


Agenda Item No.: 2.2  
Area Plan: Southwest  
Zoning District: Rancho California  
Supervisorial District: First  
Project Planner: Tim Wheeler  
Directors Hearing: September 26, 2016  
Continued From: August 29, 2016

Plot Plan No. 25922  
CEQA Exempt  
Applicant: Timothy and Elizabeth McVicker  
Engineer/Representative: Lisa Merritt

  
Steve Weiss, AICP  
Planning Director

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION AND LOCATION:

#### Project Description

Plot Plan No. 25922 proposes to establish a Class II Kennel to house and care for the property owners' own personal dogs. There are currently 18 dogs at this location. A Class II Kennel allows between 11 to 25 dogs. As shown on Exhibit A, the project includes a proposed 480-square-foot accessory structure for kennel use; an existing 80-square-foot accessory structure for kennel use; an existing dog playground area which is enclosed by an existing 6-foot-high chain-link fence; an existing patio cover (attached to the existing dwelling); and food and water troughs under the patio cover. The proposed Class II kennel will not be open to the public.

#### Project Location

The project is proposed to be located on a 6.20-gross-acre lot with an existing single-family residential home on the north side of Via Abril, south and east of Calle Cielo, and west of Tenaja Road. There is a blue-line stream that runs through the middle of the property. To the west of the blue-line stream is an existing 6-foot-high chain link fence. The entire property is surrounded by a 5-foot-high white vinyl fence with wire mesh that includes grates for water flow at the north and south sections of the blue-line stream. Additionally there are double entry gates.

#### Noticing

A corrected notice for this September 26, 2016 was sent out to property owners within a 1,600-foot-radius of the project site, as well as to those who requested notification of the project. The correction was made to reflect that the project was CEQA Exempt. The original Notice of the project, which mistakenly stated that a Mitigated Negative Declaration was being prepared for it, was sent to all property owners within a 1,600-foot-radius of the project site, as well as to those who requested notification of the project. Both notifications are attached to the staff report.

As of the date this staff report was prepared, the Planning Department received numerous inquiries, in writing, by email and by phone. All written correspondence is included in this Staff Report packet. The communications received express concern that the proposed project will generate excessive uncontrollable noise and will be incompatible with their rural neighborhood. The Planning Department also received other communications that express support for the project. Staff will provide an update at the September 26<sup>th</sup> public hearing if additional correspondence was submitted on the project.

**ISSUES OF POTENTIAL CONCERN:**

During the August 29, 2016 Director's Hearing, proponents and opponents of the proposed kennel expressed their views.

**Potential Violation of Conditions, Covenants and Restrictions (CC&R's):**

Project opponents expressed concerns that the proposed Class II Kennel does not comply with applicable (CC&Rs). The Project opponent referenced Section 18.1 of Ordinance No. 348 which provides that if any section of this ordinance is in conflict with any other section thereof, or another County ordinance, then the more stringent requirements apply. Section 18.1 is not applicable to CC&Rs because private CC&Rs are not a County ordinance. CC&Rs are between private parties rather than between a governmental entity and a private party. Therefore, consistency with private CC&Rs is a private property issue and enforcement is done by the homeowners association, not the County of Riverside.

During the hearing, Project opponents also referenced the codified section 17.292.060.B. This section appears in Ordinance No. 348 as Section 19.600.f.(2). Section 19.600 and the entire Article XIXi of Ordinance No. 348 is the Bermuda Dunes Neighborhood Preservation Overlay Zone. The intent of Article XIXi is to provide standards for the community of Bermuda Dunes. The subject property is not located in Bermuda Dunes community. Therefore, Article XIXi does not apply to the subject property.

**Potential Noise Issues:**

The proposed project is located within the vicinity of a small number of other single family residences and vacant properties. There is an adjacent residential property directly to the east that is approximately 210 feet from the subject property and 380 feet northeast from the closest dog activity of dog runs and exercise area. This adjacent residence has equestrian-related activities on their property. To the south of Via Abril is another equestrian-related residence (approximately 330 feet from the closest dog activity). To the west there is a vacant parcel with permits issued for a dwelling to be constructed (approximately 960 feet from the closest dog activity). And to the north, that parcel is vacant.

To address noise concerns, the following conditions of approval have been imposed on the project: (10 E. Health 1 and 10. Planning 6). The Environmental Health condition requires the project to comply with Industrial Hygiene's recommendation that the dogs be kept indoors between the hours of 10 p.m. and 7 a.m. 7 days a week. The condition (10 Planning 6) requires the dogs to be confined in a house-type enclosure between the hours of 8 p.m. and 7 a.m., except that the dogs may be allowed to relieve themselves with a supervised caretaker at 3:30 am. The applicant proposes to house the dogs within their private residence or within the 480 square foot accessory structure.

Additionally, the project must comply with Ordinance No. 847 which establishes countywide standards regulating noise. The project must also comply with Ordinance No. 878 that provides complaint procedures for noisy animals. Attached to this report is the Noise Impact Analysis prepared by Roma Stromberg dated February 23, 2016 and a revised Noise Impact Analysis dated August 19, 2016.

**SUMMARY OF FINDINGS:**

- |                                       |   |
|---------------------------------------|---|
| 1. Existing General Plan Land Use:    | Rural: Rural Mountainous (R: RM)                                      |
| 2. Surrounding General Plan Land Use: | Rural: Rural Mountainous (R: RM) to the north, east, west, and south. |

- |                            |  |
|----------------------------|--|
| 3. Existing Zoning:        | Residential Agricultural – 5 Acre Minimum (R-A-5)  |
| 4. Surrounding Zoning:     | Residential Agricultural – 5 Acre Minimum (R-A-5) to the north an east, Rural Residential (R-R) to the south, and Residential Agricultural – 10 Acre Minimum (R-A-10) to the west.                     |
| 5. Existing Land Use:      | Single family residence.   |
| 6. Surrounding Land Use:   | Single family residence with equestrian related activities to the east and south, vacant properties to the north and west; with said property to the west currently under construction for a dwelling. |
| 7. Project Data:           | Total Acreage: 6.20 gross  |
| 8. Environmental Concerns: | CEQA Exempt per State CEQA Guidelines sections 15301 and 15303   |

**RECOMMENDATIONS:**

**FIND PLOT PLAN NO. 25922** exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures), based on the findings set forth in this staff report; and,

**APPROVE Plot Plan No. 25922**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

**FINDINGS:** The following findings are in addition to those incorporated in the summary of findings, which is incorporated herein by reference.

1. The project site has a General Plan Land Use designation of Rural: Rural Mountainous (R: RM), and it is located within the Southwest Area Plan within the First Supervisorial District.
2. The project site is surrounded by properties that have a General Plan Land Use designation of Rural: Rural Mountainous (R: RM).
3. The project site is surrounded by properties with a zoning classification of Residential Agricultural – 5 Acre Minimum (R-A-5) to the north an east, Rural Residential (R-R) to the south, and Residential Agricultural – 10 Acre Minimum (R-A-10) to the west.
4. The project site has a zoning classification of Residential Agricultural – 5 Acre Minimum (R-A-5).
5. Pursuant to Section 18.45.b.2. of Ordinance No. 348, a Class II Kennel (11 to 25 dogs) is allowed in the Residential Agricultural (R-A) zoning classification with an approved plot plan.
6. Section 18.45.c. of Ordinance No. 348 establishes the following development standards for Class II Kennels:
  - a. Class II Kennels must include a single family dwelling to be used by a live-in caretaker.
  - b. No parcel with a kennel may contain more than the maximum number of detached single family dwelling units permitted by the existing zoning on the property.

- c. Multi-family dwelling units and attached single family dwelling units are not permitted in conjunction with kennels.
  - d. The minimum lot size for a kennel in an agricultural, residential, rural or open space zone is one acre (gross).
  - e. The applicant must obtain and continuously maintain all necessary licenses from the Riverside County Health Department.
  - f. All kennels are subject to Ordinance No. 630 (Regulating the Keeping and Control of Dogs, Cats, and Other Animals and Providing for the Control and Suppression of Rabies), which requires dogs to have currently valid license tags and be vaccinated against rabies, among other requirements.
7. The project is consistent with the above reference development standards for the following reasons:
- a. The project site has a permitted residence (dwelling) on site that is used by a live-in caretaker (either by the applicants or two caregivers of the dogs).
  - b. There is only one detached single family dwelling unit onsite, within the maximum number allowed in the R-A zone.
  - c. There are no multi-family dwelling units, attached single family dwelling units, or additional single family dwelling units on the project site.
  - d. The lot size of the project site is 6.20 gross acres, which exceeds the minimum required 1-acre gross lot size.
  - e. Pursuant to Ordinance No. 630, the applicant has the ongoing requirement that all dogs must have obtained and continuously maintain all licensing necessary from the Riverside County Health Department, be vaccinated against rabies, and otherwise comply with all other provisions of that ordinance. All dogs onsite currently meet these requirements. Included in the staff report are copies of Vaccinations and Microchipping of the dogs from the applicants.
8. Section 18.30.c of Ordinance No. 348 provides that no plot plan shall be approved unless it complies with the following standards:
- a. The proposed use conforms to all requirements of the General Plan, with applicable State Law and Riverside County Ordinances.
  - b. The overall development of the land is designed for protection of the public health, safety, and general welfare. It conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding properties.
  - c. For all plot plans which permit the construction of more than one structure on a single legally divided parcel shall be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in such a manner that each building is located on a separate legally divided parcel.
9. The proposed project meets all of the requirements of Ordinance No. 348 section 18.30.c. in that:
- a. The proposed project involves a Class II Kennel for the keeping of 11-25 dogs which is consistent with the Rural: Rural Mountainous General Plan land use designation which allows, among others, single family residential uses and limited animal keeping. Therefore, the project is consistent with the General Plan.
  - b. The proposed project design includes an insulated 480 square foot accessory structure with sound proofing materials. There is an existing 6 foot high chain-link fence surrounding the rear of the residential dwelling and along the west bank of the blue-line stream that runs through the middle of the property. Additionally, the property is surrounded by an existing 5

foot high white vinyl fence with mesh and includes a double entry gate to prevent the dogs from escaping the property. Condition of Approval (10 Planning 1) also requires compliance with all applicable County ordinances, State and Federal laws. Therefore, the project is designed for the protection of the public health, safety and general welfare. There are two Class I Kennels within the Tenaja area. Plot Plan No. 24937 was approved October 18, 2011 and Plot Plan No. 25921 was approved March 4, 2016. The latter Class I Kennel is 600 feet from the subject property. Therefore, the proposed project is compatible with the present and future logical development of the surrounding properties.

c. Only one (1) accessory structure is to be constructed for this proposed use.

10. This project site is located within Criteria Cell No. 7101 of the Western Riverside County Multiple Species Habitat Conservation Plan ("WRCMSHCP") Boundary, and, as a result, is subject to Western Riverside County Regional Conservation Authority ("RCA") review. A Habitat Evaluation and Acquisition Negotiation Strategy ("HANS") application (No. HANS00413) was submitted to the County in accordance with Resolution No. 2013-111 and was reviewed by the County and RCA. The project site and Criteria Cell No. 7101 are located in Cell Group 'O.' The MSHCP criteria calls for 30-40% conservation in the northern portion of Cell Group 'O.' This parcel is located in the southern portion of Cell Group 'O.' For that reason, the County has determined, and RCA has confirmed, that no portion of the project site is required to be conserved. The project site does however have a blue-line stream that runs through the middle of the parcel, which was delineated in 2004. The riparian drainage must be avoided, as indicated in the Environmental Constraint Sheet (ECS) on the property. This project fulfills those requirements. The riparian drainage area is fenced off by a 5 foot high white vinyl fence with wire mesh running parallel to the blue-line stream, and none of the uses proposed under this project are within the riparian drainage area.
11. Existing on the project site are two (2) 5000 gallon water tanks for fire protection and suppression, and the proposed project has received clearance through the Riverside County Fire Department.
12. All persons within the County of Riverside that keep and control dogs, including those with Class II Kennels, are required to comply with Ordinance No. 630, including Section 14 (Stray or Barking Dogs) and Section 23 (Public Nuisance). Among other provisions, Ordinance No. 630 forbids persons in charge of dogs from allowing stray or barking dogs. To the extent problems arise from any of the dogs that are housed at the proposed Class II Kennel, Ordinance No. 630 provides procedures and remedies for ameliorating such problems. The dogs located at the proposed project location are current in their licensing and vaccinations. Copies of licensing and vaccinations have been included in the Staff Report package.
13. The Environmental Health Department review of the Noise Impact Analysis submitted for this project recommends that all dogs be housed indoors between the hours of 10:00 p.m. and 7:00 a.m. Planning has conditioned the project regarding Animal Confinement (10 Planning 6) to further address the noise concerns by requiring that all dogs shall be maintained and confined in a house-type enclosure (the 480 square foot accessory structure) or the private residence between the hours of 8:00 p.m. and 7:00 a.m., except that the dogs may be allowed to relieve themselves with a supervised caretaker at 3:30 am per the site plans Exhibit A. Included in the staff report package is a copy of the daily schedule and mission statement for the proposed project.

14. This project has been determined to be categorically exempt from CEQA, as set forth per Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines.
15. Section 15301 under State CEQA Guidelines exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Under subsection (e), this includes additions to existing structures that will not result in an increase of 50 percent of the floor area of the structures before the addition or 2,500 square feet, whichever is less.
16. The proposed Class II Kennel includes the permitting of an existing 80-square-foot accessory structure for kennel use; an existing dog playground area which is enclosed by an existing 6-foot-high chain-link fence; an existing 520 square-foot patio cover attached to the existing 2,818 square-foot dwelling; and food and water troughs under the patio cover. There are no alterations proposed to the existing 80-square-foot accessory structure, the existing dog playground area including fence, existing patio cover, or the food and water troughs. These will continue to be used as they are currently being used. Therefore, they are covered by the Class 1 exemption.
17. Section 15303(e) under State CEQA Guidelines exempts the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.
18. The project also proposes new construction and location of a single, new 480-square-foot accessory structure for kennel uses. The 480-square-foot structure is appurtenant to the existing single family residence. The proposed 480-square-foot accessory structure is approximately the same size as a two-car garage, an explicitly exempt structure under State CEQA Guidelines section 15303(e). It is much smaller in square footage than other uses that are also explicitly exempt under State CEQA Guidelines section 15303(c). Therefore, it is exempt under the Class 3 exemption.
19. None of the exceptions under State CEQA Guidelines section 15300.2 apply. There is no designated, precisely mapped, or officially adopted environmental resource of hazardous or critical concern on the project site or in the project area. Because of its distance from other uses and the few other projects in the area, there are no cumulative impacts that would result from this project. There are no unusual circumstances that will lead the project to have a significant impact on the environment in terms of land use and zoning compatibility. The R:RM land use designation encourages preserving large lots and limited animal keeping. Additionally, the zoning ordinance allows the keeping of horses, farm or establishments for the selective or experimental breeding and raising of farm stock or animals and the keeping or raising of mature female crowing fowl. Kennels and catteries are a permitted use with a plot plan. As a result, it is not unusual for this area to see a variety of animals being kept on properties.
20. There are no scenic resources onsite that will be damaged or that are within a highway officially designated as a state scenic highway. The project site has not been designated a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government Code.
21. There are no impacts as a result of this project that could affect the Santa Rosa Plateau Ecological Reserve as the kennel property is fully fenced, located approximately four (4) miles

away and located over 200 feet way from a conservation area which is not an established wildlife corridor.

22. The 480-square-foot accessory structure for kennel use is in concurrent processing with the Building Department under building permit BAS150253.

**CONCLUSIONS:**

1. The proposed project is consistent with the General Plan land use designation of Rural: Rural Mountainous (R: RM) and the Residential Agricultural – 5 Acre Minimum (R-A-5) Zoning Classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
2. The public's health, safety, and general welfare are protected through project design.
3. The proposed project is compatible with the present and future logical development of the area.
4. The proposed project will not have a significant effect on the environment.
5. The proposed project will not preclude reserve design for the WRCMSHCP.

**INFORMATIONAL ITEMS:**

1. Attached to this report are emails, letters, and other documents in opposition to and in support of this proposed Class II Kennel project.
2. The project site is **not** located within:
  - a. A city sphere of influence; or
  - b. A 100-year flood plain, an area drainage plan, or dam inundation area; or
  - c. The Stephens Kangaroo Rat Fee Area or Core Reserve Area; or
  - d. A Parks and Recreation District; or
  - e. A liquefaction area; or
  - f. Half-mile of a fault line or zone.
3. The project site is located within:
  - a. The Southwest Area Plan; and
  - b. The Tenaja Community Service District; and
  - c. The WRCMSHCP; and
  - d. The boundaries of Murrieta Valley Unified School District; and
  - e. San Juan Watershed; and
  - f. A high fire and State Responsibility Area.
4. The subject site is currently designated as Assessor's Parcel Number 932-020-024

**RIVERSIDE COUNTY PLANNING DEPARTMENT  
PP25922**

**VICINITY/POLICY AREAS**

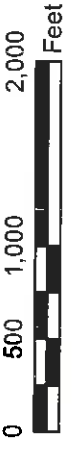
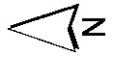
Supervisor: Jeffries  
District 1

Date Drawn: 07/08/2016  
Vicinity Map



Zoning Area: Rancho California

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2009, the County of Riverside adopted a new General Plan and the associated land use designations for unincorporated Riverside County. The County is not responsible for the accuracy of the information provided on this map. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-5200 (Western County) or in Palm Desert at (760)434-8277 (Eastern County) or Riverside <http://www.riverside.ca.gov>



RIVERSIDE COUNTY PLANNING DEPARTMENT

PP25922

LAND USE

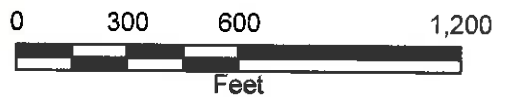
Supervisor: Jeffries  
District 1

Date Drawn: 07/08/2016  
Exhibit 1



Zoning Area: Rancho California

Author: Vinnie Nguyen



**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://rclanning.cortina.org>

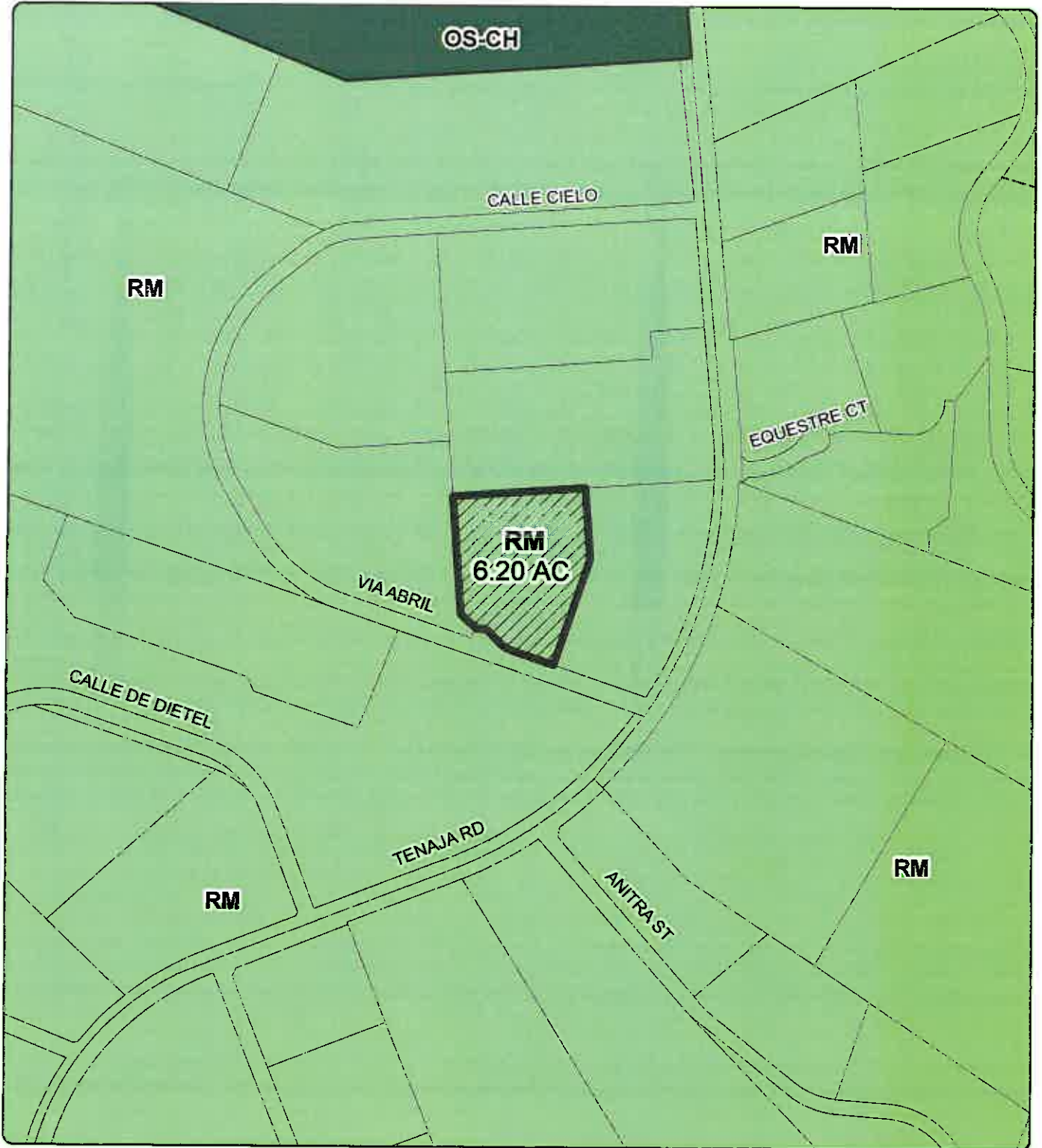
RIVERSIDE COUNTY PLANNING DEPARTMENT

PP25922

EXISTING GENERAL PLAN

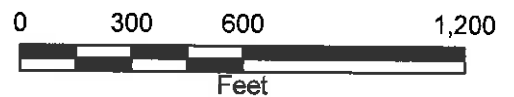
Supervisor: Jeffries  
District 1

Date Drawn: 07/08/2016  
Exhibit 5



Zoning Area: Rancho California

Author: Vinnie Nguyen



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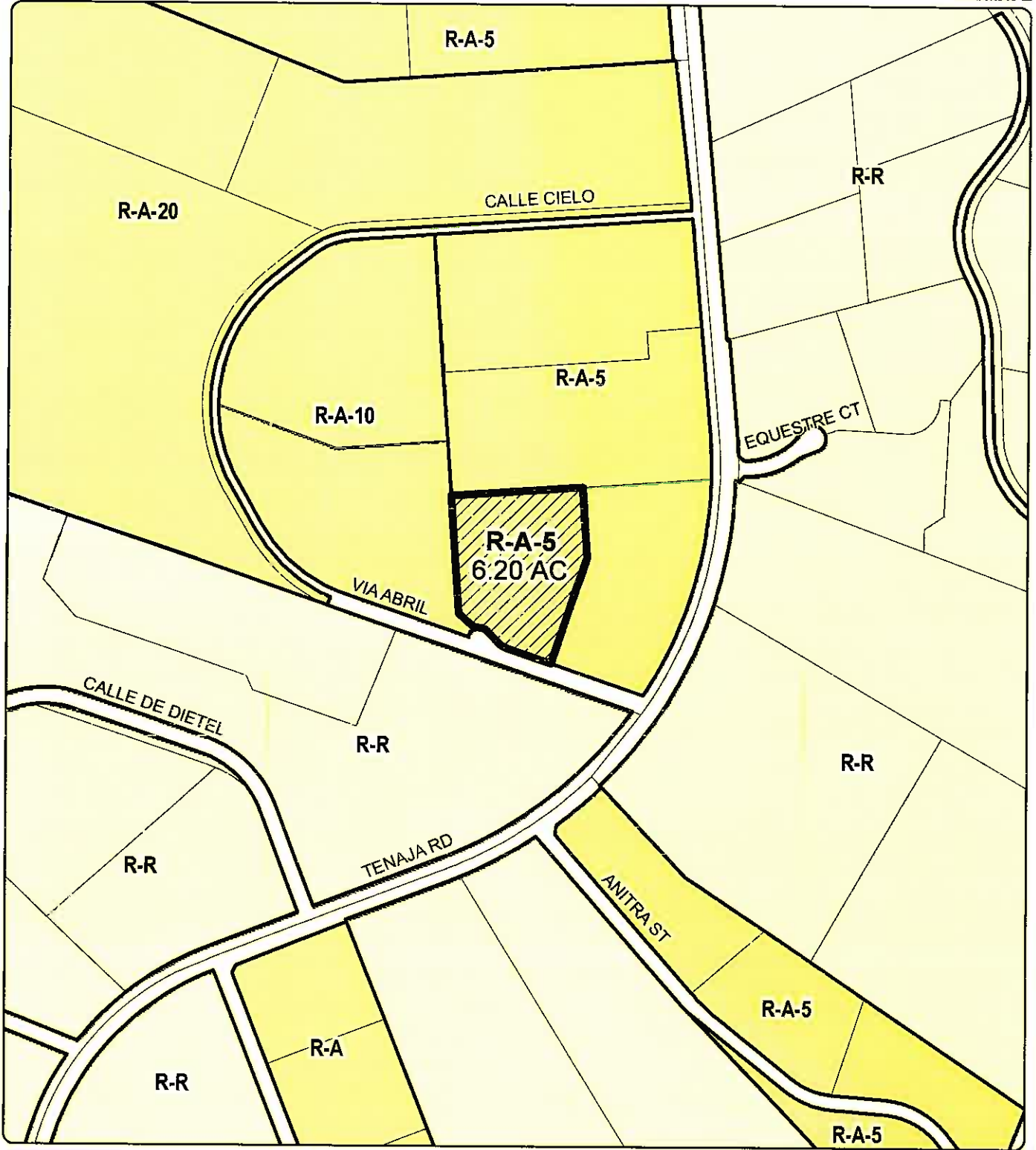
RIVERSIDE COUNTY PLANNING DEPARTMENT

PP25922

EXISTING ZONING

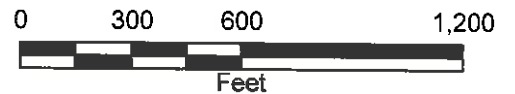
Supervisor: Jeffries  
District 1

Date Drawn: 07/08/2016  
Exhibit 2



Zoning Area: Rancho California

Author: Vinnie Nguyen



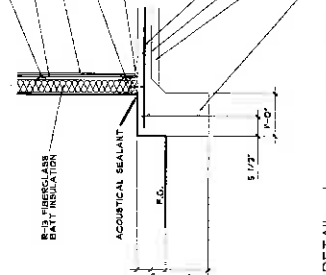
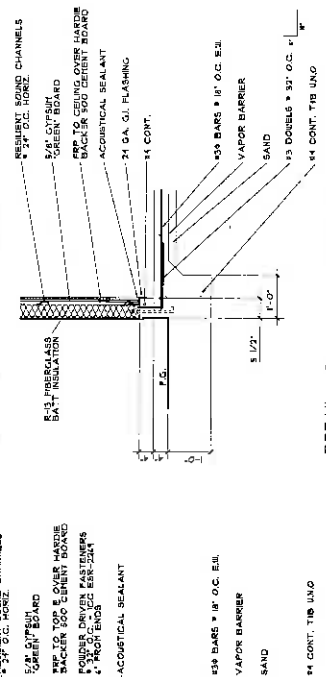
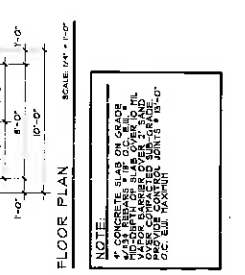
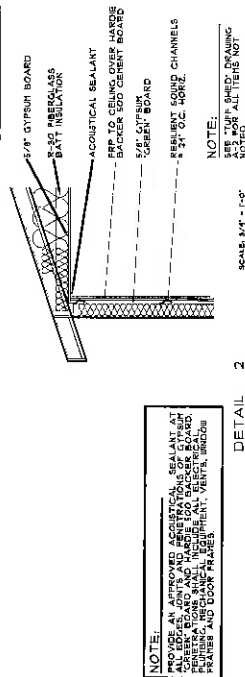
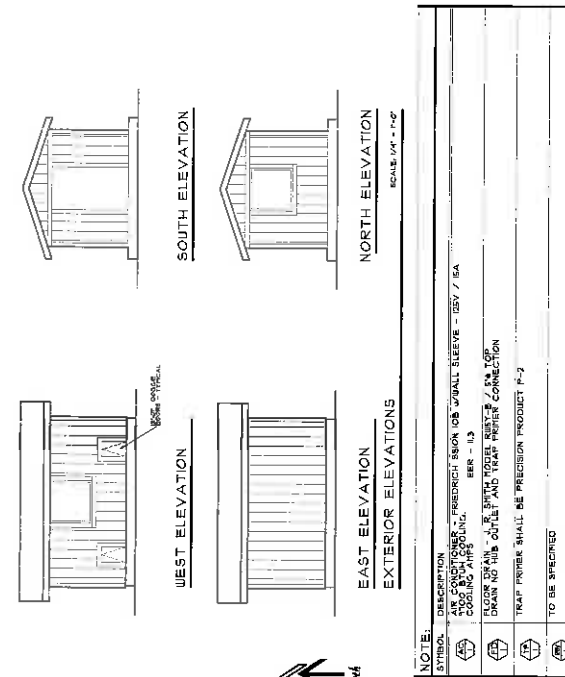
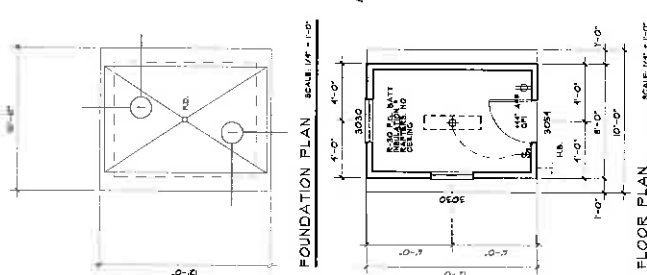
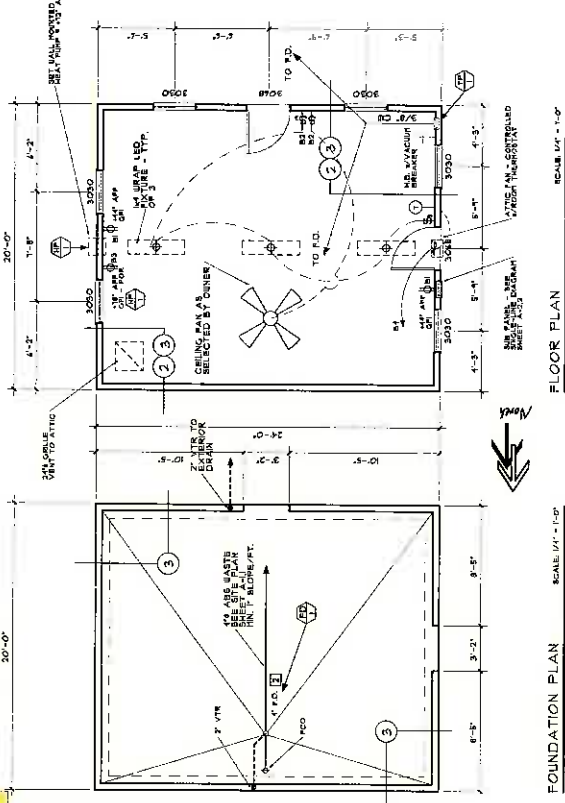
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CASE #17022 AND NO.1  
 EXHIBIT C & E  
 DATE 5-18-2018  
 PLANNER T. Winkler

- 1. FOUNDATION PLAN
- 2. FLOOR PLAN
- 3. EXTERIOR ELEVATIONS
- 4. WEST ELEVATION
- 5. SOUTH ELEVATION
- 6. NORTH ELEVATION
- 7. EAST ELEVATION
- 8. DETAIL 1
- 9. DETAIL 2
- 10. DETAIL 3



**RRA**  
 a structure interior design

2700 W. 10th Ave  
 Suite 100  
 Denver, CO 80202  
 Phone: 303.733.8888  
 Email: rra@rra.com

**McVICKER**  
 982508

CLASS II DOG HENNEL for  
 MRS. TIMOTHY MURRIET CRIFORNIA

MR. and MRS. 17370 VIA ABRI

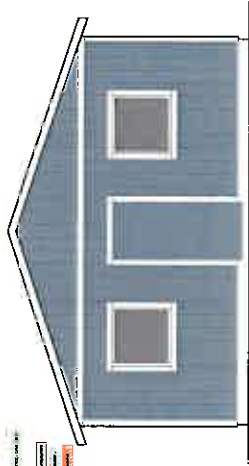
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**A-2.1**

CASE: PRS22 AND MD1  
 COUNTY: COCONINO  
 PLANNING: 2014  
 PLANNER: J. Wheeler

- LEGEND
- 1. EXTERIOR FINISHES
- 2. INTERIOR FINISHES
- 3. FLOOR FINISHES
- 4. ROOF FINISHES
- 5. PAINT FINISHES
- 6. LANDSCAPE FINISHES
- 7. FURNITURE FINISHES
- 8. LIGHTING FINISHES
- 9. MECHANICAL FINISHES
- 10. ELECTRICAL FINISHES
- 11. PLUMBING FINISHES
- 12. HVAC FINISHES
- 13. FIRE PROTECTION FINISHES
- 14. SOUND ATTENUATION FINISHES
- 15. VIBRATION CONTROL FINISHES
- 16. ENVIRONMENTAL FINISHES
- 17. ACCESSIBILITY FINISHES
- 18. SAFETY FINISHES
- 19. SECURITY FINISHES
- 20. OTHER FINISHES



WEST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

EXTERIOR ELEVATIONS

NOT TO SCALE

EXTERIOR ELEVATIONS

NOT TO SCALE

NOTE:  
 COLORS TO MATCH EXISTING RESIDENCE AND OTHER STRUCTURES ON SITE.

**RRA**  
 architecture

interior design  
 space planning  
 L.A.  
 RRA

ARCHITECT  
 RRA  
 2014  
 RRA



CLASS II DOG KENNEL for

MR. and MRS. APRIL  
 17370 VIR

MURRIETA CALIFORNIA

TIMOTHY  
 MURRIETA CALIFORNIA

McVICKER  
 99568

DATE: 04-25-2014  
 04-25-2014

REVISION:  
 REVISION:  
 REVISION:  
 REVISION:  
 REVISION:

A-3.1

PLOT PLAN:TRANSMITTED Case #: PP25922

Parcel: 932-020-024

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1

PPA - PROJECT DESCRIPTION

RECOMMND

This use hereby permitted proposes to establish a Class II Kennel to house and care for the property owners' own personal dogs. There are currently 18 dogs at this location. A Class II Kennel allows between 11 to 25 dogs. As shown on Exhibit A, the project includes a proposed 480-square-foot accessory structure for kennel use; an existing 80-square-foot accessory structure for kennel use; an existing dog playground area which is enclosed by an existing 6-foot-high chain-link fence; an existing patio cover (attached to the existing dwelling); and food and water troughs under the patio cover. The proposed Class II kennel will not be open to the public.

10. EVERY. 2

PPA - HOLD HARMLESS

RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PLOT PLAN; and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the PLOT PLAN, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding,



PLOT PLAN:TRANSMITTED Case #: PP25922

Parcel: 932-020-024

10. GENERAL CONDITIONS

10. EVERY. 2                    PPA - HOLD HARMLESS (cont.)                    RECOMMND

whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

10. EVERY. 3                    PPA - CONFORM TO EXHIBIT                    RECOMMND

The development of the premises shall conform substantially with that as shown on Plot Plan No. 25922, Exhibit A dated May 16, 2016.

BS GRADE DEPARTMENT

10.BS GRADE. 1                USE - GENERAL INTRODUCTION                RECOMMND

Improvements such as grading, filling, over excavation and recompaction, and base or paving which require a grading permit are subject to the included Building and Safety Department Grading Division conditions of approval.

10.BS GRADE. 3                USE - OBEY ALL GDG REGS                RECOMMND

All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in Riverside County and prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building and Safety Department.

10.BS GRADE. 4                USE - DISTURBS NEED G/PMT                RECOMMND

Ordinance 457 requires a grading permit prior to clearing, grubbing, or any top soil disturbances related to construction grading.

E HEALTH DEPARTMENT

10.E HEALTH. 1                USE - NOISE STUDY                RECOMMND

Noise Consultant: Roma Environmental Phone: (951)544-3170

Noise Study:"Noise Impact Analysis for Shadow Hysky Ranch, County of Riverside, California," February 23, 2016

Based on the County of Riverside, Industrial Hygiene Program's review of the aforementioned Noise Study,

PLOT PLAN:TRANSMITTED Case #: PP25922

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10. GENERAL CONDITIONS

10.E HEALTH. 1 USE - NOISE STUDY (cont.)

RECOMMND

PP25922 shall comply with the recommendations set forth under the Industrial Hygiene Program's response letter dated June 14, 2016 c/o Steve Uhlman (RivCo Industrial Hygienist).

For further information, please contact the Industrial Hygiene Program at (951) 955-8980.

10.E HEALTH. 2 USE - KENNEL FOR PERSONAL USE

RECOMMND

This review was for a Class II Kennel to house and care for the property owners personal dogs. If in the future this becomes any type of commercial operation, additional evaluation of the water source (a well) and the onsite wastewater treatment system will be required. Please contact (951)955-8980 for additional details.

10.E HEALTH. 3 USE - EXISTING OWTS

RECOMMND

Under the review of PP25922, an existing dog house is being permitted to connect to the existing onsite wastewater treatment system (OWTS). Any additional structures will require further evaluation from this department. Please call (951)955-8980 for any additional details.

FLOOD RI DEPARTMENT

10.FLOOD RI. 1 USE - FLOOD HAZARD REPORT

RECOMMND

Bluebeam Session ID: 758-082-423  
Plot Plan (PP) 25922 is a proposal to establish a Class II Kennel on a 6.2-acre site in the Rancho California Area. The site is located on the north side of Via Abril approximately 500 feet west of Tenaja Road. The site is Parcel 4 of Parcel Map 32083.

There is a natural watercourse that traverses the site and exits to the north. According to the Hydrology and Hydraulics Report dated October 3, 2005 for Parcel Map 32083 the natural watercourse has a tributary drainage area of 272 acres from the hills to south and east and a 100-year flowrate of 563 cubic feet per second. The 100-year floodplain limits for this watercourse along with a 50-foot erosion hazard setback from the limits from the floodplain limits are shown on the environmental constraint sheet that accompanied the final recorded map. The

PLOT PLAN:TRANSMITTED Case #: PP25922

Parcel: 932-020-024

10. GENERAL CONDITIONS

10.FLOOD RI. 1

USE - FLOOD HAZARD REPORT (cont.)

RECOMMND

floodplain shall be kept free of any buildings and obstructions including fill slopes in order to maintain the natural drainage patterns of the area. In order to comply with the requirements of the Parcel Map 32083, any fencing inside the floodplain limits shall be of a "rail" type as stated on the environmental constraint sheet. Chain-link or mesh-type fencing will not be allowed within the floodplain limits as they block debris laden flows. The setback shall be kept free of all buildings in order to prevent flood damage to new structures. A tubular-steel, metal grate fencing for the bottom 24 inches is acceptable within the delineated floodplain limits. The proposed wire-mesh covering for the fence is only acceptable for areas outside the floodplain limits or above the bottom 24-inch elevation within the floodplain limits.

The existing improvements to the parcel are outside and setback from this watercourse. The kennel is intended to house and care for the property owners own personal dogs. The kennel will not be open to the public. There is an existing pre-manufactured shed that will be used as a dog house that is part of this proposal. No grading is proposed with this project.

10.FLOOD RI. 2

USE - FENCING REQUIREMENT

RECOMMND

The site is Parcel 4 of Parcel Map 32083. The floodplain for the natural watercourse traversing the site is delineated on environmental constraint sheet that was recorded with the final Parcel Map 32083. The natural watercourse and its associated floodplain must be kept clear of any obstructions in order to perpetuate the natural drainage patterns.

Any fencing inside the floodplain limits shall be of a "rail" type and no chain-link fencing will be allowed as stated on the environmental constraint sheet. Chain-link or mesh-type fencing will not be allowed within the floodplain limits as they block debris laden flows that are characteristic of natural watercourses.

A tubular-steel, metal grate fencing for the bottom 24 inches is acceptable within the delineated floodplain limits. Wire-mesh covering for the fence is only acceptable for areas outside the floodplain or above the bottom 24-inch elevation within the floodplain.

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10. GENERAL CONDITIONS

PLANNING DEPARTMENT

10.PLANNING. 1                    PPA - COMPLY WITH ORD./CODES                    RECOMMND

The development of these premises shall comply with the standards of Ordinance No. 348 and all other applicable Riverside County ordinances and State and Federal codes. The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT A , unless otherwise amended by these conditions of approval.

10.PLANNING. 2                    PPA - COMPLY BUILDING & SAFETY                    RECOMMND

Compliance with Department of Building and Safety directives and all required permits shall be obtained prior to establishment or continuation of the use.

10.PLANNING. 3                    PPA - EXERCISE SPACE/SHELTER                    RECOMMND

Sufficient exercise space and adequate shelter from the elements shall be provided for all animals maintained.

10.PLANNING. 4                    PPA - FOOD/WATER                    RECOMMND

Water for drinking shall be available at all times and a suitable and sufficient supply of appropriate food shall be maintained on hand and provided at appropriate intervals.

10.PLANNING. 5                    PPA - FOOD STORAGE/SANITATION                    RECOMMND

Animal food shall be stored under sanitary conditions and food and water receptacles shall be of a material which can be easily cleaned and disinfected. Each kennel shall contain a water basin for cleaning of food and water receptacles.

10.PLANNING. 6                    PPA - ANIMAL CONFINEMENT                    RECOMMND

All dogs shall be maintained and confined in a house-type enclosure (the 480 square foot accessory structure) or the private residence between the hours of 8:00 p.m. and 7:00 a.m., except that the dogs may be allowed to relieve themselves with a supervised caretaker at 3:30 am per the site plans Exhibit A.

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10. GENERAL CONDITIONS

10.PLANNING. 7                    PPA - CARETAKER                    RECOMMND

A caretaker is required to be on the kennel premises on a daily basis.

10.PLANNING. 8                    PPA - THE KENNEL                    RECOMMND

The dogs shall be not housed or maintained in any area which is less than twenty feet from any property line and no closer than five feet from any structure located on the kennel premises which is used for human habitation, except that where a dwelling house is located on the kennel premises any number of dogs may be taken in to said dwelling house. The term dwelling house shall also include a barn, garage, or similar appurtenant structure or outbuilding.

10.PLANNING. 10                    USE - CAUSES FOR REVOCATION                    RECOMMND

In the event the use hereby permitted under this permit,  
a) is found to be in violation of the terms and conditions of this permit,  
b) is found to have been obtained by fraud or perjured testimony, or  
c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

10.PLANNING. 11                    MAP - IF HUMAN REMAINS FOUND                    RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:  
Human remains require special handling, and must be treated with appropriate dignity. Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Specific actions must take place pursuant to CEQA Guidelines §15064.5e, State Health and Safety Code Section 7050.5 and Public Resource Code (PRC) §5097.98. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following procedures shall be followed:  
a) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:  
i) A County Official is contacted.

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10. GENERAL CONDITIONS

10.PLANNING. 11 MAP - IF HUMAN REMAINS FOUND (cont.)

RECOMMND

ii)The County Coroner is contacted to determine that no investigation of the cause of death is required, and If the Coroner determines the remains are Native American:

iii)The Coroner shall contact the Native American Heritage Commission within 24 hours.

b)The Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.

c)The Most Likely Descendent (MLD) may make recommendations to the landowner or the person responsible for the excavation work, for the treatment of human remains and any associated grave goods as provided in PRC 5097.98.

d)Under the following conditions, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods on the property in a location not subject to further disturbance:

i)The Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.

(1)The MLD identified fails to make a recommendation; or

(2)The landowner or his authorized representative rejects the recommendation of the MLD, and the mediation.

10.PLANNING. 12 MAP - UNANTICIPATED RESOURCES

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

1)If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

a)All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find.

b)At the meeting, the significance of the discoveries shall

PLOT PLAN:TRANSMITTED Case #: PP25922

Parcel: 932-020-024

10. GENERAL CONDITIONS

10.PLANNING. 12 MAP - UNANTICIPATED RESOURCES (cont.) RECOMMND

be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the County Archaeologist, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

c)Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

TRANS DEPARTMENT

10.TRANS. 1 USE - STD INTRO (ORD 461) RECOMMND

With respect to the conditions of approval for the referenced tentative exhibit, it is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. This ordinance and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

10.TRANS. 2 USE - COUNTY WEB SITE RECOMMND

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site:  
<http://rctlma.org/trans/>. If you have questions, please call the Plan Check Section at (951) 955-6527.

10.TRANS. 3 USE - TS/EXEMPT RECOMMND

The Transportation Department has not required a traffic study for the subject project. The Transportation Department has determined that the project is exempt from traffic study requirements.

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Parcel: 932-020-024

10. GENERAL CONDITIONS

10.TRANS. 4 USE - NO ADD'L ON-SITE R-O-W

RECOMMND

No additional on-site right-of-way shall be required on Via Abril since adequate right-of-way exists, per PM 215/21-24.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1 USE - EXPIRATION DATE-PP

RECOMMND

This approval shall be used within two (2) years of approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within a two (2) year period which is thereafter diligently pursued to completion or of the actual occupancy of existing buildings or land under the terms of the authorized use.

Prior to the expiration of the two year period, the permittee may request a one (1) year extension of time request in which to use this plot plan. A maximum of three one-year extension of time requests shall be permitted. Should the time period established by any of the extension of time requests lapse, or should all three one-year extensions be obtained and no substantial construction or use of this plot plan be initiated within five (5) years of the effective date of the issuance of this plot plan, this plot plan shall become null and void.

60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 1 USE - SUBMIT GRADING PLAN

RECOMMND

When you submit a grading plan to the Department of Building and Safety, two sets of the grading plan (24" X 36") shall be submitted to the Transportation Department for review and subsequently for the required clearance of the condition of approval prior to the issuance of a grading permit.

Please note, if improvements within the road right-of-way are required per the conditions of approval, the grading clearance may be dependent on the submittal of street



09/21/16  
10:25

Riverside County LMS  
CONDITIONS OF APPROVAL

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60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 1 USE - SUBMIT GRADING PLAN (cont.)

RECOMMND

improvement plans, the opening of an IP account, and payment of the processing fee.

Otherwise, please submit required grading plan to the Transportation Department, Plan Check Section, 8th Floor, 4080 Lemon Street, Riverside, CA

Standard plan check turnaround time is 10 working days.

80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 1 USE-NO GRADING VERIFICATION

RECOMMND

Prior to the issuance of any building permit, the applicant shall comply with the County of Riverside Department of Building and Safety "NO GRADING VERIFICATION" requirements.

90. PRIOR TO BLDG FINAL INSPECTION

TRANS DEPARTMENT

90.TRANS. 1 USE - WRCOG TUMF

NOTAPPLY

Prior to the issuance of an occupancy permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 824.

**LAND DEVELOPMENT COMMITTEE (LDC)  
INITIAL CASE TRANSMITTAL  
RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE  
P.O. Box 1409  
Riverside, CA 92502-1409**

DATE: December 29, 2015

**TO:**

Riv. Co. Transportation Dept.  
Riv. Co. Environmental Health Dept.  
Riv. Co. Fire Department  
Riv. Co. Building & Safety-Grading  
Riv. Co. Building & Safety-Plan Check  
Riv. Co. Regional Parks & Open Space  
Riv. Co. Environmental Programs Division

Riv. Co. Geology Section  
Riv. Co. Archaeology Section  
Riv. Co. Sheriff's Department  
Riv. Co. Waste Resources Management  
Transportation- Landscape Division  
1<sup>st</sup> District Board of Supervisors  
1<sup>st</sup> District Planning Commissioner

Western Municipal Water District  
Animal Control Service  
Murneta Valley Unified School District  
Southern California Edison Co.  
Southern California Gas Co.

**PLOT PLAN NO. 25922** – EA42860 – Applicant: Timothy & Elizabeth McVickers – Engineer/Representative: Southland Engineering – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountain (R: RM) (10 Acre Minimum) – Location: northerly of Via Abril, westerly of Tenaja Rd, and southerly & easterly of Calle Cielo – 6.20 Gross Acres - Zoning: Residential Agricultural - 5 Acre Minimum (R-A-5) **REQUEST:** The plot plan purposes to establish a Class II Kennel to house and care for the property owners own personal dogs. The project includes a 480 sq. ft. dog house. The kennel is not open to the public. – APN: 932-020-024 - Concurrent Cases: BAS150253

**LDC staff members and other listed Riverside County Agencies, Departments and Districts staff:**

A Bluebeam invitation has been emailed to appropriate staff members so they can view and markup the map(s) and/or exhibit(s) for the above-described project. Please have your markups completed and draft conditions in the Land Management System (LMS) on or before the indicated LDC date. If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the LMS routing on or before the above date. This case is scheduled for a LDC meeting on January 14, 2016. Once the route is complete, and the approval screen is approved with or without corrections, the project can be scheduled for a public hearing.

Should you have any questions regarding this project, please do not hesitate to contact Tim Wheeler, (951) 955-6060, Interim Urban Regional Planner, or e-mail at [TWheeler@rcplma.org](mailto:TWheeler@rcplma.org) / MAILSTOP #: 1070

Public Hearing Path: Administrative Action:  DH:  PC:  BOS:

**COMMENTS:**

*See attached.*

DATE: 1/11/2016 SIGNATURE: *Rita Gutierrez*  
PLEASE PRINT NAME AND TITLE: RITA GUTIERREZ, COMMANDER OF FIELD SERVICES  
TELEPHONE: 951-355-7365

*If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.*



*Department of Animal Services  
Robert Miller, Director*

*Operations Division  
Frank Corvino, Deputy Director*

Tim Wheeler, Urban Regional Planner  
Riverside County Planning Department  
P.O. Box 1409  
Riverside, CA 92502-1409

RE: Timothy and Tamara McVicker  
17370 Via Abril  
Murrieta, CA 92562  
APN 932-020-024, Plot Plan # 25922

Mr. Wheeler,

The Department of Animal Services (DAS) records show multiple complaints regarding the address noted above. Most are regarding the noise from barking dogs coming from the property as well as the excessive numbers of dogs. To date, we have received calls from four separate residences and one anonymous call. This is exceptional for us as typically we only receive one to two neighbors calling regarding excessive barking from any one property.

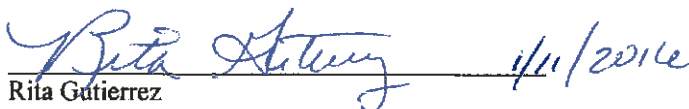
We have made multiple visits to the property. The animals, originally totaling less than ten, appear to be in good condition and well cared for.

Although Ms. McVicker was warned to not bring any more dogs onto her property until she was in compliance with her kennel permit, she continues to increase the number of dogs. Currently we believe she has over 14 dogs on the property.

The submitted plans for a "Tuff Shed" on the property do not address the noise complaints that have been ongoing since August, 2015. In addition, there is no mention of drainage for fecal matter, for the potential twenty dogs, if the dogs are to be kept/ maintained in the shed for any length of time. We are greatly concerned if these two issues are not addressed, DAS will continue to receive complaints and be forced to proceed with hearings under Riverside County, Ord. 878.

Please let me know if you have any further questions regarding our cases.

Respectfully,

 4/11/2016

Rita Gutierrez  
Field Services Commander  
Riverside County  
Department of Animal Services  
951-358-7365

County of Riverside  
DEPARTMENT OF ANIMAL SERVICES - Administrative Offices  
6851 Van Buren Boulevard, Jurupa Valley, California 92509  
(951) 358-7387 FAX (951) 358-7300 TDD (951) 358-5124

**COUNTY OF RIVERSIDE  
DEPARTMENT OF ANIMAL SERVICES  
NOISY ANIMAL HEARING  
ADMINISTRATIVE HEARING ORDER  
Case No. A15-036506**

**Address:** West Riverside County Animal Shelter  
6851 Van Buren Blvd., Jurupa Valley, California 92509

**Hearing Date:** March 17, 2016

**Owner of Animal(s):** TAMARA ELIZABETH MCVICKER  
17370 Via Abril  
Murrieta CA 92562

**Reporting Party:** SCOTT BECKER

**Animal(s):** NUMEROUS HUSKIES

A hearing was conducted at the request of the Riverside County Department of Animal Services at the above date and location. Information submitted by all parties, including the Department of Animal Services case file documents, was reviewed and the following Order is issued.

**PARTIES**

**Reporting Party:** SCOTT BECKER was present and testified.

**Dog Owner(s):** TAMARA ELIZABETH MCVICKER was present and testified.

**NOTICE**

The Riverside County Department of Animal Services, on behalf of the County of Riverside, mailed a *Notice of Referral to Administrative Hearing Officer* to all concerned parties. A hearing would be held on the above hearing date, at the above location. The Notice of Referral also stated that, "*Failure of the reporting party to appear on the . . . designated date and time may result in the case being dismissed. The hearing may proceed even if the animal owner fails to appear . . . and may result in a default order against the owner. Accordingly, your presence is strongly suggested.*"

///

## EVIDENCE

The evidence from the County Department of Animal Services Activity file A15-036506, evidence submitted before and at the hearing by the parties, and witness testimony was all thoroughly reviewed and considered in this matter. All witnesses testified under penalty of perjury as summarized, in part, following.

Testimony was received from SCOTT BECKER.

Mr. Becker testified that the dog barking noise from the Dog Owner's numerous dogs is a nuisance that has impaired his use and enjoyment of his property.

Testimony was received from TAMARA ELIZABETH MCVICKER.

Ms. McVicker testified that she has taken extensive measures, including hiring full time caretakers, to mitigate the dog barking noise.

The above information presented in the hearing was considered and is incorporated in the following Decision and Order.

The Administrative Hearing was recorded and a copy of the sound audio file is part of the record of this hearing, maintained by the Citation Processing Center, Newport Beach, California.

The legal 'standard of review' of all evidence in such administrative cases is a **preponderance of the evidence** or 'evidence which is of greater weight and more convincing than the evidence which is offered in opposition to it; that is evidence which as a whole shows that the fact sought to be proved is more probable than not.' **Black's Law Dictionary, Fifth Edition.**

## FINDINGS AND ORDER

Section 5 of Riverside County Ordinance 878 provides in relevant part as follows:

Noisy Animal. Any animal or animals maintained on the same premises or location whose excessive, unrelenting or habitual barking, howling, crying or other noises or sounds annoy or become offensive to a resident or residents in the vicinity thereby disturbing the peace of the neighborhood or causing excessive discomfort to any reasonable person of normal sensitivity hearing such sounds.

Section 8 of Riverside County Ordinance 847 provides as follows:

**ENFORCEMENT.** The Riverside County Sheriff and Code Enforcement shall have the primary responsibility for enforcing this ordinance; provided, however, the Sheriff and Code Enforcement may be assisted by

the Public Health Department. Violations shall be prosecuted as described in Section 10. of this ordinance, but nothing in this ordinance shall prevent the Sheriff, Code Enforcement or the Department of Public Health from engaging in efforts to obtain voluntary compliance by means of warnings, notices, or educational programs.

Section 10 of Riverside County Ordinance 847 provides in relevant part as follows:

**VIOLATIONS AND PENALTIES.** Any person who violates any provision of this ordinance once or twice within a one hundred and eighty (180) day period shall be guilty of an infraction. Any person who violates any provision of this ordinance more than twice within a one hundred and eighty (180) day period shall be guilty of a misdemeanor.

Based on the documented information provided by the Department of Animal Services and provided by the parties, as well as the information presented by the testifying witnesses, I find that the Dog Owner's dogs should not, subject to the conditions set forth following, be classified at this time as Public Nuisances.

It is emphasized that the this hearing was strictly to determine whether the Dog Owner's dogs are "noisy animals" as defined in Section 5 of Ordinance 878. The hearing was not to determine whether the dogs are potentially dangerous. The hearing was not to determine whether a kennel license should or should not be granted. Accordingly, any evidence or testimony tending to address such irrelevant issues was not considered. Otherwise, all evidence submitted and testimony heard was considered.

As stated above, the standard of review applicable here is a preponderance of the evidence. Accordingly, the testimony, on the whole, together with the evidence of record shows the following. There likely was an excessive noise problem at some point. However, at this time, it is sufficiently established that the Dog Owner has implemented substantial measures to control the barking noise and that those measures are working. The Dog Owner has hired full time caretakers just for her dogs. She has instituted the use of bark suppression collars for some dogs as needed. She has caused her dogs to undertake training designed to mitigate nuisance barking. All such measures already taken are the same measures that would have been ordered in the event that a nuisance was determined to exist.

On the other hand, the Reporting Party has expressed concern that the present mitigation is temporary and that after the hearing the situation will worsen again. This is an all too common concern in noisy animal cases. Accordingly, if the Reporting Party should find at any time, within one (1) year of the date hereof, that the barking of the Dog Owner's dogs is a nuisance once again, and complains to the Department of Animal Services, a new hearing shall be held upon giving proper notice to all parties. The purpose of such hearing shall be limited only to determining whether excessive barking, or other circumstances as enumerated under Section 5 of Ordinance 878, has occurred at any time after the date of this order. If at such hearing it is determined that excessive barking or

other circumstances as enumerated under Section 5 of Ordinance 878 has occurred during such period of time, then all the Dog Owner's dogs shall be automatically deemed a public nuisance and the orders set forth below shall then be in full force and effect.

It is noted that Ordinance 847 is not applicable to this hearing, or any follow up hearing pursuant to this order, because the noise standards under that ordinance are standards applicable to criminal liability for excessive noise. As is shown by the excerpted sections of Ordinance 847, the enforcement of violations of Ordinance 847 is done by law enforcement agencies and the consequence of violation thereof is prosecution as a crime. The only standard that is relevant here is that of Section 5, Ordinance 878. Accordingly, the noise impact analysis commissioned by the Dog Owner was not dispositive on the outcome of this hearing. The primary dispositive consideration was the current effect on the neighbors as set forth under Section 5 of Ordinance 878.

Nothing in this hearing order shall be deemed to limit or restrict the right of the Reporting Party to seek remedies in his private capacity.

If the Dog Owner's dogs are determined to be a public nuisance as provided above, only then the Dog Owner is ORDERED as follows:

1. All of the Dog Owner's dogs must be contained within an enclosed building on the premises of the Dog Owner between the hours of 10:00 p.m. and 7 a.m. on a daily basis. Therefore, the dogs shall only be placed out of doors between the hours of 7 a.m. and 10 p.m. on the premises of the Dog Owner.
2. When the above dogs are allowed outdoors on the property of the Dog Owner, they shall EACH, at all times, wear a serviceable and fully functioning bark suppression device known as a bark collar, the specifications of which can be obtained from the Department of Animal Services.
3. Alternatively, when the dogs are allowed outdoors, in lieu of wearing bark collars, the dogs shall be watched by a dedicated caretaker at all times, which caretaker shall take measures to stop any nuisance barking.
4. The Dog Owner shall, together with each of her dogs, undertake obedience training that is designed to mitigate the barking nuisance problem for such dogs, at the sole expense of the Dog Owner, and shall submit to the Department of Animal Services proof of such training for each and every dog.

**This ORDER shall commence upon service of the Notice and Order on the Parties.**

#### **APPEAL**

The Hearing Order and Decision is final as to the Hearing Order, thus ending the administrative appeal process with the County of Riverside. Unless a shorter time period applies, any judicial challenge to this decision is governed by the California Code of

Civil Procedure 1094.6, and can be filed at the Superior Court of Riverside County, California. Judicial review of this Order may thus be obtained by filing a petition with such court in accordance with all the timelines and provisions set forth in California Code of Civil Procedure 1094.6. There are strict time limits for requesting such judicial review; therefore if you wish to have this Order reviewed by a court, it is advisable to consult an attorney promptly.

**IT IS SO ORDERED:**

Date: March 24, 2016



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Elio Palacios, Esq.  
Hearing Officer





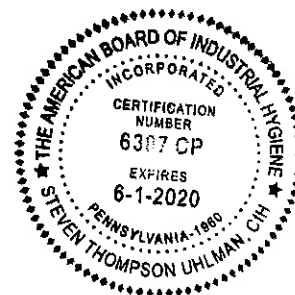
County of Riverside  
DEPARTMENT OF ENVIRONMENTAL HEALTH

P.O. BOX 7909 • RIVERSIDE, CA 92513-7909

STEVE VAN STOCKUM, DIRECTOR

**Date:** June 14, 2016

**To:** County of Riverside Planning  
Attention: Timothy Wheeler  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside, California 92502  
Fax: (951) 955-8631



**Reviewed Approved by:** Steven T. Uhlman, CIH  
Senior Industrial Hygienist

**Written by:** Steven T. Uhlman, CIH  
Riverside County, Department of Environmental Health  
Office of Industrial Hygiene  
3880 Lemon Street, Suite 200  
Riverside, California 92502  
Phone: (951) 955-8980

**Project Reviewed:** PP 25992, "Shadow Husky Ranch"

**SR Number:** 35216

**Applicant:** Timothy and Elizabeth McVicker  
17370 Via Abril  
Murrieta, CA 92562

**Noise Consultant:** Roma Environmental  
Phone: (951) 544-3170

**Information Provided:** "Noise Impact Analysis for Shadow Husky Ranch, County of Riverside, California", February 23, 2016

### **Noise Standards - Stationary Noise Sources:**

Facility-related noise, **as projected to any portion of any surrounding property containing a “habitable dwelling, hospital, school, library or nursing home”**, must not exceed the following worst-case exterior noise levels:

- a) 45 dB (A) – 10 minute noise equivalent level (“leq”), between the hours of 10:00 p.m. to 7:00 a.m. (nighttime standard).
- b) 65 dB (A) – 10 minute leq, between 7:00 a.m. and 10:00 p.m. (daytime standard).

### **Findings:**

The consultant's report is adequate.

### **Recommendations:**

- 1) The dogs must be housed indoors between the hours of 10:00 p.m. to 7:00 a.m.

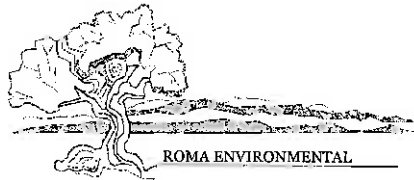
The dogs must be housed indoors between the hours of 10:00 p.m. to 7:00 a.m.

**Noise Impact Analysis  
for  
Shadow Husky Ranch  
County of Riverside, California**

**Prepared for:**

**Southland Engineering  
2200 Business Way, Suite 100  
Riverside, CA 92501**

**Prepared by:**



**Environmental Impact Analysis and Land Use Planning**

**Contact: Roma Stromberg  
951-544-3170**

**August 19, 2016**

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## APPENDICES

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## **I. Introduction and Setting**

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### **A. Purpose and Objectives**

The purpose of this report is to evaluate the existing noise environment at the Shadow Husky Ranch in order to determine if operations are or are likely to result in violations of applicable County of Riverside noise standards.

### **B. Project Location**

The proposed development is located De Luz which is an unincorporated area within the County of Riverside located west of the City of Murrieta. Specifically, the site address is 17370 Via Abril, Murrieta, CA 92562. A vicinity map showing the project location is provided in Figure 1.

### **C. Project Description**

The project consists of an application for a Class II Dog Kennel on a 5.67 acre rural residential parcel. The site is currently home to 18 huskies. The huskies sleep inside the on-site residence and have access to the designated outside areas shown in Figure 2, generally in shifts.

#### **Dog Use Areas**

As shown in Figure 2, the property is separated by fences and gates into three separate areas, the inner play area, the dog exercise area and portion of the property east of the blue-line stream. The dogs currently spend most of their time indoors, then the inner play area and the exercise area in that order. They are not currently allowed to use the area east of the blue-line stream unless the owner is accompanying them.

The floor of the home is tiled with ceramic tile, which is cool for the dogs and easy to clean. There are pillows and beds placed randomly throughout the house for the dogs to relax on. Bedding is located in all the areas that the dogs are confined in. At night, the huskies are brought inside and doors are closed. Currently the husky dogs sleep in the kitchen area on couches, in the main living room area, and in the bedroom (on the bed, under the bed, in closets, and on floor dog pillows). There is a small fenced in area accessible to the owner's bedroom where the huskies can go outside to relieve themselves at night. A Plot Plan has been submitted that proposes conversion of two sheds into kennels, which will be also used to house the huskies at night once built.

The inner play area is a gated area where the dogs have continuous access during the day from the house. Although they are supervised and allowed outside in shifts. The inner play area is filled with pea gravel and includes a sandbox and grassy areas. Shade is provided for the dogs with tarps, trees and the patio.

The huskies only have access to the exercise area during supervised exercise periods. This area is delineated by the blue line in Figure 2.

### **Schedule/Supervision**

The dogs are supervised 24/7. There are two caregivers that work eleven hour shifts, six days a week. When the caregivers are off duty, the owners take over and follow the same checklist of responsibilities. There is also a head count sheet utilized to keep track of the whereabouts of every single dog at all times.

The huskies are exercised at least 4 times a day within the secure fenced in areas on the property. Each exercise period lasts 1 ½ hours totaling 4 ½ hours each day. The dogs are separated into groups of 6-10 for exercise time. After exercise, the dogs are kept within the confines of the house and the inner play area where they are free to roam. They are allowed access to house areas and the inner play area in small groups.

During quiet/downtime dogs may be groomed, undergo basic obedience training or relax. Mostly, the huskies curl up and sleep when inside. It is ranch policy that at least one caregiver is always within view and hearing of the husky dogs.

The following is a summary of the typical daily schedule.

### **Daily Schedule**

- 6:00 am to 8:30 am — Wake up and morning Exercise/Playtime
  - Dogs are generally kept in the back yard
- 8:30 am to 9:30 am — Snacks/Quiet Time
- 9:30 am to 12:00 pm — Naptime/Quiet Time
- 12:00 pm to 1:30 pm — Exercise/Playtime
  - Dogs are generally kept in the back yard
- 1:30 pm to 3:00 pm — Quiet Time/Grooming/Snacks
- 3:00 pm to 4:00 pm — Dinner is prepared fresh and served by 4:00 pm
- 4:00 pm to 5:30 pm — Exercise/Playtime
  - Dogs have access to the backyard, front and side yards with supervision
- 6:00 pm to 7:00 pm — Snacks/Quiet Time
- 7:00 pm to 8:00 pm — Potty time
  - Dogs are allowed in the backyard to relax and to relieve themselves. Sometimes they are allowed in the side and front yards during this period with supervision only.
- 8:00 pm to 6:00 am — Bedtime
  - The dogs tend to settle down for the night when the sun goes down, so they may be allowed in the inner backyard to relieve themselves for brief periods.

Note: When the owner gets up in the morning, he accompanies the dogs outside so that they can relieve themselves. This can occur anywhere between 3:30 to 4:30 am. After relieving themselves, the dogs go back to sleep until approximately 7 am for breakfast and their first exercise/playtime.



Figure 1. Project Location Map





**Table 1. Definitions of Acoustical Terms**

Term	Definition
Decibel, dB	A logarithmic unit of noise level measurement that relates the energy of a noise source to that of a constant reference level; the number of decibels is 10 times the logarithm (to the base 10) of this ratio.
Frequency, Hertz	In a function periodic in time, the number of times that the quantity repeats itself in one second (i.e., the number of cycles per second).
A-Weighted Sound Level, dBA	The sound level obtained by use of A-weighting. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear.
Root Mean Square (RMS)	A measure of the magnitude of a varying noise source quantity. The name derives from the calculation of the square root of the mean of the squares of the values. It can be calculated from either a series of lone values or a continuous varying function.
Fast/Slow Meter Response	The fast and slow meter responses are different settings on a sound level meter. The fast response setting takes a measurement every 100 milliseconds, while a slow setting takes one every second.
$L_{02}$ , $L_{08}$ , $L_{50}$ , $L_{90}$	The A-weighted noise levels that are equaled or exceeded by a fluctuating sound level, 2 percent, 8 percent, 50 percent, and 90 percent of a stated time period, respectively.
Equivalent Continuous Noise Level, $L_{eq}$	A level of steady state sound that in a stated time period, and a stated location, has the same A-weighted sound energy as the time-varying sound.
$L_{max}$ , $L_{min}$	$L_{max}$ is the RMS (root mean squared) maximum level of a noise source or environment measured on a sound level meter, during a designated time interval, using fast meter response. $L_{min}$ is the minimum level.
Ambient Noise Level	The all-encompassing noise environment associated with a given environment, at a specified time, usually a composite of sound from many sources, at many directions, near and far, in which usually no particular sound is dominant.
Offensive/Offending/Intrusive Noise	The noise that intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of sound depends on its amplitude, duration, frequency, and time of occurrence, and tonal information content as well as the prevailing ambient noise level.

Adapted from: Cyril M. Harris; Handbook of Acoustical Measurement and Noise Control, 1991.

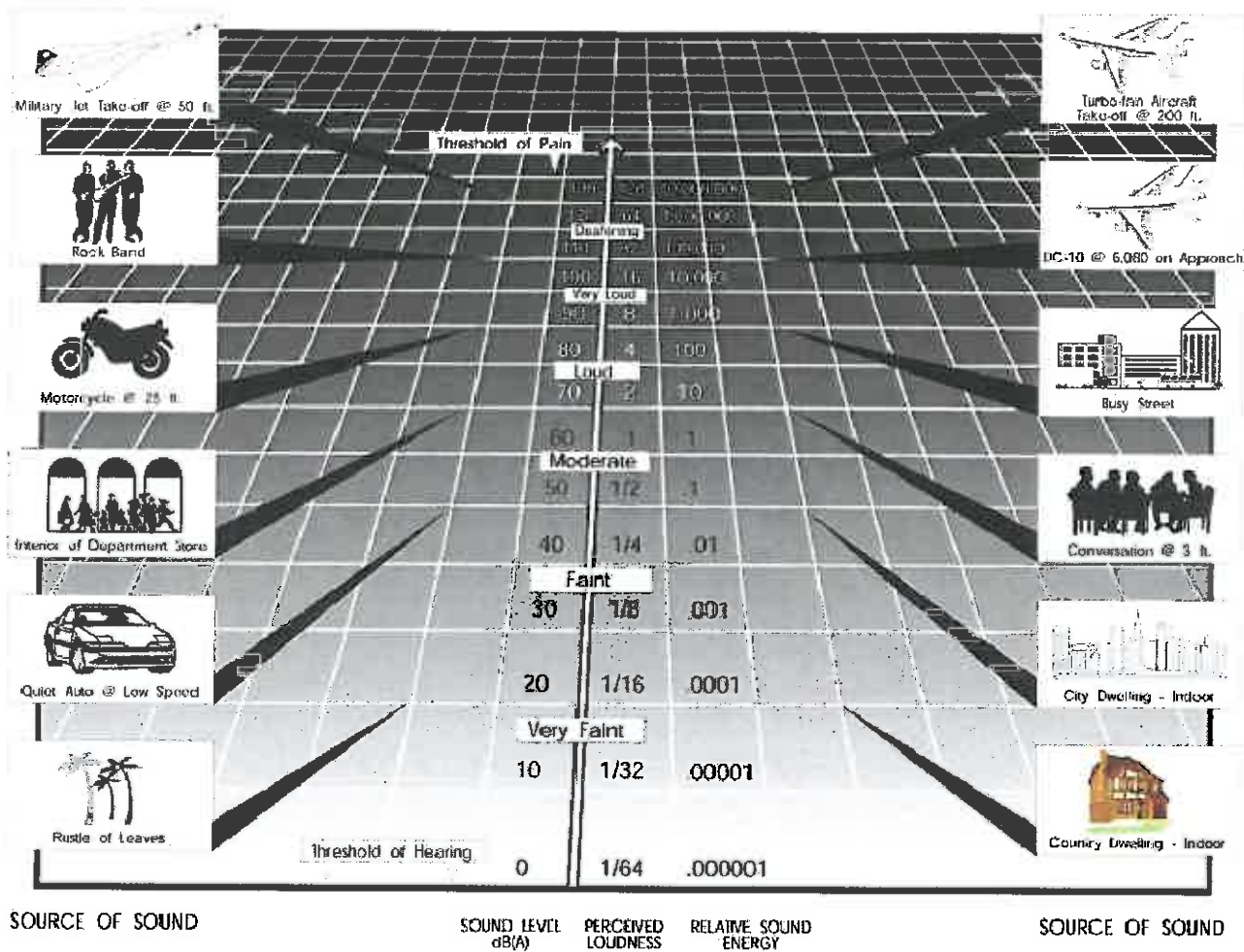


Figure 3, Common Noise Sources and Noise Levels

### III. Existing Noise Environment

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#### A. Existing Land Uses and Sensitive Receptors

The project site is an existing single family parcel. Properties zoned for single family and agricultural uses surround the project site. The closest residential dwelling is located approximately 380 feet northeast of the closest area where the dogs have access to. The next closest residential dwelling is over 600 feet from the subject property.

On the property directly to the east, there is a large chicken coop and 18 boarded horses. Corrals are as close as 95 feet to the fenced in dog area and the horse barn is situated approximately 160 feet from the nearest dog run area.

Multiple horses were observed at 43475 Tenaja Road and 43915 Tenaja Road, and 17355 Via Abril and 17250 Via Abril. A donkey was also observed on the property located south of the project site. A dog located on the property south of the subject site was also observed barking at the technician as she approached the subject property. It should be noted that this is a rural location near the Santa Rosa Plateau Ecological Reserve and it is very common to hear and/or encounter coyotes in the area. They can be very loud and disturbing when hunting together.

The La Cresta & Plateau News recently reported that the same two lost dogs (not belonging to the project proponent) that were found on the proponent's property on November 5, 2015. The project proponent has submitted several photographs of stray and/or roaming dogs near their property.

The project site is located within 3.5 miles from Camp Pendleton. Blasting activities and aircraft overflight associated with Camp Pendleton is often audible in the project area.

The State of California defines sensitive receptors as those land uses that require serenity or are otherwise adversely affected by noise events or conditions. Schools, libraries, churches, hospitals, single and multiple family residential, including transient lodging, motels and hotel uses make up the majority of these areas. Sensitive receptors that may be affected by project generated noise include the single-family residential dwelling units situated near the project site.

#### B. Ambient Noise Measurements

An American National Standards Institute (ANSI Section S14 1979, Type 1) Larson Davis model LxT sound level meter was used to document existing ambient noise levels. A 24-hour noise measurement was taken at approximately 15 feet west of an on-site dog enclosure. The noise measurement location is shown in Figure 2. Measurement output data is presented in Table 2. Meter output is included in Appendix A.

No dog barking was observed by the technician when she drove to the front gate and got out of her car and chatted with the site caretaker. Further, no barking was noted when a UPS

truck showed up and the driver got out of his vehicle a few minutes later and also spoke to the onsite caretaker. Twelve (12) dogs were outside in the yard at the time of the technician's arrival. The technician then walked along the on-site wash area for approximately 360 feet and set the noise meter 15 feet from the fenced dog activity area where 12 dogs greeted her with a few friendly barks that lasted for no more than 10 seconds. Other observed noise sources included aircraft flyovers, horse neighing, chickens, distant construction, and neighbor dogs barking.

Table 2

Long-Term Noise Measurement Data-LT1 (dBA)<sup>1, 2</sup>

24-Hour Ambient Noise								
Hourly Measurements	Time Started	Leq	Lmax	Lmin	L(2)	L(8)	L(25)	L50)
Overall Summary	11:00 AM	42.6	63.1	15.3	43.3	39.7	32	27
1	11:00 AM	42.1	50.3	19.7	37.5	43.3	33.3	29.7
2	12:00 PM	33.7	55.0	19.5	41.7	37.5	32.1	28.6
3	1:00 PM	36.7	77.3	21.9	50.8	41.7	33.2	29.6
4	2:00 PM	51.8	68.7	21.9	39.8	50.8	33.1	28.8
5	3:00 PM	44.4	60.4	20	47.7	39.8	31.4	26.1
6	4:00 PM	44.2	62.4	19.3	42.6	47.7	36.5	30
7	5:00 PM	38.5	72.3	19.7	45.4	42.6	37.2	30.7
8	6:00 PM	49.4	69.3	21.6	44.3	45.4	36.6	32.1
9	7:00 PM	48.7	59.0	21.1	33.5	44.3	35.3	30.7
10	8:00 PM	31.2	53.3	18.1	36.6	33.5	28.8	25.7
11	9:00 PM	32.9	48.4	15.8	29.7	36.6	27.8	22
12	10:00 PM	26.2	41.7	15.8	28.5	29.7	23.2	19.4
13	11:00 PM	25.7	51.8	15.5	27.7	28.5	21.3	18.6
14	12:00 AM	24.2	42.9	15.3	24.6	27.7	22.1	19.2
15	1:00 AM	21.6	42.9	15.4	29.7	24.6	19.5	17.4
16	2:00 AM	32.6	52.3	15.4	43.9	32.9	23.3	18.2
17	3:00 AM	25.8	43.6	15.5	34.3	30.6	24.7	17.7
18	4:00 AM	29.4	49.2	15.6	39.1	34.4	24.1	18.2
19	5:00 AM	28.9	47.7	15.5	38.6	34	27.1	20.8
20	6:00 AM	37.3	60.4	18.1	47.4	39.2	31.3	26.7
21	7:00 AM	39.8	63.1	21.7	47.5	43	38.7	34.1
22	8:00 AM	39.1	63.3	24.1	45.7	42.1	37.1	33.2
23	9:00 AM	40.8	61.5	19.5	49	41.1	34.3	29.1
24	10:00 AM	38.1	56.4	20	47	43.5	36	30.1

<sup>1</sup> See Figure 4 for noise measurement locations. Noise measurements were performed over a 24-hour duration.

<sup>2</sup> Noise measurements performed from February 10, 2016 to February 11, 2016.

## IV. Regulatory Setting

---

Riverside County Code Section 6.08.150 states that it is unlawful for any person to keep or allow to be kept, or suffer or permit any dog to remain upon the premises under the control of such person, when such dog habitually barks, whines or makes loud or unusual noises in such a manner as to disturb the peace and quiet of the neighbors surrounding or in the vicinity of such premises, or whose barking or howling or other sound or cry interferes with any person of ordinary sensitivity in the reasonable and comfortable enjoyment of life and property. Because this is a subjective standard for which there is no numerical noise level, the Riverside County Department of Environmental Health's Office of Industrial Hygiene has established noise standards for stationary noise sources that are routinely applied to dog kennel permit applications. Specifically, the office requires that facility-related noise, as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home", must not exceed the following worst-case noise levels:

- 45 dBA – 10 minute noise equivalent level ( $L_{eq}$ ), between the hours of 10:00 PM and 7:00 AM (nighttime standard)
- 65 dBA – 10 minute noise equivalent level ( $L_{eq}$ ) between the hours of 7:00 AM and 10:00 PM (daytime standard)

## V. Analysis and Findings

---

In order to be compliant with County's stationary noise source standards, the combined barking associated with the kennel may not exceed a ten-minute  $L_{eq}$  of 65 dBA between the hours of 7:00 AM and 10:00 PM or a ten-minute  $L_{eq}$  of 45 dBA between the hours of 10:00 PM and 7:00 AM at properties with habitable dwellings.

### A. Measured Noise Levels

Based on two separate 24-hour noise measurements, there are currently no violations in the County's daytime or nighttime noise standards (see Table 2).

### B. Calculated Worst-Case Noise Levels

Dogs are mobile point noise sources that only occasionally make noise and because they are mobile, it is impossible to model every scenario that could occur. The sound associated with a bark drops off by 6 dBA per each doubling of the distance away from the receiver.

However, utilizing the noise reference level of 56.5 dBA  $L_{eq}$ <sup>1</sup>, it can be surmised that eighteen dogs could be barking and playing within 27 feet of the property line and not exceed the daytime noise standard and eighteen dogs could be within 43 feet of the property line and

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<sup>1</sup> Temecula Dogtopia Outdoor Play Are Noise Measurements, Roma Environmental November 24, 2014

not exceed the nighttime standard. For the purposes of this analysis the on-site ground surface within 50 feet of the property line is considered to be “soft” rather than “hard”.

**C. Conclusions**

Although it is likely that the dogs do bark when people arrive or leave the property or when a strange animal or person approaches their property, it is unlikely that this barking continues long enough and occurs close enough to property lines, to exceed the noise standards. Further, the twenty-four measurement conducted near the huskies’ most frequented outside area did not show that the dogs or anything else caused an exceedance in the daytime or nighttime noise level standards.

However, in order to ensure that the dogs do not cause violations at the project property line they should not be allowed to bark for more than five minutes within 27 feet of adjacent occupied property between the hours of 7:00 AM and 10:00 PM and should not be allowed to bark more than five minutes within 43 feet of said property between the hours of 10:00 PM and 7:00 AM.

Considering that the twenty-four hour noise measurement did not indicate that the huskies are currently exceeding the day or nighttime noise standards and the apparently strict management of the facility it is very unlikely that activities related to the huskies will result in violation of the County’s noise standards. The above measures, recommending that the dogs are not allowed to bark for more than five minutes at certain distances should be adhered to in order to be certain that the noise standards will not be exceeded.



## VI. References

---

### **California Department of Transportation**

2009 California Department of Transportation (Caltrans). 2009. Technical Noise Supplement, November

### **Harris, Cyril M.**

1991 Handbook of Acoustical Measurement and Noise Control. *Acoustical Society of America*. Woodbury, N.Y.

### **Riverside County**

2009 Department of Environmental Health, Noise Standards for Stationary Noise Sources. November 23.

- County Code, as updated on December 17, 2015.

2003 General Plan Noise Element

### **Roma Environmental**

2014 Temecula Dogtopia Outdoor Play Area Noise Measurements. November 24.

**APPENDIX A**

**Larson Davis LXT Noise Measurement Data**

**Summary** LT 1  
**File Name** LxT\_Data.126  
**Serial Number** 0003099  
**Model** SoundTrack LxT®  
**Firmware Version** 2.301  
**User** Roma Stromberg  
**Start** 2016-02-10 10:57:57  
**Stop** 2016-02-11 12:26:31  
**Duration** 1:28:33.7  
**Run Time** 1:27:16.5  
**Pause** 0:01:17.2

**Pre Calibration** 2016-02-10 10:29:11  
**Post Calibration** None  
**Calibration Deviation** ---

**Overall Settings**

**RMS Weight** A Weighting  
**Peak Weight** Z Weighting  
**Detector** Slow  
**Preamp** Direct  
**Microphone Correction** Off  
**Integration Method** Linear  
**OBA Range** High  
**OBA Bandwidth** 1/1 and 1/3  
**OBA Freq. Weighting** A Weighting  
**OBA Max Spectrum** Bin Max  
**Overload** 118.5 dB

**Results**

**LAeq** 42.6 dB  
**LAE** 92.2 dB  
**EA** 185.826  $\mu\text{Pa}^2\text{h}$   
**EA8** 58.402  $\mu\text{Pa}^2\text{h}$   
**EA40** 292.012  $\mu\text{Pa}^2\text{h}$   
**LZpeak (max)** 2016-02-10 14:29:07 107.2 dB  
**LASmax** 2016-02-10 14:29:07 77.3 dB  
**LASmin** 2016-02-11 0:15:13 15.3 dB  
**SEA** dB

<b>LCeq</b>	55.2 dB	<b>Statistics</b>	
<b>LAeq</b>	42.6 dB	<b>LAS2.00</b>	47.8 dB
<b>LCeq - LAeq</b>	12.6 dB	<b>LAS8.00</b>	39.7 dB
<b>LAleq</b>	48.2 dB	<b>LAS10.00</b>	38.4 dB
<b>LAeq</b>	42.6 dB	<b>LAS25.00</b>	32.0 dB
<b>LAleq - LAeq</b>	5.6 dB	<b>LAS50.00</b>	27.0 dB
<b># Overloads</b>	0	<b>LAS90.00</b>	17.3 dB

Record #	Date	Time	Run Duration	Run Time	Pause	LAeq
1	2016-02-10	11:00:00	1:00:00.0	1:00:00.0	0:00:00.0	42.1
2	2016-02-10	12:00:00	1:00:00.0	1:00:00.0	0:00:00.0	33.7
3	2016-02-10	13:00:00	1:00:00.0	1:00:00.0	0:00:00.0	36.7
4	2016-02-10	14:00:00	1:00:00.0	1:00:00.0	0:00:00.0	51.8
5	2016-02-10	15:00:00	1:00:00.0	1:00:00.0	0:00:00.0	44.4
6	2016-02-10	16:00:00	1:00:00.0	1:00:00.0	0:00:00.0	44.2
7	2016-02-10	17:00:00	1:00:00.0	1:00:00.0	0:00:00.0	38.5
8	2016-02-10	18:00:00	1:00:00.0	1:00:00.0	0:00:00.0	49.4
9	2016-02-10	19:00:00	1:00:00.0	1:00:00.0	0:00:00.0	48.7
10	2016-02-10	20:00:00	1:00:00.0	1:00:00.0	0:00:00.0	31.2
11	2016-02-10	21:00:00	1:00:00.0	1:00:00.0	0:00:00.0	32.9
12	2016-02-10	22:00:00	1:00:00.0	1:00:00.0	0:00:00.0	26.2
13	2016-02-10	23:00:00	1:00:00.0	1:00:00.0	0:00:00.0	25.7
14	2016-02-11	0:00:00	1:00:00.0	1:00:00.0	0:00:00.0	24.2
15	2016-02-11	1:00:00	1:00:00.0	1:00:00.0	0:00:00.0	21.6
16	2016-02-11	2:00:00	1:00:00.0	1:00:00.0	0:00:00.0	32.6
17	2016-02-11	3:00:00	1:00:00.0	1:00:00.0	0:00:00.0	25.8
18	2016-02-11	4:00:00	1:00:00.0	1:00:00.0	0:00:00.0	29.4
19	2016-02-11	5:00:00	1:00:00.0	1:00:00.0	0:00:00.0	28.9
20	2016-02-11	6:00:00	1:00:00.0	1:00:00.0	0:00:00.0	37.3
21	2016-02-11	7:00:00	1:00:00.0	1:00:00.0	0:00:00.0	39.8
22	2016-02-11	8:00:00	1:00:00.0	1:00:00.0	0:00:00.0	39.1
23	2016-02-11	9:00:00	1:00:00.0	1:00:00.0	0:00:00.0	40.8
24	2016-02-11	10:00:00	1:00:00.0	1:00:00.0	0:00:00.0	38.1
25	2016-02-11	11:00:00	1:00:00.0	1:00:00.0	0:00:00.0	29.4

ORDINANCE NO. 1

ADOPTED AT A REGULAR MEETING ON FEBRUARY 7, 1987

Moved by Director Palmer, seconded by Director Metcalf and approved by the following vote.

Ayes: Directors Hoboy, Lippert, Nesbitt, Palmer and Metcalf

Nays: None

Whereupon the President declared that Ordinance No. 1 was adopted, to be effective 30 days from date hereof.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

**ATTACHMENT “D”**

MAIL TO:  
RICHARD PIERCE  
20625 SIERRA BUENA.  
TENAJA, CA. 92562

AMENDED

DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
(PARCELS)

524768  
RECEIVED FOR RECORD  
AT 8:00AM

DEC - 8 1998

Recorded in Official Records  
of Riverside County, California

Recorder

Fees \$ 40

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THIS AMENDED DECLARATION, made this 25<sup>th</sup> day of November, 1998, by the record owners of certain parcels located within the real property described in more detail herein (individually and collectively hereinafter referred to as "Declarant").

DECLARANTS ARE:

ROBIN OXMAN  
RICHARD PIERCE

ARTICLE I  
RECITALS

1.01 On December 19, 1968 SANTA ROSA RANCHES, a partnership, composed of Temecula Properties, Inc., a California corporation, Temecula Investment Company, a California corporation, and Kaiser Rancho California, Inc., a California corporation, as partners, the developer, established Covenants, Conditions and Restrictions (the "Foundation Declaration") for certain property located in the County of Riverside, State of California, more particularly described therein;

1.02 Declarant constitutes fifty-one percent (51%) or more (based on the number of square feet subject to these restrictions) of certain real property in the County of Riverside, State of California as more particularly described in Exhibit "A" attached hereto (the "Area");

1.03 The Foundation Declaration will expire on December 19, 1998;

1.04 Declarant expressed by ballots distributed to all record owners its desire to amend, extend and replace the Foundation Declaration as set forth herein ( the "Declaration");

1.05 Said ballots were duly distributed, collected, and counted as set forth in the affidavit attached hereto as Exhibit "B"; and

1.06 The Declarant by said ballots appointed Richard Pierce and/or Robin Oxman as attorney-in-fact with full power and authority to execute the Declaration on Declarant's behalf.

NOW, THEREFORE, Declarant hereby declares that the Area and Parcels thereof shall be held, sold and conveyed, subject to the following restrictions, covenants, and conditions.

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SECURITY UNION TITLE INS. CO.  
MICROGRAPHICS DIVISION  
5814 Norwalk Boulevard, Suite 200  
Santa Fe Springs, CA 90670

RIVERSIDE

**ARTICLE II**  
**GENERAL PROVISIONS**

**2.01 Establishment of Restrictions.**

Declarant, empowered pursuant to Section 7.02 of the Foundation Declaration, hereby declares that each Parcel within the Area is now held and shall thereafter be held, transferred, sold, leased, conveyed and occupied subject to the restrictions herein set forth, each and all of which is and for, and shall inure to, the benefit of and pass with each and every Parcel of the Area and shall apply to and bind the heirs, assignees and successors in interest of Declarant and any owner thereof.

**2.02 Purpose of Restrictions.**

The purpose of these restrictions is to insure Area use and development of the Area, to protect the owner of each Parcel against improper use and development of surrounding Parcels as will depreciate the value of the Parcels or interfere with the beneficial use and enjoyment of the Parcels, to prevent haphazard and unsightly improvements, and in general to provide adequately for planned use and development of the Area in accordance with the terms hereof.

**2.03 Definitions.**

(a) Improvements. "Improvements" shall mean and include buildings, barns, silos, cages, houses, outbuildings, sheds, parking areas, loading areas, fences, walls, poles, signs, streets, alleys and any other structures of any type or kind.

(b) Declarant. "Declarant" shall mean the undersigned Owners, their heirs, successors and assigns.

(c) Non-Area Resident. "Non-Area Resident" shall mean a property owner who resides outside the Area but within the Tanaja Community Services District.

(d) Non-Resident. "Non-Resident" shall mean an Owner who does not own a residence on a Parcel.

(e) Owner. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Parcel which is a part of the Area, but excluding those having such interest merely as security for the performance of an obligation.

(f) Parcel. "Parcel" shall mean and refer to, unless otherwise specifically stated herein, any portion of the Area transferred, conveyed, or otherwise transferred to an Owner.

(g) Resident. "Resident" shall mean an Owner who owns a residence on a Parcel.

**ARTICLE III**  
**REGULATION OF IMPROVEMENTS**

**3.01 Minimum Setback Line.**

(a) General. No structure of any kind, and no part thereof, shall be placed on any Parcel closer to the property line than herein provided.

(b) Front Yard Setback. The front setback line is established fifty (50) feet from the front property line.



(c) Side and Back Yard Setbacks. The setback lines from both the side and back yard property lines are each established at a minimum of thirty-five (35) feet from the said property lines.

(d) Setback Variances. An Owner may request a variance to the setback requirements referenced herein from the Architectural Control Committee established under ARTICLE V hereof by presenting to said committee a plot plan showing that the structures desired to be constructed cannot be reasonably accomplished without modifying said setback requirements.

(e) Retention of Slope Easements. Slope easements at a ratio of 2:1 are reserved for improvement of streets to ultimate standards of the governing agency.

### 3.02 Completion of Construction.

After commencement of construction of any structure or improvements, the work thereon shall be diligently prosecuted, to the end that the structure or improvements shall not remain in a partly finished condition any longer than reasonably necessary for completion thereof.

### 3.03 Fencing.

All Parcels on which animals are kept shall be adequately fenced so as to keep said animals on that Parcel and protect the crops and property of other Parcels.

### 3.04 Excavation.

Exposed openings resulting from any excavation made in connection with construction of improvements shall be backfilled and disturbed ground shall be leveled.

### 3.05 Signs.

(a) No signs, posters or displays ("Signs") shall be shown or displayed on a Parcel, except as follows:

- (1) To identify the name and address of the person or business occupying the premises;
- (2) To identify the offering of the premises for sale or lease; and
- (3) To identify prohibited uses of the Parcel.

(b) Signs, shall conform to the following sizes and standards:

- (1) For Parcels contiguous to a paved road no Sign shall be shown or displayed with a surface area that is greater than 6 square feet; and
- (2) For Parcels that are not contiguous to a paved road, Signs may be shown or displayed with a surface area that is not greater

than 32 square feet for the purpose of promoting the sale or lease of the Parcels.

(3) Road name identification Signs shall conform to the "rural design" standards adopted by the Tenaja Community Services District.

(4) Temporary directional Signs to Parcels may be shown or displayed so long as they are removed by the Owner within 5 calendar days of placement.

**3.06 Building Regulations.**

Any building or structure of whatever type shall be properly maintained. No building or other structure shall be built or erected unless the building or other structure is of a quality usual and customary for that type of building or structure and of good quality and design.

**3.07 Maintenance and Storage.**

(a) All Parcels shall be properly maintained. Rubbish and debris shall be promptly removed.

(b) No materials, supplies, trailers or equipment including propane tanks, well equipment, trash storage, and inoperable motor vehicles shall be stored in any area on a Parcel except inside a closed building or behind a visual barrier screening such areas from the view of traveled ways, public streets, and other Parcels; except that properly maintained stock trailers may be stored.

**3.08 Preservation of Trees.**

No oak trees now located on any portion of the Area shall be removed, cut down or in any way damaged or destroyed, except for the sole purpose of providing a driveway or building pad for a house or outbuilding.

**3.09 Virus Free Grapes.**

No grape vines shall be planted, stored, or transported across any portion of the Area, unless prior to such planting, storage or transportation across any portion of the Area of any grape vines, the person or persons undertaking such activity shall secure a certificate from the University of California Agricultural Extension Service that such grape vines are "virus-free" and such certificate shall be delivered to the Architectural Control Committee referred to in Article V hereof.

**ARTICLE IV**  
**ENFORCEMENT**

**4.01 Notice of Violation and Inspection**

Subject to the qualifications set forth below in Section 4.02 ( b) hereof, an Owner or Owners of any Parcel may notify in writing the Architecture Control Committee established in accordance with Section 5.01 (referred to hereinafter in this provision as the "ACC") the conditions that are alleged to be in violation or breach of any restrictions herein contained (the "Condition"), which notice shall include, but may not be limited to, the name and address of the Owner of the Parcel which is the subject of the notice (the "Parcel Owner"), a detailed description of the Condition, and the date and how the complaining Owner or Owners first discovered the Condition (the "Notice"). Within ten (10) days after receipt of the Notice, the ACC shall send to the Parcel Owner a letter which: (a) describes the Condition; and (b) requests the Parcel

Owner to contact the ACC within five (5) days after receipt of the ACC's letter to set a date and time when the ACC shall inspect the Condition; provided, however, said inspection shall occur no later than fifteen (15) days after the date of the Notice. Failure of the Parcel Owner to agree to an inspection shall be deemed to be the express consent by the Parcel Owner to permit the ACC's inspection of the Condition on a date and time reasonably established and communicated to the Parcel Owner by the ACC.

**4.02 Determination of Violation and Abatement.**

(a) If the ACC after inspecting the Condition in accordance with Section 4.01 determines that it is a violation or breach of the restrictions contained herein, then the ACC shall send a written notice to the Parcel Owner of its findings, which notice shall also set forth a date by which the Parcel Owner must provide to the ACC proof acceptable to the ACC that the Parcel Owner has abated and removed the Condition. Any such abatement and removal shall be at the Parcel Owner's sole expense.

(b) Nothing contained in this ARTICLE shall prohibit an Owner, the TCSD and/or the ACC, enforcement authorities, or their representatives, from entering Parcels on which no Owner or Owner's agent or representative is present ("Unoccupied Parcels"), without first obtaining the Owner's permission, to facilitate the abatement and/or removal of nuisances, or conditions or activities prohibited hereunder, which are caused by persons who are trespassing on an Unoccupied Parcel. All Owners hereby authorize such entry for said specific purposes, provided, however, the Owners of Unoccupied Parcels shall thereafter be informed of such action and the outcome thereof.

(c) Any violation or breach of any one or more of the covenants or restrictions contained herein that is not abated and removed as set forth above in Section 4.02- a. may be enjoined or abated by the ACC or complaining Owner or Owners by an action of any court of competent jurisdiction, and damages may also be awarded against such violators. Violations shall be deemed to be a nuisance and remedies or enforcement may include an action at law or in equity to cause the violation to be cured, removed or otherwise corrected.

**4.03 Attorneys' Fees.**

In any legal or equitable proceeding for the enforcement or to restrain the violation of this Declaration or any provision thereof, the losing party or parties shall pay the attorneys' fees of the prevailing party or parties in such amount as may be fixed by the Court in such proceedings. All remedies provided herein or at law or in equity shall be cumulative and not exclusive.

**4.04 Failure to Enforce Not a Waiver of Rights.**

The failure of Declarant or any Owner to enforce any restriction herein contained shall in no event be deemed to be a waiver of the right to do so thereafter nor of the right to enforce any other restrictions.

**ARTICLE V  
ARCHITECTURAL CONTROL COMMITTEE**

**5.01 Composition of the Committee.**

The Declarant authorizes the Board of Directors for the Tenaja Community Services District (the "TCSD") to establish a five (5) member Architectural Control Committee (hereinafter referred to as the "Committee") for the purposes of maintaining uniform standards of development of the Area as adopted in this Declaration. Subject to the qualification set forth below, the TCSD shall solicit and appoint members of the Committee in accordance with the following composition:

- (a) There shall be two (2) Resident members; provided, however, one such member may be a Non-Area Resident; and
- (b) There shall be three (3) Non-Resident members.

If there are not a sufficient number of candidates for the TCSD to appoint the above member categories, then the TCSD shall appoint members from any category; provided, however, only one member may be a Non-Area Resident.

At such time when forty (40) percent of the Parcels have residences constructed on them, the TCSD shall solicit and appoint members of the Committee in accordance with the following composition:

- (a) There shall be three (3) Resident members; provided, however, one such member may be a Non-Area Resident; and
- (b) There shall be two (2) Non-Resident members.

If there are not a sufficient number of candidates for the TCSD to appoint the above member categories, then the TCSD shall appoint members from any category; provided, however, only one member may be a Non-Area Resident.

In the event of death or resignation of any member of the Committee, the TCSD shall designate a successor in accordance with above referenced member composition. The members of the Committee shall not be entitled to any compensation for services performed pursuant to this covenant.

**5.02 Committee Approval.**

The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee fails to approve or disapprove plans and specifications within thirty (30) days after such plans and specifications have been submitted to it, approval will not be required and such plans and specifications shall be deemed approved as submitted.

No building or other improvement shall be erected, placed or altered on any parcel nor County approval for such activity sought, until the designs and specifications and a plan showing the location of the Improvement on the Parcel have been approved by the Committee as to quality of workmanship and materials.

**5.03 Liability of Committee.**

Neither Declarant, the members of the Committee nor its representative, their successors or assigns, shall be liable in damages to anyone submitting plans to them for approval, or to any Owner or lessee of any Parcel affected by this Declaration, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any plans submitted. Every person who submits plans to the Committee for approval agrees, by submission of such plans, and every Owner or lessee of any Parcel within the Area agrees, by acquiring title thereto or interest therein, that he will not bring any action or suit against Declarant, the members of the Committee, or its representative, to recover any such damages.

**ARTICLE VI**  
**REGULATION OF OPERATIONS AND USES**

**6.01 Permitted Operations and Uses.**

Unless otherwise specifically prohibited herein, any agricultural operation and use will be permitted if it is performed or carried out so as not to cause or produce a nuisance to adjacent parcels. Nuisance shall be defined in accordance with the County of Riverside ordinances and regulations.

**6.02 Prohibited Operations and Uses.**

No commercial, industrial or manufacturing operations of any kind shall be permitted or conducted on the Area; except for the following:

- (a) Professional, administrative, and instructional occupations, without external evidence thereof which are incidental to the primary buildings on the Parcel;
- (b) Commercial ranching of cattle, horses and sheep; and
- (c) Commercial farming, excluding commercial nurseries.

**6.03 Prohibited Residential Uses.**

Owners shall not use mobile homes, motor homes or trailers for residential purposes, except that trailers may be used as a residence by the Owner during the Owner's residence construction for no more than 18 months, unless otherwise extended by the Committee

**6.04 Additional Prohibited Uses.**

No person shall discharge firearms on any Parcel except to protect life and/or property, and no person shall dump trash, or take-off or land parasails, hang gliders or ultralight aircraft or other similar flying craft on any Parcel.

**ARTICLE VII**  
**TERM, TERMINATION, MODIFICATION**  
**AND ASSIGNMENTS OF DECLARANT'S RIGHTS AND DUTIES**

**7.01 Term.**

This Declaration, every provision hereof and every covenant, condition and restriction contained herein shall continue in full force and effect for a period of ten (10) years from the date hereof, after which time this Declaration shall be automatically extended for successive periods of ten (10) years, unless this Declaration, or any covenant, condition or restriction contained herein, is terminated, extended, modified or amended in accordance with Section 7.02 hereof.

**7.02 Termination and Modification.**

This Declaration, or any provisions hereof, or any covenant, condition or restriction contained herein, may be terminated, extended, modified or amended, as to the whole of the Area or any portion thereof, with the written consent of the owners of fifty-one per cent (51%) of the Area based on the number of square feet subject to these restrictions; No such termination, extension, modification or amendment shall be effective until a proper instrument in writing has been executed and acknowledged and recorded in the office of the Recorder of Riverside County, California.

**7.03 Assignment of Declarant's Rights and Duties.**

Any and all of the rights, powers and reservations of Declarant herein contained may be assigned to any person, corporation or association which will assume the duties of Declarant pertaining to the particular rights, powers and reservations assigned, and upon any such person, corporation or association's evidencing its consent in writing to accept such assignment and assume such duties, he or it shall, to the extent of such assignment, have the same rights and powers and be subject to the same obligations and duties as are given to and assumed by Declarant herein.

**ARTICLE VIII**  
**MISCELLANEOUS PROVISIONS**

**8.01 Constructive Notice and Acceptance.**

Every person who now or hereafter owns or acquires any right, title or interest in or to any portion of the Area is and shall be conclusively deemed to have consented and agreed to every covenant, condition and restriction contained herein, whether or not any reference to this Declaration is contained in the instrument by which such person acquires an interest in the Area.

**8.02 Rights of Mortgagees.**

All restrictions and other provisions herein contained shall be deemed subject and subordinate to all mortgages and deeds of trust now or hereafter executed on and subject to these restrictions, and none of said restrictions shall supersede or in any way reduce the security or affect the validity of any such mortgage or deed of trust; provided, however, that if any portion of the Area is sold under a foreclosure of any

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

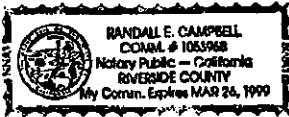
State of CALIFORNIA

County of RIVERSIDE

On NOVEMBER 25<sup>th</sup> 1998 before me, RANDALL E. CAMPBELL, NOTARY PUBLIC

personally appeared ROBIN OXMAN AND RICHARD PIERCE

personally known to me - OR -  approved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Randall E. Campbell  
Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Document Date: 11/25/98 Number of Pages: (9)

Signer(s) Other Than Named Above: NONE

**Capacity(ies) Claimed by Signer(s)**

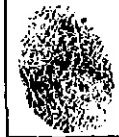
Signer's Name: ROBIN OXMAN

- Individual
- Corporate Officer
- Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER  
Top of thumb here

Signer Is Representing:

DECLARANTS



Signer's Name: RICHARD PIERCE

- Individual
- Corporate Officer
- Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER  
Top of thumb here

Signer Is Representing:

DECLARANTS



1 (4) 10/98/1, 10/98/2, 10/98/3, 10/98/4, 10/98/5, 10/98/6, 10/98/7, 10/98/8, 10/98/9, 10/98/10, 10/98/11, 10/98/12, 10/98/13, 10/98/14, 10/98/15, 10/98/16, 10/98/17, 10/98/18, 10/98/19, 10/98/20, 10/98/21, 10/98/22, 10/98/23, 10/98/24, 10/98/25, 10/98/26, 10/98/27, 10/98/28, 10/98/29, 10/98/30, 10/98/31, 10/98/32, 10/98/33, 10/98/34, 10/98/35, 10/98/36, 10/98/37, 10/98/38, 10/98/39, 10/98/40, 10/98/41, 10/98/42, 10/98/43, 10/98/44, 10/98/45, 10/98/46, 10/98/47, 10/98/48, 10/98/49, 10/98/50, 10/98/51, 10/98/52, 10/98/53, 10/98/54, 10/98/55, 10/98/56, 10/98/57, 10/98/58, 10/98/59, 10/98/60, 10/98/61, 10/98/62, 10/98/63, 10/98/64, 10/98/65, 10/98/66, 10/98/67, 10/98/68, 10/98/69, 10/98/70, 10/98/71, 10/98/72, 10/98/73, 10/98/74, 10/98/75, 10/98/76, 10/98/77, 10/98/78, 10/98/79, 10/98/80, 10/98/81, 10/98/82, 10/98/83, 10/98/84, 10/98/85, 10/98/86, 10/98/87, 10/98/88, 10/98/89, 10/98/90, 10/98/91, 10/98/92, 10/98/93, 10/98/94, 10/98/95, 10/98/96, 10/98/97, 10/98/98, 10/98/99, 10/98/100, 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mortgage or under the provisions of any deed of trust, any purchaser at such sale, and his successors and assigns, shall hold any and all Area so purchased subject to all of the restrictions and other provisions of this Declaration.

**6.03 Mutuality, Reciprocity, Runs with Land.**

All restrictions, covenants, conditions and agreements contained herein are made for the direct, mutual and reciprocal benefit of each and every part and Parcel of the Area; shall create mutual, equitable servitudes upon each Parcel in favor of every other parcel; shall create reciprocal rights and obligations between the respective Owners of all Parcels and privity of contract and estate between all grantees of said Parcels, their heirs; successors and assigns; and shall, as to the Owner of each Parcel, their heirs, successors and assigns, operate as covenants running with the land, for the benefit of all other Parcels.

**6.04 Paragraph Headings.**

Paragraph headings, where used herein, are inserted for convenience only and are not intended to be a part of this Declaration or in any way to define, limit or describe the scope and intent of the particular provisions to which they refer.

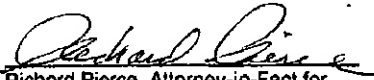
**6.05 Effect of Invalidation.**

If any provision of this Declaration is held to be invalid by any court, the invalidity of such provision shall not affect the validity of the remaining provisions hereof.

IN WITNESS WHEREOF, the Declarant, and each of them, by the undersigned attorney-in-fact, has executed this Declaration on the date first hereinabove written.



Robin Oxman, Attorney-in-Fact  
for the Declarant



Richard Pierce, Attorney-in-Fact  
for the Declarant



**EXHIBIT "A"**  
**BOUNDARY DESCRIPTION**

That portion of the Rancho Santa Rosa, in the County of Riverside, State of California, which Rancho was granted by the Government of the United States to Juan Moreno by patent dated October 10, 1872, and recorded January 8, 1873, in the office of the County Recorder of the County of San Diego, State of California, described as follows:

- Beginning at Corner No. 4 of the Rancho Santa Rosa, thence S68°21'03"E 15428.80 feet along the southerly line of said Rancho;
- thence leaving said southerly line N13°53'44"E 2481.75 feet;
- thence N39°32'17"E 750.00 feet;
- thence N32°32'51"E 762.58 feet;
- thence N47°39'03"E 857.68 feet;
- thence N39°32'17"E 1927.83 feet;
- thence N58°04'58"E 4401.43 feet;
- thence N32°03'43"E 1288.53 feet;
- thence S89°33'10"E 2562.08 feet;
- thence N01°57'51"W 1485.15 feet;
- thence S80°17'44"W 559.10 feet to the beginning of a curve concave northerly having a radius of 1400.00 feet;
- thence westerly 245.91 feet along said curve through a central angle of 10°03'50";
- thence N00°21'34"E 436.05 feet to the beginning of a curve concave westerly having a radius of 1400.00 feet;
- thence northerly 332.31 feet along said curve through a central angle of 13°38'00";
- thence N13°14'26"W 2824.37 feet to the beginning of a curve concave easterly having a radius of 2400.00 feet;
- thence northerly 851.03 feet along said curve through a central angle of 20°19'01";
- thence N07°04'35"E 681.37 feet to the beginning of a curve concave westerly having a radius of 1200.00 feet;
- thence northerly 598.76 feet along said curve through a central angle of 28°35'20";



(1)

9814 Riverside Boulevard, Suite 200  
San Diego Springs, CA 90570

EXHIBIT 'A'

thence N21°30'45"W 515.21 feet to the beginning of a curve concave easterly having a radius of 1200.00 feet;

thence northerly 277.98 feet along said curve through a central angle of 13°16'21";

thence N35°29'36"E 432.60 feet;

thence N51°34'35"W 207.06 feet to the beginning of a curve concave southerly having a radius of 500.00 feet;

thence westerly 445.97 feet along said curve through a central angle of 51°06'14";

thence S77°19'11"W 273.86 feet to the beginning of a curve concave northerly having a radius of 450.00 feet;

thence westerly 538.94 feet along said curve through a central angle of 68°37'10";

thence N34°03'39"W 166.30 feet to the beginning of a curve concave southerly having a radius of 300.00 feet;

thence westerly 544.29 feet along said curve through a central angle of 103°57'07";

thence S41°59'14"W 172.68 feet to the beginning of a curve concave northerly having a radius of 450.00 feet;

thence westerly 637.43 feet along said curve through a central angle of 81°08'35";

thence N56°51'11"W 33.06 feet to the beginning of a curve concave southerly having a radius of 450.00 feet;

thence westerly 319.39 feet along said curve through a central angle of 40°39'57";

thence S82°28'52"W 315.51 feet;

thence S86°15'45"W 713.26 feet to the beginning of a non-tangent curve concave southeasterly having a radius of 10000.00 feet, a radial line to said beginning bears N56°28'47"W;

thence southwesterly 3688.27 feet along said curve through a central angle of 21°07'56";

thence S12°50'06"W 90.92 feet to the beginning of a non-tangent curve concave southerly having a radius of 5250.00 feet, a radial line to said beginning bears N12°50'06"E;

thence westerly 943.43 feet along said curve through a central angle of 10°17'46";

(2)

Plot of parcel 1, 1000 sq ft, 1000 sq ft, 200  
Shasta, Pa Springs, CA 95070

EXHIBIT "A"

thence S02°32'20"W 2276.82 feet;

thence S25°48'27"E 2306.74 feet;

thence S88°27'07"W 3701.35 feet;

thence N16°21'08"E 1793.40 feet;

thence N39°18'04"W 2000.00 feet;

thence S50°41'56"W 900.00 feet to the beginning of a curve concave southeasterly having a radius of 2250.00 feet;

thence southwesterly 830.00 feet along said curve through a central angle of 18°02'34";

thence S34°39'22"W 1860.00 feet to the beginning of a curve concave northwesterly having a radius of 3850.00 feet;

thence southwesterly 2670.04 feet along said curve through a central angle of 39°44'08";

thence N15°36'30"W 250.00 feet;

thence North 2481.14 feet;

thence S87°27'07"W 2763.15 feet;

thence N17°26'40"W 1989.07 feet;

thence N77°10'41"W 2344.51 feet to the westerly line of said Rancho Santa Rosa;

thence S19°01'07"W 3211.39 feet along said westerly line;

thence S21°30'40"W 8158.40 feet along said westerly line to the Point of Beginning.

(3)

9814 Norwell Boulevard, Suite 200  
Santa Rosa Springs, CA 90670



EXHIBIT "B"

AFFIDAVIT

The undersigned, being of lawful age, do hereby depose and say under oath as follows:

1. We, individually and collectively, duly distributed, received and counted ballots (the "Ballots") to approve or disapprove the proposed extension, amendments, and replacement of the Covenants, Conditions and Restrictions; Riverside County Recordation No. 126373 (" Amended CC&Rs"); *RECORDED ON 12/30/98*
2. We counted the Ballots on November 25, 1998, which counting resulted in the record owners of fifty-one percent (51%) or more of the Area described in the Amended CC&Rs (based on the number of square feet subject thereto) voting to approve the Amended CC&Rs .
3. We have taken actions to preserve and maintain all of the Ballots counted by us at the offices of Tenaja Community Services District, 32395-B Clinton Keith Road, Suite 10, Wildomar, CA 92596.

Executed this 25<sup>th</sup> day of November, 1998 at Wildomar, California.

*Robin Oxman*  
Robin Oxman

*Richard Pierce*  
Richard Pierce

*Paul Hoboy*  
Paul Hoboy

State of California )  
County of Riverside )

Subscribed and sworn to before me  
this 25<sup>th</sup> day of November, 1998

*Randall Campbell*  
Notary Public  
My Commission Expires: 3-26-99



10/24/98  
Sandra Fe Springs, CA 90670

# ATTACHMENT “E”







## Mission Statement

Our mission at Shadow Husky Ranch is to care for the well-being of our own personal husky dogs. We acquired this property to create the perfect home environment for our adopted huskies. We are applying for the kennel license for our own personal benefit and enjoyment.

## We Plan to Accomplish this by

- Maintaining the highest standards of health care and cleanliness
- Encourage familial relationships with other husky dogs in the kennel
- Having 24/7 supervision of the dogs by an onsite caretaker
- Providing plenty space for them to play and exercise
- Promoting safe and healthy behavioral habits
- Giving the dogs a peaceful and loving place to live for the rest of their days

## Daily Schedule

- 6:00 am to 8:30 am — Wake up and morning Exercise/Playtime
- 8:30 am to 9:30 am — Snacks/Quiet Time
- 9:30 am to 12:00 pm — Naptime/Quiet Time
- 12:00 pm to 1:30 pm — Exercise/Playtime
- 1:30 pm to 3:00 pm — Quiet Time/Grooming/Snacks
- 3:00 pm to 4:00 pm — Dinner is prepared fresh and served by 4:00 pm
- 4:00 pm to 5:30 pm — Exercise/Playtime
- 6:00 pm to 7:00 pm — Snacks/Quiet Time
- 7:00 pm to 8:00 pm — Potty Time for certain dogs
- 8:00 pm to 6:00 am — Bedtime

## Environment

The property is approximately 6 acres. The dogs are enclosed in the house or fenced off areas unless they are supervised during designated playtimes. Multiple fences are in place as a safeguard measure.

Our backyard is an inner gated area where the dogs have continuous access during the day. It is filled with pea gravel. This area contains a sandbox surrounded by a grassy area where the dogs can play. Shade is provided for the dogs with tarps, trees and the patio.

There is also a plastic pool and plenty of toys for the dogs to play with. Water and food is accessible at all times and any concrete areas are rinsed and disinfected daily.

Inside the home, the floor of our home is tiled with ceramic tile, which is cool for the dogs and easy to clean. There are pillows and beds placed randomly throughout the house for the dogs to relax on. They also have fresh blankets for their bedding.

The living room adjacent to the kitchen and the master bedroom have television sets continuously playing Dog TV™. When the dogs are exclusively inside the house, they have access to another fenced off area adjacent to the master bedroom filled with pea gravel to potty.

## Supervision

The dogs are supervised 24/7. We employ caregivers to help watch the dogs when we are not at home. Currently we have two full-time employees who work 11 hour shifts 6 days per week. They have a daily routine and a checklist of responsibilities to tend to. We also have a head count sheet to keep track of the whereabouts of every single dog at all times. When the caregivers are off duty, Tim and I take over and follow the same checklist of responsibilities.

The caregivers follow our lead in having one-on-one interaction with each of the husky dogs on a daily basis. The caregivers spread the time during their work hours to provide this individualized attention to the huskies. The dogs are routinely inspected before and after playtime to make sure they are healthy.

During the daytime, the dogs are kept within the confines of our home where they are free to roam, as well as outside in our fenced in backyard. During quiet/downtime dogs may be groomed, undergo basic obedience training or relax.

After daily exercise times, the husky dogs are brought back into the outside area inner confines of the property which is their permanent playground and rest area. The caregivers use the head count checklist to ensure that all the huskies are inside. All gates have locks placed in them. The husky dogs then wind down and curl up to sleep. The caregiver is always within view and hearing of the husky dogs.

## Food

The dogs always have access to dry food and water. Inside there are bowls of water and dry food. Outside there are 4 large troughs. 2 are filled with kibble and 2 are filled with water. Water is always refilled and not allowed to get stale.

When the dogs are sleeping, the caregiver takes time to prepare a fresh meal for the dogs which is served between 3 pm and 4 pm daily. Daily meals consist of healthy ingredients of green beans, pumpkin, milk, eggs, brown rice, and 10 pounds of meat, poultry, fish or pork. All of the huskies' feeding bowls are cleaned on a daily basis.

## Hygiene

Throughout the day, all of the areas where the dogs dwell are thoroughly cleaned and disinfected. All bedding is cleaned daily. All the water and food bowls/troughs are cleaned or replaced regularly. We have buckets filled with sanitizing materials to clean up any messes in the house. Outside concrete areas are cleaned and disinfected, fresh water is replaced often and their kiddie pool is cleaned daily. When the huskies are napping, the floors inside the home are mopped, laundry is done and water bowls are cleaned and filled.

## Exercise

Huskies have lots of energy and need adequate exercise. We ensure that they get chance to exercise at least 4 times a day within the secure fenced in areas of our property. If we notice a certain dog has some extra energy, we may give him or her additional exercise time as needed.

Each exercise period lasts 1 ½ hours totaling 4 ½ hours each day. We separate the dogs into groups of 6-10 for exercise time. We have put additional fencing on our property to create runs for the husky dogs. Since huskies are naturally "working" dogs, we start their morning exercise with continuous walks around the parameter of our fenced in home from the gate which runs alongside the Blue Line Creek to

the northern, western, easterly and south directions. The dogs tend to follow their human caregivers who lead walks and enjoy repeated routines. This creates a stress free environment as the husky dogs all partake of a daily guided walk, which evokes an Iditarod collective exercise and is important for their physical, emotional and mental well-being. The dogs that are not exercising wait for their turn inside the house, or within the fenced off backyard.

Our caregivers run with some of the more energetic husky dogs too or play interactive games with those who need a little more exercise, which provides extreme enjoyment. This rotation continues until all of the husky dogs have received supervised exercise. Currently, there is a fence which runs on the westerly side of the Blue Line Creek which runs through our property. There are many other proposed runs for our husky dogs which can be divided along the easterly portion of the property.

After the initial walks are completed for each group, the caregiver remains outdoors with the huskies as they begin to roam the premises, relieve themselves drink water and unwind. The caregiver tends to other tasks such as filling up water buckets which are scattered in the area, inspecting the premises for signs of snakes, and picking up dog feces on the outside perimeter.

### Toys and Treats

The dogs have lots of toys and given treats regularly. They love their toys and we are always buying balls, ropes, squeaky toys etc.

### Well-Being

All the dogs are spade or neutered and up to date on all their vaccines. They all wear a harnesses and dog tags with their names and our phone numbers printed on them. Calling the huskies by their names, giving them treats, brushing their heavy coats, pets and hugs are typical. We also visually inspect our huskies for foxtails and to ascertain if they have any medical issues (such as lethargy, rashes, hurt paws, vomit, etc.).

We administer lifetime bladder medication to two female huskies and Rimadyl to one male husky who is arthritic in one leg on a daily basis. We apply ointments and topical medications to huskies with rashes, such as our white albino husky, and clean their ears routinely.

If we notice a dog acting out of character, we take it serious. We also look out for red flags that may indicate underlying health conditions. Warning signs we look out for include loss of appetite, fatigue, coughing, fever, trouble breathing, bloody stool, bloody diarrhea, urine, vomiting, loose stool and restlessness.

### Bedding

Bedding is located in all the areas that the dogs are confined in. At night, the huskies are brought inside and doors are closed. We have proposed with our Plot Plan application that 2 sheds be converted into kennels, which will be also used to house the huskies at night once built. Currently the husky dogs sleep in the kitchen area on couches, in the main living room area, and in the bedroom (on the bed, under the bed, in closets, and on floor dog pillows). There is a small fenced in area accessible to our bedroom where the huskies can go outside to relieve themselves at night.

# Shadow Husky Ranch Head Count

Name:

HUSKY

	Date:		Date:		Date:		Date:		Date:	
	Out	In	Out	In	Out	In	Out	In	Out	In
Hagee										
Jeanie										
Buddy										
Max										
Breaa										
Maverick										
Loba										
Kaiden										
Nora										
Luna										
Silvia										
Elsa										
Boston										
Kiya										
Kaila										
Sparticus										
Kernio										
Harley										

Notes:

# Shadow Husky Ranch

## Daily Schedule

Date:

### Scheduled Exercise

8:00am - 9:30am

12:00pm - 1:30pm

4:00pm - 5:30pm

### Feeding Time

3:00pm

To Do List	
Sweep/Mop	
Pickup outside	
Wash Bedding	
Refill Food & Water	
Hose Down Patio	
Dishes	
Cut Up Treats	
Training Time	
Grooming	

Disinfect Scoopers	
Make Rice	
Feed Dogs	

Break #1	
Break #2	

Meal #1	
Meal #2	

Exercise Group I			
Hagee			
Brea			
Silvia			
Max			
Buddy			
Jeanie			

Exercise Group II			
Maverick			
Elsa			
Harley			
Keiden			
Kiya			
Kaila			

Exercise Group III			
Luna			
Nora			
Boston			
Kimo			
Sparticus			
Loba			

CHECKLIST			
Secure All Gates			
Secure All Doors			
Is Entire Group In?			
Visually Inspect Dogs			

CHECKLIST			
Secure All Gates			
Secure All Doors			
Is Entire Group In?			
Visually Inspect Dogs			

CHECKLIST			
Secure All Gates			
Secure All Doors			
Is Entire Group In?			
Visually Inspect Dogs			

Other Tasks:

Notes:

# OPPOSITION TO PROPOSED PROJECT

## Wheeler, Timothy

---

**From:** Scott PC <scttbecker@gmail.com>  
**Sent:** Friday, April 15, 2016 12:42 PM  
**To:** Magee, Robert  
**Cc:** Wheeler, Timothy  
**Subject:** FW: PP 25922  
**Attachments:** Testimonials.pdf; CCF03152016\_00001.pdf; CCF04152016\_00001.pdf  
  
**Importance:** High

Mr. Magee,

I have attached additional notarized statements from other members of our community that are opposed to the Kennel Permit request ( PP 25922 ), and copies of previous testimonials that I believe I have already sent you, but wasn't sure. I do not know if I should be sending to you at this time, but I feel that it is very important that you and the Mr. Jeffries are aware of the strong opposition in the community, and danger these dogs present and have already displayed per the attached testimonials, not to mention the noise.

Thank you,

Scott Becker  
(951)660-2586

---

**From:** Magee, Robert [<mailto:RMagee@rcbos.org>]  
**Sent:** Thursday, April 07, 2016 4:28 PM  
**To:** 'scttbecker@gmail.com'  
**Cc:** Huyck, Kristen; Wheeler, Timothy; Starkweather, Britt M.; Dozier, Laurie  
**Subject:** PP 25922

Mr. Becker,

I am in receipt of your correspondence to our general mailbox. I want to assure you that County staff has made us aware of this application and of your concerns. I understand Code Enforcement was on the property yesterday to do their inspection. This a discretionary approval process and the applicant is proceeding through the process, part of which is public participation. Mr. Wheeler has promised to advise me of the upcoming hearing date so that I can attend the Director's Hearing.

Please feel free to contact me directly if you have any further questions.

Robert E. Magee  
District Director

## DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

**Instructions to Complainant:** Please complete this form so as to give the hearing officer a better understanding of your complaint regarding specific noisy animals. This form will also serve as your request for a hearing before the City of Riverside's Administrative Hearing Officer. This form must be returned to the above-address within ten (10) days of the above-date to secure your request for a hearing. You will receive notice of your hearing date by mail. At the bottom of this form, please also list any witnesses whom you plan to bring to the hearing. *This document is executed under penalty of perjury.*

The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

**Residents are housing 14 Siberian Huskies.**

2. That I believe the above-described animals are owned by:


**Timothy & Elaine McVicker**

whose address is 17370 Via Abril , Murrieta, Ca 92562

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

\*\*

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

<u>Shelby McLowen</u>		<u>42991 TENAJA RD MURRIETA CA</u>	<u>512-809-3023</u>	<u>3/3/16</u>
Print Name	Signature	Address/Telephone		Date

The following persons will also testify as to those facts attested to, above:

<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Print Name	Signature	Address/Telephone		Date
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Print Name	Signature	Address/Telephone		Date
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Print Name	Signature	Address/Telephone		Date

[Please attach additional sheets of paper as necessary]



Written: March 1<sup>st</sup> 2016

On the morning of February 1<sup>st</sup> 2016, at approximately 11:10AM, I, Shelby McCowen, of 42991 Tenaja Rd. Murrieta, CA 92562 began to hear barking coming from outside of my house. At this time I went out the front door of my house and witnessed four large Siberian Husky type dogs viciously barking at my horse, they had him surrounded and were biting at his front and rear legs. I attempted to yell at the dogs to stop and that's when they began advancing towards me barking viciously. I returned inside my house to get my cell phone and call my father to see what I should do. The barking continued and around 11:25AM my horse tried to run away from the dogs, at that time the four dogs began to chase him. I went outside and got pictures of the dogs standing around a tree in my side yard (see attached). Once again I tried yelling at the dogs to stop and leave, they began running towards my shed, at which time they circled and began barking and biting at my donkey that is pinned up. The donkey managed to kick one of the dogs that bit his back leg, then that dog ran back in the direction of its owner's house. Three dogs remained until about 11:45AM, until this time they continued to viciously bark and circle my horse and donkey, biting at them and chasing them when they would try and get away. I was able to see where the dogs ran back to after they left my property, 17370 Via Abril Murrieta, CA 92562.

Shelby McCowen



42991 Tenaja Rd.  
Murrieta, CA 92562  
Cell: 512-809-3023  
Home: 951-304-9295

Attached pictures of aggressive dogs on property 2/01/2016:



Attached pictures of aggressive dogs on property 2/01/2016:



## ACKNOWLEDGMENT

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

State of California  
County of Riverside

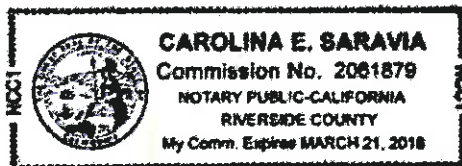
On March 3, 2016 before me, Carolina E Saravia, Notary Public  
(insert name and title of the officer)

personally appeared Shelby McCowan  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

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



Complaint #:

**DECLARATION OF NOISY ANIMAL PUBLIC NUISANCE**

I, Shelby McCowan, do declare under penalty of perjury

According to the laws of the State of California, the following:

That the animal(s), specifically:

FOUR SIBERIAN HUSKY TYPE DOGS,  
Type of animal(s)

17370 VIA ABRIL MURRIETA, CA 92562  
Location / Address of animals

Are a public nuisance because:

ON FEBRUARY 1<sup>ST</sup> 2016 at 11:10 AM I heard barking outside my house, walked outside and witnessed four Siberian husky type dogs viciously barking and biting at my horse they had my horse surrounded, my horse tried to get away but the dogs wouldn't allow him to. The dogs turned to me when I yelled at them to stop and began viciously barking at me. I was able to take pictures of the dogs. They then went and began circling my donkey and surrounded him, he is pinned up. Between 11:10 AM and 11:45 AM they did nothing but harass my horse and donkey. The dogs ran back to the listed address.



Signed under penalty of perjury on 03/01/2016

By:

Shelby McCowan

Residing At:

42991 TENATA RD MURRIETA, CA 92562

Return Declaration to: 6851 Van Buren Blvd., Jurupa Valley, CA  
92509

# DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

**Instructions to Complainant:** Please complete this form so as to give the hearing officer a better understanding of your complaint regarding specific noisy animals. This form will also serve as your request for a hearing before the City of Riverside's Administrative Hearing Officer. This form must be returned to the above-address within ten (10) days of the above-date to secure your request for a hearing. You will receive notice of your hearing date by mail. At the bottom of this form, please also list any witnesses whom you plan to bring to the hearing. *This document is executed under penalty of perjury.*

The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]: *I Nancy Fleming went to visit the Huskies on the McVickers property with my daughter and two neighbor kids. The caretaker let us in the house. The dogs barked growled and howled at us. Several of the Huskies were friendly, but the majority were showing aggressive behavior. The dogs would snap at us if we went to pet them. I am a dog lover.*

2. That I believe the above-described animals are owned by: *Tamara and Tim McVicker and currently own a Husky 11. He is very loving and friendly. Huskies are* whose address is *17370 Via Abril Murrieta Ca. 92562*

*prey & pack animals. If given the right situation they will chase and kill, birds, chickens, peafowl, goats, sheep... etc. Our community has many*

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

*Horse enthusiasts. These dogs pose a danger to the horses and riders. If these dogs get out of their property, they may attack the horses causing injury to them and riders may be thrown from their mount. I personally visit the Huskies to see for myself if these dogs were friendly and loving*

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

*Nancy Fleming* *Nancy Fleming* *43870 Anita St*  
 Print Name                      Signature                      Address/Telephone                      Date

The following persons will also testify as to those facts attested to, above:

Print Name	Signature	Address/Telephone	Date
Print Name	Signature	Address/Telephone	Date
Print Name	Signature	Address/Telephone	Date

[Please attach additional sheets of paper as necessary]

*Animals that were described by the owner Tamara (AKA Liz). I was disappointed to say the least. I wanted to support my neighbors with their right for a "kennel license" "BUT" I can't in this case. Unless the dogs are "Guaranteed" Never to leave premises, I don't know how this can be resolved.*

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of Riverside

On March 13, 2016 before me, Wendy Enochs, notary public  
[Date] [Name of Notary Public and Title "Notary Public"]

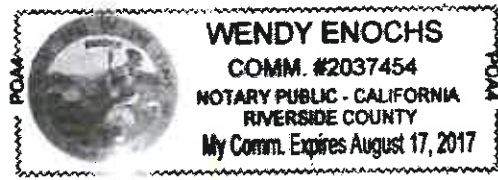
personally appeared Nancy Fleming  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

*Declaration of Complaint of Dairy Animal and Petition for Administrative*

CHARACTER OR TITLE OF DOCUMENT Hearing

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



As a resident of the Tenaja Community in Murrieta California, I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

**INITIAL THOSE THAT APPLY:**

Noise Levels  *AC*

Danger to Livestock  *AC*

Danger to Domestic Animals

Danger to Humans  *AC*

Danger and Disruption of Equine Activities  *AC*

Environmental Impact - Wildlife Corridor  *AC*

Increased Traffic

Disease

Decrease in Property Values  *AC*

Remarks:

Name: ALBERTO COLORES, MANAGER LIBERTY BAKS

Address: 43475 TENAJA RD. MURRIETA CA 92562

Phone # \_\_\_\_\_

Resident Yes  No

ALBERTO COLORES  
Print Name

*ALBERTO COLORES*  
Signature

3/13/16  
Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

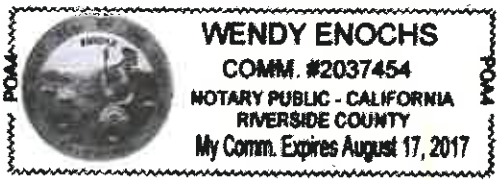
On March 13, 2016 before me, Wendy Enochs, notary public  
[Date] [Name of Notary Public and Title "Notary Public"]

personally appeared Alberto Colores  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Wendy Enochs  
Signature of Notary Public

(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Statement of Concern

NUMBER OF PAGES 1 DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

**Instructions to Complainant:** Please complete this form so as to give the hearing officer a better understanding of your complaint regarding specific noisy animals. This form will also serve as your request for a hearing before the City of Riverside's Administrative Hearing Officer. This form must be returned to the above-address within ten (10) days of the above-date to secure your request for a hearing. You will receive notice of your hearing date by mail. At the bottom of this form, please also list any witnesses whom you plan to bring to the hearing. *This document is executed under penalty of perjury.*

The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

MY RANCH MANAGER, ALBERTO COLORES, ADVISED ME THAT ON FEB. 1, 2016 A WHITE HUSKY WAS ON MY PROPERTY. HIS WIFE GRISELLA COLORES WAS CONFRONTED AT THE RESIDENCE BY THE DOG. MRS. COLORES TRIED TO GET THE DOG TO LEAVE BUT IT WOULD NOT LEAVE. MRS. COLORES DISCOVERED TWO DEAD CHICKENS LATER THAT DAY.

2. That I believe the above-described animals are owned by: **Tamara and Tim McVicker**

whose address is **17370 Via Abril Murrieta Ca. 92562**

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

I AM FILLED WITH FEAR FOR MY MANAGER AND HIS FAMILY THAT THIS DOG OR MORE DOGS SHOULD RETURN TO MY PROPERTY. MY MANAGER'S CHILDREN PLAY OUTSIDE AND ENJOY COUNTRY CHILDHOOD. IF ONE OR MORE OF THESE DOGS SHOULD DECIDE TO COME GET MORE CHICKENS AND THE COLORES CHILDREN ARE IN THE PATH I PERISH THE THOUGHT OF LOSS OF HUMAN LIFE OR SERIOUS HUMAN INJURY. I AM OPPOSED TO THE ISSUANCE OF ANY KENNEL LICENSE.

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

TINA CLIPPINGER Tina Clippinger OWNER 43475 TENATA RD. 3/13/16  
Print Name Signature Address/Telephone Date

The following persons will also testify as to those facts attested to, above:

ALBERTO COLORES [Signature] 43475 TENATA RD. 3/13/16  
Print Name Signature Address/Telephone Date

\_\_\_\_\_  
Print Name Signature Address/Telephone Date

\_\_\_\_\_  
Print Name Signature Address/Telephone Date

[Please attach additional sheets of paper as necessary]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of Riverside

On March 13, 2016 before me, Wendy Enochs, notary public,  
[Date] [Name of Notary Public and Title "Notary Public"]

personally appeared Tina D. Clippinger  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Declaration of Complaint of Noisy Animal and Petition for Administrative Hearing

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
Alberto Colores

As a resident of the Tenaja Community in Murrieta California, I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

INITIAL THOSE THAT APPLY:

Noise Levels hdc

Danger to Livestock hdc

Danger to Domestic Animals hdc

Danger to Humans hdc

Danger and Disruption of Equine Activities hdc

Environmental Impact - Wildlife Corridor hdc

Increased Traffic \_\_\_\_\_

Disease \_\_\_\_\_

Decrease in Property Values hdc

Remarks:

Name: TINA CLIPPINGER

Address: 43475 TENAJA RD., MURRIETA CA 92562

Phone # 951-970-6432

Resident Yes  No \_\_\_\_\_

TINA CLIPPINGER Tina Clippinger 03-13-16  
Print Name Signature Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On March 13, 2014 before me, Wendy Enochs, Notary Public  
[Date] [Name of Notary Public and Title "Notary Public"]

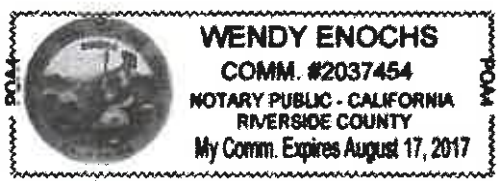
personally appeared Tina D. Clippinger  
[Name(s) of signee(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Statement of Concern

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/14

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

As a resident of the Tenaja Community in Murrieta California, I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

**INITIAL THOSE THAT APPLY:**

- Noise Levels
- Danger to Livestock
- Danger to Domestic Animals
- Danger to Humans
- Danger and Disruption of Equine Activities
- Environmental Impact - Wildlife Corridor
- Increased Traffic
- Disease
- Decrease in Property Values

Remarks:

Name: Frances Mullenoux (Johnson)

Address: 17545 Earste Ct Murrieta, CA 92562

Phone # 951.894.4149

Resident Yes  No

Frances Mullenoux (Johnson) [Signature] 3/13/16  
Print Name Signature Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On March 13, 2016 before me, Wendy Enochs notary public  
[Date] [Name of Notary Public and Title "Notary Public"]

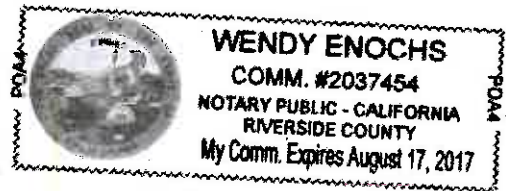
personally appeared Francis Mullenbaum Johnson  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Statement of Concern

NUMBER OF PAGES 1 DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

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The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

*excessive barking and dogs getting loose and <sup>around</sup> others will get hurt*  
*Live Stock, in a pack of Dogs. I'm strongly opposed to a kennel near*  
*all these other horses + animals. Too many dogs that are in a*  
*pack are just asking for trouble. do not want any animal or person to be hurt.*

2. That I believe the above-described animals are owned by: **Tamara and Tim McVicker**

whose address is **17370 Via Abril Murrieta Ca. 92562**

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

*Do not wish a kennel with many dogs barking and getting loose in our quiet neighborhood*  
*I'm afraid of riders getting hurt and thrown off of horses and dogs*  
*barking at neighbors or disturbing the community. I also feel our property values will go down if we*  
*and our neighbors will have to worry every time they get loose being kept inside*  
*there home. dogs should not be kept in these conditions. feel it can't be dangerous*

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

*951-894-4149*  
**Frances Mulleroux** *[Signature]* **17545 Equestre Ct Murrieta** **3/13/16**  
 Print Name **JOHNSON** Signature Address Telephone Date

The following persons will also testify as to those facts attested to, above:

Print Name	Signature	Address Telephone	Date

[Please attach additional sheets of paper as necessary]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of Riverside

On March 13, 2016 before me, Wendy Enochs, Notary Public  
[Date] [Name of Notary Public and Title "Notary Public"]

personally appeared Frances Mullenau Johnson  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Wendy Enochs  
Signature of Notary Public

(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*

THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

Declaration of Complaint of Noisy Animal and Petition for

CHARACTER OR TITLE OF DOCUMENT Administrative Hearing

NUMBER OF PAGES \_\_\_\_\_

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

**Instructions to Complainant:** Please complete this form so as to give the hearing officer a better understanding of your complaint regarding specific noisy animals. This form will also serve as your request for a hearing before the City of Riverside's Administrative Hearing Officer. This form must be returned to the above-address within ten (10) days of the above-date to secure your request for a hearing. You will receive notice of your hearing date by mail. At the bottom of this form, please also list any witnesses whom you plan to bring to the hearing. *This document is executed under penalty of perjury.*

The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

FEB. 1, 2016 A WHITE HUSKY CAME UP TO MY HOUSE. I TRIED TO SHOO THE DOG AWAY BUT IT WOULD NOT LEAVE. I THEN LEFT THE PREMISES TO PICK UP MY SON FROM SCHOOL. WHEN I RETURNED I DISCOVERED TWO DEAD CHICKENS I BELIEVE WITH CERTAINTY THAT THE DOG KILLED THE CHICKENS.

2. That I believe the above-described animals are owned by: **Tamara and Tim McVicker**

whose address is **17370 Via Abril Murrieta Ca. 92562**

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

MY FOUR YEAR OLD DAUGHTER AND MY SONS, 13, & 17 SPEND A LOT OF TIME OUTSIDE ON THE PROPERTY WHERE MY HUSBAND HAS BEEN EMPLOYED AND WE HAVE LIVED SINCE 2004. I FEEL THESE DOGS TO BE A POTENTIAL DANGER TO MY FAMILY AND MY POULTRY AND LIVESTOCK AS THE ONE DOG HAS ALREADY DEMONSTRATED A WILLINGNESS TO COME TO MY RESIDENCE RESULTING IN A VIOLENT LOSS OF MY POULTRY.

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

Griselda Resolado      Griselda Resolado      951 461 3493      3/13/16  
 Print Name                      Signature                      Address/Telephone                      Date

The following persons will also testify as to those facts attested to, above:

ALBERT CULORES      [Signature]      43475 TENATA RD.      3/13/16  
 Print Name                      Signature                      Address/Telephone                      Date

TINA CLIPPINGER      [Signature]      43475 TENATA RD      3/13/16  
 Print Name                      Signature                      Address/Telephone                      Date

\_\_\_\_\_  
 Print Name                      Signature                      Address/Telephone                      Date

[Please attach additional sheets of paper as necessary]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On March 13, 2016 before me, Wendy Enochs, Notary Public  
[Date] [Name of Notary Public and Title "Notary Public"]

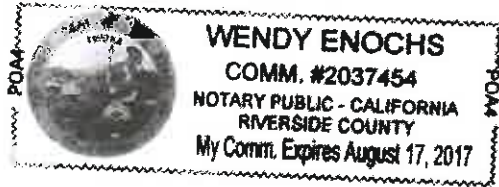
personally appeared Griselda Regalado  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*

THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

Declaration of Complaint of Noisy Animals and Petition for

CHARACTER OR TITLE OF DOCUMENT Administrative Hearing

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:

Alberto Colores

Tina Clippinger

# DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

**Instructions to Complainant:** Please complete this form so as to give the hearing officer a better understanding of your complaint regarding specific noisy animals. This form will also serve as your request for a hearing before the City of Riverside's Administrative Hearing Officer. This form must be returned to the above-address within ten (10) days of the above-date to secure your request for a hearing. You will receive notice of your hearing date by mail. At the bottom of this form, please also list any witnesses whom you plan to bring to the hearing. *This document is executed under penalty of perjury.*

The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

*We have horses and ride in this neighborhood, concern of injury to them & us.*

2. That I believe the above-described animals are owned by: **Tamara and Tim McVicker**

whose address is **17370 Via Abril Murrieta Ca. 92562**

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

*Loud barking & roaming dog packs*

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

<u>SCOTT SCHELLER</u>	<u>17525 AINSLEY CT.</u>	<u>3/12/12</u>	
Print Name	Signature	Address Telephone <u>MURRIETA</u>	Date

The following persons will also testify as to those facts attested to, above:

Print Name	Signature	Address/Telephone	Date
Print Name	Signature	Address/Telephone	Date
Print Name	Signature	Address/Telephone	Date

[Please attach additional sheets of paper as necessary]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On March 13, 2016 before me, Wendy Enochs, notary public  
[Date] [Name of Notary Public and Title "Notary Public"]

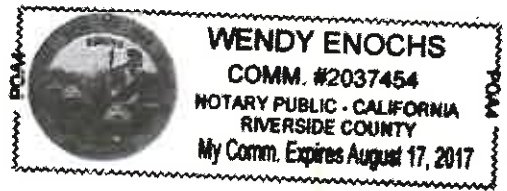
personally appeared Scott Scheller  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

*Declaration of Complaint of Noisy Animals  
and Petition for Administrative Hearing*

CHARACTER OR TITLE OF DOCUMENT \_\_\_\_\_

NUMBER OF PAGES \_\_\_\_\_

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

**Instructions to Complainant:** Please complete this form so as to give the hearing officer a better understanding of your complaint regarding specific noisy animals. This form will also serve as your request for a hearing before the City of Riverside's Administrative Hearing Officer. This form must be returned to the above-address within ten (10) days of the above-date to secure your request for a hearing. You will receive notice of your hearing date by mail. At the bottom of this form, please also list any witnesses whom you plan to bring to the hearing. *This document is executed under penalty of perjury.*

The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

Huskies

2. That I believe the above-described animals are owned by: **Tamara and Tim McVicker**

whose address is **17370 Via Abril Murrieta Ca. 92562**

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

Attached Pete McVicker's horse + donkey  
Feb 1, 2016 around 11:30

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

<u>Jodie Scheller</u>	<u>Jodie Scheller</u>	<u>17525 Ansley Court</u>	<u>3/13/16</u>
Print Name	Signature	Address/Telephone <small>Murrieta, CA 92562</small>	Date

The following persons will also testify as to those facts attested to, above:

<u>Jodie Scheller</u>	<u>Jodie Scheller</u>	<u>951-698-1185</u>	<u>3/13/16</u>
Print Name	Signature	Address/Telephone	Date

	Signature	Address/Telephone	Date
--	-----------	-------------------	------

	Signature	Address/Telephone	Date
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[Please attach additional sheets of paper as necessary]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On March 13, 2016 before me, Wendy Enochs, Notary Public,  
[Date] [Name of Notary Public and Title "Notary Public"]

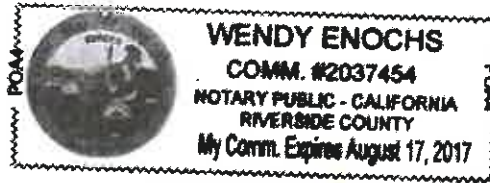
personally appeared Jodie Scheller  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Declaration of Complaint of Noisy Animal and Petition for Administrative Hearing

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



As a resident of the Tenaja Community in Murrieta California, I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

**INITIAL THOSE THAT APPLY:**

- Noise Levels JS
- Danger to Livestock JS
- Danger to Domestic Animals JS
- Danger to Humans JS
- Danger and Disruption of Equine Activities JS
- Environmental Impact - Wildlife Corridor JS
- Increased Traffic JS
- Disease JS
- Decrease in Property Values JS

Remarks: I use to own saynored Huskies - They are Park Animals and will Run in A park And kill domestic small animals. I had to put mine down for crce they kill, They have the taste of blood + will continue!

Name: Jodie Scheller

Address: 17525 Ainsley Ct Murrieta CA 92562

Phone # 951-698-1185

Resident Yes  No

Jodie Scheller  
Print Name

Jodie Scheller  
Signature

3/13/2016  
Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of Riverside

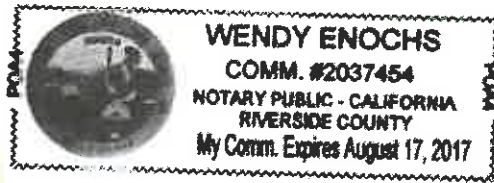
On March 13, 2016 before me, Wendy Enochs, notary public,  
[Date] [Name of Notary Public and Title "Notary Public"]

personally appeared Jodie Schetter  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Wendy Enochs  
Signature of Notary Public

(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Statement of Concern

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

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The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

pack of dogs is not safe.  
I am afraid to ride my horse if they get out and they have twice.

2. That I believe the above-described animals are owned by: **Tamara and Tim McVicker**

whose address is **17370 Via Abril Murrieta Ca. 92562**

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

Barking is out of control at times  
aggressive towards each other.

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

Shelley Taylor Shelley Taylor 17540 Eguerre Ct 3-13-16  
 Print Name Signature Address Telephone Date

The following persons will also testify as to those facts attested to, above:

\_\_\_\_\_  
 Print Name Signature Address Telephone Date

\_\_\_\_\_  
 Print Name Signature Address Telephone Date

\_\_\_\_\_  
 Print Name Signature Address Telephone Date

[Please attach additional sheets of paper as necessary]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On March 13, 2016 before me, Wendy ENOCHS, Notary Public,  
[Date] [Name of Notary Public and Title "Notary Public"]

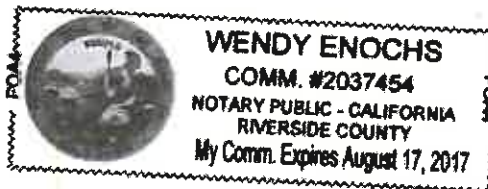
personally appeared Shelley Taylor  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*

THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

*Declaration of Complaint of  
Noisy Animal and Petition for*

CHARACTER OR TITLE OF DOCUMENT Administrative Hearing

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

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The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

PACK OF MEXICAN DOGS, I HAVE WITNESSED  
A DOGS TOGETHER ON THE PROPERTY.

2. That I believe the above-described animals are owned by: **Tamara and Tim McVicker**

whose address is **17370 Via Abril Murrieta Ca. 92562**

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

LOW BARKING AND AGGRESSIVE BARK (HOWLING)  
EARLY MORNING AND LATE AFTERNOON ON OVER  
A DOZENS OCCASIONS.

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

TAMARA McVICKER [Signature] 609-721-0381 3-13-16  
Print Name Signature Address/Telephone Date

The following persons will also testify as to those facts attested to, above:

\_\_\_\_\_  
Print Name Signature Address/Telephone Date

\_\_\_\_\_  
Print Name Signature Address Telephone Date

\_\_\_\_\_  
Print Name Signature Address/Telephone Date

[Please attach additional sheets of paper as necessary]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

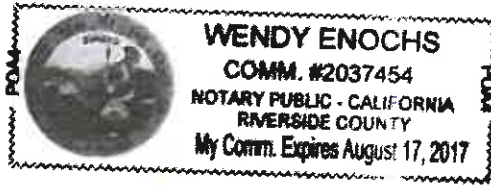
On March 13, 2016 before me, Wendy Enochs, notary public  
[Date] [Name of Notary Public and Title "Notary Public"]

personally appeared Richard Taylor  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Wendy Enochs  
Signature of Notary Public

(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*

THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

*Declaration of Complaint of Noisy  
Animals and Petition for*

CHARACTER OR TITLE OF DOCUMENT Administrative Hearing

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

As a resident of the Tenaja Community in Murrieta California, I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

INITIAL THOSE THAT APPLY:

Noise Levels ZK

Danger to Livestock ZK

Danger to Domestic Animals ZK

Danger to Humans ZK

Danger and Disruption of Equine Activities ZK

Environmental Impact - Wildlife Corridor ZK

Increased Traffic ZK

Disease ZK

Decrease in Property Values ZK

Remarks: IT IS APPARENT THE DOGS ARE BEING KEPT INSIDE NOW BUT THIS MAY CHANGE IN THE FUTURE. 14-17 DOGS INSIDE A 3,200 (APPROX.) SQ FT HOUSE IS JUST RIDICULOUS.

Name: Richard Taylor

Address: 17510 EQUESTRE CT MURRIETA

Phone # 909-721-0381

Resident Yes  No

Richard Taylor  
Print Name

[Signature]  
Signature

3-13-16  
Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On March 13, 2016 before me, Wendy Enochs, notary public  
[Date] [Name of Notary Public and Title "Notary Public"]

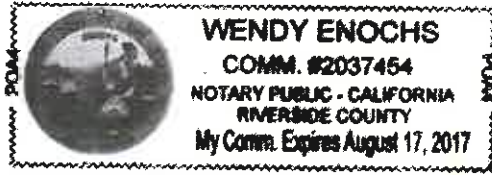
personally appeared Richard Taylor  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
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CHARACTER OR TITLE OF DOCUMENT Statement of Concern

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On March 13, 2016 before me, Wendy Enochs, Notary Public  
[Date] [Name of Notary Public and Title "Notary Public"]

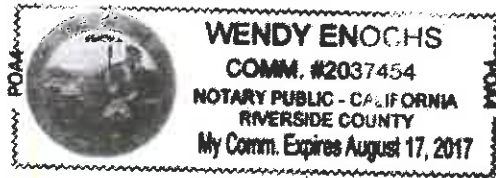
personally appeared Shelley Taylor  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Statement of Concern

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:

\_\_\_\_\_  
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\_\_\_\_\_

# DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

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The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

Siberian Huskies

2. That I believe the above-described animals are owned by: **Tamara and Tim McVicker**  
whose address is **17370 Via Abril Murrieta Ca. 92562**

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

frequently

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

JOAN RAY MURPHY	<i>Joan Ray Murphy</i>	19695 Camino De Paz Murrieta, Ca 92562	(951) 644-7834
Print Name	Signature	Address/Telephone	Date
			3/13/16

The following persons will also testify as to those facts attested to, above:

JOAN RAY MURPHY	<i>Joan Ray Murphy</i>	19695 Camino De Paz	92562
Print Name	Signature	Address/Telephone	Date
			3/13/16

Print Name	Signature	Address/Telephone	Date

Print Name	Signature	Address/Telephone	Date

[Please attach additional sheets of paper as necessary]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of Riverside }

On March 13, 2016 before me, Wendy Enochs Notary Public  
[Date] [Name of Notary Public and Title "Notary Public"]

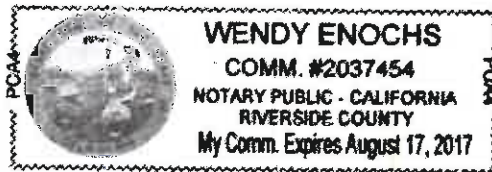
personally appeared Joan Kay Murphy  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Declaration of Complaint of Noisy Animal and Petition for Administrative Hearing

NUMBER OF PAGES 1 DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

As a resident of the Tenaja Community in Murrieta California, I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at **17370 Via Abril, Murrieta Ca 92562** for the following reasons:

**INITIAL THOSE THAT APPLY:**

- Noise Levels
- Danger to Livestock
- Danger to Domestic Animals
- Danger to Humans
- Danger and Disruption of Equine Activities
- Environmental Impact - Wildlife Corridor
- Increased Traffic
- Disease
- Decrease in Property Values

Remarks: *Very inconsiderate of existing neighbors!*

Name: Joan Kay Murphy  
Address: 19695 Camino De Paz, Murrieta, Ca. 92562  
Phone # (951) 677-17834

Resident Yes  No

Joan Kay Murphy Joan Kay Murphy 3/13/16  
Print Name Signature Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

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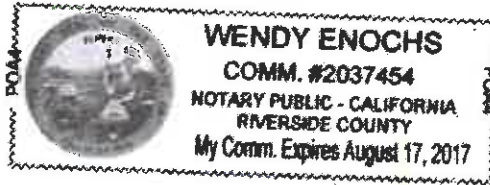
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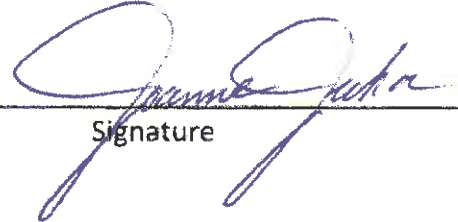
- Noise Levels
- Danger to Livestock
- Danger to Domestic Animals
- Danger to Humans
- Danger and Disruption of Equine Activities
- Environmental Impact - Wildlife Corridor
- Increased Traffic
- Disease
- Decrease in Property Values

Remarks: I live next to 2 barking dogs and the noise level at times exceeds the noise level. I can only imagine 11-25 dogs barking will be unbearable to adjacent property owners and greatly exceed the allowable decibel level.

Name: Joanne Juba  
Address: P.O. Box 1024, Wildomar, CA 92595  
Phone #: 951-600-1462

Physician Address:  
18001 Tenaja Rd  
Murrieta, CA 92562

Resident Yes  No

Joanne Juba  3/13/16  
Print Name Signature Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On March 13, 2016 before me, Wendy Enochs  
[Date] [Name of Notary Public and Title "Notary Public"]

personally appeared Joanne Tuka  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal.

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\_\_\_\_\_  
\_\_\_\_\_



# DECLARATION OF COMPLAINT OF NOISY ANIMAL AND PETITION FOR ADMINISTRATIVE HEARING

**Instructions to Complainant:** Please complete this form so as to give the hearing officer a better understanding of your complaint regarding specific noisy animals. This form will also serve as your request for a hearing before the City of Riverside's Administrative Hearing Officer. This form must be returned to the above-address within ten (10) days of the above-date to secure your request for a hearing. You will receive notice of your hearing date by mail. At the bottom of this form, please also list any witnesses whom you plan to bring to the hearing. *This document is executed under penalty of perjury.*

The undersigned hereby declares:

1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

Husky Run-away

---

2. That I believe the above-described animals are owned by: **Tamara and Tim McVicker**  
whose address is **17370 Via Abril Murrieta Ca. 92562**

3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, times and dates; attach additional sheets of paper as necessary]:

Runway animals attacked neighbor doggy and herby. Next to my property - goats, - donkeys - Etc

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

Ronald R. McDavid      [Signature]      43017 Fenwick place Murrieta      3-12-16  
Print Name                      Signature                      Address/Telephone                      Date

The following persons will also testify as to those facts attested to, above:

\_\_\_\_\_  
Print Name                      Signature                      Address/Telephone                      Date

\_\_\_\_\_  
Print Name                      Signature                      Address/Telephone                      Date

\_\_\_\_\_  
Print Name                      Signature                      Address/Telephone                      Date

[Please attach additional sheets of paper as necessary]

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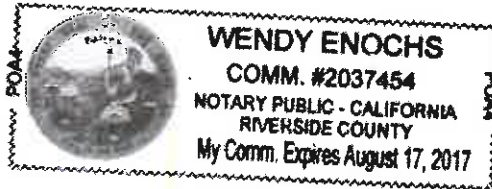
personally appeared Ronald R. McDaniel  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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(seal)

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**INITIAL THOSE THAT APPLY:**

Noise Levels   @  

Danger to Livestock   @  

Danger to Domestic Animals   @  

Danger to Humans   @  

Danger and Disruption of Equine Activities   @  

Environmental Impact - Wildlife Corridor   @  

Increased Traffic   @  

Disease   @  

Decrease in Property Values   @  

Remarks: *This "Recall" is likely a business. Breeding animals for sale is strictly prohibited. Been operating for months - dogs continue to escape*

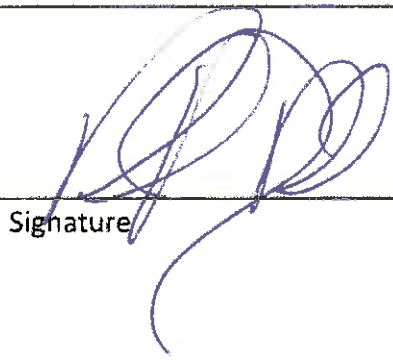
Name: Ronald R. McDaniel

Address: 43017 Teagan Place, Murrieta

Phone # 714-476-3361

Resident Yes X No   

Ronald R. McDaniel



3-12-16

Print Name

Signature

Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

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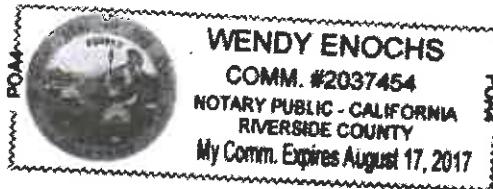
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**INITIAL THOSE THAT APPLY:**

Noise Levels PM

Danger to Livestock PM

Danger to Domestic Animals PM

Danger to Humans     

Danger and Disruption of Equine Activities PM

Environmental Impact - Wildlife Corridor PM

Increased Traffic     

Disease     

Decrease in Property Values PM

Remarks:

Name: PETER MILLINGTON

Address: 42875 CALLE ROBLE

Phone # 951-677-7287

Resident Yes  No

PETER MILLINGTON Peter Millington

Print Name

Signature

12 MAR 16  
Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

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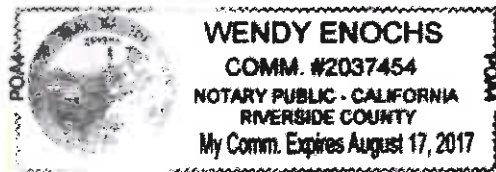
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**INITIAL THOSE THAT APPLY:**

Noise Levels YMM

Danger to Livestock YMM

Danger to Domestic Animals YMM

Danger to Humans \_\_\_\_\_

Danger and Disruption of Equine Activities YMM

Environmental Impact - Wildlife Corridor \_\_\_\_\_

Increased Traffic \_\_\_\_\_

Disease \_\_\_\_\_

Decrease in Property Values YMM

Remarks:

Name: Harry Murphy

Address: 19695 Camino Del Paz, Murrieta CA 92562

Phone # 951-677-7834

Resident Yes  No \_\_\_\_\_

HARRY MURPHY  
Print Name

Harry Murphy  
Signature

3/13/16  
Date

**Noise Impact Analysis  
for  
Shadow Husky Ranch  
County of Riverside, California**

**Prepared for:**

**Southland Engineering  
2200 Business Way, Suite 100  
Riverside, CA 92501**

**Prepared by:**



**Environmental Impact Analysis and Land Use Planning**

**Contact: Roma Stromberg  
951-544-3170**

**February 23, 2016**



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## APPENDICES

### Appendix A – Larson Davis LxT Output Data

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## **I. Introduction and Setting**

---

### **A. Purpose and Objectives**

The purpose of this report is to evaluate the existing noise environment at the Shadow Husky Ranch in order to determine if operations are or are likely to result in violations of applicable County of Riverside noise standards.

### **B. Project Location**

The proposed development is located De Luz which is an unincorporated area within the County of Riverside located west of the City of Murrieta. Specifically, the site address is 17370 Via Abril, Murrieta, CA 92562. A vicinity map showing the project location is provided in Figure 1.

### **C. Project Description**

The project consists of an application for a Class II Dog Kennel on a 6.2 acre rural residential parcel. The site is currently home to 18 huskies. The huskies sleep inside the on-site residence and have access to the designated outside areas as shown in Figure 2, in shifts.

The homeowners have hired two full-time staff members who work 7 days a week assisting with the maintenance and care of the huskies. Staff hours of work are normally from 8 am to 7 pm. One of the staff members sleeps over Monday through Friday and the other works Fridays through Sundays. The staff members are also available to work additional hours as needed or requested.

#### **Project Operations**

- The dogs are kept in secured fenced areas.
- The dogs visit their outdoor play area three times a day for one-hour intervals (approximate). Their first outing is at 6:30 AM. Their second outing usually takes place at some point in the early afternoon and the third outing usually takes place just before dusk.
- The dogs sleep most of the morning once they have had their exercise.
- The dogs are usually in the house "in bed" by 8:00 PM. If a dog needs to go outside at night they are escorted.
- During outdoor play periods, the dogs are permitted to run to the southern and western property lines. They currently do not have access to the eastern property line.

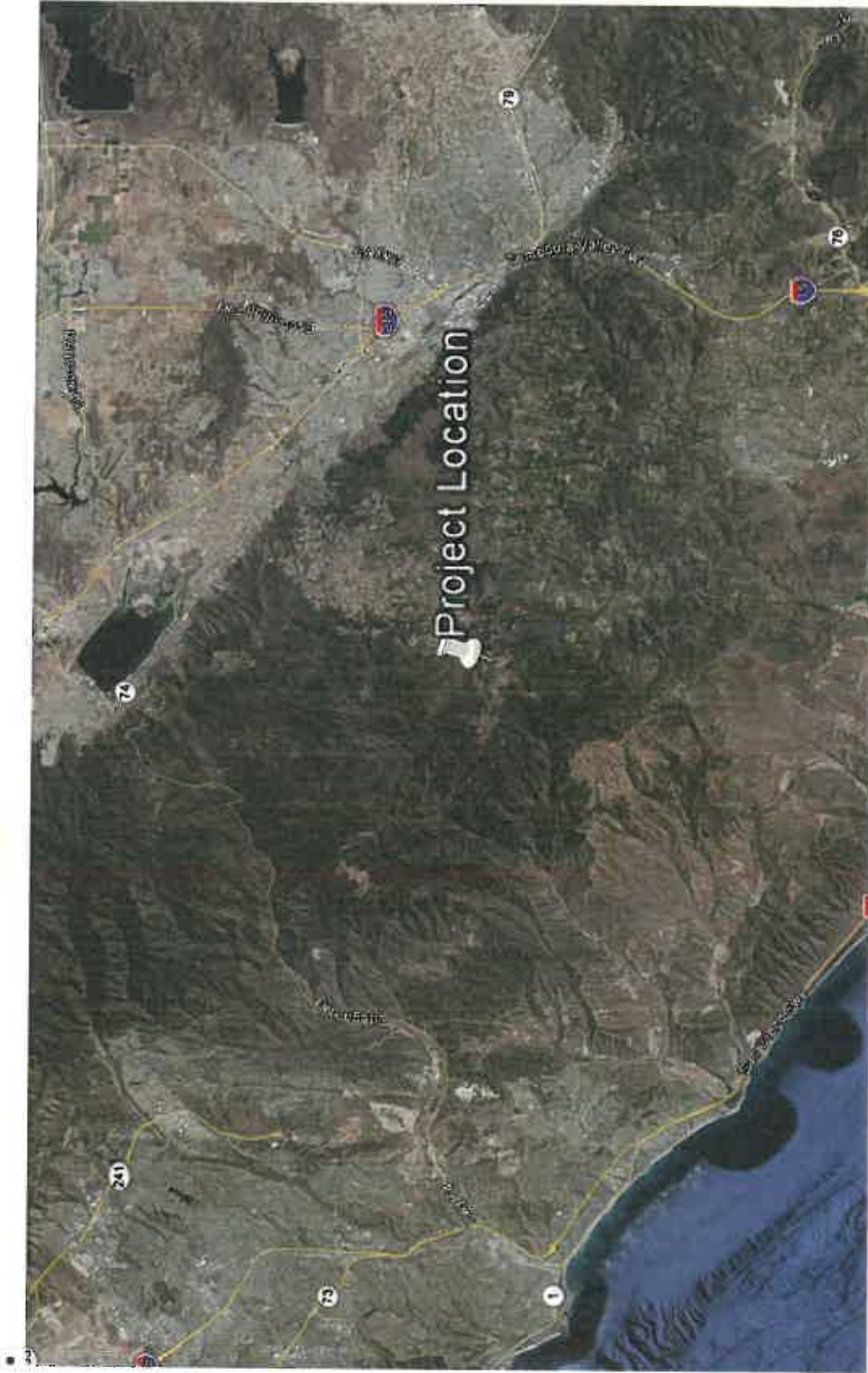


Figure 1. Project Location Map



## II. Noise Fundamentals

---

Sound is a pressure wave created by a moving or vibrating source that travels through an elastic medium such as air. Noise is defined as unwanted or objectionable sound. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and in extreme circumstances, hearing impairment.

Definitions of commonly used noise terms are presented in Table 1. The unit of measurement used to describe a noise level is the decibel (dB). The human ear is not equally sensitive to all frequencies within the sound spectrum. Therefore, the "A-weighted" noise scale, which weights the frequencies to which humans are sensitive, is used for measurements. Noise levels using A-weighted measurements are written dB(A) or dBA.

From the noise source to the receiver, noise changes both in level and frequency spectrum. The most obvious is the decrease in noise as the distance from the source increases. The manner in which noise reduces with distance depends on whether the source is a point or line source as well as ground absorption, atmospheric effects and refraction, and shielding by natural and manmade features. The noise drop-off rate associated with point source noise is 6 dBA per each doubling of the distance (dBA/DD).

Decibels are measured on a logarithmic scale, which quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. Thus, a doubling of the energy of a noise source, such as a doubled traffic volume, would increase the noise levels by 3 dBA; halving of the energy would result in a 3 dBA decrease.

Figure 3 shows the relationship of various noise levels to commonly experienced noise events.

Average noise levels over a period of minutes or hours are usually expressed as dBA  $L_{eq}$ , or the equivalent noise level for that period of time. For example,  $L_{eq(3)}$  would represent a 3-hour average. When no period is specified, a one-hour average is assumed. Instantaneous and short-duration noise events are often described using the  $L_{max}$  noise descriptor, which is the RMS (root mean squared) maximum level of a noise source or environment measured on a sound level meter, during a designated time interval. For stationary noise sources the County of Riverside uses a 10-minute  $L_{eq}$  standard which is the average sound level as measured over a ten minute period.

It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA; that a change of 5 dBA is readily perceptible, and that an increase (decrease) of 10 dBA sounds twice (half) as loud. This definition is recommended by the California Department of Transportation's Traffic Noise Analysis Protocol for New Highway and Reconstruction Projects (2009).

**Table 1. Definitions of Acoustical Terms<sup>1</sup>**

Term	Definition
Decibel, dB	A logarithmic unit of noise level measurement that relates the energy of a noise source to that of a constant reference level; the number of decibels is 10 times the logarithm (to the base 10) of this ratio.
Frequency, Hertz	In a function periodic in time, the number of times that the quantity repeats itself in one second (i.e., the number of cycles per second).
A-Weighted Sound Level, dBA	The sound level obtained by use of A-weighting. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear.
Root Mean Square (RMS)	A measure of the magnitude of a varying noise source quantity. The name derives from the calculation of the square root of the mean of the squares of the values. It can be calculated from either a series of lone values or a continuous varying function.
Fast/Slow Meter Response	The fast and slow meter responses are different settings on a sound level meter. The fast response setting takes a measurement every 100 milliseconds, while a slow setting takes one every second.
$L_{02}$ , $L_{08}$ , $L_{50}$ , $L_{90}$	The A-weighted noise levels that are equaled or exceeded by a fluctuating sound level, 2 percent, 8 percent, 50 percent, and 90 percent of a stated time period, respectively.
Equivalent Continuous Noise Level, $L_{eq}$	A level of steady state sound that in a stated time period, and a stated location, has the same A-weighted sound energy as the time-varying sound.
$L_{max}$ , $L_{min}$	$L_{max}$ is the RMS (root mean squared) maximum level of a noise source or environment measured on a sound level meter, during a designated time interval, using fast meter response. $L_{min}$ is the minimum level.
Ambient Noise Level	The all-encompassing noise environment associated with a given environment, at a specified time, usually a composite of sound from many sources, at many directions, near and far, in which usually no particular sound is dominant.
Offensive/Offending/Intrusive Noise	The noise that intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of sound depends on its amplitude, duration, frequency, and time of occurrence, and tonal information content as well as the prevailing ambient noise level.

<sup>1</sup> Adapted from: Cyril M. Harris; Handbook of Acoustical Measurement and Noise Control, 1991.

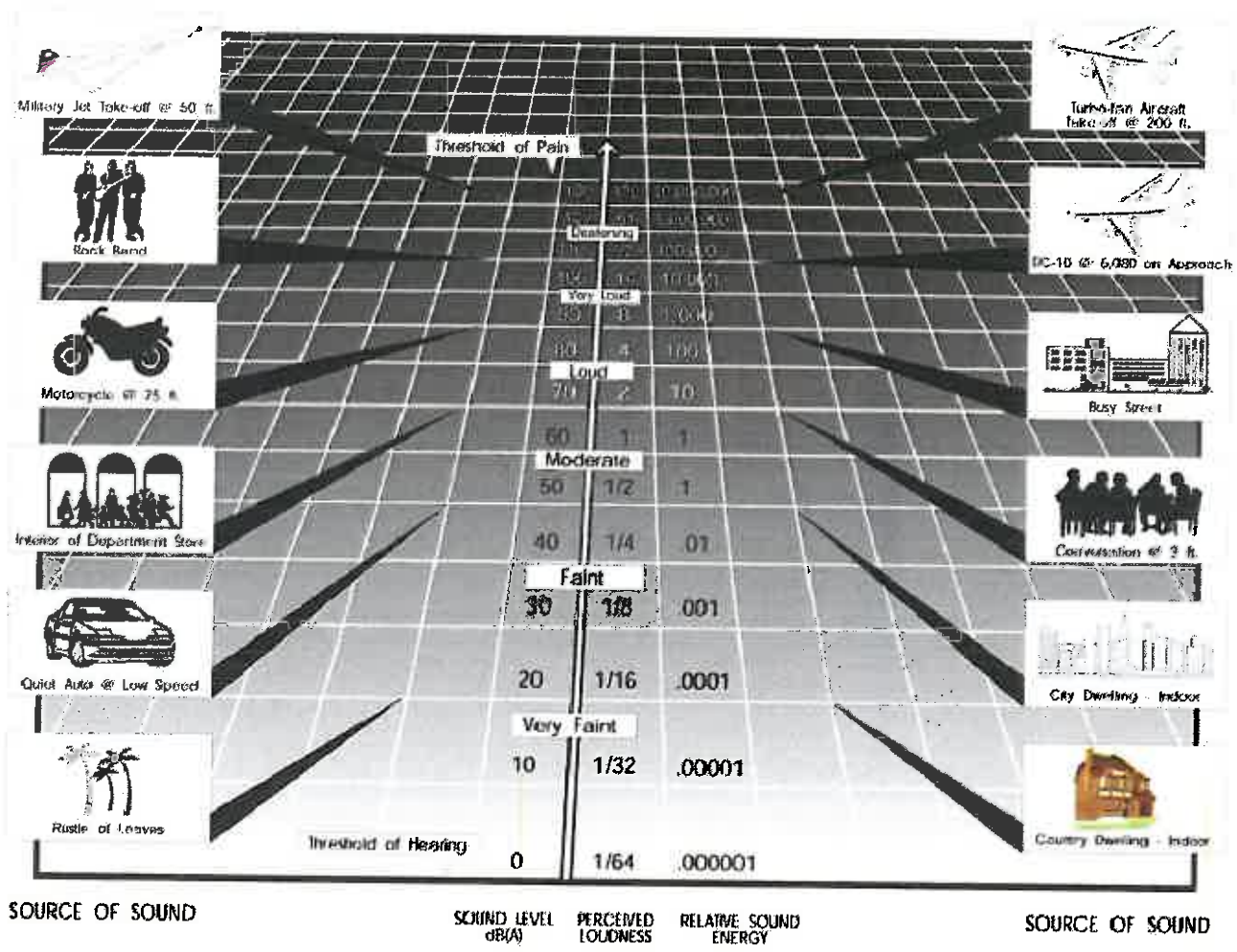


Figure 3, Common Noise Sources and Noise Levels

### **III. Existing Noise Environment**

---

#### **A. Existing Land Uses and Sensitive Receptors**

The project site is an existing single family parcel. Properties zoned for single family and agricultural uses surround the project site. The closest residential dwelling is located approximately 210 feet east of the subject property and 380 feet northeast of the closest dog activity area. The next closest residential dwelling is over 600 feet west of the subject property.

On the property directly to the east, there is a large chicken coop and approximately 18 boarded horses. The horse corrals and barn are situated near the eastern property line.

Multiple horses were observed at 43475 Tenaja Road and 43915 Tenaja Road, and 17355 Via Abril. A donkey was also observed on the property located south of the project site. A dog located on the property south of the subject site was also observed barking at the technician as she approached the subject property. It should be noted that this is a rural location near the Santa Rosa Plateau Ecological Reserve and it is very common to hear and/or encounter coyotes in the area. They can be very loud and disturbing when hunting together.

The La Cresta & Plateau News recently reported that the same two lost dogs (not belonging to the project proponent) that were found on the proponent's property on November 5, 2015 had escaped their property again. The project proponent has submitted several photos of stray and/or roaming dogs near their property.

The project site is located within five miles from Camp Pendleton. Blasting activities and aircraft overflight associated with Camp Pendleton is often audible in the project area.

The State of California defines sensitive receptors as those land uses that require serenity or are otherwise adversely affected by noise events or conditions. Schools, libraries, churches, hospitals, single and multiple family residential, including transient lodging, motels and hotel uses make up the majority of these areas. Sensitive receptors that may be affected by project generated noise include the single-family residential dwelling units situated near the project site.

#### **B. Ambient Noise Measurements**

An American National Standards Institute (ANSI Section S14 1979, Type 1) Larson Davis model LxT sound level meter was used to document existing ambient noise levels. A 24-hour noise measurement including one-hour increments was taken at approximately 15 feet west of an on-site dog enclosure. The noise measurement location is shown in Figure 2. Measurement output data is presented in Table 2 and Figure 4. Meter output is included in Appendix A.

No dog barking was observed by the technician when she drove to the front gate and got out of her car and chatted with the site caretaker. Further, no barking was noted when a UPS truck showed up and the driver got out of his vehicle a few minutes later and also spoke to



the onsite caretaker. Twelve (12) dogs were outside in the yard at the time of the technician's arrival. The technician then walked along the on-site wash area for approximately 360 feet and set the noise meter 15 feet from the fenced dog activity area where 12 dogs greeted her with a few friendly barks that lasted for no more than 10 seconds. Other observed noise sources included aircraft flyovers, horse neighing, chickens, distant construction, and neighbor dogs barking.

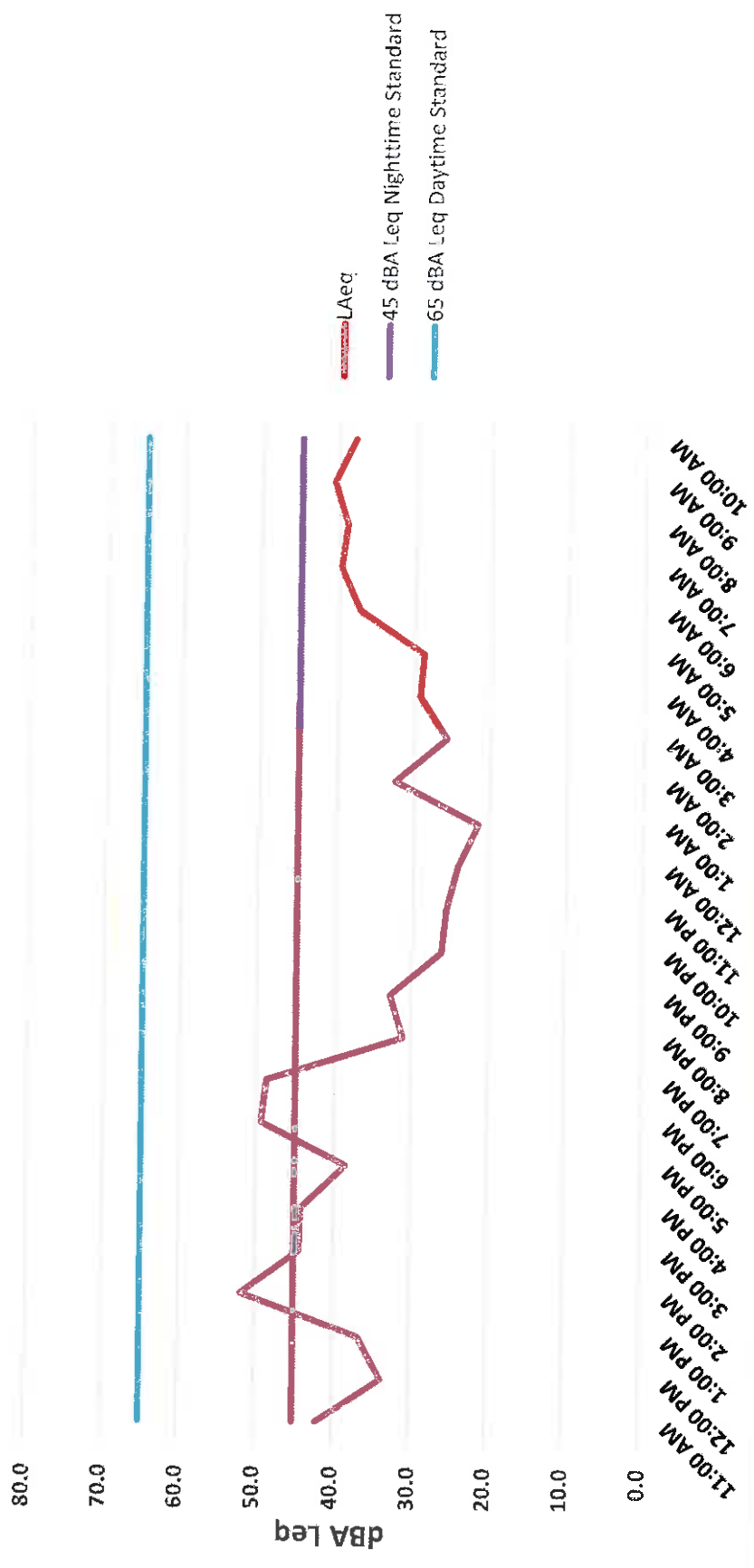
**Table 2. Long-Term Noise Measurement LT1<sup>1,2</sup>**

24-Hour Ambient Noise								
Hourly Measurements	Time Started	Leq	Lmax	Lmin	L(2)	L(8)	L(25)	L(50)
		<b>Overall Summary</b>	<b>11:00 AM</b>	<b>42.6</b>	<b>77.3</b>	<b>15.3</b>	<b>47.8</b>	<b>39.7</b>
1	11:00 AM	42.1	63.1	19.7	53.4	43.3	33.3	29.7
2	12:00 PM	33.7	50.3	19.5	43.5	37.5	32.1	28.6
3	1:00 PM	36.7	55.0	21.9	46.9	41.7	33.2	29.6
4	2:00 PM	51.8	77.3	21.9	62.3	50.8	33.1	28.8
5	3:00 PM	44.4	68.7	20.0	48.5	39.8	31.4	26.1
6	4:00 PM	44.2	60.4	19.3	56.2	47.7	36.5	30.0
7	5:00 PM	38.5	62.4	19.7	45.8	42.6	37.2	30.7
8	6:00 PM	49.4	72.3	21.6	60.1	45.4	36.6	32.1
9	7:00 PM	48.7	69.3	21.1	59.6	44.3	35.3	30.7
10	8:00 PM	31.2	59.0	18.1	39.2	33.5	28.8	25.7
11	9:00 PM	32.9	53.3	15.8	42.1	36.6	27.8	22.0
12	10:00 PM	26.2	48.4	15.8	35.3	29.7	23.2	19.4
13	11:00 PM	25.7	41.7	15.5	36.7	28.5	21.3	18.6
14	12:00 AM	24.2	51.8	15.3	31.7	27.7	22.1	19.2
15	1:00 AM	21.6	42.9	15.4	29.7	24.6	19.5	17.4
16	2:00 AM	32.6	52.3	15.4	43.9	32.9	23.3	18.2
17	3:00 AM	25.8	43.6	15.5	34.3	30.6	24.7	17.7
18	4:00 AM	29.4	49.2	15.6	39.1	34.4	24.1	18.2
19	5:00 AM	28.9	47.7	15.5	38.6	34.0	27.1	20.8
20	6:00 AM	37.3	60.4	18.1	47.4	39.2	31.3	26.7
21	7:00 AM	39.8	63.1	21.7	47.5	43.0	38.7	34.1
22	8:00 AM	39.1	63.3	24.1	45.7	42.1	37.1	33.2
23	9:00 AM	40.8	61.5	19.5	49.0	41.1	34.3	29.1
24	10:00 AM	38.1	56.4	20.0	47.0	43.5	36.0	30.1

<sup>1</sup> See Figure 4 for noise measurement locations. Noise measurements were performed over a 24-hour duration.

<sup>2</sup> Noise measurements performed from February 10, 2016 to February 11, 2016.

Figure 4  
Shadow Husky Ranch  
Average Noise Levels



## IV. Regulatory Setting

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The Riverside County Department of Environmental Health's Office of Industrial Hygiene has established quantitative noise standards for stationary noise sources that are routinely applied to dog kennel permit applications. Specifically, the office requires that facility-related noise, as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home", must not exceed the following worst-case noise levels:

- 45 dBA – 10 minute noise equivalent level ( $L_{eq}$ ), between the hours of 10:00 PM and 7:00 AM (nighttime standard)
- 65 dBA – 10 minute noise equivalent level ( $L_{eq}$ ) between the hours of 7:00 AM and 10:00 PM (daytime standard)

## V. Analysis and Findings

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In order to be compliant with County's stationary noise source standards, the combined barking associated with the kennel may not exceed a ten-minute  $L_{eq}$  of 65 dBA between the hours of 7:00 AM and 10:00 PM or a ten-minute  $L_{eq}$  of 45 dBA between the hours of 10:00 PM and 7:00 AM at properties with habitable dwellings.

### A. Measured Noise Levels

Based on a 24-hour noise measurement with hourly data, there are currently no violations in the County's daytime or nighttime noise standards (see Table 2 and Figure 4).

### B. Calculated Worst-Case Noise Levels

Although it is likely that the dogs do bark when people arrive or leave the property or when a strange animal or person approaches their property, it is unlikely that this barking continues long enough to exceed the noise standards. However for purposes of discussion, previously collected data was utilized to model a hypothetical rough play period. The use of representative data was necessary because the eighteen huskies were relatively lazy and quiet during the site visit.

The representative measurement was taken at an existing kennel located in the City of Temecula on November 21, 2014. The measurement was taken at the edge of an outdoor play area, approximately 1,250 square feet in size. Eighteen large dogs were present. The average distance from noise meter to dog was 15 feet. The dogs were measured for ten minutes after they entered area after their afternoon naptime. Primary noise sources included the dogs playing and barking at each other. Other noise included a metal garbage can lid being closed after dog waste cleanup and a brief comment made via a walkie-talkie by an attendant. The measured ten-minute  $L_{eq}$  was 56.5 dBA.

Based on the above data, if all eighteen dogs were rough housing within an area of 1,250 square feet within 15 feet of the property line, they may cause an exceedance in the nighttime noise standard if they were allowed to outside at night, but would not be likely to exceed the daytime noise standard.

**C. Conclusions**

As long as the dogs are not allowed to bark continuously for more than a five minutes and as long as they continue to sleep indoors, they are unlikely to cause an exceedance in the noise ordinance. Neither the measured nor the likely worst-case calculated noise level indicates that existing conditions at Shadow Husky Ranch will result in violations of the noise ordinance.

## VI. References

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### California Department of Transportation

2009 California Department of Transportation (Caltrans). 2009. Technical Noise Supplement, November

### Harris, Cyril M.

1991 Handbook of Acoustical Measurement and Noise Control. *Acoustical Society of America*. Woodbury, N.Y.

### Riverside County

2009 Department of Environmental Health, Noise Standards for Stationary Noise Sources. November 23.

- County Code, as updated on December 17, 2015.

2003 General Plan Noise Element

**APPENDIX A**

**Larson Davis LXT Noise Measurement Data**

**Summary** LT 1  
**File Name** LxT\_Data.126  
**Serial Number** 0003099  
**Model** SoundTrack LxT®  
**Firmware Version** 2.301  
**User** Roma Stromberg  
**Start** 2016-02-10 10:57:57  
**Stop** 2016-02-11 12:26:31  
**Duration** 1:28:33.7  
**Run Time** 1:27:16.5  
**Pause** 0:01:17.2

**Pre Calibration** 2016-02-10 10:29:11  
**Post Calibration** None  
**Calibration Deviation** ---

**Overall Settings**

**RMS Weight** A Weighting  
**Peak Weight** Z Weighting  
**Detector** Slow  
**Preamp** Direct  
**Microphone Correction** Off  
**Integration Method** Linear  
**OBA Range** High  
**OBA Bandwidth** 1/1 and 1/3  
**OBA Freq. Weighting** A Weighting  
**OBA Max Spectrum** Bin Max  
**Overload** 118.5 dB

**Results**

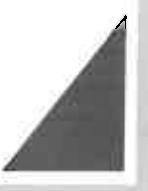
**LAeq** 42.6 dB  
**LAE** 92.2 dB  
**EA** 185.826  $\mu\text{Pa}^2\text{h}$   
**EA8** 58.402  $\mu\text{Pa}^2\text{h}$   
**EA40** 292.012  $\mu\text{Pa}^2\text{h}$   
**LZpeak (max)** 2016-02-10 14:29:07 107.2 dB  
**LASmax** 2016-02-10 14:29:07 77.3 dB  
**LASmin** 2016-02-11 0:15:13 15.3 dB  
**SEA** dB

<b>LCeq</b>	55.2 dB	<b>Statistics</b>	
<b>LAeq</b>	42.6 dB	<b>LAS2.00</b>	47.8 dB
<b>LCeq - LAeq</b>	12.6 dB	<b>LAS8.00</b>	39.7 dB
<b>LAlaq</b>	48.2 dB	<b>LAS10.00</b>	38.4 dB
<b>LAeq</b>	42.6 dB	<b>LAS25.00</b>	32.0 dB
<b>LAlaq - LAeq</b>	5.6 dB	<b>LAS50.00</b>	27.0 dB
<b># Overloads</b>	0	<b>LAS90.00</b>	17.3 dB

<b>Record #</b>	<b>Date</b>	<b>Time</b>	<b>Run Duration</b>	<b>Run Time</b>	<b>Pause</b>	<b>LAeq</b>
1	2016-02-10	11:00:00	1:00:00.0	1:00:00.0	0:00:00.0	42.1
2	2016-02-10	12:00:00	1:00:00.0	1:00:00.0	0:00:00.0	33.7
3	2016-02-10	13:00:00	1:00:00.0	1:00:00.0	0:00:00.0	36.7
4	2016-02-10	14:00:00	1:00:00.0	1:00:00.0	0:00:00.0	51.8
5	2016-02-10	15:00:00	1:00:00.0	1:00:00.0	0:00:00.0	44.4
6	2016-02-10	16:00:00	1:00:00.0	1:00:00.0	0:00:00.0	44.2
7	2016-02-10	17:00:00	1:00:00.0	1:00:00.0	0:00:00.0	38.5
8	2016-02-10	18:00:00	1:00:00.0	1:00:00.0	0:00:00.0	49.4
9	2016-02-10	19:00:00	1:00:00.0	1:00:00.0	0:00:00.0	48.7
10	2016-02-10	20:00:00	1:00:00.0	1:00:00.0	0:00:00.0	31.2
11	2016-02-10	21:00:00	1:00:00.0	1:00:00.0	0:00:00.0	32.9
12	2016-02-10	22:00:00	1:00:00.0	1:00:00.0	0:00:00.0	26.2
13	2016-02-10	23:00:00	1:00:00.0	1:00:00.0	0:00:00.0	25.7
14	2016-02-11	0:00:00	1:00:00.0	1:00:00.0	0:00:00.0	24.2
15	2016-02-11	1:00:00	1:00:00.0	1:00:00.0	0:00:00.0	21.6
16	2016-02-11	2:00:00	1:00:00.0	1:00:00.0	0:00:00.0	32.6
17	2016-02-11	3:00:00	1:00:00.0	1:00:00.0	0:00:00.0	25.8
18	2016-02-11	4:00:00	1:00:00.0	1:00:00.0	0:00:00.0	29.4
19	2016-02-11	5:00:00	1:00:00.0	1:00:00.0	0:00:00.0	28.9
20	2016-02-11	6:00:00	1:00:00.0	1:00:00.0	0:00:00.0	37.3
21	2016-02-11	7:00:00	1:00:00.0	1:00:00.0	0:00:00.0	39.8
22	2016-02-11	8:00:00	1:00:00.0	1:00:00.0	0:00:00.0	39.1
23	2016-02-11	9:00:00	1:00:00.0	1:00:00.0	0:00:00.0	40.8
24	2016-02-11	10:00:00	1:00:00.0	1:00:00.0	0:00:00.0	38.1
25	2016-02-11	11:00:00	1:00:00.0	1:00:00.0	0:00:00.0	29.4



# CORRESPONDENCE



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May 31, 2016

Mr. Timothy Wheeler  
Project Planner  
Riverside County Planning  
4080 Lemon St., 12<sup>th</sup> Floor  
Riverside, CA 92501

*[Sent on May 31, 2016 by mail and by e-mail to  
twheeler@rctlma.org]*

RE: Our Clients: Timothy & Liz McVicker  
Our File No.: 1203151  
Case: Kennel II Permit Application #25922 ("Permit")  
Ref.: Response to comment letter by Marty Nicholson, Esq., ("Nicholson") dated May 23, 2016

Dear Mr. Wheeler:

This firm represents Mr. & Mrs. McVicker regarding the above stated Permit. We have reviewed the comment letter prepared by Nicholson sent to you and then forwarded by you to our clients, for comment.

First, I am astonished by the false, misleading and fraudulent statements in Nicholson's letter. Nicholson's letter is clearly given in an all-out attempt to sabotage our client's Permit, even going to the extent of subjecting herself and her firm to discipline by the California State Bar Association for making such false, misleading and fraudulent statements.

Here are a summary of the false, misleading and fraudulent statements:

1. That Nicholson and her firm represent the Tenaja Community Service District ("TCSO"). The TCSO's attorney is Hugo Anderson, Esq. of 41530 Enterprise Circle #208, Temecula, CA 92590, (951) 296-9144. I verified this with Arlene the TCSO secretary on April 6, 2016 and Mrs. McVicker verified this on May 31, 2016 with Tanya the TCSO secretary. On said date Mrs. McVicker also verified the TCSO did not hire Nicholson nor her firm (Tyler & Bursch). **The statement that TCSO is Nicholson's client is a false, misleading and fraudulent statement.** On Friday May 27, 2016 I spoke to Nicholson by telephone, and due to the ambiguous nature of the first paragraph of Nicholson's letter as to who she represents, I asked her just that. She was evasive at first, then said she represents the neighbors of Mr. & Mrs. McVicker in Tenaja Valley. When I pressed her further as to who she represented (their names) she stated she was surprised I had a copy of her letter and that she thought it was confidential.<sup>1</sup> She also thereafter,

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<sup>1</sup> Nicholson represented that she was well versed in development issues, but based upon her lack of knowledge regarding the non-confidential nature of comment letters in the development process, that statement also appears to be false.

refused to state who she represents. I attempted several times to have her state who she represents, but again, she refused. She never stated to me that she represented the TCSO, despite her letter wherein she describes her client as the TCSO and further states that her client has the power to decide issues relative to streets, bridges, etc and that it has the power to enforce the CC&R's for the property in the Tenaja Valley (the responsibilities of the TCSO, not some individual neighbors in Tenaja Valley), she even attached as Exhibit "B" copies of pages from the TCSO's website. Nicholson wants you and the planning department to think she and her firm represent the TCSO and that her comment letter of May 23, 2016 carries the strength and support of the TCSO, when it does not. Nicholson's false, misleading and fraudulent statement that she represents the TCSO is actionable by the California State Bar Association under California Rules of Professional Conduct, Rule 5-200, Business and Professions Code, Sections 6068(d), 6103, 6106 and 6128 which may include license suspension, or disbarment, and misdemeanor criminal conviction. ALL STATEMENTS BY NICHOLSON MUST BE DISREGARDED DUE TO HER BAD FAITH AND STATEMENT OF FALSE REPRESENTATION OF THE TCSO.<sup>2</sup>

2. That "One of the issues with the McVicker's property is the lack of supervision of the dogs" and "While there is a person on the property, that person was unable to stop the dogs from escaping off the property on two occasions and attacking a horse, donkey and killing several chickens:" Not all dogs escaped the property, only four, when a building contractor doing work on the property took the gate opener remote, left to get building materials and did not realize he had left the front gate open. No horse was attacked and no chickens were killed by Mr. & Mrs. McVicker's pets. The horse and donkey are owned by Mr. Peter McGowen, a neighbor. Mr. McGowen stated to Mrs. McVicker, in discussing this issue months afterwards, that she was lucky that her dog was not killed by his donkey as it has been trained to kill coyotes and had already killed a Pit Bull dog that was loose on his property.<sup>3</sup> Mr. McGowen must have thought the incident was insignificant as he never made a complaint about these events to any Riverside County agency, nor did he ever seek out Mr. & Mrs. McVicker to discuss the matter.<sup>4</sup> Mrs. McVicker sought out Mr. McGowen to discuss the matter, after she found out about the events months later from Sarina Becker and Scott Becker, Mr. & Mrs. McVicker's neighbor (the parties spiting the major opposition to the Permit). Mr. & Mrs. McVicker's pets killed no chickens. These were allegedly killed on the Clippinger property by dogs but not Mr. & Mrs. McVicker's, it is believed that they were killed by the dogs owned by the illegal alien ranch hands employed and living there. These ranch hands have several dogs; they are not fenced in and roam the area at will. There is no evidence that Mr. & Mrs. McVicker's pets were ever near the chickens, nor killed same. Mr. & Mrs.

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<sup>2</sup> Additionally, without the TCSO as a client and her failure to name any clients, she effectively has no clients to base her comment letter against and therefore her entire comment letter must be disregarded.

<sup>3</sup> This shows Mr. McGowen's donkey was not injured, hurt or bit by Mr. & Mrs. McVicker's pets.

<sup>4</sup> Mr. McGowen never made any formal complaint, never contacted Mr. or Mrs. McVicker to discuss the matter, and never contacted anyone regarding this issue for months. Mr. Becker approached Mr. McGowen and pressured him into making this issue known, in an effort to oppose the Permit.

McVicker employ two dog handlers and they are on their property daily and weekends. These handlers supervise the dogs, cook for them, clean after them and allow them out for three one-hour, outside exercise breaks, during the day. After it was determined how Mr. & Mrs. McVicker's pets were able to get near the McGowen's property, Mr. & Mrs. McVicker had new, double gates installed in the front of their home. The remotes for the gate openers now, are in the restricted custody of the dog handlers or Mr. or Mrs. McVicker, only. Neither the contractor nor anyone else is allowed to have the remotes. Additionally, there are no photos of Mr. & Mrs. McVicker's pets attacking anything. There are only photos of some of their pets outside their property when they went near Mr. McGowen's property. Also, there are no statements of "...neighbors who were placed in fear of their lives.." Mr. McGowen's twenty-five (25) year old, ex-high school football player daughter, that lives with him and her life partner, was in her house when Mr. & Mrs. McVicker's pets came on their property, near their donkey. She then came out of her house to take some photos of the dogs. Hardly someone that "feared for her life" or was "imprisoned in her house because of fear of dogs and the Huskies that had decided to camp out at her property" as misrepresented by Nicholson, as Mr. McGowen's daughter never made a complaint about these events to any Riverside County agency, nor did she ever seek out Mr. & Mrs. McVicker to discuss the matter.<sup>5</sup> When Mr. & Mrs. McVicker's pets were out of the McVicker's property their handlers learned of it and left the property to bring them back, which necessarily meant they were not on the property.<sup>6</sup> This was only about a 20 minute time span. Since the gate improvements and the new gate opener custody rules have been in place there have been no other incidents with Mr. & Mrs. McVicker's pets, which means there have been no further incidents for many, many months.<sup>7</sup> Nicholson's representations regarding supervision are unsupported by facts and given her false, misleading and fraudulent statements about who she represents, must be disregarded as an extension of her improper actions. Mr. & Mrs. McVicker have 24 hour supervision of their pets, during the day it is by their dog handlers and in the evenings and on holidays or weekends it is by Mr. & Mrs. McVicker/dog handlers. The supervision is in compliance with the county requirements and is at an elevated level few parties possess, that are issued Kennel II permits (i.e. 24 hour video cameras, 24 hour handlers or owner

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<sup>5</sup> Mr. McGowen's daughter never made any formal complaint, never contacted Mr. or Mrs. McVicker to discuss the matter, never contacted anyone regarding this issue for months. Mr. Becker approached Mr. McGowen and pressured him into making this issue known, in an effort to oppose the Permit. Also there is no evidence that the dogs "camped out on her property" ever, as they were only out for less than 20 minutes.

<sup>6</sup> Almost every home in the Tenaja Valley has dogs, some several dogs over the requirement for a Kennel I permit, but fail to have such permit. These home owners allow their dogs to get out or roam freely on a constant basis, so much so that a good samaritan has a e-mail devoted to the return of lost dogs in the Tenaja Valley, (see [ksmith@lacreata.com](mailto:ksmith@lacreata.com) ). Many, many dogs get out of their enclosures in the Tenaja Valley, yet no one ever argues that they should be removed from the valley, as Nicholson is.

<sup>7</sup> Mr. & Mrs. McVicker have been on their property with their pets since August 2015. They notified Riverside Animal Services of this and have been told the pets can stay while the Permit is in process. Mr. & Mrs. McVicker have notified Riverside County Planning of this and have been told the Pets can stay while their Permit is processing. No other incidents affecting their pets have taken place in the nearly year they have been on the property.

supervision, newly fenced dog exercise areas [some areas double fenced]; double gates, dogs inside the residence most of the time [except for three one hour exercise breaks during the day], dogs are cleaned by handlers, handlers clean up after the dogs-inside and outside daily). Therefore the supervision of the pets is in compliance with the county ordinances and the Permit should be issued, without restriction.

3. That the Husky breed is unsuitable for the Tenaja Valley: Nicholson misrepresents the articles she quotes and takes her quoted items out of context, as follows: (i) “.and they have a reputation as escape artists. “Siberian Husky’s put the ‘H’ in Houdini” what she left off is the following “and need a fenced yard that is sunk in the ground to prevent escapes.”<sup>8</sup> Mr. & Mrs. McVicker have all new fencing around their property and in some areas have new double fencing all in the ground, as recommended; (ii) fails to quote the basis for the article wherein it states “If you look at all positive points of their temperaments, you are left without any doubt that this is an amazing breed. They are intelligent and independent. They are affectionate with everyone but do not need to constantly pester you for attention. They are not known to be aggressive and generally do well in multi-dog homes. They do well with children and will welcome everyone into their home- yes, even intruders.”<sup>9</sup> (underline emphasis added) “The Siberian Husky has a delightful temperament, affectionate but not fawning. This gentle and friendly disposition may be a heritage from the past, since the Chukchi people held their dogs in great esteem, housed them in family shelters, and encouraged their children to play with them. Today, it is charming to observe the special appeal that Siberian Huskies and children have for each other. The Siberian Husky is alert, eager to please and adaptable. His intelligence has been proven, but his independent spirit may at time challenge your ingenuity. His versatility makes him an agreeable companion to people of all ages and varying interests.”<sup>10</sup> (underline emphasis added) This breed is encouraged to associate with children, as stated in the above article. Hardly a breed painted as unnecessary to Tenaja Valley. Nicholson misquotes the articles in an effort to improperly cast the breed in a false light. I have attached the entire articles, as quoted and referenced by Nicholson so that you may research Nicholson’s argument yourself. These pets are clearly allowed under Ordinance 630, Section 5 (C) and therefore the Permit should be approved.
4. That the Tenaja Valley is for horse owners and riders, not dogs: Nicholson makes an error here, as the past president of the TCSO, Mr. Michael Juda has stated very clearly, that the Tenaja Valley is not exclusively for horses and horse riders, but it is for all types of animals (see attached copy of e-mail from Mr. Juha stating the Tenaja Valley is not just for horses or horse riding, as misrepresented by Nicholson). There are owners of property in the Tenaja Valley that have lizards, goats, lamas, birds, rodents, dogs, cats, and even wolves and many other variations of animals. Nicholson clearly has not spent time in the Tenaja Valley, or spent time researching her facts, as such her argument here must be

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<sup>8</sup> <http://dogtime.com/dog-breeds/siberian-husky#slide/1>

<sup>9</sup> <http://dogtime.com/dog-breeds/siberian-husky#slide/1>

<sup>10</sup> [Http://www.shca.org/shcahp2a.htm](http://www.shca.org/shcahp2a.htm)

disregarded, first because it is incorrect and second because her credibility has faded in light of her fraud in claiming the TCSD is her client.

5. That the Tenaja Valley wildlife corridor will be adversely affected by the housing of dogs: Again Nicholson makes an error, as the wildlife corridor: (i) is not on or near Mr. & Mrs. McVicker's property; (ii) Mr. & Mrs. McVicker's pets do not bark or howl. Riverside County Animal Services has held a hearing on Scott and Sarina Becker's complaint that Mr. & Mrs. McVicker's pets bark and howl, disturb the peace and are a nuisance, on March 17, 2016 and ruled that there are no grounds to find the pets bark or howl or disturb the peace or are a nuisance. Scott Becker and Sarina Becker mounted a vigorous program of misinformation and false facts regarding Mr. & Mrs. McVicker's pets barking or howling, sent e-mails to all their friends and neighbors and had a few of them show up for the hearing. Mr. & Mrs. McVicker presented their expert Roma Stromberg and her report, that stated in very clear terms that the pets do not bark or howl.<sup>11</sup> Mr. & Mrs. McVicker had many, many supporters at the hearing, so many they almost could not accommodate them inside the hearing room. The hearing Judge ruled in favor of Mr. & Mrs. McVicker, the pets do not bark or howl; and (iii) there is no odor from Mr. & Mrs. McVicker's pets, as the handlers clean up after the pets *daily*. Bob McGee of Supervisor Jefferies office has visited Mr. & Mrs. McVicker's property recently and never mentioned a word about any odor, as there is none. However, the same cannot be said for others in the Tenaja Valley. Scott and Sarina Becker have 18 horses, their stalls violate Riverside County set back requirements and the CC&R's set back requirements, placing their stalls within inches of the property line, just above a blue line stream located on Mr. & Mrs. McVicker's property. Their horses urine have killed several pine trees on Mr. & Mrs. McVicker's property and their horses feces have rolled down hill into Mr. & Mrs. McVicker's property, and into the blue line stream and contaminated the area. The *hydrology* of the area is against horses as they have gallons of urine and hundreds of pounds of feces each week that affect the local biology and environment negatively. Therefore Nicholson's statements appear to be without any factual basis and must be disregarded and the Permit must be approved as there is no creditable facts to support the claim by Nicholson that the dogs presence will negatively affect the area.<sup>12</sup>
6. Riverside County Ordinance 6.08.050(A) is defective: Nicholson mistakes the name of the permit for dogs on site in numbers 11-25 for a designation of a commercial kennel business. Mr. & Mrs. McVicker's Permit application is for a Kennel II permit. This is not a commercial enterprise, but a family that has 18 pets and wants to keep them at home. No dogs are sold, bred, or rescued on Mr. & Mrs. McVicker's property. Riverside County requires a homeowner to get a Kennel II permit to have 11-25 dogs at their home (not a commercial enterprise, not a dog rescue, just a home with pets). Other jurisdictions have specific ordinances for commercial kennels or rescues, Riverside County has one ordinance for any entity that will house 11-25 dogs on its property (commercial,

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<sup>11</sup> The original of this report has been filed with the Permit papers and is in your possession.

<sup>12</sup> This shows you how desperate Nicholson is to find some support for her client's (if she has any) claim against the Permit.

private or otherwise). However, just because a homeowner is required to make a permit application under the Kennel II Permit process, does not mean they are a commercial enterprise and as such Nicholson's argument regarding a defective ordinance is, again baseless along with her argument of increased usage of local infrastructure. No additional automobiles or street traffic will be suffered because of the approval of the Permit. Additionally, since the Permit is for non-commercial housing of dogs, there is no violation of the CC&R's, as argued by Nicholson. However, there are violations of the county zoning restrictions and the CC&R's by Scott Becker and Sarina Becker, as they have ongoing businesses of horse stable renting and wedding services (weddings and receptions services) on their property (see attached copy of ad page from Horse Trader Magazine). These violations DO increase the automobile traffic in the area, dust in the area and wear down the roads and infrastructure that support the homes in the Tenaja Valley. It is clear, again, that Nicholson has no basis for her argument here, and it is equally clear that Scott & Sarina Becker are doing exactly what Nicholson argues against. Therefore the Permit must be approved.

Nicholson has violated the California Rules of Professional Conduct and sections of the Business and Professions Code by intentionally misrepresenting to you that she represents the TCSD. Therefore all of her arguments and the allegations in her comment letter must be disregarded. While she will not reveal who her clients actually are (if she has any), the bulk of the prior opposition to the Permit has come from Scott & Sarina Becker, who have orchestrated a campaign of falsehoods, lies, bullying and pressure tactics to try to defeat a valid Permit. This is evident in the following facts: (i) before Mr. & Mrs. McVicker closed escrow on their home in Tenaja Valley and before they moved into their home<sup>13</sup>, Scott Becker told Mrs. McVicker that he and his friends have already forced out one dog owner family from Tenaja Valley and they will do the same to her. Shortly after Mr. & Mrs. McVicker took possession of their home in the Tenaja Valley, Mrs. McVicker was leaving her home when Sarina Becker came out to her car while she was driving away and started to yell and scream that she should not be in the Tenaja Valley, as it is not for dogs. This was partially captured on cell phone video, and in the e-mail service of this letter, a copy of same is included for your review. Just before that episode with Sarina Becker, Scott Becker encountered Mrs. McVicker at a local gas station and came over to her, actually "got in her face" (within inches) and started screaming for her to leave the Tenaja Valley with her pets. Scott Becker thereafter telephoned the TCSD and left a telephone message that he was going to shoot Mr. & Mrs. McVickers pets.<sup>14</sup> Scott Becker later tried to have the secretaries at the TCSD change the transcript of his message, to remove his offensive statement, which they rightly refused, as any change in the public record would be a crime. This has set a tone for Scott Becker and Sarina Becker's campaign of bullying. They carried out the same bad faith tactics through their failed attempt to have Mr. & Mrs. McVickers dogs ruled a nuisance by Animal Services. Now Nicholson, by a client she will not reveal, is apparently continuing

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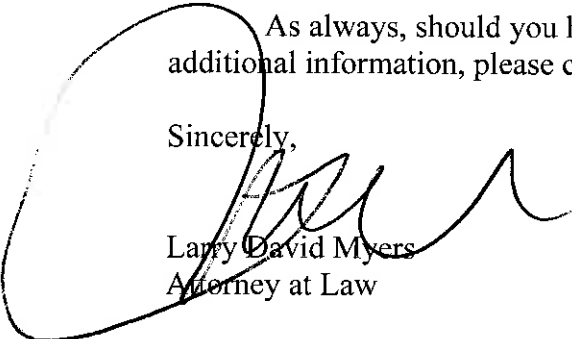
<sup>13</sup> This means also that it was before any of Mr. & Mrs. McVicker's pets were on the property.

<sup>14</sup> This caused Mr. & Mrs. McVicker to install additional new fencing at a cost of \$20,00.00 to keep their pets away from the Mr. & Mrs. McVicker/Scott Becker and Sarina Becker property line. They wanted to protect their pets from Scott Becker shooting them, should they get near the property line.

the same bad faith tactics. By withholding who her client is, Nicholson prevents our client from having an effective and complete defense to baseless allegations and outlandish innuendo, from clients hidden in the shadows. Additionally the timing of this letter (just days before the second LDC meeting on public comment, June 2, 2016), is clearly done to limit the time our clients have to respond to this false and fraudulent comment letter by Nicholson. Therefore you are respectfully requested to disregard Nicholson's comment letter and any statements therein, as the Permit should be approved.

As always, should you have any questions regarding the statements herein or need additional information, please contact my office.

Sincerely,



Larry David Myers  
Attorney at Law

Enclosures:

1. Copy of e-mail from past president of TCSD regarding Tenaja Valley not just for horses.
2. Copy of Horse Trader Magazine (Vol. 37, No. 10, March 3, 2016, page 31) ad page showing Scott Becker and Sarina Becker's ad for horse boarding.
3. Copy of internet articles, referenced by Nicholson.
4. On e-mail service only, video of Sarina Becker yelling/harassing Mrs. McVicker outside her property.

Cc: Clients by e-mail





Arlene Miller &lt;tenajacsd@gmail.com&gt;

---

**Re: Fw: Canine Rescue / Residence Kennel**

1 message

---

**Michael Juha** <michaeljuha@gmail.com>  
To: arlene miller <tenajacsd@earthlink.net>

Tue, May 12, 2015 at 1:51 PM

Arlene,

I do not.

I am concerned about Tenaja CSD being represented as "primarily a Horse community", since that is not true.

Some Tenaja CSD residents own horses, but many residents do not.

At this time, I doubt that a majority of residents own horses.

As Tenaja CSD's population has grown older, fewer residents keep horses.

I would encourage you to email Tim McVicker as well as Scott Becker to ask what this email is about. You are due an explanation, if you were sent a copy of the email from Mr. Becker.

Mr. McVicker is allowed a certain number of dogs on his lot by County code.

He should contact the County to learn more about their restrictions.

If he intends to accommodate more than that certain number, he must apply for a permit to do so.

Having dogs on a property is not a threat to horses per se, if the property is fenced.

However, some dogs can jump a 6 foot high fence, just like coyotes and mountain lions.

Does Mr. McVicker realize that Tenaja CSD is home to mountain lions?

Riverside County Ordinances 534 and 630 govern keeping of animals, and County Ordinances 847 and 878 regulate noise.

The County permit process should require contacting all property owners within 500 feet of Mr. McVicker's property.

This appears to be a matter within the authority of the County of Riverside, rather than Tenaja CSD.

Mike Juha

On Tue, May 12, 2015 at 1:11 PM, <tenajacsd@earthlink.net> wrote:

Do you have any idea what this is about????

Arlene

---

-----Forwarded Message-----

From: SGB

Sent: May 12, 2015 12:33 PM

To: tmcvicker@mcvickerfamilylaw.com, tenajacsd@earthlink.net

Subject: Canine Rescue / Residence Kennel

Dear Tim,

It was a pleasure meeting both you and your wife on Saturday. After sharing your plans with us, Sarina and I are very concerned about the use of your residence as a Dog Rescue/ Kennel, as are the surrounding residents we have discussed this with. As you know Tenaja is primarily a Horse community, and Dogs and Horses are not a good combination, unless the dogs have been trained and are familiar with horses. My wife's livelihood is raising and riding her horses, and the thought of 25 potential dogs residing next to our ranch is frightening. A dog rescue brings with it a lot of undesirable conditions, not only to horse owners, but also to those residents who do not own horses. Your home is surrounded on all sides by horse owners, and residents who have invested a lot of money and time to live in a quiet, peaceful and beautiful area. We fear that the presence of a Dog Rescue will be inherently dangerous and disruptive to this community.

This letter is not intended as a threat, but an opportunity for you to have an open forum regarding your plans. I feel it may be in your best interest to meet with your new neighbors to discuss your plans in detail. The residents here are entitled to know what they can expect from your potential Dog Rescue operations.

Sincerely,

Scott G Becker

(951)678-7290p (951)6786540f

**This email and/or any files or attachments transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law.**

Arlene Miller  
for Tenaja C.S.D.  
32395-B Clinton Keith #10  
Wildomar, CA 92595  
Phone 951-678-9778  
Fax 951-678-7655  
email: tenajacsd@earthlink.net





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blackcanyondressage.com for details, and to meet our Friesian horses.  
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# Siberian Husky Club of America, Inc.

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[Owning Siberians](#)
[Education Committee](#)
[Working Programs](#)
[Other Committees](#)
[SHOR](#)
[HOME](#)

## The Siberian Husky

The Siberian Husky Club of America, Inc., the AKC-recognized national breed club, is vitally interested in helping every potential dog owner find the breed ideally suited to his particular tastes and requirements. Above all, we want every Siberian Husky puppy to be placed where he will be appreciated for his special qualities. Therefore, we feel it is advisable to tell you just what a Siberian Husky IS and ISNT.

The Siberian Husky is, and has for centuries been, a purebred DOG – not a wild, half-wolf, cross-bred creature, as the uninformed may suggest. The breed was originally developed by the Chukchi people of northeastern Asia as an endurance sled dog. In 1909, the first large numbers of these Chukchi dogs were brought to Alaska to compete in the long-distance All-Alaska Sweepstakes races, and the Alaskan dog drivers quickly recognized the ability of these huskies from Siberia.

In the winter of 1925, when a diphtheria epidemic broke out in the isolated town of Nome, Alaska, a relay of dog teams brought life-saving serum from distant Neana. The heroic endeavor earned national prominence for the drivers and their dogs. One of these drivers, Leonhard Seppala, brought his team of Siberian Huskies, descendants of the original imports from Siberia, to the United States on a personal appearance tour. While in New England, he competed in sled dog races and again proved the superiority of Siberian Huskies over the native dogs. The New England drivers and pioneer fanciers acquired foundation stock, earned AKC recognition for the breed in 1930, and founded the Siberian Husky Club of America in 1938.

The Siberian Husky has a delightful temperament, affectionate but not fawning. This gentle and friendly disposition may be a heritage from the past, since the Chukchi people held their dogs in great esteem, housed them in the family shelters, and encouraged their children to play with them. Today, it is charming to observe the special appeal that Siberian Huskies and children have for each other. The Siberian Husky is alert, eager to please, and adaptable. His intelligence has been proven, but his independent spirit may at times challenge your ingenuity. His versatility makes him an agreeable companion to people of all ages and varying interests.

While capable of showing strong affection for his family, the Siberian Husky is not usually a one-man dog. He exhibits no fear or suspicion of strangers, and will greet guests cordially. This is not the temperament of a watchdog, although a Siberian Husky may unwittingly act as a deterrent to those ignorant of his true hospitable nature. If he lacks a fierce possessive instinct, he also lacks the aggressive quality which can sometimes cause trouble for the owner of an ill-trained or highly sensitive guard dog. In his relations with strange dogs, the Siberian Husky displays friendly interest and gentlemanly decorum. If attacked, however, he is ready and able to defend himself, and can handle the aggressor with dispatch.

Predatory instincts in the Siberian Husky are strong. While the Siberian is normally gentle and friendly with people and other dogs, owners MUST be aware that small animals in and around the home, such as squirrels, rabbits, birds, guinea pigs, hamsters, and CATS, are potential victims of their strong predatory instinct. They are swift, cunning, and patient in their hunting skills.

The Siberian Husky is a comparatively easy dog to care for. He is by nature fastidiously clean and is free from body odor and parasites. He is presented in the show ring well-groomed but requires no clipping or trimming. At least once a year the Siberian Husky sheds his coat, and it is then, when armed with a comb and a bushel basket, that one realizes the amazing density and profusion of the typical Siberian Husky coat. Some people feel that this periodic problem is easier to cope with than the constant shedding and renewal of many smooth-coated breeds.

Chewing and digging? Siberian Huskies have been known to do their share. The former is a habit that most puppies of all breeds acquire during the teething period, and it can be curbed or channeled in the right direction. Digging holes is a pastime that many Siberian Huskies have a special proclivity for, but in this, too, they may be outwitted, circumvented, or if you have the right area, indulged.

The Siberian Husky is noted as an "easy keeper," requiring a relatively small amount of food for his size. This trait, too, may be traced to the origins of the breed, as the Chukchis developed their dogs to pull a light load at a fast pace over great distances in low temperatures on the smallest possible intake of food.

There is one final characteristic of the Siberian Husky which we must point out -- their desire to RUN. There are many breeds of dogs which, when let out in the morning, will sit in the front yard all day. Not the Siberian Husky. His heritage has endowed him with the desire to run and his conformation has given him the ability to enjoy it effortlessly. But, one quick lope across a busy street could be the last run that he enjoys, ever. Because of this, we strongly urge that no Siberian Husky ever be allowed unrestrained freedom. Instead, for his own protection, he should be confined or under control at all times. Sufficient exercise for proper development and well-being may be obtained on a leash, in a large enclosure, or best of all, in harness. If you feel that it is inconvenient or cruel to keep a dog thus confined, then the Siberian Husky is not the breed for you.

In addition to the Siberian Husky, there are two other Arctic breeds, the Alaskan Malamute and the Samoyed, recognized by the American Kennel Club. These three recognized breeds are to be distinguished from the various cross-breeds known collectively as Alaskan huskies. The term "husky" is a corruption of the nickname "Esky" once applied to the Eskimos and subsequently to their dogs. The Siberian Husky is the only recognized breed in which this word has become part of the proper name.

In recent years, the registration figures for the Siberian Husky have risen sharply. The SHCA is deeply concerned about this rapid increase in breed popularity, and does not wish to see the demand for Siberian Huskies result in a sacrifice of the breed's high quality. To help maintain this quality, the SHCA recommends that prospective buyers contact SHCA members in their area who are listed in the Referral Directory, a copy of which is available from the Club's Corresponding Secretary, and available elsewhere on this website. These breeders are pledged to adhere to the breed standard, to uphold the Code of Ethics, and to conduct themselves with good sportsmanship in all breed activities. By patronizing reliable breeders, the buyer is assured of dealing with knowledgeable people who are in a position to give the purchaser correct information and counseling during all stages of his dog's development.

The Siberian Husky Club of America, Inc., whose membership consists of breeders, sled dog racing enthusiasts, exhibitors, and fanciers, has never lost sight of its primary objective. It remains dedicated to the preservation and perpetuation of the Siberian Husky as a sound, capable, and natural breed, whose characteristics of mind and body make him not only a beautiful dog and a willing worker, but also a devoted and delightful companion.



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Search

### Siberian Husky

The Siberian Husky is a beautiful dog breed with a thick coat that comes in a multitude of colors and markings. Their blue or multi-colored eyes and striking facial masks only add to the appeal of this breed, which originated in Siberia. It is easy to see why many are drawn to the Siberian's wolf-like looks, but be aware that this athletic, intelligent dog can be independent and challenging for first-time dog owners. Huskies also put the 'H' in Howlin' and need a fenced yard that is sunk in the ground to prevent escapes.

- Reference

See below for full list of characteristics!

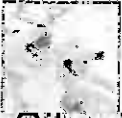
- Dictionary
- Grief
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## Siberian Husky Dog Breed Pictures

Teaching your dog tricks  
 How to train your dog  
 (Photo credit should read Jose CABEZAS/AFP/Getty Images)

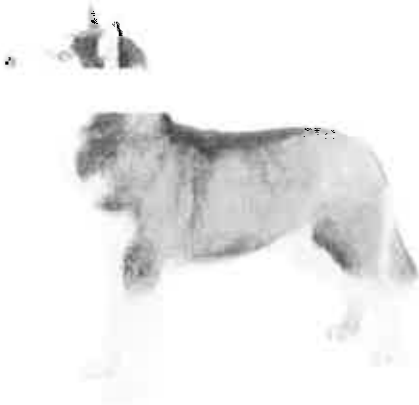
## Siberian Husky Dog Breed Pictures

(Picture Credit: Getty Images)

## Siberian Husky Dog Breed Pictures

(Picture Credit: Getty Images)

S  
B



### Breed Characteristics:

#### Adaptability

- Adapts Well to Apartment Living2More info +
- Good For Novice Owners1More info +
- Sensitivity Level4More info +
- Tolerates Being Alone1More info +
- Tolerates Cold Weather5More info +
- Tolerates Hot Weather3More info +

#### All Around Friendliness

- Affectionate with Family5More info +
- Incredibly Kid Friendly Dogs5More info +
- Dog Friendly5More info +
- Friendly Toward Strangers5More info +

#### Health Grooming

- Amount Of Shedding3More info +
- Drooling Potential3More info +
- Easy To Groom2More info +
- General Health4More info +
- Potential For Weight Gain2More info +
- Size3More info +

#### Trainability

- Easy To Train2More info +
- Intelligence3More info +
- Potential For Mouthiness4More info +
- Prey Drive3More info +
- Tendency To Bark Or Howl5More info +
- Wants: Just Attention45More info +

#### Exercise Needs

- Energy Level5More info +
- Intensity3More info +

Exercise Needs5More info +

Potential For Playfulness [More info](#)

### Vital Stats:

Dog Breed Group: Working Dogs

Height: 1 foot, 8 inches to 1 foot, 11 inches tall at the shoulder

Weight: 35 to 60 pounds

Life Span: 12 to 15 years

- Siberian Huskies have captured the imagination of the masses, as well as artists, writers, and film producers, with their eye-catching looks and awe-inspiring talents. This medium-size [working dog](#) possesses power and athleticism. First developed as sled dogs — some are still used in this capacity — Huskies are remarkable dogs — and their ability to learn is staggering.

Many have fallen in love with the wild nature and pride of Huskies, but are unaware just what this breed is truly like. This is not a breed for everyone. Their beauty often drives people to purchase them, unaware of their difficult traits, which makes many Siberian Huskies prime candidates for shelters.

The increasing popularity of the breed has led to puppy mills and backyard breeders who do not properly breed for temperament. This is having an adverse effect on the breed at large and many of the negative traits are becoming common in these ill-bred dogs, including some traits that are not normal for Siberian Huskies.

if you look at all the positive points of their temperaments, you are left without any doubt that this is an amazing breed. They are intelligent and independent. They are affectionate with everyone but do not need to constantly pester you for attention. They are not known to be aggressive and generally do well in multi-dog homes. They do well with children and will welcome everyone into their home — yes, even intruders.

However, they often use that remarkable mind to learn less savory things and are not overly eager to please their people. They are extremely difficult to train, so first-time dog owners or timid people should consider other breeds. Huskies fit best with confident, experienced dog owners who set rules and deliver consistency. Like all breeds, Huskies need [obedience training](#), but they seem to have an uncanny ability to distinguish the difference between home and class — behaving beautifully in class while disregarding commands when at home.

The biggest caution about Siberian Huskies is their reputation for being [escape artists](#). They will wander away from home whenever they get the chance. Sadly, far too many have become lost or injured as a result. It's vital for Siberian Husky owners to constantly check their yards for any means of escape and to surround their yard with a fence sunk into the ground.

Although they have many qualities that can make them difficult, Siberian Huskies are still a wonderful breed. Fans of this spirited breed embrace their wonderful natures. When properly trained and cared for, Huskies make wonderful family companions.

## Highlights

- Depending on your climate, Siberian Huskies are generally low shedders except during the times of year when they blow their coat, meaning they drop large amounts of hair all at once. This happens roughly twice a year, more if you live in warmer climates, and when it does, the breed becomes a heavy shedder for about a three-week stretch.
- Siberian Huskies are not recommended for apartment living, but some do quite well in apartments if they are properly trained and exercised.
- Siberian Huskies are known [escape artists](#) and have been known to wander away and disappear. They can jump fences, break tie-out chains, slip collars and find any other way to escape. They need a high fenced yard and the fence should also be buried several inches below ground to prevent the Husky from digging his way out.
- Siberian Huskies can be [very destructive](#) both inside and out. If they are left uncrated inside, the breed can destroy a house and cause a wide variety of damage. Outside, they enjoy digging and will dig up yards and flower gardens alike. A dog that is given a place to dig in the yard is much happier and so are you.
- While they enjoy howling, Siberian Huskies rarely bark and they will not alert bark if someone comes onto your property. This makes them an unsuitable watchdog. The rap on Huskies is that they would aid a burglar before posing any threat.
- Siberian Huskies are not a breed for the new or timid owner. They need a strong owner who will maintain an alpha position in the home. They need obedience training from a young age and can be a difficult and stubborn breed to train.
- Siberian Huskies are very curious and can become injured or lost while they are exploring something new.
- Affectionate and good natured describes the Siberian Husky. Generally, they do well with children although young children should never be left alone with any breed. They also get along with people and do well in homes with multiple dogs.
- Siberian Huskies were bred to need very little food to survive. This still applies today and the Siberian Husky does not need a high level of calories per day. It is important to ask your Siberian Husky's breeder what they recommended for a serving



helping and to follow their advice.

- Huskies cannot be allowed to run off leash during walks. They will run away and will also chase other small animals.
- Due to their beauty, Siberian Huskies are one of the most wrongly purchased breeds around. Many do not take into consideration their temperaments and particular quirks and are often left with an unruly, albeit beautiful, dog. Many Siberian Huskies are either lost, killed, or given to shelters due to uninformed owners. If you are thinking of purchasing a Siberian Husky, take a lot of time learning about the breed. Visit some Siberian Husky breeders or shelter dogs, read books, talk to other owners and possibly foster if you feel you can. If after all your experiences, you feel you still want a Siberian Husky, take the time to decide on whether you should adopt a rescue or a puppy. Follow your breeder's advice and remember that this beautiful dog will make your life an adventure and not always a good one.
- To get a healthy dog, never buy a puppy from an irresponsible breeder, puppy mill, or pet store. Look for a reputable breeder who tests her breeding dogs to make sure they're free of genetic diseases that they might pass onto the puppies, and that they have sound temperaments.

## . History

The Siberian Husky is believed to have originated among the Chukchi, a tribe of Siberian nomads. The breed's history is relatively unknown but DNA tests confirm that they are among the oldest of dog breeds. We do know that the Chukchi used the dogs as fast transportation and that they interacted with the Chukchi as a family dog. Huskies often slept with the children and provided warm comfortable beds for them.

The Siberian Husky was imported to Alaska in 1908 and was used as sled dogs during the gold rush. They were used in the All-Alaska Sweepstakes, which is a 408-mile dogsled race, and continue to be an active competitor in the Sweepstakes even today.

Records indicated that the last Siberian Husky was exported from Siberia in 1930 when the borders were closed by the Soviet government. The breed continued to thrive in North America. Although they changed slightly from their Siberian foundation dogs, the Chukchi Sled Dog, they still maintain many of the wonderful qualities of that breed.

The Siberian Club of America was founded in 1938 and the Siberian Husky was recognized by the American Kennel Club in 1930 and the Canadian Kennel Club in 1939.

## . Size

An average male stands between 21 and 23.5 inches high while the female averages 20 to 22 inches. The male weighs between 45 and 60 pounds and the female 35 to 50 pounds.

## . Personality

Siberian Huskies are pack dogs, and they need an owner who is the clear leader of the pack. This makes training easier because you will find that your dog respects you, but don't be surprised if he tests the limits of your position in the pack and tries to take control from time to time.

When this happens, it's important not to give into their pushiness. Assert yourself as leader — not by bullying or hitting — but by confirming the ground rules with clarity and consistency.

Making your dog wait to eat is one of the best ways to establish your leadership role. The Husky will view you as the keeper of all valuable resources — food, treats, toys and other canine assets.

This high-energy breed can be destructive both indoors and out — especially when bored or not given adequate exercise. They will demolish a house if they are left alone and there has ever been a case of a Siberian Husky chewing through a cement wall.

trouble if they are left alone and there has even been a case of a Siberian husky crawling through a cement wall.

They will dig up flower gardens and yards alike, but they can be trained to dig in a specific spot in the yard. It is better for everyone if you merely teach your dog to dig in one spot instead of trying to break him of that habit.

Nonetheless, they can be quite charming with their mischievous and playful nature. They are also quite social and love to show off their talents.

Siberian Huskies do not bark — that's the good news. Here's the bad: they do enjoy howling, which can be very frustrating for your neighbors. Unless you have a properly trained and well-exercised Siberian Husky, they do not make ideal pets for apartments.

Another caution: although Huskies are adored for being friendly and gentle, they make lousy watchdogs. Unfortunately, they are not overly suspicious of strangers, including burglars. The fact is that they tend to love everybody.

Temperament doesn't occur in a vacuum. It's affected by a number of factors, including heredity, training, and socialization. Puppies with nice temperaments are curious and playful, willing to approach people and be held by them. Choose the middle-of-the-road puppy, not the one who's beating up his littermates or the one who's hiding in the corner.

Always meet at least one of the parents — usually the mother is the one who's available — to ensure that they have nice temperaments that you're comfortable with. Meeting siblings or other relatives of the parents is also helpful for evaluating what a puppy will be like when he grows up.

Like every dog, Siberian Huskies need early exposure to many different people, sights, sounds, and experiences when they're young. Socialization helps ensure that your Siberian puppy grows up to be a well-rounded dog.

Enrolling him in a puppy kindergarten class is a great start. Inviting visitors over regularly, and taking him to busy parks, stores that allow dogs, and on leisurely strolls to meet neighbors will also help him polish his social skills.

## . Health

Huskies are generally healthy, but like all breeds, they're prone to certain health conditions. Not all Huskies will get any or all of these diseases, but it's important to be aware of them if you're considering this breed.

If you're buying a puppy, find a good breeder who will show you health clearances for both your puppy's parents. Health clearances prove that a dog has been tested for and cleared of a particular condition.

In Huskies, you should expect to see health clearances from the Orthopedic Foundation for Animals (OFA) for hip dysplasia (with a score of fair or better), elbow dysplasia, hypothyroidism, and von Willebrand's disease; from Auburn University for thrombopathia; and from the Canine Eye Registry Foundation (CERF) certifying that eyes are normal. You can confirm health clearances by checking the OFA web site ([ofa.org](http://ofa.org)).

- o **Cataracts:** A cataract is an opacity on the lens of the eye that causes difficulty in seeing. The eye(s) of the dog will have a cloudy appearance. Cataracts usually occur in old age and sometimes can be surgically removed to improve the dog's vision.
- o **Corneal Dystrophy:** This condition affects the cornea or outer transparent portion of the eyeball. It is an opacity that is caused by a collection of lipids in the cornea. It is usually seen in young adults and it generally affects more females. There is no therapy for this condition, but it does not seem to affect the vision.
- o **Progressive Retinal Atrophy (PRA):** This is a degenerative eye disorder that eventually causes blindness from the loss of photoreceptors at the back of the eye. PRA is detectable years before the dog shows any signs of blindness. Fortunately, dogs can use their other senses to compensate for blindness, and a blind dog can live a full and happy life. Just don't make it a habit to move the furniture around. Reputable breeders have their dogs' eyes certified annually by a veterinary ophthalmologist and do not breed dogs with this disease.

## . Care

Siberian Huskies need to be exercised 30 to 60 minutes daily to keep them from becoming bored. They make excellent jogging companions, but should not be exercised in hot weather. Surprisingly, they need only a small (but secure) backyard to expend their energy.

Bottom line: Siberian Huskies need to be working to stay happy. Usually just maintaining your own active life through hiking and other outdoor sports will keep you Siberian Husky healthy, happy and out of trouble.

As mentioned earlier, training is a must with this breed and you may want to invest in more advanced obedience classes. This can be difficult for many owners and trainers as the breed is very intelligent and will determine the difference between classes and home.

They will behave wonderfully at class, following all instructions and commands, but at home they may revert back to the stubborn dog that stole your heart. This can be frustrating, but you will find that patience, time, and a little of your own stubbornness will pay off.

**Crate training** is an important tool that is often recommended by breeders. It keeps you dog and puppy safe and also gives them their own safe haven to retreat to when they are feeling overwhelmed or tired. A crate should never be used as a punishment.

**Leash training** is also a must as Siberian Huskies should never be left off leash when they are not in a fenced area. They love to run and will do so without any thought of how far away you are. You can easily lose your Siberian Husky if he decides to **chase something** or simply enjoy a heartfelt run. Siberian Huskies do have a high prey drive and that is another reason why they should be leashed during walks.

## • Feeding

Recommended daily amount: 1.5 to 2 cups of high-quality dry food a day, divided into two meals.

When it comes to meal times, Siberian Huskies are known for being "easy keepers" — requiring a relatively small amount of food for their size. This trait may be traced to the origins of the breed, as the Chukchis developed these dogs to pull a light load at a fast pace over great distances in low temperatures on the smallest possible intake of food.

*Note:* How much your adult dog eats depends on his size, age, build, metabolism, and activity level. Dogs are individuals, just like people, and they don't all need the same amount of food. It almost goes without saying that a highly active dog will need more than a couch potato dog. The quality of dog food you buy also makes a difference — the better the dog food, the further it will go toward nourishing your dog and the less of it you'll need to shake into your dog's bowl.

For more on feeding your Husky, see our guidelines for [buying the right food](#), [feeding your puppy](#), and [feeding your adult dog](#).

## • Coat Color And Grooming

Make sure your vacuum cleaner is in top working order and you book time regularly to groom if you adopt a Siberian Husky. His double coat features medium-length hair. The top coat is straight and the undercoat feels soft and dense.

Expect lots of hair, lots of shedding — especially during spring and fall when they blow their coats. That said, this is a fairly easy breed to care for. Siberian Huskies living in cooler temperatures tend to shed less than those who live in warmer climates. You can avoid matting — and excess hair on your furniture — if you commit to [brushing your dog's coat](#) at least once a week during the year — and daily during shedding season.

Siberian Huskies are clean dogs and will take the time to clean themselves — much like a cat will. They don't typically emit "doggy" odor and rarely need baths. Unless, of course, they wiggle in something disgusting in the backyard or find a stinky body of water to jump in. When it is **bath time**, select a high-quality [dog shampoo](#) designed to keep the natural oils in your dog's skin and coat.

Huskies come in a variety of colors and markings, from black to pure white with colored markings on the body that include reds and coppers. Their eyes can be brown, blue, or a combination. Their faces sport masks that add to their eye appeal.

[Brush your Husky's teeth](#) at least two or three times a week to remove tartar buildup and the bacteria that lurk inside it. Daily brushing is even better if you want to prevent gum disease and bad breath.

[Trim his nails](#) once or twice a month if your dog doesn't wear them down naturally to prevent painful tears and other problems. If you can hear them clicking on the floor, they're too long. Dog toenails have blood vessels in them, and if you cut too far you can cause bleeding — and your dog may not cooperate the next time he sees the nail clippers come out. So, if you're not experienced trimming dog nails, ask a vet or groomer for pointers.

His ears should be checked weekly for redness or a bad odor, which can indicate an infection. When you check your dog's ears, wipe them out with a cotton ball dampened with gentle, pH-balanced ear cleaner to help prevent infections. Don't insert anything into the ear canal; just clean the outer ear.

Begin accustoming your Husky to being brushed and examined when he's a puppy. Handle his paws frequently — dogs are touchy about their feet — and look inside his mouth. Make [grooming](#) a positive experience filled with praise and rewards, and you'll lay the groundwork for easy veterinary exams and other handling when he's an adult.

As you groom, check for sores, rashes, or signs of infection such as redness, tenderness, or inflammation on the skin, in the nose, mouth, and eyes, and on the feet. Eyes should be clear, with no redness or discharge. Your careful weekly exam will help you spot potential health problems early.

## • Children And Other Pets

Huskies make great pets for households with children. They can be very tolerant of children, but like all other dogs, should be supervised when around young children.

Always teach children how to approach and touch dogs, and always supervise any interactions between dogs and young children to prevent any





- English Setter
- English Springer Spaniel
- English Toy Spaniel
- Entlebucher Mountain Dog
- Field Spaniel
- Finnish Lapphund
- Finnish Spitz
- Flat-Coated Retriever
- Fox Terrier
- French Bulldog
- German Pinscher
- German Shepherd Dog
- German Shorthaired Pointer
- German Wirehaired Pointer
- Giant Schnauzer
- Glen of Innes Terrier
- Goldador
- Golden Retriever
- Goldendoodle
- Gordon Setter
- Great Dane
- Great Pyrenees
- Greater Swiss Mountain Dog
- Greyhound
- Harrier
- Havanese
- Irish Bloodhound
- Icelandic Sheepdog
- Irish Red and White Setter
- Irish Setter
- Irish Terrier
- Irish Water Spaniel
- Irish Wolfhound
- Italian Greyhound
- Jack Russell Terrier
- Japanese Chin
- Keeshond
- Kerry Blue Terrier
- Komondor
- Kuonkerbondje
- Korean Jindo Dog
- Kuvasz
- Labradoodle
- Labrador Retriever
- Lakeland Terrier
- Lancashire Heeler
- Leonberger
- Lhasa Apso
- Lowchen
- Maltese
- Maltese Shih Tzu
- Mallino
- Manchester Terrier
- Mastiff
- Miniature Pinscher
- Miniature Schnauzer
- Mudi

- Neapolitan Mastiff
- Newfoundland
- Norfolk Terrier
- Norwegian Elkhund
- Norwegian Elkhound
- Norwegian Lundshund
- Norwich Terrier
- Nova Scotia Duck Tolling Retriever
- Old English Sheepdog
- Otterhound
- Papillon
- Pekepoo
- Pekingese
- Pembroke Welsh Corgi
- Petit Basset Griffon Vendéen
- Pharaoh Hound
- Plott
- Pocket Beagle
- Pointer
- Polish Lowland Sheepdog
- Pomeranian
- Poodle
- Portuguese Water Dog
- Pug
- Puggle
- Pulli
- Pyrenean Shepherd
- Rat Terrier
- Redbone Cockerhound
- Rhodesian Ridgeback
- Rottweiler
- Saint Bernard
- Sakuki
- Samoyed
- Schipperke
- Schnoodle
- Scottish Deerhound
- Scottish Terrier
- Sealyham Terrier
- Shetland Sheepdog
- Shiba Inu
- Shih Tzu
- Siberian Husky
- Silky Terrier
- Skye Terrier
- Sloughi
- Small Munsterlander Pointer
- Soft Coated Wheaten Terrier
- Stabyhoun
- Staffordshire Bull Terrier
- Standard Schnauzer
- Sussex Spaniel
- Swedish Vallhund
- Tibetan Mastiff
- Tibetan Spaniel
- Tibetan Terrier
- Toy Fox Terrier
- Toy Poodle

- Border Terrier
- Treeing Walker Coonhound
- Vizsla
- Weimaraner
- Welsh Springer Spaniel
- Welsh Terrier
- West Highland White Terrier
- Whippet
- Wirehaired Pointing Griffon
- Xoloitzcuintli
- Yorkipoo
- Yorkshire Terrier



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## Wheeler, Timothy

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**From:** Elizabeth McVicker <emcvicker@mcvickersfamilylaw.com>  
**Sent:** Thursday, April 07, 2016 7:59 PM  
**To:** Wheeler, Timothy  
**Cc:** 'Lisa Merritt'; amartin@southlandengineering.com; ldmyersesq@hotmail.com; timothygmcvicker@gmail.com; Gibbon, Jarrod  
**Subject:** RE: Plot Plan 25922  
**Attachments:** Letter 04.06.2016 mtg tenajs csd.pdf; Complaint 040616 Tenaja CSD.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Mr. Wheeler,

Thank you. We cannot be cited by Code Enforcement for something of which we are unaware. We cannot respond to any concerns until we are told what they are.

Attached is a letter distributed yesterday during the open forum portion of the board meeting of the Tenaja Community Services District in rebuttal to a speech given by Scott Becker at the March 2, 2016 meeting. Also attached is a complaint filed by our lawyer against the Tenaja CSD since Code Enforcement refused to act on any of our complaints against the Beckers.

I drove to the Perris Code Enforcement office on 11/13/15 and reported the Beckers for their illegal horse boarding business, unpermitted 4,000 square foot barn which they erected on the property, wedding and special event business, and auxiliary 400 foot of welded corrals with overhangs being within 6 inches of our property line. On the same date I spoke with Ms. Johnston via the telephone of these same potential code violations. The Beckers had an ad in Horsetrader magazine just last month in March, 2016, regarding their horse boarding business and mentions Sarina Becker by name. Our letter yesterday points out that we have had 8 canary yellow pine trees die on us thus far as a result of the horse urine and horse manure from the 18 Beckers' horses which are being boarded and which are free of any berm. Of the 60 trees planted, the only ones that have died thus far are those next to the 18 Beckers' horses which are being boarded. We fear that the urine and horse manure is filtering into our well water and has entered the blue line creek. The horse manure stench and flies are atrocious.

Yesterday when Ms. Johnston came to our property to inspect our empty vacant and parked 5<sup>th</sup> wheel for a potential Code violation, I advised her of 2 immediately adjacent properties who have REALLY DO HAVE immigrants living in trailers. I don't know if she intends to follow up as these are friends of the Beckers.

In the immediate vicinity of our home, Tenaja is notorious for horse boarding and non-permitted commercial activities and structures. Everyone turns the other cheek. Residents whom we have not meet make false assumptions about who we are based on rumors innuendo and falsehoods disseminated from Mr. Becker.

It has been nearly 11 months since the May, 2016, onslaught of unfounded accusations by Mr. Becker and criticism started prior to our close of escrow on our property on July 14, 2015.

We have been reserved and patient.

We appreciate the opportunity to speak with you on Monday.

Sincerely,

T. Elizabeth McVicker, CFLS\* | McVicker's Family Law Mediation Center, PLC | Canyon Hills Marketplace | 29997 Canyon Hills Road, Suite 1603, Lake Elsinore, California 92532 | Direct Dial: 951 244-8759 | Fax: 951 244-3109 | [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com) | [www.mcvickersfamilylaw.com](http://www.mcvickersfamilylaw.com)

\*Certified as a Specialist in Family Law by the State Bar of California, Board of Legal Specialization.

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**From:** Wheeler, Timothy [<mailto:TWHEELER@rctlma.org>]  
**Sent:** Thursday, April 07, 2016 5:05 PM  
**To:** 'Elizabeth McVicker' <[emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)>  
**Cc:** 'Lisa Merritt' <[lmerritt@southlandengineering.com](mailto:lmerritt@southlandengineering.com)>; [amartin@southlandengineering.com](mailto:amartin@southlandengineering.com);  
[ldmyersesq@hotmail.com](mailto:ldmyersesq@hotmail.com); [timothygmcvicker@gmail.com](mailto:timothygmcvicker@gmail.com)  
**Subject:** RE: Plot Plan 25922

Mr. & Mrs. McVicker,

Thank you for the phone message and email. I need to confer with the Principle Planner of your area on Monday (when we're both in the office). I will call you after I speak to him and we can discuss your Class II kennel further

Have a good weekend and I will contact you on Monday.

Tim Wheeler  
Interim Urban/Regional Planner II  
4080 Lemon St - 12<sup>th</sup> floor  
Riverside, CA 92501  
951-955-6060

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**From:** Elizabeth McVicker [<mailto:emcvicker@mcvickersfamilylaw.com>]  
**Sent:** Thursday, April 07, 2016 3:59 PM  
**To:** Wheeler, Timothy  
**Cc:** 'Lisa Merritt'; [amartin@southlandengineering.com](mailto:amartin@southlandengineering.com); [ldmyersesq@hotmail.com](mailto:ldmyersesq@hotmail.com); [timothygmcvicker@gmail.com](mailto:timothygmcvicker@gmail.com)  
**Subject:** Plot Plan 25922

Dear Mr. Wheeler,

This is in reference to Plot Plan 25922 for the application for the Class II kennel license submitted by my husband Tim Mcvicker and me.

I understand that you spoke with Alan Martin of Southland Engineering today, and would like to know where our rescue dogs are kept for our business whose address is at my law firm address.

Please be advised that we do not conduct any business through our home.

**We are currently working on building a large number of foster families who can provide care for death row huskies. Tim has placed many of these huskies into homes without foster families as intermediaries directly from shelters. We are building a solid following of Facebook friends and hope to gain notoriety through internet mediums. Last week, Tim made arrangements for a 13 month old husky whose family was moving and could not take him. Tim networked out of Florida and arranged for a transport to pick up this husky dog for a family in Pennsylvania.**

Yesterday Code Enforcement Officer Johnston came to our home for an inspection. She stated that we may be in violation for something related to our website. I asked her what the violation was. **She said she would not disclose but told me to speak directly to you who will explain it to me. She said she will defer to your sole discretion and decision on whether or not she should issue a citation against us for such alleged violation. Please let me know what Ms. Johnston is referring to.** I left you a voice mail message today.

We have applied for a Class II permit for our personal huskies, not for a commercial license.

Our home is known as the Shadow Husky Ranch where our personal huskies will live out their lives.

We also call it their forever home. We purchased the land with the intention of providing the best care optimally possible for them and provide 24/7 care for them.

We take care of all of their needs and provide them with love and constant attention.

**Attached hereto are the Mission Statements for the ranch and for the rescue.**

We will not be bringing any dogs intended to be part of the Shadow Husky Rescue, Inc. business to our home to reside. The business known as Shadow Husky Rescue, Inc., is a California nonprofit corporation newly formed in October, 2015.

The address on file with the Internal Revenue Service and the Franchise Tax Board is at 29997 Canyon Hills Rd, Ste. 1603, Lake Elsinore CA 92532.

We have a EIN number and an EDD number.

The bylaws and board of directors for the corporation were formed in March, 2016.

The status of 501c3 is pending and the application has been received by the IRS.

We have a Certified Public Accountant for the corporation.

When the 501c3 is approved, Tim will apply to become a rescuer with Aimee Hoesman at the Department of Animal Services.

My understanding is that he will need to complete an Adoption Partner Agreement.

Up until the present date the company has been solely funded by Tim and my personal funds.

The business was formed because my husband and I share an extreme passion for the husky breed.

Tim is the President as he has time to devote to networking activities involving the placement of unwanted and abused huskies into loving homes such as our own.

If you have any questions regarding our business please go on the website and see what has been done thus far. On the website we do have photos of some of our personal dogs in addition to some of our friends' dogs and some dogs which Tim has placed via rescue. We think it is important for educational purposes for people to understand the breed to see videos and photos of our personal dogs.

We have veterinary bills for our dogs and rabies certificates and proof of microchipping. I previously submitted information to Department of Animal Services on August 13, 2015 (Officer Stevens) and January 5, 2016 (Office Harris). We are open, truthful and honest and welcome any further questions or concerns.

I am in the process of preparing the dogs' schedule and will send that to you shortly as per your request in your letter dated January 20, 2016. I will also provide you with letters of support.

Thank you very much for your time and consideration to this kennel license.

Sincerely,

T. Elizabeth McVicker, CFLS\* | McVicker's Family Law Mediation Center, PLC | Canyon Hills Marketplace | 29997 Canyon Hills Road, Suite 1603, Lake Elsinore, California 92532 | Direct Dial: 951 244-8759 | Fax: 951 244-3109 | [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com) | [www.mcvickersfamilylaw.com](http://www.mcvickersfamilylaw.com)

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*McVicker's* FAMILY LAW  
MEDIATION CENTER  
PROFESSIONAL LAW CORPORATION

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T. ELIZABETH MCVICKER, CFLS\*  
ATTORNEY AT LAW

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\*CERTIFIED FAMILY LAW SPECIALIST  
STATE BAR OF CALIFORNIA  
BOARD OF LEGAL SPECIALIZATION

April 6, 2016

Board of Directors  
Tenaja Community Services  
24837 Jefferson #207  
Murrieta, CA 92562

Re: Rebuttal to Public Forum Statements Made by Scott and Sarina Becker on March 2, 2016 regarding the Class II kennel license application Proposed by Tamara and Tim McVicker

My husband, Timothy Grant McVicker, and I are the owners of property located at 17370 Via Abril, Murrieta, California 92562. We are immediately adjacent to the Beckers' property located at 17250 Via Abril.

The intent of this letter is to respond to Scott Becker and his wife Sarina Becker's unfounded accusations against my husband, myself, our lifestyle, our home and our huskies which he made at the last board meeting. We feel that they were inappropriate and that his subsequent emails throughout the Tenaja community are defamatory. His propaganda has reached as far as La Cresta. At one point there was a post to the La Cresta Facebook page demanding support on behalf of the Beckers and against us with a caption entitled "Tenaja Under Siege."

My husband and I wish to notify you that we are currently in the process of applying for a lawful Class II residential kennel for our beloved husky dogs which are personal pets. We are not and will not be conducting rescue operations on our property, contrary to popular belief instilled by the Beckers.

We own a private residence with 18 personal husky dogs. We have made arrangements to make sure that our dogs are well taken care of 24/7. Mr. Becker stated that our husky dogs are "running in a pack". They do not run in a pack and are not wild. I want to clarify what a pack is. The term "pack" is defined as a group of wild animals, usually wolves, hunting together. Our dogs are not wolves. They are huskies which is a breed of dogs recognized by the American Kennel Association. There should be no concern whatsoever about our dogs which are confined to our property at all times with secure safety measures such as 24 hour surveillance cameras, double fencing, double gated entrance, and on 24/7 on site caretakers including to Tim and me.

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Scott Becker stated that having such a large group of dogs is scary. Anyone who meets our dogs melts and falls in love with all of them. Such unfounded prejudice comes from Scott Becker who has never even met our dogs and has never stepped foot on our property.

We told Scott Becker that we would take care of any and all concerns when he told us in May 2015, to buy property in Anza prior to our closing escrow on July 14, 2015. Prior to us moving into the property on August 2, 2015, Mr. Becker was making threats to us that he was going to stop us at all costs. He was very disrespectful to the fact that I am a licensed California attorney. We made numerous attempts to have a meeting with him and have him come over and meet our dogs. He refused to have a meeting with Tim and me or to have a meeting with the other residents.

Mr. Becker confronted me at the gas station in front of his office inappropriately. Even at one point Mrs. Becker confronted me regarding our dogs as I was going to work needing to pass by her property entrance as I exited Via Abril to get to Tenaja Road. After we acquired ownership of our property in late July, 2015, our contractor asked Sarina Becker if she and her husband would share the cost and expense of building a fence alongside our respective properties, since there was none dividing our respective properties. Mrs. Becker declined the offer, stating that she preferred the "natural" look of the environment. We installed a fence alongside the entire parameter of our property. I want to set the record straight for everyone. We are not some hoodlums who just happened to trespass onto Tenaja and settle. Both Tim and I are educated from good families with extensive postgraduate education. I own a successful law firm in at the Canyon Hills Market Place in Lake Elsinore California.

We are not operating a shelter or a rescue from our home. Scott Becker has spoken about Friends of the Valley with which we are not associated at all. We are private citizens who have invested to date already \$1,000,000 in our private residence for our personal use where we intend to house and care for our personal huskies. We have gone over and beyond financially to secure our dogs and to ensure that the property is not a risk to any of our neighbors. We can understand the concern neighbors could have with our dogs, we can dispel their concerns. We respect our neighbors and do not want them to be uncomfortable with us.

We should not even be compared to Friends of the Valley. Friends of the Valley employs its own staff with trucks to operate field services using Animal control officers authorized to investigate possible animal related law violations and take appropriate enforcement action. Friends of the Valley has a contract with a veterinary clinic that spays the dogs and cats and other animals and gives them vaccinations. Mr. Becker's concerns

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include new litters, barking dogs, disease, and traffic related to the showing of adoption of the dogs. None of that occurs on our property. We do not adopt out our own animals. This is their forever home. Comparing us to Friends of the Valley is like comparing Scott Becker's commercial horse boarding business to a Horse Processing Meat Factory.

We find stray dogs on our property all of the time. Dogs get out in the community. As I'm sure you all are aware of Kelly Smith in La Cresta has a daily email blog which she primarily dedicates to missing or loose dogs in the neighborhood. I have personally rescued a Mastiff and Hound Dog which Kathy Baca told me to just shew away. Also Shelly Taylor's dog in February ran into our property and we had to call her to get it out the day before the animal control hearing.

Neither my husband nor I understand why Scott and Sarina Becker have taken on such a personal vendetta against us because that is exactly what they have done. And Scott Becker is involving the neighbors. He has been using tools that are inappropriate telling you that he is transparent, yet his accusations are unfounded and none of his facts are not substantiated.

As a result of the Animal Control hearing which took place on March 17, 2016, the judicial officer found that our dogs are not a public nuisance. Scott Becker told you that property values will be affected in our area because "dog nuisance danger" is on a disclosure list. Our dogs have not been deemed to be any kind of nuisance by anyone except for Scott Becker.

The noise level of our huskies is not what Mr. Becker insinuated. Even though it was not required, we had 2 independent noise tests done on the property. We hear other people's dogs, and we do not complain. Roosters, turkeys, chickens, horses, donkeys, llama, other dogs, coyotes, tractors, machinery, tanks shooting off ammunition, bombs and war games from Camp Pendleton. We moved to a rural area expecting and anticipating wildlife noises along with agricultural noises.

Our dogs could not have been barking in June, 2015 as Scott alleges because we did not move in until August, 2015. The surrounding neighbors live on a promontory with a clear and distinct view of our house and our grounds. At the hearing not one of the Beckers' supporters had videotape of our dogs barking because none exists.

Moreover, we have employed animal caretakers to watch our dogs on a daily basis while we are away from the house. The dogs are never left unattended or left alone. Adam, who began work on October 5, 2015, works 3 days per week (Monday – Wednesday) and spends 3 nights per week at our home. Ilene, who began work on November 27, 2015, works 3 days per week (Thursday – Saturday). Both Adam and Ilene have standard 11

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hour work day shifts, which can be increased or adjusted as needed. In addition to the hiring of workers, we have also installed 24 hour surveillance cameras which monitor both inside and outside areas surrounding our house where the dogs may be. If anyone complains that they hear dogs barking incessantly we can easily pull up the tape to disprove them. We regularly monitor these cameras remotely using our respective iPad Pros. We can prove through our videos that our dogs are not barking at while we are away. Furthermore, the dogs are not barking morning noon and night. We have trained our dogs not to bark.

Animal Control went to our property only because Mr. Becker continues to call them and will not stop harassing us. We had a hearing with Animal Control because Scott Becker was the sole REPORTING PARTY.

Scott Becker advised you that we are violating the law because we have too many huskies. Animal Control and the County of Riverside has advised us that we are not in violation of the law. We have applied for a Class II kennel license with the County and have paid all applicable fees. We have submitted proof of rabies' vaccinations to Animal Control. Our dogs are neutered. We have microchipped all of our pets indicating that they are owned by Tim and myself and have submitted proof of ownership of our dogs to the County. Our kennel license is currently pending and we have complied with all requests of the county thus far.

Scott Becker has advised you that approval of this kennel will open the doors for anyone who wishes to house potentially dangerous dogs in this equine community. That is not the case. Each applicant for a Class I or Class II, III or IV kennel permit must be screened on his/her own merit and in be compliance with the law. Our area is not an equine community. Your handout contains an email from Michael Juha, formerly on this board, dated May 12, 2015, attesting to this fact which is contained in your own database.

In March, 2016, the Sunins who lives across the street from Scott Becker, obtained their Class I dog kennel license for a pet hotel. Mr. Becker did not oppose the Sunins' application for a pet hotel because it is a commercial business similar to his horse boarding. Clearly, our area is not solely an equestrian area.

Scott Becker has advised you that our animals present a danger to livestock equestrian activities and domestic animals in the area. Our property is secluded in a rural agricultural community. Among the uses permitted are kennels and non-commercial keeping of horses. Everyone knows that Scott Becker has a horse boarding business called Becker Meadows Ranch, and he has 18 horses. He just took his sign down because he is only just now in the process of getting his 4,000 square foot professional boarding stables barn that he erected 9 years ago approved by the County. He also took down his continuous

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monthly advertisement just this month April, 2016, from Horsetrader magazine regarding his horse boarding business.

My husband and I are very aware of Scott and Sarina Beckers' illegal commercial business, however, we have not made an issue of it. We do not feel that our concerns regarding this commercial business involves anybody but the Beckers.

Our personal pet huskies are kept on our property and are confined to the boundaries of our property. Scott Becker advised you last month that we were putting in fencing implying that we are just now implementing measures to contain our dogs. That is another untrue accusation. Prior to closing escrow, with the permission of the prior owners of the property, we began with the construction of a 6' inner parameter chain link fence for the dogs which occupies an enclosed area around our back yard between 1 – 1 ½ acres. Shortly after our move in, we installed an outer parameter fence which cost us \$40,000, which contours our 5.67 surveyed property lines alongside the whole property perimeter since no fencing existed before. This served to also protect our huskies from the Beckers' 18 horses who were only secured by a corral and no fencing along our side of the property. We wanted to make sure that we had commercial strength secure horse fencing, so that no dog can escape. We also installed an electronic gate.

After Scott Becker left a message with the Tenaja CSD that he wanted to shoot our dogs dead, on December 4, 2015, we had no other choice but to move our dogs' play area back and divide our property in half until we could get resolution on the Becker's inappropriately placed horses and horse corrals. Contrary to what Scott Becker stated, no one made us do that. It cost us an additional \$18,500. We installed an additional 650 feet of fencing with a gate which divides the property in half so the dogs would not be walking too close to the Beckers' horses which abut our fencing of the property lines and our property lines. Our new 650 foot of fencing is alongside the blue line creek on our property. In early February, 2016, we installed a secondary gated entrance to ensure that the dogs cannot get out of our property.

We are aware that dogs did get out of our property in early February, 2016. On the day in question only 4 of our dogs escaped, and I was not present. Scott Becker told you that he was not present either. He told you that our huskies have "already exhibited their ability to escape." That is not true. They got out because a worker took our remote control when he went to Home Depot and he opened the gate without thinking when he returned to our property, and some of the dogs escaped. To be clear, none of our dogs can break through our fencing or jump over our many gates.

Scott Becker stated that we have fence posts which are 5 foot high and 4 ½ foot rails which the dogs can jump right over. That is not true. Our fencing goes up to 62 inches.

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Our dogs are not sentry dogs. Huskies are not known for jumping. They are called husky because they are bulky and are work dogs who run. They do not jump. We have mesh cross fencing. They cannot go right over it as stated by Scott Becker. Scott Becker told you that our huskies are escape artists and habitual diggers. Our animals are well fed and cared for. They have no reason to want to escape. Scott Becker has submitted no proof whatsoever of these false accusations.

Within days of the incident, we made substantial structural changes to our property and changed protocol to ensure that the huskies remain on our property on all times. We built a vehicle holding caged in area which serves as a secondary entrance to our property. Our animal handlers are in possession of the remote control and cannot give it to any workers in our house.

Scott Becker made the accusation that we were grading in our Blue Line Creek and filed a complaint with Code Enforcement. The day after I had breakfast with Kathy Baca, she wrote me an email telling me that I needed to talk to her husband about our dumping in the creek. I told her we were not dumping and asked her who told her such accusation. Mr. Becker filed a complaint against us with Code Enforcement. He told you that Fish and Game came out here and warned us about that. That is not true. The Principal Engineering Tech Environmental Compliance Supervisor Jarrod Gibbon from the County of Riverside Transportation and Land Management Agency came to our property twice. He found nothing wrong with our property. This cost us \$1,600 paid to the County.

Hours after the last Animal Control hearing which took place on March 17, 2016, we were served with new papers from Code Enforcement. Scott Becker came to our property when Code Enforcement was serving us papers and stated that he wanted to make sure that we were being served. Today, we had another inspection by Code Enforcement because Scott Becker falsely reported that we were living in our 5th wheel parked on our property. We are aware that our next door neighbors Tina Clippinger has ranch hands Carlos and Griselda Colores living in trailers and that the Becquers living on the other side of the Sunins also have ranch hands living in trailers. These horse people are known to the Beckers. Why did not Scott Becker report those illegal activities instead of accusing us of living in our trailer? We have ample living space in our own home for ourselves and any guests or workers to spend the night.

Interestingly, Code Enforcement has not cited Scott Becker for having an illegal commercial horse boarding business, or for having wedding and special ceremonial events without a license, or for having his horse corrals too close to our property line. The end result is that there is a strong stench of horse manure from our property and a visible amount of horse flies everywhere. The horse urine has killed already 8 of our Canary Yellow Pine

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trees potentially infected our well water and potentially destroyed the Blue Line Creek water. The pines that remain alongside his corrals are dying now.

Scott Becker stated that the presence of the dogs has already had a negative impact on our community and environment. We feel that the only negative impact has been from the constant complaints innuendos and rumors spread by Scott and Sarina Becker. All my husband and I want to do is to live peacefully in our home with our huskies who will live with us until the end of their living days, and for Tim and me to maintain a respectful understanding with our neighbors.

Scott Becker claims that we have rescue dogs that have not been wanted. He said that you do not know what their temperaments are going to be like, you do not know how aggressive they are going to be and you do not have any idea why people let these dogs go. Mr. Becker does not have a clue regarding the background of each and every husky dog which is living on our property. Statistics prove that rescue dogs are the best dogs for adoption. Rescue dogs are more grateful, appreciative, loving and protective of families. Someone mentioned that if we were in Alaska it would make sense to have that many animals, but not down here. Our response is as follows: if we were in Kentucky would it be appropriate for Scott and Sarina Becker to have 18 horses but not out here? Do all Chihuahuas belong in Mexico? Should all Terriers belong in England and in Ireland?

Scott Becker accuses us of having a dangerous facility. We have a state of the art property well maintained and landscaped, other than our 8 dead Canary Yellow Pine trees. Our kennel will be subject to all of the standards imposed by 12 departments of the County of Riverside and the Department of Animal Services.

Scott Becker stated that he has already had to alter the way in which he handles his horses and this has created a lot of undue stress for them and his family. I do not understand in what manner precisely he is referring to. We put a fence around our property which now prevents the Beckers from crossing over our property line to access the Cleveland National Forest and San Mateo Canyon Wilderness. The Minnemeyers to our west and immediately adjacent to the Cleveland National Forest, are putting up a block wall to also prevent the horse riders from accessing their 10 acre property. The huskies have nothing to do with why they can no longer ride their horses on our property.

Often horses are accompanied by their riders and their dogs throughout Tenaja. This is a common occurrence. When riders pass by our property and whenever we have visitors to our home, we hear them comment on how beautiful and well behaved our huskies are. Scott Becker said that huskies are very aggressive. Huskies are NOT very aggressive by nature and frequently used for commercial purposes such as dog sledding and other events that involve integrating with people. Huskies are very social dogs as well as very loyal to

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their owners. Generally, they are friendlier towards children, visitors and other dogs. Before moving to this property, we took all of our huskies to the Irvine Dog Park on a weekly basis and never had any incidents with any other dogs. They are very much socialized. They are so socialized that Sarina Becker even claims they are humanized. It was said that the problem is that we think of our dogs like they are humans. However, factors like improper training, poor socialization and bad social experiences can turn any animal or any breed aggressive. Those factors are not present in our home.

Sarina Becker mentioned that people irate her when they want to treat their animals like humans. We love our dogs and as such we nurture them, make sure they are fed and medically taken care of and are trained and exercised. We have taken all appropriate steps to enable their safety and protection from those who want them dead. We treat our huskies with respect and do not favor one over others.

Our home which is nearly 6 acres is home to our personal pets who are huskies and our family. If you had children, you would not put those children out for adoption. These huskies are our dog children and we would never put them up for adoption. They are our family. They sleep in the house with us. We fix meals for them. We provide for all of their medical care. We clean up after them on a 24/7 basis, and we grieve whenever we lose one.

We do not think of our dogs like humans. Our home is not Planet of the Apes or Huskies. We know they are dogs. But they are well very well trained and they respect people. The Beckers kept their dog in the garage. That is their choice. We have chosen not to do that. Our huskies reside with us in our home. We intend to build additional structures to keep them safe and protect them.

Because of the wildlife and other elements for their protection we keep the dogs inside at night with us. We had 2 dogs bitten by a rattlesnake last year when Scott and Sarina Becker were holding hands laughing and watching us instead of asking us if we needed any assistance.

Someone on this board stated that you do not want the kennel anywhere, referring to the fact that not only the Beckers but anybody else would not want the kennel next door to them. This type of statement shows complete ignorance for the facts and does not provide any positive resolution to the fraudulent accusations against us which we are trying to dispel. Anyone from the Tenaja Community Services District who wants to come to our property to personally meet our animals and inspect our premises is welcome. Please do so before formulating an opinion or making a complaint. We are very accessible and welcoming.

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Scott Becker has stated that our huskies are putting his horses in danger. Our huskies are confined to our property. Beckers' horses have the potential to be in more danger when they roam around the Cleveland National Forest and Wildlife Conservatory areas to potentially encounter bobcats, mountain lions, coyotes and rattle snakes which can attack their horses.

Scott Becker states that we are not honest. That statement is offensive and defamatory. I have been a licensed California lawyer since 1993 in good standing with no prior complaints. I have served as a temporary judge with the Los Angeles Superior Court for 4 years. As an officer of the Court I am held to certain standards. Being honest is one of them. Nothing is to be gained by being untruthful. We will pursue and all remedies to the fullest extent of the law for any and all damages we have suffered.

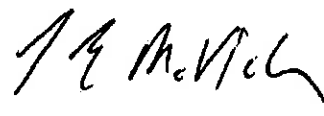
We are not operating a rescue through our home. We are not breeding dogs at our home and have no intention of breeding dogs ever. The question was asked if we have a business license for our dogs living at our home. By law we do not need a business license since no commercial activity takes place at our home. Our zoning does not permit commercial activities relating to animals such as the horse boarding business our next door neighbor Sarina Becker operates for her 18 horses. We have applied for a Class II kennel license for our personal dogs. We did not apply for a commercial kennel license which was not appropriate since we have our personal dogs at our home.

We are of the understanding that the Beckers have made real threats which have been communicated to the Tenaja CSD against our personal animals to shoot them upon sight. He also stated his preference that our dogs be killed at your last meeting. We take these threats very seriously.

Our interest in making this final mention to your authority is purely and simply to advise you that we are aware of the threat situation. As such, we are on alert and concerned for the health and general safety of our animals.

Sincerely,

McVICKER'S FAMILY LAW  
MEDIATION CENTER, PLC



T. Elizabeth McVicker



Arlene Miller <tenajacsd@gmail.com>

**Re: Fw: Canine Rescue / Residence Kennel**

1 message

Michael Juha <michaeljuha@gmail.com>  
To: arlene miller <tenajacsd@earthlink.net>

Tue, May 12, 2015 at 1:51 PM

Arlene,

I do not.

I am concerned about Tenaja CSD being represented as "primarily a Horse community", since that is not true.

Some Tenaja CSD residents own horses, but many residents do not.

At this time, I doubt that a majority of residents own horses.

As Tenaja CSD's population has grown older, fewer residents keep horses.

I would encourage you to email Tim McVicker as well as Scott Becker to ask what this email is about. You are due an explanation, if you were sent a copy of the email from Mr. Becker.

Mr. McVicker is allowed a certain number of dogs on his lot by County code.

He should contact the County to learn more about their restrictions.

If he intends to accommodate more than that certain number, he must apply for a permit to do so.

Having dogs on a property is not a threat to horses per se, if the property is fenced.

However, some dogs can jump a 6 foot high fence, just like coyotes and mountain lions.

Does Mr. McVicker realize that Tenaja CSD is home to mountain lions?

Riverside County Ordinances 534 and 630 govern keeping of animals, and County Ordinances 847 and 878 regulate noise.

The County permit process should require contacting all property owners within 500 feet of Mr. McVicker's property.

This appears to be a matter within the authority of the County of Riverside, rather than Tenaja CSD.

Mike Juha

On Tue, May 12, 2015 at 1:11 PM, <tenajacsd@earthlink.net> wrote:

Do you have any idea what this is about????

Arlene

-----Forwarded Message-----

From: SGB

Sent: May 12, 2015 12:33 PM

To: tmcvicker@mcvickerfamilylaw.com, tenajacsd@earthlink.net

Subject: Canine Rescue / Residence Kennel

Dear Tim,

It was a pleasure meeting both you and your wife on Saturday. After sharing your plans with us, Sarina and I are very concerned about the use of your residence as a Dog Rescue/ Kennel, as are the surrounding residents we have discussed this with. As you know Tenaja is primarily a Horse community, and Dogs and Horses are not a good combination, unless the dogs have been trained and are familiar with horses. My wife's livelihood is raising and riding her horses, and the thought of 25 potential dogs residing next to our ranch is frightening. A dog rescue brings with it a lot of undesirable conditions, not only to horse owners, but also to those residents who do not own horses. Your home is surrounded on all sides by horse owners, and residents who have invested a lot of money and time to live in a quiet, peaceful and beautiful area. We fear that the presence of a Dog Rescue will be inherently dangerous and disruptive to this community.

This letter is not intended as a threat, but an opportunity for you to have an open forum regarding your plans. I feel it may be in your best interest to meet with your new neighbors to discuss your plans in detail. The residents here are entitled to know what they can expect from your potential Dog Rescue operations.

Sincerely,

Scott G Becker

(951)678-7290p (951)6786540f

**This email and/or any files or attachments transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law.**

Arlene Miller  
for Tenaja C.S.D.  
32395-B Clinton Keith #10  
Wildomar, CA 92595  
Phone 951-678-9778  
Fax 951-678-7655  
email: tenajacsd@earthlink.net





400 SOUTH RAMONA AVENUE  
SUITE 213  
CORONA, CALIFORNIA  
92879-1443  
TELEPHONE : (951) 735-8064  
TELECOPIER : (951) 735-8125

LARRY DAVID MYERS  
ATTORNEY AT LAW

April 6, 2016

Tenaja Community Service District  
Architectural Control Committee Members  
24837 Jefferson Ave., #207  
Murrieta, CA 92562

RE: **Our Clients:** Timothy & Elizabeth McVicker  
**Our File No.:** 1203151

**Situs:** 250 Via Abril, Murrieta, CA92562 the Scott & Sarina Becker property ("Violating Property"); and 17370 Via Abril, Murrieta, CA 92562 the Timothy & Elizabeth McVicker property ("McVicker Property").

**Ref.: COMPLAINT FOR (1)** Complaint for violations of Amended Covenants, Conditions & Restrictions, Sections 3.01(a), (b), (c), (d) recorded with the Riverside County Recorder's Office on December 3, 1998, as Instrument Number 524768 ("CC&R's") for setback violations, wherein no variances are appropriate; **(2)** Complaint for violation of Riverside County RA Zoning Ordinance 348.4802 Sections 6.50 (7) for commercial horse boarding and commercial wedding services on the Violating Property, also violation of CC&R's, Section 6.02 for commercial horse boarding and commercial wedding services on the Violating Property; **(3)** Recusal of Architectural Control Committee ("ACC") Board Member Scott Becker for having a direct economic interest in this contested matter, in violation of *California Code of Regulations*, Section 18704 et. seq.; and **(4)** Notice to the ACC that it may NOT use any public assistance, public funds, public materials and/or public employees in furtherance of any ACC objective, a private matter.

Dear ACC Members:

This firm represents Timothy & Elizabeth Mcvicker ("McVicker") in the filing of this Complaint against Scott and Sarina Becker ("Becker"), as follows:

1. **Violation of CC&R's Sections 3.01(a), (b), (c) and (d):** Currently Becker has on the Violating Property, the following setback violations;
  - i. Large horse riding arena, front setback violation: the front CC&R setback is 50 feet from their front property line, the large riding arena (a structure as defined by the CC&R's) encroaches into this setback by a substantial distance and Becker must be ordered to remove the encroachment;

- ii. Small horse riding arena, side setback violation: the side setback is 35 feet from their side property line, the small riding arena (a structure as defined by the CC&R's) encroaches into this setback by a substantial distance and Becker must be ordered to remove the encroachment;
- iii. The horse stables, located next to the Becker barn side setback violation: the side setback is 35 feet from their side property line, the horse stables (a structure as defined by the CC&R's) encroach into this setback by a substantial distance and Becker must be ordered to remove the encroachment; and
- iv. There can be no variance allowed for the encroachments into these setbacks, as Becker cannot show that the structures (arena/stables)... "cannot be reasonably accomplished without modifying said setback requirements" (CC&R's Section 3.01(d)), i.e. Becker has an excessive amount of acreage to locate/relocate each of these structures, and therefore Becker cannot show that the location/relocation could not be reasonably undertaken (both before he did his violating construction and now).

2. **Violation of Riverside County RA Zoning Ordinance 348.4802:** Currently Becker has on the Violating Property, the following zoning violations;

- i. The zoning for the Violating Property is RA (see Riverside County Ordinance 348.4802). Becker has a commercial horse boarding business located on the Violating Property. NO COMMERCIAL horse boarding is allowed under RA zoning within Riverside County and therefore Becker must be ordered to cease all commercial horse boarding activity on the Violating Property, immediately. This is also a violation of CC&R's Section 6.02, as commercial horse ranching does not include a horse stable rental business; and
- ii. Becker has a commercial wedding services business located on the Violating Property. NO COMMERCIAL wedding service is allowed under RA zoning within Riverside County and therefore Becker must be ordered to cease all commercial wedding service activity on the Violating Property, immediately.

3. **Violation of California Code of Regulation, Sections 18704 et. seq.:** Currently Scott Becker has a direct economic interest in this contested matter, by owning or have a financial interest in the Violating Property, as follows:

- i. The Violating Property is located within 500 feet of (actually next to) the McVicker Property and therefore by definition of said Code, Scott Becker has a conflict of interest and must be recused, immediately, from any ACC action, discussion, assertion, conversation or other activity by the ACC regarding the matters

herein detailed. The recusal may be by Scott Becker himself or by action of the ACC.

4. **NOTICE to ACC Members:** As a reminder, any matter undertaken by the ACC is considered a *private* action (as the CC&R's are a private document), not a public action (as when the Tenaja Community Service District takes action regarding public roads, public bridges, public flooding etc.). This means that the ACC may not entertain the use of Riverside County Counsel (a public agency) regarding the matters detailed herein, or other matters undertaken by the ACC (such as the amendment of the CC&R's), nor may it use public assets (funds, etc.), regarding matters undertaken by the ACC in furtherance of any set of cc&r's, or rulings thereon (as stated and acknowledged on the Tenaja Community Service District website). Additionally the ACC may not borrow funds nor levy any assessment against any CC&R member, as it has no authority to do so (no provision in the CC&R's for such action).

Should you have any questions, need additional facts, declarations, maps, photographs, videos, graphs and/or copies of any relevant law, please contact our office.

There are several other violations committed by Becker, on the Violating Property, but these violations will be handled by complaints to separate/other public agencies within Riverside County and the State.

Respectfully, McVicker's claims herein, must be resolved against Becker and in favor of McVicker.

Sincerely,

Larry David Myers  
Attorney at Law

CC: Clients

## Wheeler, Timothy

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**From:** Magee, Robert <RMagee@rcbos.org>  
**Sent:** Thursday, April 28, 2016 4:03 PM  
**To:** 'maryjocostilow@yahoo.com'  
**Cc:** Wheeler, Timothy  
**Subject:** FW: Husky rescue -- PP 25922

Mary Jo,

Thank you for taking the time to share your views with this office. This matter has not yet be scheduled for a hearing, but rest assured we will carefully review all public comments when considering the merits of this application.

Bob Magee  
District Director

-----Original Message-----

From: Supervisor Jeffries - 1st District  
Sent: Thursday, April 28, 2016 3:55 PM  
To: Magee, Robert  
Subject: FW: Husky rescue

Kerstin Justus  
Supervisor Kevin Jeffries  
Riverside County Board of Supervisors, 1st District [KJustus@rcbos.org](mailto:KJustus@rcbos.org)

Riverside office  
951-955-1010 (micro 51010)  
4080 Lemon Street, 5th floor, Riverside  
Lake Elsinore office  
951-471-4500 (micro 74500)  
31569 Canyon Estates Drive, Suite 113, Lake Elsinore

-----Original Message-----

From: Mary Jo [<mailto:maryjocostilow@yahoo.com>]  
Sent: Thursday, April 28, 2016 3:53 PM  
To: Supervisor Jeffries - 1st District  
Subject: Husky rescue

Personally I think the Beckers are over reacting to their neighbors dogs. I think it's wonderful that there are people who will rescue unwanted dogs and cats. I really question the motives of the Beckers. We all have dogs up here and sometimes they get out but they don't go attacking people on horses and bicycles and so on and so forth. I don't believe there's any actual reports of riders or hikers being attacked by these dogs. Any dog will get a chicken if they have the chance. Personally I hope the people that rescue these dogs get their permit. It's sad when your neighbors The Beckers bully them like this.

Sent from my iPhone

## Wheeler, Timothy

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**From:** Kelly Morrison <earthangels777@sbcglobal.net>  
**Sent:** Thursday, July 28, 2016 10:51 PM  
**To:** Wheeler, Timothy  
**Subject:** On Behalf of Tim McVicker and his precious dogs!

Hello,I am writing on behalf of Tim McVicker,and want to say that what he,and his wife are doing should be honored. There are so many homeless,and abused animals in the world ,and very few people willing to take on the honorable thing that he is. There are always going to be neighbors,no matter where you live that complain about animals around them,because that is just who they are. He loves his dogs very much,and is taking very good care of them. To take these dogs that where taken in,and are loved ,and well cared for just to destroy them is a sin against everything good,and decent,and just. They have a home ,and deserve to stay there. Most people who have pets know,that they are like their children,it would be so incredibly cruel to Tim and his wife,and these precious dogs,to hurt or separate them. I pray you will do the right thing ,to a man who has done a very good thing,and let them live in peace with their precious dogs. Thank you for your time! Just a voice ,for the voiceless

## Wheeler, Timothy

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**From:** Barbara Oakley <barnoakley@gmail.com>  
**Sent:** Thursday, July 28, 2016 4:42 PM  
**To:** Wheeler, Timothy  
**Subject:** Shadow Husky Rescue Permit

We need more rescue organizations to house unwanted animals rather than having those animals euthanized. Shadow Husky Rescue has the space in a location well-suited to a rescue. As long as these people have the means to properly care for the dogs, they should be granted the permit.

Barbara Oakley  
San Diego, CA

## **Wheeler, Timothy**

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**From:** mbeard <marylinbeard@yahoo.com>  
**Sent:** Sunday, July 31, 2016 11:51 AM  
**To:** Supervisor Jeffries - 1st District; Wheeler, Timothy; Marylin Beard  
**Subject:** Shadow Husky Ranch

I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

The Mc Vickers adopted my beautiful puppy, Luna, when I became unable to care for her properly. I trust their commitment, home and love for the animals.  
Please allow the Mc Vickers to have the proper license to legally house and care for their personal Husky dogs.

***Marylin Beard***  
*310 641-8488, fax 310 645-0221*  
[marylinbeard@yahoo.com](mailto:marylinbeard@yahoo.com)



## **Wheeler, Timothy**

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**From:** SusanC1759@aol.com  
**Sent:** Wednesday, August 17, 2016 7:18 PM  
**To:** Wheeler, Timothy  
**Subject:** Support for Tim and Elizabeth McVicker, Class II Kennel License

I pledge and fully support the Proposed Plot Plan No. 25922 of Tim and Liz McVicker regarding their request for a Class II Kennel License located at 17370 Via Abril, Murrieta, California 92562.

Tim and Liz are two very dedicated, loving, nurturing and protective individuals when it comes to the care of their beautiful personal huskies! I have visited Tim and Liz numerous times in their lovely home. I am 71 years old have NEVER felt uncomfortable or concerned regarding my safety with their huskies. Their personal huskies are very well behaved, very social, and always under control. I am a prior horse owner as well as a dog owner and, if anything, more cautious about being around horses since I have been injured more than a few times around spooked horses. I would be more concerned about the wildlife in the area causing harm to residents and livestock than the personal huskies that are in a protected and controlled environment.

Tim and Liz have complied with all codes and requirements for a Class II Kennel License and, as such, should be allowed to have their Class II Kennel License for their personal huskies. Their home is a "sanctuary" for their personal huskies, NOT a shelter! They are NOT operating a business, they are NOT breeding their huskies, they are NOT giving their huskies out for adoption. They have full control of their huskies on their property. They have taken all safeguards to protect their huskies, including hired paid helpers during the day to watch and exercise the dogs.

I am a University of Delaware graduate with my degrees in military history. The McVicker personal huskies are being stereotyped by individuals who know nothing about the McVickers' personal huskies. This stereotyping regarding the Tim and Liz's huskies is like saying "all horses are wild"; "all politicians are crooked", "all judges are alcoholics"; "all college students are on drugs", etc. Tim and Liz have taken every precaution possible to remedy and protect their personal huskies and to make it safe for everyone, including their huskies. Tenaja is NOT just for horses! There is plenty of land to be shared by all and as long as codes are complied with, everyone should be able to live in peace. The behavior of a few of the Tenaja community residents reminds me of the range wars (cattle land vs. sheep land) in this county as well as the persecution of minorities (Japanese prison camps in World War II).

I am fully supportive of the County of Riverside confirming this Class II Kennel License to the McVickers because it is the right thing to do! Tim and Liz are good people that do beautiful work in giving their home, care, and love to these beautiful huskies that thrive under their care and love! I would request that the County of Riverside do the right thing and allow the McVickers to have their Class II Kennel License. I want to believe with all my heart that the "right thing to do" will prevail in this matter!

Sincerely,

Susan M. Craker

## Wheeler, Timothy

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**From:** Debra Brown <calle-el-sauce@verizon.net>  
**Sent:** Sunday, August 21, 2016 6:43 PM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** Kennel Hearing - PP25922

Dear Mr Weiss and Mr Taylor:

I am writing to you, in support of APPROVING the Kennel Application # PP25922, set for hearing on August 29, 2016.

While I am an equine owner and also ride the trails of La Cresta and Tenaja, I strongly believe that this area is large enough to support not only equine ranches but canine kennels as well. All should have a place here on the Santa Rosa Plateau.

The minimum parcel is 5 acres, with many properties encompassing 10 acres or more. This is not the City. Those of us who reside here have chosen it for a reason. It is beautiful, natural land, abundant with space and wiidife. A home for both domestic and wild creatures alike. It is not by any means specific to equine.

I do not see how the granting of a Kennel Permit would encroach on any of the equine owners' ability to ride and enjoy the many horse trails throughout the area. While some may view a kennel of 'proposed huskies' as a nuisance, a good kennel owner will take appropriate steps to safely confine their animals within their property and away from neighboring residences. Additionally, I believe that kennels are subject to regulations and inspections beyond that of normal dog licensing. If down the road offenses are found or documented nuisances received, wouldn't the kennel permit then be revoked? The approval of kennel license is not "set in stone" for all time. Obviously, its ability to remain within the community will, in the long run, be dependent upon its Owners.

Please know that I am not in anyway affiliated with the owners of the proposed kennel, nor do I have any personal affiliation with the equine owners who are opposed to the kennel. I assume that I have been solicited by the opposing equine owners as a "fluke", as I am both an equine owner and resident on the plateau - I am also a member of the Santa Rosa Plateau Riding Club. Thus, through one of these avenues they have obtained my email address and seem to believe they can count on my opposing support, which is NOT the case.

I vote to give the person(s) that are seeking a kennel license permit, the opportunity to prove themselves fit and the chance to successfully operate a safe, clean and contained kennel. I know firsthand that equine owner's can be somewhat aloof, but seriously, if equine ranches are allowed and canine kennels are not, how is that justifiable?

Thank you for your considering my favorable perspective, as well as the opposition of others.

Debra Brown  
20955 Calle El Sauce  
La Cresta, CA 92562

Sent from my iPad

Reply To:  
**Riverside County Office:**  
24910 Las Brisas Road, Suite 110  
Murrieta, California 92562  
Telephone: 951.600.2733  
Facsimile: 951.600.4996

[www.tylerbursch.com](http://www.tylerbursch.com)

**Orange County Office:**  
The Logos Building  
3000 West MacArthur Boulevard  
Suite 440  
Santa Ana, California 92704  
Telephone: 949.707.2733

May 23, 2016

VIA ELECTRONIC MAIL  
AND U. S. MAIL

Mr. Timothy Wheeler  
Project Planner  
County of Riverside Planning Department  
4080 Lemon Street, 12th Floor  
Riverside, California 92501  
Email: [twheeler@rctlma.org](mailto:twheeler@rctlma.org)


Re: *Comments on Kennel II Application, Plot Plan #25922*

Dear Mr. Wheeler:

It was nice talking to you on the phone regarding Plot Plan #25922 and I sent a follow-up email requesting notification of any public hearings or actions taken on this matter. With that said, the law firm of Tyler & Bursch has been retained to represent the interests of the neighbors located in and around the project or the area known as the Tenaja Community Service District (hereinafter "TCSD").

To set the legal framework, the TCSD was formed by the residents to improve and maintain streets, bridges, culverts, curbs, gutters, drains, and works incidental thereto. Attachment "A" provides a copy of Restated Ordinance No. 5 which outlines the duties of the TCSD. However, TCSD has other powers including "to act as ex-officio governing body of any owner's association to administer existing Conditions, Covenants and Restrictions (hereinafter "CC&Rs"). Attachment "B" provides information about TCSD and the important paragraph, relating to CC&R enforcement powers, has been outlined. Attachment "C" provides a copy of Ordinance No. 1 which gives TCSD authority to enforce CC&Rs within the TCSD jurisdiction.

Regarding the McVicker's property, the TCSD has authority to enforce CC&Rs that run with the land within its boundaries. I am attaching a copy of the CC&Rs that relate to the McVicker's property. As you can see, pursuant to 3.05 Signs are covered; 3.06 Building Regulations are covered; and 6.03 Prohibited Operations and Uses do not allow for commercial, industrial or manufacturing operations of any kind and commercial ranching of cattle, horses and sheep are prohibited as well. Attachment "D" provides a copy of the CC&Rs, Recorded Document No. 524768 which every purchaser of real property is given constructive notice because the document is recorded. At the bottom of this letter, explains concerns with the County's definitions as they relate to kennels and the CC&Rs.

Rec'd  
Plans acceptable for  
permit issuance  
MAY 26 2016  
Riverside County  
Planning Department  
By: 

One of the ongoing issues with the McVicker's property is the lack of supervision of the dogs. Pursuant to Ordinance 348.4818, Section 1845(C) requires "All Class II Kennels and all catteries shall include a single family dwelling to be used by a live-in caretaker. . ." Evidently, the McVickers have someone on the property and we are assuming that person should be supervising the dogs, especially in light of the high numbers of dogs on the property. The McVickers originally placed 14 Siberian Huskies ("Huskies") on their property without a proper permit and now have 18 Huskies. While there is a person on the property, that person was unable to stop the dogs from escaping off the property on two occasions and attacking a horse, donkey and killing several chickens. These incidents are documented in photos and statements of neighbors who were placed in fear of their lives as this "pack of dogs" terrorized the neighborhood without any supervision or ability to notify the owners until they came home. Attachment "E" provides photos of the dogs after attacking neighbors' animals. When a neighbor came to get help from the McVickers, no one was available.

It is important to note the type of breed the McVickers have left in large numbers without proper supervision. Huskies are extremely hard to train, and they have a reputation as escape artists. "Siberian Huskies put the 'H' in 'Houdini'".<sup>1</sup> The article stated Huskies love to howl and are instinctive hunters. "Predatory instincts in the Siberian Husky are strong. While the Siberian is normally gentle and friendly with people and other dogs, owners MUST be aware that small animals in and around the home, such as squirrels, rabbits, birds, guinea pigs, hamsters, and CATS, are potential victims of their strong predatory instinct. They are swift, cunning, and patient in their hunting skills."<sup>2</sup> The article concluded one should not leave small children unattended around these types of dogs. Thus, PP#25922 is requesting to place 25 howling Huskies that have great escape abilities and a propensity to kill small animals at a location where help is not readily available. This is the very type of situation that Ordinance 630 was designed to prevent. You can imagine the fear of neighbors as they watch 5-6, maybe more, pack animals come onto their property without any supervision from the property owner maintaining the Type II Kennel. In one instance, the property owner was imprisoned in her house because of her fear of dogs and the Huskies that had decided to camp out on her property. This type of situation should not be allowed in light of Ordinance 630.

A significant concern of the neighbors is they bought property in the TCSD because it is horse country. Most all of the neighbors own horses and ride horses. It is the equestrian life-style that brought them to the area and encouraged them to invest. That purpose is negatively affected by wolf-like dogs who run in packs and attack horses. The situation creates a significantly dangerous environment for horses and their riders. For this reason alone, the County of Riverside should not approve the Kennel II permit.

To make matters worse, properties in the TCSD back up to a wildlife corridor. Protected species use the land behind the McVicker's home as a corridor. Placing 25 predatory, escape artists,

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<sup>1</sup> Dogtime.com: <http://dogtime.com/dog-breeds/siberian-husky#slide/1>, last visited May 22, 2016.

<sup>2</sup> Siberian Husky Club of America, Inc., <http://www.shca.org/shcahp2a.htm>, last visited May 22, 2016.

Mr. Timothy Wheeler  
May 23, 2016  
Page 3 of 3

who like to howl, is bound to negatively affect biological resources, if not destroy them altogether. Regarding the howling, the noise has so negatively impacted the neighbors as to become untenable. The odor from 25 dogs urinating and defecating is certain to have significant impacts to biological resources, and the hydrology of the area, as well as general disturbance of residents' quiet enjoyment of their property.

As you know, the County of Riverside only allows one to four dogs on a property under normal circumstances. A person owning five or more dogs must apply for a license to operate a kennel. (Ordinance 6.08.050(A).) The County of Riverside's definition of "kennel" describes the buildings and number of dogs but does not describe the use as accurately as other jurisdictions. For example, the City of Riverside defines "kennel" to mean "commercial kennel" (Ordinance 8.18.010); Kern County defines "kennel" as "the business of boarding . . . dogs or cats." (Ordinance 7.04.150.) The problem is the County of Riverside has placed a limit on the number of dogs that can be on private property and yet, through its failure to accurately define kennels, has allowed private owners to disregard the limitation, exposing their neighbors and the community to nuisance and the expense of litigation. The neighbors request the County of Riverside adopt a more complete definition for "kennel" as commercial or business; not residential use. It is truly not a "residential" use or it would fall under the four or less dog limitation. If "kennel" clearly defined the use, the McVicker proposal would not be allowed under the CC&Rs. We encourage the County of Riverside to close the loophole in its Ordinance that circumvents the four dog restriction on property. We encourage the County of Riverside to adopt the City of Riverside's definition as more appropriate.

Lastly, the TCSD has the job of overseeing road improvements. Road improvements are paid for by the residents through individual assessments. There is an abundance of information on how the roads have deteriorated because they were not designed for increased use. The implementation of any kennel will impact traffic on the roads and should require, at a bare minimum, road improvements paid for by Plot Plan applicants so the neighbors are not subjected to the dust and traffic concerns that will come with Plot Plan entitlements. Moreover, this project must come before the TCSD, not only as governing body for enforcement of the CC&Rs, but also, because of road improvements and traffic conditions exacerbated by these types of projects.

In closing, I am available to discuss these concerns with you more fully. We encourage you to deny the requested permit as inappropriate for the neighborhood and based upon past incidents, this letter may be used in the future as notification to the County of Riverside that a huge safety concern existed prior to any approval project approval. I can be reached at (951) 600-2733 or at [mnicholson@tylerbursch.com](mailto:mnicholson@tylerbursch.com) if you have any questions regarding this letter.

Kind regards,



Marty J. Nicholson, Esq.

Attachments

ATTACHMENT "A"

**RESTATED ORDINANCE NO.5**

**AN ORDINANCE OF THE TENAJA COMMUNITY SERVICES DISTRICT  
REQUIRING OFFERS OF DEDICATION AND THE PREPARATION OF  
CENTERLINE STUDY PROFILE FOR PUBLIC STREETS**

**Section I. RECITATIONS OF FACT.**

A. The Tenaja Community Services District (District) is empowered to improve and maintain streets, bridges, culverts, curbs, gutters, drains, and works incidental thereto subject to the consent of the Board of Supervisors of the County of Riverside.

B. Ordinance No. 460 of the County of Riverside authorizes the District to impose development standards for streets within its boundaries subject to the approval of the Director of Transportation of the County.

C. The Board of the Directors have heretofore adopted Ordinance No. 7 establishing design and construction standards for public streets which are to be imposed on all divisions of land within the District.

D. The Board of Directors has also required persons processing Schedule H and I Parcel Maps to prepare "Street Improvement Plans" for proposed public streets.

E. On June 24, 1993, the County of Riverside adopted a new standard which substitutes a "Centerline Study Profile" for "Street Improvement Plans" as of July 14, 1993.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TENAJA COMMUNITY SERVICES DISTRICT ORDAINS AS FOLLOWS:**

**Section II. Restatement of Ordinance No. 5.**

This Ordinance shall constitute a complete restatement of Ordinance No. 5 and those portions of previously adopted Ordinances 4, 5 or 7 which are inconsistent with this restatement are to that extent repealed.

**Section III. CONDITIONS OF APPROVAL FOR SCHEDULES H AND I  
PARCEL MAP DIVISIONS**

A. Prior to the approval by the County of Riverside of any Schedule H or Schedule I Parcel Maps as defined in Sections 10.13 and 10.14 of County Ordinance No.460, the owner or developer shall:

1. Irrevocably offer to dedicate to the Public all of the right of way for any public street(s) required for

the proposed division of land as defined in Ordinance No. 7.

2. Prepare a Centerline Study Profile pursuant to the standards adopted by the County of Riverside on June 24, 1993, and incorporated herein by reference.

B. Such offers of dedication and Study shall be predicated upon:

1. Preserving and maintaining access to public streets;

2. A street center-line profile extending a minimum of 600 feet beyond the boundaries of the proposed division of land;


3. Approval of the vertical and horizontal alignments by the District.

4. The ultimate construction of the street(s) in accordance with standards and specifications set forth in Ordinance No. 7.

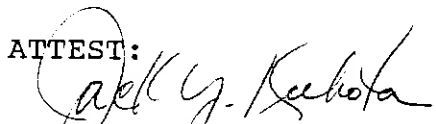
**Section IV. Effective Date -- An Urgency Measure.**

This is an urgency measure adopted for the safety and welfare of the District and shall be effective immediately. The nature of the urgency is that applications for Schedules H and I Parcel Maps which are currently awaiting the approval of the County of Riverside must, under the terms of the current Ordinance No. 5, present Street Improvement Plans. Adoption of this ordinance will permit such applicants to process their maps with a Centerline Study Profile.

ADOPTED by the Board of Directors of the Tenaja Community Services District this 2nd day of September, 1993, by unanimous vote of the following Directors present: Palmer, Selzler, Leondis, and Natale.

  
Ken Palmer, President

ATTEST:

  
Jack Y. Kubota, Secretary



**ATTACHMENT “B”**



# Tenaja Community Services District

## MENU

- [Home](#)
- [About Us](#)
- [Agenda](#)
- [Minutes](#)
- [Operations](#)
- [Permit  
Forms](#)
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- [Resolutions](#)

## About the Tenaja CSD

The Tenaja Community Services District ("TCSD") was formed in 1985 pursuant to the Community Services District Act of California ("CSDA"), and encompasses approximately 6,400 acres of spacious rural land in the Santa Rosa Coastal Mountain Range between the City of Murrieta and the Cleveland National Forest.

TCSD receives its powers through the Community Services District Act of the State of California (CSDA) to undertake a number of local agency functions. Currently, however, the Board of Directors is primarily involved in the improvement and maintenance of streets. Since TCSD has no land-use powers, development is subject to the Southwest Area Community Plan of the County of Riverside which requires a minimum of five (5) acres for one (1) residence.

The CSDA authorizes Community Services Districts to exercise a number of municipal powers; the Tenaja Community Services District has, however, been granted authority over the following governmental functions:

- 1. The collection, treatment, or disposal of sewage, waste, and storm water of the district and its inhabitants.**
- 2. The constructing, opening, widening, extending, straightening, surfacing, and maintaining, in whole or in part, of any street in the district, subject to the consent of the governing body of the county or city in which the improvement is to be made.**
- 3. The construction and improvement of bridges, culverts, curbs, gutters, drains, and works incidental to the purposes specified in subdivision (j), subject to the consent of the governing body of the county or city in which the improvement is to be made.**

However, at this time the District only provides the services related to the improvement and maintenance of streets. The District's routine maintenance includes: culvert cleaning, tree trimming, pavement repair, overlays, striping, sign repair and replacement, shoulder replacement, and other related activities.

Under the CSD Act, Community Services Districts are empowered to raise taxes, finance improvement projects through assessment districts created under one or more Improvement Acts sanctioned by State law, and/or to pay for improvements upon the prior approval of the affected electorate through a process defined in Proposition 218. The Board of Directors may, therefore, impose assessments in accordance with its statutory authority or act as facilitator for special assessment districts or an assessment to be created through a Proposition 218 proceeding. As facilitator, the District will coordinate the engineering, development of plans, construction and the ultimate funding.

The CSDA requires the Board of Directors to meet at least quarterly. Currently the regular meetings for the TCSD Board are scheduled for the first Thursdays of each month at the District's office. The Board may, in addition, hold Special meetings or adjourn a regular meeting to another time and place.

The District is governed by a five-member Board of Directors who are residents of the District and elected by residents to four-year terms. The District posts agendas at the District office on the Friday before each month. In addition, agenda packets of each Board meeting are available on request for a nominal annual fee.

The CSDA has empowered the Board to act as ex-officio governing body of any owner's association to administer existing Conditions, Covenants and Restrictions (CC&R). The Board may, in addition appoint any number of advisory committees. Standing committees at this time are the Roads Committee and the Architectural Committee.

The Roads Committee and Architectural Committee meet every Thursday at 8:30 AM to review and discuss applications for easements, road encroachments, street maintenance and Architectural approvals.

**DISCLAIMER: Information on this Website is subject to revision without notice.**

**Copyright 2010 Tenaja Community Services District**

# ATTACHMENT “C”

ORDINANCE NO. 1  
TENAJA COMMUNITY SERVICES DISTRICT

ORDINANCE OF THE TENAJA COMMUNITY SERVICES DISTRICT  
ESTABLISHING A COMMITTEE FOR THE ENFORCEMENT OF CC&R'S  
FOR TRACTS WITHIN DISTRICT BOUNDARIES

THE BOARD OF DIRECTORS OF THE TENAJA COMMUNITY SERVICES DISTRICT HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals

a. Section 61601.16 of the Government Code empowers the Board of Directors of the Tenaja Community Services District to enforce the covenants, conditions and restrictions adopted for each tract within the boundaries of the District, and to assume the duties of the Architectural Control Committee for each tract within such boundaries, for the purpose of maintaining uniform standards of development.

b. The Board of Directors hereby finds and determines that it is feasible, economically sound, and in the public interest to undertake such duties and responsibilities.

c. A majority of the voters voting on the proposition has voted in favor of the adoption of such additional purpose pursuant to Section 61601 of the Government Code.

d. The Board of Directors desires to establish a committee to act as the Architectural Control Committee for all tracts within the District's boundaries.

Section 2. Creation and Membership. An Architectural Control Committee for the Tenaja Community Services is hereby created, the membership of which shall be comprised of five (5) members, appointed from the following categories:

a. Not less than two (2) members from the residents of the District;

b. Not more than three (3) members from the non-resident property owners of the District.

c. Not more than one (1) member who is neither a resident nor a property owner of the District.

Section 3. Duties. The Architectural Control Committee shall undertake and have the following duties, responsibilities and functions, together with the powers incidental thereto:

a. To review and make recommendations to the Board of Directors concerning the construction, alteration, or repair of structures as more specifically set forth in Declaration of Covenants, Conditions and Restrictions for tracts within the boundaries of the Tenaja Community Services District;

b. To review and recommend to the Board of Directors the enforcement of other provisions of any declaration of conditions, covenants and restrictions; and

c. To undertake such other duties as may be assigned by the Board of Directors.

Section 4. Appointments. Members of the Committee shall be appointed by the affirmative votes of not less than three (3) members of the Board of Directors.

Section 5. Term of Office. Each member of the Committee shall serve for a one (1) year term commencing on the date of appointment and expiring on June 30 of the designated expiration year. Each member of the Committee holding office as of June 1, 1987, shall, however, continue in such office until June 30 of 1988.

Section 6. Vacancies. All vacancies shall be filled by appointment of the Board of Directors by the affirmative votes of not less than three (3) members; where a vacancy shall occur leaving an unexpired term, the subsequent appointment shall be made for the balance of such unexpired term; except for the removal of a Committee member or vacancies due to absences, each Committee member shall continue to serve until his successor is appointed and qualified.

Section 7. Removal from Office. Any member of the Committee may be removed from such office, with or without cause, at any time, by the Board of Directors. No such removal shall, however, be effective unless a motion to that effect made at a regular, adjourned regular, special, or adjourned special meeting is carried by the affirmative votes of not less than three (3) members of the Board of Directors.

Section 8. Absences. Any member of the Committee who is absent without sufficient cause from three (3) successive regular meetings, shall be deemed to have vacated his or her office. An absence due to illness or an unavoidable absence from the District shall be deemed an excused absence of sufficient cause provided notice is given to the secretary of the Committee by such member on or before the day of any regular meeting.

Section 9. Compensation and Expenses. Each member of the Committee shall be entitled to such compensation as may be set by the Board of Directors. Such members shall be entitled to reimbursement for expenses incurred in the performance of their official duties if such expenses are approved in advance by the Board of Directors.

Section 10. Meetings. Except as otherwise expressly provided in this Ordinance, the Committee shall establish the time and place of its regular meetings. All such meetings shall be conducted in accordance with the provisions of the Ralph M. Brown Act. The Committee shall adopt rules for the transaction of its business and shall keep a record of its proceedings, which record shall be open to inspection by any member of the public.

Section 11. Officers. The Committee shall annually elect one of its members as Chairman and one of its members as Vice-Chairman. Such election shall take place at the first regular meeting in July of each year. The General Manager shall designate the secretary of the Committee and shall provide appropriate clerical assistance and shall be responsible for the maintenance of all its permanent records.

Section 12. Expenditures. The Committee shall have no authority to expend or authorize the expenditure of public funds except with the prior express approval of the Board of Directors.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE }

On 3/3/16 before me, Wendy Enochs, notary public  
[Date] [Name of Notary Public and Title "Notary Public"]

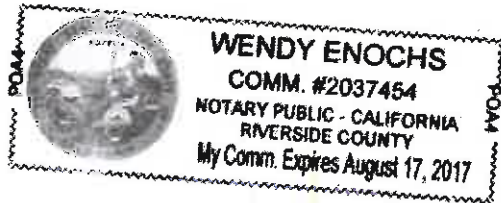
personally appeared Harry Murphy  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Statement of Concern

NUMBER OF PAGES 1

DOCUMENT DATE 3/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Property ADJACENT to 17370 Via Abril

As a resident of the Tenaja Community in Murrieta California, I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

INITIAL THOSE THAT APPLY:

- Noise Levels
- Danger to Livestock
- Danger to Domestic Animals
- Danger to Humans
- Danger and Disruption of Equine Activities
- Environmental Impact - Wildlife Corridor
- Increased Traffic
- Disease
- Decrease in Property Values

Remarks:

Danger to my son - 1 year old.

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

State of California  
 County of Orange  
 On 04/12/16 before me, Young Kim Notary Public,  
 personally appeared Luisa Villatoro  
 who proved to me on the basis satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.  
 I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

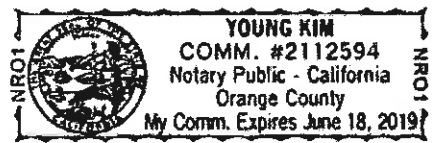
Young Kim

Name: Luisa Villatoro

Address: 43003 Tenaja Rd. Murrieta CA

Phone # 949.596.5439

Resident Yes  No  Future Resident, Owner



Luisa Villatoro

Print Name

[Signature]

Signature

4.12.16

Date

SEE NOTARY ATTACHMENT (ABOVE)

As a resident of the Tenaja Community in Murrieta California, I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

**INITIAL THOSE THAT APPLY:**

Noise Levels

Danger to Livestock

Danger to Domestic Animals

Danger to Humans

Danger and Disruption of Equine Activities

Environmental Impact - Wildlife Corridor

Increased Traffic

Disease

Decrease in Property Values

Remarks:

Danger to children, 1 year old son.


Name: Luisa Villatoro

Address: 43003 Tenaja Road, Murrieta, CA

Phone # 949.596.5439

Resident Yes  No  Future Resident

Luisa Villatoro  
Print Name

  
Signature

4.12.14  
Date

Property Adjacent to 17370 Via Abril

I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

**INITIAL THOSE THAT APPLY:**

Noise Levels RM

Danger to Livestock RM

Danger to Domestic Animals RM

Danger to Humans RM

Danger and Disruption of Equine Activities RM

Environmental Impact - Wildlife Corridor RM

Increased Traffic RM

Disease RM

Decrease in Property Values RM

Remarks: *al have had experience with Huskys and they are pack animals, runners and aggressive when cornered.*

Name: Roxane Miskam

Address: 43720 Tenaja Rd, Murrieta, CA 92562

Phone # (951) 894-7001

Resident Yes  No

Roxane Miskam Roxane Miskam 4/12/16  
Print Name Signature Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On April 13, 2016 before me, Wendy Enochs, notary public,  
[Date] [Name of Notary Public and Title "Notary Public"]

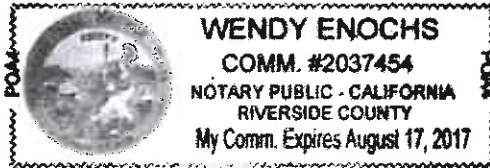
personally appeared Royanne Mistum  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Opposition to Kernel Perm. #

NUMBER OF PAGES 1

DOCUMENT DATE 4/13/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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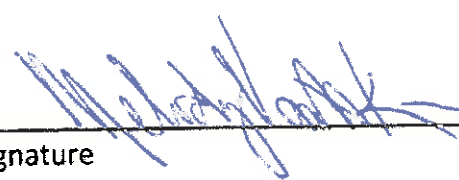
Remarks:

Name: MELODY VAN AKEN

Address: 42890 AVENIDA PERRIS

Phone # (909) 841-9543

Resident Yes  No

MELODY VAN AKEN  4-12-16  
Print Name Signature Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On 4/12/16 before me, Wendy Enochs Notary Public,  
[Date] [Name of Notary Public and Title "Notary Public"]

personally appeared Melody van Aken  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

cor

CHARACTER OR TITLE OF DOCUMENT Opposition to Kennel Perm. +

NUMBER OF PAGES 1

DOCUMENT DATE 4/12/16

SIGNER(S) OF THE DOCUMENT OTHER THAN THOSE NAMED ABOVE:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

INITIAL THOSE THAT APPLY:

- Noise Levels  EM
- Danger to Livestock  EM ++
- Danger to Domestic Animals  EM
- Danger to Humans  EM
- Danger and Disruption of Equine Activities
- Environmental Impact - Wildlife Corridor  EM
- Increased Traffic
- Disease  EM
- Decrease in Property Values  EM ++

Remarks:

Name: Elin Motherhead  
 Address: 18575 Vista de Montañas Murrieta  
 Phone #: 951 677 9849  
 Resident Yes  No

Elin Motherhead 9/12/16  
 Print Name Signature Date

Elin Motherhead

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of RAVERSIDE }

On April 12, 2016 before me, Wendy Enochs Notary Public  
[Date] [Name of Notary Public and Title "Notary Public"]

personally appeared Elin Matherhead  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



[Signature]  
Signature of Notary Public

(seal)

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CHARACTER OR TITLE OF DOCUMENT Opposition to Kennel Permit

NUMBER OF PAGES 1 DOCUMENT DATE 4/12/16

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\_\_\_\_\_  
\_\_\_\_\_



I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

**INITIAL THOSE THAT APPLY:**

Noise Levels af

Danger to Livestock af

Danger to Domestic Animals af

Danger to Humans     

Danger and Disruption of Equine Activities af

Environmental Impact - Wildlife Corridor af

Increased Traffic     

Disease     

Decrease in Property Values af

Remarks:

Name: SUSAN JENKINSON

Address: 38785 AVENIDA BONITA

Phone # (909) 518-1703

Resident Yes  No

SUSAN JENKINSON  
Print Name

Susan Jenkins  
Signature

4-1-2016  
Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On April 13, 2016 before me, Wendy Enochs, Notary Public  
[Date] [Name of Notary Public and Title "Notary Public"]

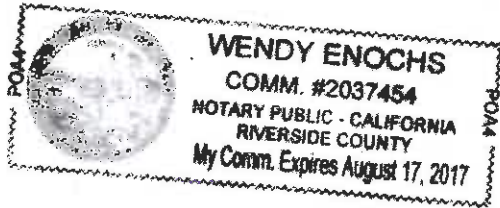
personally appeared Susan Jenkins  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Opposition to permit permit

NUMBER OF PAGES 1

DOCUMENT DATE 4/12/16

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\_\_\_\_\_  
\_\_\_\_\_

I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

**INITIAL THOSE THAT APPLY:**

Noise Levels  *RY*

Danger to Livestock

Danger to Domestic Animals

Danger to Humans

Danger and Disruption of Equine Activities  *RY*

Environmental Impact - Wildlife Corridor

Increased Traffic

Disease

Decrease in Property Values  *RY*

Remarks: *know needed permit - went ahead without it only provided proper care when complaints filed   
 Will likely be ongoing compliance issue* *RY*

Name: Richard K Jamison Sr

Address: 40020 Calle Bandido

Phone # 949-463-2921

Resident Yes  No  *La Costa Highlands*

Richard K Jamison Richard K Jamison Sr 4/12/16  
Print Name Signature Date

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California  
County of RIVERSIDE }

On April 12, 2016 before me, Wendy Enochs, Notary Public  
[Date] [Name of Notary Public and Title "Notary Public"]

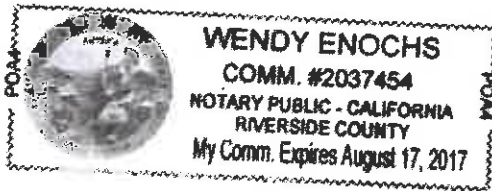
personally appeared Richard J. K. Fenison  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

\*\*\*\*\*OPTIONAL INFORMATION\*\*\*\*\*  
THE INFORMATION PROVIDED BELOW IS NOT REQUIRED BY LAW

CHARACTER OR TITLE OF DOCUMENT Oppos. to Rental Perm. F

NUMBER OF PAGES 1

DOCUMENT DATE 4/12/16

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\_\_\_\_\_  
\_\_\_\_\_

I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

INITIAL THOSE THAT APPLY:

- Noise Levels  *g*
- Danger to Livestock  *g*
- Danger to Domestic Animals  *g*
- Danger to Humans  *g*
- Danger and Disruption of Equine Activities  *g*
- Environmental Impact - Wildlife Corridor
- Increased Traffic
- Disease
- Decrease in Property Values

Remarks:

Name: CARIS JOHNSON

Address: 40305 CAMINO NOROESTE

Phone # (951) 704-5020

Resident Yes  No

CHRIS JOHNSON *Chris Johnson*

Print Name

Signature

4-12-2016

Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On April 12, 2016 before me, Wendy Enochs  
[Date] [Name of Notary Public and Title "Notary Public"]

personally appeared Christopher Johnson  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

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CHARACTER OR TITLE OF DOCUMENT Opposition to Kennel Permit

NUMBER OF PAGES 1

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**INITIAL THOSE THAT APPLY:**

Noise Levels JS

Danger to Livestock JS

Danger to Domestic Animals JS

Danger to Humans JS

Danger and Disruption of Equine Activities JS

Environmental Impact - Wildlife Corridor JS

Increased Traffic JS

Disease JS

Decrease in Property Values JS

Remarks:

Name: Janie Steinbach

Address: 39893 Rustic Glen Dr

Phone # 951 477-0323

Resident Yes  No

JANIE STEINBACH Janie Steinbach \_\_\_\_\_  
Print Name Signature Date

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California  
County of RIVERSIDE }

On April 12, 2016 before me, Wendy Enochs  
[Date] [Name of Notary Public and Title "Notary Public"]

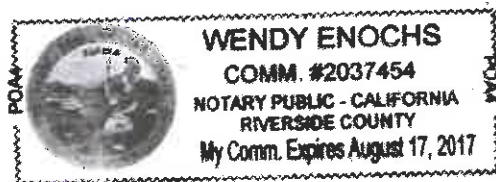
personally appeared Tania Steinbach  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

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CHARACTER OR TITLE OF DOCUMENT Opposition to K

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\_\_\_\_\_



I am Strongly Opposed to a Kennel Permit which will allow 11-25 Siberian Huskies to be housed at 17370 Via Abril, Murrieta Ca 92562 for the following reasons:

**INITIAL THOSE THAT APPLY:**

Noise Levels

Danger to Livestock

Danger to Domestic Animals

Danger to Humans

Danger and Disruption of Equine Activities

Environmental Impact - Wildlife Corridor

Increased Traffic

Disease

Decrease in Property Values

Remarks:

Name: FLETCHER SPATTER WHITE

Address: 38845 CALLE DE COMPANERO

Phone # 951-696-0222

Resident Yes  No

F. SPATTER WHITE [Signature] 4-12-16  
Print Name Signature Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On April before me, Wendy Enochs Notary Public  
[Date] [Name of Notary Public and Title "Notary Public"]

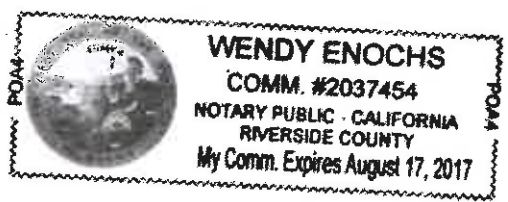
personally appeared Fletcher Satterwhite  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



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**INITIAL THOSE THAT APPLY:**

Noise Levels  NS

Danger to Livestock

Danger to Domestic Animals

Danger to Humans

Danger and Disruption of Equine Activities  NS

Environmental Impact - Wildlife Corridor

Increased Traffic

Disease

Decrease in Property Values

Remarks:

Name: ALEXANDER SATTISWHITE

Address: 38845 CALLE DE COMPANERO

Phone # 951-696-0222

Resident Yes  No

A. SATTISWHITE Alexander Sattiswhite 4-12-16  
Print Name Signature Date

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of Riverside

On April 12, 2016 before me, Wendy Enochs, Notary Public  
[Date] [Name of Notary Public and Title "Notary Public"]

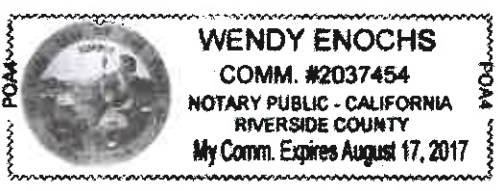
personally appeared Akissande Satterwhite  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

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**INITIAL THOSE THAT APPLY:**

- Noise Levels
- Danger to Livestock
- Danger to Domestic Animals
- Danger to Humans
- Danger and Disruption of Equine Activities
- Environmental Impact - Wildlife Corridor
- Increased Traffic
- Disease
- Decrease in Property Values

Remarks:

Name: Lieselotte Evans

Address: 38340 Calle De Lobo Murrieta, Ca 92562

Phone # \_\_\_\_\_

Resident Yes  No

Lieselotte Evans      Lieselotte Evans      4-12-2016  
Print Name                                  Signature                                  Date

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of RIVERSIDE

On April 12, 2016 before me, Wendy Enochs, notary public,  
[Date] [Name of Notary Public and Title "Notary Public"]

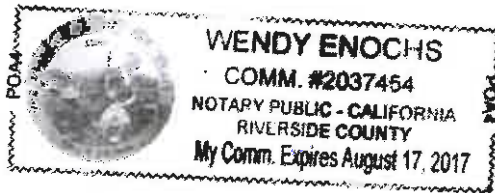
personally appeared Lieselotte Evans  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

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\_\_\_\_\_



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of RIVERSIDE

On April 12, 2016 before me, Wendy Enochs, notary public  
[Date] [Name of Notary Public and Title "Notary Public"]

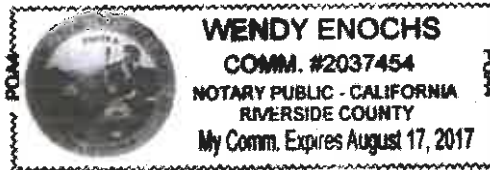
personally appeared Patricia Kramer  
[Name(s) of signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Wendy Enochs  
Signature of Notary Public



(seal)

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\_\_\_\_\_  
\_\_\_\_\_



## **Wheeler, Timothy**

---

**From:** Magee, Robert <RMagee@rcbos.org>  
**Sent:** Thursday, April 28, 2016 4:31 PM  
**To:** Wheeler, Timothy  
**Subject:** PP 25922

FYI.

---

**From:** Justus, Kerstin  
**Sent:** Thursday, April 28, 2016 4:24 PM  
**To:** Marinos, Cheri; Ruiz, Araceli  
**Cc:** Magee, Robert; Huyck, Kristen  
**Subject:** RE:

Thanks Cheri.

Just got two emails on this as well.

If you get more messages – please send them (or cc) Bob Magee.

Thanks,

### ***Kerstin Justus***

*Supervisor Kevin Jeffries*

*Riverside County Board of Supervisors, 1<sup>st</sup> District*

[KJustus@rcbos.org](mailto:KJustus@rcbos.org)

#### **Riverside office**

951-955-1010 (micro 51010)

4080 Lemon Street, 5<sup>th</sup> floor, Riverside

#### **Lake Elsinore office**

951-471-4500 (micro 74500)

31569 Canyon Estates Drive, Suite 113, Lake Elsinore

---

**From:** Marinos, Cheri  
**Sent:** Thursday, April 28, 2016 4:22 PM  
**To:** Justus, Kerstin; Ruiz, Araceli  
**Subject:**

Mr. & Mrs Warren and Janet Franks called to let Supv. Know they are opposed to the Husky Rescue kennel permit in Tenaja since the dogs have already killed some chickens up there. If staff wants more info, please call.  
951-698-9114

Cheri Marinos, SBA  
Riverside County Clerk of the Board  
P.O. Box 1147

Riverside, CA 92502-1147  
951-955-1302

The County Administrative Center is open Monday thru Friday.  
Business Hours for the Clerk of the Board Office are 8:00 a.m. to 5:00 p.m.

## Wheeler, Timothy

---

**From:** Magee, Robert <RMagee@rcbos.org>  
**Sent:** Thursday, April 28, 2016 4:27 PM  
**To:** 'tiff.5mranch@gmail.com'  
**Cc:** Wheeler, Timothy  
**Subject:** FW: Class II Kennel Permit/17370 Via Abril, Murrieta, CA 92562 -- PP 25922

Ms. McDaniel,

Thank you for sharing your views with this office. This item has yet to be scheduled for hearing, but rest assured that we will carefully consider all comments related to this application.

Bob Magee  
District Director

---

**From:** Supervisor Jeffries - 1st District  
**Sent:** Thursday, April 28, 2016 4:23 PM  
**To:** Magee, Robert; Ketcham, Thomas  
**Subject:** FW: Class II Kennel Permit/17370 Via Abril, Murrieta, CA 92562

fyi

### ***Kerstin Justus***

*Supervisor Kevin Jeffries*  
*Riverside County Board of Supervisors, 1<sup>st</sup> District*  
[\*KJustus@rcbos.org\*](mailto:KJustus@rcbos.org)

**Riverside office**  
951-955-1010 (micro 51010)  
4080 Lemon Street, 5<sup>th</sup> floor, Riverside  
**Lake Elsinore office**  
951-471-4500 (micro 74500)  
31569 Canyon Estates Drive, Suite 113, Lake Elsinore

**From:** TIFFANY MCDANIEL [<mailto:tiff.5mranch@gmail.com>]  
**Sent:** Thursday, April 28, 2016 4:11 PM  
**To:** Supervisor Jeffries - 1st District  
**Subject:** Class II Kennel Permit/17370 Via Abril, Murrieta, CA 92562

Dear Mr. Jefferies,

My name is Tiffany McDaniel and I live at 43017 Tenaja Pl, Murrieta, CA 92562. It has come to my attention that a Class II Kennel Permit has been requested at 17370 Via Abril, Murrieta, CA 92562.

I am very concerned about this. Our community is an equestrian community. We have countless riding trails and many visitors who come up to use them. The idea of a Kennel of up to 25 dogs (Huskies in this case) is frightening. Right now the property owners have 18 Huskies on the property. The dogs have escaped 2 times in the last 6 months. During the escapes they have killed chickens and attacked my neighbors donkey & horse in his pasture.

I love animals! I have many of my own and don't wish any harm to these people. I believe what they are trying to do is noble, it just doesn't work in this community. There are many places that dog kennels work out just fine but around livestock is not one.

Please, please, please do not allow this to continue. The McVicker's have done a wonderful job of keeping the dogs quiet as of late but they have not done such a great job of keeping them contained. I, along with all of my neighbors, paid a small fortune to live in this valley. I would not have bought here if there were an existing kennel. Not only does this kennel endanger livestock, equines and their riders it also endangers the value of our properties. NO ONE wants to live next to 18 or more dogs!

Please do not allow this.

Sincerely

Tiffany McDaniel  
43017 Tenaja Place  
Murrieta, CA 92562  
c: 951.545.6467  
h: 951.461.9598

[tiff.5Mbranch@gmail.com](mailto:tiff.5Mbranch@gmail.com)

## **Wheeler, Timothy**

---

**From:** Magee, Robert <RMagee@rcbos.org>  
**Sent:** Friday, April 29, 2016 9:48 AM  
**To:** Wheeler, Timothy  
**Subject:** FW: kennel permit in tenaja

FYI.

---

**From:** Supervisor Jeffries - 1st District  
**Sent:** Friday, April 29, 2016 9:20 AM  
**To:** Magee, Robert  
**Subject:** FW: kennel permit in tenaja

### ***Kerstin Justus***

*Supervisor Kevin Jeffries  
Riverside County Board of Supervisors, 1<sup>st</sup> District  
[KJustus@rcbos.org](mailto:KJustus@rcbos.org)*

#### **Riverside office**

951-955-1010 (micro 51010)  
4080 Lemon Street, 5<sup>th</sup> floor, Riverside

#### **Lake Elsinore office**

951-471-4500 (micro 74500)  
31569 Canyon Estates Drive, Suite 113, Lake Elsinore

---

**From:** ken miskam [<mailto:kmiskam53@yahoo.com>]  
**Sent:** Thursday, April 28, 2016 8:00 PM  
**To:** Supervisor Jeffries - 1st District  
**Subject:** kennel permit in tenaja

Our neighbor is requesting a kennel permit in our neighborhood. Who wants 25 large rescue dogs to move next to them. You wouldn't and neither do we. I am a business owner in Temecula, and pay a lot of taxes. My custom home that we designed and built is at 3 million dollars and I pay a lot of property taxes. We need to be protected by this kind of thinking. That probably sounds bad but right now all these dogs are living in 8x8 kennels in the house, all 18 of them, they weigh 85-90 pounds each. Their place stinks and they moved in less than 6 months ago. Please help us with this matter. THANK YOU KEN MISKAM 951-894-7001

## Wheeler, Timothy

---

**From:** Magee, Robert <RMagee@rcbos.org>  
**Sent:** Friday, April 29, 2016 11:06 AM  
**To:** 'Scott PC'; 'Trish White'  
**Cc:** Wheeler, Timothy  
**Subject:** RE: Support for Residents Opposed to Kennel for Siberian Husky Rescue / 17370 Via Abril Murrieta Ca / #PP 25922

Scott & Trish

You may call me at 951-955-1010.

Bob

---

**From:** Scott PC [<mailto:scttbecker@gmail.com>]  
**Sent:** Friday, April 29, 2016 10:55 AM  
**To:** 'Trish White'  
**Cc:** Magee, Robert  
**Subject:** RE: Support for Residents Opposed to Kennel for Siberian Husky Rescue / 17370 Via Abril Murrieta Ca / #PP 25922

Hi Trish,

Sending an e-mail to [district1@rcbos.org](mailto:district1@rcbos.org) or to Bob Magee @ [RMagee@rcbos.org](mailto:RMagee@rcbos.org) is best. Please make sure you let him know you are a resident of Tenaja. He will take your calls personally if you would like to speak directly to him.

Thank you,

Scott Becker

---

**From:** Trish White [<mailto:TrishWhite@verizon.net>]  
**Sent:** Friday, April 29, 2016 10:44 AM  
**To:** Scott PC  
**Subject:** Re: Support for Residents Opposed to Kennel for Siberian Husky Rescue / 17370 Via Abril Murrieta Ca / #PP 25922

Hi Scott and Sarina,

Please keep us posted on the date of the hearing, if I can attend I will. I agree we do not need a dog rescue here. Do you have a letter that the neighbors can sign and forward or should I will write a note to supervisor Jeffries?

Thank you,

Trish White  
[TrishWhite@verizon.net](mailto:TrishWhite@verizon.net)  
42850 Tenaja Road

On Apr 28, 2016, at 3:47 PM, Scott PC wrote:

Dear Friends and Neighbors,

By now most of you have been made aware of the Class II Kennel Permit that has been applied for at 17370 Via Abril in Tenaja. As you know this kennel would have the potential to house 25 "Rescue" Siberian Huskies on a 5 acre parcel situated in the heart of this beautiful and serene equine community. They currently have 18 non permitted dogs that have been here since July. As riders, you are quite aware of the dangers that just a single dog can present, and now all of us who ride the many trails in this area **will** be faced with a very hazardous condition. Siberian Huskies are a very aggressive breed when it comes to Livestock and other Domestic Animals, and these dogs have already confirmed our fears within the past 90 days, escaping and attacking neighboring Livestock and killing chickens. Animal Control Services has two open investigations regarding these attacks, and Code Enforcement is investigating a violation of Ordinance 857 ( Unlawful Business Practice ). It is not a matter of if, but when these dogs will escape again and attack a Horse and Rider causing serious injury or worse. Many people who ride the trails in this area are not from Tenaja. They trailer their horses up to this beautiful area to ride some of the best trails in California, but are unsuspecting of the danger that lives along Via Abril, which is a common thoroughfare for riders. As I mentioned, these are "Rescues" who have been abandoned for one reason or another, including temperament/disobedience issues, and previous bite history. This Rescue business will also create additional traffic along Tenaja Road and Via Abril, roads that are not maintained by the county, but by the residents of the Tenaja Community. Myself and the community love animals, as we all have Horses or Family Pets, but this type of facility is not compatible with this area and environment.

The County of Riverside will be scheduling a Public hearing regarding this permit in a few weeks, and I will notify all of you of the hearing date so that we can have the opportunity to attend and voice our concerns. In the interim, it is very important that we all reach out to our **County Supervisor Mr. Jeffries ( an elected official )**, and let him know of our strong opposition to this Kennel. Please take a minute to make a phone call to Mr. Jeffries office @ 951-955-1010 or e-mail to [district1@rcbos.org](mailto:district1@rcbos.org) Our efforts as a community will have a significant impact on the outcome of this hearing and permit application, and **OUR**

**physical presence** at the upcoming hearing will be essential in order to convey our unity in this matter and defeat this permit request.

If you have any questions, or would like any additional information please do not hesitate to contact me for assistance.

Sincerely,

Scott & Sarina Becker  
17250 Via Abril  
(951)660-2586

**This email and/or any files or attachments transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law.**



## Wheeler, Timothy

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**From:** Magee, Robert <RMagee@rcbos.org>  
**Sent:** Tuesday, May 10, 2016 8:39 PM  
**To:** 'Al Anderson'  
**Cc:** Wheeler, Timothy  
**Subject:** RE: Class II Kennel Application #PP25922 17370 Via Abril, Murrieta, CA

Mr. Anderson,

Thank you for taking the time to share your concerns with me.

Bob

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**From:** Al Anderson [<mailto:awacpa@aol.com>]  
**Sent:** Tuesday, May 10, 2016 6:38 PM  
**To:** Magee, Robert  
**Subject:** Class II Kennel Application #PP25922 17370 Via Abril, Murrieta, CA

I'm sending this message to ask you to deny the above referenced application. If you know this area you know that having a kennel in this neighborhood is totally inappropriate inasmuch as this primarily an equestrian community. Dogs are very noisy, smelly places. Moreover these dogs have and will continue to escape and cause havoc in the neighborhood. I'm an experienced equestrian rider and have had experience with charging dogs and dealing with a resulting panicked horse. Luckily I have not been injured in these encounters but certainly an injury or worse could occur if these people are allowed to maintain a kennel.

Thank you, Al Anderson  
(909)730-4855

## Wheeler, Timothy

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**From:** Marty Nicholson <mnicholson@tylerbursch.com>  
**Sent:** Tuesday, May 24, 2016 10:17 PM  
**To:** Wheeler, Timothy  
**Subject:** PP#25922  
**Attachments:** Ltr Nicholson to TWheeler\_5-23-16.pdf

Hi,  
Attached is a letter that outlines some of the concerns regarding Plot Plan #25922.  
If you have any questions, let me know.  
Sincerely,  
Marty

Marty J. Nicholson, Esq.



24910 Las Brisas Road, Suite 110  
Murrieta, California 92562  
Tel: (951) 600-2733  
Fax: (951) 600-4996  
[www.tylerbursch.com](http://www.tylerbursch.com)

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## **Wheeler, Timothy**

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**From:** Magee, Robert <RMagee@rcbos.org>  
**Sent:** Wednesday, June 15, 2016 11:27 AM  
**To:** 'Scott PC'  
**Cc:** Wheeler, Timothy  
**Subject:** RE: Letter to Supervisor Jeffries RE: PP25922

Mr. Becker,

I have briefed the Supervisor about the Kennel application and about the public outcry and numerous documents we have received in opposition to this request. I have toured the site, met with the applicants and stayed on top of the matter. The Director's Hearing for this application should be scheduled shortly. At this time the application needs to move through the process including any appeals that may occur. A modification to our definition of Kennels could be included as part of our Ordinance 348 update currently being undertaken by Planning Staff.

I am happy to answer any additional questions you may have and look forward to meeting you at the hearing.

Bob Magee

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**From:** Scott PC [mailto:scottbecker@gmail.com]  
**Sent:** Tuesday, June 14, 2016 5:11 PM  
**To:** Magee, Robert  
**Subject:** Letter to Supervisor Jeffries RE: PP25922

Date: 06/14/2016

Scott G. Becker  
17250 Via Abril  
Murrieta, Ca 92562

Supervisor Kevin Jeffries  
County of Riverside - First District  
4080 Lemon Street  
Riverside, California 92502-1527  
[RMagee@RCBOS.org](mailto:RMagee@RCBOS.org)

Dear Supervisor Jeffries:

Congratulations on your recent re-election. Now that the election is over, I wanted to share a concern I have as a resident of the unincorporated area of the First District. Specifically, I am writing to ask your assistance regarding a land use matter affecting my home. The issue relates to Ordinance 348.45 regarding "Kennels and Catteries" and the definition for Kennels under Ordinance 348 Section 21.40a. The issue is the County of Riverside's definition for kennel use does not properly define the use and, as a result, it has provided a "loop-hole" for my neighbor to potentially negatively affect myself and my neighbors.

I reside in the Tenaja Valley located within the Tenaja Community Services District and the properties are governed under certain Covenants, Conditions and Restrictions ("CC&Rs") that run with the land. Those CC&Rs do not permit commercial, industrial or manufacturing operations and do not allow for commercial

keeping of cattle, horses or sheep. I purchased my residential property and invested in my property confident that I would not be subjected to commercial uses by my neighbors.

As you may know, the County of Riverside only allows four dogs to be kept on a residential property. This requirement is an excellent way to reduce private nuisances created by too many dogs on a property and the associated barking, howling and problems with dog fecal matter, to name a few. The concern I have is that the definition for "kennel" adopted by the County of Riverside, Ordinance 348, Section 21.40(a), provides for home owners to turn their properties into "kennels" and violate the restriction on the number of dogs. The definition only describes the structure and the number of dogs allowed. It does not qualify the actual use as "commercial" or "business". Therefore, a home owner whose property is restricted by CC&Rs that prohibits commercial use may apply and be granted a kennel (which is either a business or commercial use) in the County of Riverside simply because the definition is lacking a complete description.

This failure to completely define the term "kennel" and circumvent the CC&Rs that prohibit commercial use can destroy the quiet enjoyment and character of a residential neighborhood. For me, I am faced with a new property owner who has applied for a kennel permit and intends to place 25 howling Siberian Huskies next door to my property. The noise is unbearable and when the dogs escape from the property, they subject their neighbors and their children with safety concerns.<sup>[1]</sup>

You should know the County of San Bernardino, Kern, and Sonoma include descriptions regarding the actual use as "commercial" or "business" in their definitions. Since a kennel is truly not your typical residential use, because it violates the four dog restriction, I am asking that you look into the matter and consider defining the word "kennel" more clearly so that CC&Rs are not ignored and the quiet enjoyment of property is not destroyed by this obvious non-residential use. I have attached the definition of kennel from the County of Riverside's land use ordinance below, along with several other counties as examples. I am also attaching a letter sent by the law firm of Tyler & Bursch to the County of Riverside Planning Department identifying the concern.

If you have any questions or would like to discuss this issue, I can be reached at (951)660-2586. I thank you for your time and consideration in this matter.

Sincerely,

Scott Becker

**COUNTY OF RIVERSIDE KENNEL DEFINITION:**

**SECTION 21.40a. KENNEL.** Any building, structure, enclosure or premises whereupon, or within which, five or more dogs, four months of age or older, are kept or maintained. (See County Ordinance No. 630 and Section 18.45. of this ordinance. A. CLASS I KENNEL. Any building, structure, enclosure, or premises whereupon, or within which, five to ten dogs, four months or older of age, are kept or maintained. A Class I Kennel shall not include a sentry dog kennel or an animal rescue operation that meets the definition and requirements set forth in Ordinance No. 630. Amended Effective: 04-13-01 (Ord. 348.3986) B. CLASS II KENNEL. Any building, structure, enclosure, or premise, whereupon, or within which, 11 or more dogs, four months of age or older, are kept or maintained. A Class II Kennel shall not include a sentry dog kennel. C. SENTRY DOG KENNEL. Any building, structure, enclosure, or premises whereupon, or within which, five or more guard or sentry dogs are kept or maintained. A sentry dog is any dog trained to work without supervision in a fenced facility and to deter or detain unauthorized persons found within the facility. The term "guard dog" shall also mean "sentry dog".

**COUNTY OF SAN BERNARDINO PROVIDES:**

84.04.050 **Commercial Kennels and/or Catteries** Commercial kennels and/or catteries, where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses), shall be subject to the regulations in this Section. San Bernardino County Development Code Animal Keeping 84.04 Page 4-17 April 12, 2007 (a) Compliance with health regulations. The commercial kennel shall comply with the provisions of Chapter 3 (Commercial Kennels) in Division 2 (Animals), Title 3 (Health and Sanitation and Animal Regulations), of the County Code. The commercial cattery shall comply with the provisions of Chapter 12 (Catteries) in Division 2 (Animals), Title 3 (Health and Sanitation and Animal Regulations), of the County Code. (b) Permit requirements. A commercial kennel and/or a cattery shall require a Special Use Permit in compliance with Chapter 85.14 (Special Use Permits). If the establishment has both dogs and cats, only one Special Use Permit shall be required. A Special Use Permit shall not be effective until the Code Enforcement Division receives written evidence that the applicant has applied for and obtained required permits from the County Public Health Department. (c) Minimum parcel size. Table 84-2 indicates the minimum parcel sizes required for commercial kennels and/or catteries in the land use zoning districts indicated.

**COUNTY OF KERN:**

19.04.366 KENNEL "Kennel" means any premises wherein any person engages in the **business** of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs or cats.

**COUNTY OF SONOMA PROVIDES:**

The keeping of dogs and cats is primarily regulated by the Sonoma County Agricultural Commissioner, Animal Regulation Division. No permits are required to keep up to 4 dogs and/or 4 cats on a property. A commercial kennel, defined as keeping 5 or more dogs and/or cats for commercial purposes, is allowed with a Use Permit and a license from the Animal Regulation Division only in commercial and agricultural zoning districts. Keeping 5 to 10 dogs or cats for personal, non-commercial purposes, called a "pet fancier facility" is allowed in the agricultural and rural residential zoning districts with a license from the Animal Regulation Division.

**CITY OF RIVERSIDE:**

Section 8.18.010 Definitions. "Commercial Kennel" shall have the same meaning as "Kennel" as defined in Chapter 19.910 Definitions

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<sup>[1]</sup> According to Animal People, Siberian Huskies are responsible for 71 cases of bodily harm, 24 deaths, and 20 cases of maiming and are considered the third most dangerous dog behind Pit Bulls and Rottweilers.

## **Wheeler, Timothy**

---

**From:** Norm <norm313@verizon.net>  
**Sent:** Tuesday, August 16, 2016 5:21 PM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** 17370 Via Abril in Tenaja Kennel II permit

This permit violates the CCR's of the neighborhood so you pretty much will be involved in a class action suit if this permit is approved. I will personally provide transportation for all of La Cresta and Tenaja if we need to proceed with a class action suit. I'm contacting the local news with the results of the permit hearing. Government officials are already under extreme scrutiny for breaking current laws, and I'd love to expose this one if needed.

Sandra Kist and Norman Coelho  
37705 Avenida La Cresta  
Murrieta, CA 92562

## **Wheeler, Timothy**

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**From:** Elin Motherhead <elinmotherhead1@verizon.net>  
**Sent:** Tuesday, August 16, 2016 7:29 PM  
**To:** Wheeler, Timothy  
**Subject:** BECKER HEARING ON 8-29 @ 130PM

This area of the Santa Rosa Plateau has been the jewel of Riverside County for many years because the Nature Conservancy has spent 35 years creating a large area for Wildlife Protection and a Wildlife Corridor for mountain lions and other animals to be able to get from the Santa Ana mountains of Cleveland Forest in Tenaja to the Southern part of Cleveland Nat'l Forest in San Diego County. The County of Riverside has invested a great deal of money in the area by buying land parcels to help preserve the Wildlife Corridor. Other parcels of land are owned by the Fish & Wildlife Dept. to also preserve the Wildlife Corridor.

The area involved in this dispute has been a very quiet, serene community in Tenaja and many owners are also horse owners. With the arrival of the husky dog kennel, people are afraid to ride horses even close to the streets Tenaja Rd. and Via Abril where this kennel is located. The dogs have gotten out several times and killed small animals at nearby ranches and have threatened horses being ridden nearby. It is no longer a safe community due to this kennel.

Please do not allow this kennel to become even larger and louder and more dangerous with even more dogs creating a hazard by getting loose. The noise from the husky dogs is really awful too.

The hearing is on 8-29 at 130pm. Elin Motherhead - a Santa Rosa Plateau land & home owner.

## Wheeler, Timothy

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**From:** Norm <norm313@verizon.net>  
**Sent:** Wednesday, August 17, 2016 9:20 AM  
**To:** Wheeler, Timothy  
**Subject:** RE: 17370 Via Abril in Tenaja Kennel II permit

Thank you for your time in this very important matter in our community.

---

**From:** Wheeler, Timothy [<mailto:TWHEELER@rctlma.org>]  
**Sent:** Wednesday, August 17, 2016 9:18 AM  
**To:** 'Norm'; Weiss, Steven  
**Subject:** RE: 17370 Via Abril in Tenaja Kennel II permit

Mr. Coelho & Ms. Kist,

Thank you for your email reply to this project. I will include this email as part of my report package.

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St - 12<sup>th</sup> floor  
Riverside, CA 92501  
951-955-6060

---

**From:** Norm [<mailto:norm313@verizon.net>]  
**Sent:** Tuesday, August 16, 2016 5:21 PM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** 17370 Via Abril in Tenaja Kennel II permit

This permit violates the CCR's of the neighborhood so you pretty much will be involved in a class action suit if this permit is approved. I will personally provide transportation for all of La Cresta and Tenaja if we need to proceed with a class action suit. I'm contacting the local news with the results of the permit hearing. Government officials are already under extreme scrutiny for breaking current laws, and I'd love to expose this one if needed.

Sandra Kist and Norman Coelho  
37705 Avenida La Cresta  
Murrieta, CA 92562



## Wheeler, Timothy

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**From:** Al <awacpa@aol.com>  
**Sent:** Friday, August 19, 2016 9:18 AM  
**To:** Wheeler, Timothy  
**Subject:** Kennel application

I'm writing related to the kennel application ring heard on August 29th. I'll be out of town that day but want to lodge my objection to the application. Others have enumerated all of the reasons why this application should be denied so I won't list them again but want to add my voice to the many that object to the application.

Thanks, Al Anderson

Sent from my iPhone

## Wheeler, Timothy

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**From:** Susan Frommer <firstwaterlady@verizon.net>  
**Sent:** Monday, August 22, 2016 1:57 PM  
**To:** Wheeler, Timothy  
**Cc:** Frommer Susan  
**Subject:** kennel permit

Hello,

I am writing to express my opposition to granting a kennel permit at the hearing for same to take place on August 29 at 1:30PM

The area in question is a quiet residential area and a facility of this magnitude has no place in such an area.

Thank you for your attention to my comment.

Susan Frommer  
Tenaja resident

“The extinction of the human race will come from its inability to EMOTIONALLY comprehend the exponential function.”

Edward Teller

## Wheeler, Timothy

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**From:** Weiss, Steven  
**Sent:** Monday, August 22, 2016 2:23 PM  
**To:** Wheeler, Timothy  
**Subject:** Fwd: kennel permit

Sent from my iPhone

Begin forwarded message:

**From:** Susan Frommer <[firstwaterlady@verizon.net](mailto:firstwaterlady@verizon.net)>  
**Date:** August 22, 2016 at 1:54:44 PM PDT  
**To:** <[SWEISS@rctlma.org](mailto:SWEISS@rctlma.org)>  
**Cc:** Frommer Susan <[firstwaterlady@verizon.net](mailto:firstwaterlady@verizon.net)>  
**Subject:** kennel permit

Hello,

I am writing to express my concern regarding the kennel permit application hearing to be held on August 29 at 1:30.

In simple terms, a facility of this sort has no place in a residential area and I urge you to deny the permit.

Thank you for your attention to my comment.

Susan Frommer  
Tenaja resident

“The extinction of the human race will come from its inability to EMOTIONALLY comprehend the exponential function.”

Edward Teller

## **Wheeler, Timothy**

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**From:** C.V. Tune <66cvt427@gmail.com>  
**Sent:** Tuesday, August 23, 2016 10:13 AM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** Please vote No to Kennel Permit on Santa Rosa Plateau

To : Steven Weiss, Tim Wheeler

Gentlemen:

I am a resident of the Tenaja area of the Santa Rosa Plateau, and am against allowing the owners at 17370 Via Abril to obtain a Class II Kennel Permit. (Hearing set for 8-29-2016.)

Please take into consideration what allowing such a permit would do to deleteriously affect the quality of life for all of the residents of the Plateau.

This is a quiet, serene, equestrian community and is not the place for a commercial enterprise that would house up to 25 Siberian Huskies, or any breed of dog. Such a kennel business would damage our community's quality of life.

Therefore, I respectfully ask you to decline that Kennel Permit request.

Thank you very much for your support.

Sincerely,  
Courtland V. Tune

## Wheeler, Timothy

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**From:** Eric Curtis <ericcurtis@cox.net>  
**Sent:** Tuesday, August 23, 2016 10:49 AM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** Kennel Permit

Sirs,

My wife and I are long term property owners and home owners in the Tenaja area.

We urge you to reject the application for a Class II Kennel Permit at 17370 Via Abril in Tenaja.

A kennel of that nature has no place in the Tenaja valley because of the numerous problems it would bring. It is also inappropriate for a commercial operation to be approved there in violation of the CC&Rs.

Again, we urge you to vote NO on the Class II Kennel Permit.

Eric and Vivian Curtis  
41940 Calle Corriente  
Tenaja

## Wheeler, Timothy

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**From:** Rick Taylor <RTaylor@becinc.net>  
**Sent:** Thursday, August 25, 2016 6:49 AM  
**To:** Wheeler, Timothy  
**Subject:** FW: 17370 Via Abril

With the impending hearing on August 29<sup>th</sup> I wanted to reaffirm my position that I am opposed to the now Class II permit application submitted by the McVickers. I live approximately ¾ mile from their property and have a clear line of sight, and sound, to their backyard. The dogs continue to be a nuisance, barking and howling. Just last evening, myself and a group of 10 others were visiting the Becker's home and experienced the dogs barking and howling. It was small pack of only about 6 dogs but was still very unsettling and disturbing. What a dreadful experience for the Becker's to put up with every day.

My comments from a previous email (see below) are still appropriate but made worse now by the application for a Class II permit. I understand there are as many as 18 dogs on the property now. For the most part these 18 large dogs are housed inside the McVickers' home which is approximately 3,200 square feet. I can't even imagine – and to add another 7 dogs! In my opinion not very healthy for this breed of dog from what I know of their background and a potential for a very unfortunate incident.

Thank you for your consideration.

Richard (Rick) Taylor  
President  
**Building Electronic Controls, Inc.**  
2246 Lindsay Way  
Glendora, CA. 91740  
Office: 909-305-1600  
Facsimile: 909-305-1603  
Mobile: 909-721-0381  
Email: [rtaylor@becinc.net](mailto:rtaylor@becinc.net)  
License: C10-729905

**Fire – Data/Comm – Security/CCTV – Audio/Visual - DAS**  
IBEW - Union System Integrators



**From:** Rick Taylor  
**Sent:** Wednesday, September 30, 2015 11:10 AM  
**To:** [roarroyo@rctlma.org](mailto:roarroyo@rctlma.org)  
**Subject:** 17370 Via Abril

I was just informed by our neighbor Scott Becker that Tim and Elizabeth McVicker have applied for a Class I Kennel Permit ( PP25861 & 25862 ) at this property.

I am opposed to them receiving this permit. They are new neighbors and from day one they have not been consistent with their story. Mr. Becker was informed that they intended to open a commercial operation, a dog rescue, and planned on up to 24 dogs. There was an OC Register article that the McVickers actually sent us at one point confirming their intent to open a rescue. It contains a quote from the McVickers towards the end of the article.

<http://www.ocregister.com/articles/dogs-593411-elizabeth-tim.html>

It's clear the McVickers have a strong passion for their dogs. I'm sure they intend to take very good care of their dogs. Their passion however should not translate into a nuisance for the neighbors and the valley. Since they have moved in there have been several instances of the dogs howling and growling in a loud pack. It is very disturbing and much worse than I have experienced with packs of coyotes. On one occasion it did not stop for over an hour and my wife did file a complaint with Animal Control.

I have also noticed that their dogs attract the valley coyote population to their property. The coyotes have a right to be there but it does add to the nuisance factor and it will cause problems for nearby neighbors when the coyotes start searching for convenient food sources.

I do not believe there is any need to disrupt the valley with any more than 4 dogs per household. Had the McVickers originally approached us in a more neighborly manner I'm sure none of us would have noticed one or two more. Once a permit is granted for 5 -10 dogs I doubt it will stop them from going beyond that number. They have already made their intentions known.

I believe there are 14 dogs on the property right now. Admittedly they are kept inside most of the time right now. These are large dogs and it is inconceivable to me that even 10 dogs will be permanently house bound. This might just be temporary knowing how the neighbors feel about them moving so many dogs to the neighborhood. Once these dogs are released outside on a permanent basis the noise complaints to Animal Control will become frequent. The dogs have demonstrated when they are let outside they become very loud and aggressive.

Thank you Roger for considering my concerns. I look forward to meeting you as the process develops.

Richard (Rick) Taylor  
President  
**Building Electronic Controls, Inc.**  
2246 Lindsay Way  
Glendora, CA. 91740  
Office: 909-305-1600  
Facsimile: 909-305-1603  
Mobile: 909-721-0381  
Email: [rtaylor@becinc.net](mailto:rtaylor@becinc.net)  
License: C10-729905

**Fire – Data/Comm – Security/CCTV – Audio/Visual - DAS**  
IBEW - Union System Integrators



**TENAJA COMMUNITY SERVICES DISTRICT  
24837 JEFFERSON AVE. # 207  
MURRIETA, CA 92562  
PHONE (951) 696-5999**

August 19, 2016

**VIA ELECTRONIC MAIL  
AND U. S. MAIL**

Mr. Steve Weiss  
Planning Director  
County of Riverside Planning Department  
4080 Lemon Street, 12th Floor  
Riverside, California 92501  
Email: [sweiss@rctlma.org](mailto:sweiss@rctlma.org)

Re: Kennel II Application, Plot Plan #25922

Dear Mr. Weiss:

The Tenaja Community Services District's ("TCSD") Architectural Control Committee ("ACC") held a meeting on August 16, 2016 at 7:30a.m. and at that time was informed that the County of Riverside's Planning Department has scheduled a Director's Hearing for a Class II Kennel Plot Plan No. 25922 within the TCSD boundaries. Sometime ago, the McVickers received approval by the ACC for a shed on their property but not for a Class II Kennel Plot Plan.

At the meeting the ACC determined that this project is in violation of Section 6.02 of the CC&R's number 524768 recorded on December 3, 1998.

The ACC's decision was based upon the Amended Declaration of Covenants, Conditions and Restrictions ("CC&Rs"), recorded on December 3, 1998, as Document No. 524768. Each and every parcel in the Santa Rosa Ranches is subjected to the aforementioned CC&Rs which includes the property under consideration for a Class II Kennel permit, Plot Plan No. 25922. The purpose of the CC&Rs is to restrict use and development, protect property owners against improper uses that interfere with beneficial use and quiet enjoyment, prevent haphazard and unsightly improvements, and finally, to provide for planned use based upon the terms of the CC&Rs. Under the Davis-Sterling Act, CC&Rs are enforceable equitable servitudes unless unreasonable. (Civ. Code § 5975; see *Nahrstedt v. Lakeside Village Condominium Ass'n* (1994) 8 C4th 361.)



The ACC's authority to approve or deny a project is based on the following:

In 1985, pursuant to the Community Services District Act of California ("CSDA"), the TCSD was formed to undertake a number of local agency functions for this unincorporated area of Riverside County. TCSD encompasses approximately 6,400 acres of spacious rural land in the Santa Rosa Coastal Mountain Range located between the City of Murrieta and the Cleveland National Forest. TCSD is governed by a five-member Board of Directors (the "Board") who are residents of the District and elected by the residents to serve four-year terms.

The CSDA has empowered the TCSD Board to act as ex-officio governing body of the owner's associations within its jurisdiction in order to administer existing CC&Rs. The Board has authority to appoint advisory committees and currently there are two standing committees including the Roads Committee and the Architectural Control Committee or ACC. When the property owners voted to adopt the amended CC&Rs, they included Article V which "authorizes the Board of Directors for the Tenaja Community Services District (the "TCSD") to establish a five (5) member Architectural Control Committee . . . for the purposes of maintaining uniform standards of development of the Area as adopted in this Area . . ."

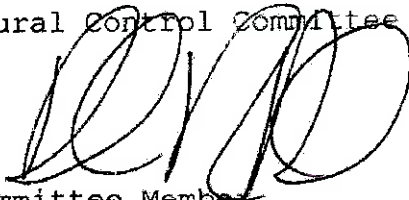
The ACC reviewed the CC&Rs in light of the Class II Kennel application, specifically Article VI, Section 6.02 "Prohibited Operations and Uses," and concluded that the development of a Class II Kennel is a commercial use of the property, and therefore prohibited. While Section 6.02 exempts cattle, horses and sheep, it does not mention or allow dogs.

As already mentioned, the McVickers original application to the ACC requested approval for a "shed" which was approved. The ACC only became aware of the Class II Kennel project when the County's Notice of Public Hearing was issued. Under Article V, Section 5.02 "No building or other improvement shall be erected, placed or altered on any parcel **nor County approval for such activity sought**, until the designs and specifications and a plan showing the location of the Improvement on the Parcel have been approved by the Committee [ACC] as to quality of workmanship and materials." (Emphasis added.) An application for a Plot Plan for a Class II Kennel is significantly different from the McVickers original proposal for a shed. Since the Class II Kennel has not been approved by the ACC, as required by the CC&Rs, this letter

is to serve as notice to the County of Riverside that the proposed project should not be considered until the project has been properly reviewed by the ACC. Moreover, since a Class II Kennel is considered a commercial use of the property, under the CC&Rs it is prohibited within the boundaries of the Santa Rosa Ranches area which includes the McVickers' property.

If you require any documentations regarding this information, please feel free to contact me or go to our website at [www.tenajacsd.org](http://www.tenajacsd.org).

Sincerely,  
Tenaja Architectural Control Committee

A handwritten signature in black ink, appearing to read 'Ron McDaniel', written over the typed name.

Ron McDaniel, Committee Member

## Wheeler, Timothy

---

**From:** Scott PC <[scttbecker@gmail.com](mailto:scttbecker@gmail.com)>  
**Sent:** Sunday, March 06, 2016 3:45 PM  
**To:** [tenajacsd@earthlink.net](mailto:tenajacsd@earthlink.net)  
**Cc:** Wheeler, Timothy  
**Subject:** FW: Dogs and Kennel Permit 17370 Via Abril

Hey Arlene,

Below is a copy of the letter that Mike sent me on 10/13/2016. Per our Board Meeting this past Wednesday, please send a brief to the County Planner Timothy Wheeler @ [TWHEELER@rctlma.org](mailto:TWHEELER@rctlma.org) phone # (951)955-6060 and also to Animal Control. Please reference Animal Control hearing number #A15-036506-01. Contact person at Animal Control is Ramona Guzman @ [RGuzman@RCDAS.ORG](mailto:RGuzman@RCDAS.ORG) Phone number is (951)358-7387.

Thank you,

Scott Becker  
(951)660-2586

---

**From:** Scott PC [<mailto:scttbecker@gmail.com>]  
**Sent:** Tuesday, October 13, 2015 7:07 PM  
**To:** 'Michael Juha'  
**Subject:** RE: Dogs and Kennel Permit

Dear Mr. Juha,

We thank you for the support!

Sincerely,

Scott Becker  
17250 Via Abril  
951-894-2390

---

**From:** Michael Juha [<mailto:mikejuha@gmail.com>]  
**Sent:** Tuesday, October 13, 2015 6:51 PM  
**To:** [scttbecker@gmail.com](mailto:scttbecker@gmail.com)  
**Cc:** [nvbacas@aol.com](mailto:nvbacas@aol.com); arlene milller  
**Subject:** Dogs and Kennel Permit

Mr. Becker,

I share your concern about groups of dogs spooking horses.  
That can cause problems for both horses and their riders.

Dog kennels can raise noise levels above those specified as tolerable in County Ordinances 878 and 847.  
Tenaja CSD has had this occur on other properties, and the County acted to force a remedy.

I will ask the General Manager, Arlene Miller, to contact the other Tenaja CSD Directors about filing a brief with the County in support of your position. The County should enforce the provisions of its Ordinances 630, 878, and 847.

I asked Tanya Saltis to call you late this morning to suggest you contact the County. It appears you wisely took that step on your own.

Michael Juha  
Director  
Tenaja CSD  
Email: [michaeljuha@gmail.com](mailto:michaeljuha@gmail.com)  
Tel: 951-600-1462

# SUPPORT FOR PROPOSED PROJECT

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*McVicker's* FAMILY LAW  
MEDIATION CENTER  
PROFESSIONAL LAW CORPORATION

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T. ELIZABETH MCVICKER, CFLS\*  
ATTORNEY AT LAW

CANYON HILLS MARKETPLACE  
29997 CANYON HILLS ROAD, SUITE 1603  
LAKE ELSINORE, CALIFORNIA 92532  
TELEPHONE: (951) 244-8759  
FACSIMILE: (951) 244-3109  
EMCVICKER@MCVICKERSFAMILYLAW.COM

\*CERTIFIED FAMILY LAW SPECIALIST  
STATE BAR OF CALIFORNIA  
BOARD OF LEGAL SPECIALIZATION

June 1, 2016

**VIA MESSENGER**

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St – 12th floor  
Riverside, CA 92501

Re: Plot Plan 29522

Dear Mr. Wheeler,

This letter is in response to your request on January 20, 2016 for solicitation of input regarding the above referenced Plot Plan application for a Class II dog kennel license for our beloved personal pets. Please find enclosed pledge letters and signed declarations we have received from our friends and neighbors in the community who are in support of our Class II kennel license application pending with Riverside County. We do anticipate receiving many more letters, which we will forward to your attention at a later date. Tim and I look forward to meeting you and answering any questions or concerns. Thank you very much for your consideration.

Very truly yours,



T. Elizabeth McVicker

cc: 1) Robert E. Magee; 2) Lisa Merritt; 3) Larry G. Myers, Esq.; and 4) Tim McVicker

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*McVicker's* FAMILY LAW  
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\*CERTIFIED FAMILY LAW SPECIALIST  
STATE BAR OF CALIFORNIA  
BOARD OF LEGAL SPECIALIZATION

June 1, 2016

**VIA MESSENGER**

Robert E. Magee  
District Director for Planning and Development  
4080 Lemon Street, 5<sup>th</sup> Floor  
Riverside, California 92501

Re: Plot Plan 29522

Dear Mr. Magee,

Thank you very much for taking time out of your busy schedule on April 18, 2016, to inspect our home and meet our 18 beloved personal pets. Tim and I very much enjoyed meeting you. We also greatly appreciated the opportunity to share our perspective regarding Plot Plan 29522. Thank you for your consideration and for playing an integral role in the process toward hopefully obtaining approval of application and eventual lawful license. Please find enclosed pledge letters and signed declarations we have received from our friends and neighbors in the community who are in support of our Class II kennel license application pending with Riverside County. We do anticipate receiving many more letters, which we will forward to your attention at a later date. Tim and I look forward to meeting with you again soon.

Very truly yours,



T. Elizabeth McVicker

cc: 1) Tim Wheeler, 2) Lisa Merritt; 3) Larry G. Myers, Esq.; and 4) Tim McVicker

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*McVicker's* FAMILY LAW  
MEDIATION CENTER  
PROFESSIONAL LAW CORPORATION

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T. ELIZABETH MCVICKER, CFLS\*  
ATTORNEY AT LAW

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TELEPHONE: (951) 244-8759  
FACSIMILE: (951) 244-3109  
EMCVICKER@MCVICKERSFAMILYLAW.COM

\*CERTIFIED FAMILY LAW SPECIALIST  
STATE BAR OF CALIFORNIA  
BOARD OF LEGAL SPECIALIZATION

August 18, 2016

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St – 12th floor  
Riverside, CA 92501

Re: Plot Plan 29522


Dear Mr. Wheeler,

On June 1, 2016, I submitted for your review and consideration 24 declarations and 176 signed pledge forms in support of the Plot Plan 29522 to establish a residential kennel at the residence I share with my husband Tim McVicker to house our personal husky dogs. Along therewith were two charts identifying the names of the individuals who had submitted the 24 declarations and 176 pledges.

At that time, I advised you that I would forward additional pledges to you at a later time. Please find enclosed additional pledges. For your convenience, I have updated the pledge chart which was sent along with our previous submittal with the names and contact information of the individuals who are supporting our application. As of this date, the total number of pledges we have gathered and submitted to you for consideration are 363.

Tim and I look forward to meeting you and answering any questions or concerns. Thank you very much for your consideration.

Very truly yours,



T. Elizabeth McVicker

cc: 1) Robert E. Magee; 2) Lisa Merritt; 3) Larry G. Myers, Esq.; and 4) Tim McVicker

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177	Ken Murdock	949-235-7335	N/A
178	Tisha Murdock	949-861-1021	N/A
179	Vanny Badillo	714-381-2648	N/A
180	Ryan McVicker	949-303-6366	N/A
181	Aviv Halpern	949-648-8185	N/A
182	Crystal Girard	951-264-7228	N/A
183	Trent Charlton	949-444-6857	N/A
184	Emily Charlton	949-533-3953	N/A
185	Greg Peters	714-343-8000	N/A
186	Alexander Rahe	951-260-9491	arahe346@student.msjc.edu
187	Michele Harrison	714-906-4542	
188	Kevin Burkhardt	951-741-1146	N/A
189	Jason Friedman	951-691-9974	N/A
190	Chloe Burkhardt	951-331-9335	N/A
191	Colleen Nilsen	714-342-8692	N/A
192	Marybeth Manion	951-235-9051	N/A
193	Dona LaSchiava	520-395-0646	Dslaschiava@comcast.net
194	Laurie Smith	949-533-0356	slbbsmith@sbcglobal.net
195	Kory Ackerman	949-690-0235	N/A
196	Glenda Courteau	714-643-6432	N/A
197	Roma Stromberg	951-544-3170	romastromberg@hotmail.com
198	Shay Bresnan	(785) 4319069	shay.bresnan@gmail.com
199	Laura Dash	(818) 8025481	adoptmerescue@gmail.com
200	Barbara Oakley	(619) 583-4481	barnoakley@gmail.com
201	Vilay Kham	(626) 2366432	N/A
202	Debbie Christianson	(562) 7395585	debbie_christianson@yahoo.com
203	Michael Orozco	(562) 2607672	michaelorozco@verizon.net
204	Aimy Zodieru	(310) 975-9694	aimyzodieru@gmail.com
205	Shannon Walker	(209) 5971462	N/A
206	Tish Lampert	(323) 8195107	tishlampert@sbcglobal.net
207	Anne McClaran	(661) 47889699	annehummingbird@aol.com
208	Peter Scourby	(631) 2443647	Handsomecutieandabby@gmail.com
209	Carole Taylor	(949) 6978979	bajabears@aol.com
210	Robert Ing	(619) 4106099	ingrobertd@yahoo.com
211	Cynthia Olson	(847) 8542130	cindy.olson@live.com
212	Pam Padilla	(650) 9222118	pam@myscrapbooknook.com
213	Dolores Paddock	(203) 9154358	dcpaddock@snet.net
214	Leena Gurev	(917) 2267335	mybosco2004@gmail.com
215	Greg Peters	(717) 3438000	gregpeters5@gmail.com
216	Atacy Culbreath	(803) 5206211	hugsandpaws@yahoo.com
217	Arlene Leavitt	(561) 4557845	arleneleavitt@yahoo.com
218	Jenny Hillary	(972) 3582172	jenhillary@yahoo.com
219	Marcia Marchese	(732) 9101994	msgoldie51@gmail.com
220	Ro Perez	3473080352	savingorphansouls@yahoo.com
221	Susanne McClellan	(385) 2010469	izzygrrl36@gmail.com
222	Cynthia Haggerty	(386) 3077202	cunext.cg@gmail.com
223	Jackie Pickford	(7946) 202296	Pickfordj7@gmail.com
224	Darci Cummings	(989) 7519252	momouttatime@aol.com
225	Marc Tumamak	(949) 4858188	N/A

226	Tammie Murphy	(850) 3560921	wsphippie@aol.com
227	Sharon McNeal	(412) 9533372	smcneal1961%20@gmail.com
228	Jean-Marie Jones	(832) 7291583	jmjones1948@gmail.com
229	Bernice Bowden	(804) 7690884	bernicebowden1@gmail.com
230	Tammy Lewis	(226) 2899856	misslewis6@gmail.com
231	Sandra Whitney	(213) 4078832	sandywhitney72@gmail.com
232	Chris Hayden	(714) 8016660	chrishayden1613@yahoo.com
233	Dee Santana	(423) 5087526	deeann1961@yahoo.com
234	Lisa Gale	(267) 94542	lisa.gale96@gmail.com
235	Tracey Pitz	(905) 328 0045	tracey_p2009@hotmail.com
236	Heather Pyle	(949) 2028189	Heatherp5150@gmail.com
237	Dawn schursky	(914) 3841392	dawn@furbridge.org
238	Sally Madigan	(530) 8788747	moodysally@sbcglobal.net
239	Kathy Maldonado	(321) 426-0899	tabbygirl62@gmail.com
240	Kimberly Henderson	(714) 2679011	N/A
241	Robyne Zuendel	(508) 9655980	robynezuendel@yahoo.com
242	Sarah Koontz	(717) 451-1417	COOTERSMOM1@AOL.COM
243	Julie Dacosta	(732) 7793683	jdacosta1439@aol.com
244	Michele Murphy	(954) 2900510	fitlauderdale@yahoo.com
245	Phyllis Kato	(205) 9197368	phylliskato@att.net
246	Massimo Rondinelli	(860) 8306213	uggiosoday23@aol.com
247	Shana Swanson	(702) 2756326	shensta@gmail.com
248	Christine Zois	(973) 619 2956	Christinezois@hotmail.com
249	Cornelia Brockhoff	(61) 0433721355	brockhoffcc36@hotmail.com
250	Sandra Perez	(619) 7884414	annperez@hotmail.com
251	nikki temple	(713) 9925483	jettapuppy@hotmail.com
252	Carrie Madrid	(951) 6403673	rpdbakker@aol.com
253	Connie Ballew	(562) 2997164	justeant2durf@yahoo.com
254	Anna Beyer	(609) 2877810	rageboo@yahoo.com
255	Graeme Miller	(705) 8794351	N/A
256	Anne Neville	(203) 271 1705	ANeville58@aol.com
257	Mary Branum	(586) 3819476	mb5325@msn.com
258	DEBBY PELLOM	(941) 7495025	dpellom@verizon.net
259	Mike Howell	(360) 9571702	mcnhowell@comcast.net
260	Jazmin Rivas	(77429) 2424997	rivasjazzmin@gmail.com
261	Traci Babcock	(626) 3182193	traci_babcock@yahoo.com
262	DM Carter	(305) 6528823	highlandfighter@hotmail.com
263	Nicole Iorio	(502) 4176963	ivy2776@yahoo.com
264	Candace Estelle	(562) 2466031	smurfgrl562@gmail.com
265	Soo Kim	(201) 3204090	shk11231@gmail.com
266	Kelly Tadlock	(520) 2478273	jandktadlock@msn.com
267	Leslie Gabbard	(916) 8015860	lesliegabbard@sbcglobal.net
268	Daniel Manzanares	(949) 4399867	Danielbyrdette@gmail.com
269	Rachelle Kuschner	(570) 4602553	chelkusch@hotmail.com
270	Lauren Notarnicola	(772) 9798658	klulubelle@yahh.com
271	SALLY OUELLET	(805) 4485893	solstchnce@aol.com
272	Guillermo Pardo	(051) 31539502668	guillermo.mail.com@gmail.com

273	Lance and Jenny Peterson	(608) 5754647	roseyro316@hotmail.com
274	Fia Perera	(626) 3180151	fiasperera@yahoo.com
275	Heather Gardner	(714) 2803786	reigngirlsmama@yahoo.com
276	Vanessa Mackie	(+61) 432610172	missynessy@gmail.com
277	Anna Pancaldo	(631) 813-6603	APANCALDO@AOL.COM
278	Colleen Saporita	(08) 93174443	colleens@bigpond.net.au
279	Linda Lettengarver	(501) 760-821	llettengarver@yahoo.com
280	Kelly Gallaghee	(954) 2950223	kellygtd@yahoo.com
281	Amber Watkins	(949) 1112345	runnerchix18@gmail.com
282	Ian Gimple	(714) 5551212	N/A
283	Susan Tucker	(239) 4648939	sanibelsue@msn.com
284	Lanaye Graser	(715) 4984102	lanayegraser@yahoo.com
285	Jacqueline Oliveri	(516) 8359149	jackiephotos@me.com
286	Michael Stone	(360) 7033830	iStone57@iCloud.com
287	Mary Harris	N/A	northernbelle2000@gmail.com
288	Anita Solomon	(813) 3828390	neetsie56@yahoo.com
289	Betty Tharp	(502) 5922744	bsttharp@aol.com
290	Lacey Zars	(210) 3634947	N/A
291	Jacqueline Jones	(727) 4304032	jaqij@yahoo.com
292	Ron Lombard	(818) 613-8705	sportlvr44@gmail.com
293	Jeri Boyd	(630) 9617167	jaboyd13@att.net
294	Donna Smith	(318) 6863489	celticdonna25@icloud.com
295	Erik Lievens	(6) 15577393	tokopanda@hotmail.com
296	Shanne Roberts	(760) 2189989	nashama@aol.com
297	Lisa Judd	(707) 9728472	lisajudd_1@hotmail.com
298	Cynthia Tague	(319) 7217708	hotsinders@aol.com
299	Tina Day	(209) 8252684	tday01_99@yahoo.com
300	Joyce Cheng	(909) 9976877	jcheng198@yahoo.com
301	Julie Luther	(503) 2933861	msslissy@juno.com
302	Jackie Gibbs	(0784) 3799614	jackiegee@tiscali.co.uk
303	Sharon Bowie	(7738) 060020	sharon_339@msn.com
304	Julie herbert	(1942) 826303	Mermaid_2@hotmail.co.uk
305	Sarah Brock	(803) 3896552	sbb0509@hotmail.com
306	Anne Sigvik	(47) 92620355	anne_sigvik@hotmail.com
307	Melody Walker	(815) 3449674	shelbyw96@aol.com
308	Shelly Jennings	(615) 5170282	shellypss@aol.com
309	Lori Carpenter	(216) 860-5242	loricarpenter13@gmail.com
310	Victoria davis	(561) 9262723	vdavis@fanvision.com
311	Maggi Merkel	(289) 2285565	maggimerkel@yahoo.ca
312	JEREMY PERKINS	(616) 2124036	bnjhuskyrescue@gmail.com
313	Cindy Bosch	(530) 598-9882	N/A
314	Marc Loney	(925) 4375040	mtloney@yahoo.com
315	Lynnie Montero	(562) 4586924	kikkie08@gmail.com
316	Lisa Morrow	(682) 4598543	almorrow7@gmail.com
317	Athena Gianakakos	(714) 4588261	athenagianakakos@yahoo.com
318	Bessie Foster	(760) 5007729	mcball2708@icloud.com
319	Jennifer Allen	(215) 2926299	N/A
320	Cammi Ellis	(208) 250-3509	camelia106@cableone.net

321	Marylin Beard	(310) 6122680	marylinbeard@yahoo.com
322	Ross Williams	310560864199	ross111222@gmail.com
323	Inie Arada	(310) 6122680	adore.marylin@gmail.com
324	Gloria Lintermans-Shafton	(818) 5175922	lintermans@aol.com
325	Leslie Roberts	(253) 946-2430	N/A
326	Cherry Chen	(310) 9808996	cherrycyu@gmail.com
327	xi lin	(949) 3543398	xi.lin323@gmail.com
328	Elizabeth Cushman	(503) 3129174	excushme2@yahoo.com
329	Tyler Jenner	(914) 980-4387	tyler.jenner@icloud.com
340	Jennifer Hocott	(336) 9055463	jenner1115@email.com
341	Nancy Wu	(310) 938-0759	nwu2@gmail.com
342	Cecil Leach	(951)-679-0586	N/A
344	Mary Leach	(951)-679-0586	N/A
345	John F. Clougherty	(626)-356-3127	N/A
346	Siglinde A. Clougherty	(626)-536-3127	N/A
347	James Gentry	(714)-615-2842	N/A
348	Stefani Gentry	(741)-618-3255	N/A
349	Lisa R. Sturgis	(951)-249-2918	N/A
350	Alexandra Razo	(760)-704-3635	N/A
351	Rosy Razo	(909)-727-9524	N/A
352	Fabian Romero	(951)-544-9883	N/A
353	Pearl Pascual	(760)-590-5645	N/A
354	Rhonda McMorran	(949) 584-3877	<a href="mailto:rrmcm@cox.net">rrmcm@cox.net</a>
355	Brenda Bronson	(805) 3589606	<a href="mailto:wolfsbabe_84@verizon.net">wolfsbabe_84@verizon.net</a>
356	David Sindelar	(760) 473-0406	<a href="mailto:dsind@sbcglobal.net">dsind@sbcglobal.net</a>
357	NEETU JHUNJHUNWALA	(646) 3731818	<a href="mailto:neetusbabyshower@gmail.com">neetusbabyshower@gmail.com</a>
358	Isabel Chinas Carballo	(281) 8718228	<a href="mailto:angelus305@yahoo.com">angelus305@yahoo.com</a>
359	Mara Koorse	(561) 5230026	<a href="mailto:skvarama@aol.com">skvarama@aol.com</a>
360	Elizabeth Zook	(951)-566-6915	N/A
361	William Zook	(760)-419-2397	N/A
362	John Zook	(951)-566-6914	N/A
363	Patti Kasper	(951)-746-5735	N/A

SHADOW HUSKY RANCH

PLEDGE LETTER

YES!

I, KEN MURDOCK declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: KEN MURDOCK  
27052 CAYUSA LN

Address: \_\_\_\_\_

State CA City: LAKE FOREST

Cell Phone: 949-235-7335

[Signature] 5/24/2016

Signature

Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM

SHADOW HUSKY RANCH

PLEDGE LETTER

YES!

I, Tisha Mordick declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: Tisha Mordick

Address: 22002 Canyon

State Ca City: Lake Forest

Cell Phone: 949 861-1021

Tisha Mordick 5-24-11  
Signature Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM

SHADOW HUSKY RANCH

PLEDGE LETTER

YES!

I, Vanny Badillo declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: Vanny Badillo

Address: 164 Murica Aisle

State CA City: Irvine

Cell Phone: 714 381-2648

[Signature]  
Signature

5/25/16  
Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM

SHADOW HUSKY RANCH  
PLEDGE LETTER

YES!

I, Ryan McVicker, declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel; by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: Ryan McVicker

Address: 2000 Corporate Dr.

State CA City: Eadera Ranch

Cell Phone: 949 303 6366

[Signature]  
Signature

5/24/16  
Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM



SHADOW HUSKY RANCH  
PLEDGE LETTER

YES!

I, Aviv Halpern, declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: Aviv Halpern

Address: 3 Deodar

State CA City: Irving

Cell Phone: 749-648-8185

[Signature] 5/29/16

Signature

Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM

SHADOW HUSKY RANCH

PLEDGE LETTER

YES!

I, Crystal Girard, declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: Crystal Girard

Address: 31500 grapest 3105

State CA City: Lake Elsinore

Cell Phone: 951 264-7228

Crystal G. Girard June 3, 2016

Signature

Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM

SHADOW HUSKY RANCH

PLEDGE LETTER

YES!

I, Trent Charlton, declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: TRENT CHARLTON

Address: 135 CARNOTWOOD

State CA City: 92618

Cell Phone: 949.444.6857

Trent Charlton 6-19-16

Signature

Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM

SHADOW HUSKY RANCH

PLEDGE LETTER

YES!

I, Emily Charlton, declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: Emily Charlton

Address: 135 Carnotwood

State CA City: Irvine

Cell Phone: 949-533-3953

Emily Charlton \_\_\_\_\_ 6-19-11e \_\_\_\_\_

Signature

Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM

SHADOW HUSKY RANCH

PLEDGE LETTER

YES!

I, Greg Peters, declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: Greg Peters

Address: 116 Telstar

State CA City: Irvine

Cell Phone: 714-343-8000

[Signature] 6/19/16

Signature

Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCMVICKERSFAMILYLAW.COM

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-07-23 02:34:43

**I,** Alexander Rahe

**Name** Alexander Rahe

**Address** Street Address: 28039 Scott Rd Ste D pmb 324  
City: Murrieta  
State / Province: Ca  
Postal / Zip Code: 92563  
Country: United States

**E-mail** arahe346@student.msjc.edu

**Cell Phone Number** (951) 260-9491a

**Signature**



---

07-22-2016

# SHADOW HUSKY RANCH

## PLEDGE LETTER

**YES!**

I, Michele Harrison, declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: Michele Harrison

Address: 30559 Buckboard Ln

State CA City: Menifee

Cell Phone: 714-906-4542

Michele Harrison 7.27.16

Signature

Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM

**SHADOW HUSKY RANCH**  
**PLEDGE LETTER**

**YES!**

I, KEVIN BURKHARDT, declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: KEVIN BURKHARDT

Address: 41489 PANDORA RD.

State CA City: MURRIETA

Cell Phone: 951-747-1146

[Signature] 6/8/16

Signature

Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERFAMILYLAW.COM



SHADOW HUSKY RANCH  
PLEDGE LETTER

YES!

I, JASON FRIEDMAN declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: JASON FRIEDMAN

Address: 34178 SAN SEBASTIAN AVE

State CA City: MURRIETA 92563

Cell Phone: 951-691-9974

Signature [Signature] Date 7/22/16

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM

SHADOW HUSKY RANCH

PLEDGE LETTER

YES!

I, Chloe Burkhardt declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

Name: Chloe Burkhardt

Address: 41489 Pandora rd, 92562

State CA City: Murrieta

Cell Phone: 951-331-9335

Chloe Burkhardt 6-14-16

Signature

Date

PLEASE FAX PLEDGE TO 951-244-3109 OR EMAIL EMCVICKER@MCVICKERSFAMILYLAW.COM

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 17:44:02

**I,** Roberta Wendel

**Name** Roberta Wendel

**Address** Street Address: 7601 N 60 Street  
City: Omaha  
State / Province: NE  
Postal / Zip Code: 68152  
Country: United States

**E-mail** rdwendel@gmail.com

**Cell Phone Number** (440) 5901417

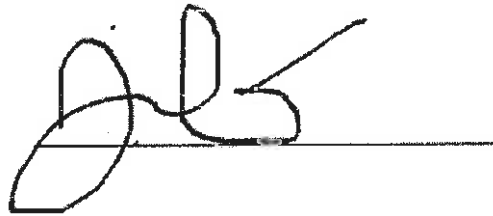
**Signature**

A handwritten signature in black ink, appearing to read 'Roberta Wendel', written in a cursive style.

02-21-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 17:29:22  
**I,** Jules Golden  
**Name** jules Golden  
**Address** Street Address: 2538 S Center  
City: Santa Ana  
State / Province: California  
Postal / Zip Code: 92704  
Country: United States  
**E-mail** goldenjul@gmail.com  
**Cell Phone Number** (949) 4365206  
**Signature**

A handwritten signature in black ink, appearing to be 'Jules Golden', written over a horizontal line.

02-21-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 17:24:49

**I,** Anna Marie Gerechka

**Name** Anna Marie Gerechka

**Address** Street Address: 5452 SADDLE CLUB DR  
City: KALAMAZOO  
State / Province: Michigan  
Postal / Zip Code: 49009  
Country: United States

**Cell Phone Number** (269) 598-3246

**Signature**



Anna Marie Gerechka

02-21-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 15:45:31

**I,** Brandy James Chambless

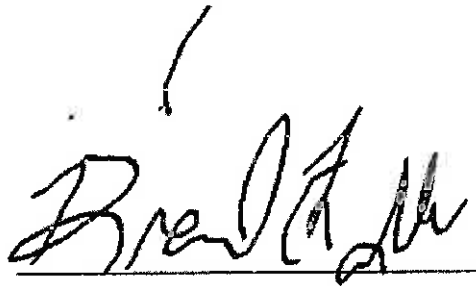
**Name** Brandy James Chambless

**Address** Street Address: 1479 Booger Hollow Rd.  
City: Lindale  
State / Province: GA  
Postal / Zip Code: 30179  
Country: United States

**E-mail** bjames@westga.edu

**Cell Phone Number** (678) 8394881

**Signature**

A handwritten signature in black ink, appearing to read "Brandy James Chambless", is written over a horizontal line. The signature is cursive and somewhat stylized.

02-21-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 15:41:27

**I,** Alison Cann

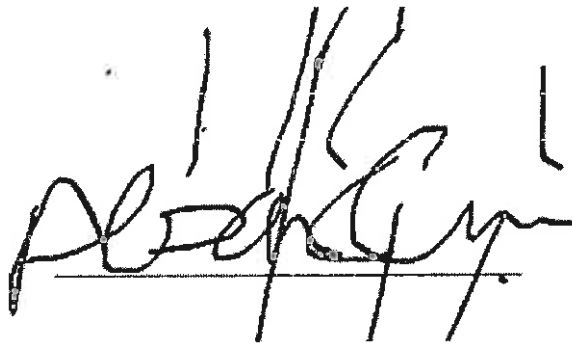
**Name** Alison Cann

**Address** Street Address: 13289 Tripoli Ave  
City: Sylmar  
State / Province: Ca  
Postal / Zip Code: 91342  
Country: United States

**E-mail** acann@dermalogica.com

**Cell Phone Number** (818) 5121919

**Signature**

A handwritten signature in black ink, appearing to read "Alison Cann", written over a horizontal line. The signature is stylized and cursive.

02-21-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 15:31:27

**I,** Aaron Landell

**Name** Aaron Landell

**Address** Street Address: 251 East Forest Ave  
Street Address Line 2: ---  
City: Arcadia  
State / Province: California  
Postal / Zip Code: 91066  
Country: United States

**E-mail** aaronlandell@gmail.com

**Cell Phone Number** (626) 602484

**Signature**

A handwritten signature in black ink, appearing to read "Aaron Landell", written over a horizontal line.

2-21-2016



Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 15:09:39

**I,** Debbie Christianson

**Name** Debbie Christianson

**Address** Street Address: 610 Rye Avenue  
City: La Habra  
State / Province: CA California  
Postal / Zip Code: 90631  
Country: United States

**E-mail** debbie\_christianson@yahoo.com

**Cell Phone Number** (562) 7395585

**Signature**



---

02-21-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 15:09:18

**I,** Debra Cassiero

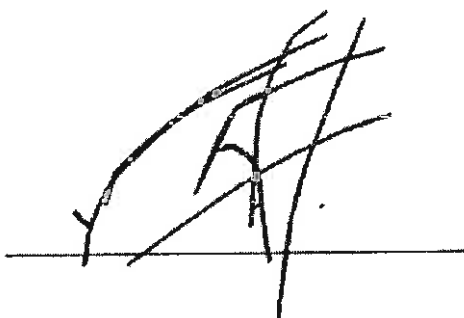
**Name** Debra Cassiero

**Address** Street Address: 191 W Verano Ave.  
City: Sonoma  
State / Province: California  
Postal / Zip Code: 95476  
Country: United States

**E-mail** debyzcfoset@yahoo.com

**Cell Phone Number** (707) 9338044

**Signature**

A handwritten signature in black ink, appearing to be 'Debra Cassiero', written over a horizontal line. The signature is stylized and somewhat abstract.

02-21-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 15:02:22

**I,** Jeremy Perkins

**Name** Jeremy Perkins

**Address** Street Address: 5355 128th Ave.  
City: Fennville  
State / Province: MI  
Postal / Zip Code: 49408  
Country: United States

**E-mail** Savinghuskiesaroundtheworld@gmail.com

**Cell Phone Number** (616) 2124036

**Signature**

A handwritten signature in black ink, appearing to read 'Jeremy Perkins', written over a horizontal line.

02-21-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 14:56:54

**I,** Melody Walker

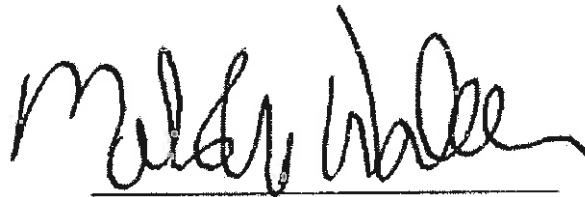
**Name** Melody Walker

**Address** Street Address: 8004 Pinoak Drive  
City: Wonder Lake  
State / Province: IL  
Postal / Zip Code: 60097  
Country: United States

**E-mail** shelbyw96@aol.com

**Cell Phone Number** (815) 3449674

**Signature**



A handwritten signature in black ink, appearing to read "Melody Walker", is written over a horizontal line.

02-26-1967

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 14:52:18

**I,** Sonia mckenzie


**Name** Sonia Mckenzie

**Address** Street Address: 4 field close  
Street Address Line 2: Alconbury  
City: Huntingdon  
State / Province: Cambs  
Postal / Zip Code: Pe28 4el  
Country: United Kingdom

**E-mail** dellyroy@hotmail.com

**Cell Phone Number** (0744) 9770426

**Signature**

---

02-21-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-21 00:20:30

**I,** Danna Cruzan

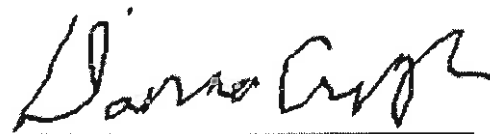
**Name** Danna Cruzan

**Address** Street Address: POB 2418  
Street Address Line 2: -  
City: Wrightwood  
State / Province: California  
Postal / Zip Code: 92397-2418  
Country: United States

**E-mail** dlcruzan@gmail.com

**Cell Phone Number** (760) 662-8395

**Signature**



A handwritten signature in black ink, appearing to read "Danna Cruzan", is written over a horizontal line.

02-20-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-22 20:22:12

**I,** Gerri Stortz

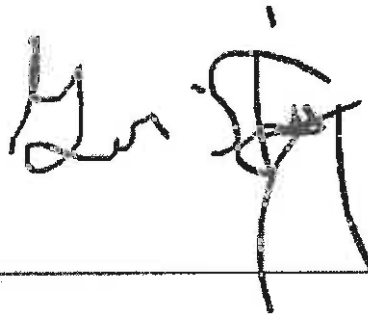
**Name** Gerri Stortz

**Address** Street Address: 289 Tennessee Drive  
City: Brick  
State / Province: New jersey  
Postal / Zip Code: 08723  
Country: United States

**E-mail** sibemom58@aol.com

**Cell Phone Number** (732) 6912142

**Signature**



A handwritten signature in black ink, appearing to read 'Gerri Stortz', is written above a horizontal line. The signature is stylized and somewhat cursive.

02-22-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-22 23:46:07

**I,** Angela McNally Schell

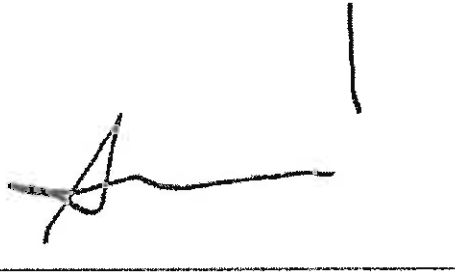
**Name** Angela McNally Schell

**Address** Street Address: 40168 white leaf lane  
City: Murrietta  
State / Province: Ca  
Postal / Zip Code: 92562  
Country: United States

**E-mail** adalismommy@aol.com

**Cell Phone Number** (213) 864-9402

**Signature**



A handwritten signature in black ink, appearing to be 'A Schell', is written above a horizontal line. To the right of the signature, there is a vertical line that extends upwards.

02-22-2016



Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-23 12:30:25

I, Marisa Erickson

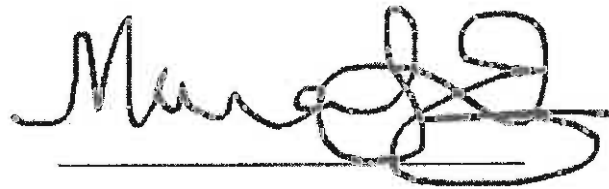
**Name** Marisa Erickson

**Address** Street Address: 6929 El Cedral Street  
City: Long Beach  
State / Province: Ca  
Postal / Zip Code: 90816  
Country: United States

**E-mail** marisa.semense@gmail.com

**Cell Phone Number** (562) 5221432

**Signature**

A handwritten signature in black ink, appearing to read "Marisa Erickson", written over a horizontal line. The signature is stylized and cursive.

02-23-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-23 01:49:21

**I,** Danielle Albini

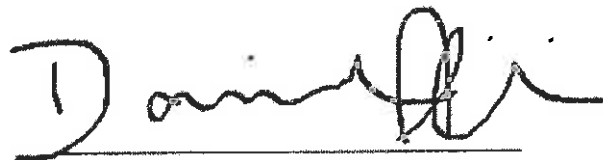
**Name** Danielle Albini

**Address** Street Address: 3753 Grayburn Ave  
City: Los Angeles  
State / Province: CA  
Postal / Zip Code: 90018  
Country: United States

**E-mail** dalbini2@me.com

**Cell Phone Number** (707) 5488082

**Signature**

A handwritten signature in black ink, appearing to read 'Danielle Albini', written over a horizontal line.

02-22-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-23 13:26:27

**I,** Penny Newman

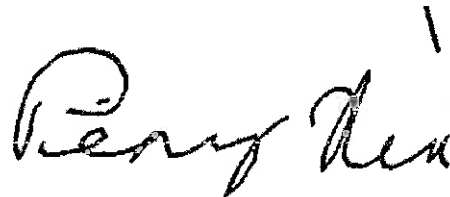
**Name** Pennu Newman

**Address** Street Address: 4843 Paddington way  
City: Powell  
State / Province: Ohio  
Postal / Zip Code: 43061  
Country: United States

**E-mail** pnewman@columbus.rr.com

**Cell Phone Number** (614) 7939538

**Signature**



A handwritten signature in black ink that reads "Penny Newman". The signature is written in a cursive style. Above the end of the signature, there is a small vertical tick mark.

---

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-23 13:25:34

**I,** Jan c Schiavino

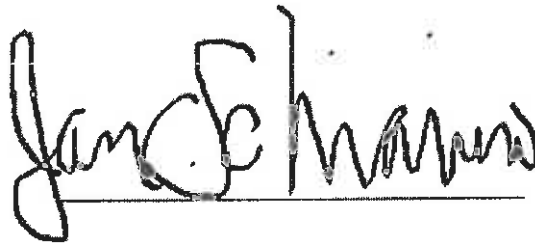
**Name** jab schiavino

**Address** Street Address: 62 power rd  
City: Pawtucket  
State / Province: RI  
Postal / Zip Code: 02860  
Country: United States

**E-mail** zippybubblelips@gmail.com

**Cell Phone Number** (401) 5880151

**Signature**

A handwritten signature in black ink that reads "Jan Schiavino". The signature is written in a cursive style and is positioned above a solid horizontal line.

02-23-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-23 14:51:45  
**I,** Birgit Scholz  
**Name** Birgit Scholz  
**Address** Street Address: 251 S Brent St  
City: Ventura  
State / Province: CA  
Postal / Zip Code: 93003  
Country: United States  
**E-mail** wolflady.bs@gmail.com  
**Cell Phone Number** (805) 2150378  
**Signature**

1  
  
A handwritten signature in black ink, appearing to read 'Birgit', is written over a horizontal line. Above the signature, there is a small vertical tick mark and a longer horizontal line.

02-23-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-02-23 14:41:53

**I,** Diane Fouty

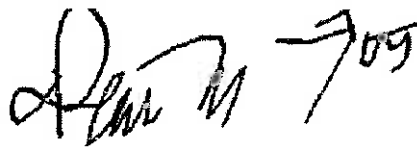
**Name** Diane fouty

**Address** Street Address: 2495 Lemon Av  
City: signal hill  
State / Province: ca  
Postal / Zip Code: 90755  
Country: United States

**E-mail** Diane@rsmilessteel.com

**Cell Phone Number** (714) 4021957

**Signature**

A handwritten signature in black ink, appearing to read "Diane Fouty". The signature is written in a cursive style with a large initial "D" and "F".

---

02-23-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-24 13:48:06

**I,** Alisha Bowen

**Name** Alish Bowen


**Address** Street Address: 5748 Kent Rock Rd  
City: Loganville  
State / Province: Ga  
Postal / Zip Code: 30052  
Country: United States

**E-mail** alishalady02@gmail.com

**Cell Phone Number** (770) 3174404

**Signature**

/



A handwritten signature in black ink, appearing to read 'Alisha Bowen', is written above a horizontal line. A single forward slash '/' is positioned above the signature.

05-24-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-24 11:01:11

**I,** Pat Webb, Founder, Wheels4Paws

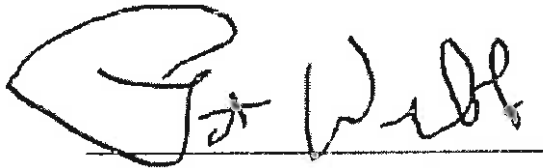
**Name** Pat Webb

**Address** Street Address: # 313 Ledbetter St  
City: Cordova  
State / Province: NC  
Postal / Zip Code: 28330  
Country: United States

**E-mail** WheelsPawsHomes@gmail.com

**Cell Phone Number** (910) 8943130

**Signature**

A handwritten signature in black ink, appearing to read "Pat Webb", is written over a horizontal line. The signature is stylized and cursive.

05-24-2016



Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-24 11:02:02

**I,** Mina Escamilla

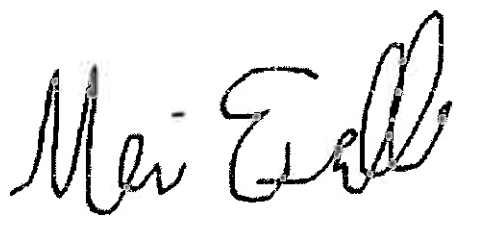
**Name** Mina Escamilla

**Address** Street Address: 7821 Basset Crt  
City: Corona  
State / Province: Ca  
Postal / Zip Code: 92880  
Country: United States

**E-mail** mina.escamilla@yahoo.com

**Cell Phone Number** (714) 3195389

**Signature**



---

05-24-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-24 11:05:10

**I,** Pamela Carroll

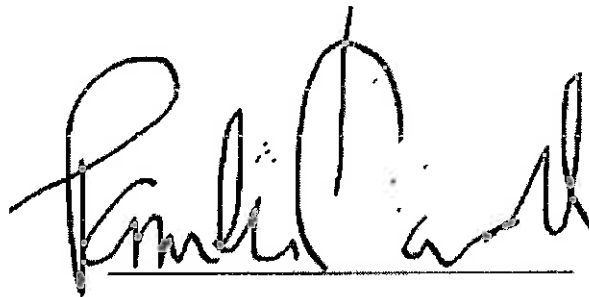
**Name** Pamela Carroll

**Address** Street Address: 11453 81st Place  
City: Seminole  
State / Province: FL  
Postal / Zip Code: 33772  
Country: United States

**E-mail** pamelacarroll2002@yshoo.com

**Cell Phone Number** (727) 6983760

**Signature**

A handwritten signature in black ink, appearing to read "Pamela Carroll", written over a horizontal line. The signature is cursive and somewhat stylized.

05-24-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-24 11:10:37

**I,** Sandra Hawkins

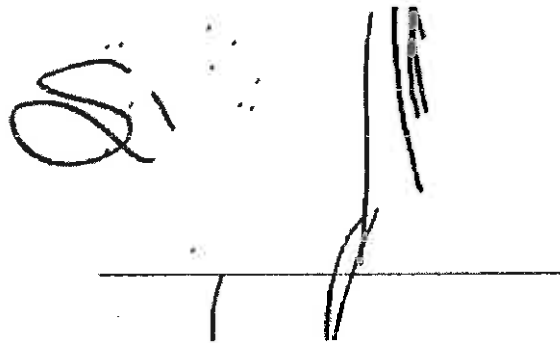
**Name** Sandra Hawkins

**Address** Street Address: 506 S 2nd Street  
City: Elizabeth  
State / Province: Pa  
Postal / Zip Code: 15037  
Country: United States

**E-mail** spankywhiner@aol.com

**Cell Phone Number** (724) 5186998

**Signature**

A handwritten signature in black ink, appearing to be 'S. Hawkins', written over a horizontal line. The signature is stylized and somewhat cursive.

05-24-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-24 11:22:17

**I,** Maria Manzanares

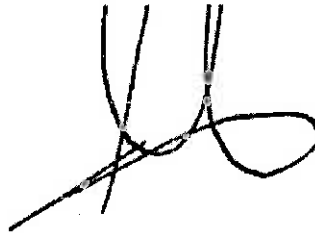
**Name** Maria Manzanares

**Address** Street Address: C/General Romero Basart 37 3izquierda  
Street Address Line 2: Spain  
City: Madrid  
State / Province: Madrid  
Postal / Zip Code: 28044  
Country: Spain

**E-mail** maria20mg@gmail.com

**Cell Phone Number** (0034) 657242424

**Signature**

A handwritten signature in black ink, appearing to be 'M. Manzanares', written over a horizontal line.

05-31-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-24 11:32:32

**I,** Sonia Mckenzie

**Name** Sonia Mckenzie

**Address** Street Address: 4 field close  
City: Alconbury  
State / Province: Cambs  
Postal / Zip Code: Pe28 4el  
Country: United Kingdom

**Cell Phone Number** (1480) 896707

**Signature**

S Mckenzie

05-24-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-24 13:23:27

**I,** Carole L. Taylor

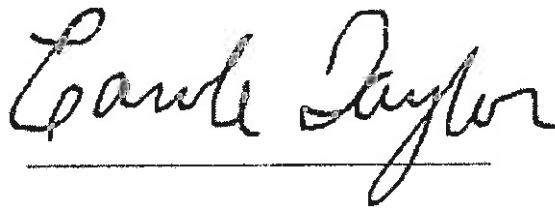
**Name** Carole Taylor

**Address** Street Address: 174 Virginia Place  
City: Costa Mesa  
State / Province: CA  
Postal / Zip Code: 92627  
Country: United States

**E-mail** bajabears@aol.com

**Cell Phone Number** (949) 6978979

**Signature**



Carole Taylor

05-25-16

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-24 13:28:11

**I,** Christina Liu

**Name** Christina Liu

**Address** Street Address: 37466 Stonewood Dr  
City: Fremont  
State / Province: Ca  
Postal / Zip Code: 94536  
Country: United States

**Cell Phone Number** (510) 5657275

**Signature**

A handwritten signature in black ink, appearing to be 'CL', written over a horizontal line.

05-24-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-23 19:11:29

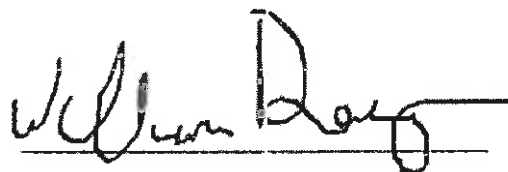
**I,** William Dicey

**Name** William Dicey

**Address** Street Address: 20135 Grand Ave  
City: Wildomar  
State / Province: CA  
Postal / Zip Code: 92595  
Country: United States

**Cell Phone Number** (909) 2276168

**Signature**

A handwritten signature in black ink, appearing to read "William Dicey", written over a horizontal line. The signature is cursive and includes a long horizontal stroke extending to the right.

05-23-2016



Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-23 18:39:29

**I,** Adriana Dicey

**Name** Adriana Dicey

**Address** Street Address: 20135 Grand Ave  
City: Wildomar  
State / Province: CA  
Postal / Zip Code: 92595  
Country: United States

**E-mail** Adrianadicey@gmail.com

**Cell Phone Number** (909) 2276168

**Signature**

Adriana Dicey

05-23-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-22 23:42:40

**I,** toni haddad

**Name** toni haddad

**Address** Street Address: 2610 orchard ct.  
City: la verne  
State / Province: ca  
Postal / Zip Code: 91750  
Country: United States

**E-mail** rchaddd@yahoo.com

**Cell Phone Number** (909) 593-7300

**Signature**

Toni Haddad

05-22-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-22 21:54:40

**I,** Sonia Ramirez

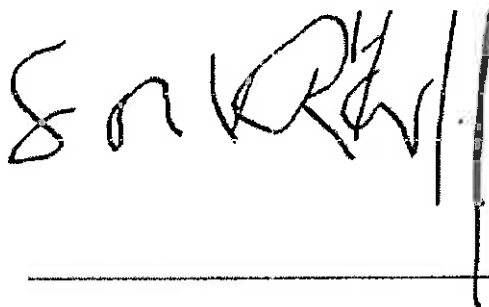
**Name** Sonia Ramirez

**Address** Street Address: 410 s Astell ave  
City: West covina  
State / Province: CA  
Postal / Zip Code: 91790  
Country: United States

**E-mail** soniaramirez\_2000@yahoo.com

**Cell Phone Number** (626) 9910398

**Signature**

A handwritten signature in black ink, appearing to read "Sonia Ramirez", is written over a horizontal line. The signature is stylized and cursive. A vertical line extends downwards from the right side of the signature.

05-22-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-22 19:49:38

**I,** Helen Wang

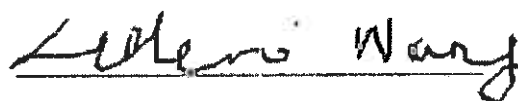
**Name** Helen Wang

**Address** Street Address: 19156 Mayall Street  
City: Northridge  
State / Province: CA  
Postal / Zip Code: 91324  
Country: United States

**E-mail** helenwang888@yahoo.com

**Cell Phone Number** (818) 3981231

**Signature**

A handwritten signature in black ink that reads "Helen Wang". The signature is written in a cursive style and is underlined with a single horizontal line.

05-22-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-22 18:20:47

**I,** STEPHANIE FAIELLA

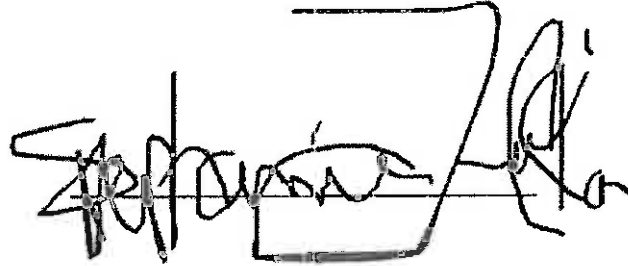
**Name** STEPHANIE FAIELLA

**Address** Street Address: 7303 LASAINE AVE  
City: VAN NUYS  
State / Province: CA  
Postal / Zip Code: 91406  
Country: United States

**E-mail** FAIELLASTYLES@GMAIL.COM

**Cell Phone Number** (310) 483-6193

**Signature**

A handwritten signature in black ink, appearing to read 'Stephanie Faiella', written over a horizontal line. The signature is stylized and somewhat cursive.

05-22-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-26 05:20:16

**I,** Amber Reyes

**Name** Amber Reyes

**Address** Street Address: 34345 blossoms dr  
City: Lake elsinore  
State / Province: Ca  
Postal / Zip Code: 92532  
Country: United States

**E-mail** helpingsocal@gmail.com

**Cell Phone Number** (714) 6056431

**Signature**

A handwritten signature in black ink, appearing to read 'Amber', written over a horizontal line.

05-26-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-25 04:51:22

**I,** Teresa Sullivan

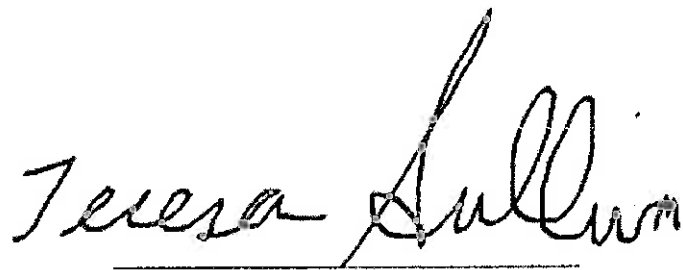
**Name** Teresa Sullivan

**Address** Street Address: 2280 E. Treemont Pl. apt #104  
City: Corona  
State / Province: Ca  
Postal / Zip Code: 92879  
Country: United States

**E-mail** teresathreekids@yahoo.com

**Cell Phone Number** (951) 8188595

**Signature**



Teresa Sullivan

05-25-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-22 11:39:55

**I,** Cheryl Poindexter

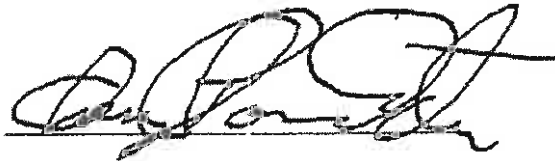
**Name** Cheryl Poindexter

**Address** Street Address: PO Box 603  
City: LITTLE ROCK  
State / Province: California  
Postal / Zip Code: 93543  
Country: United States

**E-mail** poinsie@earthlink.net

**Cell Phone Number** (661) 9440608

**Signature**

A handwritten signature in black ink, appearing to read 'Cheryl Poindexter', written over a horizontal line.

05-22-2016



Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-21 00:32:01

**I,** Lenore Shoemaker

**Name** Lenore Shoemaker

**Address** Street Address: 29022 Kommers Lane  
City: Modjeska Canyon  
State / Province: Ca  
Postal / Zip Code: 92676  
Country: United States

**E-mail** lenoreshoemaker@yahoo.com

**Cell Phone Number** (949) 3940299

**Signature**

A handwritten signature in cursive script that reads "Lenore Shoemaker". The signature is written in black ink and is positioned above a thin horizontal line.

5-20-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-21 00:28:27

**I,** Greg Killingsworth

**Name** Greg Killingsworth

**Address** Street Address: 29022 Kommers Lane  
City: Modjeska Canyon  
State / Province: California  
Postal / Zip Code: 92676  
Country: United States

**E-mail** gregkill@aol.com

**Cell Phone Number** (310) 9950976

**Signature**

A handwritten signature in black ink, appearing to read "Greg Killingsworth", written over a horizontal line.

5-20-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-20 17:28:05

**I,** Reem Haddad

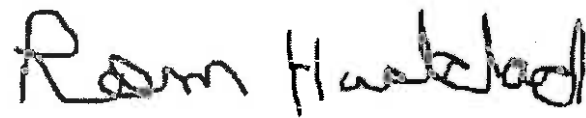
**Name** reem Haddad

**Address** Street Address: 2610 orchard ct.  
City: la verne  
State / Province: ca  
Postal / Zip Code: 91750  
Country: United States

**E-mail** rchaddd@yahoo.com

**Cell Phone Number** (909) 593-7300

**Signature**



Reem Haddad

---

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-20 14:43:14

**I,** Joan Scoccimarro

**Name** joan scoccimarro

**Address** Street Address: PO Box 10606  
City: Marina del rey  
State / Province: ca  
Postal / Zip Code: 90295  
Country: United States

**E-mail** joanscocci@aol.com

**Cell Phone Number** (310) 9047230

**Signature**

---

05-20-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-22 13:49:03

**I,** Angela Salinardi

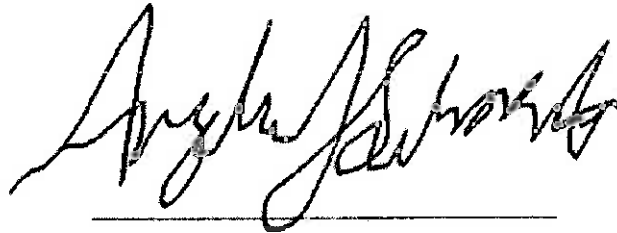
**Name** Angela Salinardi

**Address** Street Address: 16834 Algonquin St.  
City: Huntington Beach  
State / Province: Ca  
Postal / Zip Code: 92649  
Country: United States

**E-mail** asalinardi23@hotmail.com

**Cell Phone Number** (714) 9146098

**Signature**



A handwritten signature in black ink, appearing to read 'Angela Salinardi', is written over a horizontal line.

05-22-2016

Shadow Husky Ranch Pledge Letter

**Submission Date** 2016-05-29 00:28:00

**I,** Mitchell Saavedra

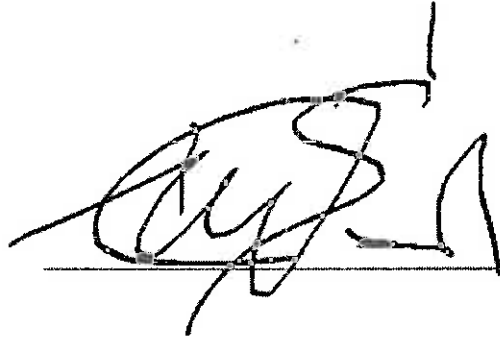
**Name** Mitchell Saavedra

**Address** Street Address: 16490 Bristlecone street  
City: Lake Elsinore  
State / Province: Ca  
Postal / Zip Code: 92530  
Country: United States

**E-mail** mitchell.saavedra@gmail.com

**Cell Phone Number** (949) 3329139

**Signature**

A handwritten signature in black ink, appearing to read 'Mitchell Saavedra', is written over a horizontal line. The signature is stylized and somewhat cursive.

05-28-2016

# Shadow Husky Ranch



## Pledge Letter

---

I, \*

*Chris Ramsey*  
Enter Your First and Last Name

declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

Should you have any questions or comments, do not hesitate to contact me at [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)

Name \* Chris Ramsey  
First Name Last Name

Address \* 164 Munica Aisle  
Street Address

Street Address Line 2

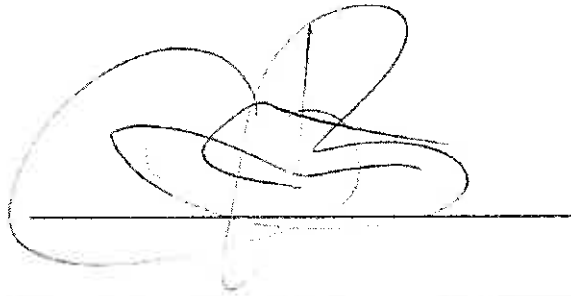
Irvine CA  
City State / Province

92614 Please Select USA  
Postal / Zip Code Country

E-mail ramzeyman@gmail.com  
ex: myname@example.com

Cell Phone Number 714 - 333 7872  
Area Code Phone Number

Signature \*



[Clear](#)

05 - 25 - 2016  
Month Day Year



# Shadow Husky Ranch



## Pledge Letter

I, \*

MARILYN LIMON  
Enter Your First and Last Name

! This field is required.

declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

Should you have any questions or comments, do not hesitate to contact me at [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)

Name \*  
First Name: Matthew Last Name: Limón

Address \*  
Street Address: 1102 E Jackson St

Street Address Line 2:

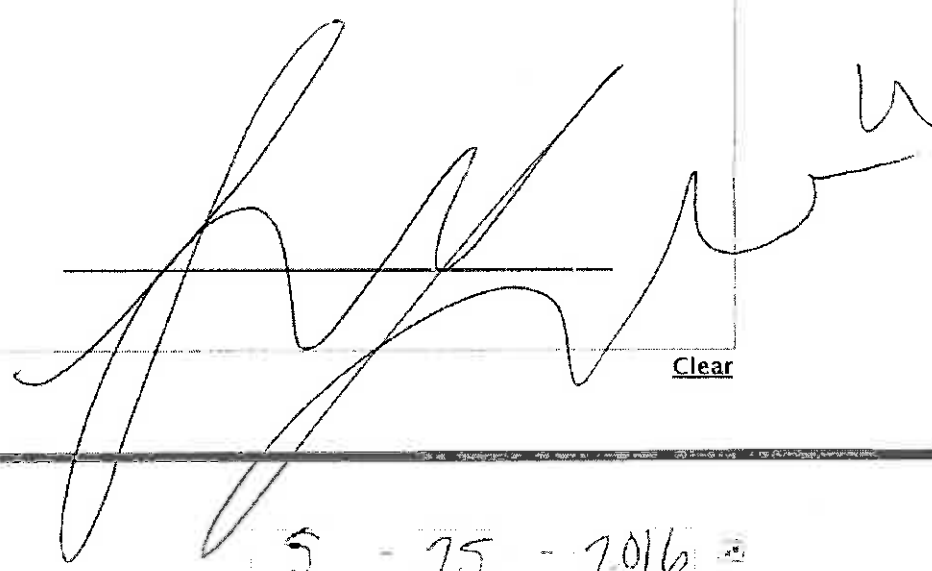
City: Long Beach State / Province: CA

Postal / Zip Code: 90805 Country: United States

! This field is required.

E-mail: ex: myname@example.com

Cell Phone Number \*  
Area Code: 714 Phone Number: 3852290

Signature \*  
  
Clear

Month: 5 Day: 25 Year: 2016


# Shadow Husky Ranch



## Pledge Letter

I, \*

*Jose Ruiz*  
Enter Your First and Last Name

 This field is required.

declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

Should you have any questions or comments, do not hesitate to contact me at [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)

Name \*  
 First Name: Jose  
 Last Name: Ruiz

Address \*  
 Street Address: 3711 S Bristol St.  
 Street Address Line 2:   
 City: Santa Ana  
 State / Province: CA  
 Postal / Zip Code: 92704  
 Country: United States

! This field is required.

E-mail: jma22h@att.com  
 ex: myname@example.com

Cell Phone Number \*  
 Area Code: 714  
 Phone Number: (651)-8726

Signature \*

Clear

05 - 25 - 2016  
 Month Day Year

# Shadow Husky Ranch



## Pledge Letter

I, \*

Jonathan Hernandez

Enter Your First and Last Name

! This field is required.

declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

Should you have any questions or comments, do not hesitate to contact me at [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)

Name \* Jonathan Hernandez  
First Name Last Name

Address \* 215 NICE Dr.  
Street Address

Street Address Line 2

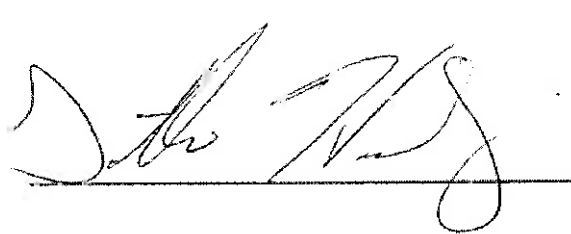
SANTA ANA CA  
City State / Province

92703 United States  
Postal / Zip Code Country

▲ This field is required.

E-mail ex: myname@example.com

Cell Phone Number \* 714 - 595 2025  
Area Code Phone Number

Signature \*  
  
Clear

05 - 25 - 2016 \*  
Month Day Year

# Shadow Husky Ranch



## Pledge Letter

I, \*

⚠ This field is required.

declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

Should you have any questions or comments, do not hesitate to contact me at [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)

Name \*

Javier      Mariscal  
First Name      Last Name

Address \*

655 Baker St

Street Address

Apt 5104

Street Address Line 2

Costa Mesa

City

CA

State / Province

92626

Postal / Zip Code

United States

Country



! This field is required.

E-mail

ex: myname@example.com

Cell Phone Number \*

714 - 926-0759  
Area Code      Phone Number

Signature \*

Clear

05 - 25 - 2016  
Month      Day      Year




# Shadow Husky Ranch



## Pledge Letter

I, \*

Enter your first and last name  
Danna Gonzalez

 This field is required.

declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

Should you have any questions or comments, do not hesitate to contact me at [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)

Name \* Ana Gonzalez  
First Name Last Name

Address \* 33350 Mildred Dr  
Street Address

Street Address Line 2

Wildomar  
City

CA  
State / Province

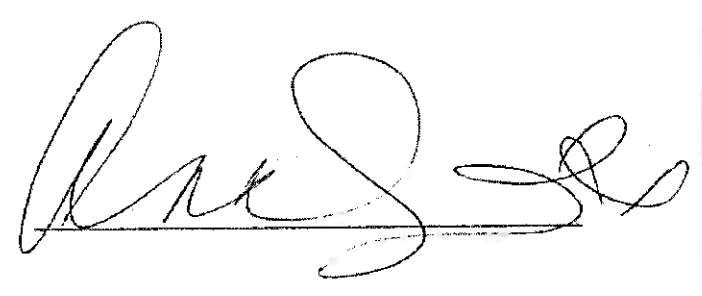
92595  
Postal / Zip Code

United States  
Country

⚠ This field is required.

E-mail ex: myname@example.com mgonzalez225@yahoo.com

Cell Phone Number \* 714 - 679-4426  
Area Code Phone Number

Signature \*  
  
Clear

Month Day Year

# Shadow Husky Ranch



## Pledge Letter

---

I, \*

*Allan Contreras*  
Enter Your First and Last Name

declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

Should you have any questions or comments, do not hesitate to contact me at [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)

Name \*

Allan  
First Name

Contreras  
Last Name

Address \*

3711 S Bristol  
Street Address

Street Address Line 2

Santa Ana  
City

CA  
State / Province

92704  
Postal / Zip Code

Please Select  
Country

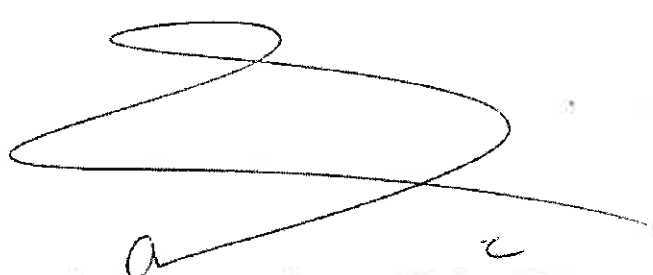
E-mail

ex: myname@example.com

Cell Phone Number \*  
\*

714 - 322-2541  
Area Code Phone Number

Signature \*



Clear

5 - 28 - 2016  
Month Day Year

# Shadow Husky Ranch



## Pledge Letter

I, \*JOSE  Enter Your First and Last Name

ANTONIO  
RAMIREZ

declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

Should you have any questions or comments, do not hesitate to contact me at emcvicker@mcvickersfamilylaw.com

Name \*

JOSE

First Name

RAMIREZ

Last Name

Address \*

13930 SPRING WATER CT

Street Address

Street Address Line 2

GARDEN GROVE

City

CA

State / Province

92843

Postal / Zip Code

United States

Country



This field is required.

JOSETRAMIREZ81@GMAIL.COM

E-mail

ex: myname@example.com

Cell Phone Number \*

714

Area Code

860.8050

Phone Number

Signature \*

Clear

5 - 28 - 2016

Month

Day

Year

# Shadow Husky Ranch



**Pledge Letter**





I, \*

Marysia Wojcik

declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

Should you have any questions or comments, do not hesitate to contact me at [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)

Name \*

Marysia Wojcik

Address \*

511 Prospect Avenue

South Pasadena

California

91030

United States



Cell Phone Number 626 - 799-9645

Signature \*

Margie  
Wojcik

Clear

05 - 20 - 2016

Please sign and fax pledge to 951-244-3109 or scan and email to [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)



# Shadow Husky Ranch



## Pledge Letter

---

I, \*

Lauren D. McVicker

declare that I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal husky dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murietta, CA 92562.

Should you have any questions or comments, do not hesitate to contact me at [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)









Please sign and fax pledge to 951-244-3109 or scan and email to [emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)

**Thank You So Much for Your Support!**

Submit

There are errors on the form. Please fix them before continuing.



# Kennel Pledge Form

Support our Class II Kennel Application. By filling out and submitting the form below you pledge that: I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

**Name \***

Carr Madrid

**Email \***

Fureverpawzrescue@gmail.com

**Address \***

PO Box 21175 Riverside, Ca 92516

**Phone number**

619-535-7299

**Comments**

We at FurEver Pawz Rescue support the work that Tim and Elizabeth do! Please let them keep their fur family.

This content is neither created nor endorsed by Google.

Google Forms

# Kennel Pledge Form

Support our Class II Kennel Application. By filling out and submitting the form below you pledge that: I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

**Name \***

Hugh Wilson

**Email \***

hughwilson11@gmail.com

**Address \***

30782 Long Point Drive Canyon Lake California

**Phone number**

951-380-0271

**Comments**

I personally know Tim and Liz and have met several of their dogs. They treat every dog as if it was their child.

I have also seen where the dogs live. In my opinion their home is set up better to raise and protect the dogs than most shelters or kennels that I have seen.

This content is neither created nor endorsed by Google.

Google Forms

# Kennel Pledge Form

Support our Class II Kennel Application. By filling out and submitting the form below you pledge that: I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

**Name \***

Nancy Fleming

**Email \***

dejablue1012@cox.net

**Address \***

43870 Anitra Street Murrieta, CA 92562

**Phone number**

951 600-8849

**Comments**

This content is neither created nor endorsed by Google.

Google Forms



# Kennel Pledge Form

Support our Class II Kennel Application. By filling out and submitting the form below you pledge that: I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

**Name \***

Nancy Fleming

**Email \***

dejblue1012@cox.net

**Address \***

43870 Anitra Street Murrieta, CA 92562

**Phone number**

951 600-8849

**Comments**

This content is neither created nor endorsed by Google.

Google Forms

# Kennel Pledge Form

Support our Class II Kennel Application. By filling out and submitting the form below you pledge that: I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

**Name \***

Jennifer Lawrence

**Email \***

jennifer-lawrence@hotmail.com

**Address \***

950 Pine Ave Apt 115 Redlands, CA 92373

**Phone number**

909/479874

**Comments**

This content is neither created nor endorsed by Google.

Google Forms

# Kennel Pledge Form

Support our Class II Kennel Application. By filling out and submitting the form below you pledge that: I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

**Name \***

Moses estrada

**Email \***

Moar07@gmail.com

**Address \***

94345 blossoms dr lake elsinore, ca 92532

**Phone number**

7144519152

**Comments**

This content is neither created nor endorsed by Google.

Google Forms

# Kennel Pledge Form

Support our Class II Kennel Application. By filling out and submitting the form below you pledge that: I pledge and fully support the proposed Plot Plan No. 25922 to establish a Class II Kennel, by which eleven (11) to twenty-five (25) personal dogs of Timothy and Elizabeth McVicker shall be permitted to be permanently housed and cared for at their forever sanctuary home located at 17370 Via Abril, Murrieta, CA 92562. Should you have any questions or comments, please do not hesitate to contact me.

**Name \***

Carr Madrid

**Email \***

Fureverpawzrescue@gmail.com

**Address \***

PO Box 21175 Riverside, Ca 92516

**Phone number**

619-535-7299

**Comments**

We at FurEver Pawz Rescue support the work that Tim and Elizabeth do! Please let them keep their fur family.



*Steve Weiss*  
*Planning Director*

# RIVERSIDE COUNTY PLANNING DEPARTMENT

## Memorandum

Date: August 29, 2016

Subject: Plot Plan No. 25922 (proposed Class II Kennel)

RE: Additional correspondence in opposition and support for Plot Plan No. 25922 (proposed Class II Kennel)

To: Director Weiss (Hearing Officer for Director's Hearing August 29, 2016)

From: Tim Wheeler, Project Planner

Please find attached additional correspondences both in opposition and support for Plot Plan No. 25922 (proposed Class II Kennel) that have been received after the final preparation of the Staff Report for this Plot Plan. The additional emails or letters have been received:

- 1) Letter received August 26, 2016 from Attorney for the applicants (Larry Myers) dated August 25, 2016.
- 2) Received email letter from Schantelle Carson in support of the proposed project.
- 3) Received email from Joan Patterson in opposition to the proposed project.
- 4) Received email with attached photo from Shelby McCowen in opposition to the proposed project.
- 5) Received email letter from Tina Clippinger in opposition to the proposed project.
- 6) Received email from Applicant's Representative regarding Tenaja CSD concerns
- 7) Received email from Frank & Terry Minnameyer regarding concerns for proposed project.

Riverside Office · 4080 Lemon Street, 12th Floor  
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CORONA, CALIFORNIA  
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RECEIVED  
AUG 26 2016

ADMINISTRATION  
RIVERSIDE COUNTY  
PLANNING DEPARTMENT

LARRY DAVID MYERS  
ATTORNEY AT LAW

August 25, 2016

Mr. Steve Weiss  
Planning Director  
Riverside County Planning  
4080 Lemon St., 12<sup>th</sup> Floor  
Riverside, CA 92501

RE: Our Clients: Timothy & Liz McVicker (McVicker)  
Our File No.: 1203151  
Case: Kennel II Permit Application #25922 ("Permit")  
Ref.: Response to letter by Ron McDaniel, Tenaja Architectural Control Committee (ACC)-Tenaja Community Service District (TCSD)

Dear Mr. Weiss:

This firm represents Mr. & Mrs. McVicker regarding the above stated Permit. We have reviewed the comment letter prepared by Mr. McDaniel of the ACC, sent to you on August 19, 2016. The ACC and particularly Mr. McDaniel allege that (i) there has been no prior approval, by the ACC, of a "shed" to be located on McVicker's property; and (ii) the Riverside County Kennel II permit is for a commercial use and therefore is in conflict with the Covenants, Conditions and Restrictions (CC&R's) recorded against the McVicker's property. These allegations have no basis in fact, are contrary to law and designed to mislead your office in its approval of the McVicker's Permit.

First, On May 31, 2016 we were forced to respond to a fraudulent letter prepared by Marty Nicholson, Esq., addressed to Tim Wheeler of your office, on behalf of Scott Becker<sup>1</sup> (see our letter, Exhibit "A" attached hereto), wherein she alleged that she represented the TCSD, when she in fact did not (see Exhibit "B" attached hereto). In Ms. Nicholson's prior letter she makes some of the same false allegations she represented to the ACC in order to get their approval on said letter.<sup>2-3</sup> Scott Becker and his attorney have undertaken a program of misstatements, false representations, innuendo and bullying to mislead the community and your office. Our opposition to the ACC's letter is as follows:

1. Allegation of CC&R Section 5 violation: Section 5 states

<sup>1</sup> At the time of her letter, Ms. Nicholson would not disclose who her client is, but her letter refers and infers she represented TCSD, when she really represented Scott Becker. She has now come out of the shadows in this regard, as she was present at the ACC meeting wherein the ACC's letter to your office was discussed and in said meeting she represented Scott Becker, and after making several misleading and fraudulent statements to the ACC she prepared the letter that was sent to your office.

<sup>2</sup> Audio records for the ACC meeting confirm this.

<sup>3</sup> See Exhibit "A" attached hereto.

“No building or other improvement shall be erected, placed or altered on any parcel nor County approval for such activity sought, until the *designs* and *specifications*, and a *plan* showing the location of the improvement on the Parcel have been approved by the Committee as to *quality of workmanship* and *materials*.” [*italic emphasis added*] The ACC/Becker state:

a). The ACC/Becker admit the “shed” was approved by the ACC (“..the.. application to the ACC requested approval for a “shed” which was approved”);

b). The ACC/Becker allege that a Plot Plan for a Kennel II permit “..is significantly different from the McVickers original proposal for a shed.” The ACC/ Becker do not state how it differs in this situation. The McVickers submitted the necessary designs for the building, the necessary specifications for the building and the quality of workmanship and materials were approved by the ACC. Changing from a Kennel I to a Kennel II permit has not changed the designs, specification nor plans for the building and therefore the ACC/Becker have no grounds to “re-approve” the building under the Kennel II permitting process. The ACC is only allowed to approve the quality of workmanship and the materials for the building, nothing more;

c). Ron McDaniel is a TCSD Board member and a member of the ACC. Mr. McDaniel owns real property within 500 feet of the McVicker’s property and therefore under *California Code of Regulations*, Sections 18704 et. Seq. he is presumed to have a conflict of interest and is required to be recused under any TCSD Board or ACC actions or decisions, on this issue. Additionally, Mr. McDaniel’s wife went to school with Sarina Becker, Scott Becker’s wife, the McDaniels and the Beckers are friends and see each other socially. This by itself is grounds for Ron McDaniel to be recused from either the TCSD Board or ACC actions regarding the McVicker’s property, including the August 19, 2016 letter, which was signed by Ron McDaniel on behalf of the ACC.<sup>4</sup> The misuse of the TCSD and it ACC is rampant in the Tenaja valley. The past president of the TCSD, Michael Juhas has referred to Mr. Becker’s and Mr. McDaniel’s misuse and disregard of the law as “pulpit bullies.”<sup>5-6</sup>

d). The ACC is required to have a composition of ACC board members consisting of three Resident Members (one may be Non-Area Resident) and two Non-Resident Members (CC&R’s Section 5.01 (a) &

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<sup>4</sup> Ron McDaniel was the moving force behind the ACC approval of sending the August 19, 2016 letter, he promoted it to the ACC and moved it to approval and sending, all the while knowing he was required to be recused due to his conflict of interest and he should have had no influence or contact with the other ACC members on this issue. Audio records for the ACC meeting confirm this.

<sup>5</sup> Quoted with permission.

<sup>6</sup> The McVicker’s filed a complaint against the Beckers commercial use of their property for a wedding services company (wedding and receptions on their property) and commercial horse boarding, rental, training. Now it appears clear why Ron McDaniel informed the McVickers that the TCSD does nothing on any complaints regarding CC&R’s!

(b).<sup>7</sup> According to Arlene Miller, the TCSD General Manager, all Members of the TCSD Board *and* all the members of the ACC are Resident Members. This is a mandatory obligation under the CC&R's. Therefore any action by the ACC is void, including its position stated in its letter to your office of August 19, 2016;

e). The ACC is not allowed to make/take ANY action on enforcement of CC&R's (including the sending of its letter to your office on August 19, 2016). It is required to make recommendations to the TCSD Board and that Board is entitled to take action, if it determines it necessary, through proper resolution. The members of the ACC are different than the members of the TCSD Board and therefore the TCSD Board may not act as the ACC or vice versa (see Resolution No. 87-6-4-1).<sup>8</sup> There is no resolution by the TCSD Board authorizing the action undertaken by the ACC.<sup>9</sup> Therefore the action of the ACC in sending its letter of August 19, 2016 is without authorization and carries no force or effect upon the County of Riverside or its planning department. The letter should be discarded without notice;

f). The TCSD and its ACC is without legislative authorization and therefore it has no power to act, it is a non-entity, subject to decertification upon request. Community service districts are statutory in nature and only exist and operate with powers given it by the legislature under Government Code Section 61105. In 2006 the legislature amended Section 61105 and removed TCSD from its list of authorized community service districts. Therefore TCSD and its ACC have no power to operate and are a non-entity subject to decertification by LAFCO (the certifying agency).<sup>10</sup> As the TCSD is a community Service district, it is created by law and can only have the powers expressly granted to it by law. Any actions not within the scope of powers is void. Therefore all actions by the TCSD since 2006 are void, including its ACC letter to your office dated August 19, 2016.

2. Allegation of CC&R Section 6 violation: Section 6.02 states "No commercial, industrial or manufacturing operations of any kind shall be permitted or conducted on the Area; except for the following;" The ACC/Becker are taking the unreasonable and uninformed position that simply because the McVickers are applying for a Kennel II permit, it is a commercial use. There is no support for this allegation. The ACC/Becker offer no evidence to support this false, unreasonable and uninformed conclusion. A short telephone call to Mr. Wheeler's office by the ACC to discuss this issue could have resolved

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<sup>7</sup> "(a) there shall be three (3) Resident members; provided, however, one such member may be a Non-Area Resident; and (b) There shall be two (2) Non-Resident members." CC&R's Section 5.01 (a) & (b).

<sup>8</sup> "Resolution of the Board of Directors of the Tenaja Community Services District Adopting Rules and Regulations for the Architectural Control Committee...2. (c) The ACC shall receive input from the applicant as well as from the public and make its recommendations to the Board of Directors of the District."

<sup>9</sup> Audio records confirm this.

<sup>10</sup> See LAFCO #85-39-1—Formation of Tenaja Community Services District. Dated December 20, 1985.

this without the need to send the August 19, 2016 letter discussed herein. Our office has already discussed this issue in response (see Exhibit "A" attached hereto at page 4, paragraph 6) to Ms. Nicholson's false and misleading letter of May 23, 2016 (see Exhibit "B"). Regardless of Riverside County's nomenclature, it is the use that is determinative of a CC&R violation under Section 6. The use is non-commercial, for the McVicker's private pets. The Conditions of Approval ("COA") pending before Riverside County Planning Department for approval specifically state the use is to be non-commercial, for the McVicker's private pets, no commercial activity allowed (see COA page 1, paragraph 10, Project Description, and page 6, paragraph 10 E Health Kennel for Personal Use). The allegations by the ACC/Becker have no basis in fact, are unsupported by any law, ordinance or regulation and therefore their allegations must be disregarded and the McVicker's application for their Kennel II Permit approved. Additionally, The McVicker's have filed a complaint with the TCSD Board for Scott and Sarina Beckers violation of the zoning ordinance and the CC&R's as they have commercial businesses operating on their real property (located next door to the McVicker's property) (see Exhibit "C"). The Becker's operate a wedding ceremony and reception business on their property, in addition to a horse boarding, rental training facility. This has been confirmed by advertisements placed by the Beckers for said businesses. It seems disingenuous at best for the Beckers to try to falsely allege a commercial use by the McVickers, when they have been operating commercial businesses on their property for years. There is no commercial use by the McVickers, only the commercial use by the Beckers. Therefore the McVicker's application should be approved.

As can be seen from the foregoing, the TCSD and its ACC are operating without authorization. The ACC is in violation of the CC&R's, its members must be recused due to conflict of interests, not to mention the fact that Mr. McDaniels and Mr. Becker are considered "pulpit bullies" who misuse their position for personal gain. The ACC letter of August 19, 2016 must be disregarded as without any factual or legal basis. It is respectfully submitted that the McVicker's application for the Permit be approved, forthwith.

As always, should you have any questions regarding the statements herein or need additional information, please contact my office.

Sincerely,

Larry David Myers  
Attorney at Law

Enclosures: As stated herein  
Cc: Clients

**EXHIBIT "A"**

400 SOUTH RAMONA AVENUE  
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LARRY David Myers  
ATTORNEY AT LAW

May 31, 2016

Mr. Timothy Wheeler  
Project Planner  
Riverside County Planning  
4080 Lemon St., 12<sup>th</sup> Floor  
Riverside, CA 92501

*[Sent on May 31, 2016 by mail and by e-mail to  
twheeler@rctlma.org]*

RE: Our Clients: Timothy & Liz McVicker  
Our File No.: 1203151  
Case: Kennel II Permit Application #25922 ("Permit")  
Ref.: Response to comment letter by Marty Nicholson, Esq., ("Nicholson") dated May 23, 2016

Dear Mr. Wheeler:

This firm represents Mr. & Mrs. McVicker regarding the above stated Permit. We have reviewed the comment letter prepared by Nicholson sent to you and then forwarded by you to our clients, for comment.

First, I am astonished by the false, misleading and fraudulent statements in Nicholson's letter. Nicholson's letter is clearly given in an all-out attempt to sabotage our client's Permit, even going to the extent of subjecting herself and her firm to discipline by the California State Bar Association for making such false, misleading and fraudulent statements.

Here are a summary of the false, misleading and fraudulent statements:

1. That Nicholson and her firm represent the Tenaja Community Service District ("TCSD"). The TCSD's attorney is Hugo Anderson, Esq. of 41530 Enterprise Circle #208, Temecula, CA 92590, (951) 296-9144. I verified this with Arlene the TCSD secretary on April 6, 2016 and Mrs. McVicker verified this on May 31, 2016 with Tanyia the TCSD secretary. On said date Mrs. McVicker also verified the TCSD did not hire Nicholson nor her firm (Tyler & Bursch). **The statement that TSCD is Nicholson's client is a false, misleading and fraudulent statement.** On Friday May 27, 2016 I spoke to Nicholson by telephone, and due to the ambiguous nature of the first paragraph of Nicholson's letter as to who she represents, I asked her just that. She was evasive at first, then said she represents the neighbors of Mr. & Mrs. McVicker in Tenaja Valley. When I pressed her further as to who she represented (their names) she stated she was surprised I had a copy of her letter and that she thought it was confidential.<sup>1</sup> She also thereafter,

<sup>1</sup> Nicholson represented that she was well versed in development issues, but based upon her lack of knowledge regarding the non-confidential nature of comment letters in the development process, that statement also appears to be false.

refused to state who she represents. I attempted several times to have her state who she represents, but again, she refused. She never stated to me that she represented the TCSO, despite her letter wherein she describes her client as the TCSO and further states that her client has the power to decide issues relative to streets, bridges, etc and that it has the power to enforce the CC&R's for the property in the Tenaja Valley (the responsibilities of the TCSO, not some individual neighbors in Tenaja Valley), she even attached as Exhibit "B" copies of pages from the TCSO's website. Nicholson wants you and the planning department to think she and her firm represent the TCSO and that her comment letter of May 23, 2016 carries the strength and support of the TCSO, when it does not. Nicholson's false, misleading and fraudulent statement that she represents the TCSO is actionable by the California State Bar Association under California Rules of Professional Conduct, Rule 5-200, Business and Professions Code, Sections 6068(d), 6103, 6106 and 6128 which may include license suspension, or disbarment, and misdemeanor criminal conviction. ALL STATEMENTS BY NICHOLSON MUST BE DISREGARDED DUE TO HER BAD FAITH AND STATEMENT OF FALSE REPRESENTATION OF THE TCSO.<sup>2</sup>

2. That "One of the issues with the McVicker's property is the lack of supervision of the dogs" and "While there is a person on the property, that person was unable to stop the dogs from escaping off the property on two occasions and attacking a horse, donkey and killing several chickens:" Not all dogs escaped the property, only four, when a building contractor doing work on the property took the gate opener remote, left to get building materials and did not realize he had left the front gate open. No horse was attacked and no chickens were killed by Mr. & Mrs. McVicker's pets. The horse and donkey are owned by Mr. Peter McGowen, a neighbor. Mr. McGowen stated to Mrs. McVicker, in discussing this issue months afterwards, that she was lucky that her dog was not killed by his donkey as it has been trained to kill coyotes and had already killed a Pit Bull dog that was loose on his property.<sup>3</sup> Mr. McGowen must have thought the incident was insignificant as he never made a complaint about these events to any Riverside County agency, nor did he ever seek out Mr. & Mrs. McVicker to discuss the matter.<sup>4</sup> Mrs. McVicker sought out Mr. McGowen to discuss the matter, after she found out about the events months later from Sarina Becker and Scott Becker, Mr. & Mrs. McVicker's neighbor (the parties spurring the major opposition to the Permit). Mr. & Mrs. McVicker's pets killed no chickens. These were allegedly killed on the Clippinger property by dogs but not Mr. & Mrs. McVicker's, it is believed that they were killed by the dogs owned by the illegal alien ranch hands employed and living there. These ranch hands have several dogs; they are not fenced in and roam the area at will. There is no evidence that Mr. & Mrs. McVicker's pets were ever near the chickens, nor killed same. Mr. & Mrs.

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<sup>2</sup> Additionally, without the TCSO as a client and her failure to name any clients, she effectively has no clients to base her comment letter against and therefore her entire comment letter must be disregarded.

<sup>3</sup> This shows Mr. McGowen's donkey was not injured, hurt or bit by Mr. & Mrs. McVicker's pets.

<sup>4</sup> Mr. McGowen never made any formal complaint, never contacted Mr. or Mrs. McVicker to discuss the matter, and never contacted anyone regarding this issue for months. Mr. Becker approached Mr. McGowen and pressured him into making this issue known, in an effort to oppose the Permit.

McVicker employ two dog handlers and they are on their property daily and weekends. These handlers supervise the dogs, cook for them, clean after them and allow them out for three one-hour, outside exercise breaks, during the day. After it was determined how Mr. & Mrs. McVicker's pets were able to get near the McGowen's property, Mr. & Mrs. McVicker had new, double gates installed in the front of their home. The remotes for the gate openers now, are in the restricted custody of the dog handlers or Mr. or Mrs. McVicker, only. Neither the contractor nor anyone else is allowed to have the remotes. Additionally, there are no photos of Mr. & Mrs. McVicker's pets attacking anything. There are only photos of some of their pets outside their property when they went near Mr. McGowen's property. Also, there are no statements of "...neighbors who were placed in fear of their lives.." Mr. McGowen's twenty-five (25) year old, ex-high school football player daughter, that lives with him and her life partner, was in her house when Mr. & Mrs. McVicker's pets came on their property, near their donkey. She then came out of her house to take some photos of the dogs. Hardly someone that "feared for her life" or was "imprisoned in her house because of fear of dogs and the Huskies that had decided to camp out at her property" as misrepresented by Nicholson, as Mr. McGowen's daughter never made a complaint about these events to any Riverside County agency, nor did she ever seek out Mr. & Mrs. McVicker to discuss the matter.<sup>5</sup> When Mr. & Mrs. McVicker's pets were out of the McVicker's property their handlers learned of it and left the property to bring them back, which necessarily meant they were not on the property.<sup>6</sup> This was only about a 20 minute time span. Since the gate improvements and the new gate opener custody rules have been in place there have been no other incidents with Mr. & Mrs. McVicker's pets, which means there have been no further incidents for many, many months.<sup>7</sup> Nicholson's representations regarding supervision are unsupported by facts and given her false, misleading and fraudulent statements about who she represents, must be disregarded as an extension of her improper actions. Mr. & Mrs. McVicker have 24 hour supervision of their pets, during the day it is by their dog handlers and in the evenings and on holidays or weekends it is by Mr. & Mrs. McVicker/dog handlers. The supervision is in compliance with the county requirements and is at an elevated level few parties possess, that are issued Kennel II permits (i.e. 24 hour video cameras, 24 hour handlers or owner

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<sup>5</sup> Mr. McGowen's daughter never made any formal complaint, never contacted Mr. or Mrs. McVicker to discuss the matter, never contacted anyone regarding this issue for months. Mr. Becker approached Mr. McGowen and pressured him into making this issue known, in an effort to oppose the Permit. Also there is no evidence that the dogs "camped out on her property" ever, as they were only out for less than 20 minutes.

<sup>6</sup> Almost every home in the Tenaja Valley has dogs, some several dogs over the requirement for a Kennel I permit, but fail to have such permit. These home owners allow their dogs to get out or roam freely on a constant basis, so much so that a good samaritan has a e-mail devoted to the return of lost dogs in the Tenaja Valley, (see [ksmith@lacresta.com](mailto:ksmith@lacresta.com) ). Many, many dogs get out of their enclosures in the Tenaja Valley, yet no one ever argues that they should be removed from the valley, as Nicholson is.

<sup>7</sup> Mr. & Mrs. McVicker have been on their property with their pets since August 2015. They notified Riverside Animal Services of this and have been told the pets can stay while the Permit is in process. Mr. & Mrs. McVicker have notified Riverside County Planning of this and have been told the Pets can stay while their Permit is processing. No other incidents affecting their pets have taken place in the nearly year they have been on the property.



supervision, newly fenced dog exercise areas [some areas double fenced]; double gates, dogs inside the residence most of the time [except for three one hour exercise breaks during the day], dogs are cleaned by handlers, handlers clean up after the dogs-inside and outside daily). Therefore the supervision of the pets is in compliance with the county ordinances and the Permit should be issued, without restriction.

3. That the Husky breed is unsuitable for the Tenaja Valley: Nicholson misrepresents the articles she quotes and takes her quoted items out of context, as follows: (i) “..and they have a reputation as escape artists. “Siberian Husky’s put the ‘H’ in Houdini” what she left off is the following “and need a fenced yard that is sunk in the ground to prevent escapes.”<sup>8</sup> Mr. & Mrs. McVicker have all new fencing around their property and in some areas have new double fencing all in the ground, as recommended; (ii) fails to quote the basis for the article wherein it states “If you look at all positive points of their temperaments, you are left without any doubt that this is an amazing breed. They are intelligent and independent. They are affectionate with everyone but do not need to constantly pester you for attention. They are not known to be aggressive and generally do well in multi-dog homes. They do well with children and will welcome everyone into their home- yes, even intruders.”<sup>9</sup> (underline emphasis added) “The Siberian Husky has a delightful temperament, affectionate but not fawning. This gentle and friendly disposition may be a heritage from the past, since the Chukchi people held their dogs in great esteem, housed them in family shelters, and encouraged their children to play with them. Today, it is charming to observe the special appeal that Siberian Huskies and children have for each other. The Siberian Husky is alert, eager to please and adaptable. His intelligence has been proven, but his independent spirit may at time challenge your ingenuity. His versatility makes him an agreeable companion to people of all ages and varying interests.”<sup>10</sup> (underline emphasis added) This breed is encouraged to associate with children, as stated in the above article. Hardly a breed painted as unnecessary to Tenaja Valley. Nicholson misquotes the articles in an effort to improperly cast the breed in a false light. I have attached the entire articles, as quoted and referenced by Nicholson so that you may research Nicholson’s argument yourself. These pets are clearly allowed under Ordinance 630, Section 5 (C) and therefore the Permit should be approved.
4. That the Tenaja Valley is for horse owners and riders, not dogs: Nicholson makes an error here, as the past president of the TCSD, Mr. Michael Juda has stated very clearly, that the Tenaja Valley is not exclusively for horses and horse riders, but it is for all types of animals (see attached copy of e-mail from Mr. Juha stating the Tenaja Valley is not just for horses or horse riding, as misrepresented by Nicholson). There are owners of property in the Tenaja Valley that have lizards, goats, lamas, birds, rodents, dogs, cats, and even wolves and many other variations of animals. Nicholson clearly has not spent time in the Tenaja Valley, or spent time researching her facts, as such her argument here must be

<sup>8</sup> <http://dogtime.com/dog-breeds/siberian-husky#slide/1>

<sup>9</sup> <http://dogtime.com/dog-breeds/siberian-husky#slide/1>

<sup>10</sup> [Http://www.shca.org/shcahp2a.htm](http://www.shca.org/shcahp2a.htm)

disregarded, first because it is incorrect and second because her credibility has faded in light of her fraud in claiming the TCSD is her client.

5. That the Tenaja Valley wildlife corridor will be adversely affected by the housing of dogs: Again Nicholson makes an error, as the wildlife corridor: (i) is not on or near Mr. & Mrs. McVicker's property; (ii) Mr. & Mrs. McVicker's pets do not bark or howl. Riverside County Animal Services has held a hearing on Scott and Sarina Becker's complaint that Mr. & Mrs. McVicker's pets bark and howl, disturb the peace and are a nuisance, on March 17, 2016 and ruled that there are no grounds to find the pets bark or howl or disturb the peace or are a nuisance. Scott Becker and Sarina Becker mounted a vigorous program of misinformation and false facts regarding Mr. & Mrs. McVicker's pets barking or howling, sent e-mails to all their friends and neighbors and had a few of them show up for the hearing. Mr. & Mrs. McVicker presented their expert Roma Stromberg and her report, that stated in very clear terms that the pets do not bark or howl.<sup>11</sup> Mr. & Mrs. McVicker had many, many supporters at the hearing, so many they almost could not accommodate them inside the hearing room. The hearing Judge ruled in favor of Mr. & Mrs. McVicker, the pets do not bark or howl; and (iii) there is no odor from Mr. & Mrs. McVicker's pets, as the handlers clean up after the pets *daily*. Bob McGee of Supervisor Jefferies office has visited Mr. & Mrs. McVicker's property recently and never mentioned a word about any odor, as there is none. However, the same cannot be said for others in the Tenaja Valley. Scott and Sarina Becker have 18 horses, their stalls violate Riverside County set back requirements and the CC&R's set back requirements, placing their stalls within inches of the property line, just above a blue line stream located on Mr. & Mrs. McVicker's property. Their horses urine have killed several pine trees on Mr. & Mrs. McVicker's property and their horses feces have rolled down hill into Mr. & Mrs. McVicker's property, and into the blue line stream and contaminated the area. The *hydrology* of the area is against horses as they have gallons of urine and hundreds of pounds of feces each week that affect the local biology and environment negatively. Therefore Nicholson's statements appear to be without any factual basis and must be disregarded and the Permit must be approved as there is no creditable facts to support the claim by Nicholson that the dogs presence will negatively affect the area.<sup>12</sup>
6. Riverside County Ordinance 6.08.050(A) is defective: Nicholson mistakes the name of the permit for dogs on site in numbers 11-25 for a designation of a commercial kennel business. Mr. & Mrs. McVicker's Permit application is for a Kennel II permit. This is not a commercial enterprise, but a family that has 18 pets and wants to keep them at home. No dogs are sold, bred, or rescued on Mr. & Mrs. McVicker's property. Riverside County requires a homeowner to get a Kennel II permit to have 11-25 dogs at their home (not a commercial enterprise, not a dog rescue, just a home with pets). Other jurisdictions have specific ordinances for commercial kennels or rescues, Riverside County has one ordinance for any entity that will house 11-25 dogs on its property (commercial,

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<sup>11</sup> The original of this report has been filed with the Permit papers and is in your possession.

<sup>12</sup> This shows you how desperate Nicholson is to find some support for her client's (if she has any) claim against the Permit.

private or otherwise). However, just because a homeowner is required to make a permit application under the Kennel II Permit process, does not mean they are a commercial enterprise and as such Nicholson's argument regarding a defective ordinance is, again baseless along with her argument of increased usage of local infrastructure. No additional automobiles or street traffic will be suffered because of the approval of the Permit. Additionally, since the Permit is for non-commercial housing of dogs, there is no violation of the CC&R's, as argued by Nicholson. However, there are violations of the county zoning restrictions and the CC&R's by Scott Becker and Sarina Becker, as they have ongoing businesses of horse stable renting and wedding services (weddings and receptions services) on their property (see attached copy of ad page from Horse Trader Magazine). These violations DO increase the automobile traffic in the area, dust in the area and wear down the roads and infrastructure that support the homes in the Tenaja Valley. It is clear, again, that Nicholson has no basis for her argument here, and it is equally clear that Scott & Sarina Becker are doing exactly what Nicholson argues against. Therefore the Permit must be approved.

Nicholson has violated the California Rules of Professional Conduct and sections of the Business and Professions Code by intentionally misrepresenting to you that she represents the TCSD. Therefore all of her arguments and the allegations in her comment letter must be disregarded. While she will not reveal who her clients actually are (if she has any), the bulk of the prior opposition to the Permit has come from Scott & Sarina Becker, who have orchestrated a campaign of falsehoods, lies, bullying and pressure tactics to try to defeat a valid Permit. This is evident in the following facts: (i) before Mr. & Mrs. McVicker closed escrow on their home in Tenaja Valley and before they moved into their home<sup>13</sup>, Scott Becker told Mrs. McVicker that he and his friends have already forced out one dog owner family from Tenaja Valley and they will do the same to her. Shortly after Mr. & Mrs. McVicker took possession of their home in the Tenaja Valley, Mrs. McVicker was leaving her home when Sarina Becker came out to her car while she was driving away and started to yell and scream that she should not be in the Tenaja Valley, as it is not for dogs. This was partially captured on cell phone video, and in the e-mail service of this letter, a copy of same is included for your review. Just before that episode with Sarina Becker, Scott Becker encountered Mrs. McVicker at a local gas station and came over to her, actually "got in her face" (within inches) and started screaming for her to leave the Tenaja Valley with her pets. Scott Becker thereafter telephoned the TCSD and left a telephone message that he was going to shoot Mr. & Mrs. McVickers pets.<sup>14</sup> Scott Becker later tried to have the secretaries at the TCSD change the transcript of his message, to remove his offensive statement, which they rightly refused, as any change in the public record would be a crime. This has set a tone for Scott Becker and Sarina Becker's campaign of bullying. They carried out the same bad faith tactics through their failed attempt to have Mr. & Mrs. McVickers dogs ruled a nuisance by Animal Services. Now Nicholson, by a client she will not reveal, is apparently continuing

---

<sup>13</sup> This means also that it was before any of Mr. & Mrs. McVicker's pets were on the property.

<sup>14</sup> This caused Mr. & Mrs. McVicker to install additional new fencing at a cost of \$20,00.00 to keep their pets away from the Mr. & Mrs. McVicker/Scott Becker and Sarina Becker property line. They wanted to protect their pets from Scott Becker shooting them, should they get near the property line.

the same bad faith tactics. By withholding who her client is, Nicholson prevents our client from having an effective and complete defense to baseless allegations and outlandish innuendo, from clients hidden in the shadows. Additionally the timing of this letter (just days before the second LDC meeting on public comment, June 2, 2016), is clearly done to limit the time our clients have to respond to this false and fraudulent comment letter by Nicholson. Therefore you are respectfully requested to disregard Nicholson's comment letter and any statements therein, as the Permit should be approved.

As always, should you have any questions regarding the statements herein or need additional information, please contact my office.

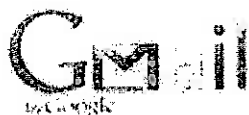
Sincerely,

Larry David Myers  
Attorney at Law

Enclosures:

1. Copy of e-mail from past president of TCSD regarding Tenaja Valley not just for horses.
2. Copy of Horse Trader Magazine (Vol. 37, No. 10, March 3, 2016, page 31) ad page showing Scott Becker and Sarina Becker's ad for horse boarding.
3. Copy of internet articles, referenced by Nicholson.
4. On e-mail service only, video of Sarina Becker yelling/harassing Mrs. McVicker outside her property.

Cc: Clients by e-mail



Arlene Miller &lt;tenajacsd@gmail.com&gt;

---

**Re: Fw: Canine Rescue / Residence Kennel**

1 message

---

**Michael Juha** <michaeljuha@gmail.com>  
To: arlene miller <tenajacsd@earthlink.net>

Tue, May 12, 2015 at 1:51 PM

Arlene,

I do not.

I am concerned about Tenaja CSD being represented as "primarily a Horse community", since that is not true.

Some Tenaja CSD residents own horses, but many residents do not.

At this time, I doubt that a majority of residents own horses.

As Tenaja CSD's population has grown older, fewer residents keep horses.

I would encourage you to email Tim McVicker as well as Scott Becker to ask what this email is about. You are due an explanation, if you were sent a copy of the email from Mr. Becker.

Mr. McVicker is allowed a certain number of dogs on his lot by County code.

He should contact the County to learn more about their restrictions.

If he intends to accommodate more than that certain number, he must apply for a permit to do so.

Having dogs on a property is not a threat to horses per se, if the property is fenced.

However, some dogs can jump a 6 foot high fence, just like coyotes and mountain lions.

Does Mr. McVicker realize that Tenaja CSD is home to mountain lions?

Riverside County Ordinances 534 and 630 govern keeping of animals, and County Ordinances 847 and 878 regulate noise.

The County permit process should require contacting all property owners within 500 feet of Mr. McVicker's property.

This appears to be a matter within the authority of the County of Riverside, rather than Tenaja CSD.

Mike Juha

On Tue, May 12, 2015 at 1:11 PM, <tenajacsd@earthlink.net> wrote:

Do you have any idea what this is about????

Arlene

---

-----Forwarded Message-----

From: SGB

Sent: May 12, 2015 12:33 PM

To: tmcvicker@mcvickerfamilylaw.com, tenajacsd@earthlink.net

Subject: Canine Rescue / Residence Kennel

Dear Tim,

It was a pleasure meeting both you and your wife on Saturday. After sharing your plans with us, Sarina and I are very concerned about the use of your residence as a Dog Rescue/ Kennel, as are the surrounding residents we have discussed this with. As you know Tenaja is primarily a Horse community, and Dogs and Horses are not a good combination, unless the dogs have been trained and are familiar with horses. My wife's livelihood is raising and riding her horses, and the thought of 25 potential dogs residing next to our ranch is frightening. A dog rescue brings with it a lot of undesirable conditions, not only to horse owners, but also to those residents who do not own horses. Your home is surrounded on all sides by horse owners, and residents who have invested a lot of money and time to live in a quiet, peaceful and beautiful area. We fear that the presence of a Dog Rescue will be inherently dangerous and disruptive to this community.

This letter is not intended as a threat, but an opportunity for you to have an open forum regarding your plans. I feel it may be in your best interest to meet with your new neighbors to discuss your plans in detail. The residents here are entitled to know what they can expect from your potential Dog Rescue operations.

Sincerely,

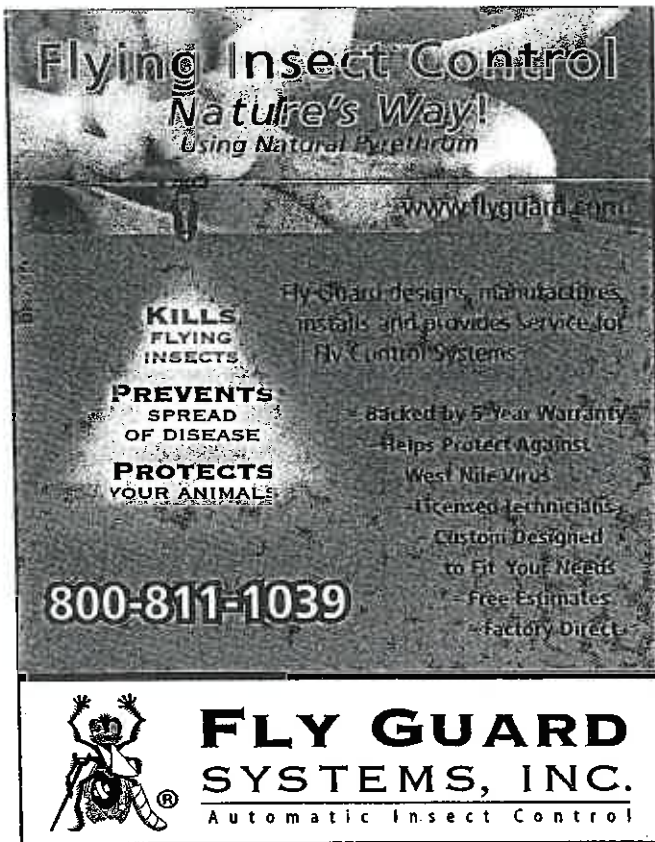
Scott G Becker

(951)678-7290p (951)6786540f

**This email and/or any files or attachments transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law.**

Arlene Miller  
for Tenaja C.S.D.  
32395-B Clinton Keith #10  
Wildomar, CA 92595  
Phone 951-678-9778  
Fax 951-678-7655  
email: tenajacsd@earthlink.net





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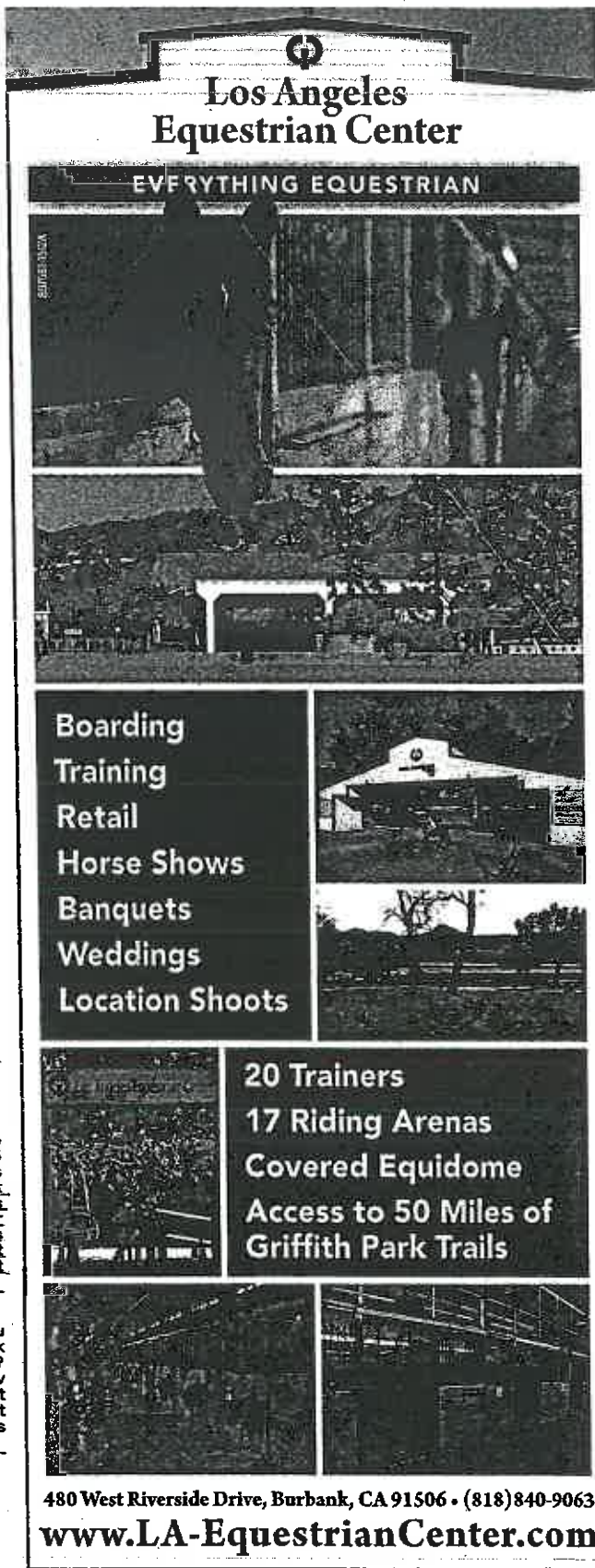
**B&B STABLES - Cerritos.** Box stalls, 12x12 matted - daily cleaning, shavings, automatic water & fly system. \$410 mo. 562/865-9012

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# Siberian Husky Club of America, Inc.

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[Club Information](#)
[Owning Siberians](#)
[Education Committee](#)
[Working Programs](#)
[Other Committees](#)
[SHOR](#)
[HOME](#)

## The Siberian Husky

The Siberian Husky Club of America, Inc., the AKC-recognized national breed club, is vitally interested in helping every potential dog owner find the breed ideally suited to his particular tastes and requirements. Above all, we want every Siberian Husky puppy to be placed where he will be appreciated for his special qualities. Therefore, we feel it is advisable to tell you just what a Siberian Husky IS and ISN'T.

The Siberian Husky is, and has for centuries been, a purebred DOG -- not a wild, half-wolf, cross-bred creature, as the uninformed may suggest. The breed was originally developed by the Chukchi people of northeastern Asia as an endurance sled dog. In 1909, the first large numbers of these Chukchi dogs were brought to Alaska to compete in the long-distance All-Alaska Sweepstakes races, and the Alaskan dog drivers quickly recognized the ability of these huskies from Siberia.

In the winter of 1925, when a diphtheria epidemic broke out in the isolated town of Nome, Alaska, a relay of dog teams brought life-saving serum from distant Neena. The heroic endeavor earned national prominence for the drivers and their dogs. One of these drivers, Leonhard Seppala, brought his team of Siberian Huskies, descendants of the original imports from Siberia, to the United States on a personal appearance tour. While in New England, he competed in sled dog races and again proved the superiority of Siberian Huskies over the native dogs. The New England drivers and pioneer fanciers acquired foundation stock, earned AKC recognition for the breed in 1930, and founded the Siberian Husky Club of America in 1938.

The Siberian Husky has a delightful temperament, affectionate but not fawning. This gentle and friendly disposition may be a heritage from the past, since the Chukchi people held their dogs in great esteem, housed them in the family shelters, and encouraged their children to play with them. Today, it is charming to observe the special appeal that Siberian Huskies and children have for each other. The Siberian Husky is alert, eager to please, and adaptable. His intelligence has been proven, but his independent spirit may at times challenge your ingenuity. His versatility makes him an agreeable companion to people of all ages and varying interests.

While capable of showing strong affection for his family, the Siberian Husky is not usually a one-man dog. He exhibits no fear or suspicion of strangers, and will greet guests cordially. This is not the temperament of a watchdog, although a Siberian Husky may unwittingly act as a deterrent to those ignorant of his true hospitable nature. If he lacks a fierce possessive instinct, he also lacks the aggressive quality which can sometimes cause trouble for the owner of an ill-trained or highly sensitive guard dog. In his relations with strange dogs, the Siberian Husky displays friendly interest and gentlemanly decorum. If attacked, however, he is ready and able to defend himself, and can handle the aggressor with dispatch.

Predatory instincts in the Siberian Husky are strong. While the Siberian is normally gentle and friendly with people and other dogs, owners MUST be aware that small animals in and around the home, such as squirrels, rabbits, birds, guinea pigs, hamsters, and CATS, are potential victims of their strong predatory instinct. They are swift, cunning, and patient in their hunting skills.

The Siberian Husky is a comparatively easy dog to care for. He is by nature fastidiously clean and is free from body odor and parasites. He is presented in the show ring well-groomed but requires no clipping or trimming. At least once a year the Siberian Husky sheds his coat, and it is then, when armed with a comb and a bushel basket, that one realizes the amazing density and profusion of the typical Siberian Husky coat. Some people feel that this periodic problem is easier to cope with than the constant shedding and renewal of many smooth-coated breeds.

Chewing and digging? Siberian Huskies have been known to do their share. The former is a habit that most puppies of all breeds acquire during the teething period, and it can be curbed or channeled in the right direction. Digging holes is a pastime that many Siberian Huskies have a special proclivity for, but in this, too, they may be outwitted, circumvented, or if you have the right area, indulged.

The Siberian Husky is noted as an "easy keeper," requiring a relatively small amount of food for his size. This trait, too, may be traced to the origins of the breed, as the Chukchis developed their dogs to pull a light load at a fast pace over great distances in low temperatures on the smallest possible intake of food.

There is one final characteristic of the Siberian Husky which we must point out -- their desire to RUN. There are many breeds of dogs which, when let out in the morning, will sit in the front yard all day. Not the Siberian Husky. His heritage has endowed him with the desire to run and his conformation has given him the ability to enjoy it effortlessly. But, one quick lope across a busy street could be the last run that he enjoys, ever. Because of this, we strongly urge that no Siberian Husky ever be allowed unrestrained freedom. Instead, for his own protection, he should be confined or under control at all times. Sufficient exercise for proper development and well-being may be obtained on a leash, in a large enclosure, or best of all, in harness. If you feel that it is inconvenient or cruel to keep a dog thus confined, then the Siberian Husky is not the breed for you.

In addition to the Siberian Husky, there are two other Arctic breeds, the Alaskan Malamute and the Samoyed, recognized by the American Kennel Club. These three recognized breeds are to be distinguished from the various cross-breeds known collectively as Alaskan huskies. The term "husky" is a corruption of the nickname "Eskey" once applied to the Eskimos and subsequently to their dogs. The Siberian Husky is the only recognized breed in which this word has become part of the proper name.

In recent years, the registration figures for the Siberian Husky have risen sharply. The SHCA is deeply concerned about this rapid increase in breed popularity, and does not wish to see the demand for Siberian Huskies result in a sacrifice of the breed's high quality. To help maintain this quality, the SHCA recommends that prospective buyers contact SHCA members in their area who are listed in the Referral Directory, a copy of which is available from the Club's Corresponding Secretary, and available elsewhere on this website. These breeders are pledged to adhere to the breed standard, to uphold the Code of Ethics, and to conduct themselves with good sportsmanship in all breed activities. By patronizing reliable breeders, the buyer is assured of dealing with knowledgeable people who are in a position to give the purchaser correct information and counseling during all stages of his dog's development.

The Siberian Husky Club of America, Inc., whose membership consists of breeders, sled dog racing enthusiasts, exhibitors, and fanciers, has never lost sight of its primary objective. It remains dedicated to the preservation and perpetuation of the Siberian Husky as a sound, capable, and natural breed, whose characteristics of mind and body make him not only a beautiful dog and a willing worker, but also a devoted and delightful companion.



Menu

- Adopt a Dog
- Dog breeds
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- Puppies
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Search

### Siberian Husky

The Siberian Husky is a beautiful dog breed with a thick coat that comes in a multitude of colors and markings. Their blue or multi-colored eyes and striking facial masks only add to the appeal of this breed, which originated in Siberia. It is easy to see why many are drawn to the Siberian's wolf-like looks, but be aware that this athletic, intelligent dog can be independent and challenging for first-time dog owners. Huskies also put the "H" in Houdini and need a fenced yard that is sunk in the ground to prevent escapes.

- Reference

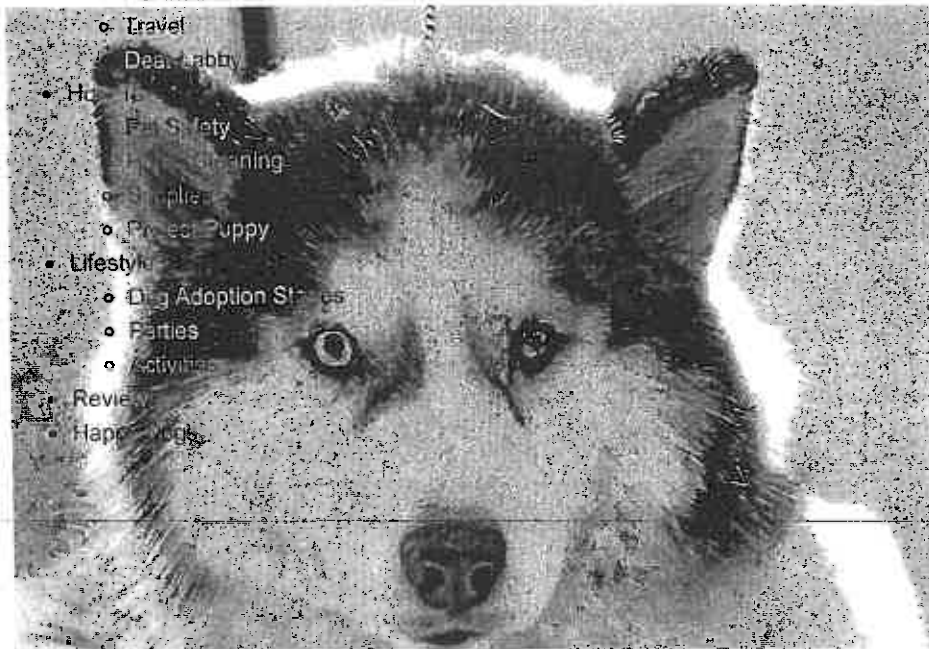
See below for full list of characteristics!

- Dictionary

Thumbnails Fullscreen

### Previous thumbs

Previous slide 1 of 10 Next slide





## Siberian Husky Dog Breed Pictures

How to take pictures of your dog  
Teaching your dog tricks  
Dog games for athletic dogs  
How to take pictures of your dog  
(Photo credit should read Jose CABEZAS/AFP/Getty Images)

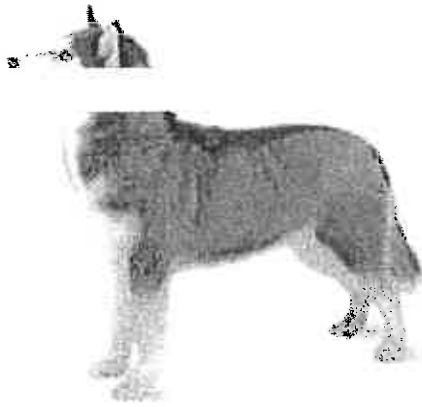
## Siberian Husky Dog Breed Pictures

(Picture Credit: Getty Images)

## Siberian Husky Dog Breed Pictures

(Picture Credit: Getty Images)

S  
B



### Breed Characteristics:

#### Adaptability

- Adapts Well to Apartment Living2More info +
- Good For Novice Owners1More info +
- Sensitivity Level4More info +
- Tolerates Being Alone1More info +
- Tolerates Cold Weather5More info +
- Tolerates Hot Weather3More info +

#### All Around Friendliness

- Affectionate with Family5More info +
- Incredibly Kid Friendly Dogs5More info +
- Dog Friendly5More info +
- Friendly Toward Strangers5More info +

#### Health Grooming

- Amount Of Shedding3More info +
- Drooling Potential3More info +
- Easy To Groom2More info +
- General Health4More info +
- Potential For Weight Gain2More info +
- Size3More info +

#### Trainability

- Easy To Train2More info +
- Intelligence3More info +
- Potential For Mouthiness4More info +
- Prey Drive3More info +
- Tendency To Bark Or Howl5More info +
- Wanderlust Potential5More info +

#### Exercise Needs

- Energy Level5More info +
- Intensity3More info +
- Exercise Needs5More info +

Potential For Playfulness 5 More info +

## Vital Stats:

Dog Breed Group: Working Dogs

Height: 1 foot, 8 inches to 1 foot, 11 inches tall at the shoulder

Weight: 35 to 60 pounds

Life Span: 12 to 15 years

- Siberian Huskies have captured the imagination of the masses, as well as artists, writers, and film producers, with their eye-catching looks and awe-inspiring talents. This medium-size working dog possesses power and athleticism. First developed as sled dogs — some are still used in this capacity — Huskies are remarkable dogs — and their ability to learn is staggering.

Many have fallen in love with the wild nature and pride of Huskies, but are unaware just what this breed is truly like. This is not a breed for everyone. Their beauty often drives people to purchase them, unaware of their difficult traits, which makes many Siberian Huskies prime candidates for shelters.

The increasing popularity of the breed has led to puppy mills and backyard breeders who do not properly breed for temperament. This is having an adverse effect on the breed at large and many of the negative traits are becoming common in these ill-bred dogs, including some traits that are not normal for Siberian Huskies.

If you look at all the positive points of their temperaments, you are left without any doubt that this is an amazing breed. They are intelligent and independent. They are affectionate with everyone but do not need to constantly pester you for attention. They are not known to be aggressive and generally do well in multi-dog homes. They do well with children and will welcome everyone into their home — yes, even intruders.

However, they often use that remarkable mind to learn less savory things and are not overly eager to please their people. They are extremely difficult to train, so first-time dog owners or timid people should consider other breeds. Huskies fit best with confident, experienced dog owners who set rules and deliver consistency. Like all breeds, Huskies need obedience training, but they seem to have an uncanny ability to distinguish the difference between home and class — behaving beautifully in class while disregarding commands when at home.

The biggest caution about Siberian Huskies is their reputation for being escape artists. They will wander away from home whenever they get the chance. Sadly, far too many have become lost or injured as a result. It's vital for Siberian Husky owners to constantly check their yards for any means of escape and to surround their yard with a fence sunk into the ground.

Although they have many qualities that can make them difficult, Siberian Huskies are still a wonderful breed. Fans of this spirited breed embrace their wonderful natures. When properly trained and cared for, Huskies make wonderful family companions.

## • Highlights

- Depending on your climate, Siberian Huskies are generally low shedders except during the times of year when they blow their coat, meaning they drop large amounts of hair all at once. This happens roughly twice a year, more if you live in warmer climates, and when it does, the breed becomes a heavy shedder for about a three-week stretch.
- Siberian Huskies are not recommended for apartment living, but some do quite well in apartments if they are properly trained and exercised.
- Siberian Huskies are known escape artists and have been known to wander away and disappear. They can jump fences, break tie-out chains, slip collars and find any other way to escape. They need a high fenced yard and the fence should also be buried several inches below ground to prevent the Husky from digging his way out.
- Siberian Huskies can be very destructive both inside and out. If they are left uncrated inside, the breed can destroy a house and cause a wide variety of damage. Outside, they enjoy digging and will dig up yards and flower gardens alike. A dog that is given a place to dig in the yard is much happier and so are you.
- While they enjoy howling, Siberian Huskies rarely bark and they will not alert bark if someone comes onto your property. This makes them an unsuitable watchdog. The rap on Huskies is that they would aid a burglar before posing any threat.
- Siberian Huskies are not a breed for the new or timid owner. They need a strong owner who will maintain an alpha position in the home. They need obedience training from a young age and can be a difficult and stubborn breed to train.
- Siberian Huskies are very curious and can become injured or lost while they are exploring something new.
- Affectionate and good natured describes the Siberian Husky. Generally, they do well with children although young children should never be left alone with any breed. They also get along with people and do well in homes with multiple dogs.
- Siberian Huskies were bred to need very little food to survive. This still applies today and the Siberian Husky does not need a high level of calories per day. It is important to ask your Siberian Husky's breeder what they recommended for a serving

helping and to follow their advice.

- Huskies cannot be allowed to run off leash during walks. They will run away and will also chase other small animals.
- Due to their beauty, Siberian Huskies are one of the most wrongly purchased breeds around. Many do not take into consideration their temperaments and particular quirks and are often left with an unruly, albeit beautiful, dog. Many Siberian Huskies are either lost, killed, or given to shelters due to uninformed owners. If you are thinking of purchasing a Siberian Husky, take a lot of time learning about the breed. Visit some Siberian Husky breeders or shelter dogs, read books, talk to other owners and possibly foster if you feel you can. If after all your experiences, you feel you still want a Siberian Husky, take the time to decide on whether you should adopt a rescue or a puppy. Follow your breeder's advice and remember that this beautiful dog will make your life an adventure and not always a good one.
- To get a healthy dog, never buy a puppy from an irresponsible breeder, puppy mill, or pet store. Look for a reputable breeder who tests her breeding dogs to make sure they're free of genetic diseases that they might pass onto the puppies, and that they have sound temperaments.

## • History

The Siberian Husky is believed to have originated among the Chukchi, a tribe of Siberian nomads. The breed's history is relatively unknown but DNA tests confirm that they are among the oldest of dog breeds. We do know that the Chukchi used the dogs as fast transportation and that they interacted with the Chukchi as a family dog. Huskies often slept with the children and provided warm comfortable beds for them.

The Siberian Husky was imported to Alaska in 1908 and was used as sled dogs during the gold rush. They were used in the All-Alaska Sweepstakes, which is a 408-mile dogsled race, and continue to be an active competitor in the Sweepstakes even today.

Records indicated that the last Siberian Husky was exported from Siberia in 1930 when the borders were closed by the Soviet government. The breed continued to thrive in North America. Although they changed slightly from their Siberian foundation dogs, the Chukchi Sled Dog, they still maintain many of the wonderful qualities of that breed.

The Siberian Club of America was founded in 1938 and the Siberian Husky was recognized by the American Kennel Club in 1930 and the Canadian Kennel Club in 1939.

## • Size

An average male stands between 21 and 23.5 inches high while the female averages 20 to 22 inches. The male weighs between 45 and 60 pounds and the female 35 to 50 pounds.

## • Personality

Siberian Huskies are pack dogs, and they need an owner who is the clear leader of the pack. This makes training easier because you will find that your dog respects you, but don't be surprised if he tests the limits of your position in the pack and tries to take control from time to time.

When this happens, it's important not to give into their pushiness. Assert yourself as leader — not by bullying or hitting — but by confirming the ground rules with clarity and consistency.

Making your dog wait to eat is one of the best ways to establish your leadership role. The Husky will view you as the keeper of all valuable resources — food, treats, toys and other canine assets.

This high-energy breed can be destructive both indoors and out — especially when bored or not given adequate exercise. They will demolish a house if they are left alone and there has even been a case of a Siberian Husky chewing through a cement wall.

model if they are left alone and there has even been a case of a Siberian husky chewing through a cement wall.

They will dig up flower gardens and yards alike, but they can be trained to dig in a specific spot in the yard. It is better for everyone if you merely teach your dog to dig in one spot instead of trying to break him of that habit.

Nonetheless, they can be quite charming with their mischievous and playful nature. They are also quite social and love to show off their talents.

Siberian Huskies do not bark — that's the good news. Here's the bad: they do enjoy howling, which can be very frustrating for your neighbors. Unless you have a properly trained and well-exercised Siberian Husky, they do not make ideal pets for apartments.

Another caution: although Huskies are adored for being friendly and gentle, they make lousy watchdogs. Unfortunately, they are not overly suspicious of strangers, including burglars. The fact is that they tend to love everybody.

Temperament doesn't occur in a vacuum. It's affected by a number of factors, including heredity, training, and socialization. Puppies with nice temperaments are curious and playful, willing to approach people and be held by them. Choose the middle-of-the-road puppy, not the one who's beating up his littermates or the one who's hiding in the corner.

Always meet at least one of the parents — usually the mother is the one who's available — to ensure that they have nice temperaments that you're comfortable with. Meeting siblings or other relatives of the parents is also helpful for evaluating what a puppy will be like when he grows up.

Like every dog, Siberian Huskies need early exposure to many different people, sights, sounds, and experiences when they're young. Socialization helps ensure that your Siberian puppy grows up to be a well-rounded dog.

Enrolling him in a puppy kindergarten class is a great start. Inviting visitors over regularly, and taking him to busy parks, stores that allow dogs, and on leisurely strolls to meet neighbors will also help him polish his social skills.

## • Health

Huskies are generally healthy, but like all breeds, they're prone to certain health conditions. Not all Huskies will get any or all of these diseases, but it's important to be aware of them if you're considering this breed.

If you're buying a puppy, find a good breeder who will show you health clearances for both your puppy's parents. Health clearances prove that a dog has been tested for and cleared of a particular condition.

In Huskies, you should expect to see health clearances from the Orthopedic Foundation for Animals (OFA) for hip dysplasia (with a score of fair or better), elbow dysplasia, hypothyroidism, and von Willebrand's disease; from Auburn University for thrombopathia; and from the Canine Eye Registry Foundation (CERF) certifying that eyes are normal. You can confirm health clearances by checking the OFA web site ([ofa.org](http://ofa.org)).

- **Cataracts:** A cataract is an opacity on the lens of the eye that causes difficulty in seeing. The eye(s) of the dog will have a cloudy appearance. Cataracts usually occur in old age and sometimes can be surgically removed to improve the dog's vision.
- **Corneal Dystrophy:** This condition affects the cornea or outer transparent portion of the eyeball. It is an opacity that is caused by a collection of lipids in the cornea. It is usually seen in young adults and it generally affects more females. There is no therapy for this condition, but it does not seem to affect the vision.
- **Progressive Retinal Atrophy (PRA):** This is a degenerative eye disorder that eventually causes blindness from the loss of photoreceptors at the back of the eye. PRA is detectable years before the dog shows any signs of blindness. Fortunately, dogs can use their other senses to compensate for blindness, and a blind dog can live a full and happy life. Just don't make it a habit to move the furniture around. Reputable breeders have their dogs' eyes certified annually by a veterinary ophthalmologist and do not breed dogs with this disease.

## • Care

Siberian Huskies need to be exercised 30 to 60 minutes daily to keep them from becoming bored. They make excellent jogging companions, but should not be exercised in hot weather. Surprisingly, they need only a small (but secure) backyard to expend their energy.

Bottom line: Siberian Huskies need to be working to stay happy. Usually just maintaining your own active life through hiking and other outdoor sports will keep your Siberian Husky healthy, happy and out of trouble.

As mentioned earlier, training is a must with this breed and you may want to invest in more advanced obedience classes. This can be difficult for many owners and trainers as the breed is very intelligent and will determine the difference between classes and home.

They will behave wonderfully at class, following all instructions and commands, but at home they may revert back to the stubborn dog that stole your heart. This can be frustrating, but you will find that patience, time, and a little of your own stubbornness will pay off.

Crate training is an important tool that is often recommended by breeders. It keeps you dog and puppy safe and also gives them their own safe haven to retreat to when they are feeling overwhelmed or tired. A crate should never be used as a punishment.

Leash training is also a must as Siberian Huskies should never be left off leash when they are not in a fenced area. They love to run and will do so without any thought of how far away you are. You can easily lose your Siberian Husky if he decides to chase something or simply enjoy a heartfelt run. Siberian Huskies do have a high prey drive and that is another reason why they should be leashed during walks.

## Feeding

Recommended daily amount: 1.5 to 2 cups of high-quality dry food a day, divided into two meals.

When it comes to meal times, Siberian Huskies are known for being "easy keepers" — requiring a relatively small amount of food for their size. This trait may be traced to the origins of the breed, as the Chukchis developed these dogs to pull a light load at a fast pace over great distances in low temperatures on the smallest possible intake of food.

*Note:* How much your adult dog eats depends on his size, age, build, metabolism, and activity level. Dogs are individuals, just like people, and they don't all need the same amount of food. It almost goes without saying that a highly active dog will need more than a couch potato dog. The quality of dog food you buy also makes a difference — the better the dog food, the further it will go toward nourishing your dog and the less of it you'll need to shake into your dog's bowl.

For more on feeding your Husky, see our guidelines for buying the right food, feeding your puppy, and feeding your adult dog.

## Coat Color And Grooming

Make sure your vacuum cleaner is in top working order and you book time regularly to groom if you adopt a Siberian Husky. His double coat features medium-length hair. The top coat is straight and the undercoat feels soft and dense.

Expect lots of hair, lots of shedding — especially during spring and fall when they blow their coats. That said, this is a fairly easy breed to care for. Siberian Huskies living in cooler temperatures tend to shed less than those who live in warmer climates. You can avoid matting — and excess hair on your furniture — if you commit to brushing your dog's coat at least once a week during the year — and daily during shedding season.

Siberian Huskies are clean dogs and will take the time to clean themselves — much like a cat will. They don't typically emit "doggy" odor and rarely need baths. Unless, of course, they wiggle in something disgusting in the backyard or find a stinky body of water to jump in. When it is bath time, select a high-quality dog shampoo designed to keep the natural oils in your dog's skin and coat.

Huskies come in a variety of colors and markings, from black to pure white with colored markings on the body that include reds and coppers. Their eyes can be brown, blue, or a combination. Their faces sport masks that add to their eye appeal.

Brush your Husky's teeth at least two or three times a week to remove tartar buildup and the bacteria that lurk inside it. Daily brushing is even better if you want to prevent gum disease and bad breath.

Trim his nails once or twice a month if your dog doesn't wear them down naturally to prevent painful tears and other problems. If you can hear them clicking on the floor, they're too long. Dog toenails have blood vessels in them, and if you cut too far you can cause bleeding — and your dog may not cooperate the next time he sees the nail clippers come out. So, if you're not experienced trimming dog nails, ask a vet or groomer for pointers.

His ears should be checked weekly for redness or a bad odor, which can indicate an infection. When you check your dog's ears, wipe them out with a cotton ball dampened with gentle, pH-balanced ear cleaner to help prevent infections. Don't insert anything into the ear canal; just clean the outer ear.

Begin accustoming your Husky to being brushed and examined when he's a puppy. Handle his paws frequently — dogs are touchy about their feet — and look inside his mouth. Make grooming a positive experience filled with praise and rewards, and you'll lay the groundwork for easy veterinary exams and other handling when he's an adult.

As you groom, check for sores, rashes, or signs of infection such as redness, tenderness, or inflammation on the skin, in the nose, mouth, and eyes, and on the feet. Eyes should be clear, with no redness or discharge. Your careful weekly exam will help you spot potential health problems early.

## Children And Other Pets

Huskies make great pets for households with children. They can be very tolerant of children, but like all other dogs, should be supervised when around young children.

Always teach children how to approach and touch dogs, and always supervise any interactions between dogs and young children to prevent any

Always teach children how to approach and touch dogs, and always supervise any interactions between dogs and young children to prevent any biting or ear or tail pulling on the part of either party. Teach your child never to approach any dog while he's eating or to try to take the dog's food away. No dog should ever be left unsupervised with a child.

Siberian Huskies do get along with other dogs but it is still important to take your puppy to socialization classes. This gets them used to other dogs and also to people, although they are also very affectionate to strangers. Socialization teaches puppies how to behave and greet other dogs and their owners.

Keep in mind the history of this breed. The harsh conditions in Siberia created a strong prey drive in this breed because food was often hard to find. As a result, many Huskies today maintain that prey drive toward small animals such as squirrels, rabbits, and cats. Some Huskies, however, thrive in multi-pet households, especially when they are raised with other pets from puppyhood.

## Rescue Groups

Siberian Huskies are often purchased without any clear understanding of what goes into owning one. There are many Huskies in need of adoption and or fostering. There are a number of rescues that we have not listed. If you don't see a rescue listed for your area, contact the national breed club or a local breed club and they can point you toward a Husky rescue.

- Bay Area Siberian Husky Club
- Delaware Valley Siberian Husky Rescue
- Garden State Siberian Husky Club
- Half Moon Husky Rescue, Inc.
- MaPaw Siberian Husky Rescue & Referral Service, Inc.
- Seneca Siberian Husky Club
- Siberian Husky Assist Rescue
- Siberian Husky Club of Greater Cleveland
- Siberian Husky Rescue Site

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### Filter Breed Profiles

- Affenpinscher
- Afghan Hound
- Airedale Terrier
- Akita
- Alaskan Malamute
- American English Coonhound
- American Eskimo Dog
- American Foxhound
- American Pit Bull Terrier
- American Water Spaniel
- Anatolian Shepherd Dog
- Appenzeller Sennenhunde
- Australian Cattle Dog
- Australian Shepherd
- Australian Terrier





- English Setter
- English Springer Spaniel
- English Toy Spaniel
- Entlebucher Mountain Dog
- Field Spaniel
- Finnish Lapphund
- Finnish Spitz
- Flat-Coated Retriever
- Fox Terrier
- French Bulldog
- German Pinscher
- German Shepherd Dog
- German Shorthaired Pointer
- German Wirehaired Pointer
- Giant Schnauzer
- Glen of Imaal Terrier
- Goldador
- Golden Retriever
- Goldendoodle
- Gordon Setter
- Great Dane
- Great Pyrenees
- Greater Swiss Mountain Dog
- Greyhound
- Harrier
- Havanese
- Ibizan Hound
- Icelandic Sheepdog
- Irish Red and White Setter
- Irish Setter
- Irish Terrier
- Irish Water Spaniel
- Irish Wolfhound
- Italian Greyhound
- Jack Russell Terrier
- Japanese Chin
- Keeshond
- Kerry Blue Terrier
- Komondor
- Kooikerhondje
- Korean Jindo Dog
- Kuvasz
- Labradoodle
- Labrador Retriever
- Lakeland Terrier
- Lancashire Heeler
- Leonberger
- Lhasa Apso
- Lowchen
- Maltese
- Maltese Shih Tzu
- Maltipoo
- Manchester Terrier
- Mastiff
  
- Miniature Pinscher
- Miniature Schnauzer
- Mut

- Neapolitan Mastiff
- Newfoundland
- Norfolk Terrier
- Norwegian Buhund
- Norwegian Elkhound
- Norwegian Lundehund
- Norwich Terrier
- Nova Scotia Duck Tolling Retriever
- Old English Sheepdog
- Otterhound
- Papillon
- Peekapoo
- Pekingese
- Pembroke Welsh Corgi
- Petit Basset Griffon Vendéen
- Pharaoh Hound
- Plott
- Pocket Beagle
- Pointer
- Polish Lowland Sheepdog
- Pomeranian
- Poodle
- Portuguese Water Dog
- Pug
- Puggle
- Puli
- Pyrenean Shepherd
- Rat Terrier
- Redbone Coonhound
- Rhodesian Ridgeback
- Rottweiler
- Saint Bernard
- Saluki
- Samoyed
- Schipperke
- Schnoodle
- Scottish Deerhound
- Scottish Terrier
- Sealyham Terrier
- Shetland Sheepdog
- Shiba Inu
- Shih Tzu
- Siberian Husky
- Silky Terrier
- Skye Terrier
- Sloughi
- Small Munsterlander Pointer
- Soft Coated Wheaten Terrier
- Stabyhoun
- Staffordshire Bull Terrier
- Standard Schnauzer
- Sussex Spaniel
- Swedish Vallhund
- Tibetan Mastiff
- Tibetan Spaniel
- Tibetan Terrier
- Toy Fox Terrier
- Treeing Tennessee Brindle

- Treeing Tennessee Brindle
- Treeing Walker Coonhound
- Vizsla
- Weimaraner
- Welsh Springer Spaniel
- Welsh Terrier
- West Highland White Terrier
- Whippet
- Wirehaired Pointing Griffon
- Xoloitzcuintli
- Yorkipoo
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**EXHIBIT "B"**

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May 23, 2016

VIA ELECTRONIC MAIL  
AND U. S. MAIL

Mr. Timothy Wheeler  
Project Planner  
County of Riverside Planning Department  
4080 Lemon Street, 12th Floor  
Riverside, California 92501  
Email: [twheeler@rcplma.org](mailto:twheeler@rcplma.org)

Re: *Comments on Kennel II Application, Plot Plan #25922*

Dear Mr. Wheeler:

It was nice talking to you on the phone regarding Plot Plan #25922 and I sent a follow-up email requesting notification of any public hearings or actions taken on this matter. With that said, the law firm of Tyler & Bursch has been retained to represent the interests of the neighbors located in and around the project or the area known as the Tenaja Community Service District (hereinafter "TCSD").

To set the legal framework, the TCSD was formed by the residents to improve and maintain streets, bridges, culverts, curbs, gutters, drains, and works incidental thereto. Attachment "A" provides a copy of Restated Ordinance No. 5 which outlines the duties of the TCSD. However, TCSD has other powers including "to act as ex-officio governing body of any owner's association to administer existing Conditions, Covenants and Restrictions (hereinafter "CC&Rs"). Attachment "B" provides information about TCSD and the important paragraph, relating to CC&R enforcement powers, has been outlined. Attachment "C" provides a copy of Ordinance No. 1 which gives TCSD authority to enforce CC&Rs within the TCSD jurisdiction.

Regarding the McVicker's property, the TCSD has authority to enforce CC&Rs that run with the land within its boundaries. I am attaching a copy of the CC&Rs that relate to the McVicker's property. As you can see, pursuant to 3.05 Signs are covered; 3.06 Building Regulations are covered; and 6.03 Prohibited Operations and Uses do not allow for commercial, industrial or manufacturing operations of any kind and commercial ranching of cattle, horses and sheep are prohibited as well. Attachment "D" provides a copy of the CC&Rs, Recorded Document No. 524768 which every purchaser of real property is given constructive notice because the document is recorded. At the bottom of this letter, explains concerns with the County's definitions as they relate to kennels and the CC&Rs.

One of the ongoing issues with the McVicker's property is the lack of supervision of the dogs. Pursuant to Ordinance 348.4818, Section 1845(C) requires "All Class II Kennels and all catteries shall include a single family dwelling to be used by a live-in caretaker. . ." Evidently, the McVickers have someone on the property and we are assuming that person should be supervising the dogs, especially in light of the high numbers of dogs on the property. The McVickers originally placed 14 Siberian Huskies ("Huskies") on their property without a proper permit and now have 18 Huskies. While there is a person on the property, that person was unable to stop the dogs from escaping off the property on two occasions and attacking a horse, donkey and killing several chickens. These incidents are documented in photos and statements of neighbors who were placed in fear of their lives as this "pack of dogs" terrorized the neighborhood without any supervision or ability to notify the owners until they came home. Attachment "E" provides photos of the dogs after attacking neighbors' animals. When a neighbor came to get help from the McVickers, no one was available.

It is important to note the type of breed the McVickers have left in large numbers without proper supervision. Huskies are extremely hard to train, and they have a reputation as escape artists. "Siberian Huskies put the 'H' in 'Houdini'".<sup>1</sup> The article stated Huskies love to howl and are instinctive hunters. "Predatory instincts in the Siberian Husky are strong. While the Siberian is normally gentle and friendly with people and other dogs, owners MUST be aware that small animals in and around the home, such as squirrels, rabbits, birds, guinea pigs, hamsters, and CATS, are potential victims of their strong predatory instinct. They are swift, cunning, and patient in their hunting skills."<sup>2</sup> The article concluded one *should not leave small children unattended around these types of dogs*. Thus, PP#25922 is requesting to place 25 howling Huskies that have great escape abilities and a propensity to kill small animals at a location where help is not readily available. This is the very type of situation that Ordinance 630 was designed to prevent. You can imagine the fear of neighbors as they watch 5-6, maybe more, pack animals come onto their property without any supervision from the property owner maintaining the Type II Kennel. In one instance, the property owner was imprisoned in her house because of her fear of dogs and the Huskies that had decided to camp out on her property. This type of situation should not be allowed in light of Ordinance 630.

A significant concern of the neighbors is they bought property in the TCSD because it is horse country. Most all of the neighbors own horses and ride horses. It is the equestrian life-style that brought them to the area and encouraged them to invest. That purpose is negatively affected by wolf-like dogs who run in packs and attack horses. The situation creates a significantly dangerous environment for horses and their riders. For this reason alone, the County of Riverside should not approve the Kennel II permit.

To make matters worse, properties in the TCSD back up to a wildlife corridor. Protected species use the land behind the McVicker's home as a corridor. Placing 25 predatory, escape artists,

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<sup>1</sup> Dogtime.com: <http://dogtime.com/dog-breed/siberian-husky-slide/1>, last visited May 22, 2016.

<sup>2</sup> Siberian Husky Club of America, Inc., <http://www.shca.org/shcahp2a.htm>, last visited May 22, 2016.



who like to howl, is bound to negatively affect biological resources, if not destroy them altogether. Regarding the howling, the noise has so negatively impacted the neighbors as to become untenable. The odor from 25 dogs urinating and defecating is certain to have significant impacts to biological resources, and the hydrology of the area, as well as general disturbance of residents' quiet enjoyment of their property.

As you know, the County of Riverside only allows one to four dogs on a property under normal circumstances. A person owning five or more dogs must apply for a license to operate a kennel. (Ordinance 6.08.050(A).) The County of Riverside's definition of "kennel" describes the buildings and number of dogs but does not describe the use as accurately as other jurisdictions. For example, the City of Riverside defines "kennel" to mean "commercial kennel" (Ordinance 8.18.010); Kern County defines "kennel" as "the business of boarding . . . dogs or cats." (Ordinance 7.04.150.) The problem is the County of Riverside has placed a limit on the number of dogs that can be on private property and yet, through its failure to accurately define kennels, has allowed private owners to disregard the limitation, exposing their neighbors and the community to nuisance and the expense of litigation. The neighbors request the County of Riverside adopt a more complete definition for "kennel" as commercial or business; not residential use. It is truly not a "residential" use or it would fall under the four or less dog limitation. If "kennel" clearly defined the use, the McVicker proposal would not be allowed under the CC&Rs. We encourage the County of Riverside to close the loophole in its Ordinance that circumvents the four dog restriction on property. We encourage the County of Riverside to adopt the City of Riverside's definition as more appropriate.

Lastly, the TCSD has the job of overseeing road improvements. Road improvements are paid for by the residents through individual assessments. There is an abundance of information on how the roads have deteriorated because they were not designed for increased use. The implementation of any kennel will impact traffic on the roads and should require, at a bare minimum, road improvements paid for by Plot Plan applicants so the neighbors are not subjected to the dust and traffic concerns that will come with Plot Plan entitlements. Moreover, this project must come before the TCSD, not only as governing body for enforcement of the CC&Rs, but also, because of road improvements and traffic conditions exacerbated by these types of projects.

In closing, I am available to discuss these concerns with you more fully. We encourage you to deny the requested permit as inappropriate for the neighborhood and based upon past incidents, this letter may be used in the future as notification to the County of Riverside that a huge safety concern existed prior to any approval project approval. I can be reached at (951) 600-2733 or at [mnicholson@tylerbursch.com](mailto:mnicholson@tylerbursch.com) if you have any questions regarding this letter.

Kind regards,



Marty J. Nicholson, Esq.

ATTACHMENT "A"

**RESTATED ORDINANCE NO.5**

**AN ORDINANCE OF THE TENAJA COMMUNITY SERVICES DISTRICT  
REQUIRING OFFERS OF DEDICATION AND THE PREPARATION OF  
CENTERLINE STUDY PROFILE FOR PUBLIC STREETS**

**Section I. RECITATIONS OF FACT.**

A. The Tenaja Community Services District (District) is empowered to improve and maintain streets, bridges, culverts, curbs, gutters, drains, and works incidental thereto subject to the consent of the Board of Supervisors of the County of Riverside.

B. Ordinance No. 460 of the County of Riverside authorizes the District to impose development standards for streets within its boundaries subject to the approval of the Director of Transportation of the County.

C. The Board of the Directors have heretofore adopted Ordinance No. 7 establishing design and construction standards for public streets which are to be imposed on all divisions of land within the District.

D. The Board of Directors has also required persons processing Schedule H and I Parcel Maps to prepare "Street Improvement Plans" for proposed public streets.

E. On June 24, 1993, the County of Riverside adopted a new standard which substitutes a "Centerline Study Profile" for "Street Improvement Plans" as of July 14, 1993.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TENAJA COMMUNITY SERVICES DISTRICT ORDAINS AS FOLLOWS:

**Section II. Restatement of Ordinance No. 5.**

This Ordinance shall constitute a complete restatement of Ordinance No. 5 and those portions of previously adopted Ordinances 4, 5 or 7 which are inconsistent with this restatement are to that extent repealed.

**Section III. CONDITIONS OF APPROVAL FOR SCHEDULES H AND I  
PARCEL MAP DIVISIONS**

A. Prior to the approval by the County of Riverside of any Schedule H or Schedule I Parcel Maps as defined in Sections 10.13 and 10.14 of County Ordinance No.460, the owner or developer shall:

1. Irrevocably offer to dedicate to the Public all of the right of way for any public street(s) required for

the proposed division of land as defined in Ordinance No. 7.

2. Prepare a Centerline Study Profile pursuant to the standards adopted by the County of Riverside on June 24, 1993, and incorporated herein by reference.

B. Such offers of dedication and Study shall be predicated upon:

1. Preserving and maintaining access to public streets;

2. A street center-line profile extending a minimum of 600 feet beyond the boundaries of the proposed division of land;


3. Approval of the vertical and horizontal alignments by the District.

4. The ultimate construction of the street(s) in accordance with standards and specifications set forth in Ordinance No. 7.

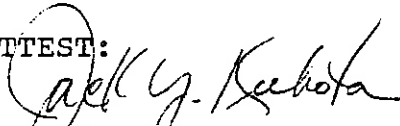
**Section IV. Effective Date -- An Urgency Measure.**

This is an urgency measure adopted for the safety and welfare of the District and shall be effective immediately. The nature of the urgency is that applications for Schedules H and I Parcel Maps which are currently awaiting the approval of the County of Riverside must, under the terms of the current Ordinance No. 5, present Street Improvement Plans. Adoption of this ordinance will permit such applicants to process their maps with a Centerline Study Profile.

ADOPTED by the Board of Directors of the Tenaja Community Services District this 2nd day of September, 1993, by unanimous vote of the following Directors present: Palmer, Selzler, Leondis, and Natale.

  
Ken Palmer, President

ATTEST:

  
Jack Y. Kabota, Secretary

ATTACHMENT "B"



# Tenaja Community Services District

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## About the Tenaja CSD

The Tenaja Community Services District ("TCSD") was formed in 1985 pursuant to the Community Services District Act of California ("CSDA"), and encompasses approximately 6,400 acres of spacious rural land in the Santa Rosa Coastal Mountain Range between the City of Murrieta and the Cleveland National Forest.

TCSD receives its powers through the Community Services District Act of the State of California (CSDA) to undertake a number of local agency functions. Currently, however, the Board of Directors is primarily involved in the improvement and maintenance of streets. Since TCSD has no land-use powers, development is subject to the Southwest Area Community Plan of the County of Riverside which requires a minimum of five (5) acres for one (1) residence.

The CSDA authorizes Community Services Districts to exercise a number of municipal powers; the Tenaja Community Services District has, however, been granted authority over the following governmental functions:

- 1. The collection, treatment, or disposal of sewage, waste, and storm water of the district and its inhabitants.**
- 2. The constructing, opening, widening, extending, straightening, surfacing, and maintaining, in whole or in part, of any street in the district, subject to the consent of the governing body of the county or city in which the improvement is to be made.**
- 3. The construction and improvement of bridges, culverts, curbs, gutters, drains, and works incidental to the purposes specified in subdivision (j), subject to the consent of the governing body of the county or city in which the improvement is to be made.**

However, at this time the District only provides the services related to the improvement and maintenance of streets. The District's routine maintenance includes: culvert cleaning, tree trimming, pavement repair, overlays, striping, sign repair and replacement, shoulder replacement, and other related activities.

Under the CSD Act, Community Services Districts are empowered to raise taxes, finance improvement projects through assessment districts created under one or more Improvement Acts sanctioned by State law, and/or to pay for improvements upon the prior approval of the affected electorate through a process defined in Proposition 218. The Board of Directors may, therefore, impose assessments in accordance with its statutory authority or act as facilitator for special assessment districts or an assessment to be created through a Proposition 218 proceeding. As facilitator, the District will coordinate the engineering, development of plans, construction and the ultimate funding.

The CSDA requires the Board of Directors to meet at least quarterly. Currently the regular meetings for the TCSD Board are scheduled for the first Thursdays of each month at the District's office. The Board may, in addition, hold Special meetings or adjourn a regular meeting to another time and place.

The District is governed by a five-member Board of Directors who are residents of the District and elected by residents to four-year terms. The District posts agendas at the District office on the Friday before each month. In addition, agenda packets of each Board meeting are available on request for a nominal annual fee.

The CSDA has empowered the Board to act as ex-officio governing body of any owner's association to administer existing Conditions, Covenants and Restrictions (CC&R). The Board may, in addition appoint any number of advisory committees. Standing committees at this time are the Roads Committee and the Architectural Committee.

The Roads Committee and Architectural Committee meet every Thursday at 8:30 AM to review and discuss applications for easements, road encroachments, street maintenance and Architectural approvals.

**DISCLAIMER: Information on this Website is subject to revision without notice.**

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# ATTACHMENT "C"



ORDINANCE NO. 1  
TENAJA COMMUNITY SERVICES DISTRICT

ORDINANCE OF THE TENAJA COMMUNITY SERVICES DISTRICT  
ESTABLISHING A COMMITTEE FOR THE ENFORCEMENT OF CC&R'S  
FOR TRACTS WITHIN DISTRICT BOUNDARIES

THE BOARD OF DIRECTORS OF THE TENAJA COMMUNITY SERVICES DISTRICT HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals

a. Section 61601.16 of the Government Code empowers the Board of Directors of the Tenaja Community Services District to enforce the covenants, conditions and restrictions adopted for each tract within the boundaries of the District, and to assume the duties of the Architectural Control Committee for each tract within such boundaries, for the purpose of maintaining uniform standards of development.

b. The Board of Directors hereby finds and determines that it is feasible, economically sound, and in the public interest to undertake such duties and responsibilities.

c. A majority of the voters voting on the proposition has voted in favor of the adoption of such additional purpose pursuant to Section 61601 of the Government Code.

d. The Board of Directors desires to establish a committee to act as the Architectural Control Committee for all tracts within the District's boundaries.

Section 2. Creation and Membership. An Architectural Control Committee for the Tenaja Community Services is hereby created, the membership of which shall be comprised of five (5) members, appointed from the following categories:

a. Not less than two (2) members from the residents of the District;

b. Not more than three (3) members from the non-resident property owners of the District.

c. Not more than one (1) member who is neither a resident nor a property owner of the District.

Section 3. Duties. The Architectural Control Committee shall undertake and have the following duties, responsibilities and functions, together with the powers incidental thereto:

a. To review and make recommendations to the Board of Directors concerning the construction, alteration, or repair of structures as more specifically set forth in Declaration of Covenants, Conditions and Restrictions for tracts within the boundaries of the Tenaja Community Services District;

b. To review and recommend to the Board of Directors the enforcement of other provisions of any declaration of conditions, covenants and restrictions; and

c. To undertake such other duties as may be assigned by the Board of Directors.

Section 4. Appointments. Members of the Committee shall be appointed by the affirmative votes of not less than three (3) members of the Board of Directors.

Section 5. Term of Office. Each member of the Committee shall serve for a one (1) year term commencing on the date of appointment and expiring on June 30 of the designated expiration year. Each member of the Committee holding office as of June 1, 1987, shall, however, continue in such office until June 30 of 1988.

Section 6. Vacancies. All vacancies shall be filled by appointment of the Board of Directors by the affirmative votes of not less than three (3) members; where a vacancy shall occur leaving an unexpired term, the subsequent appointment shall be made for the balance of such unexpired term; except for the removal of a Committee member or vacancies due to absences, each Committee member shall continue to serve until his successor is appointed and qualified.

Section 7. Removal from Office. Any member of the Committee may be removed from such office, with or without cause, at any time, by the Board of Directors. No such removal shall, however, be effective unless a motion to that effect made at a regular, adjourned regular, special, or adjourned special meeting is carried by the affirmative votes of not less than three (3) members of the Board of Directors.

Section 8. Absences. Any member of the Committee who is absent without sufficient cause from three (3) successive regular meetings, shall be deemed to have vacated his or her office. An absence due to illness or an unavoidable absence from the District shall be deemed an excused absence of sufficient cause provided notice is given to the secretary of the Committee by such member on or before the day of any regular meeting.

Section 9. Compensation and Expenses. Each member of the Committee shall be entitled to such compensation as may be set by the Board of Directors. Such members shall be entitled to reimbursement for expenses incurred in the performance of their official duties if such expenses are approved in advance by the Board of Directors.

Section 10. Meetings. Except as otherwise expressly provided in this Ordinance, the Committee shall establish the time and place of its regular meetings. All such meetings shall be conducted in accordance with the provisions of the Ralph M. Brown Act. The Committee shall adopt rules for the transaction of its business and shall keep a record of its proceedings, which record shall be open to inspection by any member of the public.

Section 11. Officers. The Committee shall annually elect one of its members as Chairman and one of its members as Vice-Chairman. Such election shall take place at the first regular meeting in July of each year. The General Manager shall designate the secretary of the Committee and shall provide appropriate clerical assistance and shall be responsible for the maintenance of all its permanent records.

Section 12. Expenditures. The Committee shall have no authority to expend or authorize the expenditure of public funds except with the prior express approval of the Board of Directors.

ORDINANCE NO. 1

ADOPTED AT A REGULAR MEETING ON FEBRUARY 7, 1987

Moved by Director Palmer, seconded by Director Metcalf and approved by the following vote.

Ayes: Directors Hoboy, Lippert, Nesbitt, Palmer and Metcalf

Nays: None

Whereupon the President declared that Ordinance No. 1 was adopted, to be effective 30 days from date hereof.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

# ATTACHMENT "D"

MAIL TO:  
RICHARD PIERCE  
20625 SIERRA BLUENA,  
TENAJA, CA. 92562

AMENDED  
DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
(PARCELS)

524768  
RECEIVED FOR RECORD  
AT 8:00AM

DEC - 8 1998

Recorded in Official Records  
of Riverside County, California

Recorder  
Fee \$ 48-

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THIS AMENDED DECLARATION, made this 25<sup>th</sup> day of November, 1998, by the record owners of certain parcels located within the real property described in more detail herein (individually and collectively hereinafter referred to as "Declarant").

DECLARANTS ARE:

ROBIN OXMAN  
RICHARD PIERCE

ARTICLE I  
RECITALS

1.01 On December 19, 1968 SANTA ROSA RANCHES, a partnership, composed of Temecula Properties, Inc., a California corporation, Temecula Investment Company, a California corporation, and Kaiser Rancho California, Inc., a California corporation, as partners, the developer, established Covenants, Conditions and Restrictions (the "Foundation Declaration") for certain property located in the County of Riverside, State of California, more particularly described therein;

1.02 Declarant constitutes fifty-one percent (51%) or more (based on the number of square feet subject to these restrictions) of certain real property in the County of Riverside, State of California as more particularly described in Exhibit "A" attached hereto (the "Area");

1.03 The Foundation Declaration will expire on December 19, 1998;

1.04 Declarant expressed by ballots distributed to all record owners its desire to amend, extend and replace the Foundation Declaration as set forth herein (the "Declaration");

1.05 Said ballots were duly distributed, collected, and counted as set forth in the affidavit attached hereto as Exhibit "B"; and

1.06 The Declarant by said ballots appointed Richard Pierce and/or Robin Oxman as attorney-in-fact with full power and authority to execute the Declaration on Declarant's behalf.

NOW, THEREFORE, Declarant hereby declares that the Area and Parcels thereof shall be held, sold and conveyed, subject to the following restrictions, covenants, and conditions.

524768

12 3 98

SECURITY UNION TITLE INS. CO.  
RECORDS & ABSTRACTS DIVISION  
2914 Newville Boulevard, Suite 200  
Santa Fe Springs, CA 90670

RIVERSIDE

ARTICLE II  
GENERAL PROVISIONS

**2.01 Establishment of Restrictions.**

Declarant, empowered pursuant to Section 7.02 of the Foundation Declaration, hereby declares that each Parcel within the Area is now held and shall thereafter be held, transferred, sold, leased, conveyed and occupied subject to the restrictions herein set forth, each and all of which is and for, and shall inure to, the benefit of and pass with each and every Parcel of the Area and shall apply to and bind the heirs, assignees and successors in interest of Declarant and any owner thereof.

**2.02 Purpose of Restrictions.**

The purpose of these restrictions is to insure Area use and development of the Area, to protect the owner of each Parcel against improper use and development of surrounding Parcels as will depreciate the value of the Parcels or interfere with the beneficial use and enjoyment of the Parcels, to prevent haphazard and unsightly improvements, and in general to provide adequately for planned use and development of the Area in accordance with the terms hereof.

**2.03 Definitions.**

(a) Improvements. "Improvements" shall mean and include buildings, barns, elos, cages, houses, outbuildings, sheds, parking areas, loading areas, fences, walls, poles, signs, streets, alleys and any other structures of any type or kind.

(b) Declarant. "Declarant" shall mean the undersigned Owners, their heirs, successors and assigns.

(c) Non-Area Resident. "Non-Area Resident" shall mean a property owner who resides outside the Area but within the Tanaja Community Services District.

(d) Non-Resident. "Non-Resident" shall mean an Owner who does not own a residence on a Parcel.

(e) Owner. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Parcel which is a part of the Area, but excluding those having such interest merely as security for the performance of an obligation.

(f) Parcel. "Parcel" shall mean and refer to, unless otherwise specifically stated herein, any portion of the Area transferred, conveyed, or otherwise transferred to an Owner.


(g) Resident. "Resident" shall mean an Owner who owns a residence on a Parcel.

ARTICLE III  
REGULATION OF IMPROVEMENTS

**3.01 Minimum Setback Line.**

(a) General. No structure of any kind, and no part thereof, shall be placed on any Parcel closer to the property line than herein provided.

(b) Front Yard Setback. The front setback line is established fifty (50) feet from the front property line.



(c) Side and Back Yard Setbacks. The setback lines from both the side and back yard property lines are each established at a minimum of thirty-five (35) feet from the said property lines.

(d) Setback Variances. An Owner may request a variance to the setback requirements referenced herein from the Architectural Control Committee established under ARTICLE V hereof by presenting to said committee a plot plan showing that the structures desired to be constructed cannot be reasonably accomplished without modifying said setback requirements.

(e) Retention of Slope Easements. Slope easements at a ratio of 2:1 are reserved for improvement of streets to ultimate standards of the governing agency.

**3.02 Completion of Construction.**

After commencement of construction of any structure or improvements, the work thereon shall be diligently prosecuted, to the end that the structure or improvements shall not remain in a partly finished condition any longer than reasonably necessary for completion thereof.

**3.03 Fencing.**

All Parcels on which animals are kept shall be adequately fenced so as to keep said animals on that Parcel and protect the crops and property of other Parcels.

**3.04 Excavation.**

Exposed openings resulting from any excavation made in connection with construction of improvements shall be backfilled and disturbed ground shall be leveled.

**3.05 Signs.**

(a) No signs, posters or displays ("Signs") shall be shown or displayed on a Parcel, except as follows:

- (1) To identify the name and address of the person or business occupying the premises;
- (2) To identify the offering of the premises for sale or lease; and
- (3) To identify prohibited uses of the Parcel.

(b) Signs shall conform to the following sizes and standards:

- (1) For Parcels contiguous to a paved road no Sign shall be shown or displayed with a surface area that is greater than 6 square feet; and
- (2) For Parcels that are not contiguous to a paved road, Signs may be shown or displayed with a surface area that is not greater

than 32 square feet for the purpose of promoting the sale or lease of the Parcel.

(3) Road name identification Signs shall conform to the "rural design" standards adopted by the Tenaja Community Services District.



(4) Temporary directional Signs to Parcels may be shown or displayed so long as they are removed by the Owner within 5 calendar days of placement.

**3.06 Building Regulations.**

Any building or structure of whatever type shall be properly maintained. No building or other structure shall be built or erected unless the building or other structure is of a quality usual and customary for that type of building or structure and of good quality and design.

**3.07 Maintenance and Storage.**

(a) All Parcels shall be properly maintained. Rubbish and debris shall be promptly removed.

(b) No materials, supplies, trailers or equipment including propane tanks, well equipment, trash storage, and inoperable motor vehicles shall be stored in any area on a Parcel except inside a closed building or behind a visual barrier screening such areas from the view of traveled ways, public streets, and other Parcels; except that properly maintained stock trailers may be stored.

**3.08 Preservation of Trees.**

No oak trees now located on any portion of the Area shall be removed, cut down or in any way damaged or destroyed, except for the sole purpose of providing a driveway or building pad for a house or outbuilding.

**3.09 Virus Free Grapes.**

No grape vines shall be planted, stored, or transported across any portion of the Area, unless prior to such planting, storage or transportation across any portion of the Area of any grape vines, the person or persons undertaking such activity shall secure a certificate from the University of California Agricultural Extension Service that such grape vines are "virus-free" and such certificate shall be delivered to the Architectural Control Committee referred to in Article V hereof.

**ARTICLE IV  
ENFORCEMENT**

**4.01 Notice of Violation and Inspection**

Subject to the qualifications set forth below in Section 4.02 ( b ) hereof, an Owner or Owners of any Parcel may notify in writing the Architecture Control Committee established in accordance with Section 5.01 (referred to hereinafter in this provision as the "ACC") the conditions that are alleged to be in violation or breach of any restrictions herein contained (the "Condition"), which notice shall include, but may not be limited to, the name and address of the Owner of the Parcel which is the subject of the notice (the "Parcel Owner"), a detailed description of the Condition, and the date and how the complaining Owner or Owners first discovered the Condition (the "Notice"). Within ten (10) days after receipt of the Notice, the ACC shall send to the Parcel Owner a letter which: (a) describes the Condition; and (b) requests the Parcel

9814 Kernworth Boulevard, Suite 200  
Santa Fe Springs, CA 90703

Owner to contact the ACC within five (5) days after receipt of the ACC's letter to set a date and time when the ACC shall inspect the Condition; provided, however, said inspection shall occur no later than fifteen (15) days after the date of the Notice. Failure of the Parcel Owner to agree to an inspection shall be deemed to be the express consent by the Parcel Owner to permit the ACC's inspection of the Condition on a date and time reasonably established and communicated to the Parcel Owner by the ACC.

**4.02 Determination of Violation and Abatement.**

(a) If the ACC after inspecting the Condition in accordance with Section 4.01 determines that it is a violation or breach of the restrictions contained herein, then the ACC shall send a written notice to the Parcel Owner of its findings, which notice shall also set forth a date by which the Parcel Owner must provide to the ACC proof acceptable to the ACC that the Parcel Owner has abated and removed the Condition. Any such abatement and removal shall be at the Parcel Owner's sole expense.

(b) Nothing contained in this ARTICLE shall prohibit an Owner, the TCSD and/or the ACC, enforcement authorities, or their representatives, from entering Parcels on which no Owner or Owner's agent or representative is present ("Unoccupied Parcels"), without first obtaining the Owner's permission, to facilitate the abatement and/or removal of nuisances, or conditions or activities prohibited hereunder, which are caused by persons who are trespassing on an Unoccupied Parcel. All Owners hereby authorize such entry for said specific purposes, provided, however, the Owners of Unoccupied Parcels shall thereafter be informed of such action and the outcome thereof.

(c) Any violation or breach of any one or more of the covenants or restrictions contained herein that is not abated and removed as set forth above in Section 4.02- a. may be enjoined or abated by the ACC or complaining Owner or Owners by an action of any court of competent jurisdiction, and damages may also be awarded against such violators. Violations shall be deemed to be a nuisance and remedies or enforcement may include an action at law or in equity to cause the violation to be cured, removed or otherwise corrected.

**4.03 Attorneys' Fees.**

In any legal or equitable proceeding for the enforcement or to restrain the violation of this Declaration or any provision thereof, the losing party or parties shall pay the attorneys' fees of the prevailing party or parties in such amount as may be fixed by the Court in such proceedings. All remedies provided herein or at law or in equity shall be cumulative and not exclusive.

**4.04 Failure to Enforce Not a Waiver of Rights.**

The failure of Declarant or any Owner to enforce any restriction herein contained shall in no event be deemed to be a waiver of the right to do so thereafter nor of the right to enforce any other restrictions.

**ARTICLE V**  
**ARCHITECTURAL CONTROL COMMITTEE**

**5.01 Composition of the Committee.**

The Declarant authorizes the Board of Directors for the Tenaja Community Services District (the "TCSD") to establish a five (5) member Architectural Control Committee (hereinafter referred to as the "Committee") for the purposes of maintaining uniform standards of development of the Area as adopted in this Declaration. Subject to the qualification set forth below, the TCSD shall solicit and appoint members of the Committee in accordance with the following composition:

- (a) There shall be two (2) Resident members; provided, however, one such member may be a Non-Area Resident; and
- (b) There shall be three (3) Non-Resident members.

If there are not a sufficient number of candidates for the TCSD to appoint the above member categories, then the TCSD shall appoint members from any category; provided, however, only one member may be a Non-Area Resident.

At such time when forty (40) percent of the Parcels have residences constructed on them, the TCSD shall solicit and appoint members of the Committee in accordance with the following composition:

- (a) There shall be three (3) Resident members; provided, however, one such member may be a Non-Area Resident; and
- (b) There shall be two (2) Non-Resident members.

If there are not a sufficient number of candidates for the TCSD to appoint the above member categories, then the TCSD shall appoint members from any category; provided, however, only one member may be a Non-Area Resident.

In the event of death or resignation of any member of the Committee, the TCSD shall designate a successor in accordance with above referenced member composition. The members of the Committee shall not be entitled to any compensation for services performed pursuant to this covenant.

**5.02 Committee Approval.**

The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee fails to approve or disapprove plans and specifications within thirty (30) days after such plans and specifications have been submitted to it, approval will not be required and such plans and specifications shall be deemed approved as submitted.

No building or other improvement shall be erected, placed or altered on any parcel nor County approval for such activity sought, until the designs and specifications and a plan showing the location of the improvement on the Parcel have been approved by the Committee as to quality of workmanship and materials.

5.03 Liability of Committee.

Neither Declarant, the members of the Committee nor its representative, their successors or assigns, shall be liable in damages to anyone submitting plans to them for approval, or to any Owner or lessee of any Parcel affected by this Declaration, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any plans submitted. Every person who submits plans to the Committee for approval agrees, by submission of such plans, and every Owner or lessee of any Parcel within the Area agrees, by acquiring title thereto or interest therein, that he will not bring any action or suit against Declarant, the members of the Committee, or its representative, to recover any such damages.

ARTICLE VI  
REGULATION OF OPERATIONS AND USES

6.01 Permitted Operations and Uses.

Unless otherwise specifically prohibited herein, any agricultural operation and use will be permitted if it is performed or carried out so as not to cause or produce a nuisance to adjacent parcels. Nuisance shall be defined in accordance with the County of Riverside ordinances and regulations.

6.02 Prohibited Operations and Uses.

No commercial, industrial or manufacturing operations of any kind shall be permitted or conducted on the Area; except for the following:

- (a) Professional, administrative, and instructional occupations, without external evidence thereof which are incidental to the primary buildings on the Parcel;
- (b) Commercial ranching of cattle, horses and sheep; and
- (c) Commercial farming, excluding commercial nurseries.

6.03 Prohibited Residential Uses.

Owners shall not use mobile homes, motor homes or trailers for residential purposes, except that trailers may be used as a residence by the Owner during the Owner's residence construction for no more than 18 months, unless otherwise extended by the Committee

6.04 Additional Prohibited Uses.

No person shall discharge firearms on any Parcel except to protect life and/or property, and no person shall dump trash, or take-off or land parasails, hang gliders or ultralight aircraft or other similar flying craft on any Parcel.

2014 Maricopa Boulevard, Suite 200  
Scottsdale, Arizona, CA 95070

**ARTICLE VII**  
**TERM, TERMINATION, MODIFICATION**  
**AND ASSIGNMENTS OF DECLARANT'S RIGHTS AND DUTIES**

**7.01 Term.**

This Declaration, every provision hereof and every covenant, condition and restriction contained herein shall continue in full force and effect for a period of ten (10) years from the date hereof, after which time this Declaration shall be automatically extended for successive periods of ten (10) years, unless this Declaration, or any covenant, condition or restriction contained herein, is terminated, extended, modified or amended in accordance with Section 7.02 hereof.

**7.02 Termination and Modification.**

This Declaration, or any provisions hereof, or any covenant, condition or restriction contained herein, may be terminated, extended, modified or amended, as to the whole of the Area or any portion thereof, with the written consent of the owners of fifty-one per cent (51%) of the Area based on the number of square feet subject to these restrictions; No such termination, extension, modification or amendment shall be effective until a proper instrument in writing has been executed and acknowledged and recorded in the office of the Recorder of Riverside County, California.

**7.03 Assignment of Declarant's Rights and Duties.**

Any and all of the rights, powers and reservations of Declarant herein contained may be assigned to any person, corporation or association which will assume the duties of Declarant pertaining to the particular rights, powers and reservations assigned, and upon any such person, corporation or association's evidencing its consent in writing to accept such assignment and assume such duties, he or it shall, to the extent of such assignment, have the same rights and powers and be subject to the same obligations and duties as are given to and assumed by Declarant herein.

**ARTICLE VIII**  
**MISCELLANEOUS PROVISIONS**

**8.01 Constructive Notice and Acceptance.**

Every person who now or hereafter owns or acquires any right, title or interest in or to any portion of the Area is and shall be conclusively deemed to have consented and agreed to every covenant, condition and restriction contained herein, whether or not any reference to this Declaration is contained in the instrument by which such person acquires an interest in the Area.

**8.02 Rights of Mortgagees.**

All restrictions and other provisions herein contained shall be deemed subject and subordinate to all mortgages and deeds of trust now or hereafter executed on and subject to these restrictions, and none of said restrictions shall supersede or in any way reduce the security or affect the validity of any such mortgage or deed of trust; provided, however, that if any portion of the Area is sold under a foreclosure of any

9014 Normal, Inland Empire, 1/15/2016  
Scan for Signature, CA 90070

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of CALIFORNIA

County of RIVERSIDE

On NOVEMBER 25, 1998 before me, RANDALL E. CAMPBELL, Notary Public  
Name and Title of Officer (e.g., "Just. Dep. Notary Public")  
 personally appeared ROBIN OXMAN AND RICHARD PIERCE  
Name(s) of Signer(s)

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/his authorized capacity(ies), and that by his/her/his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Randall E. Campbell  
Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Document Date: 11/25/98 Number of Pages: (9)

Signer(s) Other Than Named Above: NONE

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: ROBIN OXMAN

- Individual
- Corporate Officer
- Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer is Representing:  
Declarants



Signer's Name: RICHARD PIERCE

- Individual
- Corporate Officer
- Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer is Representing:  
Declarants



1-1/4" x 7/8" Notary Seal, State 200  
 Santa Fe Springs, CA 90670

mortgage or under the provisions of any deed of trust, any purchaser at such sale, and his successors and assigns, shall hold any and all Area so purchased subject to all of the restrictions and other provisions of this Declaration.

**8.03 Mutuality, Reciprocity, Runs with Land.**

All restrictions, covenants, conditions and agreements contained herein are made for the direct, mutual and reciprocal benefit of each and every part and Parcel of the Area; shall create mutual, equitable servitudes upon each Parcel in favor of every other parcel; shall create reciprocal rights and obligations between the respective Owners of all Parcels and privity of contract and estate between all grantees of said Parcels, their heirs, successors and assigns; and shall, as to the Owner of each Parcel, their heirs, successors and assigns, operate as covenants running with the land, for the benefit of all other Parcels.

**8.04 Paragraph Headings.**

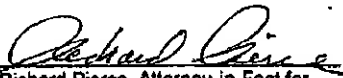
Paragraph headings, where used herein, are inserted for convenience only and are not intended to be a part of this Declaration or in any way to define, limit or describe the scope and intent of the particular provisions to which they refer.

**8.05 Effect of Invalidation.**

If any provision of this Declaration is held to be invalid by any court, the invalidity of such provision shall not affect the validity of the remaining provisions hereof.

IN WITNESS WHEREOF, the Declarant, and each of them, by the undersigned attorney-in-fact, has executed this Declaration on the date first hereinabove written.

  
\_\_\_\_\_  
Robin Oxman, Attorney-in-Fact  
for the Declarant

  
\_\_\_\_\_  
Richard Pierce, Attorney-in-Fact for  
the Declarant

2014 Nevada Bookend, Item 208  
Sarasota Springs, CA 90070

EXHIBIT 'A'  
BOUNDARY DESCRIPTION

That portion of the Rancho Santa Rosa, in the County of Riverside, State of California, which Rancho was granted by the Government of the United States to Juan Marano by patent dated October 10, 1872, and recorded January 8, 1873, in the office of the County Recorder of the County of San Diego, State of California, described as follows:

Beginning at Corner No. 4 of the Rancho Santa Rosa, thence S68°21'03"E 15428.80 feet along the southerly line of said Rancho;

thence leaving said southerly line N13°53'44"E 2491.75 feet;

thence N38°32'17"E 750.00 feet;

thence N32°32'51"E 762.58 feet;

thence N47°39'03"E 657.68 feet;

thence N38°32'17"E 1927.83 feet;

thence N58°04'58"E 4401.43 feet;

thence N32°03'43"E 1288.53 feet;

thence S89°33'10"E 2582.08 feet;

thence N01°37'51"W 1485.15 feet;

thence S80°17'44"W 559.10 feet to the beginning of a curve concave northerly having a radius of 1400.00 feet;

thence westerly 245.91 feet along said curve through a central angle of 10°03'50";

thence N00°21'34"E 438.05 feet to the beginning of a curve concave westerly having a radius of 1400.00 feet;

thence northerly 332.31 feet along said curve through a central angle of 13°36'00";

thence N13°14'28"W 2824.37 feet to the beginning of a curve concave easterly having a radius of 2400.00 feet;

thence northerly 851.03 feet along said curve through a central angle of 20°19'01";

thence N07°04'35"E 891.37 feet to the beginning of a curve concave westerly having a radius of 1200.00 feet;

thence northerly 598.76 feet along said curve through a central angle of 26°35'20";



9214 Norwalk Boulevard, Suite 200  
San Diego Springs, CA 92070



EXHIBIT 'A'

thence N21°30'45"W 515.21 feet to the beginning of a curve concave easterly having a radius of 1200.00 feet;

thence northerly 277.98 feet along said curve through a central angle of 13°16'21";

thence N35°29'38"E 432.60 feet;

thence N51°34'35"W 207.08 feet to the beginning of a curve concave southerly having a radius of 500.00 feet;

thence westerly 445.97 feet along said curve through a central angle of 51°08'14";

thence S77°19'11"W 273.86 feet to the beginning of a curve concave northerly having a radius of 450.00 feet;

thence westerly 538.94 feet along said curve through a central angle of 68°37'10";

thence N34°03'39"W 166.30 feet to the beginning of a curve concave southerly having a radius of 300.00 feet;

thence westerly 544.28 feet along said curve through a central angle of 103°57'07";

thence S41°59'14"W 172.68 feet to the beginning of a curve concave northerly having a radius of 450.00 feet;

thence westerly 637.43 feet along said curve through a central angle of 81°08'35";

thence N56°51'11"W 33.08 feet to the beginning of a curve concave southerly having a radius of 450.00 feet;

thence westerly 319.38 feet along said curve through a central angle of 49°39'57";

thence S82°28'52"W 315.51 feet;

thence S88°15'45"W 713.26 feet to the beginning of a non-tangent curve concave southeasterly having a radius of 10000.00 feet, a radial line to said beginning bears N56°28'47"W;

thence southwesterly 3888.27 feet along said curve through a central angle of 21°07'56";

thence S12°50'08"W 90.92 feet to the beginning of a non-tangent curve concave southerly having a radius of 5250.00 feet, a radial line to said beginning bears N12°50'06"E;

thence westerly 943.43 feet along said curve through a central angle of 10°17'46";

(2)



2016  
5/23/2016 8:49 AM  
San Diego, CA 92101

PCL XL error

Subsystem: KERNEL

Error: IllegalTag

Operator: 0x1b

Position: 544

**ARTICLE VII  
TERM, TERMINATION, MODIFICATION  
AND ASSIGNMENTS OF DECLARANT'S RIGHTS AND DUTIES**

**7.01 Term.**

This Declaration, every provision hereof and every covenant, condition and restriction contained herein shall continue in full force and effect for a period of ten (10) years from the date hereof, after which time this Declaration shall be automatically extended for successive periods of ten (10) years, unless this Declaration, or any covenant, condition or restriction contained herein, is terminated, extended, modified or amended in accordance with Section 7.02 hereof.

**7.02 Termination and Modification.**

This Declaration, or any provisions hereof, or any covenant, condition or restriction contained herein, may be terminated, extended, modified or amended, as to the whole of the Area or any portion thereof, with the written consent of the owners of fifty-one per cent (51%) of the Area based on the number of square feet subject to these restrictions; No such termination, extension, modification or amendment shall be effective until a proper instrument in writing has been executed and acknowledged and recorded in the office of the Recorder of Riverside County, California.

**7.03 Assignment of Declarant's Rights and Duties.**

Any and all of the rights, powers and reservations of Declarant herein contained may be assigned to any person, corporation or association which will assume the duties of Declarant pertaining to the particular rights, powers and reservations assigned, and upon any such person, corporation or association's evidencing its consent in writing to accept such assignment and assume such duties, he or it shall, to the extent of such assignment, have the same rights and powers and be subject to the same obligations and duties as are given to and assumed by Declarant herein.

**ARTICLE VIII  
MISCELLANEOUS PROVISIONS**

**8.01 Constructive Notice and Acceptance.**

Every person who now or hereafter owns or acquires any right, title or interest in or to any portion of the Area is and shall be conclusively deemed to have consented and agreed to every covenant, condition and restriction contained herein, whether or not any reference to this Declaration is contained in the instrument by which such person acquires an interest in the Area.

**8.02 Rights of Mortgagees.**

All restrictions and other provisions herein contained shall be deemed subject and subordinate to all mortgages and deeds of trust now or hereafter executed on and subject to these restrictions, and none of said restrictions shall supersede or in any way reduce the security or affect the validity of any such mortgage or deed of trust; provided, however, that if any portion of the Area is sold under a foreclosure of any

UNRECORDED & UNFILED  
9814 Raymond Road, Suite 200  
San Diego, CA 92123

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of CALIFORNIA

County of RIVERSIDE

On NOVEMBER 25<sup>th</sup> 1998 before me, RANDALL E. CAMPBELL, Notary Public

personally appeared ROBIN OXMAN AND RICHARD PIERCE

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.  
Randall E. Campbell  
Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Document Date: 11/25/98 Number of Pages: (9)

Signer(s) Other Than Named Above: NONE

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: ROBIN OXMAN

- Individual
- Corporate Officer
- Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer is Representing:  
DECLARANTS

Signer's Name: RICHARD PIERCE

- Individual
- Corporate Officer
- Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer is Representing:  
DECLARANTS

1-800-875-6427  
 National Notary Association  
 6228 Farnham Ave., P.O. Box 1784  
 Corona Park, CA 92609

mortgage or under the provisions of any deed of trust, any purchaser at such sale, and his successors and assigns, shall hold any and all Area so purchased subject to all of the restrictions and other provisions of this Declaration.

**8.03 Mutuality, Reciprocity, Runs with Land.**

All restrictions, covenants, conditions and agreements contained herein are made for the direct, mutual and reciprocal benefit of each and every part and Parcel of the Area; shall create mutual, equitable servitudes upon each Parcel in favor of every other parcel; shall create reciprocal rights and obligations between the respective Owners of all Parcels and privity of contract and estate between all grantees of said Parcels, their heirs, successors and assigns; and shall, as to the Owner of each Parcel, their heirs, successors and assigns, operate as covenants running with the land, for the benefit of all other Parcels.

**8.04 Paragraph Headings.**

Paragraph headings, where used herein, are inserted for convenience only and are not intended to be a part of this Declaration or in any way to define, limit or describe the scope and intent of the particular provisions to which they refer.

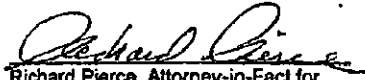
**8.05 Effect of Invalidation.**

If any provision of this Declaration is held to be invalid by any court, the invalidity of such provision shall not affect the validity of the remaining provisions hereof.

IN WITNESS WHEREOF, the Declarant, and each of them, by the undersigned attorney-in-fact, has executed this Declaration on the date first hereinabove written.



Robin Oxman, Attorney-in-Fact  
for the Declarant



Richard Pierce, Attorney-in-Fact for  
the Declarant

9314 Norwalk Boulevard, Suite 200  
South For Springs, CA 95070

EXHIBIT 'A'  
BOUNDARY DESCRIPTION

That portion of the Rancho Santa Rosa, in the County of Riverside, State of California, which Rancho was granted by the Government of the United States to Juan Morano by patent dated October 10, 1872, and recorded January 8, 1873, in the office of the County Recorder of the County of San Diego, State of California, described as follows:

Beginning at Corner No. 4 of the Rancho Santa Rosa, thence S68°21'03"E 15429.60 feet along the southerly line of said Rancho;

thence leaving said southerly line N13°53'44"E 2491.75 feet;

thence N39°32'17"E 750.00 feet;

thence N32°32'51"E 762.59 feet;

thence N47°39'03"E 657.66 feet;

thence N39°32'17"E 1927.83 feet;

thence N58°04'58"E 4401.43 feet;

thence N32°03'43"E 1288.53 feet;

thence S88°33'10"E 2562.08 feet;

thence N01°57'51"W 1485.15 feet;

thence S80°17'44"W 559.10 feet to the beginning of a curve concave northerly having a radius of 1400.00 feet;

thence westerly 245.91 feet along said curve through a central angle of 10°03'50";

thence N00°21'34"E 435.05 feet to the beginning of a curve concave westerly having a radius of 1400.00 feet;

thence northerly 332.31 feet along said curve through a central angle of 13°38'00";

thence N13°14'28"W 2824.37 feet to the beginning of a curve concave easterly having a radius of 2400.00 feet;

thence northerly 851.03 feet along said curve through a central angle of 20°19'01";

thence N07°04'35"E 691.37 feet to the beginning of a curve concave westerly having a radius of 1200.00 feet;

thence northerly 588.76 feet along said curve through a central angle of 28°35'20";



8014 Norwalk Boulevard, Suite 200  
San Diego, CA 92170



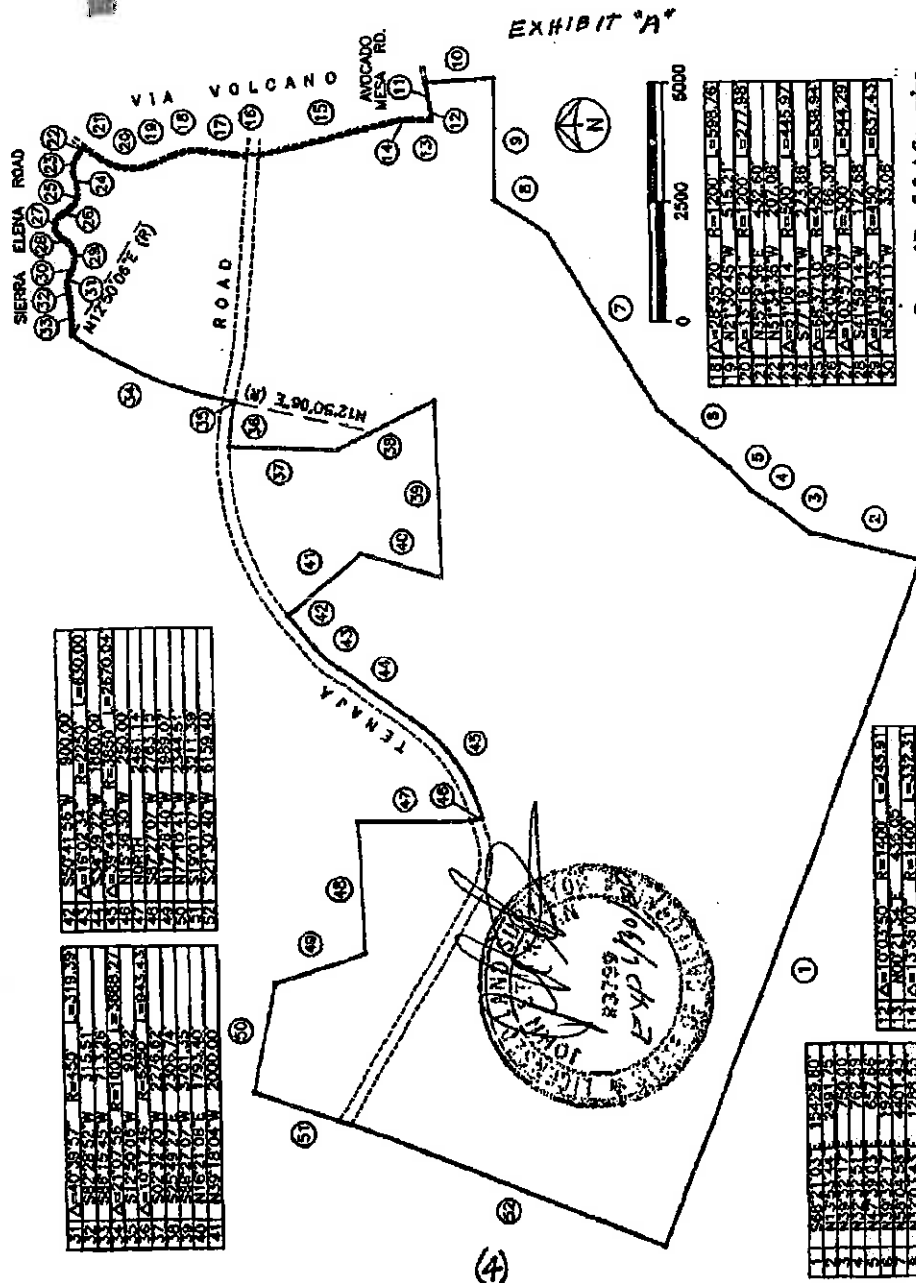
EXHIBIT "A"

thence S02°32'20"W 2278.82 feet;  
thence S25°48'27"E 2308.74 feet;  
thence S88°27'07"W 3701.35 feet;  
thence N18°21'08"E 1793.40 feet;  
thence N39°18'04"W 2000.00 feet;  
thence S50°41'58"W 900.00 feet to the beginning of a curve concave  
southeasterly having a radius of 2250.00 feet;  
thence southwesterly 830.00 feet along said curve through a central angle  
of 18°02'34";  
thence S34°39'22"W 1860.00 feet to the beginning of a curve concave  
northwesterly having a radius of 3650.00 feet;  
thence southwesterly 2670.04 feet along said curve through a central  
angle of 39°44'08";  
thence N15°36'30"W 250.00 feet;  
thence North 2461.14 feet;  
thence S87°27'07"W 2783.15 feet;  
thence N17°26'40"W 1988.07 feet;  
thence N77°10'41"W 2344.51 feet to the westerly line of said Rancho  
Santa Rosa;  
thence S18°01'07"W 3211.38 feet along said westerly line;  
thence S21°30'40"W 6159.40 feet along said westerly line to the Point  
of Beginning.

(3)

9114 Nevada Boulevard, Suite 200  
San Francisco, CA 94114





18	A	248.570	N	17.00	E	588.76
19	A	30.45	W	10.00	E	277.88
20	A	18.74	N	2.00	E	10.00
21	A	11.45	W	3.00	E	10.00
22	A	10.00	N	0.00	E	45.97
23	A	10.11	W	2.88	E	58.82
24	A	8.10	N	0.00	E	58.82
25	A	0.37	W	1.00	E	244.29
26	A	1.00	N	0.00	E	17.88
27	A	1.00	W	0.00	E	17.88
28	A	1.00	N	0.00	E	17.88
29	A	1.00	W	0.00	E	17.88
30	A	1.00	N	0.00	E	17.88
31	A	1.00	W	0.00	E	17.88

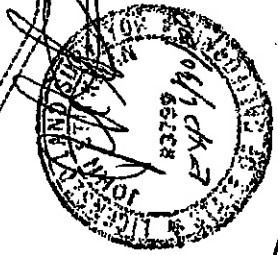
Prepared By: S & A Surveying  
Sept. 7, 1998

32	A	15.00	N	30.00	E	50.00
33	A	15.00	W	30.00	E	50.00
34	A	15.00	N	30.00	E	50.00
35	A	15.00	W	30.00	E	50.00
36	A	15.00	N	30.00	E	50.00
37	A	15.00	W	30.00	E	50.00
38	A	15.00	N	30.00	E	50.00
39	A	15.00	W	30.00	E	50.00
40	A	15.00	N	30.00	E	50.00
41	A	15.00	W	30.00	E	50.00

42	A	15.00	N	30.00	E	50.00
43	A	15.00	W	30.00	E	50.00
44	A	15.00	N	30.00	E	50.00
45	A	15.00	W	30.00	E	50.00
46	A	15.00	N	30.00	E	50.00
47	A	15.00	W	30.00	E	50.00
48	A	15.00	N	30.00	E	50.00
49	A	15.00	W	30.00	E	50.00
50	A	15.00	N	30.00	E	50.00
51	A	15.00	W	30.00	E	50.00

52	A	15.00	N	30.00	E	50.00
53	A	15.00	W	30.00	E	50.00
54	A	15.00	N	30.00	E	50.00
55	A	15.00	W	30.00	E	50.00
56	A	15.00	N	30.00	E	50.00
57	A	15.00	W	30.00	E	50.00

58	A	15.00	N	30.00	E	50.00
59	A	15.00	W	30.00	E	50.00
60	A	15.00	N	30.00	E	50.00
61	A	15.00	W	30.00	E	50.00
62	A	15.00	N	30.00	E	50.00
63	A	15.00	W	30.00	E	50.00



S & A Surveying, Inc.  
Suite 100, San Diego, CA 92108

**EXHIBIT "C"**

400 SOUTH RAMONA AVENUE  
SUITE 213  
CORONA, CALIFORNIA  
92879-1443  
TELEPHONE : (951) 735-8064  
TELECOPIER : (951) 735-8125

LARRY DAVID MYERS  
ATTORNEY AT LAW

April 6, 2016

Tenaja Community Service District  
Architectural Control Committee Members  
24837 Jefferson Ave., #207  
Murrieta, CA 92562

Received  
4-6-16  
ajm

RE: **Our Clients:** Timothy & Elizabeth McVicker  
**Our File No.:** 1203151

**Situs:** 250 Via Abril, Murrieta, CA92562 the Scott & Sarina Becker property ("Violating Property"); and 17370 Via Abril, Murrieta, CA 92562 the Timothy & Elizabeth McVicker property ("McVicker Property").

**Ref.:** COMPLAINT FOR (1) Complaint for violations of Amended Covenants, Conditions & Restrictions, Sections 3.01(a), (b), (c), (d) recorded with the Riverside County Recorder's Office on December 3, 1998, as Instrument Number 524768 ("CC&R's") for setback violations, wherein no variances are appropriate; (2) Complaint for violation of Riverside County RA Zoning Ordinance 348.4802 Sections 6.50 (7) for commercial horse boarding and commercial wedding services on the Violating Property, also violation of CC&R's, Section 6.02 for commercial horse boarding and commercial wedding services on the Violating Property; (3) Recusal of Architectural Control Committee ("ACC") Board Member Scott Becker for having a direct economic interest in this contested matter, in violation of *California Code of Regulations*, Section 18704 et. seq.; and (4) Notice to the ACC that it may NOT use any public assistance, public funds, public materials and/or public employees in furtherance of any ACC objective, a private matter.

Dear ACC Members:

This firm represents Timothy & Elizabeth Mcvicker ("McVicker") in the filing of this Complaint against Scott and Sarina Becker ("Becker"), as follows:

1. **Violation of CC&R's Sections 3.01(a), (b), (c) and (d):** Currently Becker has on the Violating Property, the following setback violations;
  - i. Large horse riding arena, front setback violation: the front CC&R setback is 50 feet from their front property line, the large riding arena (a structure as defined by the CC&R's) encroaches into this setback by a substantial distance and Becker must be ordered to remove the encroachment;

- ii. Small horse riding arena, side setback violation: the side setback is 35 feet from their side property line, the small riding arena (a structure as defined by the CC&R's) encroaches into this setback by a substantial distance and Becker must be ordered to remove the encroachment;
- iii. The horse stables, located next to the Becker barn side setback violation: the side setback is 35 feet from their side property line, the horse stables (a structure as defined by the CC&R's) encroach into this setback by a substantial distance and Becker must be ordered to remove the encroachment; and
- iv. There can be no variance allowed for the encroachments into these setbacks, as Becker cannot show that the structures (arena/stables)... "cannot be reasonably accomplished without modifying said setback requirements" (CC&R's Section 3.01(d)), i.e. Becker has an excessive amount of acreage to locate/relocate each of these structures, and therefore Becker cannot show that the location/relocation could not be reasonably undertaken (both before he did his violating construction and now).

2. **Violation of Riverside County RA Zoning Ordinance 348.4802:** Currently Becker has on the Violating Property, the following zoning violations;

- i. The zoning for the Violating Property is RA (see Riverside County Ordinance 348.4802). Becker has a commercial horse boarding business located on the Violating Property. NO COMMERCIAL horse boarding is allowed under RA zoning within Riverside County and therefore Becker must be ordered to cease all commercial horse boarding activity on the Violating Property, immediately. This is also a violation of CC&R's Section 6.02, as commercial horse ranching does not include a horse stable rental business; and
- ii. Becker has a commercial wedding services business located on the Violating Property. NO COMMERCIAL wedding service is allowed under RA zoning within Riverside County and therefore Becker must be ordered to cease all commercial wedding service activity on the Violating Property, immediately.

3. **Violation of California Code of Regulation, Sections 18704 et. seq.:** Currently Scott Becker has a direct economic interest in this contested matter, by owning or have a financial interest in the Violating Property, as follows:

- i. The Violating Property is located within 500 feet of (actually next to) the McVicker Property and therefore by definition of said Code, Scott Becker has a conflict of interest and must be recused, immediately, from any ACC action, discussion, assertion, conversation or other activity by the ACC regarding the matters

herein detailed. The recusal may be by Scott Becker himself or by action of the ACC.

4. **NOTICE to ACC Members:** As a reminder, any matter undertaken by the ACC is considered a *private* action (as the CC&R's are a private document), not a public action (as when the Tenaja Community Service District takes action regarding public roads, public bridges, public flooding etc.). This means that the ACC may not entertain the use of Riverside County Counsel (a public agency) regarding the matters detailed herein, or other matters undertaken by the ACC (such as the amendment of the CC&R's), nor may it use public assets (funds, etc.), regarding matters undertaken by the ACC in furtherance of any set of cc&r's, or rulings thereon (as stated and acknowledged on the Tenaja Community Service District website). Additionally the ACC may not borrow funds nor levy any assessment against any CC&R member, as it has no authority to do so (no provision in the CC&R's for such action).

Should you have any questions, need additional facts, declarations, maps, photographs, videos, graphs and/or copies of any relevant law, please contact our office.

There are several other violations committed by Becker, on the Violating Property, but these violations will be handled by complaints to separate/other public agencies within Riverside County and the State.

Respectfully, McVicker's claims herein, must be resolved against Becker and in favor of McVicker.

Sincerely,

Larry David Myers  
Attorney at Law

CC: Clients

## **Wheeler, Timothy**

---

**From:** Marilyn Haden <mphaden1@verizon.net>  
**Sent:** Friday, August 26, 2016 8:22 AM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Cc:** Marilyn Haden  
**Subject:** Class II Kennel Permit PP25922  
**Attachments:** Tenaja CC & R's Recorded 1998.pdf

Dear Mr. Weiss and Mr. Wheeler,

Hope this letter finds you both well.

The issuance of a Class II Kennel Permit PP25922 should be denied. The hearing is set to be heard on 8/29/2016 at 1:30 at the County of Riverside Administration building. This commercial business, should be denied, as per the CC&R's. The Santa Rosa Ranches CC&R's does not allow commercial. I have attached a set of the CC & R's for this area for your review.

The Tenaja Community have been abiding to the Santa Rosa Ranches CC&R's and expect to remain so.

We have heard, first hand, the noise from animals, while the animals were inside the dwelling. This location is 17370 Via Abril in Tenaja, that has applied for the permit.

Regards,

Marilyn and Greg Haden

42582 Otono Court, Murrieta, CA 92562

[mphaden1@verizon.net](mailto:mphaden1@verizon.net)

## Wheeler, Timothy

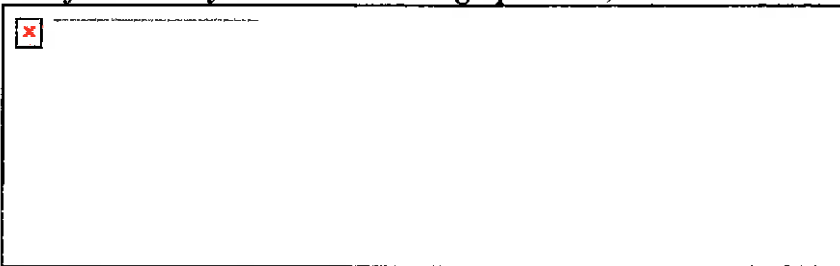
---

**From:** Joan Patterson <calljoan4ahome@gmail.com>  
**Sent:** Friday, August 26, 2016 12:48 PM  
**To:** Wheeler, Timothy  
**Subject:** Fwd: 17370 Via Abril, Tenaja-Murrieta, CA/Huskie dogs

*Respectfully,*

*Joan Patterson*

*Joan Patterson, B.A., G.R.I., A.S.P, CLHMS, REALTOR®, BRE License #01431647  
Equestrian Property Specialist  
Certified Luxury Homes Marketing Specialist, Condos/Town homes, Single Family Homes*



*Joan Patterson and Associates  
Keller Williams Realty  
8250 White Oak Avenue, Ste 102  
Rancho Cucamonga, CA 91730  
951-204-1864 direct  
909-803-9837 fax*

**Websites:**

<http://calljoan4luxury.yourkwagent.com>  
<http://inlandempirerealestate.kwrealty.com>  
<http://inlandempirehouse.com>  
<http://calljoan4homes.yourkwagent.com>

**Blog:**

<http://www.calljoan4homes.wordpress.com>

----- Forwarded message -----

From: **Joan Patterson** <[calljoan4ahome@gmail.com](mailto:calljoan4ahome@gmail.com)>  
Date: Fri, Aug 26, 2016 at 12:42 PM

Subject: 17370 Via Abril, Tenaja-Murrieta, CA/Huskie dogs  
To: [sweiss@rctlma.org](mailto:sweiss@rctlma.org), [twhheler@rctlma.org](mailto:twhheler@rctlma.org), [tenajaECA@gmail.com](mailto:tenajaECA@gmail.com)

To Whom It May Concern,

As a real estate agent, I am highly concerned about our property values if you allow this to happen allowing people to have 25 Siberian Huskies caged up on their property when only 4 dogs are allowed on our 5 acre parcels. Huskies are very loud and are known to attack horses and riders. Tenaja is known for many trails and equestrians and this is frightening to hear.

I am really concerned that the County of Riverside would even entertain the idea of having 25 Siberian Huskies in our area that is supposed to not be zoned for this. We have all moved down to Tenaja to have peace and quiet. We are not zoned to have a commercial use of our property. The CC&R's don't allow for this and so to change this for one person others will want to follow suit. This is NOT acceptable!

I have been a real estate agent for over 30 years now and this WILL affect property values. I am not happy that this is even being considered. We ALL deserve peaceful living in the area we purchased. I am totally against this and pray you will NOT allow this to happen.

Thank you for your time,

*Joan Patterson*

*Joan Patterson, B.A., G.R.I., A.S.P., CLHMS, REALTOR®, BRE License #01431647*  
**Equestrian Property Specialist**  
***Certified Luxury Homes Marketing Specialist, Condos/Town homes, Single Family Homes***



*Joan Patterson and Associates*  
*Keller Williams Realty*  
*8250 White Oak Avenue, Ste 102*  
*Rancho Cucamonga, CA 91730*  
*[951-204-1864](tel:9512041864) direct*  
*[909-803-9837](tel:9098039837) fax*

**Websites:**

<http://calljoan4luxury.yourkwagent.com>  
<http://inlandempirerealestate.kwrealty.com>  
<http://inlandempirehouse.com>  
<http://calljoan4homes.yourkwagent.com>

**Blog:**

<http://www.calljoan4homes.wordpress.com>



**Schantelle Cason**  
**2046 Hillhurst Ave #19**  
**Los Angeles, CA 90027**  
**Email: schantellecason@icloud.com**

August 26, 2016

Attn: Tim Wheeler  
Urban Regional Planner  
Email:

Re: [twheeler@rctlma.org](mailto:twheeler@rctlma.org)

Dear Mr. Wheeler,

It's with great urgency, that I request you grant permission to Mr. Tim & Mrs. Elizabeth McVicker, so that they may obtain a Class II Husky Dog Kennel Permit for their Shadow Husky Rescue Inc. To my knowledge, I know this couple to be of tremendous integrity, sharing a common goal of saving the lives of beautiful animals that may otherwise be cruelly killed. This kennel will provide these souls a sanctuary to call home, while receiving extraordinary care under the compassionate conservation efforts of Shadow Husky Rescue Inc.

While I understand, that these huskies will reside in an area which is heavily populated by an equestrian culture; I strongly feel that this couple will continue to make all possible efforts to reside peacefully within the Riverside Community and build a bridge of understanding and respect for both animal breeds. Alexander von Humboldt states "the most dangerous worldview is the worldview of those who have not viewed the world." Within your Riverside community is a world where both huskies and horses reside; neither the huskies nor the horses deserve to be shunned by their community. Riverside's known for being home of many the firsts, from orange trees, to being innovators of the refrigerated railroad cars and the Dixie cup. Let's add another first to the list by granting this kennel.

Respectfully yours,

Schantelle Cason

## Wheeler, Timothy

---

**From:** Shelby McCowen <shelbymccowen5@gmail.com>  
**Sent:** Sunday, August 28, 2016 9:38 PM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** RE: Kennel II Permit Application #25922  
**Attachments:** Letter to Planner.pdf; ATT00003.htm; IMG\_6845.jpg; ATT00004.htm

Good Evening,

I hope this email reaches you in time. My name is Shelby McCowen, It has been brought to my attention that false information has been presented to you on the events that took place on my fathers property. I wanted to contact you before the hearing to allow you to be presented with the truth on the event that happened. I did not want to get involved with this situation but when someone lies about what i said happened you can understand why i would be upset.

On the morning of February 1<sup>st</sup> 2016, at approximately 11:10AM, I, Shelby McCowen, of 42991 Tenaja Rd. Murrieta, CA 92562 began to hear barking coming from outside of my house. At this time I went out the front door of my house and witnessed four large Siberian Husky type dogs viciously barking at my horse, they had him surrounded and were biting at his front and rear legs. I attempted to yell at the dogs to stop and that's when they began advancing towards me barking viciously. I returned inside my house to get my cell phone and call my father to see what I should do. The barking continued and around 11:25AM my horse tried to run away from the dogs, at that time the four dogs began to chase him. I went outside and got pictures of the dogs standing around a tree in my side yard (see attached). Once again I tried yelling at the dogs to stop and leave, they began running towards my shed, at which time they circled and began barking and biting at my donkey that is pinned up. The donkey managed to kick one of the dogs that bit his back leg, then that dog ran back in the direction of its owner's house. Three dogs remained until about 11:45AM, until this time they continued to viciously bark and circle my horse and donkey, biting at them and chasing them when they would try and get away. I was able to see where the dogs ran back to after they left my property, 17370 Via Abril Murrieta, CA 92562.

I took pictures documenting the animals being on the property because as a former Private Investigator, I know that picture evidence holds up a lot better than word of mouth.

This is the information i provided Animal Control Officer Harris who i made my complaint with. These animals are vicious and i did fear for my life, the only reason i went outside of my house was for fear they would injure my horse and donkey. I did make a complaint to Officer Harris who told me that he was involved with an on going issue with other neighbors and the dogs being at the property. The dogs coming over and attacking myself and my animals was the first I've ever heard of them being a problem.

I am now being brought into this situation because Mr & Mrs McVickers want to make false statements on what happened. The interaction Mrs. McVickers and my father Peter McCowen had did not go as she described, my father expressed his concern with the vicious animals and explained to her what happened. Mrs. McVickers then stated that her dogs would never do such a thing and began having an aggressive demeanor with my father at which time he told her the conversation was over and to stay away from our property.

Unfortunately due to the nature of my job I am unable to take a day off to attend the hearing, but i would appreciate if you would address the fact that the statement provided by the McVickers is completely false. I have attached the pictures taken of the animals on my property. If any further information is needed please feel free to contact me so i can make sure the information provided is of true nature. I wish to stay out of the Kennel

hearing and other neighborhood drama, but i want to make sure that the events that took place on February 1st are very clearly described, seeing as i am the only witness to the event.

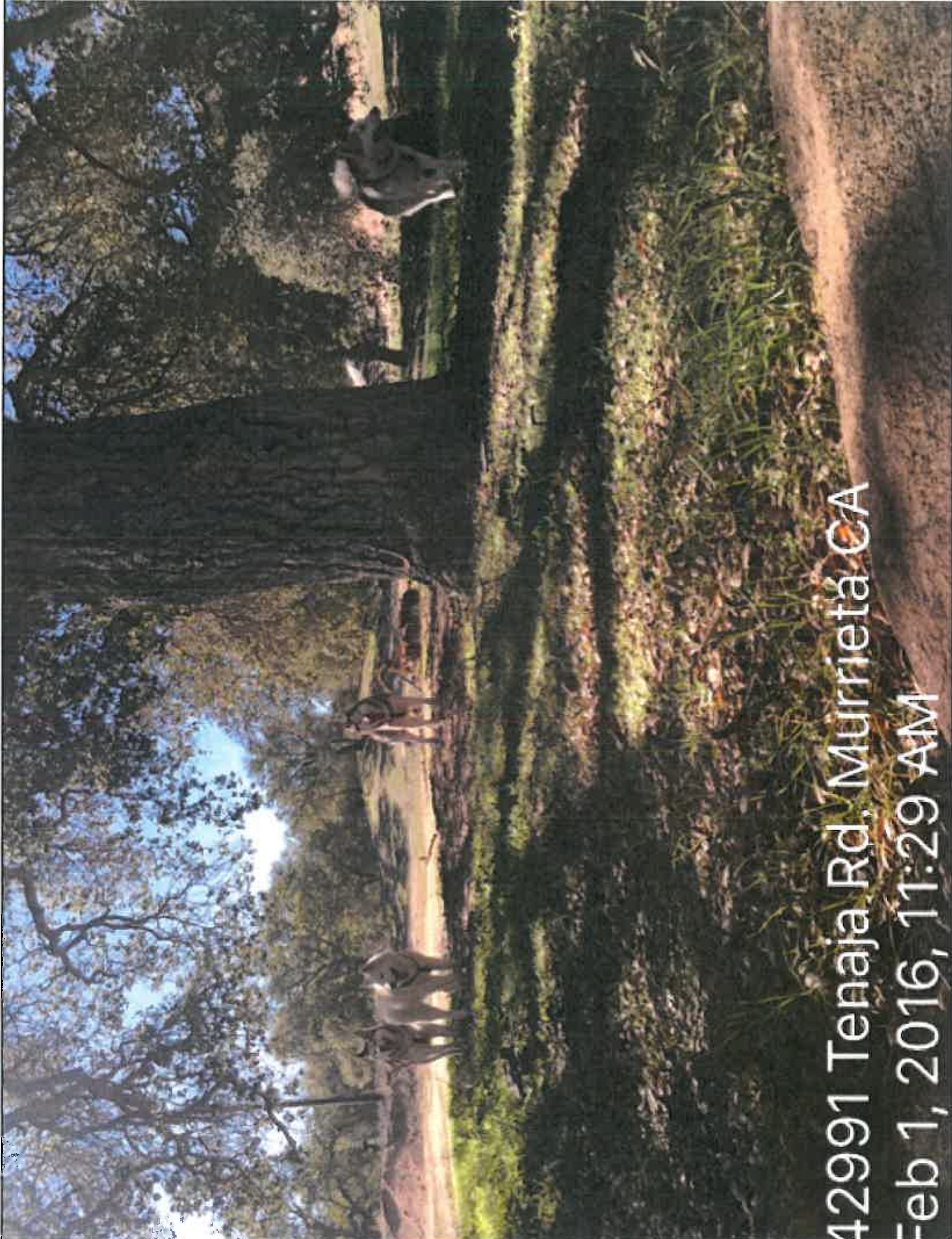
Thank you,

Shelby McCowen

[shelbymccowen5@gmail.com](mailto:shelbymccowen5@gmail.com)

512-809-3023

I have also attached the false statements provided by the McVickers as an easy reference.



42991 Tenaja Rd, Murrieta CA  
Feb 1, 2016, 11:29 AM

## **Wheeler, Timothy**

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**From:** Tina Clippinger <tina.clippinger@gmail.com>  
**Sent:** Monday, August 29, 2016 10:04 AM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** 17370 Via Abril McVicker Shadow Husky Rescue Class II Kennel Opposition letter  
**Attachments:** 16 Kennel Opposition Letter Final.docx

Dear Director Weiss and Director Wheeler,

RE: 17370 Via Abril McVicker Shadow Husky Rescue Class II Kennel

Please find attached my letter of opposition to the applicaiton of a Class II Kennel to be operated at the above referenced address. I will be in attendance at today's hearing and will provide the county with a signed copy.

Sincerely,

Tina Clippinger

951-970-6432

August 28, 2016

Riverside County Transportation and Land Management  
4080 Lemon St.  
Riverside CA 92501

RE: Urgent—Class II Kennel Application, 17370 Via Abril, Murrieta CA, 92562

Dear Director Wheeler and the County of Riverside;

My name is Tina Clippinger and I own property at 43475 Tenaja Rd., Murrieta adjacent and sharing a property line to the above referenced address. I am writing to express my opposition to the granting a Class II Kennel application approval by the County of Riverside to be operated at 17370 Via Abril, Murrieta CA, 92562. While I applaud the passion for rescuing abandoned, unwanted, and mistreated animals of any kind, I am in opposition to the County of Riverside granting a Class II Kennel of this land use. Mr. and Mrs. McVickers have a good heart for this dog breed and I wish them well in the continuance of their compassionate work through their business, Shadow Husky Rescue in Lake Elsinore.

I am not trying to prevent Husky dogs from being rescued or Shadow Husky Rescue, Inc. from existing as a legal entity. I am simply asking that the authority granted to the County of Riverside to uphold the established codes limiting an individual residence to four dogs be administered equitably and fairly. I assert that my right to quiet and peaceful enjoyment of my property, property values, and my way of life will be severely, negatively, and permanently effected should a Class II Kennel be approved. The passion of one resident, regardless of the altruistic nature of said passion, is in no way to be favored over the rights of another resident.

Properties that have legal CC&Rs often retain a higher value because of the protection from this exact form of variance—a variance that is simply incongruent with the safe, secure and quiet enjoyment of the surrounding properties. I paid a great deal of money for my land which encompasses 40 acres. If a huge kennel was in place when I found my parcel, I would not have purchased it. That is what the County would be doing to me and others if we ever decide to sell—is force me to disclose that there is an ongoing and long-term County-approved public noise nuisance next door.

The McVickers have asserted that there is no noise nuisance. 18-25 dogs is a public and residential noise nuisance. I personally have experienced the current census of dogs to begin their evening howl. This howl sets off a chorus of surrounding property owners' dogs howling. The geography of the Regan Valley—where I own property, is a volcanic caldera; a bowl-shaped land form. Sound travels in such a fashion as to amplify—my neighbors to the south can hear me talking even though I am 20 acres apart from their home site.

The home sites of Tenaja are zoned Rural Residential. Even though we are rural we are still residential. Allowing a Class II Kennel on one parcel in Tenaja is no different than allowing it in Murrieta proper. We, residents of Riverside county, are allowed four dogs per legal parcel which the county codes have clearly established as fair and reasonable.

SANTA ROSA RANCHES CC&R ARTICLE II-2.02 PURPOSE OF RESTRICTIONS

"...to protect the owner of each Parcel against improper use and development of surrounding parcels as will depreciate the value of the parcels or interfere with the beneficial use and enjoyment of the Parcels."

My stand on the above: If the county approves a Kennel—class I or II they are: intentionally disregarding Santa Rosa Ranches legally reviewed, approved, and recorded CC&R's; recklessly ignoring the county code of 4 dogs for per parcel; and with one singular decision willfully contributing and perhaps being a major cause in the devaluation of our properties. We paid more money to own property in Tenaja because we were assured by the governing documents of the usages per our governing documents. We agreed as landowners to abide by those documents.

I have registered a complaint at the Animal Control hearing held on March 17, 2016. That complaint included my statement that in early 2016 one of the McVickers' dogs escaped, came southward onto my property and killed 2 chickens. That same day several dogs went to a property northward of the McVickers' property, attacked a donkey and bayed a resident in her home for over an hour. Both incidences involved residents of both properties to experience extreme fright and emotional distress.

With the record showing that the surrounding property owners have been adversely affected, animals have been killed, and two human beings felt threatened by dogs being kept in numbers well outside of the county code, I cannot fathom the liability the County of Riverside is willing to have thrust upon itself if the director were to approve this application.

I own horses. I have rescued horses and housed horses that were rescued from a rescue operation. However, I never came close to housing as many horses as are legally allowed on 40 acres. I cannot keep more horses on my parcel than is legal without expecting repercussion from surrounding property owners.

We all have passions but at the same time we must live together in the legally binding, contractual agreements we made when we purchased our properties; by law, we must adhere to the CC&Rs that run with the land, and abide by the county codes that apply to our property.

Currently the McVickers have 18 dogs. That number represents 4.5 times the number of dogs allowed by code. If we were to apply the same extension of allowable animals to my passion for horses and other animals to the size of my acreage, the numbers would look like this:

ANIMAL TYPE	PER ACRE	TOTAL ACRES	LEGALLY ALLOWABLE	SAME VARIANCE AS APPLICANT	TOTAL ANIMALS
Horses	5	40	200	x 4.5	900
Bovine (Cattle)	5	40	200	x 4.5	900
Goats	10	40	400	x 4.5	1,800
Sheep	10	40	400	x 4.5	1,800
Mini horses Mini donkeys	10	40	400	x 4.5	1,800
Ovine (Pigs)	4.3	40	174	X 4.5	784

There would be little argument that these numbers are simply absurd and unacceptable for a residential setting. Yet, allowing 18 dogs presently, and up to 25 with a Class II is the same as allowing me the numbers of animals listed above. As a note, 25 dogs is ***6.25 times*** the number of allowable dogs; the numbers in the grid above would ***28% higher***. A Class II Kennel would simply be allowing an unreasonable number of animals to be housed on one residential parcel.

In summary, am asking that the powers that be, within the County of Riverside, State of California, take into deliberation that the county authorities overseeing this application are in place for the consideration of all residents and their rights thereof, and provide the continued protection and assurances due the residents of the County of Riverside through the fair and uniform administration and enforcement of all codes and laws.

I pray that you deny the application of Timothy and Elizabeth McVickers, and/or Shadow Husky Rescue a Class II Kennel to be operated in this residential setting.

Sincerely,

*Tina Clippinger*

Tina Clippinger

Liberty Oaks Ranch  
43475 Tenaja Rd.  
Murrieta CA 92562  
951-970-6432



## Wheeler, Timothy

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**From:** Terry Minnameyer <melicatm@gmail.com>  
**Sent:** Monday, August 29, 2016 12:14 PM  
**To:** Wheeler, Timothy  
**Subject:** Fwd: COMMERCIAL DOG KENNEL WITH RESCUE DOGS ON SITE IN RESIDENTIAL NEIGHBORHOOD

----- Forwarded message -----

**From:** Terry Minnameyer <[melicatm@gmail.com](mailto:melicatm@gmail.com)>  
**Date:** Mon, Aug 29, 2016 at 12:12 PM  
**Subject:** COMMERCIAL DOG KENNEL WITH RESCUE DOGS ON SITE IN RESIDENTIAL NEIGHBORHOOD  
**To:** [SWEISS@rctlma.org](mailto:SWEISS@rctlma.org)

### CONCERNS:

We are the neighbors to the west of Liz and Tim and share a fence with them. When we first found out that our new neighbors had 14 or so huskies, we were very upset. We chose to accept the situation and give them a chance. They love their dogs so much and take good care of them so we haven't complained. If they just kept the original number of dogs, we could have accepted the situation. The escalation of the number of rescue dogs has finally forced us to speak up. With this kennel license pending, we realize there could be 25 dogs next to us. I just recently saw their internet sites. [Tenajashadowhuskyranch.com](http://Tenajashadowhuskyranch.com) and [Shadowhuskyrescue](http://Shadowhuskyrescue) and I realized that this is a state wide rescue operation which makes this a commercial endeavor and definitely not only for their personal dogs. The dogs up for adoption on the website are photographed at Tim and Liz's home and we have met them. Their rescue operation is NOT conducted off site as they state in their website and as they have represented to the county.

Concerns about septic issues for 25 dogs because we're on well water only as well as some of the other neighbors.

Property values negatively affected.

We would NOT have purchased this land if we had known there would be 25 huskies right next door.

Rescue dogs need rehabilitation and could pose a threat to the community. We're concerned about the dogs getting out and causing harm to small animals and small children. They are currently behind only a 5 foot fence.

**IN CLOSING:** We have tried to be good neighbors and tried to accept the huskies next door. Tim and Liz never approached us to see how we might feel about a 25 dog kennel and a continuous flow of new rescue dogs living next to us. They are asking all the neighbors to be supportive of their enterprise but they are not sensitive to the opinions and feelings of their neighbors.

Sincerely,

Frank and Terry Minnameyer

## Wheeler, Timothy

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**From:** Brad Stone <bstone@aspirinsoftware.com>  
**Sent:** Wednesday, August 31, 2016 1:57 PM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** Class II Kennel Permit hearing

I am writing regarding the request for a Class II Kennel to confine up to 25 Siberian huskies in the Tenaja community. I am a nearby property owner.

I spent a number of years studying and visiting properties before purchasing in this community. This area was ideal and unique in its rural nature; a very quiet residential neighborhood. This request would have a serious negative effect on the quality of life and property values in the area.

It seems a bit redundant to share with you the howling and other noise disturbances that you get when this many dogs are confined together, since numerous instances have already been reported to Animal Control for this property and its current collection of dogs. Increasing the number of dogs of course only exacerbates the existing problem.

But that's just the associated noise which is not even my biggest concern. I also have two small children. Siberian Huskies are in the top 10 list of most dangerous dogs. Why are we purposely creating a dangerous situation in our residential neighborhood? This commercial use clearly violates our CC&R's, but doesn't it also violate county ordinances?

Please deny this request as a violation of our CC&Rs, for its safety risks, and for the negative impact it will have on our community.

Thank you.

Brad Stone  
Avenida de Matorral

## Wheeler, Timothy

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**From:** Lisa Merritt <lmerritt@southlandengineering.com>  
**Sent:** Monday, August 29, 2016 11:08 AM  
**To:** Wheeler, Timothy; Magee, Robert; Weiss, Steven  
**Subject:** FW: Tenaja CSD / PLOT PLAN 25922 DOG KENNEL  
**Attachments:** Old+New CA Gov't Code re CCRs in CSD.doc; New California Gov't Code 61000 to 61226.pdf; ACC 4-27-01 Legal Opinion.pdf; Res 87-6-4-1 ACC rules+regs.pdf; RivCo BoS 85-409 creating Tenaja CSD.pdf

Please see the attached email from a Board Member of the Tenaja Community Services District.



*Lisa A. Merritt, President*

### **SOUTHLAND ENGINEERING**

2200 Business Way, Suite 100  
Riverside, CA 92501  
951-788-8488 OFFICE  
951-534-7128 CELL

**From:** Elizabeth McVicker [mailto:[emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)]  
**Sent:** Wednesday, August 24, 2016 4:23 PM  
**To:** 'Lisa Merritt' <lmerritt@southlandengineering.com>  
**Subject:** FW: Tenaja CSD

**From:** Michael Juha [mailto:[michaeljuha@gmail.com](mailto:michaeljuha@gmail.com)]  
**Sent:** Wednesday, August 24, 2016 3:43 PM  
**To:** Elizabeth McVicker <[emcvicker@mcvickersfamilylaw.com](mailto:emcvicker@mcvickersfamilylaw.com)>  
**Subject:** Re: Tenaja CSD

Mrs. McVicker:

As we discussed today, the Tenaja CSD does not have the authority to enforce CC&Rs as a result of a revision to California's Government Code in 2006.

Attached is a brief word file showing what changed.

Also attached is a copy of the full text of the current Government Code which does not list Tenaja CSD anywhere in its text.

I have highlighted pages 23, 24, and 25. Only page 25 shows the word "Tenaja", and it is not referring to Tenaja CSD.

Instead, it is referring to "Tenaja Meadows Community Services District", and that is not the Tenaja CSD.

Therefore, Tenaja CSD lost its power to enforce CC&Rs ten years ago when Gov't Code Section 61105 was revised by the California legislature.

I brought this up the the Board and the GM of Tenaja CSD years ago, and they did nothing but claim it had to be a typographic error by the legislature.

My response was: Get to work, and fix the problem.

But, nothing ever happened.

The third document attached is to help you further in your efforts against Tenaja CSD.

It is a copy of a legal opinion from 15 years ago by the legal counsel for the Tenaja CSD which asserted that the Tenaja CSD could not spend any public (or government) funds on CC&R matters or architectural matters. This stricture meant that Tenaja CSD could not furnish any money to cover the costs of the Architectural Control Committee.

As a member of the ACC, when I sent a letter to a property owner, I paid for the postage (not Tenaja CSD). Each legal counsel for Tenaja CSD since 2001 has advised Tenaja CSD's GM and Board that they could not use any Tenaja CSD resources for CC&R or architectural matters.

The last document is the Board resolution which created the Architectural Committee.

The second page of this document is important to you, since it stipulated the Architectural Committee was to make recommendations to the Board of Directors.

Action on any architectural matter rested with the Board of Directors, and not with the Architectural Committee.

Therefore, any action required a vote by the Board of Directors to approve such action, and must be memorialized in minutes of a meeting where that action was listed on the agenda for the meeting.

This empowers you to ask: Show me the minutes of the Tenaja CSD meeting in which the decision was voted upon and approved by the Board of Directors.

I wish you well.

As a member of the Tenaja CSD Board, Scott Becker must recuse himself from all votes on matters affecting your property since he is in a conflict with you.

Because Ron McDaniel's property is proximate to yours, Mr. McDaniel also must recuse himself from all votes on matters affecting your property.

That leaves 3 Board members, and they must vote to approve any matter unanimously for it to demonstrate any validity.

Here is my assessment of the 3 Board members.

Mr. Millington's sister, Ann Palmer, is an equestrian, and that is likely to bias Mr. Millington against you.

Karol Hoboy does not like kennel operations, and was the chief complainant about a kennel being operated near her home at Tenaja near Sierra Elena.

That leaves just Deborah Natale as likely to vote for your cause, and she is such a flippant person I would not count on her vote.

Your best strategy is to take Tenaja CSD out of the transaction by explaining to the County that they have no standing:

- a) because Tenaja CSD has lost its authority to enforce CC&Rs due to revision of Gov't Code Section 61105 in 2006, and
- b) Tenaja CSD's founding resolution 85-409 never gave Tenaja CSD the power to enforce CC&Rs or enforce County codes/ordinances.
- c) Two of the Directors of Tenaja CSD are your neighbors (and adversaries) and are using Tenaja CSD as a bully pulpit, despite their conflict of interest.
- d) Tenaja CSD's own legal counsel has advised them against using any government resources for private property matters, such as CC&Rs.

A copy of County Resolution 85-409 is also attached for your information.

Pages 5 and 6 of the PDF (pages 3+4 of the resolution) list the powers granted to Tenaja CSD at its formation. Note that Tenaja CSD only exercised the powers defined in 6(f) and 6(g).

Now, to exercise the other listed powers, Tenaja CSD must obtain approval from the Local Agency Formation Commission (which the GM is afraid to do).

Please let me know how else I can help.

That Tenaja CSD is involved in this is just one more testimony to their incompetence.

We discussed this issue in our telephone conversation today.

Sadly, Arlene Miller is way beyond her capability in the job as General Manager.

And, age is taking its toll on Hugo Anderson (as exemplified by my receiving a reply to my October 2013 letter in January 2016).

But worst of all, the conflict of interest created by Board members using the Tenaja CSD as a bully pulpit could open the Tenaja CSD to a liability lawsuit.

If you are being falsely accused, and being charged fees by the County when complaints are filed without basis, I would consider the liability countersuit.

You should also be aware that Tenaja CSD was cited in 2012 by the County Grand Jury for not having a written policy manual adequate for a local government.

I had to deal with that in my first few months as a Director for Tenaja CSD. Arlene Miller did not seem to take it seriously.

The County Grand Jury is likely to scrutinize Tenaja CSD further for their lack of documentation for one of their special assessments.

Tenaja CSD is worse than the "gang that couldn't shoot straight".

Mike Juha

Tel: 951-600-1462

## CA Gov't Code After The 2006 Revision

61105. (a) The Legislature finds and declares that the unique circumstances that exist in certain communities justify the enactment of special statutes for specific districts. In enacting this section, the Legislature intends to provide specific districts with special statutory powers to provide special services and facilities that are not available to other districts.

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(e) The Cameron Park Community Services District, the El Dorado Hills Community Services District, the Golden Hills Community Services District, the Mountain House Community Services District, the Rancho Murieta Community Services District, the Salton Community Services District, the Stallion Springs Community Services District, and the Tenaja Meadows Community Services District, which enforced covenants, conditions, and restrictions prior to January 1, 2006, pursuant to former Section 61601.7 and former Section 61601.10, may continue to exercise the powers set forth in former Section 61601.7 and former Section 61601.10.

***The obsoleted Section 61601.10 is presented below***

**Note:** the name "Tenaja" is covered because the text was selected when a screen capture of the text was done. The selected area did contain the text 'Tenaja'. Mike Juha

**61601.10**

(a) Notwithstanding the provisions of Section 61600, whenever the board of directors of a district listed in subdivision (b) determines by resolution that it is feasible, economically sound, and in the public interest, and if a majority of the voters voting on the proposition vote in favor of the additional purpose pursuant to Section 61601, the district may enforce the covenants, conditions, and restrictions adopted for each tract within the district and assume the duties of the architectural control committee for each tract within the district for the purposes of maintaining uniform standards of development within each tract as adopted in the covenants, conditions, and restrictions. The district shall exercise the duties of an architectural control committee for any tract only to the extent that an architectural control committee is authorized by the covenants, conditions, and restrictions that apply to the tract. For the purposes of this subdivision, "tract" means any parcel of land for which the county or the city has authorized development. The district may divest itself of the power in the same manner as the power was acquired.

(b) This section shall apply only to the following districts:

- (1) Bel Marin Keys Community Services District.
- (2) Big River Community Services District.
- (3) Brooktrails Community Services District.
- (4) Cameron Estates Community Services District.
- (5) Cameron Park Community Services District.
- (6) El Dorado Hills Community Services District.
- (7) Golden West Community Services District.
- (8) Lake Shastina Community Services District.
- (9) Rancho Murieta Community Services District.
- (10) Salton Community Services District.
- (11) Sea Oasis Community Services District.
- (12) Stallion Springs Community Services District.
- (13) ~~Tenaja~~ Community Services District.
- (14) Springfield Meadows Community Services District
- (15) Wallace Community Services District.
- (16) Mountain House Community Services District.



# GOVERNMENT CODE

## SECTION 61000-61009

61000. This division shall be known and may be cited as the Community Services District Law.

61001. (a) The Legislature finds and declares all of the following:

(1) The differences among California's communities reflect the broad diversity of the state's population, geography, natural resources, history, and economy.

(2) The residents and property owners in California's diverse communities desire public facilities and services that promote the public peace, health, safety, and welfare.

(3) Responding to these communities' desires, the Legislature enacted the Community Services District Law in 1951, and reenacted the Community Services District Law in 1955.

(4) Between 1955 and 2005, the voters in more than 300 communities have formed community services districts to achieve local governance, provide needed public facilities, and supply public services.

(5) Since then, the Legislature has amended the Community Services District Law in many ways, resulting in a statute that can be difficult for residents, property owners, and public officials to understand and administer.

(6) There is a need to revise the Community Services District Law to achieve statutory clarity and provide a framework for local governance that California's diverse communities can adapt to their local conditions, circumstances, and resources.

(7) The enactment of this division is necessary for the public peace, health, safety, and welfare.

(b) The Legislature finds and declares that for many communities, community services districts may be any of the following:

(1) A permanent form of governance that can provide locally adequate levels of public facilities and services.

(2) An effective form of governance for combining two or more special districts that serve overlapping or adjacent territory into a multifunction special district.

(3) A form of governance that can serve as an alternative to the incorporation of a new city.

(4) A transitional form of governance as the community approaches cityhood.

(c) In enacting this division, it is the intent of the Legislature:

(1) To continue a broad statutory authority for a class of limited-purpose special districts to provide a wide variety of public facilities and services.

(2) To encourage local agency formation commissions to use their municipal service reviews, spheres of influence, and boundary powers, where feasible and appropriate, to combine special districts that serve overlapping or adjacent territory into multifunction community services districts.

(3) That residents, property owners, and public officials use the powers and procedures provided by the Community Services District Law to meet the diversity of the local conditions, circumstances, and resources.

61002. Unless the context requires otherwise, as used in this division, the following terms shall have the following meanings:

(a) "At large" means the election of members of the board of directors all of whom are elected by the voters of the entire district.

(b) "Board of directors" means the board of directors of a district that establishes policies for the operation of the district.

(c) "By divisions" means the election of members of the board of directors who are residents of the division from which they are elected only by voters of the division.

(d) "District" means a community services district created pursuant to this division or any of its statutory predecessors.

(e) "From divisions" means the election of members of the board of directors who are residents of the division from which they are elected by the voters of the entire district.

(f) "General manager" means the highest level management appointee who is directly responsible to the board of directors for the implementation of the policies established by the board of directors.

(g) "Graffiti abatement" means the power to prevent graffiti on public or private property, receive reports of graffiti on public or private property, provide rewards not to exceed one thousand dollars (\$1,000) for information leading to the arrest and conviction of persons who apply graffiti on public or private property, abate graffiti as a public nuisance pursuant to Section 731 of the Code of Civil Procedure, remove graffiti from public or private property, and use the services of persons ordered by a court to remove graffiti.

(h) "Latent power" means those services and facilities authorized by Part 3 (commencing with Section 61100) that the local agency formation commission has determined, pursuant to subdivision (i) of Section 56425, that a district did not provide prior to January 1, 2006.

(i) "President" or "chair" means the presiding officer of the board of directors.

(j) "Principal county" means the county having all or the greatest portion of the entire assessed valuation, as shown on the last equalized assessment roll of the county or counties, of all taxable property in the district.

(k) "Secretary" means the secretary of the board of directors.

(l) "Voter" means a voter as defined by Section 359 of the Elections Code.

(m) "Zone" means a zone formed pursuant to Chapter 5 (commencing with Section 61140) of Part 3.

61003. (a) This division provides the authority for the organization and powers of community services districts. This division succeeds the former Division 3 (commencing with Section 61000) as added by Chapter 1746 of the Statutes of 1955, as subsequently amended, and any of its statutory predecessors.

(b) Any community services district organized or reorganized pursuant to the former Division 3 or any of its statutory predecessors which was in existence on January 1, 2006, shall remain in existence as if it had been organized pursuant to this division.

(c) Any improvement district of a community services district formed pursuant to the former Chapter 5 (commencing with Section

61710) of the former Part 5 or any of its statutory predecessors which was in existence on January 1, 2006, shall be deemed to be a zone as if it had been formed pursuant to Chapter 5 (commencing with Section 61140) of Part 3.

(d) Any zone of a community services district formed pursuant to the former Chapter 2 (commencing with Section 61770) of the former Part 6 or any of its statutory predecessors which was in existence on January 1, 2006, shall remain in existence as if it had been organized pursuant to this division.

(e) Any indebtedness, bond, note, certificate of participation, contract, special tax, benefit assessment, fee, election, ordinance, resolution, regulation, rule, or any other action of a district taken pursuant to the former Division 3 or any of its statutory predecessors which was taken before January 1, 2006, shall not be voided solely because of any error, omission, informality, misnomer, or failure to comply strictly with this division.

(f) Any approval or determination, including, but not limited to, terms and conditions made with respect to a district by a local agency formation commission prior to January 1, 2006, shall remain in existence.

61004. This division shall be liberally construed to effectuate its purposes.

61005. If any provision of this division or the application of any provision of this division in any circumstance or to any person, county, city, special district, school district, the state, or any agency or subdivision of the state is held invalid, that invalidity shall not affect other provisions or applications of this division that can be given effect without the invalid provision or application of the invalid provision, and to this end the provisions of this division are severable.

61006. (a) Any action to determine the validity of the organization of a district shall be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.

(b) Any action to determine the validity of any bonds, warrants, contracts, obligations, or evidences of indebtedness of a district shall be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.

(c) Any judicial action to compel performance of an action by a district, its officers, or its directors shall be brought pursuant to Section 1084 of the Code of Civil Procedure.

(d) Any judicial review of any administrative act taken after a hearing by a district shall be brought pursuant to Section 1094.5 of the Code of Civil Procedure.

61007. (a) Territory, whether incorporated or unincorporated, whether contiguous or noncontiguous, whether in one or more counties, may be included in a district.

(b) Except as provided in this part, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3 (commencing

with Section 56000) of Title 5, shall govern any change of organization or reorganization of a district. In the case of any conflict between that division and this division, the provisions of this division shall prevail.

(c) A district shall be deemed an "independent special district," as defined by Section 56044, except when a county board of supervisors or a city council is the board of directors.

61008. (a) Except as otherwise provided in this division, districts are subject to the Uniform District Election Law, Part 4 (commencing with Section 10500) of Division 10 of the Elections Code.

(b) A board of directors may require that the election of members to the board of directors shall be held on the same day as the statewide general election pursuant to Section 10404 of the Elections Code.

(c) A district may conduct any election by all-mailed ballots pursuant to Division 4 (commencing with Section 4000) of the Elections Code.

(d) A district may hold advisory elections pursuant to Section 9603 of the Elections Code.

61009. Whenever the boundaries of a district or a zone change, the district shall comply with Chapter 8 (commencing with Section 54900) of Part 1 of Division 2 of Title 5.

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## **GOVERNMENT CODE**

### **SECTION 61010-61014.5**

61010. A new district may be formed pursuant to this chapter.

61011. (a) A proposal to form a new district may be made by petition. The petition shall do all of the things required by Section 56700. In addition, the petition shall do all of the following:

- (1) State which of the services listed in Section 61100 it is proposed that the district be authorized to provide upon formation.
- (2) Set forth the proposed methods, including, but not limited to, special taxes, benefit assessments, and fees, by which the district will finance those services.
- (3) Propose a name for the district.
- (4) Specify the method of selecting the initial board of directors, as provided in Chapter 1 (commencing with Section 61020) of Part 2.

(b) The petitions, the proponents, and the procedures for certifying the sufficiency of the petitions shall comply with Chapter 2 (commencing with Section 56700) of Part 3 of Division 5. In the case of any conflict between that chapter and this chapter, the

provisions of this chapter shall prevail.

(c) The petition shall be signed by not less than 25 percent of the registered voters residing in the area to be included in the district, as determined by the local agency formation commission.

61012. (a) Before circulating any petition, the proponents shall publish a notice of intention which shall include a written statement not to exceed 500 words in length, setting forth the reasons for forming the district, the proposed services that the district will provide, and the proposed methods by which the district will be financed. The notice shall be published pursuant to Section 6061 in one or more newspapers of general circulation within the territory proposed to be included in the district. If the territory proposed to be included in the district is located in more than one county, publication of the notice shall be made in at least one newspaper of general circulation in each of the counties.

(b) The notice shall be signed by one or more of the proponents, and shall be in substantially the following form:

"Notice of Intent to Circulate Petition

"Notice is hereby given of the intention to circulate a petition proposing to form the \_\_\_\_\_ [name of the district]. The reasons for forming the proposed district are: \_\_\_\_\_ . The proposed service(s) that the district will provide are: \_\_\_\_\_ . The proposed method(s) by which the district will finance those services are: \_\_\_\_\_ ."

(c) Within five days after the date of publication, the proponents shall file with the executive officer of the local agency formation commission of the principal county a copy of the notice together with an affidavit made by a representative of the newspaper or newspapers in which the notice was published certifying to the fact of the publication.

(d) After the filing required by subdivision (c), the petition may be circulated for signatures.

61013. (a) A proposal to form a new district may also be made by the adoption of a resolution of application by the legislative body of any county, city, or special district that contains any of the territory proposed to be included in the district. Except for the provisions regarding the signers, the signatures, and the proponents, a resolution of application shall contain all of the matters specified for a petition in Section 61011.

(b) Before adopting a resolution of application, the legislative body shall hold a public hearing on the resolution. Notice of the hearing shall be published pursuant to Section 6061 in one or more newspapers of general circulation within the county, city, or special district. At least 20 days before the hearing, the legislative body shall give mailed notice of its hearing to the executive officer of the local agency formation commission of the principal county. The notice shall generally describe the proposed formation of the district and the territory proposed to be included in the district.

(c) The clerk of the legislative body shall file a certified copy of the resolution of application with the executive officer of the local agency formation commission of the principal county.

61014. (a) Once the proponents have filed a sufficient petition or a legislative body has filed a resolution of application, the local agency formation commission shall proceed pursuant to Part 3 (commencing with Section 56650) of Division 3 of Title 5.

(b) Notwithstanding any other provision of law, a local agency formation commission shall not approve a proposal that includes the formation of a district unless the commission determines that the proposed district will have sufficient revenues to carry out its purposes.

(c) Notwithstanding subdivision (b), a local agency formation commission may approve a proposal that includes the formation of a district where the commission has determined that the proposed district will not have sufficient revenue provided that the commission conditions its approval on the concurrent approval of special taxes or benefit assessments that will generate those sufficient revenues. In approving the proposal, the commission shall provide that, if the voters or property owners do not approve the special taxes or benefit assessments, the proposed district shall not be formed.

(d) If the local agency formation commission approves the proposal for the formation of a district, then the commission shall proceed pursuant to Part 4 (commencing with Section 57000) of Division 3 of Title 5.

(e) Notwithstanding Section 57075, the local agency formation commission shall take one of the following actions:

(1) If a majority protest exists in accordance with Section 57078, the commission shall terminate proceedings.

(2) If no majority protest exists, the commission shall do either of the following:

(A) Order the formation subject to the approval by the voters.

(B) Order the formation subject to the approval by the voters of a special tax or the approval by the property owners of a special benefit assessment, pursuant to subdivision (c).

(f) If the local agency formation commission orders the formation of a district pursuant to paragraph (2) of subdivision (e), the commission shall direct the board of supervisors to direct county officials to conduct the necessary elections on behalf of the proposed district.

61014.5. Notwithstanding Section 61014, in the case of the proposed formation of the East Garrison Community Services District, if the Local Agency Formation Commission of Monterey County finds that the affected territory contains no registered voters and no landowners that are not public agencies, the Local Agency Formation Commission of Monterey County may, as a term and condition of approving the formation, dispense with an election, complete the proceedings for the formation of the East Garrison Community Services District, and order the Board of Supervisors of the County of Monterey to designate the members of the initial board of directors pursuant to Section 61029.5.

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# GOVERNMENT CODE

## SECTION 61020-61022

61020. The initial board of directors of a district formed on or after January 1, 2006, shall be determined pursuant to this chapter.

61021. (a) Except as provided in this chapter, the initial board of directors shall be elected.

(b) The directors may be elected by one of the following methods:

- (1) At large.
- (2) By divisions.
- (3) From divisions.

(c) The elections and terms of office shall be determined pursuant to the Uniform District Election Law, Part 4 (commencing with Section 10500) of the Elections Code.

61022. (a) In the case of a proposed district which contains only unincorporated territory in a single county and less than 100 voters, the local agency formation commission may provide, as a term and condition of approving the formation of the district, that the county board of supervisors shall be the initial board of directors until conversion to an elected board of directors.

(b) The board of supervisors shall adopt a resolution pursuant to subdivision (b) of Section 61027, placing the question of having an elected board of directors on the ballot when any of the following occurs:

(1) When the registrar of voters certifies in writing that the number of voters in the district has reached or exceeded 500.

(2) When the registrar of voters certifies in writing that the number of voters in the district has reached or exceeded a lower number specified by the local agency formation commission as a term and condition of approving the formation of the district.

(3) Ten years after the effective date of the district's formation.

(4) The local agency formation commission has required, as a term and condition of approving the formation of the district, placing the question of having an elected board of directors on the ballot in less than 10 years after the effective date of the district's formation.

(c) At the election, the voters shall also elect members to the district's board of directors. Those persons shall take office only if a majority of the voters voting upon the question of having an elected board are in favor of the question.

(d) If the question is submitted to the voters at a general district election, the notice required by Section 12112 of the Elections Code shall contain a statement of the question to appear on the ballot. If the question is submitted to the voters at a special election, the notice of election and ballot shall contain a statement of the question.

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# GOVERNMENT CODE

## SECTION 61025-61030

61025. (a) If a majority of the voters voting upon the question are in favor of the question at a general district or special election, a board of directors may be elected by one of the following methods:

- (1) At large.
- (2) By divisions.
- (3) From divisions.

(b) The board of directors may adopt a resolution placing the question on the ballot. Alternatively, upon receipt of a petition signed by at least 25 percent of the registered voters of the district, the board of directors shall adopt a resolution placing the question on the ballot.

(c) If the question is submitted to the voters at a general district election, the notice required by Section 12112 of the Elections Code shall contain a statement of the question to appear on the ballot. If the question is submitted to the voters at a special election, the notice of election and ballot shall contain a statement of the question.

(d) If the majority of voters voting upon the question approves of the election of directors either by divisions or from divisions, the board of directors shall promptly adopt a resolution dividing the district into five divisions. The resolution shall assign a number to each division. Using the last decennial census as a basis, the divisions shall be as nearly equal in population as possible. In establishing the boundaries of the divisions, the board of directors may give consideration to the following factors:

- (1) Topography.
- (2) Geography.
- (3) Cohesiveness, contiguity, integrity, and compactness of territory.
- (4) Community of interests of the divisions.

(e) If the majority of voters voting upon the question approves of the election of directors either by divisions or from divisions, then at the next election, the members of the board of directors shall be so elected. Each member elected by division or from division shall be a resident of the election division by which or from which he or she is elected. At the district general election, following the approval by the voters of the election of directors either by divisions or from divisions, the board of directors shall assign vacancies on the board of directors created by the expiration of terms to the respective divisions and the vacancies shall be filled either by or from those divisions.

(f) If the majority of voters voting on the question approves of the election of directors at large, the board of directors shall promptly adopt a resolution dissolving the divisions which had existed.

61026. In the case of a board of directors elected by divisions or from divisions, the board of directors shall adjust the boundaries of the divisions before November 1 of the year following the year in which each decennial census is taken. If at any time between each decennial census, a change of organization or reorganization alters the population of the district, the board of directors shall



reexamine the boundaries of its divisions. If the board of directors finds that the population of any division has varied so that the divisions no longer meet the criteria specified in subdivision (d) of Section 61025, the board of directors shall adjust the boundaries of the divisions so that the divisions shall be as nearly equal in population as possible. The board of directors shall make this change within 60 days of the effective date of the change of organization or reorganization.

61027. (a) This section applies only to a district where the board of supervisors is the district's board of directors and more than five years have passed since the effective date of the district's formation.

(b) Upon receipt of a petition signed by at least 10 percent of the voters of the district, the board of directors shall adopt a resolution placing the question on the ballot. Alternatively, the board of directors may adopt a resolution placing the question on the ballot. The petition or resolution shall specify whether the board of directors will be elected at large, by divisions, or from divisions.

(c) If a majority of the voters voting upon the question at a general election or special election are in favor, the district shall have an elected board of directors.

(d) At the election, the voters shall also elect members to the district's board of directors. Those persons shall take office only if a majority of the voters voting upon the question of having an elected board of directors are in favor of the question.

(e) If the question is submitted to the voters at a general district election, the notice required by Section 12112 of the Elections Code shall contain a statement of the question to appear on the ballot. If the question is submitted to the voters at a special election, the notice of election and ballot shall contain a statement of the question.

61028. (a) Before circulating any petition pursuant to Section 61025 or Section 61027, the proponents shall publish a notice of intention, which shall include a written statement not to exceed 500 words in length, setting forth the reasons for the proposal. The notice shall be published pursuant to Section 6061 in one or more newspapers of general circulation within the district. If the district is located in more than one county, publication of the notice shall be made in at least one newspaper of general circulation in each county.

(b) The notice shall be signed by at least one, but not more than three, proponents and shall be in substantially the following form:

"Notice of Intent to Circulate Petition

"Notice is hereby given of the intention to circulate a petition affecting the Board of Directors of the \_\_\_\_\_ (name of the district). The petition proposes that \_\_\_\_\_ (description of the proposal)."

(c) Within five days after the date of publication, the proponents shall file with the secretary of the board of directors a copy of the notice together with an affidavit made by a representative of the newspaper in which the notice was published certifying to the fact of publication.

(d) After the filing required by subdivision (c), the petition may be circulated for signatures.

(e) Sections 100 and 104 of the Elections Code shall govern the signing of the petition and the format of the petition.

(f) A petition may consist of a single instrument or separate counterparts. The proponents shall file the petition, together with all counterparts, with the secretary of the board of directors. The secretary shall not accept a petition for filing unless the signatures have been secured within six months of the date on which the first signature was obtained and the proponents submitted the petition to the secretary for filing within 60 days after the last signature was obtained.

(g) Within 30 days after the date of filing a petition, the secretary of the board of directors shall cause the petition to be examined by the county elections official, in accordance with Sections 9113 to 9115, inclusive, of the Elections Code, and shall prepare a certificate of sufficiency indicating whether the petition is signed by the requisite number of signers.

(h) If the certificate of the secretary shows the petition to be insufficient, the secretary shall immediately give notice, by certified mail, of the insufficiency to the proponents. That mailed notice shall state in what amount the petition is insufficient. Within 15 days after the date of the notice of insufficiency, the proponents may file with the secretary a supplemental petition bearing additional signatures.

(i) Within 10 days after the date of filing a supplemental petition, the secretary shall cause the supplemental petition to be examined by the county elections official.

(j) The secretary shall sign and date a certificate of sufficiency. That certificate shall also state the minimum signature requirements for a sufficient petition and show the results of the secretary's examination. The secretary shall mail a copy of the certificate of sufficiency to the proponents.

(k) Once the proponents have filed a sufficient petition, the board of directors shall take the actions required pursuant to Section 61025 or Section 61027.

61029. (a) Notwithstanding any other provision of this chapter, the Board of Supervisors of San Joaquin County shall be the Board of Directors of the Mountain House Community Services District, until conversion to a directly elected board of directors.

(b) When the registrar of voters certifies in writing that the number of voters in the district has reached or exceeded 1,000, the Board of Supervisors of San Joaquin County shall adopt a resolution placing the question of having an elected board of directors on the ballot. The resolution shall specify whether the board of directors will be elected at large, by divisions, or from divisions.

(c) If the question is submitted to the voters at a general district election, the notice required by Section 12112 of the Elections Code shall contain a statement of the question to appear on the ballot. If the question is submitted to the voters at a special election, the notice of election and ballot shall contain a statement of the question.

(d) If a majority of voters voting upon the question approves of electing the board of directors, the members of the board of directors shall be elected at the next general district election.

61029.5. (a) Notwithstanding any other provision of this division, the Board of Directors of the East Garrison Community Services District shall be the Board of Supervisors of the County of Monterey, until conversion to a directly elected board of directors.

(b) The Board of Supervisors of the County of Monterey shall adopt a resolution, placing the question of having an elected board of directors on the ballot when any of the following occurs:

(1) When the registrar of voters certifies in writing that the number of voters in the East Garrison Community Services District has reached or exceeded 500.

(2) When the registrar of voters certifies in writing that the number of voters in the East Garrison Community Services District has reached or exceeded a lower number specified by the Local Agency Formation Commission of Monterey County as a term and condition of approving the formation of the East Garrison Community Services District.

(3) Ten years after the effective date of the East Garrison Community Services District's formation.

(4) The Local Agency Formation Commission of Monterey County has required, as a term and condition of approving the formation of the East Garrison Community Services District, placing the question of having an elected board of directors on the ballot in less than 10 years after the effective date of the East Garrison Community Services District's formation.

(c) At the election, the voters shall also elect members to the East Garrison Community Services District's Board of Directors. Those persons shall take office only if a majority of the voters voting upon the question of having an elected board are in favor of the question.

(d) If the question is submitted to the voters at a general district election, the notice required by Section 12112 of the Elections Code shall contain a statement of the question to appear on the ballot. If the question is submitted to the voters at a special election, the notice of the election and ballot shall contain a statement of the question.

61030. (a) Notwithstanding any other provision of this part, the local agency formation commission, in approving either a consolidation or reorganization of two or more special districts into a single community services district, may, pursuant to subdivisions (k) and (n) of Section 56886, temporarily increase the number of members to serve on the board of directors of the consolidated or reorganized district to 7, 9, or 11, who shall be members of the boards of directors of the districts to be consolidated or reorganized as of the effective date of the consolidation or reorganization.

(b) Upon the expiration of the terms of the members of the board of directors of the consolidated or reorganized district whose terms first expire following the effective date of the consolidation or reorganization, the total number of members on the board of directors shall be reduced until the number of members equals five.

(c) In addition to the powers granted under Section 1780, in the event of a vacancy on the board of directors of the consolidated or reorganized district at which time the total number of members of the board of directors is greater than five, the board of directors may,

by majority vote of the remaining members of the board, choose not to fill the vacancy. In that event, the total membership of the board of directors shall be reduced by one member. Upon making the determination not to fill a vacancy, the board of directors shall notify the board of supervisors of its decision.

(d) This section applies only to a consolidation or reorganization in which each subject agency was an independent special district prior to the initiation of the consolidation or reorganization.

(e) As used in this section, "consolidation" means a consolidation as defined by Section 56030, "special district" means a special district as defined by Section 56036, "independent special district" means an independent special district as defined by Section 56044, and "reorganization" means a reorganization as defined by Section 56073.

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## GOVERNMENT CODE

### SECTION 61040-61048

61040. (a) A legislative body of five members known as the board of directors shall govern each district. The board of directors shall establish policies for the operation of the district. The board of directors shall provide for the implementation of those policies which is the responsibility of the district's general manager.

(b) No person shall be a candidate for the board of directors unless he or she is a voter of the district or the proposed district. No person shall be a candidate for the board of directors that is elected by divisions or from divisions unless he or she is a voter of that division or proposed division.

(c) All members of the board of directors shall exercise their independent judgment on behalf of the interests of the entire district, including the residents, property owners, and the public as a whole in furthering the purposes and intent of this division. Where the members of the board of directors have been elected by divisions or from divisions, they shall represent the interests of the entire district and not solely the interests of the residents and property owners in their divisions.

(d) Service on a municipal advisory council established pursuant to Section 31010 or service on an area planning commission established pursuant to Section 65101 shall not be considered an incompatible office with service as a member of a board of directors.

(e) A member of the board of directors shall not be the general manager, the district treasurer, or any other compensated employee of the district, except for volunteer firefighters as provided by Section 53227.

61042. (a) The term of office of each member of a board of directors is four years or until his or her successor qualifies and takes office. Directors shall take office at noon on the first Friday in December following their election.

(b) For districts formed before January 1, 2006, where the members of the board of directors are not serving staggered terms, at the

first meeting after January 1, 2006, the members shall classify themselves by lot into two classes. One class shall have three members and the other class shall have two members. For the class that has three members, the terms of the offices that begin after the next general district election shall be four years. For the class that has two members, the initial terms of the offices that begin after the next general district election shall be two years. Thereafter, the terms of all members shall be four years.

(c) Any vacancy in the office of a member elected to a board of directors shall be filled pursuant to Section 1780.

61043. (a) Within 45 days after the effective date of the formation of a district, the board of directors shall meet and elect its officers. Thereafter, within 45 days after each general district or unopposed election, the board of directors shall meet and elect the officers of the board of directors. A board of directors may elect the officers of the board of directors annually.

(b) The officers of a board of directors are a president and a vice president. The president shall preside over meetings of the board of directors and the vice president shall serve in the president's absence or inability to serve.

(c) A board of directors may create additional offices and elect members to those offices, provided that no member of a board of directors shall hold more than one office.

61044. A board of directors shall hold a regular meeting at least once every three months. Meetings of the board of directors are subject to the Ralph M. Brown Act, Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5.

61045. (a) A majority of the total membership of the board of directors shall constitute a quorum for the transaction of business.

(b) The board of directors shall act only by ordinance, resolution, or motion.

(c) Except as otherwise specifically provided by law, a majority vote of the total membership of the board of directors is required for the board of directors to take action.

(d) The minutes of the board of directors shall record the aye and no votes taken by the members of the board of directors for the passage of all ordinances, resolutions, or motions.

(e) The board of directors shall keep a record of all its actions, including financial transactions.

(f) The board of directors shall adopt rules or bylaws for its proceedings.

(g) The board of directors shall adopt policies for the operation of the district, including, but not limited to, administrative policies, fiscal policies, personnel policies, and the purchasing policies required by this division.

61046. (a) Ordinances may be passed by the voters by initiative pursuant to Article 1 (commencing with Section 9300) of Chapter 4 of

Division 9 of the Elections Code.

(b) Legislative acts may be disapproved by the voters by referendum pursuant to Article 2 (commencing with Section 9340) of Chapter 4 of Division 9 of the Elections Code.

(c) Members of the board of directors may be recalled by the voters pursuant to Chapter 1 (commencing with Section 11000) of Division 11 of the Elections Code.

61047. (a) The board of directors may provide, by ordinance or resolution, that each of its members may receive compensation in an amount not to exceed one hundred dollars (\$100) for each day of service. A member of the board of directors shall not receive compensation for more than six days of service in a month.

(b) The board of directors, by ordinance adopted pursuant to Chapter 2 (commencing with Section 20200) of Division 10 of the Water Code, may increase the amount of compensation that may be received by members of the board of directors.

(c) The board of directors may provide, by ordinance or resolution, that its members may receive their actual and necessary traveling and incidental expenses incurred while on official business. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3.

(d) A member of the board of directors may waive any or all of the payments permitted by this section.

(e) For the purposes of this section, a "day of service" means any of the following:

(1) A meeting conducted pursuant to the Ralph M. Brown Act, Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5.

(2) Representation of the district at a public event, provided that the board of directors has previously approved the member's representation at a board of directors' meeting and that the member delivers a written report to the board of directors regarding the member's representation at the next board of directors' meeting following the public event.

(3) Representation of the district at a public meeting or a public hearing conducted by another public agency, provided that the board of directors has previously approved the member's representation at a board of directors' meeting and that the member delivers a written report to the board of directors regarding the member's representation at the next board of directors' meeting following the public meeting or public hearing.

(4) Representation of the district at a meeting of a public benefit nonprofit corporation on whose board the district has membership, provided that the board of directors has previously approved the member's representation at a board of directors' meeting and the member delivers a written report to the board of directors regarding the member's representation at the next board of directors' meeting following the corporation's meeting.

(5) Participation in a training program on a topic that is directly related to the district, provided that the board of directors has previously approved the member's participation at a board of directors' meeting, and that the member delivers a written report to the board of directors regarding the member's participation at the next board of directors' meeting following the training program.

61048. A board of directors may appoint one or more advisory committees to advise the board of directors about the district's finances, policies, programs, or operations.

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## GOVERNMENT CODE

### SECTION 61050-61053

61050. (a) The board of directors shall appoint a general manager.

(b) The county treasurer of the principal county shall serve as the treasurer of the district. If the board of directors designates an alternative depository pursuant to Section 61053, the board of directors shall appoint a district treasurer who shall serve in place of the county treasurer.

(c) The board of directors may appoint the same person to be the general manager and the district treasurer.

(d) The general manager and the district treasurer, if any, shall serve at the pleasure of the board of directors.

(e) The board of directors shall set the compensation, if any, for the general manager and the district treasurer, if any.

(f) The board of directors may require the general manager to be bonded. The board of directors shall require the district treasurer, if any, to be bonded. The district shall pay the cost of the bonds.

61051. The general manager shall be responsible for all of the following:

(a) The implementation of the policies established by the board of directors for the operation of the district.

(b) The appointment, supervision, discipline, and dismissal of the district's employees, consistent with the employee relations system established by the board of directors.

(c) The supervision of the district's facilities and services.

(d) The supervision of the district's finances.

61052. (a) Except as provided by Section 61053, the county treasurer of the principal county shall be treasurer of the district and shall be the depository and have the custody of all of the district's money.

(b) All claims against a district shall be audited, allowed, and paid by the board of directors by warrants drawn on the county treasurer.

(c) As an alternative to subdivision (b), the board of directors may instruct the county treasurer to audit, allow, and draw his or her warrant on the county treasury for all legal claims presented to him or her and authorized by the board of directors.

(d) The county treasurer shall pay the warrants in the order in which they are presented.

(e) If a warrant is presented for payment and the county treasurer cannot pay it for want of funds in the account on which it is drawn, the treasurer shall endorse the warrant, "NOT PAID BECAUSE OF INSUFFICIENT FUNDS" and sign his or her name and the date and time the warrant was presented. From that time until it is paid, the warrant bears interest at the maximum rate permitted pursuant to Article 7 (commencing with Section 53530) of Chapter 3 of Part 1 of Division 2.

61053. (a) Notwithstanding Section 61052, a district may establish an alternative depository pursuant to this section.

(b) The board of directors shall appoint a district treasurer who shall serve in the place of the county treasurer.

(c) The board of directors shall adopt a resolution that does each of the following:

(1) State its intention to withdraw its money from the county treasury.

(2) Fix the amount of the bond for the district treasurer and other district employees who will be responsible for handling the district's finances. The district shall pay the cost of the bonds.

(3) Adopt a system of accounting and auditing that shall completely and at all times show the district's financial condition. The system of accounting and auditing shall adhere to generally accepted accounting principles.

(4) Adopt a procedure for drawing and signing checks, provided that the procedure adheres to generally accepted accounting principles. The procedure shall provide that bond principal and salaries shall be paid when due. The procedure may provide that checks to pay claims and demands need not be approved by the board of directors before payment if the district treasurer determines that the claims and demands conform to the district's approved budget.

(5) Designate a bank, a savings and loan association, or a credit union as the depository of the district's money. A bank, savings and loan association, or credit union may act as a depository, paying agent, or fiscal agency for the holding or handling of the district's money, notwithstanding the fact that a member of the board of directors, whose funds are on deposit in that bank or savings and loan association is an officer, employee, or stockholder of that bank or savings and loan association, or of a holding company that owns any of the stock of that bank or savings and loan association.

(d) The board of directors and the board of supervisors of the principal county shall determine a mutually acceptable date for the withdrawal of the district's money from the county treasury, not to exceed 15 months from the date on which the board of directors adopts its resolution.

(e) In implementing this section, the district shall comply with Article 1 (commencing with Section 53600) and Article 2 (commencing with Section 53630) of Chapter 4 of Part 1 of Division 2 of Title 5. Nothing in this section shall preclude the district treasurer from depositing the district's money in the county treasury of the principal county or the State Treasury pursuant to Article 11 (commencing with Section 16429.1) of Chapter 2 of Part 2 of Division 4 of Title 2.

(f) The district treasurer shall make quarterly or more frequent written reports to the board of directors, as the board of directors shall determine, regarding the receipts and disbursements and balances in the accounts controlled by the district treasurer. The district treasurer shall sign the reports and file them with the



general manager.

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## GOVERNMENT CODE

### SECTION 61060-61070

61060. A district shall have and may exercise all rights and powers, expressed and implied, necessary to carry out the purposes and intent of this division, including, but not limited to, the following powers:

(a) To adopt ordinances following the procedures of Article 7 (commencing with Section 25120) of Chapter 1 of Part 2 of Division 2 of Title 3.

(b) To adopt, by ordinance, and enforce rules and regulations for the administration, operation, and use and maintenance of the facilities and services listed in Part 3 (commencing with Section 61100).

(c) To sue and be sued in its own name.

(d) To acquire any real or personal property within or outside the district, by contract or otherwise, to hold, manage, occupy, dispose of, convey, and encumber the property, and to create a leasehold interest in the property for the benefit of the district.

(e) To acquire by eminent domain any real or personal property within or outside the district. If a district acquires real or personal property of a public utility by eminent domain, the district shall also pay for the cost of the removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables, or poles that must be moved to a new location.

(f) To appoint employees, to define their qualifications and duties, and to provide a schedule of compensation for performance of their duties.

(g) To engage counsel and other professional services.

(h) To enter into and perform all contracts, including, but not limited to, contracts pursuant to Article 43 (commencing with Section 20680) of Chapter 1 of Part 3 of the Public Contract Code.

(i) To adopt a seal and alter it.

(j) To enter joint powers agreements pursuant to the Joint Exercise of Powers Act, Chapter 5 (commencing with Section 6500) of Division 7 of Title 1.

(k) To provide insurance pursuant to Part 6 (commencing with Section 989) of Division 3.6 of Title 1.

(l) To provide training that will assist the members of the board of directors in the governance of the district.

(m) To construct any works along, under, or across any street, road, or highway, subject to the consent of the governing body in charge, and along, under, or across any other property devoted to a public use.

(n) To take any and all actions necessary for, or incidental to, the powers expressed or implied by this division.

61061. (a) A district shall have perpetual succession.

(b) A board of directors may, by resolution, change the name of

the district. The resolution shall comply with the requirements of Chapter 23 (commencing with Section 7530) of Division 7 of Title 1. Notwithstanding Section 7530, any district formed on and after January 1, 2006, and any district that changes its name on or after January 1, 2006, shall have the words "community services district" within its name. Within 10 days of its adoption, the board of directors shall file a copy of its resolution with the Secretary of State, the State Board of Equalization, the county clerk, the county auditor, the board of supervisors, and the local agency formation commission of each county in which the district is located.

(c) A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1.

61062. (a) When acquiring, improving, or using any real property, a district shall comply with Article 5 (commencing with Section 53090) of Chapter 1 of Part 1 of Division 2 of Title 5, and Article 7 (commencing with Section 65400) of Chapter 1 of Division 1 of Title 7.

(b) When disposing of surplus land, a district shall comply with Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5.

61063. (a) Each district shall adopt policies and procedures, including bidding regulations, governing the purchasing of supplies and equipment not governed by Article 43 (commencing with Section 20680) of Chapter 1 of Part 3 of the Public Contract Code. Each district shall adopt these policies and procedures by rule or regulation pursuant to Article 7 (commencing with Section 54201) of Chapter 5 of Division 2 of Title 5.

(b) A district may request the State Department of General Services to make purchases of materials, equipment, or supplies on its behalf pursuant to Section 10298 of the Public Contract Code.

(c) A district may request the purchasing agent of the principal county to make purchases of materials, equipment, or supplies on its behalf pursuant to Article 7 (commencing with Section 25500) of Chapter 5 of Division 2 of Title 3.

(d) A district may request the purchasing agent of the principal county to contract with persons to provide projects, services, and programs authorized by this division pursuant to Article 7 (commencing with Section 25500) of Chapter 5 of Division 2 of Title 3.

61064. (a) Violation of any rule, regulation, or ordinance adopted by a board of directors is a misdemeanor punishable pursuant to Section 19 of the Penal Code.

(b) Any citation issued by a district for violation of a rule, regulation, or ordinance adopted by a board of directors may be processed as an infraction pursuant to subdivision (d) of Section 17 of the Penal Code.

(c) To protect property and to preserve the peace at facilities owned or managed by a district, a board of directors may confer on designated uniformed district employees the power to issue citations for misdemeanor and infraction violations of state law, city or

county ordinances, or district rules, regulations, or ordinances when the violation is committed within a facility and in the presence of the employee issuing the citation. District employees shall issue citations pursuant to Chapter 5C (commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code.

61065. (a) The Meyers-Miliias-Brown Act, Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 applies to all districts.

(b) A board of directors may establish an employee relations system that may include, but is not limited to, a civil service system or a merit system.

61066. A board of directors may require any employee or officer to be bonded. The district shall pay the cost of the bonds.

61067. A board of directors may provide for any program for the benefit of its employees and members of the board of directors pursuant to Chapter 2 (commencing with Section 53200) of Part 1 of Division 2 of Title 5.

61068. A board of directors may authorize its members and the employees of the district to attend professional or vocational meetings and conferences. A board of directors may reimburse its members and the employees of the district for their documented, actual, and necessary traveling and incidental expenses while on official business. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3.

61069. (a) A district may request an inspection warrant pursuant to Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure. The warrant shall state the location which it covers and shall state its purposes. A warrant may authorize district employees to enter property only to do one or more of the following:

(1) Inspect to determine the presence of public nuisances that the district has the authority to abate.

(2) Abate public nuisances, either directly or by giving notice to the property owner to abate the public nuisance.

(3) Determine if a notice to abate a public nuisance has been complied with.

(b) Where there is no reasonable expectation of privacy and subject to the limitations of the United States Constitution and the California Constitution, employees of a district may enter any property within the district for any of the following purposes:

(1) Inspect the property to determine the presence of public nuisances that the district has the authority to abate.

(2) Abate public nuisances, either directly or by giving notice to the property owner to abate the public nuisance.

(3) Determine if a notice to abate a public nuisance has been complied with.

61070. A district may contract with any local agency, state department or agency, federal department or agency, or any tribal government for the provision by or to the district of any facilities, services, or programs authorized by this division, within or without the district, subject to compliance with Section 56133.

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## GOVERNMENT CODE

### SECTION 61100-61107

61100. Within its boundaries, a district may do any of the following:

(a) Supply water for any beneficial uses, in the same manner as a municipal water district, formed pursuant to the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the Water Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.

(b) Collect, treat, or dispose of sewage, wastewater, recycled water, and storm water, in the same manner as a sanitary district, formed pursuant to the Sanitary District Act of 1923, Division 6 (commencing with Section 6400) of the Health and Safety Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.

(c) Collect, transfer, and dispose of solid waste, and provide solid waste handling services, including, but not limited to, source reduction, recycling, and composting activities, pursuant to Division 30 (commencing with Section 40000), and consistent with Section 41821.2 of the Public Resources Code.

(d) Provide fire protection services, rescue services, hazardous material emergency response services, and ambulance services in the same manner as a fire protection district, formed pursuant to the Fire Protection District Law, Part 2.7 (commencing with Section 13800) of Division 12 of the Health and Safety Code.

(e) Acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open space, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law, Chapter 4 (commencing with Section 5780) of Division 5 of the Public Resources Code.

(f) Organize, promote, conduct, and advertise programs of community recreation, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law, Chapter 4 (commencing with Section 5780) of Division 5 of the Public Resources Code.

(g) Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements.

(h) Provide for the surveillance, prevention, abatement, and control of vectors and vector borne diseases in the same manner as a mosquito abatement and vector control district formed pursuant to the Mosquito Abatement and Vector Control District Law, Chapter 1 (commencing with Section 2000) of Division 3 of the Health and Safety

Code.

(i) Provide police protection and law enforcement services by establishing and operating a police department that employs peace officers pursuant to Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.

(j) Provide security services, including, but not limited to, burglar and fire alarm services, to protect lives and property.

(k) Provide library services, in the same manner as a library district formed pursuant to either Chapter 8 (commencing with Section 19400) or Chapter 9 (commencing with Section 19600) of Part 11 of the Education Code.

(l) Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works. A district shall not acquire, construct, improve, or maintain any work owned by another public agency unless that other public agency gives its written consent.

(m) Convert existing overhead electric and communications facilities, with the consent of the public agency or public utility that owns the facilities, to underground locations pursuant to Chapter 28 (commencing with Section 5896.1) of Part 3 of Division 7 of the Streets and Highways Code.

(n) Provide emergency medical services pursuant to the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

(o) Provide and maintain public airports and landing places for aerial traffic, in the same manner as an airport district formed pursuant to the California Airport District Act, Part 2 (commencing with Section 22001) of Division 9 of the Public Utilities Code.

(p) Provide transportation services.

(q) Abate graffiti.

(r) Plan, design, construct, improve, maintain, and operate flood protection facilities. A district shall not plan, design, construct, improve, maintain, or operate flood protection facilities within the boundaries of another special district that provides those facilities unless the other special district gives its written consent. A district shall not plan, design, construct, improve, maintain, or operate flood protection facilities in unincorporated territory unless the board of supervisors gives its written consent. A district shall not plan, design, construct, improve, maintain, or operate flood protection facilities within a city unless the city council gives its written consent.

(s) Acquire, construct, improve, maintain, and operate community facilities, including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities.

(t) Abate weeds and rubbish pursuant to Part 5 (commencing Section 14875) of the Health and Safety Code. For that purpose, the board of directors shall be deemed to be a "board of supervisors" and district employees shall be deemed to be the "persons" designated by Section 14890 of the Health and Safety Code.

(u) Acquire, construct, improve, maintain, and operate hydroelectric power generating facilities and transmission lines, consistent with the district's water supply and wastewater operations. The power generated shall be used for district purposes, or sold to a public utility or another public agency that generates, uses, or sells electrical power. A district shall not acquire hydroelectric power generating facilities unless the facilities' owner agrees.

(v) Acquire, construct, improve, maintain, and operate television translator facilities.

(w) Remove snow from public streets, roads, easements, and rights-of-way. A district may remove snow from public streets, roads, easements, and rights-of-way owned by another public agency, only with the written consent of that other public agency.

(x) Provide animal control services pursuant to Section 30501 of the Food and Agricultural Code. Whenever the term "board of supervisors," "county," "county clerk," or "animal control officer" is used in Division 14 (commencing with Section 30501) of the Food and Agricultural Code, those terms shall also be deemed to include the board of directors of a district, a district, the general manager of the district, or the animal control officer of a district, respectively. A district shall not provide animal control services in unincorporated territory unless the county board of supervisors gives its written consent. A district shall not provide animal control services within a city unless the city council gives its written consent.

(y) Control, abate, and eradicate pests, in the same manner as a pest abatement district, formed pursuant to Chapter 8 (commencing with Section 2800) of Division 3 of the Health and Safety Code. A district's program to control, abate, or eradicate local pine bark beetle infestations shall be consistent with any required plan or program approved by the Department of Forestry and Fire Protection.

(z) Construct, maintain, and operate mailboxes on a district's property or rights-of-way.

(aa) Provide mail delivery service under contract to the United States Postal Service.

(ab) Own, operate, improve, and maintain cemeteries and provide interment services, in the same manner as a public cemetery district, formed pursuant to the Public Cemetery District Law, Part 4 (commencing with Section 9000) of Division 8 of the Health and Safety Code.

(ac) Finance the operations of area planning commissions formed pursuant to Section 65101.

(ad) Finance the operations of municipal advisory councils formed pursuant to Section 31010.

(ae) Acquire, own, improve, maintain, and operate land within or without the district for habitat mitigation or other environmental protection purposes to mitigate the effects of projects undertaken by the district.

(af) If a private person or entity is unable or unwilling to deploy broadband service, construct, own, improve, maintain, and operate broadband facilities and to provide broadband services. For purposes of this section, broadband has the same meaning as in subdivision (a) of Section 5830 of the Public Utilities Code. The district shall first make a reasonable effort to identify a private person or entity willing to deploy service. The authority granted by this subdivision shall expire when a private person or entity is ready, willing, and able to acquire, construct, improve, maintain, and operate broadband facilities and to provide broadband services, and to sell those services at a comparable cost and quality of service as provided by the district. At that time, the district shall do one of the following:

(1) Diligently transfer its title, ownership, maintenance, control, and operation of those broadband facilities and services at a fair market value to that private person or entity.

(2) Lease the operation of those broadband facilities at a fair market value to that private person or entity.

61101. A district may provide the facilities and services authorized by Section 61100 outside its boundaries, subject to Section 56133.

61102. A district may provide electricity within its boundaries if the local agency formation commission designated the district as the successor to another special district that was extinguished as the result of any change of organization or reorganization, and that other special district had provided electricity pursuant to the principal act under which that other special district had operated.

61103. (a) A district that acquires, constructs, improves, and maintains streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works pursuant to subdivision (1) of Section 61100 shall have the powers, duties, and authority of a county for those works, including, but not limited to, the following:

(1) Chapter 2 (commencing with Section 940), Chapter 5.5 (commencing with Section 1450), and Chapter 6 (commencing with Section 1480) of Division 2 of the Streets and Highways Code.

(2) Part 3 (commencing with Section 8300) of the Streets and Highways Code.

(3) Division 11 (commencing with Section 21000) of the Vehicle Code.

(4) Article 4 (commencing with Section 35700) of Chapter 5 of Division 15 of the Vehicle Code.

(b) A district shall not exercise those powers, duties, and authority for any of those works if it is owned by another public agency unless that other public agency gives its written consent.

61104. (a) A district that acquires, constructs, improves, and maintains streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental work pursuant to subdivision (1) of Section 61100 may grant franchises pursuant to any of the following:

(1) Section 53066.

(2) Chapter 6 (commencing with Section 49500) of Part 8 of Division 30 of the Public Resources Code.

(3) Division 3 (commencing with Section 6001) of the Public Utilities Code.

(b) A district shall not grant a franchise over any work owned by another public agency unless that other public agency gives its consent.

61105. (a) The Legislature finds and declares that the unique circumstances that exist in certain communities justify the enactment of special statutes for specific districts. In enacting this section, the Legislature intends to provide specific districts with

special statutory powers to provide special services and facilities that are not available to other districts.

(b) (1) The Los Osos Community Services District may borrow money from public or private lenders and lend those funds to property owners within the district to pay for the costs of decommissioning septic systems and constructing lateral connections on private property to facilitate the connection of those properties to the district's wastewater treatment system. The district shall lend money for this purpose at rates not to exceed its cost of borrowing and the district's cost of making the loans. The district may require that the borrower pay the district's reasonable attorney's fees and administrative costs in the event that the district is required to take legal action to enforce the provisions of the contract or note securing the loan. The district may elect to have the debt payments or any delinquency collected on the tax roll pursuant to Section 61116. To secure the loan as a lien on real property, the district shall follow the procedures for the creation of special tax liens in Section 53328.3 of this code and Section 3114.5 of the Streets and Highways Code.

(2) (A) (i) Except as otherwise provided in this paragraph, on and after January 1, 2007, the Los Osos Community Services District shall not undertake any efforts to design, construct, and operate a community wastewater collection and treatment system within, or for the benefit of, the district. The district shall resume those powers on the date specified in any resolution adopted pursuant to subdivision (1) of Section 25825.5.

(ii) Upon resuming the powers pursuant to subdivision (i), the Los Osos Community Services District may continue the program to offset assessments or charges for very low or low-income households with funding sources, including, but not limited to, grants, adopted pursuant to subdivision (g) of Section 25825.5. If the county has not implemented that program, the Los Osos Community Services District may adopt a program that complies with subdivision (g) of Section 25825.5 to offset assessments or charges for very low or low-income households. The Los Osos Community Services District shall not include in an assessment or charge an amount to cover the costs to the county in carrying out the offset program.

(B) Nothing in this paragraph shall affect the district's power to do any of the following:

(i) Operate wastewater collection and treatment facilities within the district that the district was operating on January 1, 2006.

(ii) Provide facilities and services in the territory that is within the district, but outside the prohibition zone.

(iii) Provide facilities and services, other than wastewater collection and treatment, within the prohibition zone.

(C) Promptly upon the adoption of a resolution by the Board of Supervisors of the County of San Luis Obispo requesting this action pursuant to subdivision (i) of Section 25825.5, the district shall convey to the County of San Luis Obispo all retained rights-of-way, licenses, other interests in real property, funds, and other personal property previously acquired by the district in connection with construction projects for which the district awarded contracts in 2005.

(c) The Heritage Ranch Community Services District may acquire, construct, improve, maintain, and operate petroleum storage tanks and related facilities for its own use, and sell those petroleum products to the district's property owners, residents, and visitors. The authority granted by this subdivision shall expire when a private person or entity is ready, willing, and able to acquire, construct,



improve, maintain, and operate petroleum storage tanks and related facilities, and sell those petroleum products to the district and its property owners, residents, and visitors. At that time, the district shall either (1) diligently transfer its title, ownership, maintenance, control, and operation of those petroleum tanks and related facilities at a fair market value to that private person or entity, or (2) lease the operation of those petroleum tanks and related facilities at a fair market value to that private person or entity.

(d) The Wallace Community Services District may acquire, own, maintain, control, or operate the underground gas distribution pipeline system located and to be located within Wallace Lake Estates for the purpose of allowing a privately owned provider of liquefied petroleum gas to use the underground gas distribution system pursuant to a mutual agreement between the private provider and the district or the district's predecessor in interest. The district shall require and receive payment from the private provider for the use of that system. The authority granted by this subdivision shall expire when the Pacific Gas and Electric Company is ready, willing, and able to provide natural gas service to the residents of Wallace Lake Estates. At that time, the district shall diligently transfer its title, ownership, maintenance, control, and operation of the system to the Pacific Gas and Electric Company.

(e) The Cameron Park Community Services District, the El Dorado Hills Community Services District, the Golden Hills Community Services District, the Mountain House Community Services District, the Rancho Murieta Community Services District, the Salton Community Services District, the Stallion Springs Community Services District, and the Tenaja Meadows Community Services District, which enforced covenants, conditions, and restrictions prior to January 1, 2006, pursuant to former Section 61601.7 and former Section 61601.10, may continue to exercise the powers set forth in former Section 61601.7 and former Section 61601.10.

(f) The Bear Valley Community Services District, the Bell Canyon Community Services District, the Cameron Estates Community Services District, the Lake Sherwood Community Services District, the Saddle Creek Community Services District, the Wallace Community Services District, and the Santa Rita Hills Community Services District may, for roads owned by the district and that are not formally dedicated to or kept open for use by the public for the purpose of vehicular travel, by ordinance, limit access to and the use of those roads to the landowners and residents of that district.

(g) Notwithstanding any other provision of law, the transfer of the assets of the Stonehouse Mutual Water Company, including its lands, easements, rights, and obligations to act as sole agent of the stockholders in exercising the riparian rights of the stockholders, and rights relating to the ownership, operation, and maintenance of those facilities serving the customers of the company, to the Hidden Valley Lake Community Services District is not a transfer subject to taxes imposed by Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code.

(h) The El Dorado Hills Community Services District and the Rancho Murieta Community Services District may each acquire, construct, improve, maintain, and operate television receiving, translating, or distribution facilities, provide television and television-related services to the district and its residents, or authorize the construction and operation of a cable television system to serve the district and its residents by franchise or license. In authorizing the construction and operation of a cable television system by

franchise or license, the district shall have the same powers as a city or county under Section 53066.

(i) The Mountain House Community Services District may provide facilities for television and telecommunications systems, including the installation of wires, cables, conduits, fiber optic lines, terminal panels, service space, and appurtenances required to provide television, telecommunication, and data transfer services to the district and its residents, and provide facilities for a cable television system, including the installation of wires, cables, conduits, and appurtenances to service the district and its residents by franchise or license, except that the district may not provide or install any facilities pursuant to this subdivision unless one or more cable franchises or licenses have been awarded under Section 53066 and the franchised or licensed cable television and telecommunications services providers are permitted equal access to the utility trenches, conduits, service spaces, easements, utility poles, and rights-of-way in the district necessary to construct their facilities concurrently with the construction of the district's facilities. The district shall not have the authority to operate television, cable, or telecommunications systems, except as provided in Section 61100. The district shall have the same powers as a city or county under Section 53066 in granting a franchise or license for the operation of a cable television system.

61106. (a) If a board of directors desires to exercise a latent power, the district shall first receive the approval of the local agency formation commission, pursuant to Article 1.5 (commencing with Section 56824.10) of Chapter 5 of Part 3 of Division 3.

(b) After receiving the approval of the local agency formation commission, the board of directors may, by ordinance, order the exercise of that power.

61107. (a) If a board of directors desires to divest itself of a power that is authorized pursuant to this chapter and if the termination of that power would require another public agency to provide a new or higher level of services or facilities, the district shall first receive the approval of the local agency formation commission. To the extent feasible, the local agency formation commission shall proceed pursuant to Article 1.5 (commencing with Section 56824.10) of Chapter 5 of Part 3 of Division 3. After receiving the approval of the local agency formation commission, the board of directors may, by ordinance, divest itself of that power.

(b) Notwithstanding subdivision (a) of Section 56824.14, the local agency formation commission shall not, after a public hearing called and held for that purpose pursuant to subdivisions (b) and (c) of Section 56824.14, approve a district's proposal to exercise a latent power if the local agency formation commission determines that another local agency already provides substantially similar services or facilities to the territory where the district proposes to exercise that latent power.

(c) If a board of directors desires to divest itself of a power that is authorized pursuant to this chapter and if the termination of that power would not require another public agency to provide a new or higher level of services or facilities, the board of directors may, by ordinance, divest itself of that power.

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GOVERNMENT CODE  
SECTION 61110-61119

61110. (a) On or before July 1 of each year or, for districts using two one-year budgets or a biennial budget, every other year, the board of directors may adopt a preliminary budget that conforms to generally accepted accounting and budgeting procedures for special districts.

(b) The board of directors may divide the preliminary budget into categories, including, but not limited to, the following:

- (1) Maintenance and operation.
- (2) Services and supplies.
- (3) Employee compensation.
- (4) Capital outlay.
- (5) Interest and redemption for indebtedness.
- (6) Designated reserve for capital outlay.
- (7) Designated reserve for contingencies.

(c) On or before July 1 of each year or, for districts using two one-year budgets or a biennial budget, every other year, the board of directors shall publish a notice stating all of the following:

(1) Either that it has adopted a preliminary budget or that the general manager has prepared a proposed final budget which is available for inspection at a time and place within the district specified in the notice.

(2) The date, time, and place when the board of directors will meet to adopt the final budget and that any person may appear and be heard regarding any item in the budget or regarding the addition of other items.

(d) The board of directors shall publish the notice at least two weeks before the hearing in at least one newspaper of general circulation in the district pursuant to Section 6061.

(e) At the time and place specified for the hearing, any person may appear and be heard regarding any item in the budget or regarding the addition of other items. The hearing on the budget may be continued from time to time.

(f) On or before September 1 of each year or, for districts using two one-year budgets or a biennial budget, every other year, the board of directors shall adopt a final budget that conforms to generally accepted accounting and budgeting procedures for special districts. The general manager shall forward a copy of the final budget to the auditor of each county in which the district is located.

61111. (a) At any regular meeting or properly noticed special meeting after the adoption of its final budget, the board of directors may adopt a resolution amending the budget and ordering the transfer of funds between categories, other than transfers from the designated reserve for capital outlay and the designated reserve for contingencies.

(b) The board of directors may authorize the general manager to transfer funds between budget categories, other than transfers from the designated reserve for capital outlay and the designated reserve for contingencies.

61112. (a) In its budget, the board of directors may establish a designated reserve for capital outlay and a designated reserve for contingencies. When the board of directors establishes a designated reserve, it shall declare the exclusive purposes for which the funds in the reserve may be spent. The funds in the designated reserve shall be spent only for the exclusive purposes for which the board of directors established the designated reserve. The reserves shall be maintained according to generally accepted accounting principles.

(b) Any time after the establishment of a designated reserve, the board of directors may transfer any funds to that designated reserve.

(c) If the board of directors finds that the funds in a designated reserve are no longer required for the purpose for which it established the designated reserve, the board of directors may, by a four-fifths vote of the total membership of the board of directors, discontinue the designated reserve or transfer any funds that are no longer required from the designated reserve to the district's general fund.

(d) Notwithstanding any other provision of this section, in a state of emergency or in a local emergency, as defined in Section 8558, a board of directors may temporarily transfer funds from the designated reserve for capital outlay or the designated reserve for contingencies to the district's general fund. The board of directors shall restore these funds to the designated reserves when feasible.

(e) The board of directors of each district that has designated an alternative depository pursuant to Section 61053 and appointed a district treasurer shall adopt and annually review a policy for the management of reserves.

61113. (a) On or before July 1 of each year, the board of directors shall adopt a resolution establishing its appropriations limit, if any, and make other necessary determinations for the following fiscal year pursuant to Article XIII B of the California Constitution and Division 9 (commencing with Section 7900).

(b) Pursuant to subdivision (c) of Section 9 of Article XIII B of the California Constitution, this section shall not apply to a district which existed on January 1, 1978, and which did not as of the 1977-78 fiscal year levy an ad valorem tax on property in excess of 12 1/2 cents per one hundred dollars (\$100) of assessed value.

(c) This section shall not apply to any district that has previously transferred services and all of the property tax revenue allocation associated with those services to another local agency.

61114. The auditor of each county in which a district is located shall allocate to the district its share of property tax revenue pursuant to Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code.

61115. (a) The board of directors may, by resolution or ordinance, do the following:

(1) Establish rates or other charges for services and facilities that the district provides.

(2) Provide for the collection and enforcement of those rates or other charges.

(3) Among the permissible methods for collection and enforcement are:

(A) To provide that the charges for any of these services and facilities may be collected with the rates or charges for any other services and facilities provided by the district, and that all charges may be billed on the same bill and collected as one item.

(B) To provide that if all or part of a bill is not paid, the district may discontinue any or all services.

(C) To provide for a basic penalty for the nonpayment of charges of not more than 10 percent, plus an additional penalty of not more than 1 percent per month for the nonpayment of the charges and the basic penalty. The board of directors may provide for the collection of these penalties.

(b) The board of directors may provide that any charges and penalties may be collected on the tax roll in the same manner as property taxes. The general manager shall prepare and file with the board of directors a report that describes each affected parcel of real property and the amount of charges and delinquencies for each affected parcel for the year. The general manager shall give notice of the filing of the report and of the time and place for a public hearing by publishing the notice pursuant to Section 6066 in a newspaper of general circulation, and by mailing the notice to the owner of each affected parcel. At the public hearing, the board of directors shall hear and consider any objections or protests to the report. At the conclusion of the public hearing, the board of directors may adopt or revise the charges and penalties. The board of directors shall make its determination on each affected parcel and its determinations shall be final. On or before August 10 of each year following these determinations, the general manager shall file with the county auditor a copy of the final report adopted by the board of directors. The county auditor shall enter the amount of the charges and penalties against each of the affected parcels of real property as they appear on the current assessment roll. The county tax collector shall include the amount of the charges and penalties on the tax bills for each affected parcel of real property and collect the charges and penalties in the same manner as property taxes.

(c) The board of directors may recover any charges and penalties by recording in the office of the county recorder of the county in which the affected parcel is located, a certificate declaring the amount of the charges and penalties due, the name and last known address of the person liable for those charges and penalties. From the time of recordation of the certificate, the amount of the charges and penalties constitutes a lien against all real property of the delinquent property owner in that county. This lien shall have the force, effect, and priority of a judgment lien. Within 30 days of receipt of payment for all amounts due, including the recordation fees paid by the district, the district shall record a release of the lien. In filing any instrument for recordation, the district shall pay the fees required by Article 5 (commencing with Section 27360) of Chapter 6 of Part 3 of Title 3.

(d) A district shall reimburse the county for the reasonable expenses incurred by the county pursuant to this section.

(e) Any remedies for the collection and enforcement of rates or other charges are cumulative and the district may pursue remedies alternatively or consecutively.

61116. (a) A district may accept any revenue, money, grants, goods, or services from any federal, state, regional, or local agency or from any person for any lawful purpose of the district.

(b) In addition to any other existing authority, a district may borrow money and incur indebtedness pursuant to Article 7 (commencing with Section 53820), Article 7.4 (commencing with Section 53835), Article 7.5 (commencing with Section 53840), Article 7.6 (commencing with Section 53850), and Article 7.7 (commencing with Section 53859) of Chapter 4 of Part 1 of Division 2 of Title 5.

61117. The board of directors may establish a revolving fund pursuant to Article 15 (commencing with Section 53950) of Chapter 4 of Part 1 of Division 2 of Title 5.

61118. (a) The board of directors shall provide for regular audits of the district's accounts and records pursuant to Section 26909.

(b) The board of directors shall provide for the annual financial reports to the Controller pursuant to Article 9 (commencing with Section 53890) of Chapter 4 of Part 1 of Division 2 of Title 5.

61119. All claims for money or damages against a district are governed by Part 3 (commencing with Section 900) and Part 4 (commencing with Section 940) of Division 3.6 of Title 1.

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## **GOVERNMENT CODE**

### **SECTION 61120-61124**

61120. Whenever the board of directors determines that the amount of revenue available to the district or any of its zones is inadequate to meet the costs of operating and maintaining the facilities, programs, and services authorized by this division, the board of directors may raise revenues pursuant to this chapter or any other provision of law.

61121. A district may levy special taxes pursuant to:

(a) Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5. The special taxes shall be applied uniformly to all taxpayers or all real property within the district, except that unimproved property may be taxed at a lower rate than improved property.

(b) The Mello-Roos Community Facilities Act of 1982, Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5.

61122. A district may levy benefit assessments for operations and maintenance consistent with the requirements of Article XIII D of the California Constitution, including, but not limited to, benefit assessments levied pursuant to any of the following:

(a) The Improvement Act of 1911, Division 7 (commencing with Section 5000) of the Streets and Highways Code.

(b) The Improvement Bond Act of 1915, Division 10 (commencing with Section 8500) of the Streets and Highways Code.

(c) The Municipal Improvement Act of 1913, Division 12 (commencing with Section 10000) of the Streets and Highways Code.

(d) The Landscaping and Lighting Assessment Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code, notwithstanding Section 22501 of the Streets and Highways Code.

(e) Any other statutory authorization enacted on or after January 1, 2006.

61123. (a) A board of directors may charge a fee to cover the cost of any service which the district provides or the cost of enforcing any regulation for which the fee is charged. No fee shall exceed the costs reasonably borne by the district in providing the service or enforcing the regulation for which the fee is charged.

(b) Before imposing or increasing any fee for property-related services, a board of directors shall follow the procedures in Section 6 of Article XIII D of the California Constitution.

(c) A board of directors may charge residents or taxpayers of the district a fee authorized by this section that is less than the fee which it charges nonresidents or nontaxpayers.

(d) A board of directors may authorize district employees to waive the payment, in whole or in part, of a fee authorized by this section when the board of directors determines that payment would not be in the public interest. Before authorizing any waiver, a board of directors shall adopt a resolution that specifies the policies and procedures governing waivers.

61124. (a) A district may charge standby charges for water, sewer, or water and sewer services pursuant to the Uniform Standby Charge Procedures Act, Chapter 12.4 (commencing with Section 54984) of Part 1 of Division 2 of Title 5.

(b) If the procedures set forth in the former Chapter 1 (commencing with Section 61750) of the former Part 6 of the former Division 1 as it read at the time a standby charge was established were followed, the district may, by resolution, continue to collect the charge in successive years at the same rate from parcels within

the district to which water or sewers are made available for any purpose by the district, whether the water or sewers are actually used or not. If new, increased, or extended assessments are proposed, the district shall comply with the notice, protest, and hearing procedures in Section 53753.

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## **GOVERNMENT CODE**

### **SECTION 61125-61131**

61125. Whenever the board of directors determines that the amount of revenue available to the district or any of its zones is inadequate to acquire, construct, improve, rehabilitate, or replace the facilities authorized by this division, or for funding or refunding any outstanding indebtedness, the board of directors may incur debt and raise revenues pursuant to this chapter or any other provision of law.

61126. (a) Whenever a board of directors determines that it is necessary to incur a general obligation bond indebtedness for the acquisition or improvement of real property, the board of directors may proceed pursuant to Article 11 (commencing with Section 5790) of Chapter 4 of Division 5 of the Public Resources Code.

(b) Notwithstanding subdivision (a), a district shall not incur bonded indebtedness pursuant to this section that exceeds 15 percent of the assessed value of all taxable property in the district at the time that the bonds are issued.

61127. A board of directors may finance any enterprise and issue revenue bonds pursuant to the Revenue Bond Law of 1941, Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5.

61128. A district may finance facilities and issue bonds pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5.

61129. A district may levy benefit assessments to finance facilities consistent with the requirements of Article XIII D of the California Constitution, including, but not limited to, benefit assessments levied pursuant to any of the following:

(a) The Improvement Act of 1911, Division 7 (commencing with Section 5000) of the Streets and Highways Code.

(b) The Improvement Bond Act of 1915, Division 10 (commencing with Section 8500) of the Streets and Highways Code.

(c) The Municipal Improvement Act of 1913, Division 12 (commencing with Section 10000) of the Streets and Highways Code.

(d) The Landscaping and Lighting Assessment Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and



Highways Code, notwithstanding Section 22501 of the Streets and Highways Code.

(e) Any other statutory authorization enacted on or after January 1, 2006.

61130. A district may acquire and improve land, facilities, or equipment and issue securitized limited obligation notes pursuant to Article 7.4 (commencing with Section 53835) of Chapter 4 of Part 1 of Division 2 of Title 5.

61131. (a) A district may issue promissory notes to borrow money and incur indebtedness for any lawful purpose, including, but not limited to, the payment of current expenses, pursuant to this section.

(b) The total amount of indebtedness incurred pursuant to this section outstanding at any one time shall not exceed 5 percent of the district's total enterprise and nonenterprise revenues in the preceding fiscal year. Any indebtedness incurred pursuant to this section shall be repaid within five years from the date on which it is incurred. Any indebtedness incurred pursuant to this section shall bear interest at a rate which shall not exceed the rate permitted under Article 7 (commencing with Section 53530) of Chapter 3 of Part 1 of Division 2 of Title 5.

(c) Each indebtedness incurred pursuant to this section shall be authorized by resolution adopted by a four-fifths vote of the total membership of the board of directors and shall be evidenced by a promissory note signed by the president of the board of directors and the general manager.

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## **GOVERNMENT CODE SECTION 61140-61226.5**

61140. (a) Whenever a board of directors determines that it is in the public interest to provide different services, provide different levels of service, provide different facilities, or raise additional revenues within specific areas of the district, it may form one or more zones pursuant to this chapter.

(b) The board of directors shall initiate proceedings for the formation of a new zone by adopting a resolution that does all of the following:

- (1) States that the proposal is made pursuant to this chapter.
- (2) Sets forth a description of the boundaries of the territory to be included in the zone.
- (3) States the reasons for forming the zone.
- (4) States the different services, different levels of service, different facilities, or additional revenues that the zone will provide.
- (5) Sets forth the methods by which those services, levels of service, or facilities will be financed.
- (6) Proposes a name or number for the zone.

(c) A proposal to form a new zone may also be initiated by a petition signed by not less than 10 percent of the registered voters residing within the proposed zone. The petition shall contain all of the matters required by subdivision (b).

(d) Upon the adoption of a resolution or the receipt of a valid petition, the board of directors shall fix the date, time, and place for the public hearing on the formation of the zone. The board of directors shall publish notice of the hearing, including the information required by subdivision (b), pursuant to Section 6061 in one or more newspapers of general circulation in the district. The board of directors shall mail the notice at least 20 days before the date of the hearing to all owners of property within the proposed zone. The board of directors shall post the notice in at least three public places within the territory of the proposed zone.

61141. (a) At the hearing, the board of directors shall hear and consider any protests to the formation of the zone. If, at the conclusion of the hearing, the board of directors determines either that more than 50 percent of the total number of voters residing within the proposed zone have filed written objections to the formation, or that property owners who own more than 50 percent of the assessed value of all taxable property in the proposed zone have filed written objections to the formation, then the board of directors shall terminate the proceedings. If the board of directors determines that the written objections have been filed by 50 percent or less of those voters or property owners who own 50 percent or less than the assessed value of all taxable property, then the board of directors may proceed to form the zone.

(b) If the resolution or petition proposes that the zone use special taxes, benefit assessments, fees, standby charges, bonds, or notes to finance its purposes, the board of directors shall proceed according to law. If the voters or property owners do not approve those funding methods, the zone shall not be formed.

61142. A board of directors may change the boundaries of a zone or dissolve a zone by following the procedures in Sections 61140 and 61141.

61143. A local agency formation commission shall have no power or duty to review and approve or disapprove a proposal to form a zone, a proposal to change the boundaries of a zone, or a proposal to dissolve a zone.

61144. (a) As determined by the board of directors, a district may provide any service, any level of service, or any facility within a zone that the district may provide in the district as a whole.

(b) As determined by the board of directors and pursuant to the requirements of this division, a district may exercise any fiscal powers within a zone that the district may exercise in the district as a whole.

(c) Any special taxes, benefit assessments, rates, fees, charges, standby charges, bonds, or notes which are intended solely for the support of services or facilities within a zone, shall be levied,

assessed, and charged within the boundaries of the zone.

(d) A district shall not incur a general obligation bonded indebtedness for the benefit of a zone pursuant to this section that exceeds 5 percent of the assessed value of all taxable property in the zone at the time that the bonds are issued. In computing this limit, the 5 percent shall include any other general obligation bonded indebtedness applicable to that zone.

(e) A district shall not issue promissory notes for the benefit of a zone pursuant to Section 61131 that exceed 5 percent of the zone's total enterprise and nonenterprise revenues in the preceding fiscal year. In computing this limit, the 5 percent shall include any other promissory notes applicable to that zone.

61226.5. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6.

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**AGENDA ITEM G-3**

April 27, 2001

**MEMORANDUM**

TO: HONORABLE BOARD OF DIRECTORS

FROM: RALPH R. MORROW, GENERAL MANAGER

SUBJECT: CC&R'S, ARCHITECTURAL CONTROL COMMITTEE, ADMINISTRATION,  
FUNDING AND ENFORCEMENT

=====

The subject matter has been an on-going discussion of the Board and the ACC. Staff has been directed to contact legal counsel on numerous occasions and have continued to report his legal opinions.

On April 5, 2001 the ACC outlined their recommendations for a fee schedule and the Board directed Staff to contact legal counsel.

Attached are Mr. Okazkai's responses to the many questions concerning the activities of the Committee.

Staff has reviewed several CC&R's outside the TCSD and each have a specific provisions within their CC&R's for collection of funds. Unfortunately most of the CC&R's in the District do not have such defined text and the CC&R's must be amended to include a funding mechanism.

The CC&R's for "The Reagan Area" have the funding provisions, but also states that all road on parcel maps dedicated to Riverside County shall be maintained.

**RECOMMENDED ACTION:**

The Board authorize Staff to "ballot" all property owners that have CC&R's (that we currently administer) for an amendment which will fund the Tenaja's Architectural Control Committee to administer and enforce the individual CC&R's. Should any or more of the CC&R areas in the District decline to approve the amendment, then the Committee should no longer administer those CC&R's.

**BUDGETARY IMPACT:**

Estimated at \$500.00 for the mailings.

**ATTACHMENTS:**

- 1) Memo from Legal Counsel

# Memorandum

**TO:** Ralph Morrow, General Manager  
Tenaja Community Services District

**FROM:** James S. Okazaki

**Date:** April 16, 2001

**Subject:** Tenaja Community Services District–Powers

BASIC POWERS OF THE DISTRICT. The Tenaja Community Services District was formed on July 30, 1985 pursuant to Resolution No. 85-409 of the Riverside County Board of Supervisors which states that “...District is organized for the purposes of providing within said District:

- “(a) Collection, treatment or disposal of storm water;*
- (a) Collection or disposal of garbage or refuse matter;*
- (b) Protection against fire,*
- (c) Public recreation by means of parks, including, but not limited to, playgrounds, golf courses, swimming pools, or recreation buildings;*
- (d) Equipment and maintenance of a police department or other police protection to protect and safeguard life and property;*
- (e) The opening, widening, extending, straightening, surfacing and maintenance, in whole or in part, of any street in such district subject to the consent of the governing body of the county or city in which said improvement is to be made.*
- (f) The construction and improvement of bridges, culverts, curbs, gutters, drains, and works incidental to the purposes specified in (f), subject to the consent of the governing body of the county or city in which said improvement is made;*
- (a) The conversion of existing overhead electric and communication facilities to underground locations in accordance with Public Contracts Code Subdivision (1);”*

**B. Administration of Covenants, Conditions & Restrictions.**

**FACTS:** Developers commonly impose Covenants, Conditions, & Restrictions [CC&Rs] when a larger parcel of land is subdivided to assure that the improvement of each of the parcels within the boundaries of the tract will conform to a uniform standard. Such *CC&Rs* are typically administered by an Architectural Control Committee [ACC] comprised of and selected from among the owners within the tract. The powers of the *ACC* are derived from the provisions of the particular *CC&Rs*, and its jurisdiction is limited to the boundaries of the subdivision. A number of years ago Community Services Districts, particularly in the more sparsely populated areas of California discovered that developers of many of the subdivisions within their jurisdiction had adopted and recorded *CC&Rs*, but the owners had not created an *ACC* to administer them. Such Districts, therefore, prevailed upon the legislature to pass a law identical to Section 61601.16 of the Government Code which empowers the Board of Directors of the Tenaja Community Services to **enforce the covenants, conditions and restrictions adopted for each tract within the boundaries of the District, and to assume the duties of the Architectural Control Committee for each tract within the boundaries, for the purpose of maintaining uniform standards of development.**

**QUESTION 1:** State the specific law which forbids the District's utilizing public funds for the administration of the *CC&Rs*.

**ANSWER 1:**

To the best of our knowledge and belief, there are no statutes which specifically state that **Community Services District shall not expend its public funds for the administration of private *CC&Rs*** for the simple reason that the legislature would, in our opinion, have no reason to pass a law which states the obvious. [\*The researching of relevant court decisions is far beyond the scope of this memorandum. If the Board of Directors desires a legal opinion with recitations of judicial decisions, we will provide such services by separate arrangement.] The basis of our opinion rests upon the following:

- (a) The Tenaja Community Services District is a local governmental agency possessing only such powers as are enumerated above [BASIC POWERS OF DISTRICT].
- (a) *CC&Rs* constitute **private** contracts among the owners of a particular subdivision.
- (b) Section 61601.16 essentially states that the five members of the Board of Directors of the Community Services District may take the place of the Architectural Control Committee to enforce the covenants, conditions and restrictions adopted for each tract within the boundaries of the District.
- (d) The Architectural Control Committee for each of the five (5) Subdivisions within the District can, therefore, administer only the *CC&Rs* for that tract. There are no carry-overs of *CC&Rs* from one tract to another, and certainly no granting of governmental powers to a private function simply

because the members of the Architectural Control Committee also happen to possess governmental powers in another role.

(e) The five members of Tenaja's Architectural Control Committee do not sit as a single body for all of the five subdivisions; rather, they act as a separate ACC for each of them, just as the Architectural Control Committee for Meadow Oaks administers only its CC&Rs.

(f) Any suggestion that "*CC&Rs are a general benefit to the District*" is not at all relevant, and in our opinion patently facetious! *QUERY: How does the administration of CC&Rs which affect only subdivision A beneficially affect subdivisions B, C, D, E and the areas with no CC&Rs?*

**QUESTION 2:** May funds collected for the administration of CC&Rs be utilized only for enforcement and not for *normal administration by district staff*?

**ANSWER 2:** No. All expenses related to the performance of the non-governmental function of administering the CC&Rs must be funded by the owners within the boundary of particular subdivision.

**QUESTION 3:** Must each CC&R be amended to provide for collection of funds?

**ANSWER 3 :** CC&Rs which do not provide for the collection of funds, must be appropriately amended. The amended CC&Rs must indicate the method of collection and the handling of delinquencies. Since the CC&R's are a private contract, the collection of funds for the administration and enforcement cannot be placed on the tax rolls.

**QUESTION 4:** How would the fees be collected ?

**ANSWER 4:** Unless the CC&R's specify the manner of collection, the Board may establish its own collection procedures. The CC&R's must first be amended to provide for the collection of funds.

**QUESTION 5:** Would these collections be subject to the provisions of Proposition 218?

**ANSWER 5:** To reiterate: Administration of the CC&Rs is a **non-governmental function**. Proposition 218 is, therefore, not applicable for the collection of funds for the administration and enforcement of the CC&R's.

MEMORANDUM

TO: Jack Y. Kubota, General Manager  
TenaJa Community Services District

FROM: James S. Okazaki, District Counsel

SUBJECT: Enforcement of C & R's

FACTS: The TenaJa Community Services District along with 12 other CSDs throughout California were granted authority to enforce tract covenants. § 61601.10 provides, in pertinent part that:

"... the district may enforce the covenants, conditions, and restrictions adopted for each tract within the district and to assume the duties of the architectural control committee for each tract within the District for the purposes of maintaining uniform standards of development within each tract as adopted in the covenants, conditions and restrictions. The district shall exercise the duties of an architectural control committee for any tract only to the extent that an architectural control committee is authorized by the covenants, conditions, and restrictions which apply to the tract..."

The Meadow Oaks tract has an active Development Review Committee (DRC) which enforces the architectural, design and other aspects of building within the Meadow Oaks subdivision. A homeowner having to secure approvals from the Architectural Review Committee of the District (ACC) and the DRC results in a duplication of procedures.

QUESTION: Must a resident of Meadow Oaks tract submit his plans for review of the ACC as well as the DRC?

ANSWER: No, in the absence of an agreement between the ACC and the Meadow Oaks Homeowners Association.

OPINION: Conditions, covenants and restrictions for subdivisions are integral parts of all of the agreements making up the total sales package for each homeowner purchasing a lot in any subdivision. These C & R's represent terms and conditions under which an owner has acquired his land. The Meadow Oaks C & R's provide for the approval of architectural, design and other building by a Design Review Committee which, we are told, is duly constituted



and operating.

We believe that under these circumstances, a resident of Meadow Oaks is required only to process his applications for approval through the DRC. Our conclusions are based upon the following considerations:

1. The legislature would have had no reason to become involved in enforcement of C & R's (private contracts) when an architectural committee was in place and active. They, accordingly, stated in § 61601.20 that districts may "assume" (emphasis mine) the duties of the architectural review committee..."; the legislature, we believe, carefully used the word "assume" and not "supersede".

2. The legislative intent is to grant CSDS the power to fill a void where:

a. Homeowners associations and/or architectural or design review committees are not in existence; or

b. C & R's are not being reviewed.

Jim, please read and reveal.

Ralph will be calling you shortly

Question # 1

What is required to raise the \$25/acre/year benefit fees?

Answer: A Proposition 218 Election must be held. The increase must be specific and any formulas for annual increase in the benefit fees must also be included. An assessment engineer must certify the benefit fee assessment.

Question #2

Can a Proposition 218 be placed on a general election ballot?

Answer: No. Only registered voters are allowed to vote in general elections. All landowners must be allowed to vote on Proposition 218.

Question #3

Can the CCR fees be included in the benefit fees and collected by County of Riverside?

Answer: No. Riverside Co will collect only monies complying with the provisions of Proposition 218. The District annually certifies that the tax roll submitted for collection complies with Proposition 218.

The administration of CCR's are a private function administered through the Tenaja Board of Directors though Legislative action of the State. Therefore, fees to administer the CCR's are exempt from Proposition 218.

The CCR fees must be paid directly to the administrator, in this case TCS. The fees to administer the CCR's must be addressed in each CCR document. The basis for establishing the fees, when fees are delinquent and foreclosure proceedings must be included in the CCR document itself.

**MEMORANDUM**

TO: Ariene Miller  
TenaJa CSD

FROM: Jim Okazaki

SUBJECT: Administering CCRA

1. Relinquishment of powers by Board.

a. To the owners. The owners of the property within the boundaries have the final say-so on who is to administer the CCRA. The legislature has authorized the Board of Directors to fill a void where no administering authority has been chosen. If the owners have selected a body of their own, the District must step aside.

b. To another entity. The legislature has not authorized any other entity to assume these duties, nor has it empowered the District to assign such powers to another entity [The delegation of authority to the ACC does not constitute an assignment of powers.] If, therefore, the TCSD decides not to continue, the owners must elect the body to administer the CCRA.

c. Procedure for owners' assumption. The owners should first look to its CCRA to see whether there are specific provisions for the election or selection of a Board or Architectural Control Committee; if not, someone must cause an election to be held.

2. No arbitrary selection of board. Final decision rests with a majority of the owners within the boundaries of the subdivision covered by the CCRA. No group of persons who are not duly elected by the owners could, therefore, legally serve. The situation cited by Mr. Wilson, therefore, could not prevail for long.

Recording Requested By:  
James S. Mocalis, General Manager

When Recorded Mail To:  
Tenaja Community Services District  
Post Office Box 220  
Murrieta, CA 92362

**RESOLUTION NO. 87-6-4-1**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
TENAJA COMMUNITY SERVICES DISTRICT  
ADOPTING RULES AND REGULATIONS FOR THE  
ARCHITECTURAL CONTROL COMMITTEE**

**WHEREAS**, an Architectural Control Committee (ACC) was established by Ordinance No. 1 to administer and enforce the CC&Rs for all tracts within the District's boundaries; and

**WHEREAS**, the Architectural Control Committee desires to establish rules and regulations setting forth procedures for the submission of applications for consideration of the ACC.

**NOW, THEREFORE**, be it resolved, that all matters to be considered by the ACC of the Tenaja Community Services District shall conform strictly to the following procedures and standards:

1. **Application.** Each person desiring to improve or alter any site within the Tenaja Community Services District shall, not later than ten days prior to the first Thursday of the month, submit to the General Manager an application which shall include:

- (a) An explanation of the project;
- (b) A grading plan signed by a California-registered civil engineer;
- (c) Improvement Plans signed by a registered civil engineer or an architect;
- (d) If no improvements are to be constructed on the premises, a site plan designating and describing the use;
- (e) Verification from the County of Riverside that all of the County's regulations and ordinances have been met.

2. **Review of Application.** The ACC shall review the application at its next regularly scheduled meeting and shall determine:

- (a) The adequacy of the application.
- (b) The environmental impact of the proposed application. If the project is deemed to have an adverse environmental impact, the ACC shall require the applicant to submit an Environmental Impact Report pursuant to the Environmental Impact Report Guidelines of the Tenaja Community Services District.

(c) The ACC shall receive input from the applicant as well as from the public and make its recommendations to the Board of Directors of the District.

PASSED, APPROVED and ADOPTED this 4th of June, 1987, by the following vote,  
to-wit:

AYES: DIRECTORS:

NOES: DIRECTORS:

ABSENT: DIRECTORS:

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PAUL HOBOY  
President of the Board of Directors  
Tenaja Community Services District

ATTEST:

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JAMES S. MOCALIS, Secretary

CERTIFICATE

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE : ss.  
TENAJA COMMUNITY SERVICES DISTRICT )

I, JAMES S. MOCALIS, Clerk of the Tenaja Community Services District, do hereby certify that the foregoing is a true and correct copy of Resolution No. 87-6-4-1, duly adopted by the Board of Directors of the Tenaja Community Services District at a regular meeting thereof held on the 4th day of June, 1987, at the hour of 7:00 p.m.

TENAJA COMMUNITY SERVICES DISTRICT

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JAMES S. MOCALIS, Clerk

# LAFCO

LOCAL AGENCY FORMATION COMMISSION • County of Riverside • (714) 787-2786  
ROBERT T. ANDERSEN ADMINISTRATIVE CENTER • 4080 LEMON STREET • 12TH FLOOR • RIVERSIDE, CALIFORNIA 92501-3651

December 20, 1985

State Board of Equalization  
Tax Area Services Section  
Post Office Box 1713  
Sacramento, California 95808

RE: LAFCO #85-39-1--Formation of Tenaja Community Services District

Gentlemen:

Pursuant to California law, you will find enclosed the following documents relating to the above referenced action:

1. Resolution No. 85-409.
2. Certificate of Completion (Recorded on December 19, 1985).
3. Map and legal description.
4. Warrant to cover cost of filing.

Property tax transfer negotiations have been completed as required by the Revenue & Taxation Code, and resolutions of affected agencies are on file in this office.

Please file the above documents and acknowledge receipt at your earliest convenience.

Thank you for your assistance.

Sincerely,

Lynda Thorson  
Secretary

Enclosures

cc: Assessor  
Auditor-Controller  
Elections Department  
Survey Department  
Proponents  
LAFCO File

0031F

P.S.: Please note that the \$25.00 processing fee was submitted to you previously directly from the Tenaja Property Owners Association in their letter dated November 26, 1985.

286720

CERTIFICATE OF COMPLETION

RECEIVED FOR RECORDING  
Min. Past Secretary

DEC 19 1985

Recorded in Official Records  
of Riverside County, California

RECORDED  
Fees \$  
*[Signature]*

Pursuant to Government Code Sections 54797.2, 56450, and 35350, this Certificate is hereby issued by the Executive Officer of the Local Agency Formation Commission of Riverside County, California.

- Short-form designation, as designated by LAFCO is 85-39-1.
- The names of each district involved in this change of organization or reorganization and the kind or type of change of organization ordered for each district are as follows:

<u>District</u>	<u>Type of Change of Organization</u>
<u>Tenaja Community Services District</u>	<u>Formation</u>

- The above-listed district(s) are located within the following county(ies):  
County of Riverside

- A description of the boundaries of the above-cited change of organization or reorganization are shown on the attached map and legal description, marked Exhibit "A" and by reference incorporated herein.

- This change of organization or reorganization has been approved subject to the following terms and conditions, if any:  
None.

- The date of adoption of the Resolution ordering this change of organization or reorganization (with or without election) was July 30, 1985. A certified copy of Resolution #85-409 is attached hereto and by reference incorporated herein.

I hereby certify that as Executive Officer for the Local Agency Formation Commission of Riverside County, the above-listed agency has completed a change of organization or reorganization pursuant to the District Reorganization Act of 1965, as amended.

Dated: December 18, 1985

By: *[Signature]*  
Executive Officer

Board of Supervisors

County of Riverside

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RESOLUTION NO. 85-409

DECLARING TENAJA COMMUNITY SERVICES DISTRICT  
DULY ORGANIZED

WHEREAS, the Local Agency Formation Commission of the County of Riverside on June 27, 1985, approved the proposed formation of a community services district, in the Santa Rosa area of the County of Riverside, which proposal has been assessed pursuant to the California Environmental Quality Act, and a negative declaration filed thereon, assigned a short form designation Tenaja Community Services District LAFC 85-39-1, approved the proposed name Tenaja Community Services District, approved the boundaries and purposes for which the District may be formed as hereinafter set forth, designated the Board of Directors of such District to be composed of five members to be elected from among the registered voters residing within the District, and designated this Board as conducting authority for formation proceedings; and,

WHEREAS, a petition sufficient as to form and number of signatures was thereafter and heretofore filed with the Clerk of this Board, pursuant to the Community Services District Law (Government Code Section 61000, et seq.) for the formation of a community services district to be known as Tenaja Community services District, said District being entirely within the County of Riverside; which petition set forth said proposed name, the boundaries thereof and stating the purposes hereinafter set forth for which said District is proposed to be formed, and stating there should be five directors for said proposed District, all of



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which being in accord with the Local Agency Formation Commission determinations; and,

WHEREAS, this Board thereafter in regular session assembled on July 2, 1985, called a public hearing on said petition fixing Tuesday, July 30, 1985, at 1:30 P.M. in the meeting room of this Board in the County Administrative Center, Riverside, California, as the time and place thereof and ordering the Clerk of this Board to cause notice of such hearing to be published, which notice was thereafter duly published as required by law (Government Code Section 6066); and,

WHEREAS, said hearing was duly held at the time and place so fixed, whereupon this Board heard said petition, heard all persons appearing in favor thereof and opposed thereto, and concluded said hearing on said date, there being no written requests for inclusion of land in said proposed District or written requests for exclusion of land from said District filed or presented; now, therefore:

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on Tuesday, July 30, 1985, that:

1. The formation of the proposed Tenaja Community Services District is in the public interest;
2. The formation of the proposed Tenaja Community Services District is economically feasible;
3. Based upon evidence taken at the hearing upon the petition for formation of the proposed District held on July 30, 1985, the petition for formation of the proposed District

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heretofore filed with the Clerk of this Board contains the signatures of eighty percent (80%) or more of the registered voters residing within the territory of the proposed District, thereby rendering unnecessary the submission of the question of formation to an election;

4. No sufficient written or oral protests to the formation of the proposed District have been received or offered at the hearing upon the petition formation;

5. The requirements for formation of the proposed District by resolution of this Board, dispensing with an election in accordance with Government Code Section 61114, have been met, and the proposed community services district is hereby declared duly organized and shall have the name Tenaja Community Services District;

6. Said District is organized for the purposes of providing within said District:

- (a) Collection, treatment or disposal of storm water;
- (b) Collection or disposal of garbage or refuse matter;
- (c) Protection against fire;
- (d) Public recreation by means of parks including, but not limited to, playgrounds, golf courses, swimming pools, or recreation buildings;
- (e) Equipment and maintenance of a police department or other police protection to protect and safeguard life and property;
- (f) The opening, widening, extending,

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straightening, surfacing and maintaining, in whole or in part, of any street in such district subject to the consent of the governing body of the county or city in which said improvement is to be made.

(g) The construction and improvement of bridges, culverts, curbs, gutters, drains, and works incidental to the purposes specified in (f), subject to the consent of the governing body of the county or city in which said improvement is to be made;

(h) The conversion of existing overhead electric and communication facilities to underground locations in accordance with Public Contract Code Subdivision (1);

7. The boundaries are hereby established as set forth in Exhibit A attached hereto and incorporated herein by this reference;

8. The Board of Directors of said District shall consist of five members, each of whom are registered electors residing within the boundaries of said District, and shall hold office until his/her successor qualifies. The first of which directors are hereby appointed pursuant to Government Code Section 61114 as follows:

- Paul Hoboy
- Thomas A. Lippert
- Dorothy F. Metcalf
- Miles Nesbitt
- Kenneth S. Palmer

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and whose terms of office shall be determined by lot in accordance with Government Code Section 61114 and Elections Code Section 23506.

9. The County Clerk is hereby directed to file and record certified copies of this resolution with the County Recorder and with the Secretary of State.

Roll Call resulted as follows:

Ayes: Abraham, Dunlap, and Ceniceros

Noes: None

Abstaining: Younglove

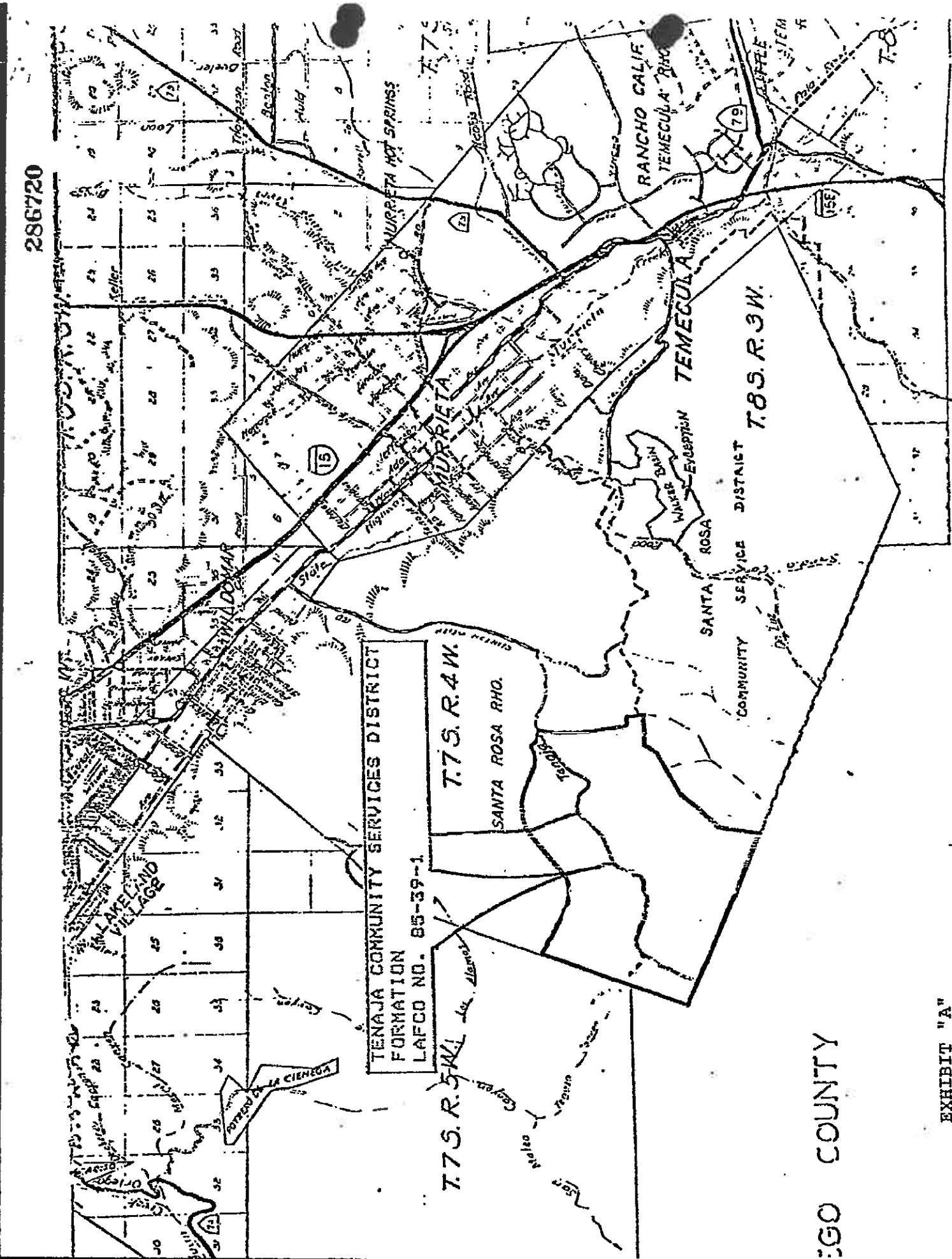
Absent: Larson

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

GERALD A. MALONEY, Clerk of said Board

By *Margaret Dozina*, Deputy

286720



TENAJA COMMUNITY SERVICES DISTRICT  
 FORMATION  
 LAFCO NO. 85-39-1

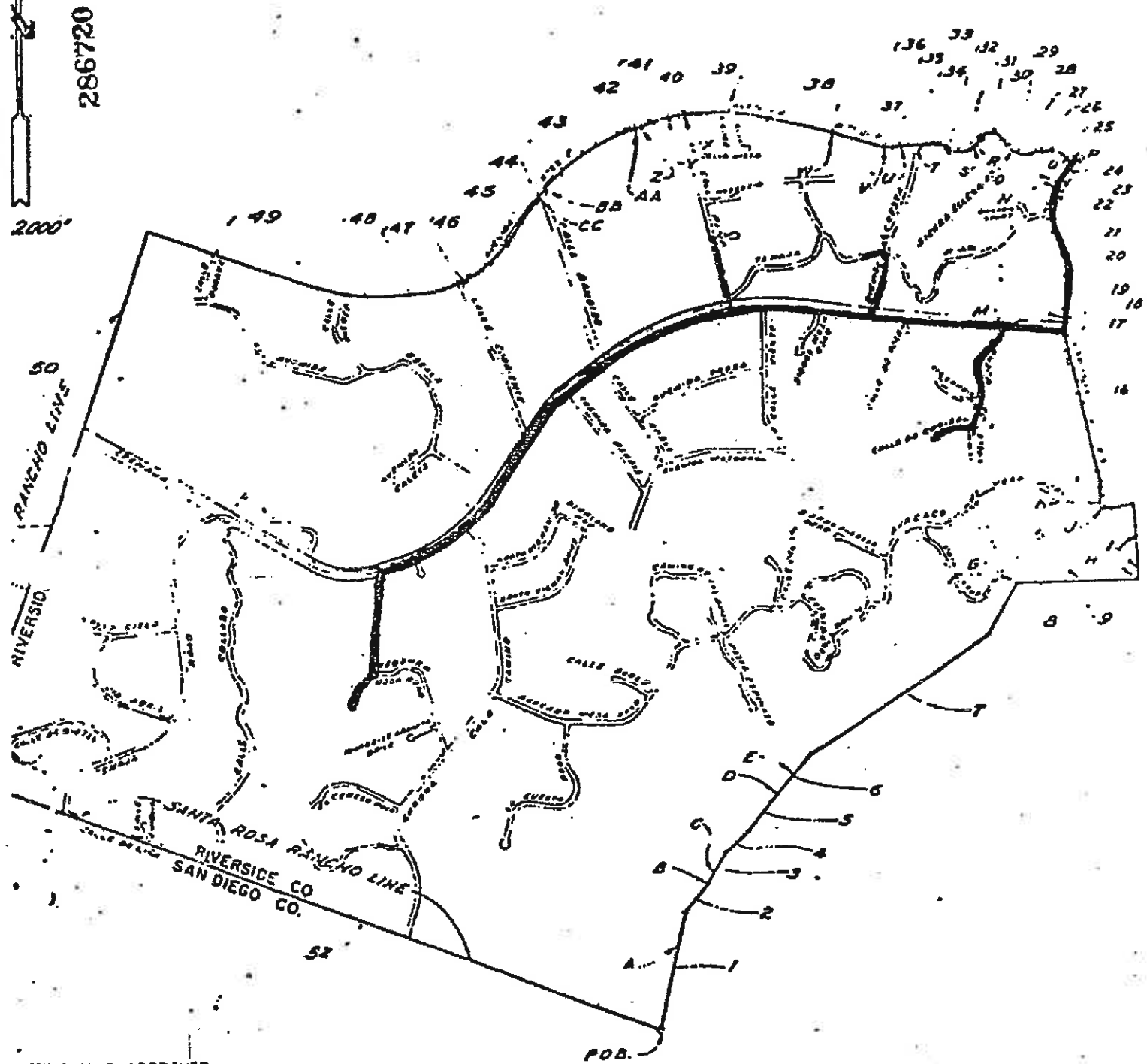
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T.7.S.R.5.M.L.

T.8.S.R.3.W.

SAN DIEGO COUNTY

286720  
2000'



THIS MAP APPROVED  
March 4, 1985  
BY RIVERSIDE COUNTY SURVEYOR  
*Judy A. Wattisland*

PROPOSED TENAJA COMMUNITY SERVICES DISTRICT

APPROXIMATELY 6,400 ACRES

LAFCO NO. FS-99-1

33  
\$ 1750.00  
175.00  
\$ 1925.00  
7/30/85

NO. 301  
# 25.00

3-30

TENAJA COMMUNITY SERVICES DISTRICT

Post Office Box 220  
Murrieta, CA 92362

RECEIVED

DEF  
November 26, 1985

DEC 11 1985

State Board of Equalization  
Valuation Division  
Post Office Box 1713  
Sacramento, CA 95808-1713

Valuation Division  
Board of Equalization

Subject: Statement of the Formation of the  
Tenaja Community Services District

Gentlemen:

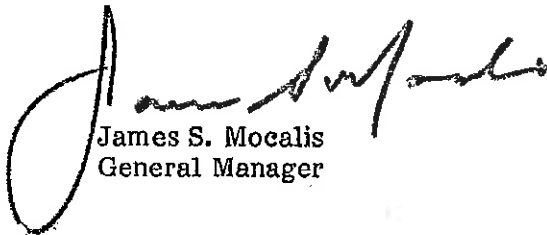
Pursuant to Section 54900 to 54902 of the Government Code,  
transmitted herewith is the required statement:

1. Attached hereto are the following documents:
  - (a) Legal Description of the District.
  - (b) Map of the District.
  - (c) A certified copy of the Resolution of the Riverside County Board of Supervisors forming the District.
  - (d) A check to pay the Billing Charge in the amount of \$25.00, for the deferment of the Processing Fee.
2. The affected property will not be taxed for any existing bonded indebtedness or contractual obligation.

Pursuant to Section 54902.5 of the Government Code, you are hereby requested to defer the Processing Fee of \$1750.00 until the District receives its first revenues. If there is anything else needed to comply with the requirements for filing this statement, please call me at (714) 493-1515 as soon as possible, as we do not want to miss the January 1 filing date.

Very truly yours,

TENAJA COMMUNITY SERVICES DISTRICT



James S. Mocalis  
General Manager

JSM/r  
Attachments

cc: Board of Directors  
J. Okazaki, Attorney

3-30

## Wheeler, Timothy

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**From:** Scott PC <scottbecker@gmail.com>  
**Sent:** Tuesday, August 30, 2016 3:25 PM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Cc:** Magee, Robert  
**Subject:** #PP25922 / Yesterdays Hearing

**Importance:** High

Dear Mr. Weiss,

This e-mail below from Shelby McCowen was sent to you and Tim Wheeler Sunday evening before the hearing, and hopefully you have seen it by now. This is just another instance where the McVickers and their attorney were not being truthful. They indicated in yesterday's hearing that this complaint was never made, and even suggested that we coerced Ms. McCowen into filing a complaint. If you look through the Notarized Testimonials you will see two such complaints regarding the attacking of Horse/Donkey and Chickens. Just one of the many stories that they had fabricated and presented to you and the board yesterday. I know that you and the board have heard and seen everything in your careers in dealing with these public matters, and I am confident that all the hearsay and conjecture that was presented by the McVickers will be discarded when making your decision.

Also, I think one of the issues that should have been discussed at greater length is the fact that Tenaja is an Equine Community, with over 200 head of livestock including Horses, Goats, and Cows within a 3000ft radius of the McVickers property.. There are numerous trails that are frequented by Horse and Rider, and two such trails are only accessible by passing by the McVickers Property. Many Horse Riders who live in the Santa Rosa Ranches area trailer their horses to this area to ride, and are unaware of that these dogs are now residing along Via Abril, and will be in clear danger when the dogs charge the fence line and jump over a four and a half foot fence. I wanted to convey this yesterday, but there was so much to think about and little time to respond, it had slipped my mind when I came up to speak.

In regards to the compromise you had offered. I hope that I did seem discourteous in my response. What I really wanted to add to that was even though I am the adjacent property owner, this issue is not only about me and my family, it is also about surrounding property owners and the entire community who opposes this Business Use Kennel. I cannot solely make a concession/compromise that also affects them. The McVickers have managed to turn this into a battle between themselves and my family, a Hatfield and McCoy type resentment on their part. Also, none of their constituency were from our community, and many not even residents of the county. It seems to me that they have no compassion or concern for the havoc that these dogs have caused, and they do not understand the economic loss that many of us will suffer when it comes time to sell our homes( Our Retirement Nest Egg ) as a direct result of this kennel. They have dropped a bomb, and it is just a matter of time before it detonates, and the residents of this valley deserve to be protected.

Over and over we are asserting they are a business and on that basis it should be denied. They are asserting they are not and that their rescue operation, a 501-C(3) is run from a separate location, a location in Lake Elsinore / Shopping Center that does not permit this type of use. That being said, this flies in the face of reason, whether or not it is a business, a resident can only have 4 dogs. The McVickers are completely senseless to think 18 - 25 dogs is acceptable with the surrounding neighbors. Although our properties encompass acreage we are still residential—albeit rural residential but residential. The County would never consider this application if the parcel was in Copper Canyon—why are we less protected? We are still residential.



Article II-2.02

"...to protect the owner of each Parcel against improper use and development of surrounding parcels as will depreciate the value of the parcels or interfere with the beneficial use and enjoyment of the Parcels."

If the County approves a Kennel—class I or II they are intentionally disregarding our established CC&R's; recklessly ignoring the county code of 4 dogs per parcel; and with one singular decision willfully contributing and perhaps being a major cause in the devaluation of our properties. We paid more money to own property in Tenaja because we were assured by the governing documents of the usages per those governing documents. We agreed as landowners to abide by those documents. Further, the County would be negligent in their duty with an abuse of power to grant a variance of the permitted number of dogs per household to one property owner to the objection of numerous surrounding property owners. We have registered a complaint, and if the County approves this kennel they are on the record as complicit parties to the devaluation of our property, the prohibition of our quiet use and enjoyment of our property, and any injury or death that is a result of these dogs.

Mr. Weiss, it just does not make sense that our community should be forced to accommodate such a nuisance, and forfeit the quiet enjoyment of our property. No one has the right to come in to any neighborhood and steal their peace and happiness.

Sincerely,

Scott Becker  
17250 Via Abril  
Murrieta Ca. 92562

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**From:** Shelby McCowen [mailto:shelbymccowen5@gmail.com]  
**Sent:** Sunday, August 28, 2016 9:50 PM  
**To:** Scott PC  
**Subject:** Re: McVickers Letter to County regarding Incident on your Property  
**Importance:** High

Scott,  
I sent over an email to the ones you listed. Hopefully this helps clear the air a little on the lies the McVickers are trying to tell.

I've attached it in case you need it. Sorry i cannot make it.

-Shelby McCowen

Shelby McCowen  
swisler@ctima.org, TWINEBLER@ctima.org  
RE: Kennel & Permit Application #25922

Good Evening,  
I hope this email reaches you in time. My name is Shelby McCowen. It has been brought to my attention that false information has been presented to you on the events that took place on my father to be presented with the truth on the event that happened. I did not want to get involved with this situation but when someone lies about what I said happened you can understand why I would be u

On the morning of February 1<sup>st</sup> 2016, at approximately 11:10AM, I, Shelby McCowen, of 42991 Tenaja Rd. Murrieta, CA 92562 began to hear barking coming from outside of my house. At this time Siberian Husky type dogs viciously barking at my horse, they had him surrounded and were biting at his front and rear legs. I attempted to yell at the dogs to stop and that's when they began advance get my cell phone and call my father to see what I should do. The barking continued and around 11:25AM my horse tried to run away from the dogs. At this time the four dogs began to chase him. I in my side yard (see attached). Once again I tried yelling at the dogs to stop and leave, they began running towards my shed, at which time they circled and began barking and biting at my donkey that bit his back leg, then that dog ran back in the direction of its owner's house. Three dogs remained until about 11:45AM, until this time they continued to viciously bark and circle my horse and dog get away. I was able to see where the dogs ran back to after they left my property, 17370 Via Abril Murrieta, CA 92562

I took pictures documenting the animals being on the property because as a former Private Investigator, I know that picture evidence holds up a lot better than word of mouth

This is the information I provided Animal Control Officer Harris who I made my complaint with. These animals are vicious and I did fear for my life, the only reason I went outside of my house was to complaint to Officer Harris who told me that he was involved with an on going issue with other neighbors and the dogs being at the property. The dogs coming over and attacking myself and my ani

I am now being brought into this situation because Mr & Mrs McVickers want to make false statements on what happened. The interaction Mrs. McVickers and my father Peter McCowen had did not vicious animals and explained to her what happened. Mrs. McVickers then stated that her dogs would never do such a thing and began having an aggressive demeanor with my father at which time property.

Unfortunately due to the nature of my job I am unable to take a day off to attend the hearing, but I would appreciate if you would address the fact that the statement provided by the McVickers is cor on my property. If any further information is needed please feel free to contact me so I can make sure the information provided is of true nature. I wish to stay out of the Kennel hearing and other ne took place on February 1<sup>st</sup> are very clearly described, seeing as I am the only witness to the event.

Thank you.

Shelby McCowen  
shelbymccowen55@gmail.com  
512-609-9003

I have also attached the false statements provided by the McVickers as an easy reference.



Letter to Planner.pdf



On Aug 28, 2016, at 9:05 PM, Scott PC <[scottbecker@gmail.com](mailto:scottbecker@gmail.com)> wrote:

Dear Peter and Shelby,

I wanted you to see what the McVickers have stated in a letter that went to the county a few days ago addressing the incident with the escape of the dogs. Below is an excerpt of what was told to the county planner and the hearing officer that will be presiding over the hearing tomorrow. You will want to read page 9.

As you can see they once again are not being honest about the incident, as it has been documented by Animal Control and Code Enforcement. I am asking you to please send a letter to the hearing officer

tonight regarding actual events that occurred and to confirm that they were reported. Please attach any supporting documentation you may have. Also, it would be a huge boost tomorrow if one of you could make it to the hearing. We have a bus leaving at 11:00am from our house.

[sweiss@rctlma.org](mailto:sweiss@rctlma.org)

[TWHEELER@rctlma.org](mailto:TWHEELER@rctlma.org)

Thank you,

Scott Becker

**This email and/or any files or attachments transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law.**

<Letter to Planner.pdf>

## Wheeler, Timothy

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**From:** Brad Stone <bstone@aspirinsoftware.com>  
**Sent:** Wednesday, August 31, 2016 1:57 PM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** Class II Kennel Permit hearing

I am writing regarding the request for a Class II Kennel to confine up to 25 Siberian huskies in the Tenaja community. I am a nearby property owner.

I spent a number of years studying and visiting properties before purchasing in this community. This area was ideal and unique in its rural nature; a very quiet residential neighborhood. This request would have a serious negative effect on the quality of life and property values in the area.

It seems a bit redundant to share with you the howling and other noise disturbances that you get when this many dogs are confined together, since numerous instances have already been reported to Animal Control for this property and its current collection of dogs. Increasing the number of dogs of course only exacerbates the existing problem.

But that's just the associated noise which is not even my biggest concern. I also have two small children. Siberian Huskies are in the top 10 list of most dangerous dogs. Why are we purposely creating a dangerous situation in our residential neighborhood? This commercial use clearly violates our CC&R's, but doesn't it also violate county ordinances?

Please deny this request as a violation of our CC&Rs, for its safety risks, and for the negative impact it will have on our community.

Thank you.

Brad Stone  
Avenida de Matorral

## Wheeler, Timothy

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**From:** Weiss, Steven  
**Sent:** Wednesday, September 21, 2016 7:14 AM  
**To:** 'SGB'; Magee, Robert  
**Cc:** Wheeler, Timothy  
**Subject:** RE: PP25922 / Class II Kennel Hearing

Dear Mr. Becker,

Thank you for your thoughts. You live in a wonderful part of Riverside County. I am considering everything that is proposed and being presented by all parties. My job is to follow the laws by applying fair, objective and logical reasoning.

Often, disagreements can be solved between neighbors.

Sincerely,



**Steve Weiss, AICP**  
**Planning Director**  
**(951) 955-6097**  
[sweiss@rctlma.org](mailto:sweiss@rctlma.org)

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**From:** SGB [<mailto:sgb@InsureMeSgb.com>]  
**Sent:** Tuesday, September 20, 2016 5:35 PM  
**To:** Weiss, Steven; Magee, Robert  
**Subject:** PP25922 / Class II Kennel Hearing

Dear Mr. Weiss,

After listening to the audio of the hearing I have come to the conclusion that the McVickers and many of their nonresident supporters have gravitated to rescuing these animals as means of helping themselves heal from past hurts, whether it be divorce, inability to have children, depression or some other life circumstance. I am a compassionate man Mr. Weiss, just as I am sure you are. Even though I do have empathy, it is not proper or practical for our community to be subjected to their emotional therapy when it becomes a nuisance and disrupts the lives and quiet enjoyment of our community. The McVickers have an addiction to these animals, and have incorporated their addiction into a business endeavor. Mrs. McVickers response to your question regarding the condition you proposed of limiting the number of dogs to 18, in my opinion speaks volumes, and clearly broadcasted her future intentions.

We all face trials and the same life situations as the McVickers , but when they start overlapping into the lives of the residents of our community it becomes a problem, and the Mcvickers seem to only be concerned about their welfare, and have shown complete indignation towards the community. As a Marine Corps veteran I have seen my share of violent and gruesome acts, some by accident, some intentional. I have lost family members to car accidents, cancer and suicides. All have left emotional scars that will affect me for the rest of my life. The point is that we all have hardships we have to endure in this life, but we also have a responsibility to make sure our hardships or our emotional baggage does not become a problem or become intrusive to the lives of others. Their obsession with these dogs is frightening, and there seems to be no end to what they will say or do to continue to amass them. There will be no end to it unless the proper decision to deny this permit is made.

I also want to briefly address the CC&R issue/contradiction. Myself and other neighbors have built their homes here in Tenaja, and there were instances during the permitting process and construction phase where the county informed us that we were in violation of the communities CC&R's and instructed us to make the required changes or corrections in order to proceed. The county recognized the CC&Rs as a condition of approval for these building projects, and should also be recognizing them as a condition for approval for this project. I am not sure why we have been held to higher standards by the county for our projects than the county is requiring for this one? After all, why would a community institute CCR's if the county will not recognize them, and approve projects that are in direct conflict with the CCR's that are suppose to take precedent. This does not seem logical to me.

I am hopeful that the proper decision will be made to protect our community and allow us to continue to enjoy the quiet and safe enjoyment of our neighborhood.

Sincerely,

Scott G Becker  
(951)660-2586

Top of Form

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**This email and/or any files or attachments transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law.**

## Wheeler, Timothy

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**From:** Scott <canucme333@aol.com>  
**Sent:** Wednesday, September 21, 2016 9:50 AM  
**To:** Weiss, Steven; Magee, Robert; Wheeler, Timothy  
**Cc:** rdbadham@msn.com  
**Subject:** FW: Class II kennel license

**Importance:** High

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**From:** Debbie Badham <[rdbadham@msn.com](mailto:rdbadham@msn.com)>  
**Sent:** Tuesday, September 20, 2016 8:31 PM  
**Subject:** Class II kennel license  
**To:** <[twheeler@rctima.org](mailto:twheeler@rctima.org)>

I am writing with my overwhelming concern regarding the application for a class II kennel license in the Tenaja area. This is an area where I ride my horse 5 days a week. My main concern is for myself, my horse and for all the other equestrians who also enjoy the beauty and peacefulness of this area, which is our main reason for riding in this area. 25 dogs running towards you and your horse can have very detrimental effects, of which injury or death to horse and or rider can be included. I hope that this would never be the case or that this possibility would have to occur for you to realize that the passing of this kennel license was a complete mistake.

I have been personally subjected to the noise factor that occurs when the dogs that reside at this residence bark and howl. The residents at this house stated that their dogs do not bark. This is a completely false statement. When passing by this residence on the trail that is ridden and enjoyed by many equestrians, you can hear them bark and howl even when they are inside the residence. If they happen to be outside the residence, 18 dogs (possibly 25 if you pass this class II kennel license ) is very intimidating to both myself and my horse. In addition, I would like to add that I personally live next door to 5 of this same breed of dogs. To say the least, my life along with the lives of my 2 dogs, have been drastically changed. The dogs next door bark and howl day and night. They have also broken down our fence on several occasions while my dogs were in our back yard. Consequently, I no longer allow my dogs to go in their own back yard, as I fear for their safety.

Please consider my concerns as you decide whether or not to grant these applicants with a class II kennel license.

Thank you,  
Debbie Badham  
[RDBadham@msn.com](mailto:RDBadham@msn.com)

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## Wheeler, Timothy

---

**From:** Scott PC <scttbecker@gmail.com>  
**Sent:** Wednesday, September 21, 2016 10:17 AM  
**To:** Weiss, Steven; Wheeler, Timothy; Magee, Robert  
**Subject:** FW: Class II Kennel Permit hearing

I am forwarding to you an e-mail I received today from a resident of Tenaja see below.

Thank you,

Scott Becker

Greetings,

I've been a Tenaja property owner since 1998 and a full time resident since March 2016. I'm in receipt of a (undated) letter regarding the issuance of Class II Kennel Permit for 17370 Via Abril.

I'm somewhat confused. The letter states, "As you may know the County of Riverside only allows four dogs to be kept on a residential property." The letter also states the permit applicants "currently have 18 on the property....." Tenaja is zoned rural residential. Why aren't the current restriction being enforced? It would seem prudent to me that TECA demand that the county enforce the current restrictions before any consideration is given to a Class II Kennel Permit. After all, if the county will not enforce the limitation of 4 dogs now, then what assurance do we have the county will enforce the 25 limit restriction? Twenty five dogs soon becomes 50 then 50 becomes 100 and no enforcement.

I would not be in favor of a commercial dog kennel but I am curious why the need for 25 Siberian Huskies. Are these rescue dogs? Is this a commercial breeding operation? But my curiosity is a moot point. The county must enforce the current restriction of 4 dogs before any consideration can be given for a Class II Kennel Permit.

Kind Regards,

Mark Koller

42945 Calle Roble

Murrieta, CA 92562

951.600.3858



## Wheeler, Timothy

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**From:** Victoria <vdavis@fanvisionmedia.com>  
**Sent:** Wednesday, September 21, 2016 7:22 AM  
**To:** Wheeler, Timothy  
**Subject:** Tim and Liz McVicker upcoming hearing

I know you have a hearing coming up for Liz and Tim McVicker on the 26<sup>th</sup> about their beautiful huskies. I wanted to let you know how much love and care those babies receive.

Tim is **a husky whisperer**. Those babies are so well behaved and are so loved, and they could not get better care anywhere else in the world.

I am also a husky owner with several and I can tell you huskies are the most loving and loyal breed. Tim puts safety first always with his huskies and teaches them with love only. He is amazing with his huskies and if anything ever happened to me I would want all of mine to go to Tim and Liz because I know the love and care they would receive.

Thank you

Victoria Davis  
561.926.2723

*This email (and any attachments) is only intended for the use of the person or entity to which it is addressed, and may contain information that is privileged and confidential. You, the recipient, are obligated to maintain it in a safe, secure and confidential manner. Unauthorized disclosure or failure to maintain confidentiality may subject you to federal and state penalties. If you are not the intended recipient, please immediately notify us by return email, and delete this message from your computer.*

September 19, 2016

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St – 12th floor  
Riverside, CA 92501

Re: Class II Kennel License  
Shadow Husky Rescue

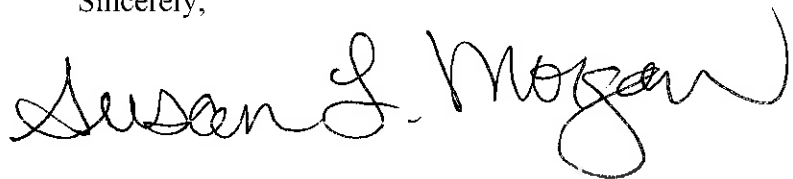
Dear Mr. Wheeler,

I am a friend of Timothy and Elizabeth McVicker.

I have been to Tim and Liz's home numerous times and spent time with their personal huskies. I have only seen love and respect with the interaction I have had with their personal dogs. Their dogs are very social and enjoy being with people. The love and nurturing that Tim and Liz have shown their personal dogs is reflected in every one of their dogs' behavior! The work that Tim and Liz have put into their property in order to provide a beautiful and loving home for their personal dogs is very apparent. Tim and Liz have nothing but pure love for their huskies as would any owners who interact with their personal dogs.

I would respectfully request that Riverside County approve the Class II Kennel License for Tim and Elizabeth McVicker (I am in full support of the Shadow Husky Rescue, Plot Plan No. 29522).

Sincerely,

A handwritten signature in black ink that reads "Susan L. Morgan". The signature is written in a cursive, flowing style.

cc: Steve Weiss, AICP  
Planning Director

## **Wheeler, Timothy**

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**From:** Ricky Marin <rmarin10@student.rcc.edu>  
**Sent:** Wednesday, September 21, 2016 10:39 PM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** Shadow Husky Ranch

Dear Mr. Wheeler,

Please accept this letter of approval that I am in full support of the Shadow Husky Ranch, Plot Plan No. 29522.

My name is Ricky Marin, and I am currently an employee at Wolfee Donuts, which is located right next door to the McVicker's Family Mediation Center, Profession Law Corporation.

I am in daily contact with their personal dogs and I have never heard them barking or being a nuisance to anyone. Liz and Tim's personal dogs are always well-groomed and well-nourished. The dogs are very well-behaved.

I am very familiar with their personal dogs and have never found their personal dogs to be anything other than friendly and social.

Tim and Liz are very loving with their personal dogs and the behavior of their dogs reflects nothing but mutual love and respect between Tim, Liz, and their personal dogs.

I would respectfully request that Riverside County approve the Class II Kennel License for Tim and Elizabeth McVicker.

Sincerely,  
Ricky Marin of Wolfee Donuts

DATE: 11-4-15

ACTIVITY: AIS-025854

**OFFICIAL NOTICE OF VIOLATION**

County of Riverside, Department of Animal Services

WESTERN RIVERSIDE COUNTY/  
CITY ANIMAL SHELTER  
6851 Van Buren Blvd  
Jurupa Valley, CA 92509  
(951) 358-7387

SAN JACINTO VALLEY  
ANIMAL CAMPUS  
581 S. Grand Ave  
San Jacinto, CA 92582  
(951) 791-3720

COACHELLA VALLEY  
ANIMAL CAMPUS  
72-050 Petland Place  
Thousand Palms, CA 92276  
(760) 343-3644

BLYTHE ANIMAL SHELTER  
245 S. Carlton  
Blythe, CA 92225  
(760) 921-7857

OWNER/CUSTODIAN MXVICKER RESIDENCE

CDL \_\_\_\_\_

ADDRESS 17370 VIA ABRIL MURRIETA, CA 92562

DOB \_\_\_\_\_

PHONE 310-270-8222

SUBJECT NUMBER OF DOGS / KENNEL VIOLATION -

MUST GET NUMBER OF DOGS ON PROPERTY DOWN TO FOUR OR FEWER,  
OR OBTAIN / START PROCESS FOR KENNEL PERMIT RELEVANT TO NUMBER OF  
DOGS KEPT ON ABOVE PROPERTY

This notice shall be complied with as required by

Penal Code \_\_\_\_\_

County Ordinance No. 6.08.050A

City Code No. \_\_\_\_\_

Other Code: \_\_\_\_\_

CORRECTION DATE: N/A

DEPARTMENT REPRESENTATIVE

RECEIVED BY: TESTED

D. HARRIS #30

PERSONAL SERVICE  FIRST CLASS  CERTIFIED

Phone: 951-791-2755

DEH-P/A-069A (REV 12-14)



California Constitution. Article 1. *Declaration of Rights.* All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.



# Shadow Husky Ranch



**Mission Statement:** Our mission at Shadow Husky Ranch is to care for the well-being of our own personal dogs. We acquired this property to create the perfect home environment for our pets. We are applying for the kennel license for our own personal benefit and enjoyment.

We plan to accomplish this by:

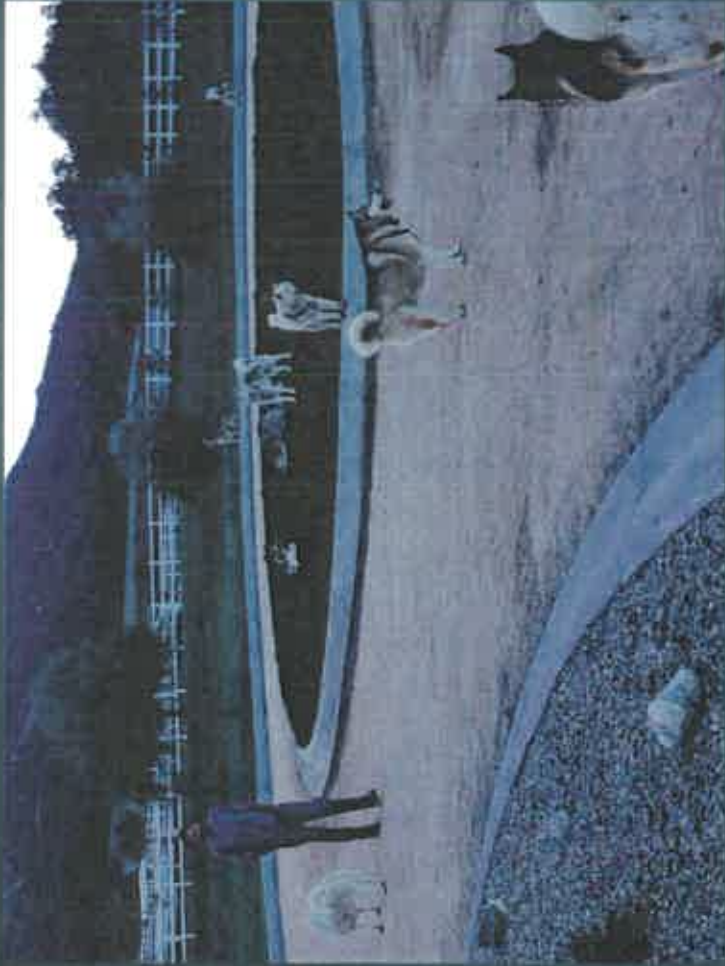
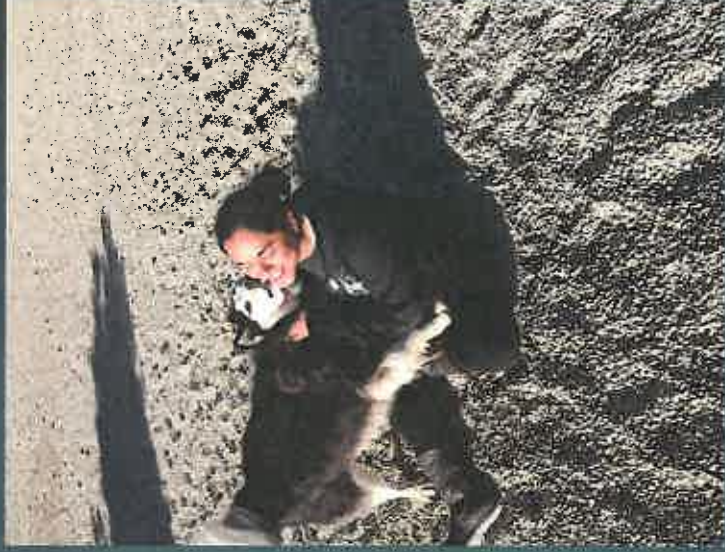
- Maintaining the highest standards of health care and cleanliness.
- Nurturing familial relationships with our personal dogs.
- Having 24/7 supervision of the dogs by an on site caretaker and by state of the art video surveillance.
- Providing plenty of space for them to play and exercise.
- Promoting safe and healthy behavioral habits.
- Giving the dogs a peaceful and loving place to live for the rest of their days.



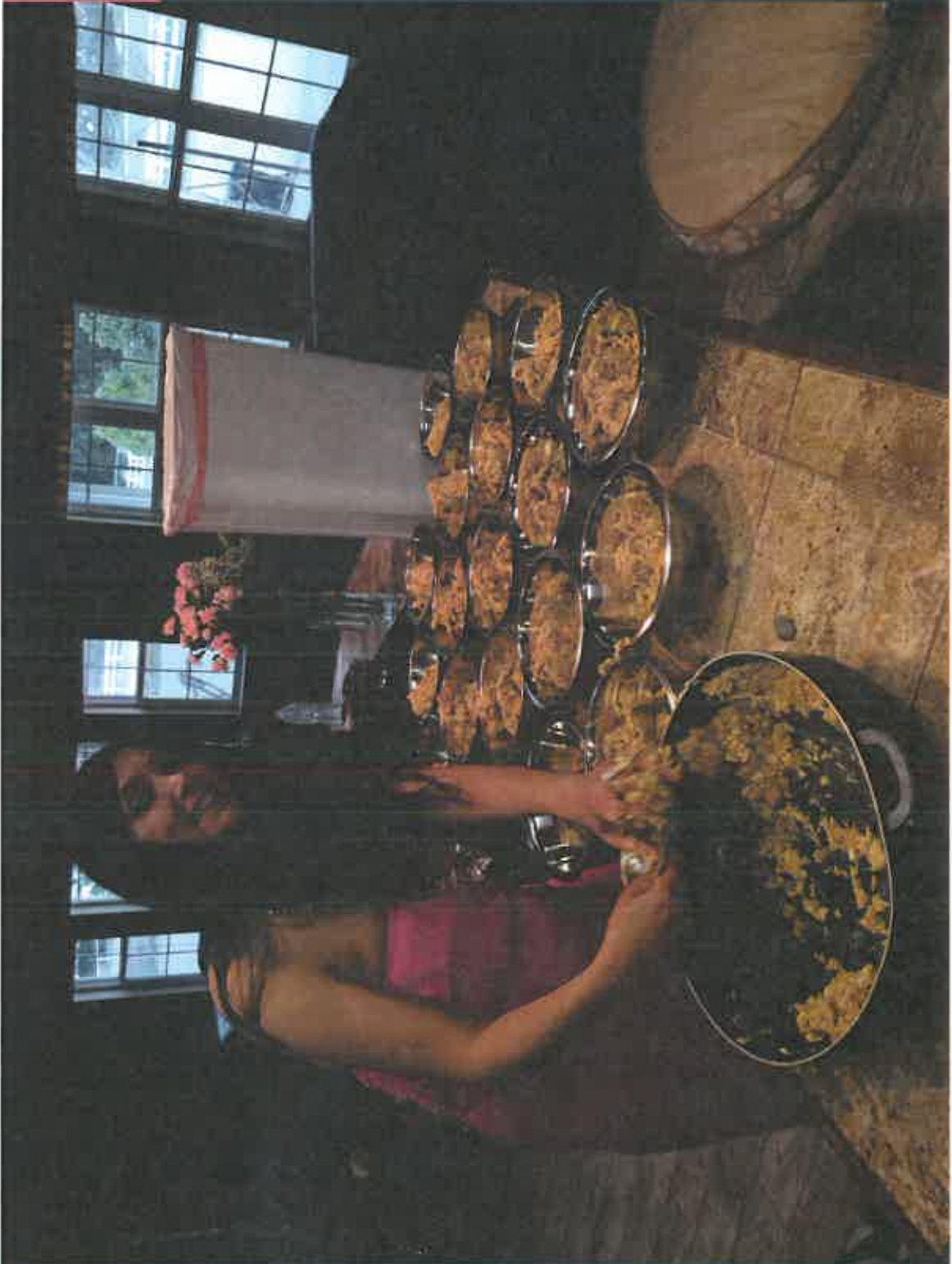
# How do we take care of our personal dogs?

- 2 Full time Care Takers that work 6 days total per week, 11 hour shifts doing various tasks.
- When Tim and I are not at work we assist them with the following:
  - Cook for our dogs;
  - Clean up waste from our dogs;
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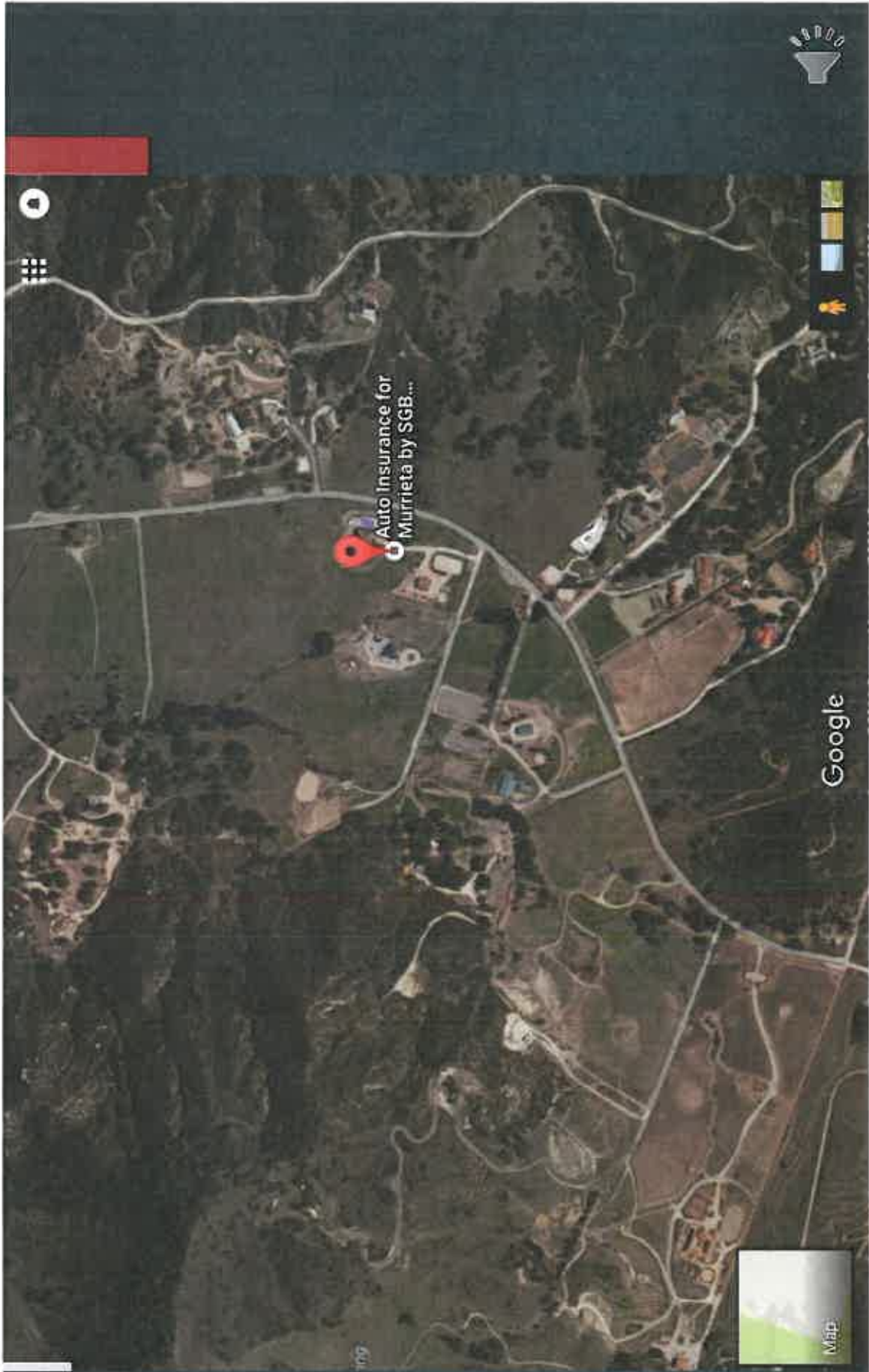
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When Tim and I started our search for our family home, we had a wish list for our dogs to be safe and protected. We wanted property where they could exercise, run, play, sleep, and interact in a spacious environment. We also wanted to protect the privacy of our personal dogs. We knew that Riverside County required that we needed to live in a specifically zoned area which would potentially permit over 10 dogs on the property. We looked at other properties in the Tenaja area first, including the Bacas' home which is across the street, and they confirmed to us where we could house our pets on their property. However, the Bacas' property was hilly. Across the street was the ideal home with more privacy and isolation on a flat 6.2 acre property adjacent to the San Matteo Canyon Wilderness, Cleveland National Forest and San Diego County. 17370 Via Abril was the ideal location.



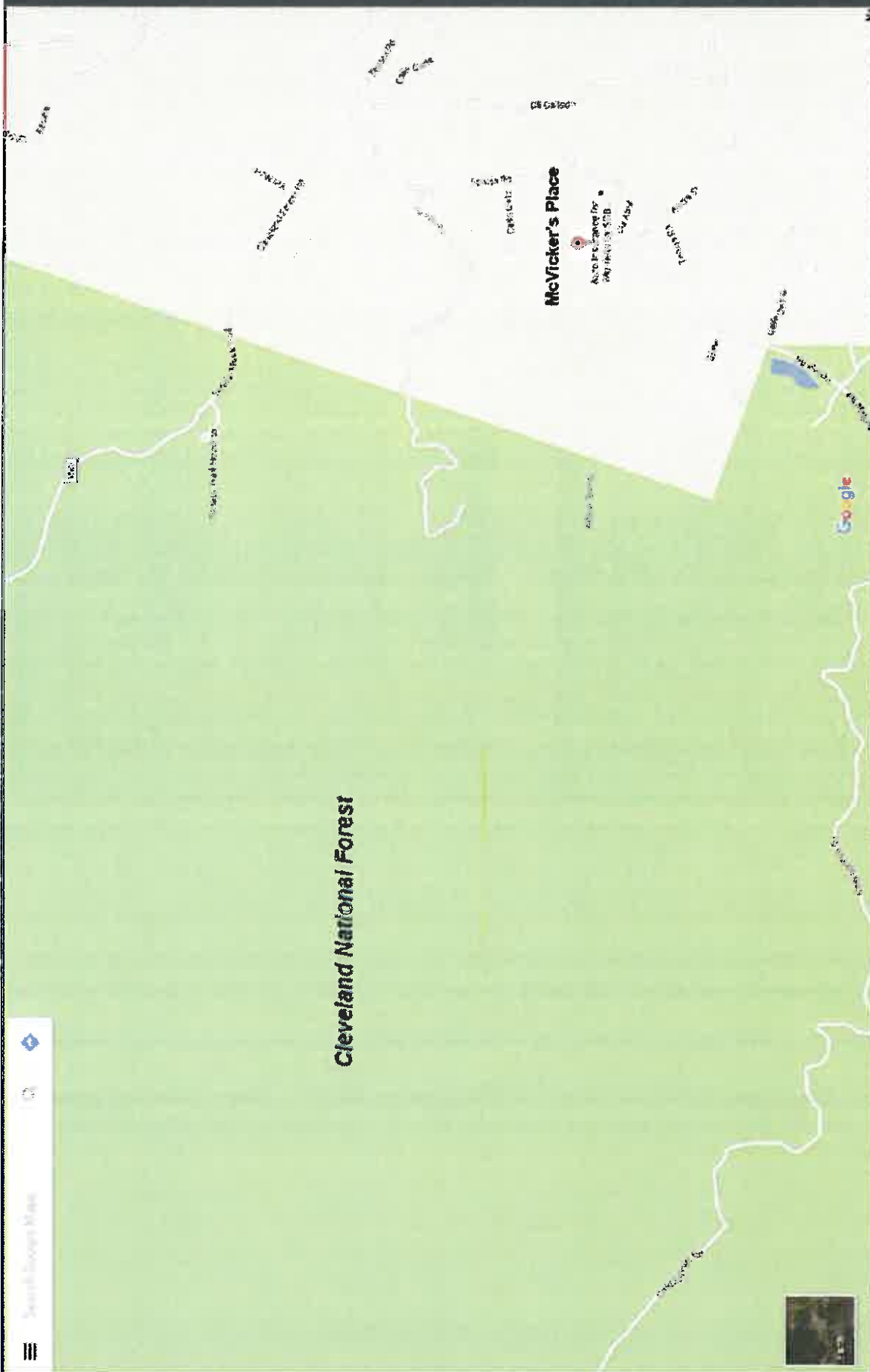


Google



# No Better Place for a Dog House!





Search Street View

☰

📍

🔍


**Cleveland National Forest**

**McVicker's Place**

Auto is parked in direction of SW by day


Google





In May, 2015, before we closed escrow on our property, I had numerous email exchanges with our prospective neighbor, Scott Becker. He informed me that we would never be welcome in the community. I organized a meeting with Scott at my law firm to discuss any and all concerns. Unfortunately, Scott Becker cancelled the meeting and has refused to discuss further with either Tim or myself our presence in Tenaja. Scott Becker has never been to our home, and he has never met any of our personal pets. As my colleague family law attorney Catherine Vincent told me, "Isn't the reason why we all moved to Tenaja to be with our personal dogs and animals?"





We closed escrow on our property on July 14, 2015. After we moved in on August 2, 2015, Tim and I embarked on our journey which has brought us here today to request a license to house our personal pets on our property. In order to comply with the law, we moved forward with a Class II kennel license. Riverside Department of Animal Services came to inspect our home and told us in writing that as long as we had a kennel application in process with the County that we could have our personal dogs on our property pending the kennel license application approval.





# Ordinance No. 630 of the County of Riverside Relating to Dogs and Cats

- g. Class II Kennel. Any building, structure, enclosure or premises whereupon, or within which, eleven (11) or more dogs, four (4) months of age or older, are kept or maintained.

**"KENNEL" IS THE NOMENCLATURE IN THE COUNTY OF RIVERSIDE FOR THE LICENSE WE NEED TO PROCURE TO HOUSE OUR PERSONAL PETS ON OUR PROPERTY.**



## Zoning Ordinance | Section 4 of 4

[Back to Section Three](#)

### Section 18.45 KENNELS AND CATTERIES

a. INTENT. The Board of Supervisors has enacted new provisions for the implementation of County Ordinance No. 630 (Regulating the Keeping and Control of Dogs and Cats and Providing for the Control and Suppression of Rabies), County Ordinance No. 630 provides development standards for kennels and catteries proposed within the unincorporated areas of Riverside County. In adopting this Section, the Board of Supervisors has enacted provisions which permit, or conditionally permit, kennels and catteries in various agricultural, industrial, residential, rural and open space zone classifications. The kennels and catteries are subject to development standards and requirements based on the requirements of County Ordinance No. 630 and protection of the public health, safety and welfare.

b. PERMITTED ZONING. Kennels and catteries shall be permitted in the following zones:

(1) A Class I Kennel (5 to 10 dogs) is permitted in the following zones provided a plot plan has been approved under the provisions of Section 18.30 of this ordinance: R-1, R-1A, R-2, R-2A, R-3, R-3A, R-R, R-R-O, R-A, P-T-R, A-1, A-P, A-2, A-D, C-V, W-2, R-D, N-A, and W-2-M.

(2) A Class II Kennel (11 to 25 dogs) or a cattery (10 to 25 cats) is permitted in the following zones provided a plot plan has been approved under the provisions of Section 18.30 of this ordinance: R-R, R-R-O, R-A, R-T-R, A-1, A-P, A-2, A-D, W-2, R-D, N-A, and W-2-M.

(3) A Class I (5 to 10 dogs) or Class II Kennel (11 to 25 dogs) or a cattery (10 to 25 cats) is permitted in the following zones provided a plot plan has been approved under the provisions of Section 18.30 of this ordinance: M-SC, M-M, and M-H.

(4) A Class III Kennel (26 to 40 dogs) or a cattery (26 to 40 cats) is permitted in the following zones provided a plot plan has been approved under the provisions of Section 18.30 of this ordinance: R-R, R-R-O, M-SC, M-M, M-H, A-1, and A-2.

(5) A Class IV Kennel (41 or more dogs) or a sentry dog kennel or a cattery (41 or more cats) is permitted in the following zones provided a conditional use permit has been approved under the provisions of Section 18.28 of this ordinance: R-R, R-R-O, M-SC, M-M, M-H, A-1, and A-2.

Amended Effective:  
11-08-94 (Ord. 348.3629)  
02-12-99 (Ord. 348.3857)  
04-14-00 (Ord. 348.3928)

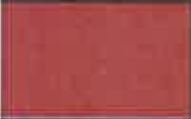
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(1) RESIDENCY. In those zones permitting Class I Kennels, such kennels may be placed upon parcels containing detached single family dwelling units. All Class II Kennels and all catteries shall include a single family dwelling to be used by a live-in caretaker, as required by the Riverside County standards for kennels and catteries.

Notwithstanding any provision within this ordinance to the contrary, no parcel with a kennel or cattery shall contain







Once Tim and I moved forward with our licensing of our personal pets, life became very difficult. Last Fall, I was at the 7-11 gas station where Scott Becker has his insurance company. He approached me and came very close to my face and said in a threatening manner, "We will have a hearing. We have run out dogs from our neighborhood before. We will again. You are not the first." A few weeks later, Sarina Becker approached me while I was exiting Via Abril and harassed me asking me why I was in Tenaja and she told me that she felt "sorry" for me.

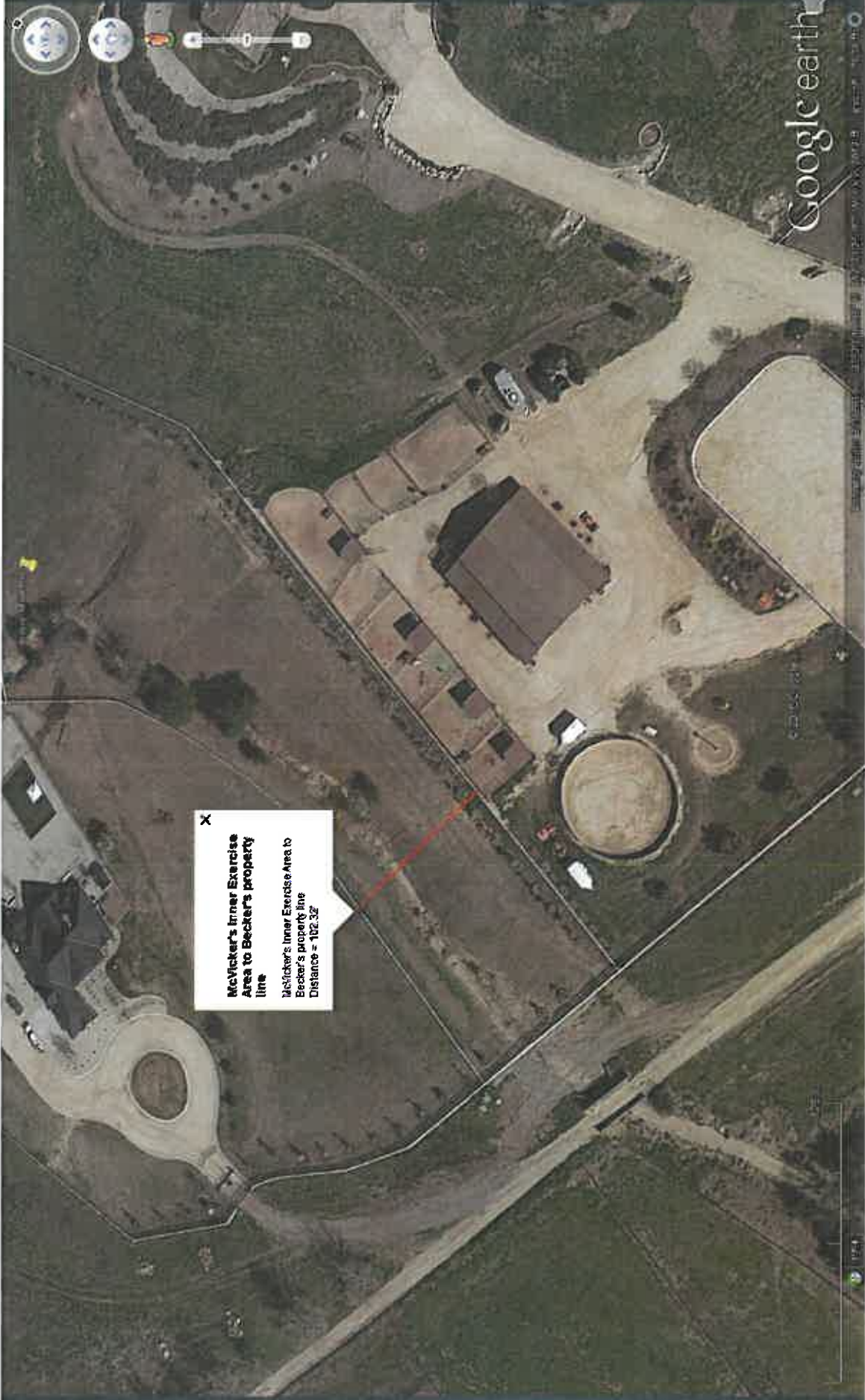
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Tim and I feared for the worst. In early December 2015 we erected another fence to the western portion of our Blue Line Creek, leaving a large distance between the Blue Line fencing and the Beckers' corrals.





X  
**McVicker's Inner Exercise Area fence to Beckers barn**  
McVicker's Inner Exercise Area fence to Beckers barn  
Distance = 165.84'



X  
**McVicker's Inner Exercise Area to Becker's property line**  
McVicker's Inner Exercise Area to Becker's property line  
Distance = 102.32'



X  
**McVicker's property line to Baca's house**  
McVicker's property line to Baca's house  
Distance = 830.37



x  
**Distance from inner play area fence to Becker house**  
McVicker's inner play area fence to Becker's house  
Distance = 433.51'





X  
**McVicker's inner exercise fence to Becker's house**  
McVicker's inner exercise fence to Becker's house  
Distance = 385.07'





Arlene Miller <tenajacsd@gmail.com>

**Re: Fw: Canine Rescue / Residence Kennel**

1 message

Michael Juha <michaeljuha@gmail.com>  
To: arlene miller <tenajacsd@earthlink.net>

Tue, May 12, 2015 at 1:51 PM

Arlene,

I do not.

I am concerned about Tenaja CSD being represented as "primarily a Horse community", since that is not true.

Some Tenaja CSD residents own horses, but many residents do not.

At this time, I doubt that a majority of residents own horses.

As Tenaja CSD's population has grown older, fewer residents keep horses.

I would encourage you to email Tim McVicker as well as Scott Becker to ask what this email is about. You are due an explanation, if you were sent a copy of the email from Mr. Becker.

Mr. McVicker is allowed a certain number of dogs on his lot by County code.

He should contact the County to learn more about their restrictions.

If he intends to accommodate more than that certain number, he must apply for a permit to do so.

Having dogs on a property is not a threat to horses per se, if the property is fenced.

However, some dogs can jump a 6 foot high fence, just like coyotes and mountain lions.

Does Mr. McVicker realize that Tenaja CSD is home to mountain lions?

Riverside County Ordinances 534 and 530 govern keeping of animals, and County Ordinances 847 and 878 regulate noise.

The County permit process should require contacting all property owners within 500 feet of Mr. McVicker's property.

This appears to be a matter within the authority of the County of Riverside, rather than Tenaja CSD.

Mike Juha



SRPRC... We Love Our Horses!



Saturday, August 27, 2016

Welcome

OUR COMMITMENT

The Santa Rosa Plateau is an equestrian friendly community made up of private communities of La Cresta, La Cresta Highlands, Meadow Oaks, Santa Rosa West, Teraja and the Trails.

The Santa Rosa Plateau Riding Club is an active group of equestrians and plateau residents who promote neighborhood community activities.

Recreational trails cover the plateau providing opportunities for riders and horseback riders.

Membership is open to all property owners or residents on the Santa Rosa Plateau.

The objectives of the Club are:

To create and preserve riding trails on the Santa Rosa Plateau.

Promote better horsemanship.

Sponsor equestrian social activities such as horse shows, play days, trail rides, dinners and camp-outs.

Coordinate the trails between the different Plateau Property owner associations.



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ORDINANCE NO. 348.4835  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE  
PLANNING AND ZONING REGULATIONS AND RELATED FUNCTIONS.  
ARTICLE XXI DEFINITIONS

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**SECTION 21.64. STABLE, COMMERCIAL.**

A stable for horses which are let, hired, used or boarded on a commercial basis and for compensation.

Amended Effective:  
Ord. 348.4705 Item 16.2 of 11/88/11 (Effective Date: 12/08/11)



**ORDINANCE NO. 348, 4802**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE**  
**PLANNING AND ZONING REGULATIONS AND RELATED FUNCTIONS.**  
**ARTICLE VIIb**  
**R-A ZONE (RESIDENTIAL AGRICULTURAL)**

**ARTICLE VIIb**      **R-A ZONE (RESIDENTIAL AGRICULTURAL)**

The following regulations shall apply to all R-A Zones:

**SECTION 6.60. USES PERMITTED.**

- A.
1. One-family dwellings.
  2. Field crops, and vegetables gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.
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Added Effective:  
02-12-1989 (Ord. 348,388)  
07-23-1996 (Ord. 348,389)
  4. Repealed.  
Amended Effective:  
(Ord. 348,388)
  5. Home occupations.
  6. Planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No. 460 and the development standards in Section 18.5, or 18.6 of this ordinance.

7. The noncommercial keeping of horses, cattle, sheep, and goats on lots or parcels over 20,000 square feet in area and 100 feet in width, provided they are kept, fed and maintained not less than 50 feet from any residence existing at the time such use is established. Two such animals may be kept on each 20,000 square feet up to one acre and two such animals for each additional acre.





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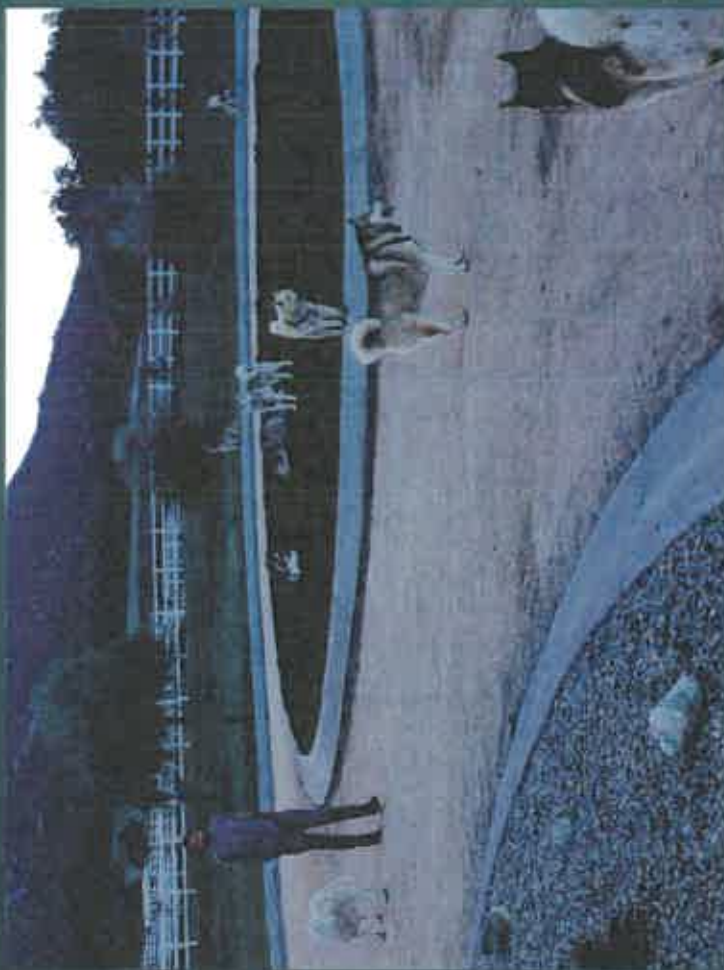




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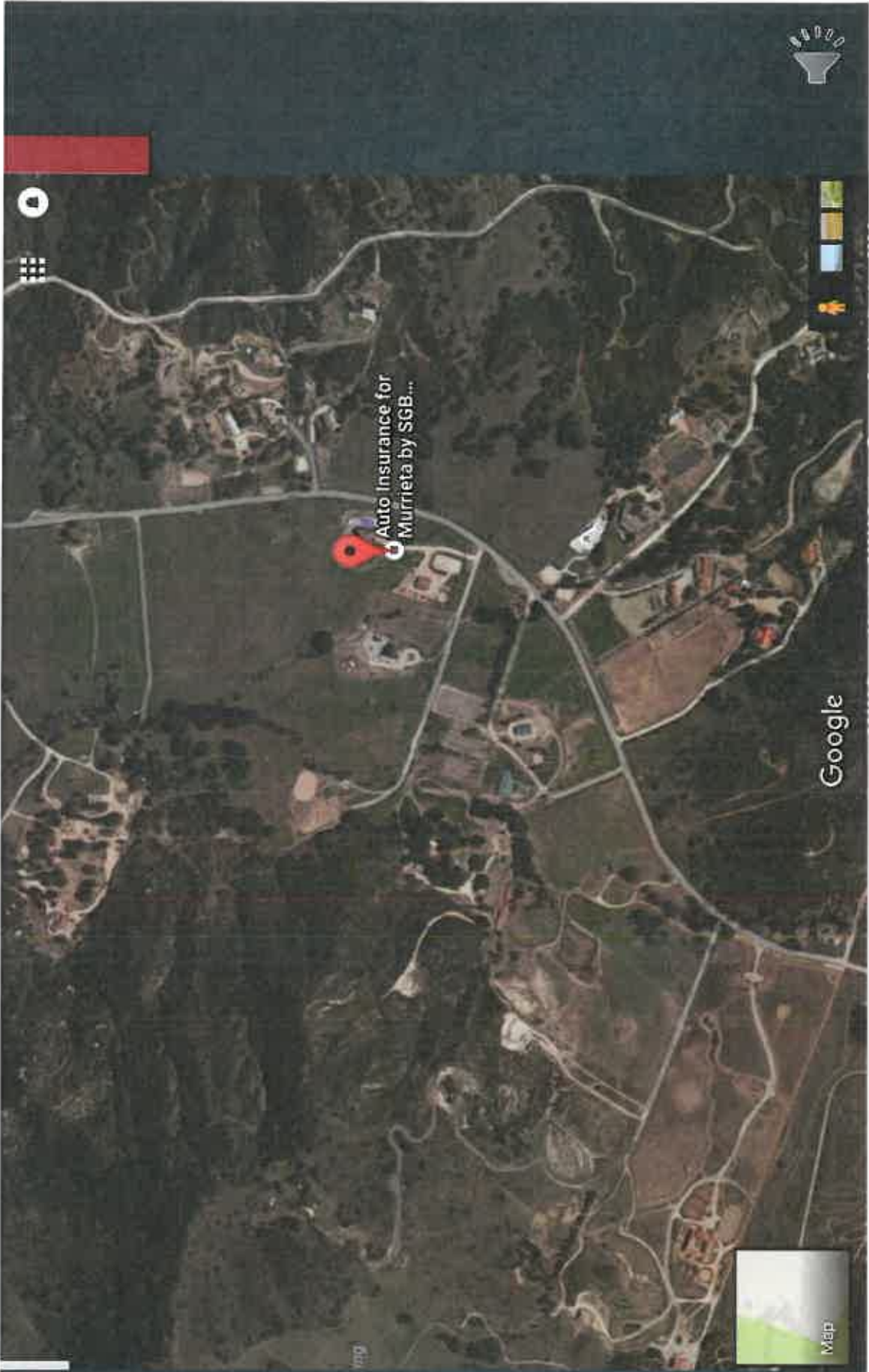
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Google

Map




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Amended Effective:

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02-12-99 (Ord. 348.3857)

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Arlene Miller <tenajacsd@gmail.com>

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To: arlene miller <tenajacsd@earthlink.net>

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Saturday August 27, 2016

WELCOME

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07-23-1999 (Ord. 348.3891)

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Amended Effective:  
(Ord. 348.3891)

5. Home occupations.

6. Planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No. 460 and the development standards in Section 18.5, or 18.6, of this ordinance.

7. The noncommercial keeping of horses, cattle, sheep, and goats on lots or parcels over 20,000 square feet in area and 100 feet in width, provided they are kept, fed and maintained not less than 50 feet from any residence existing at the time such use is established. Two such animals may be kept on each 20,000 square feet up to one acre and two such animals for each additional acre.





**ORDINANCE NO. 348.4802**

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE  
PLANNING AND ZONING REGULATIONS AND RELATED FUNCTIONS.  
ARTICLE VIb R-A ZONE (RESIDENTIAL AGRICULTURAL)**

---

15. The grazing of sheep where such grazing operation is conducted on fields for the purpose of clearing stubble or unharvested crops, without limit as to the number of animals per acre, for a period of not more than 30 days in any six-month period for each parcel.
16. Kennels and catteries are permitted provided they are approved pursuant to the provisions of Section 18.45 of this ordinance.



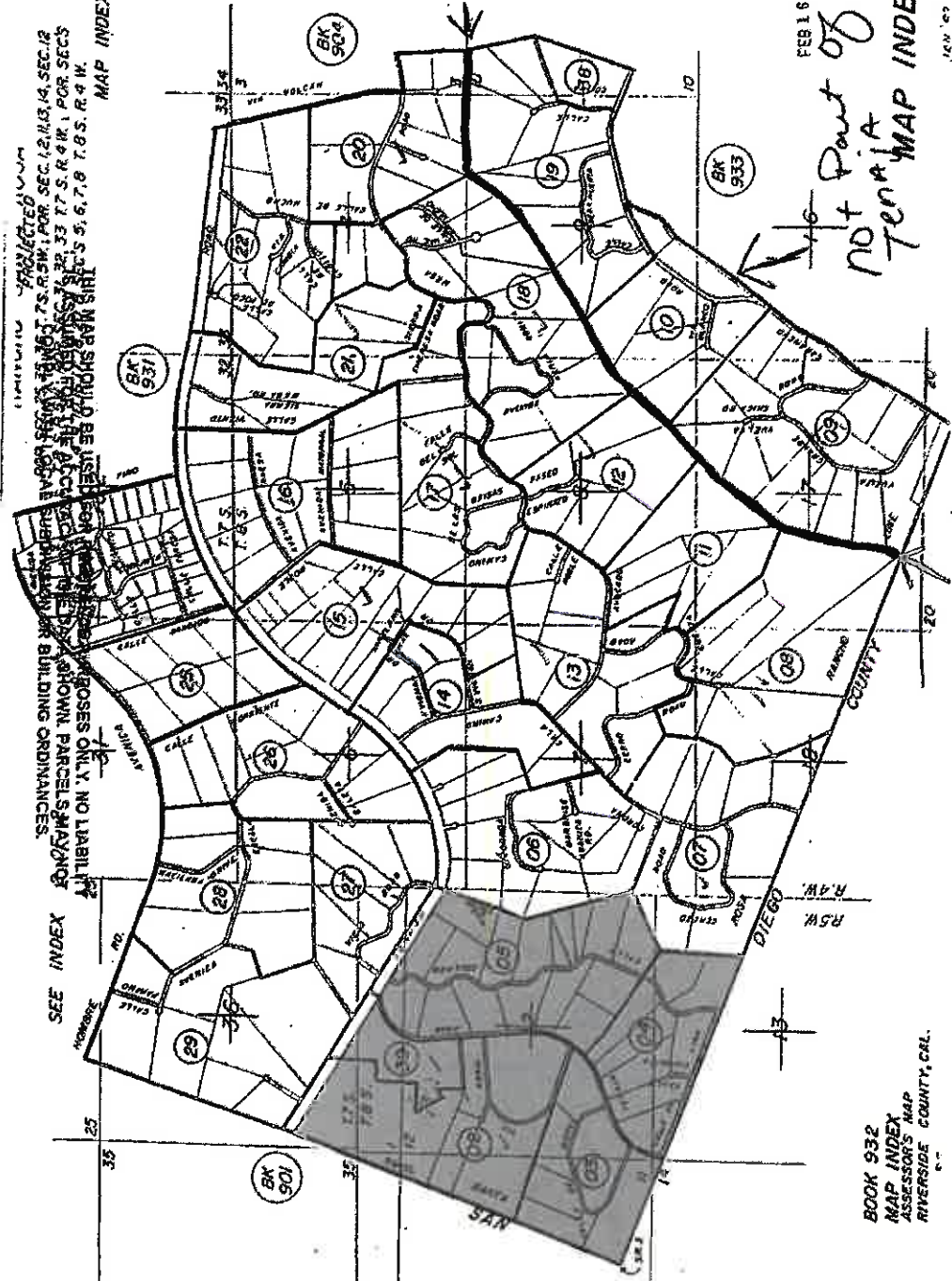


932

MAP INDEX 10F2

THIS MAP SHOULD BE USED IN CONJUNCTION WITH THE MAP INDEX TO THE ASSESSOR'S MAP OF RIVERSIDE COUNTY, CALIF. FOR THE YEAR 1999. THIS MAP SHOWS THE DISTRICT BOUNDARIES AND THE PARCELS WITHIN EACH DISTRICT. THE PARCELS ARE IDENTIFIED BY A NUMBER IN A CIRCLE. THE DISTRICTS ARE IDENTIFIED BY A NUMBER IN A CIRCLE. THE MAP INDEX TO THE ASSESSOR'S MAP OF RIVERSIDE COUNTY, CALIF. FOR THE YEAR 1999, SHOWS THE PARCELS WITHIN EACH DISTRICT AND THE DISTRICTS ARE IDENTIFIED BY A NUMBER IN A CIRCLE. THE PARCELS ARE IDENTIFIED BY A NUMBER IN A CIRCLE. THE DISTRICTS ARE IDENTIFIED BY A NUMBER IN A CIRCLE.

SEE INDEX FOR DISTRICT BOUNDARIES AND PARCELS WITHIN EACH DISTRICT. THIS MAP SHOWS THE DISTRICT BOUNDARIES AND THE PARCELS WITHIN EACH DISTRICT. THE PARCELS ARE IDENTIFIED BY A NUMBER IN A CIRCLE. THE DISTRICTS ARE IDENTIFIED BY A NUMBER IN A CIRCLE.



District Boundary

District Boundary

not Part of Ten A MAP INDEX

FEB 16 1999

16N '99


BOOK 932  
MAP INDEX  
ASSESSOR'S MAP  
RIVERSIDE COUNTY, CAL.





## Home Based Commercial Activities in the Tenaaja Area Include but are not limited to:

- ❖ Numerous other residents who conduct horse boarding
- ❖ Surface Mining
- ❖ Liberty Oaks (immediately next door to McVicker's home)
- ❖ Friesian Focus (0.76 miles)
- ❖ Property Used for Cattle Grazing for Jack in the Box (immediately West of McVickers' property) ~ 100 steer
- ❖ Breeding German Shepherds (5.1 miles)
- ❖ Breeding Alpaca (Llama) (7.0 miles)
- ❖ Breeding Maremma Livestock Guardian Dogs (9.3 miles)
- ❖ Training Seeing Eye Dogs (4.8 miles)
- ❖ A Pet Hotel (0.25 miles) recently licensed by Riverside County



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ENLARGE PHOTO

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 3 - 16'W Horse Corral Panel  
 8 - Panel Clamps  
 1 - Gate Chain & Clip

The corral panels are 5'H and the gate panel has a 6'W.

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PRR  
 1000 W. 10TH AVE. S. SPOKANE, ID 83402

FOR MORE INFORMATION AND CATALOGS, CALL 509-485-9111







COUNTY OF RIVERSIDE  
**TRANSPORTATION AND  
LAND MANAGEMENT AGENCY**

**CONDITIONS OF APPROVAL FOR 0925921**

Results for PR25921 as of 8/23/2016 1:25:42 PM

10. EVERY 001   PPA - PROJECT DESCRIPTION   Status: **INEFFECT**   Comments: **Informational**

The use hereby permitted is Class I Kennel (5-10) dogs for the purpose of overnight pet hotel care accommodations for pet owners who need temporary dog placement. This is not a dog rescue facility, and should not be treated as such. No more than ten (10) dogs are allowed on the premises at any given time. The location of this property is at 42810 Anbra Street, Murietta, CA. APN: 932-040-030





X

**Sunins house to  
McVicker house**

Sunins house to McVicker  
house  
Distance = 1368.36725  
miles







California Department of Fish and Wildlife Lands  
 Select a map layer: Select from list of feeds: Use Active Layers  
 Measure v6.22.01

Map Scale: 1:7,224 (Zoom level 13)

Measure Tool Menu  
 Select one of the tools below and interact with the map  
 Return measure in: miles  
 Length: 3.882 mile(s)

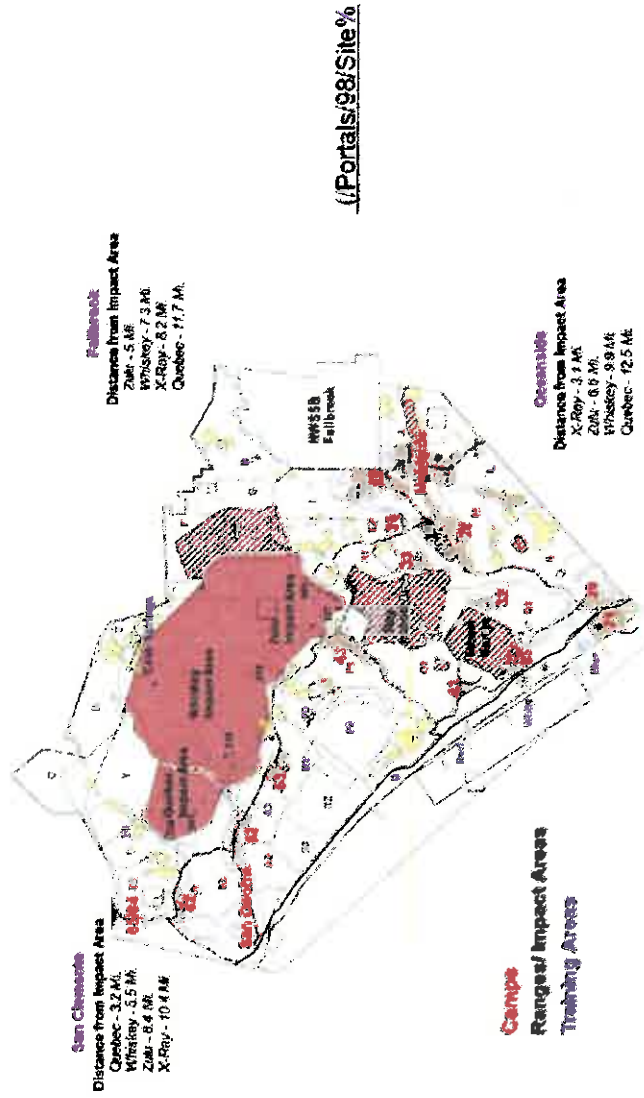
Address: 17370 Via Abril, Murmeta, California, 92562  
 Score: 100  
 Source locator: USA.PointAddress



**NOISE ADVISORY**

**CAMP PENDLETON NOISE GENERATING EVENTS**

Note: Depending on atmospheric conditions, the sound of the explosions may be amplified and heard up to 50 miles away.



**MCI WEST G-3/5 NOISE GENERATING EVENTS**

**27 AUGUST- 02 SEPTEMBER 2016**

**Saturday, August. 27**

**-N/A**

**Sunday, August. 28**

**- N/A**

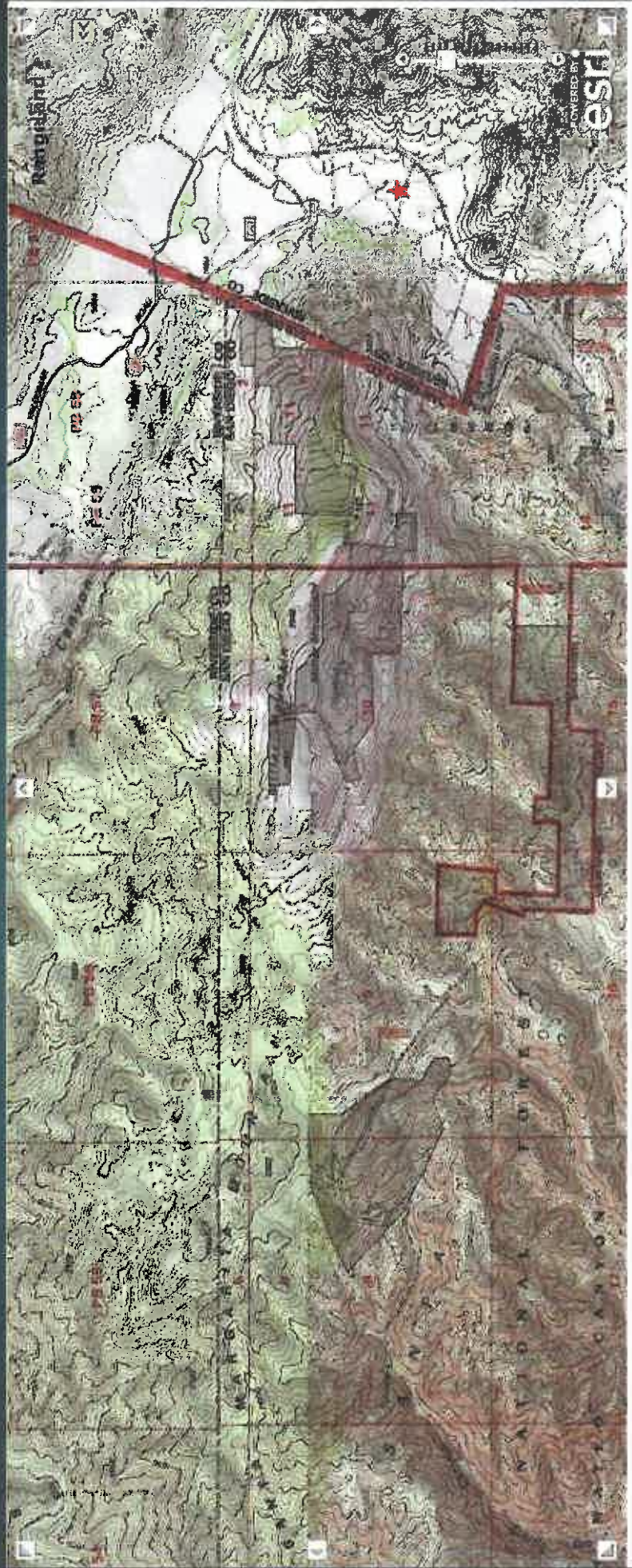
**Monday, August. 29**

**- Mortar Fire 0600-2359  
Firing High Explosive munitions into the Whiskey/Zulu Impact area.**

**Tuesday, August. 30**

**- Mortar Fire 0600-2359  
Firing High Explosive munitions into the Whiskey/Zulu Impact area**







# Sentencing for woman who shot neighbor on camera

Posted: Jan 02, 2016 3:45 PM PST  
Updated: Jan 02, 2016 3:44 PM PST



**VISTA (CNS) - A De Luz woman who shot and wounded a neighbor during a confrontation over a disputed easement road between their rural properties northwest of Fallbrook was sentenced Thursday to 18 years in prison.**

**Alyce Ann Copeland, 64, pleaded guilty earlier this year to an attempted murder charge and firearm and great bodily injury allegations.**

“WHEN PEOPLE HEAR THE STORY THEY SAY HOW CRAZY IS THAT?! I HAVE TO REMIND THEM THAT THERE’S CRAZY AND THERE’S EVIL.”

- THOMAS WESSELS



Liz, this girl is me!  
Please, let's have compassion for  
one another and end this with grass.  
I know you love your dogs and  
have mighty dreams too & you are  
amazing with them. I also love  
my animals and the tranquility  
of this sanctuary; we are blessed  
to call home. We want to be able  
to continue to enjoy all it has  
to offer & we don't want you to be able  
to enjoy it, too.

Sincerely,

Sarina







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## APPENDICES

Appendix A – Larson Dwell Unit Output Data

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## I. Introduction and Setting

### A. Purpose and Objectives

The purpose of this report is to evaluate the existing noise environment at the Shadow Hazy Ranch in order to determine if operations are or are likely to result in violation of applicable County of Riverside noise standards.

### B. Project Location

The proposed development is located De Luz which is an unincorporated area within the County of Riverside located west of the City of Murietta. Specifically, the site address is 27370 Via Abad, Murietta, CA 92562. A vicinity map showing the project location is provided in Figure 2.

### C. Project Description

The project consists of an application for a Class II Dog Kennel on a 5.67 acre rural residential parcel. The site is currently home to 12 hussies. The hussies sleep inside the co-dw residence and have access to the designated outside areas shown in Figure 2, generally in shifts.

### D. Dog Habits

As shown in Figure 2, the property is separated by fences and gates into three separate areas, the lower play area, the dog exercise area and portion of the property east of the blue-line street. The dogs currently spend most of their time indoors, at an inner play area and the exercise area in that order. They are not currently allowed to use the area east of the blue-line street unless the owner is accompanying them.

The floor of this home is tiled with ceramic tile, which is cool for the dogs and easy to clean. There are pillows and beds placed randomly throughout the house for the dogs to relax on. Bedding is located in all the areas that the dogs are confined in. At night, the hussies are brought inside and doors are closed. Currently the husky dogs sleep in the kitchen area on couches, in the main living room area, and in the bedroom for the best, under the bed, in closets, and on floor dog pillows. There is a small fenced in area accessible to the owner's bedroom where the hussies can go outside to relieve themselves at night. A Flat Flat has been submitted that proposes construction of two shifed hnd kennels, which will be allowed to house the hussies at night once built.

The lower play area is a gated area where the dogs have continuous access during the day from the house. Although they are exercised and allowed outside in shifts. The lower play area is filled with pine gravel and includes a sandbox and grassy areas. Shade is provided for the dogs with tarps, trees and the pads.

The hussies only have access to the exercise area during supervised exercise periods. This area is delineated by the blue line in Figure 2.

### Schedule/Supervision

The dogs are supervised 24/7. There are two caregivers that work eleven hour shifts, six days a week. When the caregiver is off duty, the owners take over and follow the same checklist of responsibilities. There is also a head count sheet utilized to keep track of the whereabouts of every single dog at all times.

The huskies are exercised at least 4 times a day within the secure fenced in areas on the property. Each exercise period lasts 1 1/2 hours totaling 4 1/2 hours each day. The dogs are separated into groups of 6-10 for exercise time. After exercise, the dogs are kept within the confines of the house and the inner play area where they are free to roam. They are allowed access to house areas and the inner play area in small groups.

During quiet/down time dogs may be groomed, undergo basic obedience training or rehab. Monthly, the huskies are vaccinated and their teeth are checked. It is ranch policy that at least one caregiver is always within view and hearing of the husky dogs.

The following is a summary of the typical daily schedule.

### Daily Schedule

- 6:00 am to 8:30 am -- Wake up and morning Exercise/Playtime
  - Dogs are generally kept in the back yard
- 8:30 am to 9:30 am -- Snacks/Quiet Time
- 9:30 am to 12:00 pm -- Naptime/Quiet Time
- 12:00 pm to 1:30 pm -- Exercise/Playtime
  - Dogs are generally kept in the back yard
- 1:30 pm to 3:00 pm -- Quiet Time/Grooming/Snacks
- 3:00 pm to 4:00 pm -- Dinner is prepared fresh and served by 4:00 pm
- 4:00 pm to 5:30 pm -- Exercise/Playtime
  - Dogs have access to the backyard, front and side yards with supervision
- 5:30 pm to 7:00 pm -- Snacks/Quiet Time
- 7:00 pm to 8:30 pm -- Potty time
  - Dogs are allowed in the side and front yards during this period with supervision only.
- 8:00 pm to 8:30 am -- Bedtime
  - The dogs tend to settle down for the night when the sun goes down, so they may be allowed in the front backyard to relieve themselves for brief periods.

### Notes:

When the owner gets up in the morning, he accompanies the dogs outside so that they can relieve themselves. This can occur anywhere between 3:30 to 4:30 am. After relieving themselves, the dogs go back to sleep until approximately 7 am for breakfast and their first exercise/playtime.





Figure 2. Project Location Map



Table 1. Definitions of Acoustical Terms

Term	Definition
Decibel, dB	A logarithmic unit of noise level measurement that relates the energy of a noise source to that of a constant reference level, the number of decibels is 10 times the logarithm to the base 10 of this ratio.
Frequency, Hertz	In a function of time, the number of times that the quantity repeats itself in one second (i.e., the number of cycles per second).
A-weighted Sound Level, dBA	The sound level obtained by use of A-weighting. The A-weighting filter emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear.
Root Mean Square (RMS)	A measure of the magnitude of a varying noise source activity. The RMS derives from the calculation of the square root of the mean of the squares of its values. It can be calculated from either a series of time values or a continuous varying function.
Fast/slow Meter Response	The fast and slow meter responses are different settings on a sound level meter. The fast response setting takes a measurement every 100 milliseconds, while a slow setting takes one every second.
$L_{eq}$ , $L_{eq}$ , $L_{eq}$ , $L_{eq}$	The A-weighted noise levels that are equalized or uncorrected by a frequency sound level, 2 percent, 5 percent, 50 percent, and 90 percent of a stated time period, respectively.
Equivalent Continuous Noise Level, $L_{eq}$	A level of steady state sound that in a stated time period, and a stated location, has the same A-weighted sound energy as the time-varying sound described.
$L_{max}$ , $L_{min}$	$L_{max}$ is the HNC (peak noise pressure) maximum level of a noise source or environment measured on a sound level meter, during a designated time interval, using fast meter response. $L_{min}$ is the minimum level.
Ambient Noise Level	The A-weighted noise environment associated with a given environment, at a specified time, usually a composite of sound from many sources, at many different locations, near and far, in which usually no particular sound is dominant.
Offensive/Offending/Intrusive Noise	The noise that intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of sound depends on its amplitude, duration, frequency, and time of occurrence, and time information relevant to well as the prevailing ambient noise level.

Adapted from: CPVIA, Inc. P-7: Application of Acoustical Measurements and Noise Criteria, 1995.

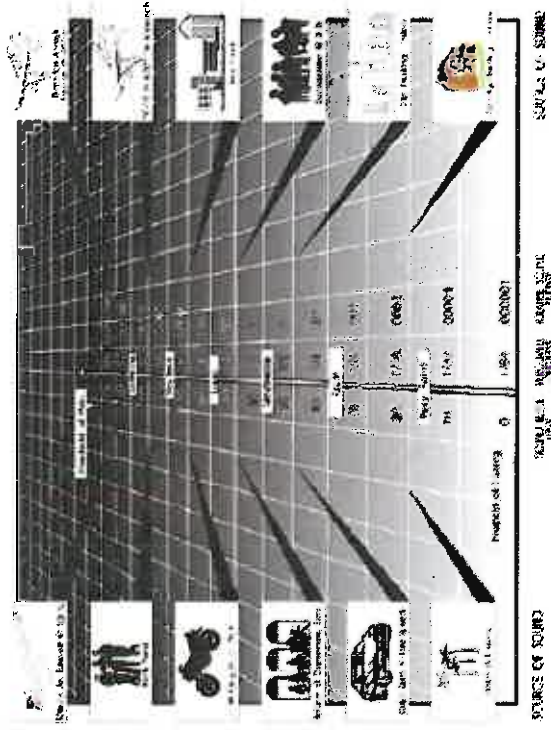


Figure 3. Common Noise Sources and Noise Levels

### III. Existing Noise Environment

#### A. Existing Land Uses and Sensitive Receptors

The project site is an existing single family parcel. Properties zoned for dog's family and agricultural uses surround the project site. The closest residential dwelling is located approximately 380 feet northeast of the project area where the dogs have access to. The next closest residential dwelling is over 800 feet from the subject property.

On the property directly to the east, there is a large chicken coop and 18 boarded horses. Corns are as close as 95 feet to the fenced in dog area and the horse barn is situated approximately 180 feet from the nearest dog run area.

Multiple horses were observed at 43475 Teraja Road and 43515, Teraja Road, and 17355 Via April and 17250 Via Abril. A donkey was also observed on the property located south of the project site. A dog located on the property south of the subject site was also observed barking at the technician as she approached the subject property. It should be noted that this is a rural location near the Santa Rosa Preserve Ecological Reserve and it is very common to hear and/or encounter coyotes in the area. They can be very loud and disturbing when howling together.

The La Gracia B. Fournier Meats recently reported that the same two best dogs that belonged to the project proponent that were found on the proponent's property on November 5, 2015. The project proponent has submitted several photographs of dirty and/or roaming dogs near their property.

The project site is located within 3.5 miles from Camp Pendleton. Barking activities and aircraft overflight associated with Camp Pendleton is often audible in the project area.

The State of California defines sensitive receptors as those land uses that require severity or are otherwise adversely affected by noise events or conditions. Schools, libraries, churches, hospitals, single and multiple family residential, including transient lodging, motels and hotel uses make up the majority of these areas. Sensitive receptors that may be affected by project generated noise include the single-family residential dwelling units situated near the project site.

#### B. Ambient Noise Measurements

An American National Standards Institute (ANSI) Section S4.137.9, Type 1) Larson Davis model Lx1 sound level meter was used to document existing ambient noise levels. A 24-hour noise measurement was taken at approximately 15 feet west of an on-site dog enclosure. The noise measurement location is shown in Figure 2. Measurement output data is presented in Table 2. Meter output is included in Appendix A.

No dog barking was observed by the technician when she drove to the front gate and got out of her car and chatted with the site caretaker. Further, no barking was noted when a LMS

truck showed up and the driver got out of his vehicle a few minutes later and also spoke to the onsite caretaker. Twelve (12) dogs were outside in the yard at the time of the technician's arrival. The technician then walked along the on-site wash area for approximately 350 feet and set the noise meter 15 feet from the fenced dog activity area where 12 dogs greeted her with a few friendly barks that lasted for no more than 10 seconds. Other observed noise sources included aircraft flyovers, horse neighing, chickens, distant construction, and neighbor dogs barking.

Table 2

Long-Term Noise Measurement Data-LTI (dBA)<sup>1,2</sup>

Hourly Measurements, Overall Summary	Time Started	24 Hour Ambient Noise										
		L <sub>eq</sub>	L <sub>max</sub>	L <sub>10</sub>	L <sub>5</sub>	L <sub>1</sub>	L <sub>0.5</sub>	L <sub>0.1</sub>	L <sub>0.05</sub>	L <sub>0.01</sub>	L <sub>0.001</sub>	
1	11:00 AM	42.1	50.5	43.3	43.3	38.7	37.5	33.3	32.3	28.6	27.2	27.2
2	12:00 PM	33.7	35.0	31.5	31.5	28.9	28.9	25.1	24.1	20.4	19.4	19.4
3	1:00 PM	36.7	37.3	34.9	34.9	31.3	31.3	27.5	26.5	22.8	21.8	21.8
4	2:00 PM	31.8	33.3	30.9	30.9	28.3	28.3	24.5	23.5	19.8	18.8	18.8
5	3:00 PM	44.4	45.4	43.0	43.0	39.4	39.4	35.6	34.6	30.9	29.9	29.9
6	4:00 PM	44.2	45.4	43.0	43.0	39.4	39.4	35.6	34.6	30.9	29.9	29.9
7	5:00 PM	38.5	39.5	37.1	37.1	33.5	33.5	29.7	28.7	25.0	24.0	24.0
8	6:00 PM	38.1	39.1	36.7	36.7	33.1	33.1	29.3	28.3	24.6	23.6	23.6
9	7:00 PM	42.7	43.7	41.3	41.3	37.7	37.7	33.9	32.9	29.2	28.2	28.2
10	8:00 PM	31.2	32.2	28.8	28.8	25.2	25.2	21.4	20.4	16.7	15.7	15.7
11	9:00 PM	32.9	33.9	31.5	31.5	27.9	27.9	24.1	23.1	19.4	18.4	18.4
12	10:00 PM	28.2	29.2	25.8	25.8	22.2	22.2	18.4	17.4	13.7	12.7	12.7
13	11:00 PM	25.7	26.7	23.3	23.3	19.7	19.7	15.9	14.9	11.2	10.2	10.2
14	12:00 AM	24.2	25.2	21.8	21.8	17.8	17.8	14.0	13.0	9.3	8.3	8.3
15	1:00 AM	21.6	22.6	18.2	18.2	14.2	14.2	10.4	9.4	5.7	4.7	4.7
16	2:00 AM	22.6	23.6	19.2	19.2	15.2	15.2	11.4	10.4	6.7	5.7	5.7
17	3:00 AM	23.8	24.8	20.4	20.4	16.4	16.4	12.6	11.6	7.9	6.9	6.9
18	4:00 AM	28.4	29.4	25.0	25.0	21.0	21.0	17.2	16.2	12.5	11.5	11.5
19	5:00 AM	28.9	29.9	25.5	25.5	21.5	21.5	17.5	16.5	12.5	11.5	11.5
20	6:00 AM	37.3	38.3	34.9	34.9	31.3	31.3	27.5	26.5	22.8	21.8	21.8
21	7:00 AM	39.8	40.8	37.4	37.4	33.8	33.8	29.9	28.9	25.2	24.2	24.2
22	8:00 AM	38.1	39.1	35.7	35.7	32.1	32.1	28.3	27.3	23.6	22.6	22.6
23	9:00 AM	40.3	41.3	37.9	37.9	34.3	34.3	30.5	29.5	25.8	24.8	24.8
24	10:00 AM	35.1	36.1	32.7	32.7	29.1	29.1	25.3	24.3	20.6	19.6	19.6

<sup>1</sup> See Figure 4 for noise measurement locations. Noise measurements were performed on a 24-hour basis.

<sup>2</sup> Noise measurement was performed from February 18, 2016 to February 21, 2016.

#### IV. Regulatory Settings

Revised County Code Section 6.04.250 states that it is unlawful for any person to keep or allow to be kept, or suffer or permit any dog to remain upon the premises under the control of such person, when such dog habitually barks, whines or barks loud or unusual noises in such a manner as to disturb the peace and quiet of the neighbors surrounding or in the vicinity of such premises, or whose barking or howling or other sound or cry interferes with any person of ordinary sensitivity in the reasonable and comfortable enjoyment of life and property. Because this is a subjective standard for which there is no numerical noise level, the Hamilton County Department of Environmental Health's Office of Industrial Hygiene has established noise standards for stationary noise sources that are routinely applied to dog kennel permit applications. Specifically, the office requires that facility-related noise, as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or raising home", must not exceed the following worst-case noise levels:

- 45 dBA - 10 minute noise equivalent level ( $L_{eq}$ ) between the hours of 10:00 PM and 7:00 AM (nighttime standard)
- 55 dBA - 10 minute noise equivalent level ( $L_{eq}$ ) between the hours of 7:00 AM and 10:00 PM (daytime standard)

#### V. Analysis and Findings

In order to be consistent with County's stationary noise source standards, the combined barking associated with the kennel may not exceed a ten-minute  $L_{eq}$  of 65 dBA between the hours of 7:00 AM and 10:00 PM or a ten-minute  $L_{eq}$  of 45 dBA between the hours of 10:00 PM and 7:00 AM at properties with habitable dwellings.

##### A. Measured Noise Levels

Based on two separate 24-hour noise measurements, there are currently no violations in the County's daytime or nighttime noise standards (see Table 2).

##### B. Calculated Worst-Case Noise Levels

Dogs are mobile point noise sources that only occasionally make noise and because they are mobile, it is impossible to model every scenario that could occur. The sound associated with a bark drops off by 6 dBA per each doubling of the distance away from the receiver.

However, utilizing the noise reference level of 54.5 dBA  $L_{eq}$ , it can be surmised that eighteen dogs could be barking and playing within 27 feet of the property line and not exceed the daytime noise standard and eighteen dogs could be within 43 feet of the property line and

<sup>1</sup> Tennessee Department of Health, Noise Measurements, Item Environmental November 20, 2014



not exceed the nighttime standard. For the purposes of this analysis, the on-site ground surface within 50 feet of the property line is considered to be "soil" rather than "hard".

#### C. Conditions

Although it is likely that the dogs do bark when people arrive or leave the property or when a strange animal or person approaches their property, it is unlikely that this barking continues long enough and occurs close enough to property lines to exceed the noise standards. Further, the twenty-four measurement conducted near the bushes' most frequented outside area did not show that the dogs or anything else caused an exceedance in the daytime or nighttime noise level standards.

However, in order to ensure that the dogs do not cause violations at the project property line they should not be allowed to bark for more than five minutes within 77 feet of adjacent occupied property between the hours of 7:00 AM and 10:00 PM and should not be allowed to bark more than five minutes within 43 feet of said property between the hours of 10:00 PM and 7:00 AM.

Considering that the twenty-four hour noise measurement did not indicate that the bushes are currently exceeding the day or nighttime noise standards and the appropriate strict management of the facility it is very unlikely that activities related to the bushes will result in violators of the County's noise standards. The above measures, recommending that the dogs are not allowed to bark for more than five minutes at certain distances should be adhered to in order to be certain that the noise standards will not be exceeded.

## VI. References

---

- California Department of Transportation  
California Department of Transportation (Caltrans). 2009. Technical Noise Supplement, November
- Harris, Cyril M.  
1991. Handbook of Acoustical Measurement and Noise Control. "Acoustical Society of America." Woodbury, N.Y.
- Blueside County  
2009. Department of Environmental Health, Noise Standards for Stationary Noise Sources. November 23.  
County Code, as updated on December 17, 2015.
2003. General Plan Noise Element
- Roma Environmental  
2014 Tennessee Deptojin Outdoor Play Area Noise Measurements. November 24.



**APPENDIX A**

**Larson Davis LDT Fibre Measurement Data**

Summary  
 File Name: L71  
 Serial Number: 0003009  
 Model: SoundTech L6T  
 Firmware Version: 2.302  
 User: Remo Strömberg  
 Start: 2016-02-10 10:57:57  
 Stop: 2016-02-11 12:26:31  
 Duration: 1:28:33.7  
 Run Time: 1:27:56.5  
 Pause: 0:01:37.2

Pre Calibration: 2016-02-10 10:29:11  
 Post Calibration: Note

Calibrations: Deviation

Overall Settings  
 RMS Weight: A Weighting  
 Peak Weight: Z Weighting  
 Detector: Slow  
 Preamp: Direct  
 Microphone Correction: Off  
 Integration Method: Linear  
 OSA Range: High  
 OSA Bandwidth: 1/1 and 1/3  
 OSA Freq. Weighting: A Weighting  
 OSA Max Spectrum: 1st Max  
 Overload: 118.5 dB

Results  
 L(Aeq) 42.6 dB  
 L(AE) 57.2 dB  
 L(A) 185.826 µPa²  
 L(A) 53.402 µPa²  
 L(A) 292.012 µPa²  
 L2peak [max] 107.2 dB  
 L(A)max 77.3 dB  
 L(A)min 15.3 dB  
 SEA

L(Ceq) 55.2 dB  
 L(Ceq) 42.6 dB  
 L(Ceq) 32.6 dB  
 L(A)eq 48.2 dB  
 L(A)eq 42.6 dB  
 L(A)eq 5.6 dB  
 #Overloads 0

Statistics  
 L(A) 47.3 dB  
 L(A) 39.7 dB  
 L(A) 38.4 dB  
 L(A) 32.0 dB  
 L(A) 27.0 dB  
 L(A) 17.3 dB

Row #	Date	Time	Run Duration	Run Time	Perms	Latq
1	2016-02-10	11:00:00	1:00:00.0	1:00:00.0	0:00:00.0	42.1
2	2016-02-10	12:00:00	1:00:00.0	1:00:00.0	0:00:00.0	33.7
3	2016-02-10	13:00:00	1:00:00.0	1:00:00.0	0:00:00.0	36.7
4	2016-02-10	14:00:00	1:00:00.0	1:00:00.0	0:00:00.0	51.8
5	2016-02-10	15:00:00	1:00:00.0	1:00:00.0	0:00:00.0	44.4
6	2016-02-10	16:00:00	1:00:00.0	1:00:00.0	0:00:00.0	44.2
7	2016-02-10	17:00:00	1:00:00.0	1:00:00.0	0:00:00.0	38.5
8	2016-02-10	18:00:00	1:00:00.0	1:00:00.0	0:00:00.0	48.4
9	2016-02-10	19:00:00	1:00:00.0	1:00:00.0	0:00:00.0	46.7
10	2016-02-10	20:00:00	1:00:00.0	1:00:00.0	0:00:00.0	31.2
11	2016-02-10	21:00:00	1:00:00.0	1:00:00.0	0:00:00.0	32.9
12	2016-02-10	22:00:00	1:00:00.0	1:00:00.0	0:00:00.0	36.2
13	2016-02-10	23:00:00	1:00:00.0	1:00:00.0	0:00:00.0	25.7
14	2016-02-11	00:00:00	1:00:00.0	1:00:00.0	0:00:00.0	24.2
15	2016-02-11	1:00:00	1:00:00.0	1:00:00.0	0:00:00.0	21.6
16	2016-02-11	2:00:00	1:00:00.0	1:00:00.0	0:00:00.0	32.6
17	2016-02-11	3:00:00	1:00:00.0	1:00:00.0	0:00:00.0	25.8
18	2016-02-11	4:00:00	1:00:00.0	1:00:00.0	0:00:00.0	29.4
19	2016-02-11	5:00:00	1:00:00.0	1:00:00.0	0:00:00.0	28.9
20	2016-02-11	6:00:00	1:00:00.0	1:00:00.0	0:00:00.0	37.3
21	2016-02-11	7:00:00	1:00:00.0	1:00:00.0	0:00:00.0	32.8
22	2016-02-11	8:00:00	1:00:00.0	1:00:00.0	0:00:00.0	39.1
23	2016-02-11	9:00:00	1:00:00.0	1:00:00.0	0:00:00.0	40.8
24	2016-02-11	10:00:00	1:00:00.0	1:00:00.0	0:00:00.0	38.1
25	2016-02-11	11:00:00	1:00:00.0	1:00:00.0	0:00:00.0	29.4

## On-Site Observations

I visited the site on three occasions. While there, I observed that....

- o The huskies are well supervised by skilled caretakers.
- o They are kept on a regular schedule.
- o They are well exercised but seem to spend most of their time relaxing in the inner play area and inside the house.
- o There are several other noise sources in the project area including but not limited to a donkey, aircraft, horses, chickens, distant construction, and dogs barking on other properties. The huskies barked when I arrived for a few moments and quickly quieted down.

While on-site I conducted two ten-minute noise measurements and one twenty-four hour noise measurement just outside the "inner play area". Although not required by the County, I conducted the 24-hour measurement because the dogs did not make any noise to speak of during the two ten-minute noise measurements I conducted. The 24-hour noise measurement indicated that the applicable noise standards are not likely to be violated.

### Applicable Noise Standard/Analysis

The applicable noise standards were developed by the Riverside County Department of Environmental Health and are included in the County's General Plan Noise Element. The County has routinely applied standards to dog kennel permit applications. The standards are the average noise level as measured over ten minutes. Specifically, the County requires that facility-related noise, as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home", must not exceed

- o A 65 dBA 10-minute noise equivalent level ( $L_{eq}$ ) between the hours of 7:00 AM and 10:00 PM; or
- o A 45 dBA 10-minute noise equivalent level (Leq) between the hours of 10:00 PM and 7:00 AM

A scenario where the huskies could violate the noise standard, however unlikely, would require them to be barking for five minutes within 43 feet of the property line between the hours of 7:00 AM and 10:00 PM or within 27 feet of the property line between the hours of 10:00 PM and 7:00 AM.

## Conclusion

As you can see in the figure, the huskies would need to be outside of the regular play and exercise areas to exceed this standard. Further, if the dogs are ever allowed outside of these areas, they are well supervised. Therefore, it is my opinion that it is highly unlikely that the applicable noise standards would be violated.



(Talk introduction) (1)

I would like to first say thank you to my wife Elizabeth, none of this would have been possible if not for my best friend. The emotional and physical drain on us has been utterly tremendous!!

Thank you to all our supporters that have taken time out of there busy day to come here to support our personal Husky pets. Thank you to South land Engineering Alan Martin, Lisa Merritt, Larry Myers our attorney for all his hard work he has done throughout the year! Our office staff\_Susan, Rosa, Brandon at McVickers family Law thank you! We have received over 400 hundred signed pledge letters this year in support of our Class 2 Permit to house our personal pets. Thank you to all those wonderful people too!

(Intro to before and after pics)

(2)

What I would like to show you now, some before and after pictures of the Ranch. Over a million dollars has been spent on this property housing ourselves and our personal pets.

(Fencing big area)

(3)

Fencing: All most 6 acres fenced in of Top Commercial Grade Fencing at 54 inches high with heavy reinforced metal screens attached to the face were installed and buried a foot underground at the bottom of the fence to secure the property.

(Secondary entrance fence)

(Drive Way)

(4)

What we have here is a Secondary Gate Entrance to secure our personal Pets from leaving the property at the main gate. When anyone enters the main gate they pull in and close the main gate first, then open the secondary gate to enter, then close secondary gate and chain it up. This is a Major safe Guard for us!

(Protective Dog Run Fencing)

(5)

Liz and I got a call one day from the Tenaja Association that SCOTT BECKER left a message on their voice mail that he wanted to shoot our Personal Husky Pets Dead. (Which has all been documented and recorded) Becker's horse stalls are about 1 foot away from our property line which is in violation of the Tenaja's CCRS set backs of 35 feet. With no setbacks Becker's horses were way to close to our property. This did not give the horses room to feel comfortable with the dogs, being locked in there stalls with no place to go.

Fearing for our pets' lives because of Beckers, we had to build a 20 thousand dollar protective Dog run down the middle of our property taking 3 acres away to keep our pets safe from potential harm.

(Next picture is out Back Yard inner Fencing dog run).

(6)

This area is our safe zone for our pets to protect the dogs from rural wildlife including coyotes and mountain lions. Fencing is 6 feet high in about a half an acer of play area. They can be alternated in groups to have their play time here and watched in close view. Here also is there

swimming pool area and there sand box. Shades were installed in the area for them to get out of the sun and cool down. I brought in 250 tons of pea gravel rock at 4 inches thick with filter Cloth to keep weeds and grass from growing. I also put in a large section of grass surrounding the sand box witch they love to play in. By our bedroom we built a fenced in extension area were the pets can go out the dog door from our bedroom to potty at night or sleep in the pet shed or around it on pillows. The pet shed is Equipped with air conditioning and two doggy doors.

(Water troughs and feeders)

(7)

Water troughs and food feeders are made out of 1 foot thick PVC pipe cut in half at 6 inches deep and 15 feet long. All on stands to keep food and water up high for less stress on the pet's stomach. Water feeders are clean and refilled daily with drain plugs on each one for easy cleaning and draining. There are also food and water bowls throughout our house.

(Video cameras on all sides of the house)

(8)

We installed 24 hour video cameras on all sides of the house. This makes it nice during the day if we want to check in on our personal pets with our I-pads. The night vision on these cameras are really good if we need to see anything out there at night.

(Pet House in play area)

(9)

The pet House that has been approved but not completed is 490 square feet will have 4 doggy doors Windows, air conditioned, and a flat screen set up for their dog TV. They have the same flat screens in every room in our house that relaxes them when watching their Dog T V.! The pet House will be attached to the inter fencing in the back yard on the west side also for easy access to and from play area for sleeping through the day or night.

(Closing thoughts and what love is)

(10)

In closing I just wanted to share with you a life changing experience I had back in 2006.

I went through a very devastating Divorce after being married for sixteen years. I lost my house, custody of my 12 year old child and my family dog, due to a bitter X-wife that wanted to hurt me.

I packed up all my clothes into my Fifth Wheel Trailer leaving everything behind that I had worked so hard for, and moved up into the Ortega's to a mobile home park.

Being the extreme dog lover that I am and my X-wife not letting me see my dog, I wandered into the Orange County Shelter and there I saw Shadow, a Siberian husky. It was love at first sight as he leaned up against me in the cage and looked up at me. I will never forget that day, they said Shadow had one more day left and they were going to put him down. I got Shadow out that day and took him up into the ORTEGA Mountains for seven years where I lived and loved this animal more than anything I had loved before! I trained Shadow to be a Therapy Dog because he loved humans so much!! He would go up to each person in a group not missing anyone greeting them with a Shadow Nudge and kiss. I took all that pain from my divorce and

directed it in visited people in resting homes and convalescent centers with Shadow sharing his love for humans. Shadow went to work with me every day in my Big Rig we were always together. People on my Facebook still talk about his love he gave so freely to them. I wrapped my heart around him and he became my true soul mate and my knight in shining armor. Shadow gave me purpose in this life, something that's given me so much joy in loving these animals. None of us would be here today if I had never experienced the unconditional love that Shadow gave me. Portole France wrote --" If one has not loved an animal a part of one's soul remains awakened!" My friends my soul is very awake and I love my 18 Fuzzy Butts and my wife more than anything in this whole world. What my wife and I have had to deal with because of SCOTT and SERINA Becker this past year is unimaginable emotional pain. I'd like to show you now, (what real love is) at The Shadow Husky Ranch.

( Welcome To Our World. )













