

**AGENDA
MEETING OF THE
ANIMAL CARE JPA
TUESDAY JUNE 29, 2010, 7:30 A.M.
YUCCA VALLEY COMMUNITY CENTER MESQUITE ROOM**

ROLL CALL: Directors Cronin, Herbel, Huntington, Chair Derry

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Approve the minutes of May 12, 2010 as presented

DIRECTORS REPORTS/UPDATES

DISCUSSION ITEMS

1. Approval of Audit Engagement Letter and approval of expenditure of up to \$7,760 to pay for the required audit.
2. Communications received.
3. Architects Presentations
 - 8:00 a.m. AC-6 Architects
 - 9:00 a.m. ATI Architects + FR & A Architects
 - 10:00 a.m. Escalante Architects
 - 11:00 a.m. Holt Architects

 - 1:00 p.m. Williams Architects
 - 2:00 p.m. WLC Architects

FUTURE AGENDA ITEMS

- a. Discussion regarding County Voucher Program
- b. County/Town Fee Schedule.

PUBLIC COMMENTS

ADJOURNMENT

**ANIMAL CARE JOINT POWERS AUTHORITY
MEETING MINUTES
WEDNESDAY, MAY 12, 2010, 11:00 A.M.**

Chair Derry called the meeting to order at 11:00 a.m. with Directors Herbel, Huntington and Cronin present.

PLEDGE OF ALLEGIANCE

Led by Chair Derry

APPROVAL OF MINUTES

Approve the minutes of April 28, 2010 as presented.

Director Huntington moved and Director Herbel seconded to approve the minutes of April 28, 2010. As there was no objection, the minutes stand approved.

DIRECTORS REPORTS/UPDATES None

DISCUSSION ITEMS

1. **Report from the Architect Review Evaluation Committee (AREC)
Consider recommendation from AREC to select the six (6) highest rated
architectural firms to provide formal presentations to the JPA Board.**

Director Huntington presented the draft report to the Board describing the members of the committee, judiciary process and criteria considered in evaluating and selecting firms invited to be interviewed, and identified those firms to be: AC-6 Architects of Redlands, ATI Architects + RF&A Architects of Redlands and Laguna Hills, Escalante Architects of Palm Springs, Hold Architects of Rancho Mirage, Williams Architects of Upland and WLC Architects of Rancho Cucamonga.

The committee recommended that the JPA Board schedule a meeting to interview the selected six firms and that letters of invitation be sent outlining the presentations to include: a not-to-exceed fee proposal including labor, travel, printing, etc., but which segregates the CEQA portion (Geotechnical Study, Native Plant Survey, Biological Survey, adequacy of water supply, a wastewater treatment resolve and complete CEQA documents) from the scope of work fees. A brief presentation of the firm's qualifications based on similar projects and time for questions should also be included. The committee further recommended that letters be sent to the balance of the applicants not selected for interviews thanking them for their submissions. Samples of both letters were attached to the report.

Director Cronin suggested that all the firms be interviewed on the same day, that each firm be allocated 45 minutes with a 15 minute break between firms. He suggested that staff coordinate the schedule with the Directors to clear a 7 hour block of time for the interviews.

Directors Herbel and Derry thanked the Committee for their time, effort and quality of work expended on the project.

Director Cronin requested a motion accepting the report and directing the Committee to send the letters recommended above. Director Herbel so moved. The motion was seconded by Director Derry and approved with no objections.

2. Potential Funding Mechanisms

Director Cronin reported it is still the County's intent to consider an option to fully fund the project. Staff has been requested to submit a proposal regarding the budget as it moves forward to fully fund the Town's proportionate cost share in future years. He requests that the item stay on the agenda. A report is necessary for the County's consideration regarding a contribution repayment mechanism. Curtis Yakimow, Town of Yucca Valley Administrative Services Director, commented the Town would anticipate having something to forward for the Board's consideration in 30 days.

Director Huntington questioned the inclusion of in-kind services. Director Cronin replied there would be an operational cost off-set in future years and discussion will be required at some point regarding the value of the land as part of the Town's contribution. That action has been deferred until after full consideration of CEQA and other potential impacts. The proposed site is a preferred site but the JPA Board may continue to look at alternate locations. A final selection will not be made until the CEQA process is completed.

FUTURE AGENDA ITEMS

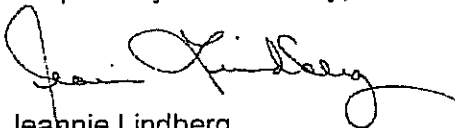
Director Derry noted that a discussion regarding the County voucher program and also a County/Town fee schedule are listed as future items. Director Cronin requested that consideration of engaging the County Auditor Controller to audit the funds which have been deposited into the JPA's trust account be added as a future agenda item. The next official meeting will focus on the selection process and taking action on the engagement letter to the County Auditor Controller.

PUBLIC COMMENTS: None

ADJOURNMENT

The meeting adjourned at 11:20 a.m.

Respectfully submitted by,



Jeannie Lindberg
Deputy Town Clerk

Report of the Architect Review Evaluation Committee

1. The Committee consisted of appointed JPA members Cronin and Huntington and met on Thursday May 6th at 11:00 am in Yucca Valley to evaluate and recommend to the Animal Care JPA a select number of responding firms for additional evaluation. These firms would be further required to submit not-to-exceed fee proposals and an invitation would be extended to provide a presentation of past shelter projects and give the Authority the opportunity to meet, interview and evaluate the firm in a face to face environment.

2. The firms were evaluated using a judiciary process based on the following criteria as called for in the RFP:

- Responsiveness to the RFP
- Experience with animal shelters
- Experience with publicly bid projects
- Adequacy of support and listed consultants
- Experience with agencies with jurisdiction over projects
- Completeness of proposal

3. The following criteria will be considered in evaluating those firms asked by the JPA to participate in the interview process:

- Satisfaction of past and current clients
- Professional reputation of firm
- Proven experience in meeting schedules
- Accuracy of firms cost estimates
- Ability to offer sound value engineering options for the project

4. A total of 16 firms submitted proposals. Of those, the committee discounted five of the proposals for lack of completeness, not satisfactorily demonstrating sufficient shelter experience or a general lack of experience in public projects. Of the remaining eleven respondents, the committee would like to recommend the

following six firms for further review: (firms are listed in alphabetical order and not as scored by the committee)

- **AC-6 Architects, Redlands**

This is a collaboration of three firms – one to supply project management, one to supply project architectural services and a well known national shelter designer from Boulder, Co.

- **ATI Architects + RF&A Architects, Redlands & Laguna Hills**

This is a collaboration of two firms. ATI is essentially an architectural engineering firm providing project management and in house consulting services and RF&A (with offices also in Boston) is a very experienced animal shelter design firm.

- **Escalante Architects, Palm Springs**

A small firm who understands the desert environment and has as the designated lead architect a recent addition to the firm but who's experience includes the recent Blythe and Wildomar shelters.

- **Holt Architects, Rancho Mirage**

Holt Architects has been a fixture in the low desert since the 70's. Their resume includes shelters and animal support facilities and he has done extensive public work in the Coachella and Morongo Valleys.

- **Williams Architects, Upland**

Another small firm, has recently completed the Upland Shelter and the firm's resume demonstrates cost effective solutions to needs. The firm lists a number of public ventures and lists known consultants.

- **WLC Architects, Inc, Rancho Cucamonga**

WLC is a large firm with statewide offices and a number of animal shelters to its credit including the Coachella Valley Animal Campus, the Moreno Valley and Rancho Cucamonga shelters. They list known consultants with desert experience and were the architects for the City of Yucaipa City Hall.

5. The process proved difficult in limiting the recommendations as the response to the RFP provided exceptional presentations. The remaining five proposals

scored very close and thus six are recommended in lieu of three or five which would have eased the process. The recommendations were carefully considered based on the criteria and a consensus was reached by the committee to forward the above named firms to the JPA Board.

6. Recommendation: That the Animal Care JPA – Yucca Valley Animal Shelter extend an invitation to the above listed six firms to submit not-to-exceed fee proposals including labor, travel costs, printing costs, etc. for the project. The fee proposal shall segregate the CEQA portion of the work scope which shall include the Geotechnical Study, Native Plant Survey, Biological Survey, adequacy of water supply, a wastewater treatment resolve and completed CEQA documents as determined. The balance of the proposal shall be as requested in the RFP. Furthermore, each firm shall be requested to provide a brief presentation on their firm’s qualifications based on similar projects and be open for questions from the JPA members. It is further recommended that letters be sent to the balance of the applicants thanking them for their submissions.

**AUDITOR-CONTROLLER/RECORDER
TREASURER/TAX COLLECTOR
COUNTY CLERK**



COUNTY OF SAN BERNARDINO

Reply to:

LARRY WALKER
Auditor-Controller/Recorder
Treasurer/Tax Collector
County Clerk

AUDITOR-CONTROLLER • 222 West Hospitality Lane, Fourth Floor
San Bernardino, CA 92415-0018 • (909) 387-8322 • Fax (909) 386-8830

RECORDER • COUNTY CLERK • 222 West Hospitality Lane, First Floor
San Bernardino, CA 92415-0022 • (909) 387-8306 • Fax (909) 386-8940

TREASURER/TAX COLLECTOR • 172 West Third Street, First Floor
San Bernardino, CA 92415-0360 • (909) 387-8308 • Fax (909) 387-6716

May 6, 2010

Brian Cronin, Secretary
Animal Care Joint Powers Authority
351 N Mt. View Avenue, 3rd Floor
San Bernardino, CA 92415

RE: Engagement Letter

The purpose of this engagement letter is to confirm our understanding of the arrangements for the annual audit of the **Animal Care Joint Powers Authority (Authority)** for the fiscal year ended **June 30, 2010**. This annual financial statement audit is required by section 6505 of the California Government Code.

The Internal Audits Section of the Auditor-Controller/Recorder/Treasurer/Tax Collector's office will audit the Authority's financial statements for the year ending June 30, 2010 for the purpose of expressing an opinion on the fairness with which they present, in all material respects, the financial position and results of operations in conformity with generally accepted accounting principles. The audit report will be prepared in accordance with generally accepted accounting principles except that the management's discussion and analysis will not be included.

We will conduct our audit in accordance with generally accepted auditing standards. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether caused by error or fraud. Accordingly, a material misstatement may remain undetected. Also, an audit is not designed to detect error or fraud that is immaterial to the financial statements. Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit includes examining, on a test basis, evidence that supports the amounts and disclosures included in the financial statements. It also includes assessing the accounting principles used and estimates made by management, as well as evaluating the overall financial statement presentation. Our audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, the auditor is responsible for ensuring that those charged with governance are aware of any significant deficiencies that come to his or her attention.

EL/Brian Cronin, Secretary
Animal Care Joint Powers Authority
May 6, 2010
Page 2

The Authority's management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles. Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information.

Your responsibilities include correcting material misstatements and confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations. At the conclusion of our audit, we will require a letter from management that confirms certain representations made about the financial statements and related matters during the audit.


We estimate that preliminary risk assessment work will be performed during the month of **June 2010**, fieldwork will begin during the month of **August 2010** and our report will be delivered by **December 31, 2010**. If during the course of our examination, it becomes apparent that we will not meet this deadline, you will be promptly notified.

The estimated charge for this audit is **\$7,760 (80 hours x \$97.00 per hour)** which includes preparation of the State Controller Annual Report. We will notify you if actual hours exceed estimates due to changes in the District's operations.

Please indicate your agreement with the arrangements discussed in this letter by signing and returning one copy to me.

Respectfully,

Larry Walker
Auditor-Controller/Recorder/Treasurer/Tax Collector

By: 
Mark Cousineau
Chief Deputy Auditor

Signature of Auditee
Brian Cronin
Secretary
Animal Care Joint Powers Authority



**COUNTY OF
SAN BERNARDINO**
Clerk of the Board of Supervisors

County Government Center
385 North Arrowhead Avenue, Second Floor
San Bernardino, CA 92415-0130
www.sbcounty.gov/cob
(909) 387-3841 Fax (909) 387-4554

BOARD OF SUPERVISORS

Brad Mitzeffelt *First District*
Paul Biane *Second District*
Neil Derry *Third District*
Gary C. Oviatt *Fourth District*
Josie Gonzales *Fifth District*

GREGORY C. DEVEREAUX
County Administrative Officer

LAURA H. WELCH
Clerk of the Board of Supervisors

June 10, 2010

SUBJECT: 2010 Biennial Notice for Conflict of Interest Codes

Dear Sir or Madam:

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. No later than October 1 of each even-numbered year, each agency must submit to the County Board of Supervisors a notice indicating whether or not an amendment is necessary. To assist you in making that determination, please review the enclosed "How to Review a Conflict of Interest Code" and "How to Amend a Conflict of Interest Code" documents. The enclosed "2010 Local Agency Biennial Notice" form must be returned to the Board of Supervisors, via the Clerk of the Board, no later than **October 1, 2010**.

If amendments to an agency's conflict of interest code are necessary, the amended code must be forwarded to the Board for approval within **90 days** of filing the biennial notice. For example, if your agency files its notice on October 1, 2010, indicating that an amendment is necessary, the amendment is due to the Board of Supervisors by December 30, 2010. An agency's amended code is **not effective** until it has been approved by the Board of Supervisors. Our County Counsel has advised that amended code information must include either of the following:

- A copy of the resolution adopted by your governing body showing that these Conflict of Interest Code changes were approved, or
- A copy of the minutes from the board meeting where the Conflict of Interest changes were discussed and approved

The Fair Political Practices Commission (FPPC) offers free seminars on how to amend a conflict of interest code. To register for a seminar, call the FPPC at (866) ASK-FPPC, and press 4. Information is also available on the FPPC's website at www.fppc.ca.gov.

If you have any questions, please contact me at (909) 387-4265.

Sincerely,

Becky Griffin
Board Services Supervisor

enclosures

2010 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Office Phone No: _____

E-mail: _____ Fax No: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. This agency has reviewed its conflict-of-interest code and has determined that *(Check one box)*:

An amendment is required. The following amendments are necessary:

(Mark all that apply.)

- Include new positions (including consultants) that must be designated.
- Delete positions that manage public investments from the list of designated positions.
- Revise disclosure categories.
- Revise the titles of existing positions.
- Delete titles of positions that have been abolished.
- Other *(describe)* _____

No amendment is required.

Verification

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

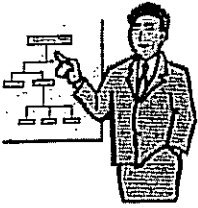
Date

Complete this notice regardless of how recently your code was approved or amended.
Please return this notice no later than **October 1, 2010**, to:

San Bernardino County
Clerk of the Board of Supervisors
385 N. Arrowhead Ave., 2nd Floor
San Bernardino, CA 92415-0130

How to Review a Conflict-of-Interest Code¹

Who is a Designated Employee?



Designate these Positions:

High level positions that have authority to vote on a matter, appoint a person, obligate or commit his or her agency to a course of action, or enter into any contractual agreement on behalf of his or her agency.

Mid-Level positions that have authority to negotiate decisions on behalf of the agency, without significant substantive review; or

Employees that advise or make recommendations to the decision-maker by conducting research or an investigation, preparing or presenting a report, analysis or opinion that requires the exercise of judgment on the part of the employee and the employee is attempting to influence the decision.

A designated employee is an officer, employee, member, or consultant of an agency whose position is designated in the code because the position entails the making or participation in the making of governmental decisions that may foreseeably have a material effect on his or her financial interest. (*Government Code Section 82019.*)

Who Should Not be Designated?



Do Not Designate these Positions:

- Board of Supervisors
- Chief Administrative Officers
- District Attorneys
- County Counsels
- County Treasurers
- Planning Commissioners
- City Council Members
- Mayors
- City Managers
- City Attorneys
- City Treasurers
- Other city, county, and local agency public officials who manage public investments
- Solely clerical, ministerial, or manual positions
- Unsalaries members of boards or commissions that are solely advisory

Review:

First, eliminate positions outlined above that are not designated employees.

Second, evaluate the remaining employees, committees, officers, or consultants. Top level management personnel are normally broad policy makers and should be designated. Beyond that, read duty statements and talk to supervisors. Each position should be analyzed to determine if it makes decisions. Be sure all positions that have authority to authorize contracts are designated.

Next, review the disclosure categories. Employees should only disclose economic interests that relate to their job. Do not assign the same disclosure to every position as jobs are different. The disclosure category assignments must adequately differentiate between positions.

Contact other counties for examples and guidance. The FPPC also posts model disclosure categories on its website.

Check Duty Statements Review Disclosure Categories



¹ This information sheet should not be used to determine whether an agency is required to adopt a conflict-of-interest code. Contact the FPPC for assistance in making that determination.

How to Amend a Conflict-of-Interest Code

The following are the FPPC's guidelines of the steps necessary to amend a conflict-of-interest code. Additional information may be required depending on the specific amendment. The FPPC's website, www.fppc.ca.gov, has available all of the necessary forms and documents to prepare an amendment. When the code reviewing body is a City Council or Board of Supervisors, contact the local code reviewing body concerning their code amendment procedures.

Non-Substantive Amendments

1. Provide a letter or memorandum describing the positions that have been deleted or renamed.
2. Include a copy of the entire code showing the changes in strikeout/underscore format.
3. Include a declaration by the chief executive officer.

Substantive Amendments

1. Prepare the proposed amendment using strikeout/underscore format.
2. Prepare a Notice of Intention and conduct a public comment period. Multi-county agencies must have a 45-day comment period. Other local agencies must follow the city's or county's requirements. Provide a copy of the notice to:
 - a. Members of the public and to each employee affected by the proposed amendment.
 - b. Multi-county agencies should also forward the notice to the FPPC.
3. Submit to the code reviewing body the proposed code amendment in strikeout/underscore format. Multi-county agencies must provide the following:
 - a. A declaration by the Chief Executive Officer
 - b. A summary of any hearing, including the names and addresses of any participants
 - c. Copies of all written comments
 - d. Written justification for all changes
 - e. The most current organizational chart of the agency
 - f. Job descriptions of all positions being added or whose disclosure category is being changed
 - g. Minutes of the last two agency board meetings, if applicable.

Example strikeout/underscore format

III. PUBLIC WORKS OFFICE	
<u>MAINTENANCE DIVISION</u>	
1. Maintenance Superintendent.....	2
<u>2. Maintenance Supervisor.....</u>	<u>2</u>
2. Asst. Maintenance Superintendent.....	2
3. Senior Equipment Technician.....	3
3. Equipment Services Technician.....	3
<ul style="list-style-type: none">• The Public Works Office became the Maintenance Division.• The Asst. Maintenance Superintendent was reclassified to Maintenance Supervisor.• The Equipment Services Technician position has been deleted.	

FACSIMILE - SUBCONTRACTOR LIST REQUEST

Center for Contract Compliance
1168 E. La Cadena Dr., Suite 202
Riverside, Ca 92507



To:
Dept of Public Health - Animal Care/Control Div,
351 N Mountain View Ave 3rd Flr San Bernardino, CA
92415-1018

.ATTN: Project Manager

PHONE:
FAX :

FROM:

HILDA MAGALLANEZ w/
CENTER FOR CONTRACT COMPLIANCE

Phone: (951) 686-3328

Fax Phone: (951) 686-8470

E-mail: hildam@socalccc.org

Please reference ID 10491887 in your response and include the **GC** and **sub license numbers**, which are required by State Law. Thank you.

Date: June 3, 2010
Number of pages: (2)

COMMENTS:

This FAX is a formal request for the name of the **awarded General Contractor, and/or Prime Contractor, the Sub-Contractors List**, the **Estimated Start & Completion Date**, and **Bid Advertisement Date** for the following referenced project:

PROJECT: RFP/DB: Yucca Valley Animal Shelter (Design/Build)

*We are requesting the documents pursuant to the California Public Records Act, Government Code Section 6250, et. Seq. Public Contract Code Section 4104, et. seq., requires that the general contractor list the name, location of each awarded subcontractor, and license number of each awarded subcontractor, at the time of bid submission. Under the statute, if the general contractor does not list the subcontractors, then the general contractor is required to perform the work with their own employees.

Please fax the requested information directly to our office @ (951) 686-8470.

Should you have any questions, please do not hesitate to contact me @ (951) 686-3328.

I look forward to your prompt response. **Thank you for your time and courtesy!**

PROJECT DATA

I.D. Number: _____

PROJECT: _____

LOCATION: _____

Bid Advertisement Date: _____

Date Project was awarded: _____

Estimated Start Date: _____

Estimated Completion Date: _____

Awarded General Contractor (s) or Prime:

Name: _____

Address: _____

City: _____

State: _____

License Number: _____

Sub-Contractor (s): or attach a list

Name: _____

Address: _____

City: _____

State: _____

License Number: _____

Name: _____

Address: _____

City: _____

State: _____

License Number: _____

ANIMAL CARE JPA - Yucca Valley Animal Shelter

(Scoring = 1-5 points per category, higher = better)

	Firm	Answers to Questions Asked						Scoring & Ranking					
		#1	#2	#3	#4	#5	#6	Reviewer - 1	Reviewer - 2	Reviewer - 3	Reviewer - 4	TOTAL	RANK
1	AC-6 Architects												
2	ATI Architects + RF & A												
3	Escalante Architects												
4	Holt Architects												
5	Williams Architects												
6	WLC Architects												