



Cost Recovery Systems, Inc.

July 21, 2020

Ms. Heather Halsey
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

RECEIVED
July 21, 2020
*Commission on
State Mandates*

**Response to SCO's July 16, 2020 Response to
Draft Proposed Decision: Animal Adoption Incorrect Reduction Claim (17-9811-I-04)**

Dear Ms. Halsey,

Please accept the attached Declarations from Ms. Adrianna Atteberry and Ms. Kristin Hebertson-Hall in response to SCO recommendation to reduce the time allocation spent on Care and Maintenance.

We request that City staff time/percentage allocations be used rather than SCO estimates.

SCO's letter did not address actual staffing levels and circumstances in FY 2008-09 which had relevance in the percentages determined during the audit. The City agrees to the reduction of the 85% allocation in FY 2007-08 to 60% as explained in the declaration statements.

Both Ms. Atteberry and I will be in "virtual" attendance to the Commission meeting schedule this Friday, July 24th.

Thank you,

A handwritten signature in black ink, appearing to read 'Annette S. Chinn'.

Annette S. Chinn
Cost Recovery Systems, Inc.
Consultant Representative for the
Town of Apple Valley



Town of
Apple Valley

Town of Apple Valley Animal Services

22131 Powhatan Rd (physical) • Apple Valley, California 92308
14955 Dale Evans Parkway (mailing) • Apple Valley, California 92307


Tuesday, July 21, 2020

DECLARATION OF ADRIANA ATTEBERRY

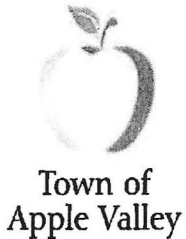
I, Adriana Atteberry, do hereby declare as follows:

1. I am the Animal Services Supervisor for the Town of Apple Valley and have serviced in this capacity since October 24, 2017. I have personal knowledge of the facts stated in this Declaration, unless stated on information and belief, in which case, I believe the facts to be true. If so required, if called as a witness, I could and would testify to the statements made herein.
2. As part of my duties, I am responsible for assists in coordinating the work plan for the assigned staff; meets with staff to identify and resolve problems; ensures coverage of staff for all shifts and assignments; assigns work activities, projects, and programs; monitors work flow; reviews and evaluates service delivery, methods, and procedures; makes recommendations for improvement and ensures maximum effective service provision. Creates statistical reports, prepares and analyzes information in order to assess animal services operations.
3. During the audit, I worked with the State Controller's Office and responded to their requests for information. At the time, I provided the allocations of time spent by activity as the auditor requested. The original allocations I provided, before I was asked to reduce them to total to 100% between all classifications, were true and correct.
4. The two tables attached were prepared by the State Controller's Office. While we disagree with their percentages, the staffing information is accurate and shows that the Shelter was short staffed in FY 2008-09 in the Shelter Attendant positions. During that fiscal year, Kristin Hebertson (Hall) was requested to perform the duties of the Shelter Attendant, while we were recruit for this position. Therefore the 85%-time allocation we provided during the audit was correct.
5. However, during FY 2007-08, Kristin's time on general care and maintenance should have been 60%. The Registered Vet Technician was performing the animal care and maintenance in addition to her paraprofessional veterinary medical care (exam, treatments, health evaluations, vaccines) duties.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and that this declaration was executed on July 21, 2020 in Apple Valley, California.



Adriana Atteberry
Animal Services Supervisor
Apple Valley Animal Shelter



Town of Apple Valley

Animal Services

22131 Powhatan Rd (physical) • Apple Valley, California 92308
14955 Dale Evans Parkway (mailing) • Apple Valley, California 92307

Tuesday, July 21, 2020

DECLARATION OF KRISTIN HALL

I, Kristin Hebertson (Hall), do hereby declare as follows:

I am the Veterinary Technician for the Town of Apple Valley. I have been employed by the Town in this capacity since September 11, 2006. I have personal knowledge of the facts stated in this Declaration, unless stated on information and belief, in which case, I believe the facts to be true. If so required, if called as a witness, I could and would testify to the statements made herein.

- 1) My main duties include providing paraprofessional veterinary medical care and treatment of animals as well as providing general care and maintenance to the animals.
- 2) During the audit, I was asked to provide a percentage of time spent only on care and maintenance.
- 3) The Shelter typically employs six Animal Shelter Attendant to provide care and maintenance services to the Town's animals. However, during Fiscal Year 2008-09 half of these positions were vacant, and I was required to absorb more of the general care and maintenance duties this year while we were short staffed. Therefore, it is my believe, that the 85% time provided at the time of the audit was an accurate reflection of time spent on these general care and maintenance activities.
- 4) However, I believe that this percentage for general care and maintenance should have more accurately been 60% during Fiscal Year 2007-08, when the Shelter Attendant positions were adequately staffed.

I am personally conversant with the foregoing facts and information presented in declaration and in this Incorrect Reduction Claim and if so required, I could and would testify to the statements made herein.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and that this declaration was executed on July 21, 2020 in Apple Valley, California.

Kristin Hebertson (Hall)
Registered Veterinary Technician
Apple Valley Animal Shelter

Town of Apple Valley
 Legislatively Mandated Animal Adoption Program
 Fiscal Years (FY's) 2007-08 and 2008-09
 Audit ID # S15-MCC-0033
Care and Maintenance - Salaries and Benefits FY 2008-09

Auditor Analysis

Step 1 - Labor - Actual Salaries & Benefits

Labor- Title, Name	Qty.	Actual	DOF	Adjusted	Benefit	Benefits	Total	% Of Care	Salaries	Benefits	Total
		Salaries	CPI Index	Salaries for							
		Paid		FY 2008-09	Rate	Paid	Benefits	Per	Allowable	Allowable	Benefits
		FY 2007-08	FY 2008-09	FY 2008-09	(d)	(e) =	(f) =	(g)	(h) =	(i) =	(j) =
		(a)	(b)	(c) =		(c) * (d)	(c) + (e)		(c) * (g)	(e) * (g)	(b) + (j)
				(a) * (b)							

[Copy of FY 2007-08

Analysis

*Dept.

Animal Shelter Attendant

304	Hartzler, Don	1	\$ 44,207.40	1.01	\$ 44,649	42.84%	\$ 19,128.00	\$ 63,777.00	60%	\$ 26,789	\$ 11,477	\$ 38,266
301	Hall, Joshua	2										
304	Jensen, Cassandra	3	40,238.97	1.01	40,641	42.84%	17,411.00	58,052.00	60%	24,385	10,447	34,832
304	James, Ronald	4	30,519.44	1.01	30,825	42.84%	13,205.00	44,030.00	60%	18,495	7,923	26,418
301	Ledford, Ashley	5										
304	Kuhns, Philip	6										
			\$ 114,965.81		\$ 116,115		\$ 49,744.00	\$ 165,859.00		\$ 69,669	\$ 29,847	\$ 99,516

Animal Control (Customer Service) Technician

301	Ateberry, Adriana	1	\$ 41,002.81	1.01	\$ 41,413	42.84%	\$ 17,741.00	\$ 59,154.00	5%	\$ 2,071	\$ 887	\$ 2,958
301	Hernandez, Laurie	2	45,708.53	1.01	46,166	42.84%	19,778.00	65,944.00	5%	2,308	989	3,297
304	Weast, Rebecca	3	50,196.92	1.01	50,699	42.84%	21,719.00	72,418.00	5%	2,535	1,086	3,621
301	Gonzales, Christie	4	41,429.29	1.01	41,844	42.84%	17,926.00	59,770.00	5%	2,092	896	2,988
304	Smith, Dona	5	45,842.10	1.01	46,301	42.84%	19,835.00	66,136.00	5%	2,315	992	3,307
			\$ 224,179.65		\$ 226,423.00		\$ 96,999.00	\$ 323,422.00		\$ 11,321	\$ 4,850	\$ 16,171

Animal Control Officer

301	Hall, Joshua	2	\$ 52,163.58	1.01	\$ 52,685	42.84%	\$ 22,570.00	\$ 75,255.00	5%	\$ 2,634	\$ 1,129	\$ 3,763
301	Sulzbarger, Dianno	1	57,180.47	1.01	57,752	42.84%	24,741.00	82,493.00	5%	2,888	1,237	\$ 4,125
301	Thibodeaux, Brent	2	59,225.42	1.01	59,818	42.84%	25,626.00	85,444.00	5%	2,991	1,281	4,272
301	Moyer, Wayland	3	37,116.46	1.01	37,488	42.84%	16,060.00	53,548.00	5%	1,874	803	2,677
			\$ 205,685.93		\$ 207,743.00		\$ 88,997.00	\$ 296,740.00		\$ 10,387	\$ 4,450	\$ 14,837

Animal Control Supervisor

301	Cornett, Barbara	1	\$ 74,775.33	1.01	\$ 75,523	42.84%	\$ 32,354.00	\$ 107,877.00	5%	\$ 3,776	\$ 1,618	\$ 5,394
	Whiteside, Gina	2	n/a	n/a	11,274	42.84%	\$ 4,830.00	16,104.00	5%	564	242	806
			\$ 74,775.33		\$ 86,797.00		\$ 37,184.00	\$ 123,981.00		\$ 4,340	\$ 1,860	\$ 6,200

Registered Vet Tech

304	Hebertson, Kristin A.	1	\$ 49,533.45	1.01	\$ 50,029	42.84%	\$ 21,432.00	\$ 71,461.00	20%	\$ 10,006	\$ 4,286	\$ 14,292
			\$ 49,533.45		\$ 50,029		\$ 21,432.00	\$ 71,461.00		\$ 10,006	\$ 4,286	\$ 14,292

Animal Shelter Supervisor

304	Rogers, Sheri	1	\$ 56,624.28	1.01	\$ 57,191	42.84%	\$ 24,501.00	\$ 81,692.00	5%	\$ 2,860	\$ 1,225	\$ 4,085
			\$ 56,624.28		\$ 57,191		\$ 24,501.00	\$ 81,692.00		\$ 2,860	\$ 1,225	\$ 4,085

Totals

				\$ 744,298		\$ 318,857.00	\$ 1,063,155.00		\$ 108,583	\$ 46,518	\$ 155,101
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*Dept. 301 is Animal Control

*Dept. 304 is Animal Shelter

Clarifications from Town based on information from personnel files (discussion on 4/7/16):

Promoted to ACO Aug. 2007, but did not work in this capacity until FY 08-09. Moved to ACO classification be

Hired 11/27/07, terminated 2/29/08. Did not work in FY 2008-09. Remove.
 Worked only 2 pay periods (80 hrs.) in FY 2007-08 (6/10/08 - 6/30/08). Remove.

Hired 9/18/07, left 3/31/09. Worked about 9 months both fiscal years.

Worked last month of FY 2008-09 only. Monthly salary was \$11,274. Do not need to use CPI Index

Town of Apple Valley
 Legislatively Mandated Animal Adoption Program
 Fiscal Years (FY's) 2007-08 and 2008-09
 Audit ID # S15-MCC-0033
Care and Maintenance - Salaries and Benefits FY 2007-08

Auditor Analysis

Step 1 - Labor - Actual Salaries & Benefits

Labor- Title, Name	Qty.	Actual		Benefits		Total Salaries & Benefits		% Of Care & Maintenance Per Classification	Salaries Allowable	Benefits Allowable	Total Salaries & Benefits Allowable
		Salaries Paid	Benefit Rate	Benefits Paid	Benefits Paid	Salaries Paid	Benefits Paid				
		(a)	(b)	(c) = (a) * (b)	(d) = (a) + (c)	(e)	(f) = (a) * (e)	(g) = (c) * (e)	(h) = (f) + (g)		

[From Earnings History by GL]

*Dept.

Animal Shelter Attendant

#	Hartzler, Don	1	\$ 44,207.40	41.12%	\$ 18,178.00	\$ 62,385.40	60%	\$ 26,524	\$ 10,907	\$ 37,431
30	Hall, Joshua	2	52,163.58	41.12%	21,450.00	73,613.58	60%	31,298	12,870	44,168
#	Jensen, Cassandra	3	40,238.97	41.12%	16,546.00	56,784.97	60%	24,143	9,928	34,071
#	James, Ronald	4	30,519.44	41.12%	12,550.00	43,069.44	60%	18,312	7,530	25,842
#	Ledford, Ashley	5	10,233.48	41.12%	4,208.00	14,441.48	60%	6,140	2,525	8,665
#	Kuhns, Philip	6	1,323.20	41.12%	544.00	1,867.20	60%	794	326	1,120
			<u>\$ 178,686.07</u>		<u>\$ 73,476.00</u>	<u>\$ 252,162.07</u>		<u>\$ 107,211</u>	<u>\$ 44,086</u>	<u>\$ 151,297</u>

Animal Control (Customer Service) Technician

30	Atteberry, Adriana	1	\$ 41,002.81	41.12%	\$ 16,860.00	\$ 57,862.81	5%	\$ 2,050	\$ 843	\$ 2,893
#	Hernandez, Laurie	2	45,708.53	41.12%	18,795.00	64,503.53	5%	2,285	940	3,225
#	Weast, Rebecca	3	50,196.92	41.12%	20,641.00	70,837.92	5%	2,510	1,032	3,542
#	Gonzales, Christie	4	41,429.29	41.12%	17,036.00	58,465.29	5%	2,071	852	2,923
#	Smith, Dona	5	45,842.10	41.12%	18,850.00	64,692.10	5%	2,292	943	3,235
			<u>\$ 224,179.65</u>		<u>\$ 92,182.00</u>	<u>\$ 316,361.65</u>		<u>\$ 11,208</u>	<u>\$ 4,610</u>	<u>\$ 15,818</u>

Animal Control Officer

#	Sulzberger, Dianne	1	\$ 57,180.47	41.12%	\$ 23,513.00	\$ 80,693.47	5%	\$ 2,859	\$ 1,176	\$ 4,035
#	Thibodeaux, Brent	2	59,225.42	41.12%	24,353.00	83,578.42	5%	2,961	1,218	4,179
#	Moyer, Wayland	3	37,116.46	41.12%	15,262.00	52,378.46	5%	1,856	763	2,619
			<u>\$ 153,522.35</u>		<u>\$ 63,128.00</u>	<u>\$ 216,650.35</u>		<u>\$ 7,676</u>	<u>\$ 3,157</u>	<u>\$ 10,833</u>

Animal Control Supervisor

#	Cornett, Barbara	1	\$ 74,775.33	41.12%	\$ 30,748.00	\$ 105,523.33	5%	\$ 3,739	\$ 1,537	\$ 5,276
			<u>\$ 74,775.33</u>		<u>\$ 30,748.00</u>	<u>\$ 105,523.33</u>		<u>\$ 3,739</u>	<u>\$ 1,537</u>	<u>\$ 5,276</u>

Registered Vet Tech

#	Hebertson, Kristin A.	1	\$ 49,533.45	41.12%	\$ 20,368.00	\$ 69,901.45	20%	\$ 9,907	\$ 4,074	\$ 13,981
			<u>\$ 49,533.45</u>		<u>\$ 20,368.00</u>	<u>\$ 69,901.45</u>		<u>\$ 9,907</u>	<u>\$ 4,074</u>	<u>\$ 13,981</u>

Animal Shelter Supervisor

#	Rogers, Sheri	1	\$ 56,624.28	41.12%	\$ 23,284.00	\$ 79,908.28	5%	\$ 2,831	\$ 1,164	\$ 3,995
			<u>\$ 56,624.28</u>		<u>\$ 23,284.00</u>	<u>\$ 79,908.28</u>		<u>\$ 2,831</u>	<u>\$ 1,164</u>	<u>\$ 3,995</u>

Totals			<u>\$ 737,321.13</u>		<u>\$ 303,186.00</u>	<u>\$ 1,040,507.13</u>		<u>\$ 142,572</u>	<u>\$ 58,628</u>	<u>\$ 201,200</u>
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DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On July 22, 2020, I served the:

- **Claimant's Response to Controller's Comments on the Proposed Decision filed July 21, 2020**

Animal Adoption, 17-9811-I-04

Civil Code Sections 1834 and 1846; Food and Agriculture Code

Sections 31108, 31752, 31752.5, 31753, 32001, and 32003;

As Added or Amended by Statutes 1998, Chapter 752 (SB 1785)

Fiscal Years: 2007-2008 and 2008-2009

Town of Apple Valley, Claimant

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on July 22, 2020 at Sacramento, California.



Jill L. Magee

Commission on State Mandates

980 Ninth Street, Suite 300

Sacramento, CA 95814

(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 7/22/20

Claim Number: 17-9811-I-04

Matter: Animal Adoption

Claimant: Town of Apple Valley

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

Kofi Antobam, Finance Director, *Town of Apple Valley*

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