



AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY MORENO VALLEY COMMUNITY SERVICES DISTRICT COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

April 19, 2011

STUDY SESSION – 6:00 P.M.

City Council Closed Session

First Tuesday of each month – 6:00 p.m.

City Council Study Sessions

Third Tuesday of each month – 6:00 p.m.

City Council Meetings

Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member

Richard A. Stewart, Mayor

Marcelo Co, Council Member
William H. Batey II, Council Member

**AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY**

**STUDY SESSION - 6:00 PM
APRIL 19, 2011**

(or as soon thereafter as the meeting may be called to order following the Special Meeting of the City Council)

CALL TO ORDER

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council Member, staff member or other person.

SPECIAL ORDER OF BUSINESS

1. [DISCUSSION REGARDING COUNCIL RECESS \(CC/ 10 Min.\)](#)
2. [CRIME FREE MULTI-HOUSING \(POWERPOINT PRESENTATION\) \(PD/10 MIN.\)](#)
3. [MANDATORY SPAY & NEUTER OF ANIMALS \(F&ASD/10 Min.\)](#)
4. CITY COUNCIL REQUESTS AND COMMUNICATIONS

(Times shown are only estimates for staff presentation. Items may be deferred by Council if time does not permit full review.)

❖ Oral Presentation only – No written material provided

***Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.**

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

- **PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

- 1 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 5

- 2 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

2011

City of Moreno Valley

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Holidays

	Closed Session
	Council Meeting
	Study Session
	Holidays

- 01/01/11 New Year's Day
- 01/17/11 Martin Luther King's Birthday
- 02/21/11 President's Day
- 05/30/11 Memorial Day
- 07/04/11 4th of July

- 09/05/11 Labor Day
- 11/11/11 Veterans Day
- 11/24 - 11/25/11 Thanksgiving
- 12/23 - 12/26/11 Christmas

2010

City of Moreno Valley

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-  Closed Session
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-  Holidays
-  Council Recess

- 01/01/10 New Year's Day
- 01/18/10 Martin Luther King's Birthday
- 02/15/10 President's Day
- 05/31/10 Memorial Day
- 07/05/10 4th of July

- 09/06/10 Labor Day
- 11/11/10 Veterans Day
- 11/25 - 11/26/10 Thanksgiving
- 12/24 - 12/25/10 Christmas

2009

City of Moreno Valley

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 12/24 - 12/25/09 Christmas

Crime Free Multi-Housing Program



Problems of an Unsafe Complex

- Residents frequently victimized
- Neighboring Properties and Surrounding Communities suffer.
- Criminal Activity (Drugs, burglaries, robberies, assaults, etc.)
- Deterioration of neighborhood, character and property values
- Drain Law Enforcement and Fire services.

Combating the Problem

- The problem apartment complexes have led to numerous problems. Holding owners, property managers and operators accountable for their properties and behavior of those they lease to is a necessary step towards overall improvement and public safety.

Crime Free Multi-Housing Program

- Program is a valuable tool that can educate an owner, manager or operator to provide the following:
 - Safe Environment
 - Livable Environment
 - Crime Free Environment

Crime Free Multi-Housing Certification

- Three Step Process
 - Eight hour Seminar provided to owners, managers & operators. (Required)
 - Crime Prevention Through Environmental Design Certification. (Required)
 - Safety Gathering.

Seminar - Required

- Speakers from different departments educating owners, managers and operators reference:
 - Gangs
 - Narcotics
 - Section 8/Public Housing
 - Evictions
 - Tenant Screening
 - Fair Housing
 - Premise Liability
- Begin using Crime Free Lease Addendum (Required)

CPTED Certification - Required

- CPTED – Crime Prevention through Environmental Design
 - Using the environment to provide a safer complex
 - Lighting, trimming bushes, natural surveillance, territoriality

Safety Gathering

- Tenants, Managers, owners, operators and Law Enforcement gather
- Provide final certification
- Provide signs to post establishing the complex as a Crime Free Certified Complex
- Advise Tenants of what the owners, managers, operators and complex is doing to make the complex a safer place to live.

The Ordinance

- All residential rental housing facilities to be CFMH Certified.
- Within 30 days of gaining or changing ownership or the changing of operators.

Failure to Comply

- Fine (Admin Cite)
- Begin Abatement until owner has registered for program.
 - Fail to follow through with program after initial registration
 - Fine
 - Begin Abatement

Application for Certification

- Shall have all pertinent information regarding the owner, managers, operators, the property, etc.
- Shall apply within 30 days of retaining a business license or the property.

Non- Transferrable

- Certification is good for a period of one year from the CPTED Certification
- Certification shall expire 12 months after issuance, unless previously removed
- Certification is not transferable
 - Each new owner or manager must obtain new certification
 - Note: Unless either the manager or owner is still retained

The Ordinance Cont'd.

- 8-hour Seminar – All managers, owners and operators must be certified.
- CPTED Inspection – must pass minimum requirements.
 - Inspection report will be given to managers/owners.
 - Complexes that change ownership must have new owner attend a seminar and complex must have a new inspection.
 - Note: Unless the manager did not change

Crime Free Lease Addendum

Residents, any member of resident's household, guest or other person under the residents control shall not engage in the following:

- Nuisance activity as defined in Civil Code sections 3479 and 3480, any criminal activity, including drug-related criminal activity, on or near the said premises.
- In any act intended to facilitate nuisance or criminal activity.
- Will not permit the dwelling unit to be used for, or to facilitate nuisance or criminal activity, including drug-related criminal activity.
- In the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance at any locations.
- In any illegal activity, including: prostitution as defined in Penal Code §647(b); criminal street gang activity, as defined in Penal Code §186.20 et seq.; assault and battery, as prohibited in Penal Code §240; burglary, as prohibited in Penal Code §459; the unlawful use and discharge of firearms, as prohibited in Penal Code §245; sexual offenses, as prohibited in Penal Code §269 and 288; or any breach of the lease agreement that otherwise jeopardizes the health, safety and welfare of the landlord, his agent or other tenant or involving imminent or actual serious property damage.
- VIOLATION SHALL BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF TENANCY.

Notice of Violation

- Every certified complex is subject to periodic inspection by Law Enforcement and/or Fire to ensure compliance.
- Whenever it appears violations of the provisions, any applicable laws, regulations or CPTED requirements exist, the police department and/or fire department shall serve the owner or operator with a Notice of Violation.
- Violation shall be corrected within time period allotted for correction.
- If violations are not corrected a fine can be issued and an abatement started.
 - Note: Intentionally allowing a tenant to occupy the property without a Crime Free Lease Addendum is a violation.

Certification Removal

- The Moreno Valley Police Department may remove certification:
 - On not less than five days
 - Whenever it is found that a certified person has failed or refused reasonable measures to correct violation, after notice and opportunity to take corrective action have been provided

Judicial Civil Penalties

- As part of the civil action to enforce provisions
 - Court may assess a maximum civil penalty, per violation for each day during which any violation is committed, continued or permitted.
 - Court may also enjoin a person from violation any provision and assess a maximum civil penalty for each day if a person intentionally violates the injunction

Nuisance Abatement

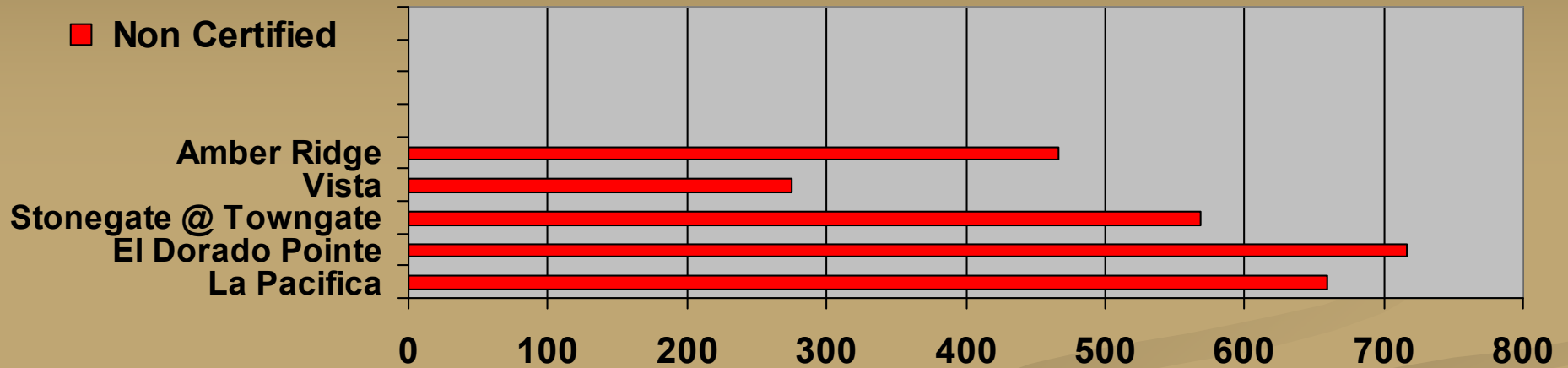
- Owners, management and operators of an apartment complex will have to register and apply for the Certification within thirty days of retaining a business license and or the property.
- The seminar and CPTED inspection shall be completed within ninety days of retaining a business license and/or the property.
- If the Certification is not completed a nuisance abatement shall begin upon the property.

Certification Vs. Non-Certification

- The following information was compiled for a certain time frame.
- Some complexes are certified, while others are not certified.
- Information was also gathered reference complexes that were certified in the past and they are no longer certified.

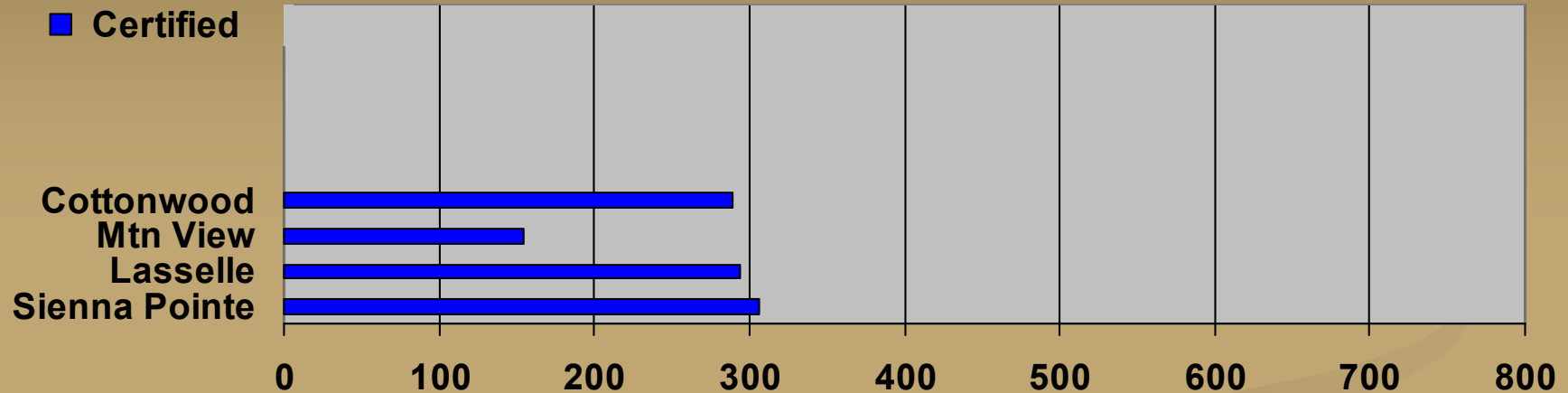


Non Certified Calls For Service



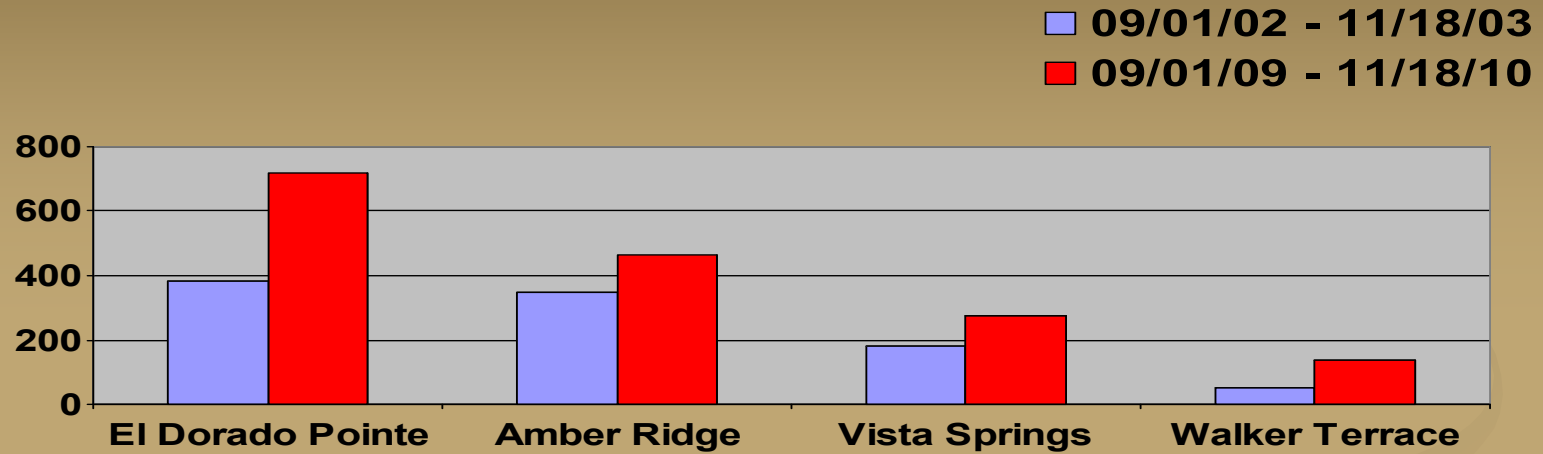
- Calls for Service from 09/01/09 to 11/18/10.
- Apartments are not certified through CFMH.
- Management and/or owners have not attended any recent meetings.

Certified Calls For Service



- Calls for service from 09/01/09 to 11/18/10
- Apartments have had one or more managers or owners certified through CFMH.
- Managers attend meetings regularly and they are in constant contact with the Problem Oriented Policing team

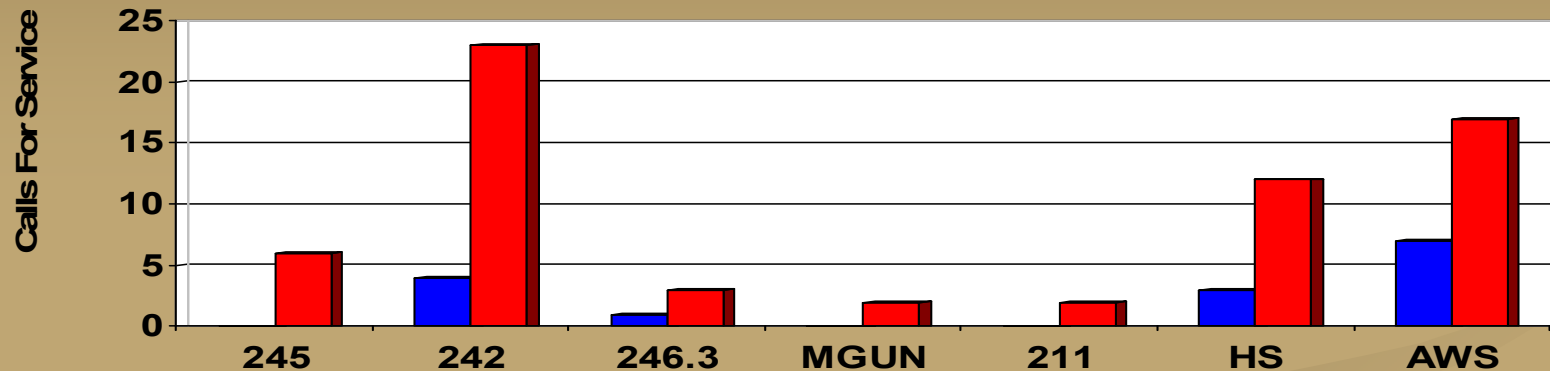
Certification VS. Non Certification



- These apartments were certified through CFMH from 09/01/02 to 11/18/03.
- These apartments were no longer certified from 09/01/09 to 11/18/10.

Certified VS. Non Certified

■ Sienna Pointe Certified
■ La Pacifica Non Certified

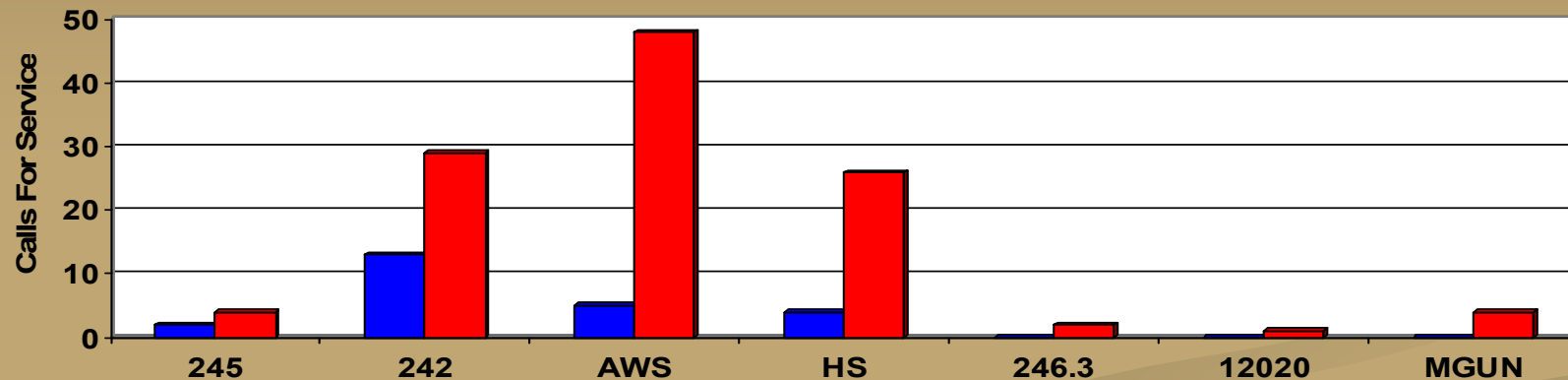


- 245 PC - Assault with a deadly weapon
- 242 PC - Assault
- 246.3 - Discharge a gun in a gross negligent manner.
- MGUN - Man w/ a gun.
- 211 PC - Robbery
- HS - Any drug arrest or calls for service regarding drugs.
- AWS - Any arrest warrants

- **The non-certified complex has almost double the amount of calls for service compared to the certified complex.**

El Dorado Pointe Apartments

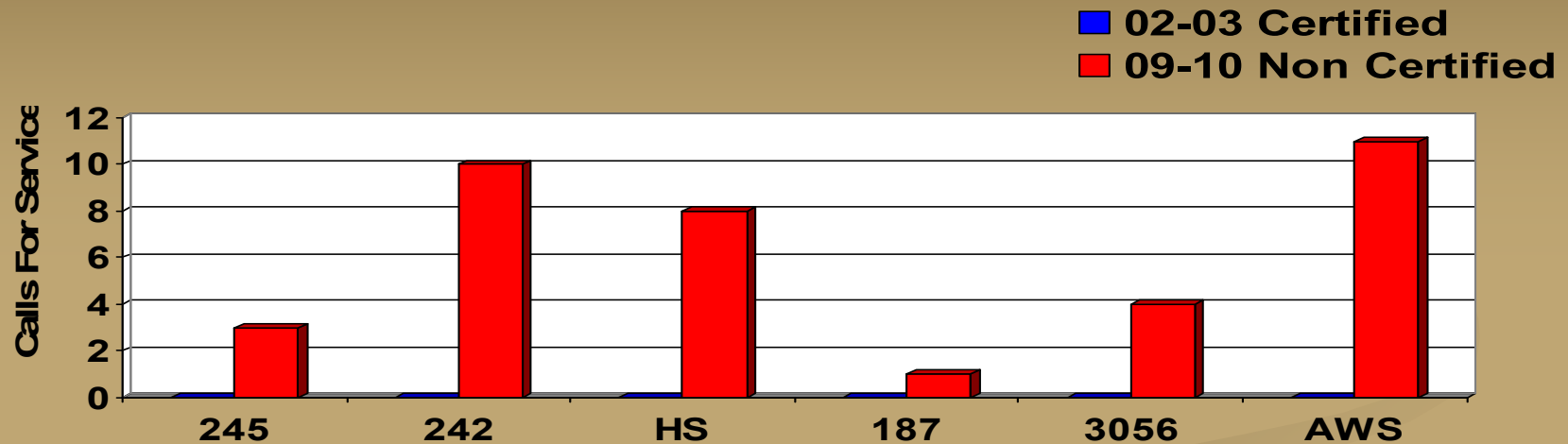
■ 02-03 Certified
■ 09-10 Non Certified



- 245 – Assault w/deadly weapon.
- 242 – Assault.
- AWS – Arrest warrants.
- HS – Drug arrests or drug related calls for service.
- 246.3 – Discharge a gun in a gross negligent manner.
- 12020 – Poss. Of an prohibited weapon.
- MGUN – Man w/gun.

- **The calls for service for the above type calls have increased significantly since the complex has stopped maintaining certification.**

Walker Terrace Apartments



- 245 – Assault w/deadly weapon
- 242 – Assault
- HS – Drug related arrests.
- 187 PC – Murder
- 3056 PC – Parolee at large
- AWS – Arrest warrants

- **Between 09/01/02 and 11/18/03 this complex did not have any of the above types of calls for service.**

Walker Terrace Cont.

- Walker Terrace Apartment Owner and Manager began the CFMH Program on 10/19/10.
- They both have attended the Monthly Manager Meetings since 10/19/10.
- The manager and owner has been advised of the problems that had been occurring.
- Since attending and joining the program, the complex has been quiet and numerous evictions have been started.
- Walker Terrace has only had seven calls for service since joining the CFMH program.
- Out of the seven calls for service only one was for a 3056 PC violation. All other calls were non violent calls.

Manager Testimonials

- I would like to take this opportunity to thank the MV Police Department for keeping the Crime Free Multi Housing program alive and active in our community. Attending the Crime Meetings provides support for me in many ways. First of all, I have access to the many different law enforcement departments if any incidents occur on my property. I get the opportunity to discuss issues and come up with solutions with other property managers in Moreno Valley.

This program would be very beneficial if we can get all MV property managers to become a part of Crime Free Multi-housing making us all one team against crime in our community.

Thank you,

Traci Vander Maten | Business Manager

Broadstone Rancho Belago | Broadstone Overlook

12963 Moreno Beach Drive, Moreno Valley, CA 92555

Manager Testimonial Cont'd.

- I have been involved with this program here in the Moreno Valley area for almost three years. We are working on getting into phase 3 of the program. Our apartments are located in an area that has quite a bit of crime, by having this program gives us managers and officers a chance to keep aware of what is happening around us. This program educates us managers, on even more areas such as Section 8, Fair Housing, Apartment laws (AAGIE), Evictions, and many more. With that said, being certified with our certificates hanging on the wall for all prospective tenants to view is very rewarding. It allows people to see that we are all working together to keep our community a safe place to live and bring up our children.

Having the crime free lease addendum as part of our lease, lets prospective tenants know that we will not tolerate any crime or drug activity. Thank you for taking the time and effort to make this program happen!

Nancy Cruz-Olah
Ironwood Villas apartments
23163 Ironwood Avenue
Moreno Valley, California 92557

Manager Testimonial Cont'd

- I am the Community Manager here at Ridgeview Apartment Homes, in Moreno Valley and am happy to have the opportunity to give accolades to the Crime Free Multi-Family Housing Program. On my first day here at Ridgeview, August 22, 2010, I was terrified by the amount of people that were lingering around this community. In addition to the copious amount of people trolling through the community, there were some that were openly selling drugs. In addition, the community had 22 break-ins in the 3 month period as well as numerous other criminal activities taking place.

My first course of action was to go down to the Moreno Valley Police Department and speak with someone, anyone, for help. My Regional Manager accompanied me and we were pleased to meet with Sergeant Mooney. Sergeant Mooney informed us of the absolutely refusal on the part of my predecessor to participate in the Crime Free program as well as some great changes that were taking place in the program itself. It became obvious to my supervisor and myself, at that moment, that we needed the help of the POP team and we needed it fast!

I am pleased to report that there has been a drastic improvement made at our community. Deputy Engels has maintained constant contact with this community and helped us to clear out so many problems. There have been various operations that the POP team has executed at this community. They range from sheer police presents through patrol to undercover operations. These actions have made visible and welcome improvements. In addition to services that have been provided, they have brought a great deal of relief to the residents that live here. We often hear stories from our residents about how much better that they feel about our community and difference that they see everyday. Even the team that works at this community is feeling less stressed and more comfortable in their surroundings.

For those who have not previously been a part of this program, it is important to note a few crucial points that it offers. The first being the training that the management team will receive through the certification program. This is essential, as it provides you with the education and the knowledge that you will need to maintain a crime-free community. They will teach you what to look for and a new way of thinking about certain situations. They will also show you the appropriate steps to complete when you need to deal with those situations.

The second, very important item is the crime free addendum. This is a way to let your resident know, at the signing of the lease, that you are committed to a crime free community. You will then have the ability to remove any resident who does commit a crime at your community giving you the power to clean up your community without hesitation. Thank you for the opportunity to provide my insight regarding this valuable program.

Sincerely-
Stephanie Shewmaker Cox
Community Manager
Ridgeview Apartment Homes

Manager Testimonials Cont'd.

- I would like to take a moment to thank you for your efforts in keeping the Crime Free Housing Program active. I would also like to thank the Moreno Valley Police Department for their support over the last 2-years. Since I began managing Lasselle Place Apartments two years ago, I have seen significant improvement in the overall crime in our area. I attribute this decrease in crime to our involvement with the Crime Free Housing Program and the assistance of the Moreno Valley Police Department. The monthly meetings have been very informative and have allowed the Property Managers in the area and opportunity to share concerns and offer solutions.

If there is anything we can do to help continue the program, please feel free to contact us. We look forward to the next meeting in February and will commit to helping you get more area managers involved. Please relay our sincerest gratitude to your officers that help make Moreno Valley a desirable place to live.

Sincerely,
Danielle Benton
Property Manager
Lasselle Place Apartment's

Manager Testimonials Contd.

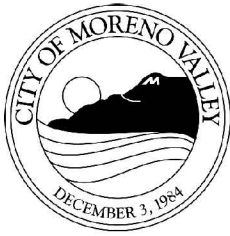
- I believe the crime free program works because it addresses the needs of the police department and the needs of property management all in one program. It helps a property manager immensely to have the resources this program provides, from the managers and maintenance personal that has only a few units, to the bigger complexes this program is a must! Another benefit is the ability to talk to other managers in the community to help solve real problems, with the help of law enforcement. Using the Crime Free Lease Addendum with your rental agreement lets any resident coming in know that you mean business and you will not tolerant crime, and if the addendum is broken you have the means to evict.

Sincerely,
Paul Potter
Sunridge Apartments

Conclusion

- Significant changes in calls for service.
- Decrease in Law Enforcement services.
- Increased open communication with managers, owners and Law Enforcement.
- Joint effort to keep complexes crime free.
- Significant changes in criminal activity.





APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RW</i>
CITY MANAGER	<i>ms</i>

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: April 19, 2011

TITLE: MANDATORY SPAY & NEUTER OF ANIMALS

RECOMMENDED ACTION

Staff recommends that the City Council receive information and review the 2010 Annual Report of Local Rabies Control Activities (Attachment A) and two proposed draft mandatory spay and neuter ordinances (Attachment B), and provide direction to staff on the further development of a proposed mandatory spay and neuter ordinance.

BACKGROUND

During calendar year 2010 the Animal Services Division processed 6,350 dogs, 4,056 cats and 506 other animals for an overall total 10,912 animal entering the Moreno Valley Animal Shelter. The Animal Services Division contracts with the City of Perris for animal sheltering. This total excludes animals impounded from the City of Perris.

In November 2010 one person was fatally mauled by two pit-bull mixes. Two months later, in January 2011, an elderly woman was mauled by two dogs in her own driveway; one dog was identified as a pit-bull. During calendar year 2010 a total of 249 citizens were bitten by dogs, with 28% (70 biting dogs) impounded as strays with no owner identification.

During January and February 2011 the Moreno Valley Animal Shelter has experienced a 15.5% increase in the number of stray animals impounded as compared to the same two months in 2010. If this increase in animal impounds remains constant throughout 2011, a total of 12,600 animals would be impounded by the end of the current calendar year at the Moreno Valley Animal Shelter.

DISCUSSION

California Health and Safety Code Section 122330-122331 allows local government to enact breed specific ordinances for mandatory spaying/neutering to control over-population of animals. Bully breed dogs which also include Pit Bull-type dogs represent 25% of the dogs impounded at the Moreno Valley Animal Shelter. As the number one dog breed impounded at the Moreno Valley Animal Shelter 72% are eventually euthanized.

In order to take appropriate action to mitigate the uncontrolled and irresponsible breeding and reduce the number of pit bull and pit bull-type breeds from running at large in the community and to reduce the number of pit bull and pit bull-type breeds from being euthanized and impounded, staff has drafted several preliminary ordinances for City Council review. One draft specifically identifies pit bull and pit bull-type dogs while the second draft identifies any dog breed including cats. Impounded cats in 2010 represent 37% of the animal population at the Moreno Valley Animal Shelter.

Specific exemptions of a mandatory spay and neuter ordinance can be applied with responsible pet owners. Most spay and neuter ordinances now in effect throughout California include exemptions to pet owners with animal breeds recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by law enforcement for law enforcement purposes; a qualified service or assistance dog as defined in California Food & Agriculture Code Section 30850; and an animal medically qualified by a licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

ALTERNATIVES

- 1) Direct staff to proceed with the process of developing a Mandatory Spay/Neuter Ordinance to be introduced at a future Council meeting.
- 2) Do not direct staff to proceed with developing a Mandatory Spay/Neuter Ordinance. *Staff does not recommend this alternative.*

FISCAL IMPACT

There is no anticipated fiscal impact as a result of enacting a mandatory spay and neuter ordinance. The goal of the ordinance is, over time, to reduce the number of impounded and owner surrendered animals thereby reducing operational costs by the Animal Services Division.

CITY COUNCIL GOALS

A mandatory spay and neuter ordinance will achieve the City Council goals relating to Positive Environment and Public Safety by providing an effective enforcement tool for

the Animal Services Division to take action aimed at eliminating uncontrolled and irresponsible breeding of animals. Irresponsible breeding of animals contributes to pet overpopulation, increased euthanasia, and the production of defective animals, along with increased costs for the Animal Services Division.

SUMMARY

California Health and Safety Code Section 122330-122331 allows local government to enact mandatory spay and neuter ordinances to control pet overpopulation. The development of a mandatory spay and neuter ordinance can be breed specific or can be applied to all dogs and cats allowing the City Council several options for consideration. Qualified exemptions for responsible pet owners should be considered.

ATTACHMENTS

- Exhibit A: 2010 Annual Report of Local Rabies Control Activities
- Exhibit B: Spay & Neuter Draft Ordinance
- Exhibit C: Spay & Neuter of Pit Bull Draft Ordinance

Prepared By:
 Steve Fries
 Animal Services Division Manager

Department Head Approval:
 Richard Teichert
 Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

**LOCAL RABIES CONTROL ACTIVITIES
ANNUAL REPORT 2010**

Exhibit A

January 1, 2010-December 31, 2010

Jurisdiction for which
this report is made:

CITY OF MORENO VALLEY

		NUMBER	
RABIES VACCINATION AND LICENSING	A. Number of "Actual Cost" rabies public vaccination clinics held	5	
	B. Number of animal control citations issued for rabies vaccination and licensing violations	1170	
		Dogs	Cats
	C. Dogs and cats vaccinated in "Actual Cost" public vaccination clinics	180	0
	D. Dogs and cats licensed in "Actual Cost" public vaccination clinics	155	0
E. Total number of dogs and cats LICENSED in jurisdiction	15487	0	
CANINE & FELINE RABIES CONTROL	F. Dogs and cats on hand in the shelter January 1, 2010 (carried over from 2009)	196	44
	G. Dogs and cats entering the shelter, TOTAL: (Total should equal the sum of 1 to 5 below)	6350	4056
	1. Dogs and cats captured by Animal Control Officers	2972	1013
	2. Dogs and cats surrendered by owners (not including those surrendered for quarantine)	870	298
	3. Dogs and cats surrendered by the public G1 THROUGH G5	2482	2740
	4. Dogs and cats impounded for animal bite quarantines ARE	26	5
	5. Dogs and cats transferred from another shelter MUTUALLY EXCLUSIVE	0	0
	H. Disposition of dogs and cats entering shelter, TOTAL: (Total should equal the sum of 1 to 6 below)	6270	3992
	1. Dogs and cats reclaimed by owner	1203	52
	2. Dogs and cats adopted by new owners H1 THROUGH H6	1467	243
	3. Dogs and cats euthanized ARE	3480	3654
	4. Dogs and cats that died of other causes MUTUALLY EXCLUSIVE	48	6
	5. Dogs and cats stolen, escaped, etc.	4	19
	6. Dogs and cats transferred to another shelter	68	18
	I. Dead dogs and cats collected (excluding F, G, and H above)	658	749
	J. Dogs and cats on hand in the shelter December 31, 2010 (carried over to 2011)	157	24
	ANIMAL BITE REPORTING	K. Animal bites reported, TOTAL: (Total should be the sum of 1 and 2 below)	325
1. DOG and CAT bites reported, TOTAL: (Total should be the sum of a, b, c, and d below)		249	60
a. Licensed		54	0
b. Vaccinated only		6	0
c. Neither licensed or vaccinated (but owned)		119	16
d. Strays		70	44
2. OTHER ANIMAL bites reported, TOTAL: (Total should be the sum of a and b below)		16	
a. Other domestics (excluding cats)		0	
b. Wild	16		

Please Complete Reverse

CDPH, DCDC, VPHS 2010

		NUMBER	
		Dogs	Cats
ANIMAL QUARANTINE	L. Number of 30 day quarantines for vaccinated dogs and cats exposed to potentially rabid animals	3	0
	M. Number of 6 month quarantines for unvaccinated dogs & cats exposed to potentially rabid animals	0	0
	N. Number of 6 month quarantines for domestic livestock (horses, cattle, etc.) exposed to potentially rabid animals	0	
	O. Number of 30 day or 6 month quarantines not completed because animals were euthanized	0	
AGENCY ADMIN	P. Number of animal control officers employed in jurisdiction	7	
	Q. Name of agency or organization responsible for rabies control activities in this jurisdiction: City of Moreno Valley Animal Services		
	Address: 14041 Elsworth Street, Moreno Valley, CA 92553 Phone: 951-413-3790		

Completed by:

Date: February 16, 2011


Name: Steve Fries

Title: Animal Services Division Manager

Agency: City of Moreno Valley Animal Services

Phone: 951-413-3799

Email: stevef@moval.org

Signature: 

Endorsement by local Health Officer
or authorized representative:

Date: _____

Name: _____

Title: _____

Agency: _____

Phone: _____

Email: _____

Signature: _____

AFTER ENDORSEMENT
PLEASE FORWARD COMPLETED FORM BY MARCH 31, 2011, TO:

Email: VetPH@cdph.ca.gov

OR

California Department of Public Health
Veterinary Public Health Section
MS 7308
PO Box 997377
Sacramento, CA 95899-7377

PHONE: (916) 552-9740
FAX: (916) 552-9725

STATEMENT OF ENFORCEMENT OF LOCAL RABIES CONTROL ACTIVITIES Completed Form to be Forwarded to the Local Health Officer

This Statement of Enforcement of Rabies Control Requirements is for the Declared "Rabies Endemic Area" described below:

COUNTY OF RIVERSIDE Effective 2011/01/04
(County) (Date)

CITY OF MORENO VALLEY
Specify the Area or Jurisdiction for Which this Statement is Made

In accordance with Section 121585 and 121690 of the California Health and Safety Code, and upon the declaration of the Director of Public Health that all California counties are "Rabies Areas", the following statutory and regulatory programs must have continued enforcement in your jurisdiction:

1. The owner of every dog over four months of age shall ensure that their animal is currently vaccinated for rabies and licensed. Dogs less than four months of age must be kept at home, or supervised on leash.
2. An animal/rabies control program must be implemented on a county-wide basis to include an animal pound system, animal bite reporting, and stray animal control.
3. The county and or city shall provide or arrange for "Actual Cost" canine rabies vaccination clinics. The Department of Public Health approved "actual cost" vaccination fee in 2011 is \$6.00 per dog.
4. The county and or city shall conduct a rabies control program (rabies investigations, animal quarantines, etc.) for the purpose of carrying out and enforcing the provisions of the California rabies control laws and regulations.

PLEASE INDICATE BY ENDORSEMENT BELOW AREA OR JURISDICTION COMPLIANCE WITH THE REQUIREMENTS OF THE CALIFORNIA RABIES CONTROL PROGRAM

Person responsible for conducting the Rabies Control Program in the jurisdiction or area:

Date: February 16, 2011

Signature: 

Name (print): Steve Fries

Title: Animal Services Division Manager

Address: 14041 Elsworth Street

Telephone: 951-413-3799

Endorsement by local Health Officer or authorized representative:

Date: _____

Signature: _____

Name (print): DR ALLAN DRUSYS, DVM, MS

Title: RIVERSIDE CO CHIEF VETERINARIAN

Address: 6851 VAN BUREN BLVD,
RIVERSIDE CA 92509

Telephone: (951) 358-5034

Local Health Departments: Please forward the **endorsed** form to the Department of Public Health, Veterinary Public Health Section, MS 7308, P. O. Box 997377, Sacramento, CA 95899-7377, Email VetPH@cdph.ca.gov, Telephone (916) 552-9740, Fax (916) 552-9725

Mandatory spaying and neutering-Dogs & Cats

1. Requirement.
 - a. No person may own, keep, or harbor an unaltered and unspayed dog or cat in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

2. Exemptions.

This section shall not apply to any of the following:

- A. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.
 - B. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.
 - C. Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry.
 - D. A dog used by law enforcement for law enforcement purposes.
 - E. A qualified service or assistance dog as defined in California Food & Agricultural Code Section 30850.
 - F. Any animal medically qualified by a California licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.
- b. Denial or revocation of unaltered dog license and reapplication.
 1. The Animal Services Division may deny or revoke an unaltered dog license for one or more of the following reasons:

- A. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section;
 - B. The department has received at least three complaints, verified by the department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;
 - C. The owner, custodian, applicant, or licensee has been previously cited for violating a State law, county code or other municipal provision relating to the care and control of animals;
 - D. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Moreno Valley Municipal Code or under state law;
 - E. Any unaltered dog license held by the applicant has been revoked;
 - F. The license application is discovered to contain a material misrepresentation or omission of fact.
2. Re-application for unaltered dog license:
 - A. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Animal Services Division shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.
 - B. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.
- c. Appeal of denial or revocation of unaltered dog license.
 1. Request for hearing.
 - A. Notice of intent to deny or revoke. The Animal Services Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an

unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

B. Hearing officer. The hearing shall be conducted by the Animal Services Division Manager's designee.

C. Notice and conduct of hearing. The Animal Services Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the Animal Services Division's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Animal Services Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

2. Change in location of dog. If the dog is moved after the Animal Services Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Animal Services Division with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

d. Transfer, sale, and breeding of unaltered dog or cat.

1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license must appear on a document transferring the animal to the new owner.
2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the Animal Services Division of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers, if any, must appear on a document transferring the animal to the new owner.

e. Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

1. An administrative citation, infraction, or other such authorized penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog or cat; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.
 2. Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.
- f. Impoundment of unaltered dog or cat.
1. When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:
 - A. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to animal services personnel;
 - B. Have the dog or cat spayed or neutered by a veterinarian under contract with the Animal Services Division at the expense of the owner or custodian. Such expense may include additional fees due to extraordinary care required;
 - C. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay a spay/neuter deposit to the Animal Services Division. The veterinarian shall

complete and return to the department within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

- D. At the discretion of the Animal Services Division Manager, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or
- E. If the owner or custodian demonstrates compliance with this section.

2. Costs of impoundment.

- A. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.
 - B. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Animal Services Division in accordance with this chapter.
- g. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section, subsection (f) shall be paid to the Animal Services Division for the purpose of defraying the cost of the implementation and enforcement of this program.

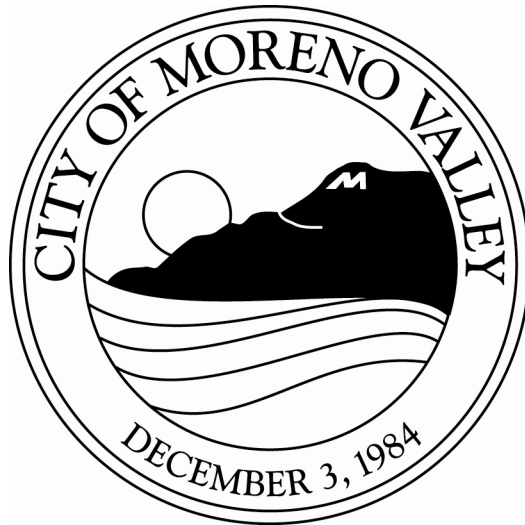
(Ord. § , June 2011)

Spaying and neutering of pit bulls.

A. Pursuant to Health and Safety Code Section 122331, no person shall own or keep a pit bull over the age of four months which has not been spayed or neutered, except as provided in subsection B. For purposes of this section, “pit bull” is defined as any Staffordshire Bull Terrier, American Pit Bull Terrier or American Staffordshire Terrier breed of dog, or any mixed breed of dog which contains, as an element of its breeding, any of these breeds so as to be identifiable as partially of the breed of Staffordshire Bull Terrier or American Pit Bull Terrier or American Staffordshire Terrier.

B. The following pit bulls are exempt from subsection A: a purebred Staffordshire Bull Terrier, American Pit Bull Terrier or American Staffordshire Terrier, recognized by and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by a law enforcement agency for law enforcement purposes; a qualified service or assistance dog as defined in Food and Agriculture Code Section 30850; a dog which is unable to be spayed or neutered without a high likelihood of suffering serious bodily harm or death due to age or infirmity and the owner or keeper of such dog provides to the health officer written confirmation of the condition from a licensed veterinarian.

(Ord. § June, 2011)



AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY

April 19, 2011

STUDY SESSION – 6:00 P.M.

City Council Closed Session

First Tuesday of each month – 6:00 p.m.

City Council Study Sessions

Third Tuesday of each month – 6:00 p.m.

City Council Meetings

Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Jesse L. Molina, Mayor Pro Tem
Robin N. Hastings, Council Member

Richard A. Stewart, Mayor

Marcelo Co, Council Member
William H. Batey II, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY

STUDY SESSION - 6:00 PM
APRIL 19, 2011

(or as soon thereafter as the meeting may be called to order following the Special Meeting of the City Council)

CALL TO ORDER

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council Member, staff member or other person.

SPECIAL ORDER OF BUSINESS

1. DISCUSSION REGARDING COUNCIL RECESS (CC/ 10 Min.)
2. CRIME FREE MULTI-HOUSING (POWERPOINT PRESENTATION) (PD/10 MIN.)
3. MANDATORY SPAY & NEUTER OF ANIMALS (F&ASD/10 Min.)
4. CITY COUNCIL REQUESTS AND COMMUNICATIONS

(Times shown are only estimates for staff presentation. Items may be deferred by Council if time does not permit full review.)

❖ Oral Presentation only – No written material provided

***Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.**

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

- **PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

1 **SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION**

Number of Cases: 5

2 **SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION**

Number of Cases: 5

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT

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2011

City of Moreno Valley

JANUARY						
S	M	T	W	T	F	S
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2	3	4	5	6	7	8
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FEBRUARY						
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MARCH						
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Holidays

-  Closed Session
-  Council Meeting
-  Study Session
-  Holidays

- 01/01/11 New Year's Day
- 01/17/11 Martin Luther King's Birthday
- 02/21/11 President's Day
- 05/30/11 Memorial Day
- 07/04/11 4th of July

- 09/05/11 Labor Day
- 11/11/11 Veterans Day
- 11/24 - 11/25/11 Thanksgiving
- 12/23 - 12/26/11 Christmas

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2010

City of Moreno Valley

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- 12/24 - 12/25/10 Christmas

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2009

City of Moreno Valley

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Crime Free Multi-Housing Program



Problems of an Unsafe Complex

- Residents frequently victimized
- Neighboring Properties and Surrounding Communities suffer.
- Criminal Activity (Drugs, burglaries, robberies, assaults, etc.)
- Deterioration of neighborhood, character and property values
- Drain Law Enforcement and Fire services.

Combating the Problem

- The problem apartment complexes have led to numerous problems. Holding owners, property managers and operators accountable for their properties and behavior of those they lease to is a necessary step towards overall improvement and public safety.

Crime Free Multi-Housing Program

- Program is a valuable tool that can educate an owner, manager or operator to provide the following:
 - Safe Environment
 - Livable Environment
 - Crime Free Environment

Crime Free Multi-Housing Certification

- Three Step Process
 - Eight hour Seminar provided to owners, managers & operators. (Required)
 - Crime Prevention Through Environmental Design Certification. (Required)
 - Safety Gathering.

Seminar - Required

- Speakers from different departments educating owners, managers and operators reference:
 - Gangs
 - Narcotics
 - Section 8/Public Housing
 - Evictions
 - Tenant Screening
 - Fair Housing
 - Premise Liability
- Begin using Crime Free Lease Addendum (Required)

CPTED Certification - Required

- CPTED – Crime Prevention through Environmental Design
 - Using the environment to provide a safer complex
 - Lighting, trimming bushes, natural surveillance, territoriality

Safety Gathering

- Tenants, Managers, owners, operators and Law Enforcement gather
- Provide final certification
- Provide signs to post establishing the complex as a Crime Free Certified Complex
- Advise Tenants of what the owners, managers, operators and complex is doing to make the complex a safer place to live.

The Ordinance

- All residential rental housing facilities to be CFMH Certified.
 - Within 30 days of gaining or changing ownership or the changing of operators.

Failure to Comply

- Fine (Admin Cite)
- Begin Abatement until owner has registered for program.
 - Fail to follow through with program after initial registration
 - Fine
 - Begin Abatement

Application for Certification

- Shall have all pertinent information regarding the owner, managers, operators, the property, etc.
- Shall apply within 30 days of retaining a business license or the property.

Non- Transferrable

- Certification is good for a period of one year from the CPTED Certification
- Certification shall expire 12 months after issuance, unless previously removed
- Certification is not transferable
 - Each new owner or manager must obtain new certification
 - Note: Unless either the manager or owner is still retained

The Ordinance Contd.

- 8-hour Seminar – All managers, owners and operators must be certified.
- CPTED Inspection – must pass minimum requirements.
 - Inspection report will be given to managers/owners.
 - Complexes that change ownership must have new owner attend a seminar and complex must have a new inspection.
 - Note: Unless the manager did not change

Crime Free Lease Addendum

Residents, any member of resident's household, guest or other person under the residents control shall not engage in the following:

- Nuisance activity as defined in Civil Code sections 3479 and 3480, any criminal activity, including drug-related criminal activity, on or near the said premises.
- In any act intended to facilitate nuisance or criminal activity.
- Will not permit the dwelling unit to be used for, or to facilitate nuisance or criminal activity, including drug-related criminal activity.
- In the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance at any locations.
- In any illegal activity, including: prostitution as defined in Penal Code §647(b); criminal street gang activity, as defined in Penal Code §186.20 et seq.; assault and battery, as prohibited in Penal Code §240; burglary, as prohibited in Penal Code §459; the unlawful use and discharge of firearms, as prohibited in Penal Code §245; sexual offenses, as prohibited in Penal Code §269 and 288; or any breach of the lease agreement that otherwise jeopardizes the health, safety and welfare of the landlord, his agent or other tenant or involving imminent or actual serious property damage.
- VIOLATION SHALL BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF TENANCY.

Notice of Violation

- Every certified complex is subject to periodic inspection by Law Enforcement and/or Fire to ensure compliance.
- Whenever it appears violations of the provisions, any applicable laws, regulations or CPTED requirements exist, the police department and/or fire department shall serve the owner or operator with a Notice of Violation.
- Violation shall be corrected within time period allotted for correction.
- If violations are not corrected a fine can be issued and an abatement started.
 - Note: Intentionally allowing a tenant to occupy the property without a Crime Free Lease Addendum is a violation.

Certification Removal

- The Moreno Valley Police Department may remove certification:
 - On not less than five days
 - Whenever it is found that a certified person has failed or refused reasonable measures to correct violation, after notice and opportunity to take corrective action have been provided

Judicial Civil Penalties

- As part of the civil action to enforce provisions
 - Court may assess a maximum civil penalty, per violation for each day during which any violation is committed, continued or permitted.
 - Court may also enjoin a person from violation any provision and assess a maximum civil penalty for each day if a person intentionally violates the injunction

Nuisance Abatement

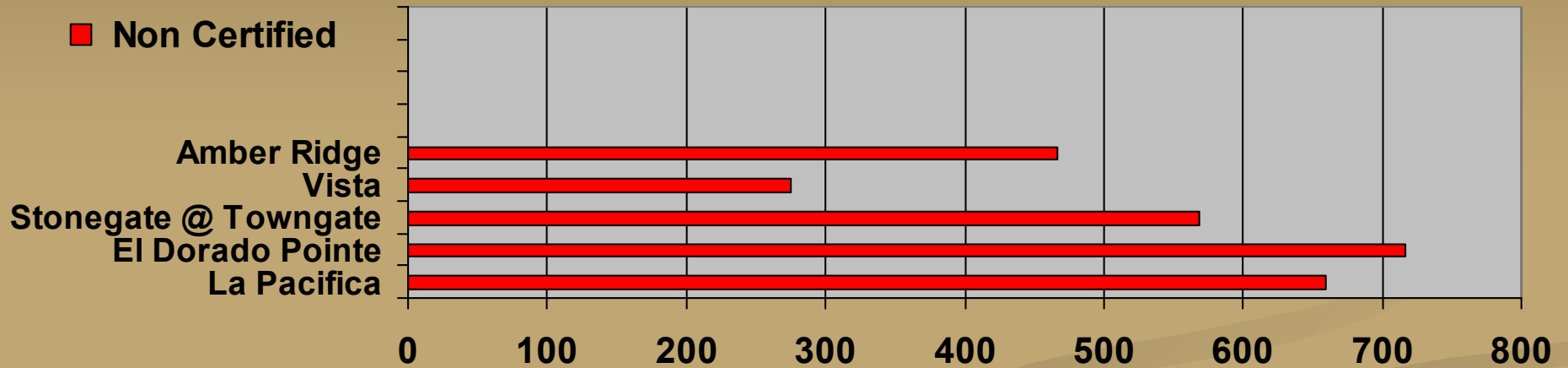
- Owners, management and operators of an apartment complex will have to register and apply for the Certification within thirty days of retaining a business license and or the property.
- The seminar and CPTED inspection shall be completed within ninety days of retaining a business license and/or the property.
- If the Certification is not completed a nuisance abatement shall begin upon the property.

Certification Vs. Non-Certification

- The following information was compiled for a certain time frame.
- Some complexes are certified, while others are not certified.
- Information was also gathered reference complexes that were certified in the past and they are no longer certified.

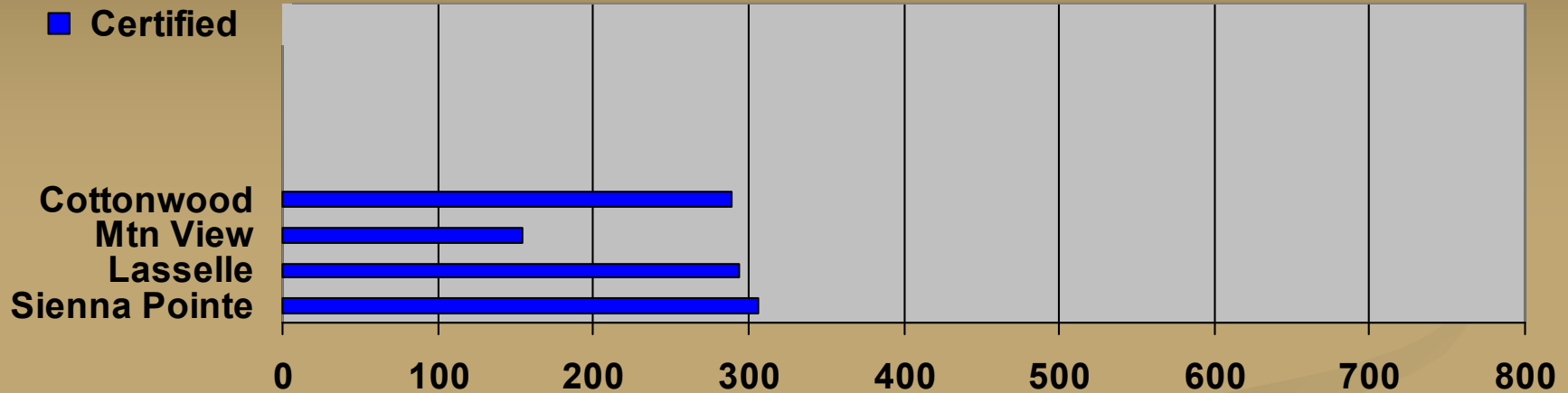


Non Certified Calls For Service



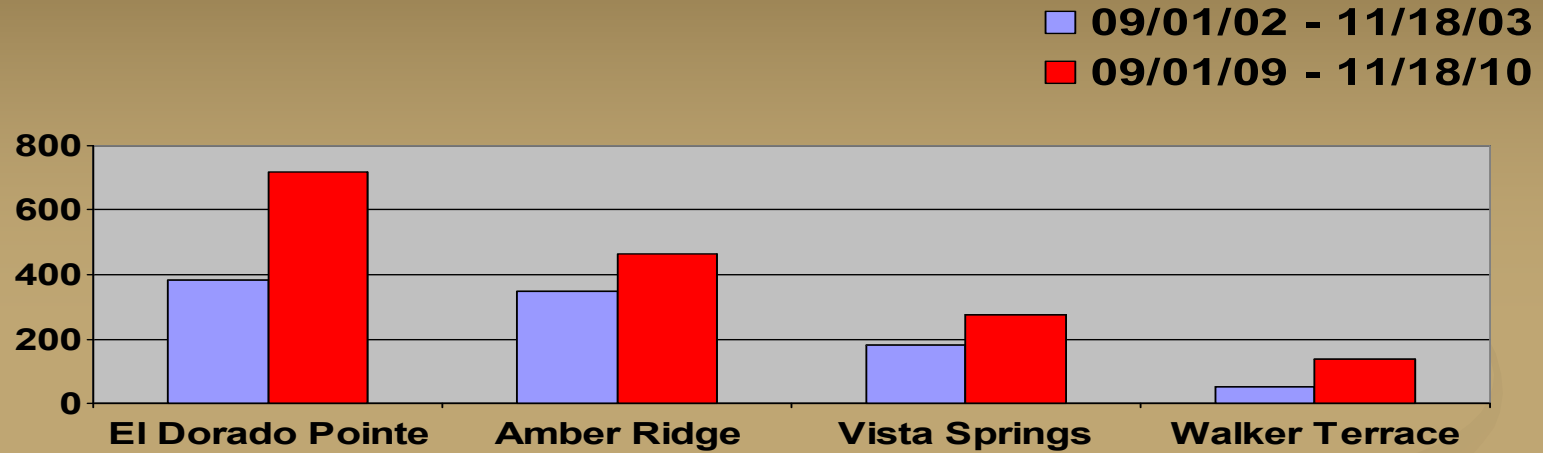
- Calls for Service from 09/01/09 to 11/18/10.
- Apartments are not certified through CFMH.
- Management and/or owners have not attended any recent meetings.

Certified Calls For Service



- Calls for service from 09/01/09 to 11/18/10
- Apartments have had one or more managers or owners certified through CFMH.
- Managers attend meetings regularly and they are in constant contact with the Problem Oriented Policing team

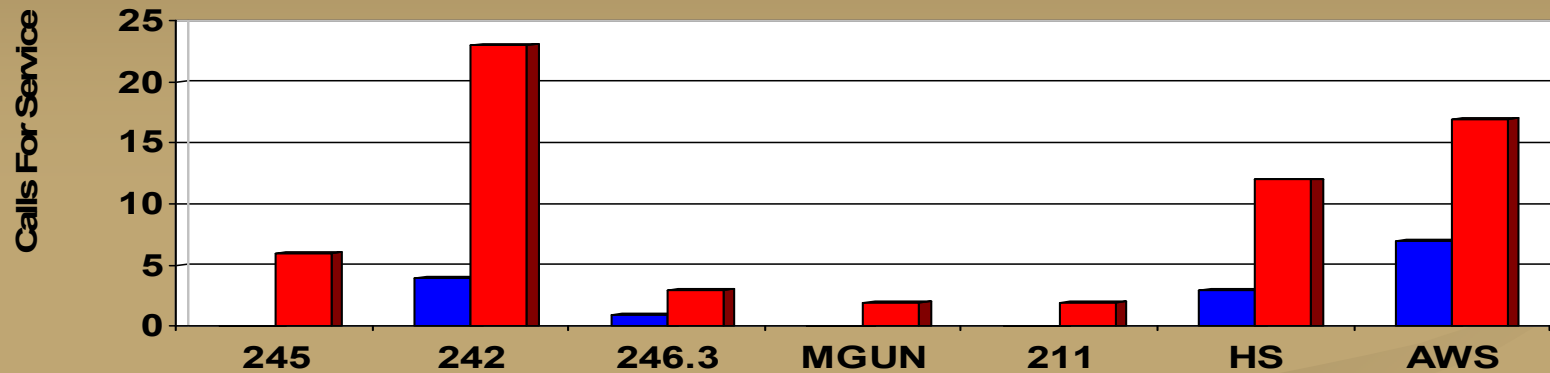
Certification VS. Non Certification



- These apartments were certified through CFMH from 09/01/02 to 11/18/03.
- These apartments were no longer certified from 09/01/09 to 11/18/10.

Certified VS. Non Certified

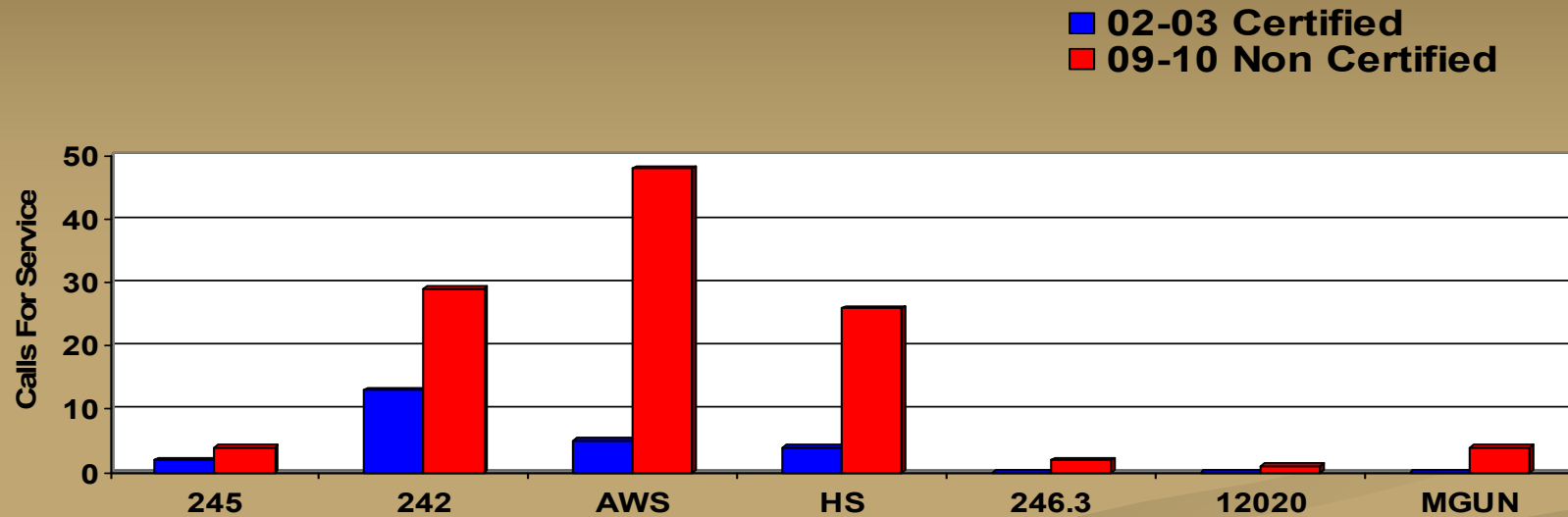
■ Sienna Pointe Certified
■ La Pacifica Non Certified



- 245 PC - Assault with a deadly weapon
- 242 PC - Assault
- 246.3 - Discharge a gun in a gross negligent manner.
- MGUN - Man w/ a gun.
- 211 PC - Robbery
- HS - Any drug arrest or calls for service regarding drugs.
- AWS - Any arrest warrants

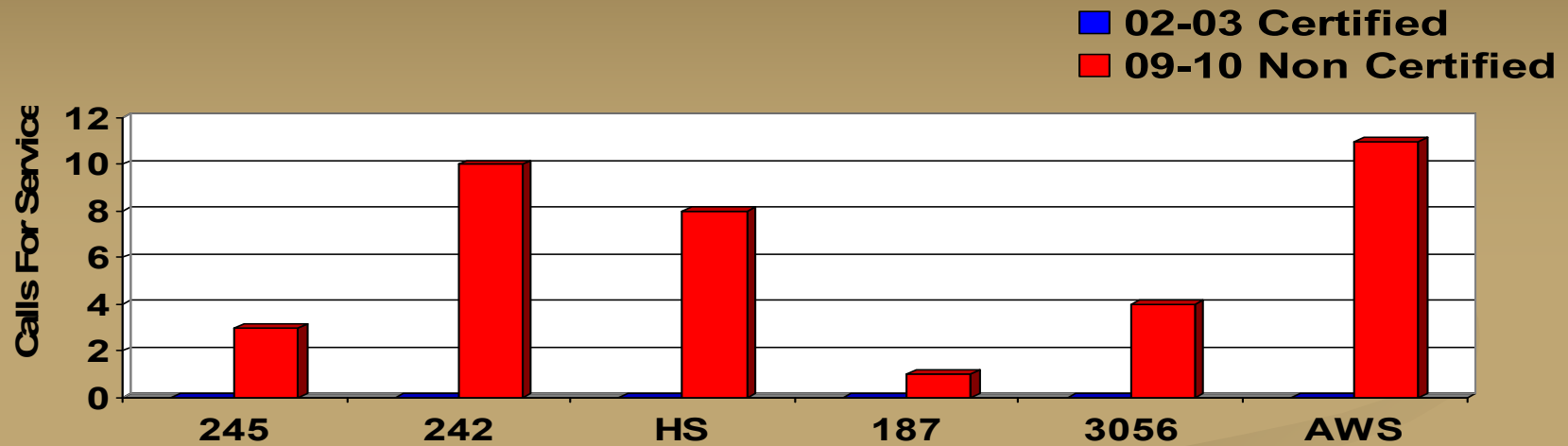
- **The non-certified complex has almost double the amount of calls for service compared to the certified complex.**

El Dorado Pointe Apartments



- 245 – Assault w/deadly weapon.
 - 242 – Assault.
 - AWS – Arrest warrants.
 - HS – Drug arrests or drug related calls for service.
 - 246.3 – Discharge a gun in a gross negligent manner.
 - 12020 – Poss. Of an prohibited weapon.
 - MGUN – Man w/gun.
- **The calls for service for the above type calls have increased significantly since the complex has stopped maintaining certification.**

Walker Terrace Apartments



- 245 – Assault w/deadly weapon
- 242 – Assault
- HS – Drug related arrests.
- 187 PC – Murder
- 3056 PC – Parolee at large
- AWS – Arrest warrants

- **Between 09/01/02 and 11/18/03 this complex did not have any of the above types of calls for service.**

Walker Terrace Cont.

- Walker Terrace Apartment Owner and Manager began the CFMH Program on 10/19/10.
- They both have attended the Monthly Manager Meetings since 10/19/10.
- The manager and owner has been advised of the problems that had been occurring.
- Since attending and joining the program, the complex has been quiet and numerous evictions have been started.
- Walker Terrace has only had seven calls for service since joining the CFMH program.
- Out of the seven calls for service only one was for a 3056 PC violation. All other calls were non violent calls.

Manager Testimonials

- I would like to take this opportunity to thank the MV Police Department for keeping the Crime Free Multi Housing program alive and active in our community. Attending the Crime Meetings provides support for me in many ways. First of all, I have access to the many different law enforcement departments if any incidents occur on my property. I get the opportunity to discuss issues and come up with solutions with other property managers in Moreno Valley.

This program would be very beneficial if we can get all MV property managers to become a part of Crime Free Multi-housing making us all one team against crime in our community.

Thank you,

Traci Vander Maten | Business Manager

Broadstone Rancho Belago | Broadstone Overlook

12963 Moreno Beach Drive, Moreno Valley, CA 92555

Manager Testimonial Cont'd.

- I have been involved with this program here in the Moreno Valley area for almost three years. We are working on getting into phase 3 of the program. Our apartments are located in an area that has quite a bit of crime, by having this program gives us managers and officers a chance to keep aware of what is happening around us. This program educates us managers, on even more areas such as Section 8, Fair Housing, Apartment laws (AAGIE), Evictions, and many more. With that said, being certified with our certificates hanging on the wall for all prospective tenants to view is very rewarding. It allows people to see that we are all working together to keep our community a safe place to live and bring up our children.

Having the crime free lease addendum as part of our lease, lets prospective tenants know that we will not tolerate any crime or drug activity. Thank you for taking the time and effort to make this program happen!

Nancy Cruz-Olah
Ironwood Villas apartments
23163 Ironwood Avenue
Moreno Valley, California 92557

Manager Testimonial Cont'd

- I am the Community Manager here at Ridgeview Apartment Homes, in Moreno Valley and am happy to have the opportunity to give accolades to the Crime Free Multi-Family Housing Program. On my first day here at Ridgeview, August 22, 2010, I was terrified by the amount of people that were lingering around this community. In addition to the copious amount of people trolling through the community, there were some that were openly selling drugs. In addition, the community had 22 break-ins in the 3 month period as well as numerous other criminal activities taking place.

My first course of action was to go down to the Moreno Valley Police Department and speak with someone, anyone, for help. My Regional Manager accompanied me and we were pleased to meet with Sergeant Mooney. Sergeant Mooney informed us of the absolutely refusal on the part of my predecessor to participate in the Crime Free program as well as some great changes that were taking place in the program itself. It became obvious to my supervisor and myself, at that moment, that we needed the help of the POP team and we needed it fast!

I am pleased to report that there has been a drastic improvement made at our community. Deputy Engels has maintained constant contact with this community and helped us to clear out so many problems. There have been various operations that the POP team has executed at this community. They range from sheer police presents through patrol to undercover operations. These actions have made visible and welcome improvements. In addition to services that have been provided, they have brought a great deal of relief to the residents that live here. We often hear stories from our residents about how much better that they feel about our community and difference that they see everyday. Even the team that works at this community is feeling less stressed and more comfortable in their surroundings.

For those who have not previously been a part of this program, it is important to note a few crucial points that it offers. The first being the training that the management team will receive through the certification program. This is essential, as it provides you with the education and the knowledge that you will need to maintain a crime-free community. They will teach you what to look for and a new way of thinking about certain situations. They will also show you the appropriate steps to complete when you need to deal with those situations.

The second, very important item is the crime free addendum. This is a way to let your resident know, at the signing of the lease, that you are committed to a crime free community. You will then have the ability to remove any resident who does commit a crime at your community giving you the power to clean up your community with out hesitation. Thank you for the opportunity to provide my insight regarding this valuable program.

Sincerely-
Stephanie Shewmaker Cox
Community Manager
Ridgeview Apartment Homes

Manager Testimonials Cont'd.

- I would like to take a moment to thank you for your efforts in keeping the Crime Free Housing Program active. I would also like to thank the Moreno Valley Police Department for their support over the last 2-years. Since I began managing Lasselle Place Apartments two years ago, I have seen significant improvement in the overall crime in our area. I attribute this decrease in crime to our involvement with the Crime Free Housing Program and the assistance of the Moreno Valley Police Department. The monthly meetings have been very informative and have allowed the Property Managers in the area and opportunity to share concerns and offer solutions.

If there is anything we can do to help continue the program, please feel free to contact us. We look forward to the next meeting in February and will commit to helping you get more area managers involved. Please relay our sincerest gratitude to your officers that help make Moreno Valley a desirable place to live.

Sincerely,
Danielle Benton
Property Manager
Lasselle Place Apartment's

Manager Testimonials Contd.

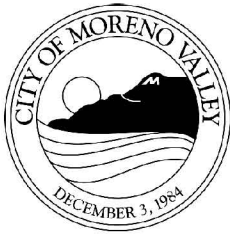
- I believe the crime free program works because it addresses the needs of the police department and the needs of property management all in one program. It helps a property manager immensely to have the resources this program provides, from the managers and maintenance personal that has only a few units, to the bigger complexes this program is a must! Another benefit is the ability to talk to other managers in the community to help solve real problems, with the help of law enforcement. Using the Crime Free Lease Addendum with your rental agreement lets any resident coming in know that you mean business and you will not tolerant crime, and if the addendum is broken you have the means to evict.

Sincerely,
Paul Potter
Sunridge Apartments

Conclusion

- Significant changes in calls for service.
- Decrease in Law Enforcement services.
- Increased open communication with managers, owners and Law Enforcement.
- Joint effort to keep complexes crime free.
- Significant changes in criminal activity.





APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RW</i>
CITY MANAGER	<i>ms</i>

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: April 19, 2011

TITLE: MANDATORY SPAY & NEUTER OF ANIMALS

RECOMMENDED ACTION

Staff recommends that the City Council receive information and review the 2010 Annual Report of Local Rabies Control Activities (Attachment A) and two proposed draft mandatory spay and neuter ordinances (Attachment B), and provide direction to staff on the further development of a proposed mandatory spay and neuter ordinance.

BACKGROUND

During calendar year 2010 the Animal Services Division processed 6,350 dogs, 4,056 cats and 506 other animals for an overall total 10,912 animal entering the Moreno Valley Animal Shelter. The Animal Services Division contracts with the City of Perris for animal sheltering. This total excludes animals impounded from the City of Perris.

In November 2010 one person was fatally mauled by two pit-bull mixes. Two months later, in January 2011, an elderly woman was mauled by two dogs in her own driveway; one dog was identified as a pit-bull. During calendar year 2010 a total of 249 citizens were bitten by dogs, with 28% (70 biting dogs) impounded as strays with no owner identification.

During January and February 2011 the Moreno Valley Animal Shelter has experienced a 15.5% increase in the number of stray animals impounded as compared to the same two months in 2010. If this increase in animal impounds remains constant throughout 2011, a total of 12,600 animals would be impounded by the end of the current calendar year at the Moreno Valley Animal Shelter.

DISCUSSION

California Health and Safety Code Section 122330-122331 allows local government to enact breed specific ordinances for mandatory spaying/neutering to control over-population of animals. Bully breed dogs which also include Pit Bull-type dogs represent 25% of the dogs impounded at the Moreno Valley Animal Shelter. As the number one dog breed impounded at the Moreno Valley Animal Shelter 72% are eventually euthanized.

In order to take appropriate action to mitigate the uncontrolled and irresponsible breeding and reduce the number of pit bull and pit bull-type breeds from running at large in the community and to reduce the number of pit bull and pit bull-type breeds from being euthanized and impounded, staff has drafted several preliminary ordinances for City Council review. One draft specifically identifies pit bull and pit bull-type dogs while the second draft identifies any dog breed including cats. Impounded cats in 2010 represent 37% of the animal population at the Moreno Valley Animal Shelter.

Specific exemptions of a mandatory spay and neuter ordinance can be applied with responsible pet owners. Most spay and neuter ordinances now in effect throughout California include exemptions to pet owners with animal breeds recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by law enforcement for law enforcement purposes; a qualified service or assistance dog as defined in California Food & Agriculture Code Section 30850; and an animal medically qualified by a licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

ALTERNATIVES

- 1) Direct staff to proceed with the process of developing a Mandatory Spay/Neuter Ordinance to be introduced at a future Council meeting.
- 2) Do not direct staff to proceed with developing a Mandatory Spay/Neuter Ordinance. *Staff does not recommend this alternative.*

FISCAL IMPACT

There is no anticipated fiscal impact as a result of enacting a mandatory spay and neuter ordinance. The goal of the ordinance is, over time, to reduce the number of impounded and owner surrendered animals thereby reducing operational costs by the Animal Services Division.

CITY COUNCIL GOALS

A mandatory spay and neuter ordinance will achieve the City Council goals relating to Positive Environment and Public Safety by providing an effective enforcement tool for

the Animal Services Division to take action aimed at eliminating uncontrolled and irresponsible breeding of animals. Irresponsible breeding of animals contributes to pet overpopulation, increased euthanasia, and the production of defective animals, along with increased costs for the Animal Services Division.

SUMMARY

California Health and Safety Code Section 122330-122331 allows local government to enact mandatory spay and neuter ordinances to control pet overpopulation. The development of a mandatory spay and neuter ordinance can be breed specific or can be applied to all dogs and cats allowing the City Council several options for consideration. Qualified exemptions for responsible pet owners should be considered.

ATTACHMENTS

- Exhibit A: 2010 Annual Report of Local Rabies Control Activities
- Exhibit B: Spay & Neuter Draft Ordinance
- Exhibit C: Spay & Neuter of Pit Bull Draft Ordinance

Prepared By:
 Steve Fries
 Animal Services Division Manager

Department Head Approval:
 Richard Teichert
 Financial & Administrative Services Director

Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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**LOCAL RABIES CONTROL ACTIVITIES
ANNUAL REPORT 2010**

Exhibit A

January 1, 2010-December 31, 2010

Jurisdiction for which
this report is made:

CITY OF MORENO VALLEY

		NUMBER	
RABIES VACCINATION AND LICENSING	A. Number of "Actual Cost" rabies public vaccination clinics held	5	
	B. Number of animal control citations issued for rabies vaccination and licensing violations	1170	
		Dogs	Cats
	C. Dogs and cats vaccinated in "Actual Cost" public vaccination clinics	180	0
	D. Dogs and cats licensed in "Actual Cost" public vaccination clinics	155	0
E. Total number of dogs and cats LICENSED in jurisdiction	15487	0	
CANINE & FELINE RABIES CONTROL	F. Dogs and cats on hand in the shelter January 1, 2010 (carried over from 2009)	196	44
	G. Dogs and cats entering the shelter, TOTAL: (Total should equal the sum of 1 to 5 below)	6350	4056
	1. Dogs and cats captured by Animal Control Officers	2972	1013
	2. Dogs and cats surrendered by owners (not including those surrendered for quarantine)	870	298
	3. Dogs and cats surrendered by the public G1 THROUGH G5	2482	2740
	4. Dogs and cats impounded for animal bite quarantines ARE	26	5
	5. Dogs and cats transferred from another shelter MUTUALLY EXCLUSIVE	0	0
	H. Disposition of dogs and cats entering shelter, TOTAL: (Total should equal the sum of 1 to 6 below)	6270	3992
	1. Dogs and cats reclaimed by owner	1203	52
	2. Dogs and cats adopted by new owners H1 THROUGH H6	1467	243
	3. Dogs and cats euthanized ARE	3480	3654
	4. Dogs and cats that died of other causes MUTUALLY EXCLUSIVE	48	6
	5. Dogs and cats stolen, escaped, etc.	4	19
	6. Dogs and cats transferred to another shelter	68	18
	I. Dead dogs and cats collected (excluding F, G, and H above)	658	749
	J. Dogs and cats on hand in the shelter December 31, 2010 (carried over to 2011)	157	24
	ANIMAL BITE REPORTING	K. Animal bites reported, TOTAL: (Total should be the sum of 1 and 2 below)	325
1. DOG and CAT bites reported, TOTAL: (Total should be the sum of a, b, c, and d below)		249	60
a. Licensed		54	0
b. Vaccinated only		6	0
c. Neither licensed or vaccinated (but owned)		119	16
d. Strays		70	44
2. OTHER ANIMAL bites reported, TOTAL: (Total should be the sum of a and b below)		16	
a. Other domestics (excluding cats)		0	
b. Wild	16		

Please Complete Reverse

CDPH, DCDC, VPHS 2010

		NUMBER	
		Dogs	Cats
ANIMAL QUARANTINE	L. Number of 30 day quarantines for vaccinated dogs and cats exposed to potentially rabid animals	3	0
	M. Number of 6 month quarantines for unvaccinated dogs & cats exposed to potentially rabid animals	0	0
	N. Number of 6 month quarantines for domestic livestock (horses, cattle, etc.) exposed to potentially rabid animals	0	
	O. Number of 30 day or 6 month quarantines not completed because animals were euthanized	0	
AGENCY ADMIN	P. Number of animal control officers employed in jurisdiction	7	
	Q. Name of agency or organization responsible for rabies control activities in this jurisdiction: City of Moreno Valley Animal Services		
	Address: 14041 Elsworth Street, Moreno Valley, CA 92553 Phone: 951-413-3790		

Completed by:

Date: February 16, 2011


Name: Steve Fries

Title: Animal Services Division Manager

Agency: City of Moreno Valley Animal Services

Phone: 951-413-3799

Email: stevef@moval.org

Signature: 

Endorsement by local Health Officer
or authorized representative:

Date: _____

Name: _____

Title: _____

Agency: _____

Phone: _____

Email: _____

Signature: _____

AFTER ENDORSEMENT
PLEASE FORWARD COMPLETED FORM BY MARCH 31, 2011, TO:

Email: VetPH@cdph.ca.gov

OR

California Department of Public Health
Veterinary Public Health Section
MS 7308
PO Box 997377
Sacramento, CA 95899-7377

PHONE: (916) 552-9740
FAX: (916) 552-9725

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STATEMENT OF ENFORCEMENT OF LOCAL RABIES CONTROL ACTIVITIES Completed Form to be Forwarded to the Local Health Officer

This Statement of Enforcement of Rabies Control Requirements is for the Declared "Rabies Endemic Area" described below:

COUNTY OF RIVERSIDE Effective 2011/01/04
(County) (Date)

CITY OF MORENO VALLEY
Specify the Area or Jurisdiction for Which this Statement is Made

In accordance with Section 121585 and 121690 of the California Health and Safety Code, and upon the declaration of the Director of Public Health that all California counties are "Rabies Areas", the following statutory and regulatory programs must have continued enforcement in your jurisdiction:

1. The owner of every dog over four months of age shall ensure that their animal is currently vaccinated for rabies and licensed. Dogs less than four months of age must be kept at home, or supervised on leash.
2. An animal/rabies control program must be implemented on a county-wide basis to include an animal pound system, animal bite reporting, and stray animal control.
3. The county and or city shall provide or arrange for "Actual Cost" canine rabies vaccination clinics. The Department of Public Health approved "actual cost" vaccination fee in 2011 is \$6.00 per dog.
4. The county and or city shall conduct a rabies control program (rabies investigations, animal quarantines, etc.) for the purpose of carrying out and enforcing the provisions of the California rabies control laws and regulations.

PLEASE INDICATE BY ENDORSEMENT BELOW AREA OR JURISDICTION COMPLIANCE WITH THE REQUIREMENTS OF THE CALIFORNIA RABIES CONTROL PROGRAM

Person responsible for conducting the Rabies Control Program in the jurisdiction or area:

Date: February 16, 2011

Signature: 

Name (print): Steve Fries

Title: Animal Services Division Manager

Address: 14041 Elsworth Street

Telephone: 951-413-3799

Endorsement by local Health Officer or authorized representative:

Date: _____

Signature: _____

Name (print): DR ALLAN DRUSYS, DVM, MS

Title: RIVERSIDE CO CHIEF VETERINARIAN

Address: 6851 VAN BUREN BLVD,
RIVERSIDE CA 92509

Telephone: (951) 358-5034

Local Health Departments: Please forward the **endorsed** form to the Department of Public Health, Veterinary Public Health Section, MS 7308, P. O. Box 997377, Sacramento, CA 95899-7377, Email VetPH@cdph.ca.gov, Telephone (916) 552-9740, Fax (916) 552-9725

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Mandatory spaying and neutering-Dogs & Cats

1. Requirement.
 - a. No person may own, keep, or harbor an unaltered and unspayed dog or cat in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

2. Exemptions.

This section shall not apply to any of the following:

- A. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.
- B. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.
- C. Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry.
- D. A dog used by law enforcement for law enforcement purposes.
- E. A qualified service or assistance dog as defined in California Food & Agricultural Code Section 30850.
- F. Any animal medically qualified by a California licensed veterinarian which is unable to be spayed or neutered due to the likelihood of the animal suffering serious bodily injury or death due to age or infirmity.

- b. Denial or revocation of unaltered dog license and reapplication.

1. The Animal Services Division may deny or revoke an unaltered dog license for one or more of the following reasons:

- A. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section;
 - B. The department has received at least three complaints, verified by the department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;
 - C. The owner, custodian, applicant, or licensee has been previously cited for violating a State law, county code or other municipal provision relating to the care and control of animals;
 - D. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Moreno Valley Municipal Code or under state law;
 - E. Any unaltered dog license held by the applicant has been revoked;
 - F. The license application is discovered to contain a material misrepresentation or omission of fact.
2. Re-application for unaltered dog license:
- A. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Animal Services Division shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.
 - B. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.
- c. Appeal of denial or revocation of unaltered dog license.
- 1. Request for hearing.
 - A. Notice of intent to deny or revoke. The Animal Services Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an

unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

B. Hearing officer. The hearing shall be conducted by the Animal Services Division Manager's designee.

C. Notice and conduct of hearing. The Animal Services Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the Animal Services Division's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Animal Services Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

2. Change in location of dog. If the dog is moved after the Animal Services Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Animal Services Division with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

d. Transfer, sale, and breeding of unaltered dog or cat.

1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license must appear on a document transferring the animal to the new owner.

2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the Animal Services Division of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers, if any, must appear on a document transferring the animal to the new owner.

e. Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

1. An administrative citation, infraction, or other such authorized penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog or cat; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.
 2. Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.
- f. Impoundment of unaltered dog or cat.
1. When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:
 - A. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to animal services personnel;
 - B. Have the dog or cat spayed or neutered by a veterinarian under contract with the Animal Services Division at the expense of the owner or custodian. Such expense may include additional fees due to extraordinary care required;
 - C. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay a spay/neuter deposit to the Animal Services Division. The veterinarian shall

complete and return to the department within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

- D. At the discretion of the Animal Services Division Manager, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or
- E. If the owner or custodian demonstrates compliance with this section.

2. Costs of impoundment.

- A. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.
 - B. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Animal Services Division in accordance with this chapter.
- g. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section, subsection (f) shall be paid to the Animal Services Division for the purpose of defraying the cost of the implementation and enforcement of this program.

(Ord. § , June 2011)

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Spaying and neutering of pit bulls.

A. Pursuant to Health and Safety Code Section 122331, no person shall own or keep a pit bull over the age of four months which has not been spayed or neutered, except as provided in subsection B. For purposes of this section, “pit bull” is defined as any Staffordshire Bull Terrier, American Pit Bull Terrier or American Staffordshire Terrier breed of dog, or any mixed breed of dog which contains, as an element of its breeding, any of these breeds so as to be identifiable as partially of the breed of Staffordshire Bull Terrier or American Pit Bull Terrier or American Staffordshire Terrier.

B. The following pit bulls are exempt from subsection A: a purebred Staffordshire Bull Terrier, American Pit Bull Terrier or American Staffordshire Terrier, recognized by and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry; a dog used by a law enforcement agency for law enforcement purposes; a qualified service or assistance dog as defined in Food and Agriculture Code Section 30850; a dog which is unable to be spayed or neutered without a high likelihood of suffering serious bodily harm or death due to age or infirmity and the owner or keeper of such dog provides to the health officer written confirmation of the condition from a licensed veterinarian.

(Ord. § June, 2011)

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**MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY**

**STUDY SESSION – 6:00 P.M.
APRIL 19, 2011**

CALL TO ORDER – The Study Session of the City Council of the City of Moreno Valley, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley was called to order at 8:51 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street, Moreno Valley, California.

ROLL CALL

Council:	Richard A. Stewart	Mayor
	Jesse L. Molina	Mayor Pro Tem
	William H. Batey II	Council Member
	Marcelo Co	Council Member
	Robin N. Hastings	Council Member

Staff:	Jane Halstead	City Clerk
	Cindy Miller	Executive Assistant to Mayor/City Council
	Henry T. Garcia	City Manager
	Robert Hansen	City Attorney
	Michelle Dawson	Acting Assistant City Manager
	Richard Teichert	Financial & Administrative Services Director
	Mike McCarty	Parks & Community Services Director
	Barry Foster	Community & Economic Development Director
	John Anderson	Police Chief
	Steve Curley	Fire Chief
	Sonny Morkus	Human Resources Director
	Paul Early	Deputy City Attorney

PUBLIC COMMENTS ON MATTERS UNDER THE JURISDICTION OF THE CITY COUNCIL

Mayor Stewart opened the agenda items for public comments, which were received from Pete Bleckert (roads, Police Department, Moreno Valley Electric Utility Company), and Deanna Reeder (deficit reduction plan).

SPECIAL ORDER OF BUSINESS

AGENDA ORDER

2. [CRIME FREE MULTI-HOUSING \(POWERPOINT PRESENTATION\) \(PD/10 MIN.\)](#)
Council's direction: bring back to a regular council meeting
3. [MANDATORY SPAY & NEUTER OF ANIMALS \(F&ASD/10 Min.\)](#)
Council's direction: to move forward with this item

AGENDA ORDER

1. [DISCUSSION REGARDING COUNCIL RECESS \(CC/ 10 Min.\)](#)
Council recess: July 13 – August 15, 2011
4. CITY COUNCIL REQUESTS AND COMMUNICATIONS

CLOSED SESSION - canceled

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:02 p.m. by unanimous informal consent.

Submitted by:

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley

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