project and the applicant’s proposed schedule for the project, including proposed CTC allocation dates.

For each of the standard project “Milestones”, applicants need to enter either the date the milestone was completed (for all milestones already complete prior to submitting the application) or the date the applicant anticipates completing the milestone. Applicants should enter “N/A” for all CTC allocations that will not be requested as part of the project.

The agency is responsible for including all standard project delivery timeframes for the development and completion of the project, including but not limited to: Program Supplemental Agreement, CTC Allocations, FHWA E76 Approvals, and Caltrans processing of delivery documentation and approvals, consultant selection, environmental studies, right-of-way certification. Agencies not familiar with the federal and state delivery requirements are strongly encouraged to review the appropriate chapters of the Local Assistance Procedures Manual (LAPM) at <http://www.dot.ca.gov/hq/LocalPrograms/lam/forms/lapmforms.htm> or contact their Caltrans DLAE for assistance.

**When completing the expected delivery schedule remember the following special instructions:**

- Per CTC Guidelines, all project applications must be submitted with the expectation of receiving federal funding. Therefore, all project schedules must account for the extra time needed for federal project delivery requirements and approvals, including but not limited to: a 2 month duration between each CTC allocation and FHWA Authorization; federal contracting requirements; federal environmental requirements (NEPA); federal right-of-way condemnation process; and the fact that all milestones after CEQA Environmental Clearance must occur after the NEPA Environmental Clearance date.
- If the “Implementing Agency” designated in the beginning of this application does not have an existing federal Master Agreement (MA) with Caltrans, this schedule must include an additional 9 to 12 months to execute the MA prior to their first CTC allocation.
- The agency is responsible for meeting all CTC delivery requirements or their ATP funding will be forfeited. Caltrans will be reviewing the schedule during the ‘deliverability evaluation’ of the application as part of Narrative Question number 9 in Part B of this application.
- For projects consisting of entirely non-infrastructure elements, not all of the milestones will be required. These NI projects only have to provide dates for the milestones identified with a “ \* ”.
- All Infrastructure projects require an environmental certification and Right-of-way (ROW) certification. The efforts may be minimal but the time and milestone need to be accounted for in the schedule and PPR.
- All CTC Allocation dates need to fall within the available ATP programming years for this call for projects, which are: 16/17, 17/18, and 18/19
- If you are unsure about the amount of time Caltrans will take to issue these documents, you should contact your DLAE for assistance.

**PROJECT FUNDING:**

Per the ATP Guidelines, the minimum request for ATP funds is \$250,000. This minimum does not apply to non-infrastructure projects, Safe Routes to Schools projects, Recreational Trails projects, or Plans.

All funding amounts in these sections of the application are expected to be for all phases of the project and are to be shown in thousands of dollars (e.g. a one million dollar project would be shown as \$1,000)

The applicant must ensure that the funding shown in this section EXACTLY matches the funding shown in the ATP Project Programming Request (ATP-PPR). The PPR must be included in Part C of the application as Attachment B.

For infrastructure projects, the applicant must ensure they are following the LAPM relating to Preliminary Engineer and Construction Engineer levels in relation to the total construction costs (25% and 15% respectively)

**ATP funds being requested this cycle:** Applicants are required to document the ATP funding needed for each phase of their project.

**Local funds leveraging or matching the ATP funds:** Per CTC Guidelines, local matching funds are not required for any ATP Cycle 2 projects, but local leveraging funds are strongly encouraged. For local funding to be considered leveraging, it must be for ATP eligible activities and costs. (i.e. Local funding going towards paying the landscaping costs over the maximum % set by the Caltrans ATP guidelines cannot be considered leveraging funds)

The federal programming of projects, where the agency shows no match, will utilize toll credits, state funds, and/or another mechanism to do cover the federal match requirement. To assist with the streamlining the programming of new ATP projects, Caltrans encourages agencies proposing leveraging funds on their project to apply the match (leveraging funds) to the project in a way that each federal-phase of will have a match greater than 11.47% - or – no match at all (this is not a requirement).

**Additional Local funds that are ‘non-participating’ for ATP:** These are local funds required to complete the overall project, but not are eligible for ATP funding based on the CTC and Caltrans guidelines.

**TOTAL PROJECT FUNDS:** This must represent the total funding required to complete all activities and improvements of all phases of the project. This amount is the sum of the three preceding numbers.

#### **ATP - FUNDING TYPE REQUESTED:**

Per the CTC Guidelines, All ATP projects must be eligible to receive federal funding. Most ATP projects will receive federal funding, however, some projects may be granted State-only funding (SOF) for all or part of the project. This section of the application provides the applicant the opportunity to explain why they believe their project (if funded) requires a specific type(s) of ATP funding or document why they believe their project is a good candidate to receive a specific type of funding.

All applicants requesting State Only Funding must attach an “Exhibit 22-f.” Exhibit 22-f can be found on the Caltrans ATP website with the application attachments for Cycle 2.

All applicants requesting special funding must briefly explain their reason(s) in 250 characters or less. If they feel a longer explanation is needed, they can attach their explanation in Part C – Attachment K and include a reference to this attachment in the box provided in Part A.

**ATP PROJECT PROGRAMMING REQUEST (PPR):** In addition to the project funding information provided in Part A of the application, all applicants must complete the ATP Project Programming Request form and include it in Part C as Attachment B. More information and guidance on the completion and submittal of this form is located in this document under Part C – Attachment B. Failure to follow these instructions and complete and submit the form as required may result in disqualification of the application.

## **PART B - INSTRUCTIONS AND GUIDANCE**

### **GENERAL GUIDANCE FOR PART B**

All applications are required to include a “Part B: Narrative Questions”. Parts B is to be combined with Part A and C to make a complete ATP-Cycle 2 Application.

It is the applicant’s responsibility to ensure all information included in each part of the application is fully consistent with the corresponding sections in the other parts. Failure to provide consistent data may result in a lower score/ranking, a lower level of ATP funding, or disqualification.

All applications must respond to all questions in the order in which they appear.

**The instructions for Part B are included in two places:**

- They are included in this document (below), and
- They are included in a separate document that only includes instructions & guidance for Part B

The intent is that applicants can utilize either format based on their personal preference.

Applicants must adjust the header of their application form to show the correct unique application Number – as shown in Part A.

### **TABLE OF CONTENTS**

A table of contents for Part B must be included in the application as the first page of Part B. A draft Table of Contents page is included in the Application Form and is expected to be updated by the applicant.

### **SPECIAL INSTRUCTIONS FOR THE NARRATIVE QUESTIONS AND SCREENING CRITERIA**

Applicants are expected to give special attention to the following overall instructions and guidance for Part B:

1. Applicants are encouraged to answer the questions as concisely as possible.
2. Answers to all Screening Criteria and Narrative Questions in Part B are limited to a total of 5,000 words or less, not including text already provided
  - Including the preset-text of the Narrative Questions, page-titles, and Headers/Footers; the total word count of the application form that contains Part B, shall not exceed 7,000 words.
  - The applicants of combined I and NI projects will be given an extra 2000 words for Part B of their applications (9,000 words maximum) to allow for the combined I and NI responses.
3. Combined Infrastructure (I) and Non-Infrastructure (NI) projects: For I projects with NI components, the answers to each of the questions/sub-questions should clearly document the I & NI components of the projects.
4. In addition to the text in the Part B narrative answers, applicants are encouraged to include maps in Part B directly in each sub-question, as requested in the question-instructions. Applicants are also encouraged to include 1 or 2 photographs in the text of each narrative sub-question as appropriate.
5. If applicants desire to provide additional supporting maps, photographs, and excerpts from relevant documents/reports in the appropriate Part C Attachment as needed. Each attachment should be clearly referenced in the narrative answers. Full copies of supporting documents and reports should not be included. Provide only the relevant page(s) of larger documents and highlight/underline the applicable information.

6. Applicants shall ensure their representation of their proposed project's purpose, goals, improvements, and/or impacts are reasonable and probable.
7. The answers to the Narrative Questions must be consistent with and fully support the project's scope, cost, and schedule as shown project plans, estimate and PPR.

### **SCREENING CRITERIA**

The California Transportation Commission – Guidelines for the Active Transportation Program require applications for projects to meet two screening criteria. These criteria and corresponding instructions and guidance are as follows (*Note: Each Screening Criteria is shown in black text followed by the corresponding instructions and guidance shown in red text*):

NOTE: Caltrans and/or the CTC will score this question separately. Evaluators/reviewers will not score this question

#### **1. Demonstrated fiscal needs of the applicant:**

- *Applicant must explain the fiscal need for ATP funds for this project. If the project is fully funded prior to ATP funding award then the project is not eligible to compete for ATP funding. Subvention of funds is not permitted.*
- *Applicants must explain any elements of the proposed project that are directly or indirectly related to past or future environmental mitigation resulting from a separate development or capital improvement project. If the project is or can be considered environmental mitigation resulting from a development or capital improvement project, then project is not eligible to compete for ATP funding.*

#### **2. Consistency with Regional Plan.**

- *All projects submitted must be consistent with the relevant adopted regional transportation plan that has been developed and updated pursuant to Government Code Section 65080.*
- *Applicant must provide that portion of Regional Transportation Plan showing that the proposed project is consistent (site and attach the specific relevant pages). The copied and highlighted portion of the Plan will need to be attached to the application in "Part C - Attachments". Projects not providing proof will be disqualified and not be evaluated.*

**In addition to the 2 screening criteria defined in the CTC guidelines, Caltrans will also be screening the applications to ensure they are complete, have fully-eligible scopes of work, are consistent with the CTC and Caltrans Guidelines, and are deliverable and constructible.** Where inconsistencies are found (i.e. ineligible items/costs), Caltrans will document and make recommendations to the CTC relating to the removal of ineligible project costs or projects prior to final selection and programming of the Statewide ATP projects. In addition, Caltrans will present their recommendations to the corresponding MPO for their consideration and action prior to their selection and programming of their projects. At a minimum, the following application elements are expected to be confirmed by Caltrans:

- All applications submitted must follow the CTC Guidelines and must be completed using the latest version of the Caltrans ATP application, the application instructions, and Chapter 22 of the Local Assistance Program Guidelines. All applications must include all required attachments and signatures as required by these guidance documents.
- Application must demonstrate that the primary purpose of the project matches the defined purpose of the Active Transportation Program of "encouraging increased use of active modes of transportation, such as biking and walking." Applications that appear to have a primary focus on

- vehicular capacity increases, vehicular operational improvements, urban forestry, or environmental mitigation will be identified.
- The scope of work shown in the application must be eligible and be constructible per accepted design standards; the LAPM Chapter 11, NACTO design guidance, or approved design exceptions.
  - A Civil Engineer must sign and stamp the application for all infrastructure projects per the CTC's PSR-equivalent requirements. See Attachment C.
  - Applications must demonstrate they meet the NI eligibility guidelines. See additional instructions under Form 22-R NI Workplan. See Attachment H.

### **NARRATIVE QUESTIONS**

The California Transportation Commission – Guidelines for the Active Transportation Program identify Narrative Questions that each application is expected to answer and the overall scoring points that each question shall be worth. These represent the nine (9) Narrative Questions in Part B of the application.

*(NOTE: The following section of this document consists of each Narrative Question and sub-questions shown in black text followed by the corresponding instructions and guidance shown in red text):*

#### **QUESTION #1**

**POTENTIAL FOR INCREASED WALKING AND BICYCLING, ESPECIALLY AMONG STUDENTS, INCLUDING THE IDENTIFICATION OF WALKING AND BICYCLING ROUTES TO AND FROM SCHOOLS, TRANSIT FACILITIES, COMMUNITY CENTERS, EMPLOYMENT CENTERS, AND OTHER DESTINATIONS; AND INCLUDING INCREASING AND IMPROVING CONNECTIVITY AND MOBILITY OF NON-MOTORIZED USERS. (0-30 POINTS)**

##### **A. Describe the following:**

**-Current and projected types and numbers/rates of users. (12 points max.)**

*Document how the user types are broken down between: students, bikes, pedestrians, commuters, recreational users, seniors, etc.*

*Quantify how many bicyclists and pedestrians currently use the project/plan area/corridor. Include data source, date collection methods, and year of data collection. Recent bicycle and pedestrian counts collected in the field are preferred. The Federal Highway Administration (FHWA) 2013 Traffic Monitoring Guide, the NCHRP Report No. 797, Guidebook on Pedestrian and Bicycle Volume Data Collection, and the NCHRP Report No. 770, Estimating Bicycling and Walking for Planning and Project Development: A Guidebook all have details on bicycle and pedestrian count methodologies listed at the following links respectively:*

- [http://www.fhwa.dot.gov/policyinformation/tmauide/tmq\\_2013/traffic-monitoring-for-non-motorized.cfm](http://www.fhwa.dot.gov/policyinformation/tmauide/tmq_2013/traffic-monitoring-for-non-motorized.cfm)
- <http://www.trb.org/PedestriansAndBicyclists/Blurbs/171973.aspx>
- [http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_rpt\\_770.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_770.pdf)

*Discuss how many bicyclists and pedestrians are expected to use the project/plan area/corridor or participate in the program after completion or implementation. Describe methodology for determining future use. Stated preference surveys, estimates based on before-after data from comparable local projects or programs, and other project-specific estimates are preferred. Must include methodology for timeframe use for the future estimates (Use a 5 year timeframe for future estimates or provide detailed methodology for a different time horizon.)*

*The U.S. Census American Community Survey has information on mode share to work. The website is: <https://www.census.gov/acs/www/>*



*For Safe Routes to School projects and programs: 1) The total student enrollment and participation rate in the program, 2) Estimated # of students living within reasonable walking/bicycling distance from school or along the route proposed for improvement (for infrastructure projects), 3) Percentage of students that currently walk or bike to school if known, 4) Projected percent of students that will walk or bike to school following project completion or program implementation.*

*Non-infrastructure programs should have a sound plan for increasing and documenting active transportation mode share. Where possible, programs should document past successes of similar programs.*

*Points will be awarded based on the types and expected increase in number/rates of users resulting from the project. Points will be applied on a holistic basis as opposed to specific numbers/rates.*

- B. Describe how the project links or connects, or encourages use of existing routes (for non-infrastructure applications) to transportation-related and community identified destinations where an increase in active transportation modes can be realized, including but not limited to: schools, school facilities, transit facilities, community, social service or medical centers, employment centers, high density or affordable housing, regional, State or national trail system, recreational and visitor destinations or other community identified destinations via:**

**(12 points max.)**

- a. creation of new routes
- b. removal of barrier to mobility
- c. closure of gaps
- d. other improvements to routes
- e. educates or encourages use of existing routes

#### Infrastructure and Plans

*List the destinations that will be served by this project/program/plan, and provide a general measure of size for each destination. Include a scaled-map that clearly shows the limits of the project's improvements, existing barriers/gaps, each of the activity centers, existing bicycle/pedestrian infrastructure within the projects' active transportation routes, and the expected routes to be improved/created, and how the barriers/gaps will be effectively addressed.*

*Describe how the plan will improve walking and bicycling routes to and from employment, schools, transit, public buildings, parks, high-density residential areas. Plans should have a systematic method for identifying and prioritizing walking/bicycling routes to and from these activity centers.*

*Be specific when describing how each element of your project/program/plan will contribute to the encouragement of users to walk and bike. As appropriate, describe how the comfort level will be increased amongst potential users.*

*As needed, document the methodologies used to calculate the reasonable project service area if the project assumes walking distances over  $\frac{1}{2}$  mile and biking distances over 3 miles.*

#### Non-infrastructure

*Describe how the program identifies and promotes walking and bicycling to and from activity centers such as employment, schools, transit, public buildings, parks, and residential areas. Include references to the tasks, activities and deliverables documented Non-Infrastructure workplan (Form 22-R). See Part C for more information on Form 22-R.*

*Points will be awarded based on the overall effectiveness of the project or method of the plan for the community with regard to improving links, removing barriers, encouraging increase use, and connecting to transportation-related and community identified destinations.*

- C. Referencing the answers to A and B above, describe how the proposed project represents one of the Implementing Agencies (and/or project Partnering Agency's) highest unfunded non-motorized active transportation priorities. (6 points max.)**

*When the project's Partnering Agency is not the Implementing Agency, the relative priority of the project can be described in terms of the project Partnering Agency's priorities with references to larger regional transportation priorities as appropriate.*

*Infrastructure: Be specific when describing how the project represents one of the agency's highest active transportation priorities relating to encouraging increased use of active modes of transportation. Provide project-specific ties to the agency's and regional planning documents.*

*Plans: Describe purpose, need, and goals of developing a plan. If applicable, how does the proposed plan relate to other adopted plans? Plan should build on past planning efforts, and not duplicate efforts conducted by the applicant or other entities.*

*Non-infrastructure Programs: Describe purpose, need, and goals of implementing the program. How does the proposed program relate to other prior or ongoing programs implemented by the applicant or other entities? Program should build on prior programs, and not duplicate efforts conducted by the applicant or other entities.*

*As appropriate, include a letter of support from the RTPA and/or MPO which documents their understanding of the project's relative ATP-priority.*

*Points will be awarded based on demonstrating the project's potential role for the agency in achieving its goal for "encouraging increased use of active modes of transportation, such as walking or biking". More points will be given to projects deemed to be a key element of an agency's active transportation plan element or goal.*

## **QUESTION #2**

**POTENTIAL FOR REDUCING THE NUMBER AND/OR RATE OF PEDESTRIAN AND BICYCLIST FATALITIES AND INJURIES, INCLUDING THE IDENTIFICATION OF SAFETY HAZARDS FOR PEDESTRIANS AND BICYCLISTS. (0-25 POINTS)**

- A. Describe the plan/program influence area or project location's history of collisions resulting in fatalities and injuries to non-motorized users and the source(s) of data used (e.g. collision reports, community observation, surveys, audits). (10 points max.)**

*Specific counts must be provided in an easily understood format. Collision/incident descriptions, date of collision/incident, severity of injuries and victim type (pedestrian/bicyclist) should be provided. The most recent 5 years of data should be provided (if other than 5 years of data or not the most recent data is used, applicant must explain their reasoning). Some possible sources for safety data can be found at:*

- Local Agency Crash Database
- Statewide Integrated Traffic Record System (SWITERS):

<http://iswitr.chp.ca.gov/Reports/jsp/userLogin.jsp>

- UC Berkley SafeTREC Transportation Injury Mapping System (TIMS):  
<http://tims.berkeley.edu/>

*Note: TIMS has detailed crash data preformatted and tied to individual schools.*

*Agencies pursuing Safe Routes to School projects are encouraged to consider this data.*

*In addition to the number of crashes, applicants have the option to present their collision history in the form of “rates” to better convey the exposure/risk to potential non-motorized users. If a discussion on “rates” is included, the applicant must provide their methodology for how the rates are defined and how their project-rates compare to other rates across the state, region and/or neighboring areas.*

*Plans should have a systematic method for identifying safety hazards, including, but not limited to collision history, field observations, collaboration with community members, police reports, and/or academic research.*

*When plan/program influence area or project locations do not have a significant number of past crashes or access to collision reports and other formal crash data, then community observations, community surveys, community audits, research reports, photos, and other data can be documented to help describe the safety needs within the project limits.*

*A scaled-map must be included which shows that all document collisions/incidents are within the area of influence of the proposed plan, program, or project safety improvements.*

*This data and map should demonstrate how the data illustrates a non-motorized vs. vehicular safety issue and illustrate a roadway ‘crossing’ vs. roadway ‘segment’ issue.*

*If the facility/route is new and there is no past crash and safety data available within the limits of the proposed improvements, the applicant should consider the potential for the project to eliminate or reduce existing conflict points on parallel routes. Crash data from parallel routes can be included where the new facility/route can be reasonably expected to reduce the likelihood of past crashes from reoccurring. The overall applicant data provided in the Narrative Questions and various attachments must support the use of parallel crash data.*

*Points will be awarded based on overall quality of data provided, clear demonstration that the crash and safety data are related to non-motorized travel and within the safety-influence area of the proposed project improvements, plan area, or program influence area, and the clear demonstration that the project area represents a high risk area for non-motorized users.*

**B. Describe how the project/program/plan will remedy (one or more) potential safety hazards that contribute to pedestrian and/or bicyclist injuries or fatalities; including but not limited to the following possible areas:**

**(15 points max.)**

- Reduces speed or volume of motor vehicles in the proximity of non-motorized users.
- Improves sight distance and visibility between motorized and non-motorized users.
- Eliminates potential conflict points between motorized and non-motorized users, including creating physical separation between motorized and non-motorized users.
- Improves compliance with local traffic laws for both motorized and non-motorized users.
- Addresses inadequate traffic control devices.
- Eliminates or reduces behaviors that lead to collisions involving non-motorized users.
- Addresses inadequate or unsafe traffic control devices, bicycle facilities, trails, crosswalks and/or sidewalks.

*As appropriate, applicants should use a map to show how these hazards relate to the crashes documented in sub-questions “A”. The map from sub-question “A” can be used or a new map can be created.*

#### *Infrastructure and Plans*

*Describe how the project has identified and how it will address the major hazards. Describe how the project, plan, or program will address the past; and likelihood for future bicyclist and pedestrian injuries and fatalities. Discuss what alternative measures were considered to address the safety hazards, and why was the project the preferred alternative.*

*For plans, describe how the plan will identify and plan to address hazards identified in the plan area, including the potential for mitigating safety hazards as a prioritization criterion, and/or including countermeasures that address safety hazards.*

*Projects should include countermeasures to address specific collision types occurring at the location. Plans and programs should address a) specific types of collisions reported in the plan/program location and/or b) common types of collisions identified through academic research. Applicants are encouraged to include the results from any studies completed that use the past crashes, proposed countermeasures, and expected crash reduction factors to calculation the expected overall safety benefit for a project.*

*these are federally-approved guides that compile information on safety countermeasures and represent latest research and best practices*

*Applicants should discuss the safety countermeasures utilized by the project. More information and examples of safety countermeasures and how to select the appropriate countermeasure, including low-cost countermeasures, applicants are encouraged to review one or more of the following national, state, or regional safety websites:*

- *FHWA website provides guidance and design information on countermeasures::*
  - *[http://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/guidance/design\\_guidance/design\\_flexibility.cfm](http://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design_guidance/design_flexibility.cfm)*
  - *[http://safety.fhwa.dot.gov/ped\\_bike/](http://safety.fhwa.dot.gov/ped_bike/)*
  - *<http://www.pedbikesafe.org/PEDSAFE/>*
  - *<http://www.pedbikesafe.org/BIKESAFE/>*
- *Caltrans’ Local Highway Safety Improvement Program has detailed guidance on how to identify and use appropriate countermeasures, including the [Local Roadway Safety Manual](#). It can be found at: [http://www.dot.ca.gov/hq/LocalPrograms/HSIP/prepare\\_now.htm](http://www.dot.ca.gov/hq/LocalPrograms/HSIP/prepare_now.htm)*
- *The Metropolitan Transportation Commission has a list of crash types and countermeasures in their Safety Toolbox which may be helpful. It can be found at: <http://mtc.ca.gov/planning/bicyclespedestrians/safety/physical-crash.htm>*

#### *Non-infrastructure*

*Describe how the program educates bicyclists, pedestrians, and/or drivers about safety hazards for pedestrians and bicyclists. Describe how the program encourages this safe behavior. If available, include documentation of effectiveness of similar programs in encouraging safe behavior.*

*Include, if applicable, a map identifying safety hazards and/or photos of safety hazards. Programs should address safety hazards that have been identified through police reports, collision history, field observations, and/or other verifiable source.*

- *Where did meetings or events take place (e.g. school, community center, city council hall, etc.)?*
- *Were meetings or events accessible by public transportation?*
- *Were translational services provided at the meetings or events? If so, in what language?*
- *When during the day were meetings or events held (e.g. morning, afternoon, evening, etc.)?*
- *Was childcare provided during the meetings or events?*
- *Were stakeholders part of a decision-making body (i.e. technical advisory committee, citizens advisory committee, etc.) that identified this project/plan? If so, what body?*

*Attach any applicable public outreach process/proposal/plan, meeting minutes, links to websites, meeting agenda, meeting sign-in sheet, public service announcements, or Facebook pages as they support the narrative above.*

*Points will be awarded based on the level of community outreach and meeting/event accessibility (i.e. time of day, languages provided, location, etc.).*

- C. What: Describe the feedback received during the stakeholder engagement process and describe how the public participation and planning process has improved the project’s overall effectiveness at meeting the purpose and goals of the ATP. (5 points max)**

*Describe the stakeholder feedback, include any new alternatives or major revisions that were identified through the stakeholder participation process. If there was conflict between stakeholder feedback (e.g. X stakeholder group wanted protected bike lanes, Y stakeholder group wanted unprotected bike lanes and parking), please describe the differences in feedback and how a decision was reached to move forward with the proposed.*

*Describe how projects/programs/plans were modified and developed to “increase use of active modes of transportation” and support one or more of the corresponding ATP goals. Describe how the highest community wide/regional active transportation priorities were identified and addressed in the proposed project as a result of the public participation and planning process.*

*Points will be awarded based on the extent that the public participation and planning process was utilized to identify the highest community/regional active transportation priorities and to ensure the effectiveness of the project at meeting the purpose for the ATP.*

- D. Describe how stakeholders will continue to be engaged in the implementation of the project/program/plan. (1 points max)**

*Include descriptions or plans that demonstrate ongoing stakeholder engagement. These can include, but are not limited to, ongoing communication or stakeholder engagement plan, project evaluation plan, intended commitments in letters of support, etc.*

#### **QUESTION #4**

#### **IMPROVED PUBLIC HEALTH (0-10 points)**

- **NOTE: Applicants applying for the disadvantaged community set aside must respond to the below questions with health data specific to the disadvantaged communities. Failure to do so will result in lost points.**

- A. Describe the health status of the targeted users of the project/program/plan. (3 points max)**

*Provide at least 2 health statistics or data points with citations to describe the health status of the targeted users of the project/program/plan. Attach relevant maps, data, or references to academic articles.*

- *Health status can include, but is not limited to, information about chronic disease rates (i.e. obesity/overweight, asthma, type II diabetes, etc.), other health statistics (i.e. physical activity/inactivity levels, life expectancy, etc.), or other local conditions that may impact health (i.e. air pollution, access to parks, etc.).*
- *In describing the health status of the targeted users, provide as granular a level of data that is available. Providing nationwide or statewide health statistics will not be sufficient to receive points.*
- *If quantitative health data is not available for the targeted users, describe the targeted user's health needs based on other information, including qualitative data, published reports, relevant news articles, etc. and describe how this information was gathered.*

*Include who you worked with from the local health department or other local health organization (i.e. local health non-profit, hospital, community health clinic, school based health provider, etc.).*

*For a project/program/plan that is multi-jurisdictional, but predominately in one jurisdiction, data may be provided for that one jurisdiction. For a project/program/plan that crosses multiple city lines, consider describing the health status of targeted users by utilizing county level data.*

*Points will be awarded for providing health statistics/data points and for identifying who from the local health department or other health organization was contacted.*

**Additional data sources include:**

- **The California Health Interview Survey (CHIS):**  
<http://healthpolicy.ucla.edu/chis/Pages/default.aspx>  
The online tool is call AskCHIS and registration is required. Information can be queried related to physical inactivity, walking for transportation and leisure, park use and health conditions. CHIS data is available at multiples levels including zip code, legislative district, and city level. AskCHIS Neighborhood Edition, is a new tool sponsored by AskCHIS, that allows users to get even more granular a level of data, including census tract level data However, please note, there are some limitations due to population size.
- **County Health Rankings and Roadmaps, Robert Wood Johnson Foundation**  
<http://www.countyhealthrankings.org/>  
The annual County Health Rankings measure vital health factors, including high school graduation rates, obesity, smoking, unemployment, access to healthy foods, the quality of air and water, income, and teen births in nearly every county in America.
- **Epi-Center, California Department of Public Health**  
<http://epicenter.cdph.ca.gov/>  
The California Department of Public Health's EpiCenter is the most versatile and comprehensive source of California injury data. It includes all types of injuries that result in death, hospitalization, or an emergency department visit.
- **Healthy Community Indicators (HCI), California Department of Public Health**  
<http://www.cdph.ca.gov/programs/Pages/HealthyCommunityIndicators.aspx>  
The Healthy Community Indicators provides data and narratives about indicators related to public health (e.g. percent of residents mode of transportation to work, miles per capita by car, public transit, and walk/bike, percent of residents by time walking and bicycling, etc.).
- **Physical Fitness Testing (PFT), California Department of Education**

<http://www.cde.ca.gov/ta/tg/pf/>

The PFT for students in California schools is the annual FITNESSGRAM<sup>®</sup>. Students in grades five, seven, and nine take the fitness test. The test has six parts that show a level of fitness that offer a degree of defense against diseases that come from inactivity.

- **Kidsdata.org, Lucile Packard Foundation for Children's Health**  
Kidsdata.org is a program of the Lucile Packard Foundation for Children's Health. It allows users to easily find, customize, and use data on more than 500 measures of child health and well-being. Data are available for every county, city, school district, and legislative district in California.
- **Local community surveys and needs assessments:**  
Local health departments and other health organization may have local health needs assessments that may provide additional health data. For example, under the Affordable Care Act, non-profit hospitals are required to conduct a health needs assessment for the community they serve. For those communities in the catchment area of a non-profit hospital, the health needs assessment may provide a rich source of health data. If a health needs assessment has been completed, the local hospital and/or local health department should be able to direct you to the assessment.

**B. Describe how you expect your project/proposal/plan to enhance public health. (7 points max.)**

*Identify and discuss the intended health outcomes (e.g. increased physical activity, decreased rates of obesity/overweight, etc.) of fully implementing the project/program/plan. Include why you expect intended health outcomes. Provide additional data and/or reference scientific literature as it supports your discussion.*

*Additionally, for those project/programs/plans that are consistent with and fulfill a portion of an existing local health plan, goal, or initiative include the name of the health plan, goal, or initiative and describe how the intended health outcomes align with or enhance the plan, goal, or initiative.*

*Points will be awarded based on the identification of intended health outcomes and the discussion of why the intended health outcomes are expected.*

**QUESTION #5**

**BENEFIT TO DISADVANTAGED COMMUNITIES (0-10 points)**

**A. Identification of disadvantaged communities: (0 points – SCREENING ONLY)**

To receive disadvantaged communities points, projects/programs/plans must be located within a disadvantaged community (as defined by one of the four options below) AND/OR provide a direct, meaningful, and assured benefit to individuals from a disadvantaged community.

1. The median household income of the census tract(s) is 80% of the statewide median household income
2. Census tract(s) is in the top 25% of overall scores from CalEnviroScreen 2.0
3. At least 75% of public school students in the project area are eligible for the Free or Reduced Priced Meals Program under the National School Lunch Program
4. Alternative criteria for identifying disadvantage communities (see below)

Provide a map showing the boundaries of the proposed project/program/plan and the geographic boundaries of the disadvantaged community that the project/program/plan is located within and/or benefiting.

**Option 1:** Median household income, by census tract for the community(ies) benefited by the project: \$ \_\_\_\_\_

- Provide all census tract numbers
- Provide the median income for each census track listed
- Provide the population for each census track listed

Data is available at <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml> (Use the 5 year data for all areas).

**Option 2:** California Communities Environmental Health Screening Tool 2.0 (CalEnviroScreen) score for the community benefited by the project: \_\_\_\_\_

- Provide all census tract numbers
- Provide the CalEnviroScreen 2.0 score for each census track listed
- Provide the population for each census track listed

Scores are available at <http://oehha.ca.gov/ej/ces11.html>.

**Option 3:** Percentage of students eligible for the Free or Reduced Price Meals Programs: \_\_\_\_\_ %

- Provide percentage of students eligible for the Free or Reduced Meals Program for each and all schools included in the proposal

Safe Routes to School proposals applying for disadvantaged communities funds MUST provide this information.

All other applicants can choose to provide this information, but need to include how the project/program/plan benefits students eligible for the Free or Reduced Price Meals Program, or for projects that do not directly benefit students of Free and Reduced Meal Programs, why this measure is representative of the larger community.

Data is available at <http://www.cde.ca.gov/ds/sd/sd/files.asp>

**Option 4:** Alternative criteria for identifying disadvantaged communities:

- Provide median household income (option 1), the CalEnviroScreen 2.0 score (option 2), and if applicable, the percentage of students eligible for Free and Reduced Meal Programs (option 3)
- Provide ADDITIONAL data that demonstrates that the community benefiting from the project/program/plan is disadvantaged
- Provide an explanation for why this additional data demonstrates that the community is disadvantaged

If a project applicant believes a project benefits a disadvantaged community but the project does not meet the aforementioned criteria, the applicant must submit additional data and provide an explanation for consideration of why the community should be considered disadvantaged.

Option 4 allows applicants to provide additional community-level data to demonstrate how the project is in fact located within and/or benefits a disadvantaged community. This fourth option is intended for those communities where census tract level data may not exist or may not reflect the diversity of individual communities within the census tract. For example, in some rural areas, census tracts represent a geographic area with a number of varied individual communities; the census tract level data is inadequate to highlight the needs of those smaller communities.

**B. For proposals located within disadvantage community: (5 points max)**



**What percent of the funds requested will be expended in the disadvantaged community?  
 \_\_\_\_% Explain how this percent was calculated.**

*As needed, applicants should provide map(s) and cost estimates to demonstrate their methodology.*

*Points will be awarded based on the approximate percent of the project/program/plan costs that correlate to improvements/expenditures that are within limits of the disadvantaged communities.*

- 1 to 25% => 1 point
- 26 to 50% => 2 point
- 51 to 75% => 3 point
- 76 to 99% => 4 point
- 100% => 5 point

*For example, a proposed 8 mile bike lane passes through 5 census tracts; one of which is a disadvantaged community. The per mile cost of the bike lane is the same for all segments of the bike lane. Five miles of the bike lane are within the disadvantaged census tract; therefore approximately 5/8 or 62.5% of the costs will be expended in the disadvantaged community. 3 points would be awarded.*

*Note: It is not sufficient for a project to simply be located in the limits of a disadvantage community. The applicant must also show the project/program/plan will directly benefit the community. Therefore, points will not be awarded to this sub-question unless the applicant can provide reasonable substantiation of the direct benefit in part "C" below.*

**C. Describe how the project/program/plan provides (for plans: will provide) a direct, meaningful, and assured benefit to members of the disadvantaged community. (5 points max)**

**Define what direct, meaningful, and assured benefit means for your proposed project/program/plan, how this benefit will be achieved, and who will receive this benefit.**

*All proposals may respond to this question: whether or not they are located within a disadvantaged community, as long as they provide benefits to members of a disadvantaged community.*

*For proposals that are located within a disadvantaged community, it is not enough to state that your project/program/plan is in a disadvantaged community and therefore will automatically benefit the disadvantage community.*

*This is your opportunity to make a compelling argument for why the proposed project/program/plan should receive the points set aside for active transportation benefits to disadvantaged community. As appropriate, discuss how disadvantaged community residents are or will be targeted. For Safe Routes to School projects, also discuss how the school students from the disadvantaged community are specifically targeted and benefit from the project.*

*Applicants can refer to earlier sections of the application, but need to ensure that the answers are specific to the members of the disadvantaged communities. In particular, consider the current infrastructure, safety, and/or public health challenges that contribute to the need for the proposed and how residents of disadvantaged communities are prioritized within the project.*

*Points will be awarded based on a holistic evaluation of the project's/plan's/program's direct, meaningful, and assured benefit to members of the disadvantaged community.*

**QUESTION #6****COST EFFECTIVENESS (0-5 POINTS)**

- A. Describe the alternatives that were considered and how the ATP-related benefits vs. project-costs varied between them. Explain why the final proposed alternative is considered to have the highest Benefit to Cost Ratio (B/C) with respect to the ATP purpose of “increased use of active modes of transportation”. (3 points max.)**

*For Cycle 2: Applicants are not expected to calculate an actual “Benefit” value in terms of dollars and a corresponding B/C ratio. Instead, applicants should discuss how “Cost Effectiveness” played a role in how the project’s final scope was determined, including but not limited to:*

- ♦ *Discuss how the proposed improvements represent cost efficient and/or low-cost improvements. The project costs can be related to the expected benefits of the project, including but not limited to: the number of non-motorized users impacted, magnitude of mode shift, length of overall trips, size of the existing barriers, etc.*
- ♦ *If appropriate, discuss how low-cost and/or proven safety countermeasures were utilized. More information and examples of safety countermeasures are provided above in the guidance for Question 2B.*

*For applications to develop a plan: describe to what extent the plan will incorporate all non-motorized modes, evaluate the potential use of proven low-cost safety countermeasures, and encourage shift to active modes of transportation. Based on the long-term value plans have in identifying and prioritizing future cost effective projects, all plan-projects are expected to receive full points on this sub-question.*

*Points will be awarded based on the demonstration that the proposed project scope represents the most cost effective alternative for meeting the needs of the project and/or for furthering the purpose of the Active Transportation Program.*

- B. Use the ATP Benefit/Cost Tool, provided by Caltrans Planning Division, to calculate the ratio of the benefits of the project relative to both the total project cost and ATP funds requested. The Tool is located on the CTC’s website at: <http://www.dot.ca.gov/ha/top/offices/eab/atp.html>. After calculating the B/C ratios for the project, provide constructive feedback on the tool (2 points max.)**

$$\left( \frac{\text{Benefit}}{\text{Total Project Cost}} \text{ and } \frac{\text{Benefit}}{\text{Funds Requested}} \right).$$

*All tabs of the tool need to be completed as appropriate for the type of project being proposed. For I or NI only projects, both tabs will not be used. For ‘plan’ projects, the applicant can input values appropriate for the overall plan or for any future element envisioned as part of the plan.*

*Caltrans and the CTC consider this a Beta-Test version of the B/C Tool. Receiving constructive and honest feedback will be critical for the eventual development of the final Tool to be used in Cycle 3 and beyond. With this goal in mind, applicants are highly encouraged to provide feedback on: The user interface, Tool Instructions, Types of Inputs, Calculation Methodologies/Logic, Inputs vs. Results, and recommended use in the future (including point valued assigned to results).*

*Points will be awarded based on the applicant’s: 1) demonstration that the values inputted into Tool are appropriate as compared to this application, 2) documentation of the output B/C value calculated by the Tool (no points will be awarded based on the reported B/C value), and 3) attempt to provide some constructive feedback for CTC’s and Caltrans’ consideration.*

**QUESTION #7****LEVERAGING OF NON-ATP FUNDS (0-5 points)**

- A. The application funding plan will show all federal, state and local funding for the project: (5 points max.)

*Describe the Leveraging funding the applicant is committing to invest in the project if it is awarded ATP funding (total value in dollars).*

*Only direct funding and the direct expenses for completing project delivery milestones can be used. Provide detailed information on actual costs for past milestones and estimated costs for future milestones.*

Points will be awarded based on the amount of the non-ATP funding pledged to the project, as follows:

- 1 point: For committing the leveraging funds to a phase(s) of the project where the applicant is requesting new ATP funding. (i.e. not for the completion of a prior phase.) The committed funding must be at least 1% of the total ATP funding requested for the project.

Plus:

- 1 point: 1% to 11.4% of total project cost  
 2 points: 11.5% to 14.9% of total project cost  
 3 points: 15% to 19.9% of total project cost  
 4 points: 20% or more of total project cost

**QUESTION #8****USE OF CALIFORNIA CONSERVATION CORPS (CCC) OR A CERTIFIED COMMUNITY CONSERVATION CORPS (0 or -5 points)**

- Step 1: Is this an application requesting funds for a Plan (Bike, Pedestrian, SRTS, or ATP Plan)?
- Yes (If this application is for a Plan, there is no need to submit information to the corps and there will be no penalty to applicant: 0 points)
  - No (If this application is NOT for a Plan, proceed to Step #2)
- Step 2: The applicant must submit the following information via email concurrently to **both** the CCC **AND** certified community conservation corps prior to application submittal to Caltrans. The CCC and certified community conservation corps will respond within five (5) business days from receipt of the information.
- Project Title
  - Project Description
  - Detailed Estimate
  - Project Schedule
  - Project Map
  - Preliminary Plan

California Conservation Corps representative:  
representative:

Name: Wei Hsieh  
 Email: [atp@ccc.ca.gov](mailto:atp@ccc.ca.gov)  
 Phone: (916) 341-3154

Community Conservation Corps

Name: Danielle Lynch  
 Email: [inquiry@atpcommunitycorps.org](mailto:inquiry@atpcommunitycorps.org)  
 Phone: (916) 426-9170

Step 3: The applicant has coordinated with Wei Hsieh with the CCC **AND** Danielle Lynch with the certified community conservation corps and determined the following (check appropriate box):

- Neither corps can participate in the project (0 points)
- Applicant intends to utilize the CCC or a certified community conservation corps on the following items listed below (0 points).  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- Applicant has contacted the corps but intends not to use the corps on a project in which either corps has indicated it can participate (-5 points)
- Applicant has not coordinated with both corps (-5 points)

The CCC and certified community conservation corps will provide a list to Caltrans of all projects submitted to them and indicating which projects they are available to participate on. The applicant must also attach any email correspondence from the CCC and certified community conservation corps to the application verifying communication/participation.

Scoring:

*Caltrans, with assistance from the corps, will score this question separately for all points. Evaluators/reviewers will not score this question.*

**0 Points:**

- Application is for a Plan
- Applicant has coordinated with both corps and intends to use one or both of the corps
- Applicant has coordinated with both corps and neither corps can participate in the project

**-5 Points:**

- Applicant has not coordinated with both corps
- Applicant has contacted the corps but intends not to use the corps on a project in which either corps has indicated it can participate

**QUESTION #9**

**APPLICANT’S PERFORMANCE ON PAST GRANTS AND DELIVERABILITY OF PROJECTS**

***( 0 to-10 points OR disqualification)***

- A. **Applicant:** Provide short explanation of the Implementing Agency’s project delivery history for all projects that include project funding through Caltrans Local Assistance administered programs (ATP, Safe Routes to School, BTA, HSIP, etc.) for the last five (5) years.

Provide information on:

*Implementing agency must list all projects that have experienced delivery failure and the reason for the failure. Explain how future failures will be avoided due to process changes following failure. Failures include missed milestone deadlines, inactive projects, and federal/state regulation compliance issues.*

*Awardees who agreed to use a Corps on a past ATP project from a previous cycle but completed project without use the Corps to the level mutually agreed will be deducted points.*

*Applicants can contact their District Local Assistance Office staff to discuss their delivery history.*

*Caltrans Local Assistance will confirm information provided by the applicant and recommend score of 0 to minus 10 points based on actual history and applicant explanations.*

*Implementing agency with no history or no detrimental project delivery history will not have points deducted under this section.*

**B. Caltrans response only:**

**Caltrans to recommend score for deliverability of scope, cost, and schedule based on the overall application.**

*Applications with reasonable scope, cost, and schedule will not have points deducted under this section.*

## **PART C - INSTRUCTIONS**

### **GENERAL GUIDANCE FOR PART C**

All applications are required to include a “Part C: Application Attachments.” Applicants must ensure all data in this part of the application is fully consistent with the other parts of the application.

The attachment names and order must be maintained for all applications as shows in Part C of the Application form and in these instructions. Depending on the Project Type (I, NI or Plans) some attachments will be intentionally left blank. All non-blank attachments must be identified in hard-copy applications using “tabs” with appropriate letter designations.

Many of the required attachments in Part C must follow Caltrans’ documents and formats. These include, but may not be limited to: The Signature Page, Engineer’s Checklist, Engineer’s Estimate, and NI Workplan (Form 22-R). These forms/documents can be found on the ATP website at: <http://www.dot.ca.gov/hq/LocalPrograms/atp/cycle-2.html>

Page numbers are not required for attachments; but either page numbers or the attachment letter should be provided in the footer of all attachments. For convenience, clear hand-written numbers/letters are acceptable.

If an attachment is not “required” and it is more than 10 pages, do not attach it to the application. Make it available via a link, place it on the electronic submittal, or place only the relevant pages (10 maximum) in the application attachment.

The maps, photographs and other detailed exhibits must be in color and/or a high enough resolution to clearly depict all relevant information.

### **TABLE OF CONTENTS / LIST OF APPLICATION ATTACHMENTS**

Part C of all applications must use the “List of Application Attachments” as the first page. This page is provided at the end of the “Part B and C” application form.

### **ATTACHMENT A: APPLICATION SIGNATURE PAGE**

**Applicants must use Caltrans template at <http://www.dot.ca.gov/hq/LocalPrograms/atp/cycle-2.html>**

Per the CTC Guidelines: “A project application must include the signature of the Chief Executive Officer or other officer authorized by the applicant’s governing board. Where the project is to be implemented by an agency other than the applicant, documentation of the agreement between the project applicant and implementing agency must be submitted with the project application.”

Some applications will require multiple approving signatures prior to submittal of the application to Caltrans. Read each signature statement carefully and obtain all required signatures for your project application. Failure to obtain signatures from all required parties prior to application submittal to Caltrans will cause your application to be rejected as incomplete.

**For all Projects:** The Chief Executive Officer, Public Works Director, or other officer authorized by the governing board for the Implementing agency must affirm that they are authorized by their governing board with the authority to commit the agency’s resources and funds and that the

statements contained in this application package are true and complete to the best of their knowledge.

**For Infrastructure Projects:** For these projects, the agency officer signing the application must also affirm that they are the manager of the public right-of-way facilities (responsible for their maintenance and operation) or they have authority over this position.

**For projects where the Implementing Agency will not be the agency responsible for operation of maintenance of the proposed project improvements:** For these projects, the agency officer signing the application must affirm that their agency is committed to partner with the “Implementing Agency” and agrees to assume the responsibility for the ongoing operations and maintenance of the facility upon completion by the implementing agency and they intend to document such agreement per the CTC guidelines. The undersigned also affirms that they are the Chief Executive Officer or other officer authorized by their governing board with the authority to commit the agency’s resources and funds. They are also affirming that the statements contained in this application package are true and complete to the best of their knowledge.

**For Safe Routes to School projects and/or projects presented as benefiting a school:** For these types of projects, a school or school district official is required to sign and affirm that the school(s) benefited by this application is not on a school closure list.

**Encroachments on the State right-of-way:** If the application’s project proposes improvements within a freeway or state highway right-of-way, whether it affects the safety or operations of the facility or not, it is required that the proposed improvements be reviewed by the district traffic operations office and either a letter of support/acknowledgement from the traffic operations office be attached or the signature of the traffic manager be secured in the application. The Caltrans letter and/or signature does not imply approval of the project, but instead only acknowledges that Caltrans District staff is aware of the proposed project, and, upon initial review, the project appears to be acceptable.

#### **ATTACHMENT B: ATP - PROJECT PROGRAMMING REQUEST (ATP-PPR)**

All applicants must complete the ATP Project Programming Request form and return the completed form with the application as Attachment B. **This is a required attachment.** The ATP-PPR can be found at: <http://www.dot.ca.gov/hq/LocalPrograms/atp/cycle-2.html>

**In addition to the detailed instructions included in the ATP-PPR form, applicants need to consider the following special instructions when completing the form:**

- PPR Fiscal years (FYs) begin July 1.
- The PPR is requesting Allocation information, not Expenditure information, i.e. show all funding for any single component in the first fiscal year only.
- Enter ATP Cycle 2 funding in the first 3 tables (Infrastructure, Non-Infrastructure, Plan) for program years 16/17, 17/18 and/or 18/19 only.
- If ATP funds will be requested in future ATP cycles, enter that information the 4<sup>th</sup> table.
- Non-infrastructure and Plan project funding must be identified as “Con”.
- Match funds are optional, but if they are proposed as part of the total project funding, they must be identified as such in the Proposed Funding tables.
- Non-ATP funds must be shown separately in the Proposed Funding tables (fund nos. 2 or 3 etc.), and the fund source should be identified.

**ATTACHMENT C: ENGINEERS CHECKLIST FOR INFRASTRUCTURE PROJECTS (only)**

Applicants must use Caltrans template at <http://www.dot.ca.gov/hq/LocalPrograms/atp/cycle-2.html>.

The Engineer’s Checklist is to be used by the engineer in “responsible charge” of the preparation of this ATP application to ensure all of the primary elements of the application are included as necessary to meet the CTC’s requirements for a PSR-Equivalent document (per CTC’s ATP Guidelines and CTC’s Adoption of PSR Guidelines - Resolution G-99-33) and to ensure the application is free of critical errors and omissions; allowing the application to be accurately ranked in the statewide ATP selection process. Resolution G-99-33 is available at the following link:

<http://www.dot.ca.gov/hq/LocalPrograms/lam/forms/acrobat/LAPG231.pdf>

**ATTACHMENT D: PROJECT LOCATION MAP**

The application reviewers and the Program Managers must be able to quickly pinpoint the project's location in the California and local community. This map needs to show where the project is located within the agency’s overall jurisdiction. At a minimum, it needs to include/show:

- North Arrow
- Label all relevant street names and highway route numbers
- Project location in relationship to the applicants overall jurisdictional boundary.

**ATTACHMENT E: Project Map/Plans showing existing and proposed conditions**

Preliminary Plans or scaled aerial maps are required for all Infrastructure projects. These plans/maps need to show the limits of the proposed improvements and sufficient detail to show that the proposed improvements are technically feasible using generally accepted design standards.

The application reviewers must be able to confirm whether the proposed improvements fall within the Implementing Agency’s existing right-of-way or if they require new right-of-way acquisition. If the project encroaches on Caltrans’, Railroad, or other agencies’ right-of-way, include a copy of an email or letter of support from the owner.

As part of a PSR-Equivalent document, these maps/plans are not intended to represent 60% plans or final plans, but at a minimum they need to include the following:

- North Arrow and Scale
- High resolution and/or color - as needed to convey project details
- Layout sheet(s) or scaled aerial photo(s) depicting the complete length of the project & improvements. The scale must allow for a visual depiction of all of the primary project elements, including their intended final widths.
- Typical cross-section(s) showing changes to vehicular lane widths, active transportation facilities widths, right-of-way widths, new facilities, etc. These cross sections must be to scale and must include each of the controlling locations.
- Label relevant street names and highway route numbers.
- Label right-of-way lines – as appropriate. At the PSR-Equivalent level, these lines can be approximated on aerial photos by physical features. Projects that have no reasonable expectation of encroaching past the implementing agency’s right-of-way do not need to show these lines.
- Plans/maps should be no larger than 11” x 17”, and must be folded to 8 ½” x 11”
- Final Plans (Title, Layout Plans, Cross-sections and only other sheets as needed to document the general scope of the project) are ONLY expected for projects being presented in the application as “Shovel Ready.”



'Non-Infrastructure' and 'Plan' applications are not required to attach engineering maps/plans. However, if they propose education, enforcement or other programs on specific corridors or locations, these locations should be identified on maps.

#### **ATTACHMENT F: PHOTOS OF EXISTING CONDITIONS**

All applications must include pictures showing the existing conditions, including a general representation of the project area, safety issues, barriers, public outreach, etc. that are identified in the narrative answers. Applicants are encouraged to insert photos in the appropriate narrative answers. Extra photos can be included in this attachment.

At a minimum, the overall application photos need to include:

- one or more photos of the existing project location(s)
- one or more photos for each of the major types of existing safety, barriers or other active transportation related issues within the project limits and presented in the application.
- high resolution and/or color - as needed to convey project details
- Label all photos with details on the specific locations/hazards/needs being depicted

Non-Infrastructure and Plan project photos are not required and are only recommended to be included as they relate to the project elements, activities and deliverables as presented in the narrative questions.

#### **ATTACHMENT G: PROJECT ESTIMATE**

Project estimates are required for ALL projects and must define the project's overall costs. The project estimate must allow application evaluators to easily review how the total costs are split, including but not limited to: project delivery (soft) cost, construction cost, eligible item costs, and ineligible costs (non-participating).

The required type and format for project estimates vary based on the project type, as follows:

##### **Infrastructure Projects:**

Applicants are encouraged to use Caltrans' cost estimate template for estimating the cost of construction items and the overall project costs. If they chose to use another form(s) to estimate these costs, they must ensure they convey the same level of detail and overall scope of information. The Caltrans' template can be found at:

<http://www.dot.ca.gov/hq/LocalPrograms/atp/cycle-2.html>

Instructions for completing the estimate, including the details required for ATP applications, are included in the Caltrans template.

The detailed Engineer's Estimate must meet the following expectations:

- Identify all items that the ATP will be funding; broken down by bid items and unit cost. *Lump Sum may only be used per industry standards.*
- Construction contingency can be used - as appropriate at the level expected for a PSR-Equivalent.
- Estimate must be true and accurate – as appropriate at the level expected for a PSR-Equivalent.

- If appropriate, designate which items (or percentage of items) the applicant expects to be completed by the Corps. This information must be consistent with the applicant's answers to Narrative Question number 8.
- Designate any non-participating items (or percentage of items) that are being included on the project.

**Non-Infrastructure Projects:**

Attachment G is not required for NI projects. See Attachment H for NI projects.

**Plans:**

For Plan projects, applications must provide an estimate with a cost breakdown for the major elements of the work necessary to complete the "Plan" as defined in this application. The estimate must define the scope, cost and deliverables the agency is committing to complete if their application receives funded. This is needed to meet the CTC's expectation that ATP applications are to be considered PSR Equivalents.

**ATTACHMENT H: NON-INFRASTRUCTURE WORK PLAN (22-R FORM)**

Applicants must refer to eligibility guidelines "Active Transportation Program Eligible Non-Infrastructure (NI) Activities" found at <http://www.dot.ca.gov/hq/LocalPrograms/atp/cycle-2.htm>. This NI Work Plan is a critical element of NI applications as it defines the scope, cost and schedule, and deliverables. The program details in the NI Work Plans allow applications to be considered PSR Equivalents and define the scope deliverables the agency is committing to if their application receives funded.

**ATTACHMENT I: NARRATIVE QUESTIONS BACKUP INFORMATION**

This attachment is optional for applicants who desire to provide additional information relating to their Narrative Answers. All documents included in this attachment must conform to the following:

- Correspond to a specific reference in a Narrative Question
- Labeled individually with "I-#" based on the # of the Narrative Question
- Should not include individual documents over 10 pages. For larger documents, only include key pages (10 pages or less) and include a link to where it can be located on the web.

**ATTACHMENT J: LETTERS OF SUPPORT**

ONLY LETTERS OF SUPPORT ATTACHED TO THE APPLICATION WILL BE CONSIDERED. Letters of support must **not** be mailed directly to Caltrans or the CTC.

All projects are encouraged to provide letters of support. See Narrative Question #3 for more details.

**ATTACHMENT K: ADDITIONAL ATTACHMENTS**

The following list represents some of the additional application attachments that are required, recommended, or optional, based on the type of project and its individual project elements.

- Additional School data: For projects impacting more than one school, appropriate school details for each school need to be attached. ***(Required when applicable)***
- Exhibit 22-F “Request for State-Only ATP Funding” ***(Required if State-only funds are being requested)***. The Commission will determine projects with State funds at time of program adoption. For those not designated state-only at time of program adoption, the department will have discretion in recommending allocation.
- If an entity other than the Implementing Agency is going to assume responsibility for the operation and maintenance of the facility, provide documentation of the partnering maintenance agreement. ***(Required when applicable)*** Must have at least a letter of intent attached to the application and a copy of the Memorandum of Understanding or Interagency Agreement between the parties must be submitted with the request for allocation.
- Warrant studies: ***(Required when applicable)*** Required when the project includes an improvement that requires an engineering study to warrant the installation of certain traffic control devices (e.g. traffic signals). When applications include traffic control features like these, it is the applicants’ responsibility to ensure all requirements of the latest California MUTCD are met. Failure to include required warrants completed per California MUTCD will result in the project or project elements being disqualified.
- If applicable, portions of a plan or report that support the proposed project. i.e., illustrating barriers, safety concerns and other ATP project elements within the project limits. (Copy of cover page and pages with the relevant text highlighted/underlined).

## **ADDITIONAL REFERENCES**

The following references are provided as additional information and guidance related to complete streets, Context Sensitive Solutions, Main Streets, and pedestrians and bicyclists safety:

**Federal Safe Routes to School information can be found at:**

[http://www.fhwa.dot.gov/environment/safe\\_routes\\_to\\_school/guidance/](http://www.fhwa.dot.gov/environment/safe_routes_to_school/guidance/)

- a. **Complete Streets Intersections Guidelines:**  
<http://www.dot.ca.gov/hq/traffops/survey/pedestrian/Complete-Intersections-A-Guide-to-Reconstructing-Intersections-and-Interchanges-for-Bicyclists-and-Pedestrians.pdf>
- b. **Main Street, California: A Guide for Improving Community and Transportation Vitality:**  
[http://www.dot.ca.gov/hq/LandArch/mainstreet/main\\_street\\_3rd\\_edition.pdf](http://www.dot.ca.gov/hq/LandArch/mainstreet/main_street_3rd_edition.pdf)
- c. **NCHRP Report 480 A Guide for Best Practices for Achieving CSS:**  
[http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_rpt\\_480a.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_480a.pdf)
- d. **Pedestrian Safety Guide and Countermeasure Selection System:**  
[http://www.pedbikesafe.org/PEDSAFE/guide\\_background.cfm](http://www.pedbikesafe.org/PEDSAFE/guide_background.cfm)
- e. **Smart Mobility 2010: A Call to Action for the New Decade:**  
[http://www.dot.ca.gov/hq/tpp/offices/ocp/documents/smf\\_files/SMF\\_handbook\\_0622\\_10.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/documents/smf_files/SMF_handbook_0622_10.pdf)
- f. **California Safe Routes to School Technical Assistance Resource Center (TARC)**  
<http://www.casaferoutestoschool.org/>
- g. **The following example sources of work for quantifying project benefits may be of assistance to applicants:**
  - “Economic Analysis Primer” by U.S. Department of Transportation  
<http://www.fhwa.dot.gov/infrastructure/asstmgmt/primer.pdf>
  - “Evaluating Active Transport Benefits and Costs” by Todd Litman  
<http://vtpi.org/nmt-tdm.pdf>

**YUCCA VALLEY TOWN COUNCIL STAFF REPORT**

**To:** Honorable Mayor & Council  
**From:** Curtis Yakimow, Town Manager  
**Date:** April 15, 2015  
**For Council Meeting:** April 21, 2015  
**Subject:** **Town Facility Update and Award of Professional Services Contract**

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

1. Receive and file the status update of the prior Pomona First Federal bank building;
2. Authorize the award of contract to Gillis & Panichapan Architects, Incorporated for a not to exceed amount of \$60,600 for professional services related to assessments and concept activities for the existing facility, utilizing the Town's standard contract form, and authorizing the Mayor, Town Manager and Town Attorney to execute the contract, subject to non-substantive changes;
3. Direct staff to work through the Town's Public Facilities ad hoc committee for review, input and recommendations to the full Council;
4. Accept the offer of participation in the study from the County of San Bernardino, and direct staff to engage County staff as appropriate.

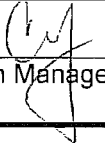

**Order of Procedure:**

- Staff Report
- Public Comment
- Board Discussion
- Motion/Second
- Discussion on Motion
- Roll Call Vote

**Discussion:**

In mid-2009, the former Yucca Valley Redevelopment Agency was notified that the former PFF Building and adjacent lot (PFF Building) would be listed for sale by the Federal Deposit Insurance Company (FDIC). The FDIC assumed ownership of the PFF Building upon failure and subsequent dissolution of Pomona First Federal Bank. In contemplating the purchase, the Agency and the Town Council determined that the PFF Building would be a potential fit in meeting some of the goals of the Facilities Master plan. Additionally, the long-term value and the ability to control the ultimate use of a

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

highly visible piece of commercial property were appealing. As a result, the Agency authorized the purchase of the PFF Building in October 2009 for \$1.63 million.

At the Agency's February 2, 2010 and April 10, 2010 meetings, the Board directed staff to move forward with developing a conceptual use plan for the PFF Building as well as identify any other potential commercial use. As a result of this direction, staff developed two parallel paths for Agency consideration. The first was a conceptual use plan identifying internal utilization options based upon a medium to long term disposition of the property. The second was focused on development options or sale of the property, and was based upon near-term disposition of the property.

### Impact of RDA Dissolution

In 2011, as part of broader state budget action, the Governor introduced legislation that would eliminate redevelopment agencies and the tax increment funding structure that provided resources to the agencies. The state legislature quickly moved the legislation forward and adopted the proposed legislation in June 2011 effectively eliminating redevelopment agency activity statewide. Successor Agencies were then established to perform the administrative tasks associated with winding down the affairs of the former agencies. The Yucca Valley Town Council voluntarily accepted the role of Successor Agency to wind down the activities of the Yucca Valley Redevelopment Agency.

As part of the legislation, the Yucca Valley Redevelopment Agency was prohibited from taking any action on any asset that was owned by the RDA without specific authority from the local Oversight Board, the Department of Finance, and the State Controller's Office. As a result, the PFF property was essentially in limbo until the RDA dissolution was completed.

As part of RDA dissolution law, successor agencies were required to complete a Long Range Property Management Plan that detailed how former RDA properties would be disposed of. The Yucca Valley Successor Agency completed its plan and received approval from the California Department of Finance in 2014. In accordance with the plan, all former RDA owned properties, including the former PFF building, were transferred to the Town and designated for municipal use. Grant deeds to all properties were recorded in the Town's name in the late fall of 2014. While this designation does not prohibit the Town from disposing of the property, doing so would likely require the disbursement of any proceeds to go to the affected taxing agencies according to prior pass-thru formulas. In such a case, the Town's portion would be limited to approximately 17%.

### Next Steps

With the dissolution process complete, and the Town in full ownership of the property, staff can once again begin to assess the property for usability, function and fit with the Town's Facilities Master plan. In order to effectively evaluate the best use for the property, staff is recommending the engagement of an architectural firm that will assist

the Town in evaluating the property to determine the feasibility of utilizing the property for appropriate Town purposes, as a lease option for County facilities, or alternatively, identify other potential uses consistent with the current municipal use designation for the facility.

The scope of work will involve exploring and developing the best use for the building based on the Town's current and future needs relative to the determined parameters of the new space. The proposed firm will be re-assessing the Town's Public Facilities Master Plan Study completed in 2008 along with the parameters of the existing bank building to determine the optimum solution for the Town's proposed future facility.

The recommended firm for this effort is Gillis & Panichapan Architects, Incorporated (GPa). The firm most recently completed the Town's 2008 Facilities Master Plan and is familiar both with the Town's current public facilities as well as the projected public facility needs in the mid and long term perspective. Further, GPa is open to the concept of integrating the PFF needs assessment with the Town's identified needs in the Master Plan, and assisting in the development of a coordinated approach of integrating the facility with other Town needs that may not be readily apparent. The prior knowledge of the Town's Facilities Master Plan will provide efficiencies and consistency in delivery of the final study.

The attached proposal is split into phases with the tasks and deliverables identified, along with the corresponding cost. This scope of work is subject to joint modification as the work progresses depending on additional options and ideas.

The proposed efforts at this time will focus on the first two phases of the anticipated eight phases required for building rehabilitation:

- 1. Program Assessment and Block Diagrams**
- 2. Building Assessment and Final Concept Plan Development**
3. Town Planning and Council Review and Approval
4. Construction Document Development
5. Permit Approval
6. Bidding
7. Construction Administration
8. Project Close-out

Phase One – The first phase will compare the available space in the existing bank to designated town facilities current programmatic space needs. These will then be used to develop block diagram options to see how designated town facilities can fit optimally into the newly acquired bank space.

Phase Two – The second phase will involve conducting a detailed code and physical assessment of the existing building including an engineering review to determine feasibility and the potential impacts of converting the building into a new prospective municipal facility. The building assessment will be used to develop and refine the

chosen scheme into a final conceptual floor plan and site plan that will become the foundation for establishing budget and feasibility.

A formal report documenting the process and the solutions will be developed at the end of each phase. Town staff would return to Council at the end of phase one and provide an update of the progress and decision points to date. Further, staff is recommending the involvement of the Council's ad hoc public facilities committee to assist in various review points and recommendations of the study.

### San Bernardino County Participation

Over the past few months, staff has engaged in some preliminary discussions with the San Bernardino County Library in regards to both the current lease facility at the Community Center complex, as well as the PFF facility. Library staff has indicated some interest in the PFF building as a potential relocation site. This interest is dependent on a number of factors, and the interest can only be characterized as preliminary at this point. The recommended needs assessment would be required to determine if the property might be a viable alternative location for the Yucca Valley Library branch, should the Council be willing to lease the facility for that use. County Library has also indicated that should such a use be possible, substantial tenant improvements would likely be necessary and requested of the Town, at Town cost, by the County. If such an arrangement were to move forward, the County would focus their resources on internal fixtures and furnishings to make the facility an enhanced community asset. The Town would then likely request that the County enter into a long-term lease of the facility, providing a potential revenue source to the Town. To demonstrate their commitment to the project, the County has offered to participate in the assessment as demonstrated in the attached letter. In addition, the County may have interest in the facility, if available, for other needs beyond the County Library.

### Alternative Action

If the Council was not interested in retaining the facility for municipal use, the Council could provide alternative direction to actively market the PFF Building with a commercial broker. This approach requires the understanding that the Town would forgo the ability to control secondary use of the property or properties. Further, revenues received through either the commercial sale or lease of the property would need to be shared with other taxing entities, based on current interpretation of dissolution legislation. As an example, assuming a sale of the building and land for the purchase price of \$1.6 million, Town proceeds would total approximately \$270,000. The remainder would be distributed to the project area taxing entities.

If the Council's goal is to facilitate the transition of the property to the private development community as soon as possible, this would be the appropriate direction. Alternatively, the Council could direct staff to market the property concurrently while performing the assessment study.



**Fiscal impact:** The proposed professional services agreement would include phase one and phase two of the likely project phases, and is for a not to exceed amount of \$60,600. Town staff may be able to reduce the full cost if certain aspects of phase two can be accomplished in-house. Funding for the study will be provided through the use of former RDA bond proceeds. The approved FY 2015-16A Recognized Obligations Payment Schedule (ROPS) included funding in the amount of \$65,000 for this activity.

**Attachments:**       GPa Proposal  
                          San Bernardino County Library Letter  
                          Facilities Master Plan Summary & Excerpts

November 26, 2014

Curtis Yakimow  
Town Manager  
Yucca Valley Town Hall  
57090 Twentynine Palms Highway  
Yucca Valley CA 92284

Re: Assessments and Concepts for Existing Bank Facility

Dear Curtis,

We are pleased to forward to you our proposal (composed in two phases) for the provision of (1) quantifying program needs for a potential relocation of selected town facilities into an existing bank and (2) providing a well-developed conceptual floor plan for the Town facility that demonstrates the best fit. Our combined diversity of experience in municipal facilities as well as budget management will provide great expertise to the all stages of this project.

This work will be a fundamental step in conveying the best use for the building based on the town's current and future needs relative to the determined parameters of the new space. Beyond developing a conceptual plan, completion of the assessment will effectively provide a budget and establish a distinct scope for the renovation.

I would like to emphasize that every stage would involve our close interaction with you and your team to determine a final solution that will be documented into a formal report by the end of each stage. Throughout the entire process, I will personally be the prime point of contact.

Please keep in mind that the scope of work described in the following pages is a suggested approach. If you have any additional ideas or suggestions I would be happy to work with you to modify the work plan in order to better tailor to the specific needs of the project.

GPa has successfully completed a large variety of Municipal and Civic facilities. We have received numerous awards for our projects while also remaining cost savings oriented for our clients.

I look forward to the opportunity to working with you and your team and demonstrate our expertise and our commitment to the success of your new facility.

Respectfully,



Jack Panichapan, AIA, LEED AP  
President, CEO  
Gillis + Panichapan Architects, Inc.  
[jack@gparchitects.org](mailto:jack@gparchitects.org)

## INTRODUCTION: Project Understanding

The Town of Yucca Valley has acquired new space in the form of an existing unoccupied building that previously served as a bank. The town is seeking an effective method to expand or relocate the community library, or alternatively, designated portions of several town departments into this newly acquired building.

The scope of work will involve exploring and developing the best use for the building based on the town's current and future needs relative to the determined parameters of the new space. GPa will be re-assessing the Town of Yucca Valley – Public Facilities Master Plan Study completed in 2008 along with the parameters of the existing bank building to determine the optimum solution for the Town's proposed future facility.

This proposal will be composed of two phases:

The first phase will compare the available space in the existing bank to designated town facilities current programmatic space needs. These will be then used to develop block diagram options to see how designated town facilities can fit optimally into the newly acquired bank space.

The second phase will involve conducting a detailed code and physical assessment of the existing building including an engineering review to determine feasibility and the potential and impacts of converting the bank into a new prospective town facility. The building assessment will be used to develop and refine the chosen scheme into a final conceptual floor plan and site plan that will become the foundation for establishing budget and feasibility.

## PHASE 1: Assessment and block diagram schemes

### 1.1 Assessment of Space Needs

The first step will be an assessment to compare the available space in the existing bank to specific programmatic space needs for town facilities and determine most effective use for the new space. This stage will set the stage and verify the specified programs that will move over to the existing bank facility. To initiate this process we will be reviewing, assessing, and referencing the previous needs assessment document created by GPa back in 2008 to quantify the community library space, and other town options that may move into the existing building. In addition, we will provide a preliminary field survey of to establish an existing usable floor plan of the existing bank as a foundation for this study.

- a. Survey to develop Bank floor plan to confirm space and limitations  
Gather and Photograph Documentation in order to draft an existing building floor plan. Conduct a rough survey to confirm space and structural limitations. Obtain general rough field dimensions to enhance and/ or verify the viability of the existing documents obtained from the town of the existing bank building.
- b. Review and confirmation of existing Facilities Assessment Report  
The town had GPa develop needs assessments back in 2008. To verify the needs assessment, GPa would verify inventory of essential furniture fixtures and equipment for the facility. At this stage we would request the town provide any available floor plans of the existing facility, and detailed organization charts depicting quantity of staff and associated position to be relocated. On an individual staff scale, we would assess the needs for everyday functions in terms of space, equipment, and furniture and the relationship to their individual departments. On an overall department scale, we would look at program requirements (i.e. quantity of staff, conference rooms, equipment and storage requirements and inter-connections between staff and town.)  
Much of this data will be collected through observations and interviews conducted through chosen town representatives
- c. Quantify the Needed programs that can move into the additional available space  
We will review of the existing Facilities Assessment and verify, quantify, and isolate the spaces needed for the planned relocation based on input from the town. The quantity of space will be documented to compare to the space available at the existing Bank Facility.

d. Workshops to discuss designated needs

During the process of documentation, organized workshops will be provided to share our findings. Draft space programming documents will be presented for input and guidance for iterative refinements.

This overall assessment process will develop and provide information on personnel levels and needed amount and quantity of space type desired for transfer. By the end of this stage estimated spatial needs of individual, common, and departmental spaces will be established and will offer a direct juxtaposition to the existing quantity of space existing in the current bank facility.

## **1.2 Explore viable options for bank space with block diagrams**

This stage configures the obtained program area designated for relocation into scaled blocks. The result will be a block diagram plan that initiates the organization of spaces to depict possible ideal configurations for the future (to be determined) type of town facility within the existing bank building.

Block diagrams would convey the ideal size, positioning, and adjacencies of various divisions/ departments' spaces drawn to scale in scaled geometric shapes. Individual private offices, open offices, restrooms, storage, and common spaces etc. would be depicted along with main circulation areas in these diagrams. Distinctions between public and private space would be determined. On the exterior- conceptual landscape areas, hardscape areas, and respective zones for town, and public parking would be quantified into diagrammatic shapes scaled to their required size.

a. Block Diagram Development and Space Adjacency

This stage would organize block diagrams depicting how spaces and programs would interconnect in various optimum situations to determine the best program/ departments for relocation into the bank building. These block diagrams will be superimposed on the existing floor plan of the existing bank:

- Block diagrams will be provided that depict ideal scaled space adjacencies superimposed on the plan of the existing building. This would establish schemes depicting the programs together hypothetically in an ideal layout within the existing constraints of the bank
- Possible two schemes conveyed: One block diagram can convey the conversion of the building into a community library. Another diagram can convey consolidating customer services from several departments into one centralized facility in the formal bank building.

b. Statement of Probable Costs (SoPC)

An associated Conceptual Statement of Probable Cost (SoPC) will be developed for the each respective block diagram scheme based on a current construction cost index on a unit cost calculation.

c. Presentation and Workshops on schemes

After the completion of the initial block diagram schemes, we would organize interactive workshops with team members to present the block diagrams, gather input, and gauge reaction. Iterative refinements will be made to the diagrams after the workshop sessions with the Town designated team.

Written descriptions of the block diagram solutions will also be provided to describe the benefits and challenges of each proposed solution based on the space limits, programmatic configuration, and efficiency for comparison.

PHASE 2: Building assessment and final conceptual plan2.1 In-depth architectural assessments on existing bank building (with additional engineering assessments)

Once a preferred block diagram scheme has been established, this stage would develop a report on conditions and possible upgrades needed for the building to prepare for the new use proposed. This would include deeper architectural, utility, site, parking, and circulation assessments. (These assessments will assume that there will be no additions proposed on to the existing building footprint.)

a. Architecture:

Survey existing conditions as follows:

- Existing flexibility of rooms configuration/occupancy
- Observe/confirm existing construction type
- Observe existing Life/Safety systems (existing, lighting, etc.)
- Observe existing accessibility
- Observe existing interior/exterior finish condition
- Confirm Construction Type assumptions with Building Department

b. Engineering:

Structure, Mechanical, Electrical, Plumbing Site Survey:

- Site Visit for structural and MEP engineers.
- Survey for electrical code compliance and proposed structural changes. Report of existing utilities, code issues, etc.
- Lighting requirements- interior and exterior
- Review plumbing requirements and code related requirements.
- Provide recommendations to bring potential existing non-complying conditions to current code.
- Non-compliance issues listed and recommendation on upgrades.

c. Provide Recommendations:

- Provide Life/Safety recommendations to bring potential existing non-complying conditions to current Code and/or offer alternative options to improve the existing condition if current Code fix is unobtainable for needed uses.
- Provide exiting recommendations if current conditions do not comply with current Code.
- Review and Confirm Occupancy assumptions with Building Department

2.2 Final report: conceptual floor plans with SoPC

With information obtained from the in-depth architectural and engineering assessment, the final block diagram to be refined into a conceptual floor plan that depicts specifically doors, furniture, fixtures, and equipment.

a. Preparation of Conceptual Plans

Once the program organization and general building/ infrastructure parameters are established, a new conceptual site/ floor plan be would developed to depict how the facility would be able to maximize the footprint advanced from the previous block diagram completed. Major structural conditions, utility, and building codes would determine the final positioning of areas allocated for various programs, parking, and circulation areas needed as it applies specifically to conditions of the space and the program.

The following drawings will be developed at this stage:

Floor Plan: Depict wall thickness, basic structure and infrastructure, doors, furniture, fixtures, and equipment in context of specifically delineated spaces.

Site Plan: A site plan will also be developed to show any proposed modifications and or improvements to the site. (i.e. parking stalls, walkways, walls, and landscape)

Demolition Plan: Depicting removal of walls and corresponding infrastructure removed in order to accommodate the proposed program.

b. Presentation and Workshops on Conceptual floor plan scheme

This floor plan/ site diagrams will be refined and written statements would be developed in iterative stages and presented through interactive workshops with the Town representative team to document on-going input and information.

c. Updated Statement of Probable Cost (SoPC\*) based on Phasing

We will provide an updated Statement of Probable Cost (SoPC\*) to reflect the building condition report and existing infrastructural input along with the layers of specific added refinements to the floor/ site plan.

d. Final Report

A final report booklet will be provided to formally organize:

- i. Colored conceptual floor plans drawn to scale of proposed space.
- ii. Highlights of needs and requirements for renovation.
- iii. Highlights of needs for the relocated program.
- iv. Written assessments describing critical needs for upgrades to the building to fulfill the new functions.
- v. Statement of Probable Cost\* (SoPC) for the renovation

This report will contain information, cost input, and assessments that will be the foundation for steps leading to the renovation of the building for a new Town facility. This final report completes the first two formal phases of the project (See Project Phases below) and would contain the guiding principles for establishing the development of the project through to completion. It can also be used to provide information to initiate Planning Department and Entitlement Approval.

Once these steps are completed we believe that the client can confidently move forward and initiate the formal entitlement process for the renovation of the Bank into a new Town facility.

## THE PROJECT PHASES

The following list below depicts the eight (8) anticipated phases needed for completion of this project. (Highlighted in red are the phases described in this proposal.):

1. **Program Assessment and Block Diagrams** - (In this scope description)
2. **Building Assessment and Final Concept Plan Development** - (In this scope description)
3. Town Planning and Council Review and Approval
4. Construction Document Development- Engineering Team Engaged
5. Permit Approval
6. Bidding
7. Construction Administration
8. Grand Opening (Project Close-Out)

**\*Statements of Probable Costs**Conceptual Statement of Probable Costs

With the quantitative and functional space requirements determined by our Team, a high-level conceptual statement of probable cost would be prepared for suitable decision making at this stage of analysis. The costs will be based on dollar per square foot cost factors, and on high-level design information and assumptions. The conceptual statement of probable cost will be presented in such a manner so that, once approval to proceed is given and design is taken further, the estimate can be refined.

The cost model will include "total project costs" to the degree possible. Site costs will be prepared based on information requested of, and provided by, the Client. Allowances for pre-development costs, building construction costs, architectural and engineering costs, program and construction management, other fees and permits, consulting costs, insurance costs, entitlement costs (if applicable), FF&E allowance, landscaping, relocation and staging allowances, reasonable contingencies, and other appropriate components of total project costs, based on input from the Town shall be included.

Generally, the SoPC will include:

Prepare cost estimates (hard costs): Costs based on dollar per square foot cost factors and on high level design information and assumptions. This includes reviewing design documents for detailed understanding of project factors.

Prepare cost estimates (soft costs): Include allowances for pre-development costs, building construction costs, architectural and engineering costs, program and construction management, other fees and permits, consulting costs, insurance costs, entitlement costs (if applicable), FF&E allowance, landscaping, relocation and staging allowances, reasonable contingencies, and other appropriate components of total project costs, based on input from the Town of Yucca Valley. Costs will exclude costs for off-site improvements, and will be based on site condition information as available.

Costs will exclude costs for off-site improvements, and will be based on site condition information as available.



Assessments and Concepts for Existing Bank Facility Town of Yucca Valley Time & Task Allocation Table 11/26/2014		ARCHITECT						sub-totals per line item
		Principal	Project Dir.	Project Arch	Job Captain	CAD Tech	Clerical	
<b>PHASE 1: Program assessment and block diagram schemes</b>								
<b>1.1</b>	<b>ASSESSMENT OF SPACE NEEDS</b>							
a	Survey to develop Bank floor plan to confirm space and limitations	2	4	4	8	8		\$2,730
b	Facility and Space Inventory-Review and confirmation of existing Facilities Assessment Report	2	6	12	8	8		\$3,980
c	Quantify the Needed programs that can move into the additional available space	4	8	18	24	8	1	\$6,840
d	Workshops to discuss designated needs	4	4				2	\$1,400
<b>1.1 Total:</b>								<b>\$14,950</b>
<b>1.2</b>	<b>BLOCK DIAGRAMS: DEVELOP VIABLE OPTIONS FOR BANK SPACE</b>							\$0
a	Block Diagram and Space Adjacency Development for new space	12	12	24	24	12		\$9,780
b	Statement of Probable Cost	6	8	8				\$3,170
c	Workshops to determine most effective uses to be relocated to conform to parameters new space	4	4				2	\$1,400
<b>1.2 Total:</b>								<b>\$14,350</b>
<b>PHASE 1 TOTAL:</b>								<b>\$29,300</b>
<b>PHASE 2: Building assessment and final conceptual plan</b>								
<b>2.1</b>	<b>ASSESSMENTS ON EXISTING BANK BUILDING (additional engineering assessments)</b>							
a	Architectural Code and Infrastructure Review	4	4	12	8	8		\$4,040
b	MEP Review- see engineering allowance below							see below
c	Develop Report on the existing conditions and needed upgrades	4	8	12	16	16		\$5,940
								<b>\$5,000</b>
<b>2.1 Total(See additional Engineering allowance):</b>								<b>\$14,980</b>
<b>2.2</b>	<b>FINAL REPORT: CONCEPTUAL FLOOR PLANS WITH SOPC</b>							
a	Preparation of Conceptual Plan	4	4	8	20	20		\$5,540
b	Presentation and Workshops on Conceptual scheme	4	4	4				\$1,760
c	Refined Statement of Probable Cost* (SoPC*)	4	8	8				\$2,820
d	Final Report - The Final Implementation Package	4	4	12	12	12		\$4,700
<b>2.2 Total:</b>								<b>\$14,820</b>
<b>PHASE 2 TOTAL:</b>								<b>\$29,800</b>
<b>Hours:</b>		58	78	122	120	92	5	<b>475</b>
<b>Hourly rates</b>		\$175	\$145	\$120	\$90	\$75	\$60	<b>total hours</b>
<b>GRAND TOTAL:</b>								<b>\$59,100</b>
								<b>\$1,500</b>
<b>Reimbursable Allowance **</b>								<b>\$1,500</b>
<b>GRAND TOTAL- PHASE 1 and 2</b>								<b>\$60,600</b>

\*\* Reimbursables would cover fees accrued for travel and expense related to the project. Reproduction and delivery costs will be billed to client's or architect's reprographic company account at cost plus 10%.



We propose to furnish the services based on the hourly billing rates listed below for your services. Often we propose an "hourly not to exceed" contract at the beginning of our process. Below is a schedule of hourly billing rates.

We tailor our scope and subsequent fee proposals to accommodate the scope of work realizing that there is latitude in both parameters to be discussed during the contract negotiation. These rates we propose will be valid for the contract duration.

GPd SCHEDULE OF HOURLY BILLING RATES

Principal.....	175
Project Director.....	145
Project Architect.....	120
Job Captain.....	90
CAD Tech.....	75
Clerical.....	60

REIMBURSABLES

In our contract we often have a reimbursable allowance. This reimbursable allowance covers general printing fees and travel. Government fees, delivery costs (such as United Parcel Service charges), and the costs of special sized prints/ reproductions are not included in our fee. These items are "reimbursable" items and will be shown separately on our invoice with a 15% administrative fee.

List of reimbursable charges and rates:

Printing Reimbursable	price range between 0.10 – 4.25 per sq.ft. depending on printing type and paper
Package and Shipment	UPS services fee depend on package weight and distance
Mileage	\$0.56/mile GPd bases our standard mileage rates for the use of a vehicle such as a car, van SUV or pickup will be: 56 cents per mile for business miles based on State of California Employers Association 2014 Mileage Reimbursement Rates Effective January 1, 2014.

CONSULTANTS

When additional consultants are needed, we will be the primary point of contact and the team leader. Our contract will include and convey all consultant fees and contracts as a subcategory of our fee and services. Consultant fees will be charged with an additional 15% management and coordination fee.



Aerial view of existing bank facility site



## Library Administration

Leonard X. Hernandez  
County Librarian

March 4, 2015

Curtis Yakimow  
Town Manager  
57090 29 Palms Highway  
Yucca Valley, CA 92284

**Re: POTENTIAL FUTURE USE OF BANK FOR YUCCA VALLEY LIBRARY**

Dear Mr. Yakimow,

This letter is confirmation that the San Bernardino County Library will commit funds totaling \$3,000 for the assessment of the existing bank in Yucca Valley for potential future use as the new location for the Yucca Valley Library. We look forward to the consultant's report and recommendations for this space.

Sincerely,

A handwritten signature in black ink, appearing to read "Leonard X. Hernandez".

Leonard X. Hernandez  
Deputy Executive Officer

### BOARD OF SUPERVISORS

**ROBERT A. LOVINGOOD**  
Vice Chairman, First District

**JANICE RUTHERFORD**  
Second District

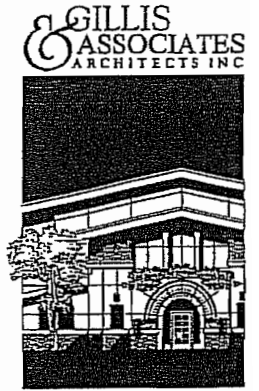
**JAMES RAMOS**  
Chairman, Third District

**CURT HAGMAN**  
Fourth District  
P. 178

**JOSIE GONZALES**  
Fifth District

**GREGORY C. DEVEREAUX**  
Chief Executive Officer

**Town of Yucca Valley**  
**Public Facilities Master Plan Study**  
*December 5, 2007*



2900 - G BRISTOL # G-205  
COSTA MESA, CA - 92626  
P 714.668.4260 F 714.668.4265  
[www.gillisarchitects.com](http://www.gillisarchitects.com)

## **INTRODUCTION**

### ***Town of Yucca Valley – Public Facilities Master Plan Study***

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#### **1.1 Background and Study Objectives:**

The purpose of this study is twofold. The first part is to identify the public building necessary for providing services to the community based upon the adopted General plan build out population of approximately 65,000, and the second is the identification of alternative locations for these facilities."

Several of the town of Yucca Valley facilities have outgrown their built capacity and need to expand in order to meet the current and future needs. As the population of the town continues to grow, the need for additional staff at the Town Facilities will also increase.

We studied the Town Hall/Community Center Complex including Library, Museum and Senior Center, the Public Works Facility Yard and the Animal Shelter. We also considered future facilities such as additional fire stations, and police substations.

This study make recommendations on space requirements based on four benchmark populations.

- Current population – approximately 22000
- 35,000 population
- 50,000 population
- 65,000 population

These recommendations are intended to assist the Town of Yucca Valley to efficiently provide quality services to the community and plan for future facilities. This study looks at the operational and spatial needs for the Town and makes the following recommendations:

- Total area in square footage required for each facility
- Recommended building layout of each facility
- Recommended sites for the buildings.
- Recommended site layout.
- Types of Construction for each facility.
- Projected cost estimates.
- Recommended phasing plan for implementation.

The study is intended to work in conjunction with the General Plan, the Old Town Yucca Valley Specific Plan and the Parks Master Plan study that projects the types and location of necessary parks and recreation facilities.

## 1.2 Executive Summary:

During our study of the Town of Yucca Valley facilities, we noted two major significant limitations to the existing facilities. The first limitation is the lack of enough space to support all the operational needs of the various departments. Many functions use small and often crowded spaces which do not support efficient operations.

The second limitation is inefficient use of the existing space. Due to space constraints, some employees from the same department or division are not grouped together, which in turn inhibits the department from functioning efficiently. Lack of office spaces and privacy for some key employees, and lack of noise control also contribute to the inefficient use of space.

After interviewing the representatives and some staff from all department and facilities, and gathering the information from surveys, meeting and site visits, we determined the following:

- There is a general consensus to have all the town employees except the public works department in one location. Due to the nature of their work and the type of space requirement, the public works can be housed in a separate location from the Town Hall.
- The Public Works Yard facility is currently
- The Yucca Valley Branch Library is inadequate to meet the current needs of its operational requirements. It lacks sufficient space to accommodate the existing programs, some staff lack office space and work areas and the noise level at the library is generally higher than desired.
- Similar to the Library, the Hi-Desert Nature Museum also lacks enough space to accommodate the storage and exhibit requirements as well as staff office areas and necessary staff amenities.
- The animal shelter facility is old and most of the amenities need to be upgraded and expanded to meet the municipal level standards.
- The number of fire stations serving the town and their current location is not enough to meet the recommended response time of 7 minutes.

We concluded that the following facilities will be necessary to provide services to the community.

- Town Hall Facility with Fire Department Offices and Police Station within the same complex.
- Public Works Facility Yard that is separate from the Town Hall
- New Library and Museum in the Old Town.
- Animal Shelter
- New Fire Stations
- Police Substations
- Relocation of the Welcome Center to the Old Town.

After gathering information from surveys, meeting and site visits we determined the required site area for these facilities. The sites are selected based on the functional needs of the facility. For example, the library, Museum and Town hall need to be centrally located and easily accessible to the public. The fire stations on the hand need to be distributed throughout the town to allow for immediate response in case of emergency. In this situation, we used the response area to ensure all parts of the town will receive service within the recommended response time.

In case of the Public Yard, it is important that it is located not too far from the Town Hall and away from the residential area due to the noise levels. The animal shelter also needs to be away from the residential areas due to noise concerns.

### **1.3 Methodology:**

In order to correctly identify the spatial requirements of the different facilities, it is necessary to understand individual personnel functions and daily operations. We conducted a tour of the facilities and made observations on the current operations. We also collected pertinent information such as the list of existing equipment and vehicles that need to be accommodated.

After obtaining a general idea of the operations and space needs we developed a questionnaire to obtain the current and projected needs for the various departments. During this time we also conducted on-site interviews with representatives from all departments and random town employees to further understand their needs, adjacency requirements and visions for their working environment.

The information gathered through this report was compiled together into a space needs assessment documents that shows the space requirements for the four benchmark populations. This information can be found on item 2.2.2 Detailed Space Needs Document. We then use this information to develop the floor plans for the different facilities, and to obtain the needed land information and projected order of magnitude cost estimates.

### **1.4 Project Team:**

The team of consultants facilitating this study included the following key members:

- Don Gillis, AIA – Principal, Gillis and Associates Architects, Inc.
- Jack Panichapan, AIA - Project Architect, Gillis and Associates Architects, Inc.
- Angela Nkya – Designer, Gillis and Associates Architects, Inc.
- Ron Hilton - Operations Consultant, Maintenance Facility Consultants

We worked closely together with the Town of Yucca Valley Facility Master Plan Design Committee. The Design Committee reviewed the project progress and provided necessary information pertaining to the project. This team consisted of the following members:

- Shane Stueckle, Deputy Town Manager – Project Manager
- Andy Takata, Town Manager
- Curtis Yakimow, Administrative Services Director
- Tom Best, Community Development Director
- Jim Schooler, Community Services Director

Other key participant responsible for providing necessary information on the existing facilities and operations are:

- Joseph Glowitz, PE, Former Director of Public Works/Town Engineer
- Dennis Armbruster, Public Works Supervisor, Town of Yucca Valley
- Lynne Richardson, Museum Supervisor, Town of Yucca Valley
- Frank Sheckler, Recreation Supervisor, Town of Yucca Valley
- Melanie Crider, Animal Care and Control Manager, Town of Yucca Valley
- Linda Grove, Yucca Valley Branch Library Director, San Bernardino County Public Libraries
- James William, Sheriffs Captain, San Bernardino County Sheriff Department
- Chuck Willis, Sheriffs Lieutenant, San Bernardino County Sheriff Department
- Paul Summers, Division Chief, Yucca Valley Fire Protection District

### 6.3 LIBRARY AND MUSEUM

The current allocation standards for the County of San Bernardino are 1 volume per capita. If one volume is to be added for every new resident, 43,000 volumes will have to be added by the population of 65,000. (65,000 – 22,000) This means the total number of volumes that will have to be accommodated when the population reaches 65000 is 98,000 volumes. (current volumes of 51,000 + 43,000)

There are limited possibilities for expansion of these facilities to meet the optimum square footage at the current location. Relocating these facilities to a new site is therefore the best option for meeting the future needs is required.

The Library and Museum run several programs together, which necessitates the need to be located within a close proximity of each other. Placing them in the Old Town will bring people to the area and help boost the old town specific plan.

The proposed site is on the intersection of Elk Trail and highway 62. This site is based on the proposed location for the library and Museum on the Old Town Specific Plan.

#### **OPTION 1: Construct a single shared Facility in the Old Town**

Relocate the Library, Museum to a new facility and remodel the existing facility in the old town. The new facility will have a shared lobby and event rooms.

#### **Advantages:**

- New Construction will allow for optimum plan.
- Placing them in the Old town will attract people in the area and promote development in the area.
- New construction allows the daily activities to continue undisturbed during construction.



**OPTION 2: Construct two Separate Facilities for the Museum and Library in close proximity of each other**

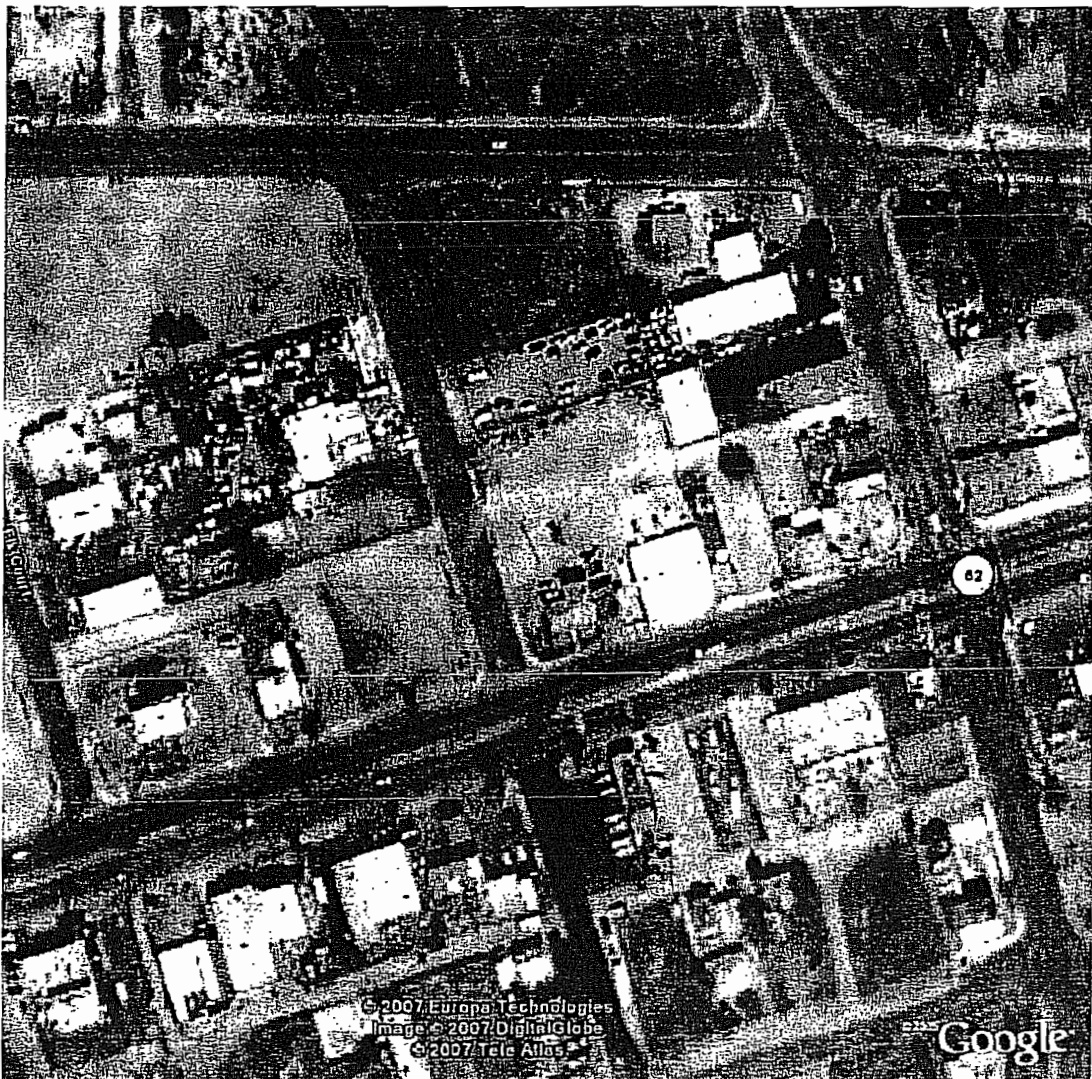
Using the same site, another option would be to construct the Museum and the Library as separate facilities in close proximity to each other.

**Advantages:**

- New construction allows for more efficient layout.
- No impact on existing facility during construction

**Disadvantages:**

- The property must be acquired
- More area per facility due to lack of shared spaces.



## 6.6 FIRE STATIONS

Currently there are three fire Stations that serve the town of Yucca Valley. Of these, only one is located within the town of Town of Yucca Valley boundaries. Based on the our conversation with the fire department 3 fire additional fire stations and a relocation of one would be sufficient to adequately address the needs of the Town of Yucca Valley up to the maximum population of 65,000.

We used a 2.5 mile radius effective area circle to find the optimum location for the fire stations. This means that it will take approximately 5 minutes for the fire engine traveling at 30mph to get to the furthest location. With this set up we estimate the fire department will be able to get to the scene within the recommended time of 7 minutes.

Furthermore, the fire department recommended placing the Fire Station on a primary road. Once we obtained the general site by using the 2.5 mile radius circle, the specific site was selected ensuring that the station will be on a primary road. See diagram SK-1.

### FIRE STATION SITE 1:

We propose placing the first fire station on either the intersection of Wamega Trail and Elk Court. This site is closer to the old town but might not be adequate in size.

Another option will be placing it on the intersection of Yucca Trail and Inca Trail.



**FIRE STATION SITE 2:**

The site for the second proposed fires station is on the intersection of Joshua Lane and Frontera Avenue.



### **FIRE STATION SITE 3:**

The location for the third fire station is on the intersection of Douglas Lane and Linda Lee Drive.

#### **Advantages:**

- Close to a major road.
- More centrally located to the effective area

#### **Disadvantages:**

- Both Douglas Lane and Linda Lee are not paved.



**FIRE STATION SITE 4:**

The location for the fourth fire station is on the intersection of Skyline Ranch Road and Grand Avenue.



## 6.7 POLICE SUBSTATION

We recommend locating the two police substations on the opposite sides of the town, one on the north and one on the south. These stations will be open during regular business hours and will be used mainly for paperwork.

### POLICE SUBSTATION SITE 1:

The suggested location for the first police substation is on the location of Corner of Joshua Lane and Emerson Avenue. This site will serve the southern part of the Town.



**POLICE SUBSTATION SITE 2:**

The suggested location for the second Police station is on the intersection of Buena Vista Drive and Newton Street. This site will serve the northern part of the town.



**POLICE SUBSTATION SITE OPTION 2:**

Given the size of the stations and it might be more economical to locate the substation in the same site as the fire stations. Both these facilities require a small area of land that can be accommodated on one parcel.

**Town of Yucca Valley**  
**Facilities Master Plan Study**  
**Statement of Probable Cost**

**DATE: 12/05/07**

<b>Facility</b>	<b>Quantity</b>	<b>Unit Cost</b>	<b>Total</b>
Town Hall Facility	1	\$11,358,837	\$11,358,837
Public Safety Facility	1	\$13,745,818	\$13,745,818
Public Works Facility	1	\$6,197,588	\$6,197,588
Museum / Library Facility	1	\$16,005,202	\$16,005,202
Senior Center Facility	1	\$8,049,850	\$8,049,850
Animal Shelter Facility	1	\$7,225,974	\$7,225,974
Fire Station	4	\$4,260,385	\$17,041,540
Police Substation	2	\$580,132	\$1,160,264

**Total Estimated Construction Cost**

**\$80,785,071**

***NOTE:** This statement is based on the "Public Facilities Master Plan Study" presented by Gillis & Associates Architects, Inc. The average construction escalation cost increase 6% annually. The unit costs posted in this report assume that the project began the first quarter of 2008.*



**Town of Yucca Valley**  
**Facilities Master Plan Study**  
**Statement of Probable Cost**

DATE: 12/05/07

**Town Hall Facility**

Item	Quantity	Unit Cost	Total	Notes
Selective Demolition	28,800 sf	\$18.00 sf	\$518,400	
Existing Structure Renovation				
Office	26,790 sf	\$85.00 sf	\$2,277,150	
Warehouse			\$0	
Workshop			\$0	
Kitchen	2,010 sf	\$200.00 sf	\$402,000	
Mechanical	28,800 sf	\$20.00 sf	\$576,000	
Electrical	28,800 sf	\$20.00 sf	\$576,000	
New Construction				
Office	6,410 sf	\$180.00 sf	\$1,153,800	
Warehouse			\$0	
Workshop			\$0	
Covered Canopy			\$0	
Exterior Spaces	600 sf	\$20.00 sf	\$12,000	
Kitchen	660 sf	\$280.00 sf	\$184,800	
Mechanical	7,070 sf	\$35.00 sf	\$247,450	
Electrical	7,070 sf	\$35.00 sf	\$247,450	
Site Work			\$0	
Fencing			\$0	
Landscape	12,000 sf	\$15.00 sf	\$180,000	
Parking - Exterior	242 unit	\$3,500.00 unit	\$847,000	
Equipment			\$0	
Furniture	33,200 sf	\$35.00 sf	\$1,162,000	
Misc			\$0	
<b>Subtotal</b>			<b>\$8,384,050</b>	
General Conditions		15.0%	\$1,257,608	
<b>Subtotal</b>			<b>\$9,641,658</b>	
General Contractor OH&P		5.0%	\$482,083	
<b>Subtotal</b>			<b>\$10,123,740</b>	
Bonds & Insurance		2.0%	\$202,475	
<b>Subtotal</b>			<b>\$10,326,215</b>	
Design Contingency		10.0%	\$1,032,622	
<b>Total Estimated Construction Cost</b>			<b>\$11,358,837</b>	

**Town of Yucca Valley**  
**Facilities Master Plan Study**  
**Statement of Probable Cost**

**DATE: 12/05/07**

**Public Safety Facility**

<b>Item</b>	<b>Quantity</b>	<b>Unit Cost</b>	<b>Total</b>	<b>Note</b>
Selective Demolition			\$0	
Existing Structure Renovation				
Office			\$0	
Warehouse			\$0	
Workshop			\$0	
Kitchen			\$0	
Mechanical			\$0	
Electrical			\$0	
New Construction				
Office	23,080 sf	\$310.00 sf	\$7,154,800	
Warehouse			\$0	
Workshop			\$0	
Covered Canopy			\$0	
Exterior Spaces			\$0	
Kitchen			\$0	
Mechanical	23,080 sf	\$35.00 sf	\$807,800	
Electrical	23,080 sf	\$35.00 sf	\$807,800	
Site Work			\$0	
Fencing	690 lf	\$80.00 lf	\$55,200	
Landscape	5,000 sf	\$15.00 sf	\$75,000	
Parking - Exterior	125 unit	\$3,500.00 unit	\$437,500	
Equipment			\$0	
Furniture	23,080 sf	\$35.00 sf	\$807,800	
Misc			\$0	
<b>Subtotal</b>			<b>\$10,145,900</b>	
General Conditions		15.0%	\$1,521,885	
<b>Subtotal</b>			<b>\$11,667,785</b>	
General Contractor OH&P		5.0%	\$583,389	
<b>Subtotal</b>			<b>\$12,251,174</b>	
Bonds & Insurance		2.0%	\$245,023	
<b>Subtotal</b>			<b>\$12,496,198</b>	
Design Contingency		10.0%	\$1,249,620	
<b>Total Estimated Construction Cost</b>			<b>\$13,745,818</b>	

**Town of Yucca Valley**  
**Facilities Master Plan Study**  
**Statement of Probable Cost**

**DATE: 12/05/07**

**Library & Museum**

<b>Item</b>	<b>Quantity</b>	<b>Unit Cost</b>	<b>Total</b>	<b>Note</b>
Selective Demolition			\$0	
Existing Structure Renovation				
Office			\$0	
Warehouse			\$0	
Workshop			\$0	
Kitchen			\$0	
Mechanical			\$0	
Electrical			\$0	
New Construction				
Office	35,720 sf	\$170.00 sf	\$6,072,400	
Warehouse			\$0	
Workshop	300 sf	\$135.00 sf	\$40,500	
Covered Canopy			\$0	
Exterior Spaces	4,450 sf	\$55.00 sf	\$244,750	
Kitchen	2,070 sf	\$280.00 sf	\$579,600	
Mechanical	38,090 sf	\$35.00 sf	\$1,333,150	
Electrical	38,090 sf	\$35.00 sf	\$1,333,150	
Site Work			\$0	
Fencing	790 lf	\$80.00 lf	\$63,200	
Landscape	9,900 sf	\$12.00 sf	\$118,800	
Parking - Exterior	29 unit	\$3,500.00 unit	\$101,500	
Parking - Structure	172 unit	\$5,000.00 unit	\$860,000	
Equipment			\$0	
Furniture	38,090 sf	\$28.00 sf	\$1,066,520	
Misc			\$0	
<b>Subtotal</b>			<b>\$11,813,570</b>	
General Conditions		15.0%	\$1,772,036	
<b>Subtotal</b>			<b>\$13,585,606</b>	
General Contractor OH&P		5.0%	\$679,280	
<b>Subtotal</b>			<b>\$14,264,886</b>	
Bonds & Insurance		2.0%	\$285,298	
<b>Subtotal</b>			<b>\$14,550,183</b>	
Design Contingency		10.0%	\$1,455,018	
<b>Total Estimated Construction Cost</b>			<b>\$16,005,202</b>	

**Town of Yucca Valley**  
**Facilities Master Plan Study**  
**Statement of Probable Cost**

**DATE: 12/05/07**

**Fire Station**

<b>Item</b>	<b>Quantity</b>	<b>Unit Cost</b>	<b>Total</b>	<b>Note</b>
Selective Demolition			\$0	
Existing Structure Renovation				
Office			\$0	
Warehouse			\$0	
Workshop			\$0	
Kitchen			\$0	
Mechanical			\$0	
Electrical			\$0	
New Construction				
Office	7,925 sf	\$310 sf	\$2,456,750	
Warehouse			\$0	
Workshop			\$0	
Covered Canopy			\$0	
Exterior Spaces			\$0	
Kitchen			\$0	
Mechanical	7,925 sf	\$35 sf	\$277,375	
Electrical	7,925 sf	\$35 sf	\$277,375	
Site Work			\$0	
Fencing			\$0	
Landscape	300 sf	\$15 sf	\$4,500	
Parking - Exterior	10 unit	\$3,500 unit	\$35,000	
Equipment			\$0	
Furniture	2,675 sf	\$35 sf	\$93,625	
Misc			\$0	
<b>Subtotal</b>			<b>\$3,144,625</b>	
General Conditions		15.0%	\$471,694	
<b>Subtotal</b>			<b>\$3,616,319</b>	
General Contractor OH&P		5.0%	\$180,816	
<b>Subtotal</b>			<b>\$3,797,135</b>	
Bonds & Insurance		2.0%	\$75,943	
<b>Subtotal</b>			<b>\$3,873,077</b>	
Design Contingency		10.0%	\$387,308	
<b>Total Estimated Construction Cost</b>			<b>\$4,260,385</b>	

**Town of Yucca Valley**  
**Facilities Master Plan Study**  
**Statement of Probable Cost**

**DATE: 12/05/07**

**Police Sub-Station**

<b>Item</b>	<b>Quantity</b>	<b>Unit Cost</b>	<b>Total</b>	<b>Note</b>
Selective Demolition			\$0	
Existing Structure Renovation				
Office			\$0	
Warehouse			\$0	
Workshop			\$0	
Kitchen			\$0	
Mechanical			\$0	
Electrical			\$0	
New Construction				
Office	1,550 sf	\$170 sf	\$263,500	
Warehouse			\$0	
Workshop			\$0	
Covered Canopy			\$0	
Exterior Spaces			\$0	
Kitchen			\$0	
Mechanical	1,550 sf	\$28 sf	\$43,400	
Electrical	1,550 sf	\$28 sf	\$43,400	
Site Work			\$0	
Fencing			\$0	
Landscape	200 sf	\$15 sf	\$3,000	
Parking - Exterior	9 unit	\$3,500 unit	\$31,500	
Equipment			\$0	
Furniture	1,550 sf	\$28 sf	\$43,400	
Misc			\$0	
<b>Subtotal</b>			<b>\$428,200</b>	
General Conditions		15.0%	\$64,230	
<b>Subtotal</b>			<b>\$492,430</b>	
General Contractor OH&P		5.0%	\$24,622	
<b>Subtotal</b>			<b>\$517,052</b>	
Bonds & Insurance		2.0%	\$10,341	
<b>Subtotal</b>			<b>\$527,393</b>	
Design Contingency		10.0%	\$52,739	
<b>Total Estimated Construction Cost</b>			<b>\$580,132</b>	

## **RECOMMENDATIONS**

### ***Town of Yucca Valley – Public Facilities Master Plan Study***

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#### **Recommendations**

We recommend the following phasing plan:

##### **Phase 1:**

During this phase we recommend constructing a new library and Museum facility to free up some space at the Town hall.

##### **Phase 2:**

The second step is to renovate the freed up space at the community center/town hall to accommodate appropriate departments.

The first step is to develop the museum to accommodate the office of the town manager and employee lunch room and other common areas. Once this area is done the office of the town manager can be relocated to this area.

The second step is to develop the south wing of community services building, currently used as rental space to accommodate the community service department.

The third step is to develop the area currently occupied by the Yucca Valley Branch Library into Community Development department.

With increase in the number of employees at the Town Hall, the fourth step will be to develop the space currently occupied by the community services department to accommodate more restrooms.

The fifth step is to construct the town council suite which includes the closed session and council member's office on the east side of the community services building.

The sixth step is to develop temporary office spaces for the Administrative Services Department at the library and relocate the Administrative Services temporarily to this new space.

The seventh step is to construct additional common area on the east side of the library to accommodate additional conference room.

The eighth step is to develop the existing town hall area to accommodate the administrative services department and the office of the deputy town manager.

Following this step, the Administrative department can be relocated back to the new space and the office of the Deputy town manager can be relocated to the town hall complex.

The last step is to develop the area that was temporarily occupied by the administrative services department to accommodate the town engineer offices.

##### **Phase 3:**

The third step is to renovate the office building at the Public Yard. During this time there might be a need for a temporary office space to hold the operations crew.

**Phase 4:**

The fourth step is to develop the fleet garage, shop and warehouse to accommodate future programs. During that time the Senior Center can be renovated or the construction of the new senior center, animal shelter and the welcome center.

**Phase 5:**

At this phase there is probably going to be a need for additional fire stations. We recommend starting with the one in the area that is most developed and expand to finish constructing the rest of the stations.

**Phase 6:**

At this phase we assume the population might have reached 45000 therefore we recommend constructing the Public Safety facility. At this time we also recommend expanding the fleet garage to accommodate the Public Safety functions.

**TOWN COUNCIL STAFF REPORT**

**To:** Honorable Mayor and Town Council  
**From:** Lona Laymon, Town Attorney  
 Lindsay Tabaian, Special Litigation Counsel  
**Date:** April 16, 2015  
**For Council Meeting:** April 21, 2015

**Subject:** Introduction of Ordinance No. XXX Amending Municipal Code Chapter 11.90, Relating to the Regulation of Registered Sex Offenders  
 CEQA Exemption 15061(b)(3)

**Prior Council Review:** The Town Council has had no prior review of this item.

**Recommendation:** Waive further reading and introduce, for first reading: "AN ORDINANCE OF THE TOWN OF YUCCA VALLEY AMENDING CERTAIN PROVISIONS OF TOWN MUNICIPAL CODE CHAPTER 11.90, RELATING TO THE REGULATION OF REGISTERED SEX OFFENDERS, TO ALIGN WITH STATE LAW AND COMPLY WITH RECENT COURT DECISIONS" (the "Amended Ordinance, attached hereto as Attachment 1 to this Staff Report).

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

**Executive Summary:** The Town's municipal code currently imposes both residency and presence restrictions on registered sex offenders in the Town of Yucca Valley, codified at Yucca Valley Municipal Code ("YVMC") Chapter 11.90, entitled "Regulation of Registered Sex Offenders" (the "Ordinance").

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



However, new case law has been issued by the Court of Appeals which materially alters the constitutionality of the Ordinance's presence restrictions. In addition, last month the Supreme Court issued decisions in the matters of *In re Taylor* and *People v. Mosley* relating to state and local regulation of sex offender residency which merit consideration by the Town Council.

In light of these recent opinions by our state's high courts, the Town Attorney's office recommends the Town repeal its regulations on sex offender presence.

**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)

**Background:** In the 1990s, federal and state legislatures enacted various laws intended to protect minors from registered sex offenders. At the federal level, this legislation included Megan's Law, which was adopted in 1996 and created a nation-wide sex offender registry. At the state level, the California legislature adopted a series of regulations on the day-to-day lives of registered sex offenders, codified at California Penal Code §§ 290 *et seq.*, including a voter-approved measure known as "Jessica's Law," codified at California Penal Code § 3003.5 ("Section 3003.5").

Section 3003.5 regulates the residency of registered sex offenders. It specifically prohibits all registered sex offenders from residing within 2,000 feet of a school or park (Section 3003.5(b)), and expressly permits supplemental local regulation of sex offender residency (Section 3003.5(c).)

After the adoption of those state laws, concerns arose among numerous California cities regarding how local agencies could enforce Megan's Law and Jessica's Law. Due to those concerns, over seventy-five (75) California municipalities, including the Town of Yucca Valley, enacted local ordinances further regulating the residency, loitering and other activities of registered sex offenders in their communities.

Those laws (state and local) have prompted a series of lawsuits throughout the State of California. As those legal challenges have made their way through the court system, California courts have begun to limit the independent regulatory authority of municipalities. Those Supreme Court and appellate decisions, described herein, now call into question the continuing efficacy and enforceability of certain portions of Yucca Valley's Municipal Code regulating registered sex offenders.

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## Discussion:

### A. Summary of Town Sex Offender Ordinance.

In 2008, the Town acted proactively to further the protections provided by state law by adopting Yucca Valley Municipal Code (“YVMC”) Chapter 11.90, entitled “Regulation of Registered Sex Offenders” (the “Ordinance”). The Ordinance currently provides for the following restrictions upon registered sex offenders in Yucca Valley:

- (1) **Presence Restrictions (YVMC § 11.90.030(B)-(C)):** Registered sex offenders may not come within three hundred feet (300’) of a school or park where children are present, subject to very limited exceptions (*e.g.* they are the parent of a child at the school or park).
- (2) **Residency Restrictions (YVMC § 11.90.030(A)):** Registered sex offenders may not live within “two thousand feet (2000’) of any school, park or daycare center.”
- (3) **Misdemeanor Civil Penalties (YVMC § 11.90.050):** The code further provides that any violation of the Ordinance shall be punishable as a misdemeanor.

### B. Recent Court Cases Challenging Sex Offender Residency & Presence Restrictions and Analysis by Staff and Town Attorney’s Office Regarding the Impact of These Decisions on the Town Ordinance

#### New Supreme Court Decisions re: Residency Restrictions

Last month, the California Supreme Court issued two decisions relating to state and local regulation of sex offender residency: (1) *In re Taylor*, Supreme Court Case No. S206143 (“*Taylor*”) and (2) *People v. Steven Lloyd Mosley*, Supreme Court Case No. S187965 (“*Mosley*”). Read together, these Supreme Court cases generally indicate that state law residency restrictions (*e.g.* Section 3003.5) are not per se unconstitutional, but may be open to case-by-case challenges like that in *Taylor*, where the defendants successfully argued that blanket application of Section 3003.5(b), “as applied” to them in San Diego County, violated the Constitution by depriving those registered sex offenders of certain fundamental rights.

Specifically, the *Taylor* Court determined that blanket enforcement of Section 3003.5(b)’s residency restrictions created the following unconstitutional deprivations for sex offenders in ***densely populated, urban*** San Diego County: (1) it limited access to housing, increasing the incidence of homelessness and transiency, particularly because San Diego County is a “populous urban community where dense development render[ed] large areas off-limits for residential purposes, and available affordable compliant housing [wa]s

scarce”; and (2) it deprived sex offenders of access to necessary services such as medical care, psychological treatment, and residential drug and alcohol counseling. Finally, the Court noted that the dramatic increase in homeless and transient sex offenders was making it more difficult for parole officers and law enforcement to monitor and control them – thereby thwarting the legitimate governmental purpose behind the registration statute: protecting the public from sex offenders.

These conclusions were often reached by relying on the CDCR’s own data, which indicated that more than one-third of sex offenders in San Diego County were forced to register as “transients”; homelessness among offenders has increased 24 times from 2007-2010, with many offenders being advised to sleep in alleys or riverbeds; and sex offenders were effectively banned from about 97% percent of available housing in the County, with much of the remaining housing not available due to low vacancy rates, high rent, or the unwillingness of landlords to rent to sex offenders.

However, in a decision issued the very same day, the Court recognized the value of appropriate, constitutional residency restrictions. In *Mosley*, the Supreme Court acknowledged that Section 3003.5(b)’s residency restrictions are “rationally related to the legitimate regulatory and nonpunitive government purpose” of “protecting children in and around schools and parks.” This accords with the Town’s residency restrictions, which are narrower than state law – to the extent that they apply only to sex offenders who have committed crimes involving children (unlike 3003.5(b), which applies to all offenders) – and prohibit those offenders from residing within 2,000 feet of locations where children regularly gather: schools, parks and day care centers.

The *Mosley* Court went on, with reference to *Taylor*, to note that even though Section 3003.5(b)’s “restrictions may impose significant life difficulties in particular situations or communities, they . . . are not on their face so onerous, disabling, irrational or overly broad as to require a conclusion that their punitive effect overrides their regulatory purpose.”

**Summary of Analysis by Staff and Town Attorney’s Office Regarding the Impact of These Decisions on the Town Ordinance**

Pursuant to these new Supreme Court cases, current local ordinances like the Town’s ***remain legal on its face and are, in fact, expressly authorized by California Penal Code § 3003.5(c)***. However, in light of the *Taylor* decision, the Town Attorney’s office recommended that Town staff and law enforcement conduct a detailed analysis relating to the effects of the Ordinance on registered sex offenders in the Town of Yucca Valley in order to determine whether the Town shares common characteristics with the County of San Diego, such that the above-detailed constitutional deprivations were occurring in the Town. The goal of this analysis, detailed herein, is to evaluate the practical effects of the Town’s Ordinance ***as applied*** to local sex offenders, and to form an opinion regarding what amendments to the Ordinance are appropriate in light of the *Taylor* and *Mosley* decisions, if any.

Staff analyzed the specific constitutional issues and deprivations identified by the *Taylor* court in San Diego County and, pursuant to that analysis, has made the following findings and determinations which support the Amended Ordinance that is presented for the Town Council's review and consideration:

(1) Unlike San Diego County, the Town of Yucca Valley is not a "densely populated, urban community," – it is a low-density, primarily suburban community located in San Bernardino County. According to the 2013 census conducted by the United States Census Bureau, the Town of Yucca Valley has a population of approximately 21,132 citizens who reside within the approximately 40.02 square miles which comprise the Town's incorporated boundaries. Of these approximately 21,132 citizens, the Megan's Law website provides that only 77 (or .364%) of them are required to register as sex offenders.

(2) Staff has specifically analyzed the issue of whether the Town's Ordinance unconstitutionally limits access to housing for registered sex offenders. Pursuant to this analysis, Town staff has determined that registered sex offenders can lawfully reside, in compliance with the Town Ordinance, in approximately twenty-three and one-half square miles within the Town's jurisdictional boundaries, which areas include some affordable housing, multi-unit housing, and duplexes, as well as single family homes. These permitted areas of sex offender residency in the Town include the following general areas:

- approximately six square miles of residential property available in the northwest section of the Town, which area includes the Rancho Mesa subdivision;
- approximately seven square miles of residential property available in the northeast section of the Town, which area includes the Shatin Heights subdivision;
- approximately 6 square miles of residential property available in the southwest section of the Town, which area includes the Juniper Terrace, Storey Park and Yucca Village subdivisions; and
- approximately four and one-half square miles of residential property available in the southeast section of Town, which area includes the Sky Harbor, Copper Hills and Yucca Corral Estates subdivisions, as well as the Cactus Gardens Apartments complex.

Staff has prepared a detailed map, attached hereto as Attachment "1", which identifies the residential exclusion zone created by the Town's residency restrictions and further identifies the permissible areas in which which registered sex offenders may lawfully reside pursuant to the Ordinance.

(3) Staff has conducted an evaluation of whether the Town's Ordinance prevents placement of sex offenders in drug treatment or other residential medical facilities, as was

the case with several of the *Taylor* defendants. Pursuant to this evaluation, staff is not aware of any registered or permitted drug treatment or residential medical facilities in the Town that would be impacted by the Ordinance's residency restrictions.

(4) Staff has reviewed the current residency status of the few registered sex offenders residing in the Town, and has confirmed that – unlike the County of San Diego – the Town of Yucca Valley does not have a high incidence of homeless or transient sex offenders. In fact, currently the Town does not have any homeless or transient sex offenders.

(5) Staff has consulted with law enforcement and has been advised that sex offender transiency, to the extent it exists in the Town, does not interfere with the management and control of registered sex offenders in Yucca Valley.

In light of this analysis and based upon the above-detailed findings, staff and the Town Attorney's office are of the considered opinion that the residency restrictions of the Town's Ordinance "as applied" to sex offenders in the Town do not present the same constitutional issues and deprivations as the application of Penal Code § 3003.5(b) presented to the *Taylor* defendants and similarly situated registered sex offenders residing in San Diego County.

#### **Recent Court of Appeal Decision re: Presence Restrictions**

In addition, the California Court of Appeal, Fourth Appellate District, has issued, and the California Supreme Court has declined to review, two related opinions regarding the permissible scope of local enforcement of the activities of registered sex offenders (*i.e.* regulations regarding where sex offenders may be present) in the matters of: *Hugo Godinez v. People of the State of California*, Court of Appeals Case No. G047657 ("*Godinez*") and *People v. Nguyen*, Court of Appeals Case No. G048228 ("*Nguyen*"). The published *Nguyen* decision (the analysis of which was virtually identical to the unpublished *Godinez* decision) determined that state law "preempted" municipalities from adopting ordinances prohibiting sex offenders from entering local parks.

Notably, in reaching this conclusion, the Court of Appeal determined that in enacting the restrictions set forth at California Penal Code §§ 290 *et seq.*, the State of California "created a standardized, statewide system to identify, assess, monitor and contain known sex offenders for the purpose of reducing the risk of recidivism posed by these offenders, thereby protecting victims and potential victims from future harm" (emphasis in original by the court).

In light of these decisions, the Town determined not to enforce the Ordinance until such time as the impact of these decisions could be properly analyzed and the Ordinance could be amended to comply with the above-detailed recent judicial guidance regarding the limits on local regulation of sex offenders.

**C. Summary of Amended Ordinance & Recommended Further Analysis**

In light of the above-described recent decisions by our high courts, and the above-detailed analysis conducted by the Town Attorney's office, staff and law enforcement, the Town Attorney's office recommends that the Council introduce, for first reading, the Amended Ordinance which *repeals* the Town's presence restrictions on registered sex offenders, set forth at YVMC section 11.90.030, subdivisions (B) and (C), and makes necessary accompanying changes to portions of the Ordinance's purpose, definitional and exemption provisions relating to the same.

**Alternatives:** The Town Council may elect to:

1. Decline to introduce the Amended Ordinance.
2. Consider and provide alternate direction to the Town Attorney and Staff.
3. Take such other action as the Council deems appropriate and consistent with the requirements of law.

**Fiscal impact:** None.

**Attachments:** 1 – Map of Residency Restrictions & Permissible Areas  
2 – Amended Ordinance No. XXX

OFFICIAL ZONING DISTRICT MAP

**LEGEND**

- R-HR HILLSIDE RESERVE (1 db / 20 ac.)
- R-L RURAL LIVING (1 db / 1, 2, 5, 9, 10, 20 ac.)
- R-S RESIDENTIAL, SINGLE FAMILY (R-2, D-2.5, D-5 db / ac.)
- R-M RESIDENTIAL, MULTI-FAMILY (1-10, C-14 db / ac.)
- C-MU MIXED USE COMMERCIAL (Varies)
- C-N NEIGHBORHOOD COMMERCIAL
- C-6 GENERAL COMMERCIAL
- C-C COMMUNITY COMMERCIAL
- C-O OFFICE COMMERCIAL
- I INDUSTRIAL
- PAQP PUBLIC/QUASI PUBLIC (SEE SYMBOLS)
- D-S OPEN SPACE (SEE SYMBOLS)
- (SP) SPECIFIC PLAN
- OLD TOWN LAND USE
- OTHC OLD TOWN HIGHWAY COMMERCIAL
- OTIC OLD TOWN INDUSTRIAL/COMMERCIAL
- OTMU OLD TOWN MIXED USE
- OTCR OLD TOWN COMMERCIAL/RESIDENTIAL

**SYMBOLS**

PUBLIC/QUASI PUBLIC

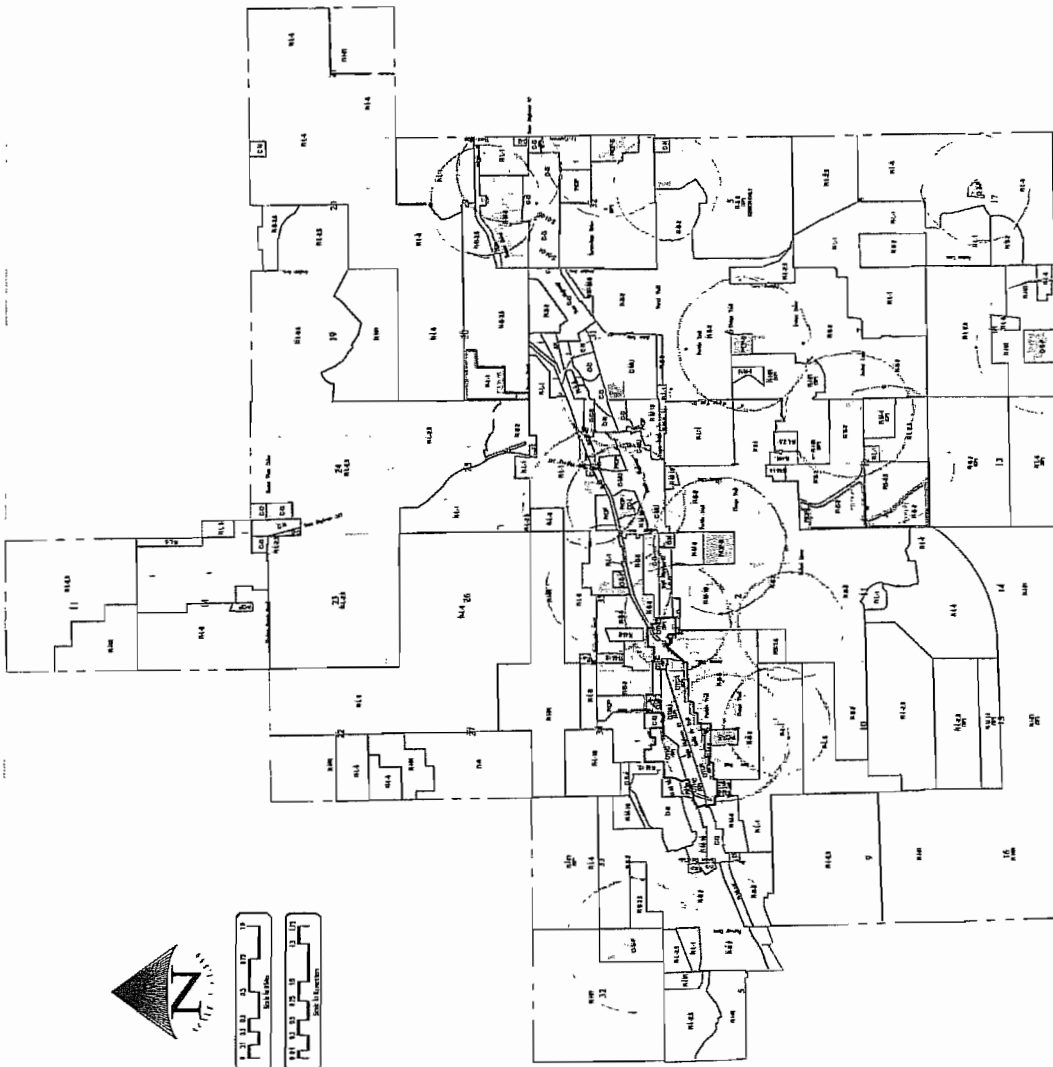
- AP AIRPORT
- CC CIVIC CENTER
- FS FIRE STATION
- PS POLICE STATION
- H HOSPITAL
- S SCHOOL
- L LIBRARY
- U-S5 UTILITY SUBSTATION
- FW FLOODWAY

OPEN SPACE

- P PARK

LAND USE PLANS

- SP SPECIFIC PLAN
- PD PLAN DEVELOPMENT



Town of YUCCA VALLEY

TOWN COUNCIL MEETING  
DECEMBER 16, 2014

TOWN OF YUCCA VALLEY

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE TOWN OF YUCCA VALLEY  
AMENDING CERTAIN PROVISIONS OF TOWN  
MUNICIPAL CODE CHAPTER 11.90, RELATING TO THE  
REGULATION OF REGISTERED SEX OFFENDERS, TO  
ALIGN WITH STATE LAW AND COMPLY WITH  
RECENT COURT DECISIONS**

**WHEREAS**, on November 7, 2006, the voters of the State of California overwhelmingly approved Proposition 83, the “Sexual Predator Punishment and Control Act,” commonly known as “Jessica’s Law,” so as to better protect Californians, and, in particular, to protect the State’s children from sex offenders; and

**WHEREAS**, Proposition 83, codified as California Penal Code section 3003.5 (“Section 3003.5”), prohibits registered sex offenders from residing within two thousand (2,000) feet of a public or private school or any park where children regularly gather (Cal. Penal Code § 3003.5(b)); and

**WHEREAS**, Section 3003.5 also includes a provision which expressly authorizes further local regulation of sex offender residency: Section 3003.5(c), which states that “[n]othing in this section shall prohibit municipal jurisdictions from enacting local ordinances that further restrict the residency of any person for whom registration is required pursuant to Section 290”; and

**WHEREAS**, the state legislature has enacted numerous regulations on the activities of registered sex offenders, including but not limited to California Penal Code section 653b, which prohibits registered sex offenders from loitering about any school or public place at or near which children attend or normally congregate (Cal. Penal Code § 653b(a)); and

**WHEREAS**, on September 11, 2008, the Town acted proactively to further the protections provided by state law by adopting Ordinance No. 195, approving regulations on the residency and presence of registered sex offenders in the Town, detailed herein; and

**WHEREAS**, Ordinance No. 195 was subsequently codified as Yucca Valley Municipal Code (“YVMC”) Chapter 11.90, entitled “Regulation of Registered Sex Offenders” (the “Ordinance”); and

**WHEREAS**, the Ordinance defines a “registered sex offender” as “[a]n individual who is required by law to register with a governmental entity as a sex offender *as a result of a conviction of a sex crime against a child,*” which is narrower in scope than corresponding state law provisions, including Section 3003.5;

**WHEREAS**, the Ordinance provides that registered sex offenders may not reside within “two thousand feet (2000’) of any school, park or daycare center” (YVMC § 11.90.030(A), the “Residency Restrictions”); and



**WHEREAS**, the Ordinance further provides that a registered sex offender may not be within three hundred feet (300') of a school or park where children are present, subject to certain limited exceptions (YVMC § 11.90.030(B)-(C), the "Presence Restrictions"); and

**WHEREAS**, on January 10, 2014, the Fourth Appellate District of the California Court of Appeal issued a published opinion relating to regulations like the Town's Presence Restrictions in the matter of *People v. Nguyen* (2014) 222 Cal. App. 4th 1168 ("*Nguyen*") which: (1) determined that the State of California had "created a standardized, statewide system" to regulate sex offenders and to "protect[] victims and potential victims from future harm" and (2) held that a local ordinance which exceeded the state law standards and made it a misdemeanor for registered sex offenders to enter a city park was "preempted" by California law; and

**WHEREAS**, on April 28, 2014, the California Supreme Court declined to review the *Nguyen* decision, making that opinion citable as precedent in the State of California, and binding law in the Fourth Appellate District, where the Town of Yucca Valley sits; and

**WHEREAS**, in light of the *Nguyen* decision, the Town has not enforced the Ordinance until such time as it could be amended to comply with recent judicial guidance regarding the limits on local regulation of sex offenders; and

**WHEREAS**, on March 2, 2015, the California Supreme Court issued two decisions relating to state and local regulation of sex offender residency: (1) *In re Taylor*, Supreme Court Case No. S206143 ("*Taylor*") and (2) *People v. Steven Lloyd Mosley*, Supreme Court Case No. S187965 ("*Mosley*"); and

**WHEREAS**, read together, these Supreme Court cases generally indicate that state law residency restrictions, (e.g. Section 3003.5) are not per se unconstitutional, but may now be open to case-by-case challenges like that in *Taylor*, where the defendants successfully argued that blanket application of Section 3003.5(b), "**as applied" to them in San Diego County**, violated the Constitution by depriving **those registered sex offenders** of certain fundamental rights; and

**WHEREAS**, notably, in *Mosley* the Court acknowledged that Section 3003.5(b)'s residency restrictions are "rationally related to the legitimate regulatory and nonpunitive government purpose" of "protecting children in and around schools and parks"; and

**WHEREAS**, the *Taylor* Court specifically determined that blanket enforcement of Section 3003.5(b)'s residency restrictions was unconstitutional "as applied" in densely populated, urban San Diego County because it created the following unconstitutional deprivations for sex offenders:

(1) it limited access to housing, increasing the incidence of homelessness and transiency, particularly because San Diego County is a "populous urban community where dense development render[ed] large areas off-limits for residential purposes, and available affordable compliant housing [wa]s scarce";

(2) it deprived sex offenders of access to necessary services such as medical care, psychological treatment, and drug and alcohol counseling at residential treatment facilities;

(3) it caused a dramatic increase in homeless and transient sex offenders, making it more difficult for parole officers and law enforcement to monitor and control registered sex offenders; and

**WHEREAS**, staff and the Town Attorney’s office has conducted a thorough analysis relating to the effects of the Ordinance on registered sex offenders in the Town of Yucca Valley in order to determine whether the Town shares common characteristics with the County of San Diego, such that the above-detailed constitutional deprivations were occurring in the Town, and to form an opinion regarding what amendments to the Ordinance are appropriate in light of the *Taylor* and *Mosley* decisions, if any; and

**WHEREAS**, unlike San Diego County, the Town of Yucca Valley is not a “densely populated, urban community,” – it is a low-density, primarily suburban community located in San Bernardino County. According to the 2013 census conducted by the United States Census Bureau, the Town of Yucca Valley has a population of approximately 21,132 citizens who reside within the approximately 40.02 square miles which comprise the Town’s incorporated boundaries. Of these approximately 21,132 citizens, the Megan’s Law website provides that only 77 (or .364%) of them are required to register as sex offenders; and

**WHEREAS**, staff has specifically analyzed the issue of whether the Town’s Ordinance unconstitutionally limits access to housing for registered sex offenders. Pursuant to this analysis, Town staff has determined that registered sex offenders can lawfully reside, in compliance with the Town Ordinance, in approximately *twenty-three and one-half square miles* within the Town’s jurisdictional boundaries, which areas include some affordable housing, multi-unit housing, and duplexes, as well as single family homes; and

**WHEREAS**, these permitted areas of sex offender residency in the Town include the following general areas:

- approximately six square miles of residential property available in the northwest section of the Town, which area includes the Rancho Mesa subdivision;
- approximately seven square miles of residential property available in the northeast section of the Town, which area includes the Shatin Heights subdivision;
- approximately 6 square miles of residential property available in the southwest section of the Town, which area includes the Juniper Terrace, Storey Park and Yucca Village subdivisions; and
- approximately four and one-half square miles of residential property available in the southeast section of Town, which area includes the Sky Harbor, Copper Hills and Yucca Corral Estates subdivisions; and

**WHEREAS**, staff has conducted an evaluation of whether the Town’s Ordinance prevents placement of sex offenders in drug treatment or other residential medical facilities. Pursuant to this evaluation, staff is not aware of any registered or permitted drug treatment or

residential medical facilities in the Town that would be impacted by the Ordinance’s residency restrictions; and

**WHEREAS**, staff has reviewed the current residency status of the few registered sex offenders residing in the Town, and has confirmed that – unlike the County of San Diego – the Town of Yucca Valley currently does *not* have any homeless or transient sex offenders; and

**WHEREAS**, staff has consulted with law enforcement and has been advised that sex offender transiency, to the extent it exists in the Town, does not interfere with the management and control of registered sex offenders in Yucca Valley; and

**WHEREAS**, based upon this analysis and these findings, staff and the Town Attorney’s office are of the considered opinion that the residency restrictions of the Town’s Ordinance “as applied” to sex offenders in the Town do not present the same constitutional issues and deprivations as the application of Penal Code § 3003.5(b) presented to the *Taylor* defendants and similarly situated registered sex offenders residing in San Diego County; and

**WHEREAS**, in light of these recent court decisions and the above-detailed analysis conducted by the Town Attorney’s office, staff and law enforcement, and in accordance with the Town’s determination not to enforce the Ordinance until amendments aligning the same with state law and the *Nguyen, Taylor* and *Mosley* decisions could be considered, the Town Council deems it appropriate to:

(1) repeal the Town’s Presence Restrictions, and

(2) amend the purpose, definitional and exemption provisions of the Ordinance, set forth at YVMC sections 11.90.010, 11.90.020 and 11.90.040, respectively, to accord with the foregoing repeal; and

**WHEREAS**, all legal prerequisites to the adoption of this Ordinance have occurred; and

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

**Section 1.** The forgoing recitals and findings are true and correct and incorporated herein by this reference.

**Section 2.** YVMC section 11.90.010, “Purpose and Intent” is hereby amended to read as follows (deleted text, if any, is show in ~~strike through~~; new text, if any, is shown in ***bold & italics***):

Sex offenders pose a clear threat to the children residing or visiting in the town of Yucca Valley. Convicted sex offenders are the least likely to be cured and the most likely to reoffend and have a higher recidivism rate for their crimes than any other type of violent felon. It is the purpose and intent of this chapter to protect children from registered sex offenders by limiting their access to locations where children gather. It is intended to reduce the risk of harm to

children by impacting the ability of registered sex offenders to be in contact with children. It is further the intent of this chapter to provide additional restrictions beyond those provided for in proposition 83, Jessica's law (effective November 8, 2006), by adding locations to the residence restrictions of Jessica's law, ~~by restricting sex offenders from certain limited locations,~~ and by allowing for criminal penalties. It is not the intent of this chapter to allow conduct otherwise prohibited by state law, or to contradict state law.

**Section 3.** YVMC section 11.90.020, "Definitions" is hereby amended to read as follows (deleted text, if any, is shown in ~~strike through~~; new text, if any, is shown in **bold & italics**):

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

**CHILD OR CHILDREN:** Any person less than eighteen (18) years of age.

**DAYCARE CENTER:** Any facility licensed as such pursuant to California Health and Safety Code section 1596.750 including infant centers, preschools, extended daycare facilities, and school age childcare centers except it does not include a family daycare home as defined in Health and Safety Code section 1596.78.

**LOITER:** ~~To delay, linger or idle.~~

**PARK:** A park or other recreation facility where children regularly gather. *This definition shall be interpreted to be consistent with California Penal Code section 3003.5(b).*

**REGISTERED SEX OFFENDER:** An individual who is required by law to register with a governmental entity as a sex offender as a result of a conviction of a sex crime against a child.

**SCHOOL:** Any public or state licensed private elementary or secondary school, attendance at which satisfies the compulsory education laws of the state of California. It does not include a residence where parents or guardians provide homeschooling. *This definition shall be interpreted to be consistent with California Penal Code section 3003.5(b).*

**Section 4.** YVMC sections 11.90.030(B) and (C), relating to the presence of registered sex offenders, are hereby stricken in their entirety.

**Section 5.** YVMC sections 11.90.040(B), relating to an exception to the Town's Presence Restrictions, is hereby stricken in its entirety.

**Section 6.** If any part of this Ordinance is held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the

remaining portions of this Ordinance, and the Town hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been declared invalid or unconstitutional.

**Section 7.** This Ordinance shall take effect thirty (30) days from the date of adoption.

**Section 8.** The Town Clerk shall certify to the adoption of this Ordinance and shall cause a copy of the same to be published in a manner prescribed by law.

APPROVED, and ADOPTED this \_\_\_th day of \_\_\_\_, 2015.

\_\_\_\_\_  
George Huntington, Mayor

ATTEST:

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO ) ss.  
TOWN OF YUCCA VALLEY )

I, Lesley Copeland, Town Clerk of the Town of Yucca Valley, do hereby certify that the foregoing Ordinance \_\_\_\_\_ was introduced at a regular meeting of the Town Council held on \_\_\_\_\_, 2015, and was adopted by the Town Council at its regular meeting held on \_\_\_\_\_, 2015, by the following vote of the Council:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

\_\_\_\_\_  
Lesley Copeland,

Town Clerk