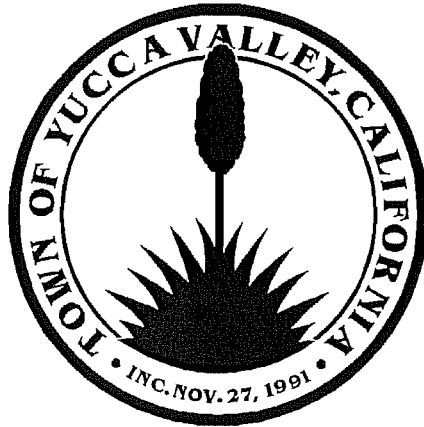


TOWN OF YUCCA VALLEY
SPECIAL TOWN COUNCIL MEETING



*The Mission of the Town of Yucca Valley is to
provide a government that is responsive to its citizens
to ensure a safe and secure environment
while maintaining the highest quality of life.*

**TUESDAY, OCTOBER 30, 2012
CLOSED SESSION:
YUCCA VALLEY TOWN HALL CONFERENCE ROOM
57090 – 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284**

**TOWN COUNCIL: 6:00 p.m.
YUCCA VALLEY COMMUNITY CENTER
YUCCA ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284**

* * * *

TOWN COUNCIL
Dawn Rowe, Mayor
Merl Abel, Mayor Pro Tem Member
George Huntington, Council Member
Robert Lombardo, Council Member

* * * *

**TOWN ADMINISTRATIVE OFFICE:
760-369-7207
www.yucca-valley.org**

**AGENDA
SPECIAL MEETING OF THE
TOWN OF YUCCA VALLEY COUNCIL
TUESDAY, OCTOBER 30, 2012
6:00 P.M.**

The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's Office at 760-369-7209 at least 48 hours prior to the meeting.

An agenda packet for the meeting is available for public view in the Town Hall lobby and on the Town's website, www.yucca-valley.org, prior to the Council meeting. Any materials submitted to the Agency after distribution of the agenda packet will be available for public review in the Town Clerk's Office during normal business hours and will be available for review at the Town Council meeting. Such documents are also available on the Town's website subject to staff's ability to post the documents before the meeting. For more information on an agenda item or the agenda process, please contact the Town Clerk's office at 760-369-7209 ext. 226.

If you wish to comment on any subject on the agenda, or any subject not on the agenda during public comments, please fill out a card and give it to the Town Clerk. The Mayor/Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.

(WHERE APPROPRIATE OR DEEMED NECESSARY, ACTION MAY BE TAKEN ON ANY ITEM LISTED IN THE AGENDA)

OPENING CEREMONIES

CALL TO ORDER

ROLL CALL: Council Members Abel, Huntington, Lombardo, and Mayor Rowe.

PLEDGE OF ALLEGIANCE

INVOCATION

Led by Pastor Chris Begnaud, Joshua Springs Calvary Chapel

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS

1. Presentation to Kathy Ainsworth.

AGENCY REPORTS

Chamber of Commerce

2. Monthly Chamber of Commerce Report for September 2012

Hi Desert Water District

3. Water and Wastewater Project Updates.

APPROVAL OF AGENDA

Action: Move _____ 2nd _____ Vote _____

CONSENT AGENDA

- 1-9 4. Minutes of the Town Council Meeting of October 2, 2012.

Recommendation: Approve the minutes as presented.

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

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

- 10-11 6. Monthly Statistical Fire Department Report for September 2012

Recommendation: Receive and file the report.

- 12-14 7. Winter 2012-13 Program Offerings – Community Services Department

Recommendation: Receive and file the report outlining the Winter 2012-13 programs and events to be organized and conducted by the Community Services Department.

- 15-17 8. AB 1234 Reporting Requirements

Recommendation: Receive and file the AB 1234 Reporting Requirement Schedule for the month of September, 2012.

- 18-21 9. Authorized Financial Signatory Update, Resolution

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA,

AUTHORIZING DEPOSIT AND WITHDRAWAL IN THE STATE LOCAL AGENCY INVESTMENT FUND

Recommendation: Adopt the Resolution updating the Town's authorized signatories at the Local Agency Investment Fund (LAIF)

- 22-23 10. Machris Park – Rescind Temporary Approval of Off-leash Activities

Recommendation: Rescind the temporary suspension of enforcement of the Town's leash law during certain morning hours at Machris Park, and direct staff to immediately normal enforcement activities.

- 24-25 11. Treasurer's Report for the Quarter Ending September 30, 2012

Recommendation: Receive and file the Treasurer's Report for the first quarter of FY 2012-13.

- 26-32 12. Budget Report for the Quarter Ending September 30, 2012

Recommendation: Receive and file the FY 2012-13 First Quarter Budget Report.

- 33-36 13. 2011-12 Purchase Order Encumbrances & Project Carryovers

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FISCAL YEAR 2012-13 ADOPTED BUDGET

Recommendation: Adopt the Resolution approving the 2011-12 Purchase Order Encumbrances and Project Carryovers as identified.

- 37-45 14. Warrant Register, October 30, 2012

Recommendation: Ratify the Warrant Register total of \$267,632.81 for checks dated October 4, 2012. Ratify Payroll Registers total of \$318,506.28 dated September 28, 2012 and October 12, 2012.

All items listed on the consent calendar are considered to be routine matters or are considered formal documents covering previous Town Council instruction. The items listed on the consent calendar may be enacted by one motion and a second. There will be no separate discussion of the consent calendar items unless a member of the Town Council or Town Staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on consent calendar items should be filed with the Town Clerk/Deputy Town Clerk before the consent calendar is called.

Recommendation: Adopt Consent Agenda (items 4-14)(roll call vote)

Action: Move _____ 2nd _____ Vote _____

PUBLIC HEARINGS

- 46-61 15. Street Vacation SV-01-12, Southern California Gas Company, Approximately twelve (12') feet by three hundred thirty one feet (331') of right of way on Pioneertown Road, Assessor's Parcel No. 594-061-08

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING STREET VACATION SV-01-12 TO VACATE THAT PORTION OF EASEMENT ON ASSESSOR'S PARCEL NO. 0594-061-08 AS IDENTIFIED HEREIN

Staff Report

Recommendation: Approve and adopt the Resolution vacating approximately twelve (12') feet of that portion of easement(s) on the east side of Assessor's Parcel Number 594-061-08

Action: Move _____ 2nd _____ Vote _____.

FUTURE AGENDA ITEMS

PUBLIC COMMENTS

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

STAFF REPORTS AND COMMENTS

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

16. Council Member Huntington
17. Council Member Lombardo

18. Mayor Pro Tem Abel

19. Mayor Rowe

ANNOUNCEMENTS

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

6:00 p.m., Tuesday, November 6, 2012, Yucca Valley Community Center Yucca Room

CLOSING ANNOUNCEMENTS

ADJOURNMENT

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
OCTOBER 2, 2012**

CLOSED SESSION

Mayor Rowe called the meeting to order at 5:13 p.m. with all members present, and adjourned to Closed Session. There were no members of the public present to comment.

1. **CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9. One Case

Mayor Rowe adjourned the Closed Session at 5:40 p.m. and recessed the Town Council to 6:00 p.m.

OPENING CEREMONIES

Mayor Rowe called the meeting to order at 6:02 p.m.

Council Members Present: Abel, Huntington, Lombardo, and Mayor Rowe.

Staff Present: Town Manager Nuaimi, Deputy Town Manager Stueckle, Town Attorney Laymon, Community Services Director Schooler, Administrative Services Director Yakimow, Police Capt. Boswell, and Town Clerk Anderson

PLEDGE OF ALLEGIANCE

Led by Mayor Rowe

INVOCATION

Led by Pastor Jerel Hagerman, Joshua Springs Calvary Chapel

Mayor Rowe read and presented a Proclamation proclaiming October 7-13, 2012 as Fire Prevention Week. Battalion Chief Benfield introduced members of the Fire Department in attendance at the meeting. It was noted the engine companies will be out presenting fire prevention programs to elementary school children and that they will be focusing on the theme "Two Ways Out".

APPROVAL OF AGENDA

Council Member Abel moved to approve the agenda. Council Member Huntington seconded. Motion carried 4-0.

CONSENT AGENDA

- 2. **Approve**, Minutes of the Regular Town Council Meeting of September 18, 2012, as presented.
- 3. **Waive**, further reading of all ordinances and read by title only.
- 4. **Adopt**, Ordinance No. 235, Authorizing the Levy of a Special Tax within Improvement Area No. 2, Annexation No. 1 of Community Facilities District No. 11-1 (Dollar General)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN IMPROVEMENT AREA NO. TWO, ANNEXATION NO. 1, OF COMMUNITY FACILITIES DISTRICT NO. 11-1 (DOLLAR GENERAL)

- 5. **Adopt**, Ordinance No. 236, adopting Rules for Use of Dog Parks

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 11 OF THE TOWN OF YUCCA VALLEY MUNICIPAL CODE BY ADDING A NEW SECTION 11.08.045 ENTITLED USE OF DOG PARK FACILITIES

- 6. **Review and approve**, Fifth Amendment to the Waste Disposal Agreement between the County of San Bernardino and the Town of Yucca Valley.
- 7. **Reject**, one claim filed against the Town of Yucca Valley submitted on September 10, 2012 by resident Robert Edwards.
- 8. **Ratify**, Warrant Register total of \$924,442.50 for checks dated September 20, 2012. Ratify Payroll Registers total of \$145,486.58 dated September 14, 2012.

Council Member Huntington moved to adopt Consent Agenda Items 2-8. Council Member Lombardo seconded. Motion carried 4-0.

AYES: Council Member Abel, Huntington, Lombardo, and Mayor Rowe
NOES: None
ABSTAIN: None
ABSENT: None

DEPARTMENT REPORTS

- 9. **Expenditure Priorities – Budget Development guidelines, Resolution**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, STATING ADVISORY PRINCIPLES AND GENERAL FUND EXPENDITURE PRIORITIES, INCLUDING MEASURE U GENERAL FUNDS IF APPROVED BY THE VOTERS OF THE TOWN OF YUCCA VALLEY

Town Manager Nuaimi gave the staff report including a PowerPoint presentation. The Town's short term needs include maintaining our current levels of service such as public safety. The Town did not completely fund the Sheriff's Schedule A this year because of rising costs, and didn't fill the vacant Sheriff's Service Specialist position. In addition, the RDA Dissolution process is causing funding problems. According to Council Policy, \$600,000 was to be placed in the budget for infrastructure preventative maintenance but we were only able to put in \$200,000, which will make the backlog of infrastructure maintenance larger. Staff is also absorbing additional service responsibilities. In addition to the short term needs, the medium term needs add the wastewater treatments costs. Long term needs include transportation system expansion, flood control improvements, economic development/tourism and community facilities maintenance and expansion.

The recommended action is that the Town Council endorse the top priorities for annual expenditure of new General Fund revenues such as sweeping of former RDA Funds, Development Impact Fees, potential Measure U General Fund revenues, TOT, Franchise fees, and interest revenues, to be used to cost-efficiently finance the wastewater treatment plant and collection system, maintain neighborhood police patrols and 911 response, maintain and repair existing neighborhood streets and alleys, and reduce the cost for property owners to connect to the sewer.

Margo Sturges, Yucca Valley, commented that Mayor Rowe and Council Member Huntington had asked an agreement that is more specific. She added that the discussion on the general funds didn't include where all the funds are coming from, such as the \$9,000,000 that currently comes into the Town, or Measure I, or the sales tax the Town will be getting from Super Wal-Mart.

Jennifer Collins, Yucca Valley, Chamber President, commented that the Town Council has stopped passing the buck to future Councils and has identified the real issues that we face in the Town. By passing the Resolution tonight Council will have taken the first steps in enabling the Town to flourish and remain a stable community. These decisions are never easy, are not popular and have been overlooked several times. She added the Yucca Valley Chamber is holding 2 more informational meetings in the Community Center and that all residents are invited to attend.

Ed Montgomery, Yucca Valley, stated there is too much conflict of interest with the Council, Manager and Chamber campaigning for Measure U. Advised he has been

walking the streets going door to door and finding that so many of the people are mad because all the money is not going to the Water District, it is going to the Town for the first 5 years. We want 100% to go to the sewer.

Ellin Loveless, Yucca Valley, commented she has been here for 35 years, and congratulated the Council for finally having the courage and commitment for doing just what Mr. Montgomery said you shouldn't do. She noted there has been a lot of opposition to some of the new funding propositions, so there will be two informational meeting tomorrow at the Community Center. She recommended that those who have been influenced by some of the colorful opposition come and get the facts.

Council Member Huntington commented that these are the same priorities we had when we incorporated this community over 20 years ago, they haven't changed. These priorities were established by other Councils.

Council Member Abel agreed, noting the one difference we continue to see are these costs continuing to go up. We are falling further behind because of the increasing costs, in addition to the Public Safety cost increase. He agrees with Staff's identification of short, medium and long term needs.

Mayor Rowe stated she is glad to see the issues in writing.

Council Member Abel moved to receive and file the staff report concerning Town Needs and Expenditure Priorities, and adopt Resolution No.12-38 stating Advisory Principles and General Fund Expenditure Priorities, including Measure U General Funds if approved by the Voters of the Town of Yucca Valley. Council Member Lombardo seconded. Motion carried 4-0.

10. Capital Projects Update

Deputy Town Manager Stueckle gave the staff report including a PowerPoint Presentation showing all the ongoing and upcoming projects. Upon request of Council Member Huntington, he included the funding sources for each project.

Bill Horn, Yucca Valley, questioned if the Town would work with the Hi Desert Water District regarding fixing roads in conjunction with the wastewater enterprise. Town Manager Nuaimi advised that, within the pavement management system, there are \$6,000,000 to \$7,000,000 road maintenance and repair needs in Phase 1. As the project is moving forward and as general fund dollars become available, the Town will combine those dollars to use in conjunction with the road repairs needed due to the construction of the sewer system.

Council Member Huntington stated he is happy to see a lot of these projects moving

forward, noting the funding for almost every one of them is from outside sources, and special designated funds. However, the Town does have to kick in general fund dollars periodically to cover some shortfall.

Council Member Lombardo stated he is happy to see the Town is underway with so many projects noting it speaks well of staff's organizational skills and willingness to work hard.

Council Member Abel echoed previous comments noting he is glad so many people are here to see how many things are going to be moving forward.

Mayor Rowe commented she was once asked at a political forum what the Town Manager does, noting our Town Manager gets grief from coming out of the area but he brings with him access to millions of dollars that we wouldn't have otherwise had. Another thing she hears is about the large town salaries, and challenged staff to show what they make per hour and what that actually translates to considering the hours they put in. She thanked them for all they do without much staff.

Council Member Abel moved to receive and file the report. Council Member Lombardo seconded. Motion carried 4-0.

11. Resolution Committing to Implementation of a Cooperative Sewer Financing Arrangement with the Hi-Desert Water District.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, COMMITTING TO IMPLEMENTATION OF A COOPERATIVE SEWER FINANCING ARRANGEMENT WITH HI-DESERT WATER DISTRICT; ADOPTION OF GENERAL PRINCIPLES OF UNDERSTANDING FOR SAME

Administrative Services Director Yakimow gave the staff report including a PowerPoint presentation. For many years the Town Council has identified the community need for a wastewater solution as one of the top priorities. Through formal actions, the Town has been an avid supporter of the District's effort in sewer project delivery and provided a low-interest loan in the amount of \$350,000 for the sewer project in 2008.

The Hi Desert Water District prepared a Sewer Master Plan and received sewer authority approval from LAFCO. In May of 2011 the California Regional Water Quality Control Board adopted a Basin Plan Amendment prohibiting septic tank discharge in town. In 2012 the State issued formal notice to Town residents identifying 2016 as a target date for prohibiting septic discharge. The District continues to work toward project delivery, and recently awarded the collection system design, anticipated

to be completed in 18-24 months, with 30% design completed by spring of 2013.

The initial project cost is estimated at \$125,000,000. The District is actively seeking grants, loans and other assistance and has applied for the State Revolving Fund loan which is to be repaid from property owner assessments. The Town desires to assist in lowering the annual assessment billed to property owners through a Cooperative Financing Agreement between the Town and District. The six guiding principles are contained in the resolution.

Next steps include the Town and Hi Desert Water District staff continuing to finalize terms and conditions for the lease agreement, with both agencies working toward the joint development of the facilities to be leased and their costs. Identification of the facilities to be leased, which will be better known upon completion of 30% design, is anticipated in mid-2013.

Curt Duffy, Yucca Valley, commented that many times things are put off for a long time then people overcompensate and settle for a bad solution. This is an attempt to put something on paper that might hold up. We have a situation where a lot of loose money is floating around, and the Chamber held a fund raiser at Council Member Huntington's house to figure out where to use money. He noted that other towns are asking for smaller amounts of money for shorter periods of time, but Yucca Valley is asking for 1 cent for 30 years that is unspecified and going to highest bidder. This is not specific enough for the people of Yucca Valley, we need to step back, take more community input and re-approach the issue in the spring. No one rate payer knows what he or she will get from this.

Margo Sturges, Yucca Valley, commented that other cities have other solutions and alternatives. She is disappointed this resolution is coming to you when Council Member Huntington and Mayor Rowe asked for a memorandum of agreement and said they would not be approving the Measure without the agreement. She stated this is not a lease and questioned where the lease is.

Richard Harlan, Yucca Valley, commented that it was brought up in the presentation that there was a \$350,000 loan given to the Water District to get project started, and the Town received got interest on the money. He does not believe any organization should make money off the Water District, noting that amount is one hookup that maybe could be put toward someone who needs it.

Jennifer Collins, Yucca Valley, clarified that the Yucca Valley Chamber of Commerce did not host a fund raiser event for Measure U, noting the she, as an individual, chairs the advocacy committee for Measure U, and that she wears many hats.

Richard Gahn, Yucca Valley, commented we elect the Council to make the best decisions they can to do what is best for us. We elect you to do a good job, and vote for you if you do. He would not be in favor of a specific tax that went to only one need. He knows there are people who have a number of properties in Phase 1 which is why they want 100% to the sewer project because it would help them. We need to address all our needs. The sewer is an important need, but he also wants to see roads and parks maintained. He also commended the Council for having balanced budgets. He is in favor of a general fund tax that allows the people to vote for and to determine how we are going to use our money.

Council Member Lombardo thanked staff for the informative presentation, noting he is glad to see we are continuing our partnership with the Hi Desert Water District.

Mayor Rowe echoed the comments.

Council Member Huntington moved to approve and adopt Resolution No. 12-39, committing to the implementation of a cooperative sewer financing arrangement with Hi-Desert Water District, and adopting the general principles of understanding for same. Council Member Lombardo seconded. Motion carried 4-0.

PUBLIC COMMENT

Margo Sturges, Yucca Valley, commented regarding the need to make sure the elderly and low income people are protected. Stated she does not like the division in Town and that what is happening to some of the campaign signs is despicable. Advised of a Measure U meeting on October 13th.

Richard Harlan, Yucca Valley, commented regarding the things that have been said both in favor of and against Measure U, noting his hope is that people make their own decisions on Measure, get the information themselves and quit listening to other people.

STAFF REPORTS AND COMMENTS

Town Manager Nuaimi thanked the Mayor and Town Council for kind words for Town staff regarding the volume of work, and for authorizing the full time Project Engineer position. He added the capital projects update didn't even touch on the work going on for the General Plan, Development Code update, senior housing project, the RDA dissolution, and community services maintaining the programing that the community expects. He congratulated Capt. Boswell on his promotion and congratulated him for the fantastic job the department has done focusing their emphasis on the Town Hall area. Across the board this organization does a lot with little resources.

Deputy Town Manager Stueckle thanked the staff members who make all the previously reported projects happen.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

12. Council Member Huntington

Advised that the dog park opens Saturday, October 13th.

Commented he drove down Canyon Drive after it was paved, noting staff did fantastic job

Advised there will be a meeting regarding the Compass Blueprint Program on Thursday, October 4, 2012 from 5:00 to 7:00 p.m.

Reported regarding attendance at the Sanbag Meeting and wished Victorville congratulations for 50 years of incorporation and Needles for 100 years of incorporation.

Commented that Town services provide a better quality of life for the citizens.

13. Council Member Lombardo

Stated he is excited about the opening of the park, noting it is the first new park since incorporation.

14. Mayor Pro Tem Abel

Reported regarding attendance at the MBTA community needs meeting, noting there were a lot of needs requested from limited funds.

Advised that Homecoming week is coming up for both schools, and thanked Yucca Valley Ford and Chrysler, its owner and manager for their support.

15. Mayor Rowe

Commented, with the South side Park coming on line shortly, the Town has a new park naming policy. Community Services Director Schooler advised citizens can visit the Town's website and click on hot topics to find the information and policy, or pick up forms in the Community Services offices. The deadline is November 1 for submitting proposals.

ANNOUNCEMENTS

Next Town Council Meeting, Tuesday, October 16, 2012, 6:00 p.m.

ADJOURNMENT

There being no further business the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Jamie Anderson, MMC
Town Clerk



SAN BERNARDINO COUNTY FIRE DEPARTMENT SERVING YUCCA VALLEY

September 2012 Summary

ADMINISTRATIVE MONTHLY REPORT

The County Fire Department responded to a total of 400 requests for assistance within our town boundaries. Division wide responses for the South Desert during the Month of September were 634 incidents.

EMERGENCY RESPONSES

ESTIMATED FIRE LOSS (In dollars)

Total Loss	\$	500	Value	\$	130,000
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RESPONSES OTHER THAN FIRES

Fires	3
Rupture / Explosion	0
EMS / Rescue	291
Hazardous Condition	4
Service Calls	43
Good Intent Calls	52
False Call	7
Other	0

ALARMS – ALL TYPES

Yucca Valley Response Area

2012 Year-to-Date

TOTAL NON-FIRE RESPONSE.....	3,527
TOTAL FIRE RESPONSES.....	94
TOTAL ALARMS	3,621

Significant Events:

- Remember to participate in the Great Southern California ShakeOut Drill on October 18th. See our Community Calendar at <http://www.sbcfire.org> for more information and flyer.
- Beginning soon will be a Wildland Urban Interface Program coming to the citizens of Yucca Valley and surrounding communities where volunteers and firefighters will be talking about the importance of property maintenance against brush fires and home loss. This program will become an annual effort of the firefighters to educate our communities and provide valuable preventative information.



SAN BERNARDINO COUNTY FIRE DEPARTMENT SERVING YUCCA VALLEY

HALLOWEEN SAFETY

Trick-or-Treaters

- Carry a flashlight.
- Walk, don't run.
- Stay on Sidewalks.
- Obey traffic signals.
- Stay in familiar neighborhoods
- Don't cut across yards or driveways.
- Wear a watch you can read in the dark.
- Make sure costumes don't drag on ground.
- Avoid wearing masks while walking from house to house.
- Carry only flexible knives, swords or other props.
- (If no sidewalk) walk on the left side of the road facing traffic
- Wear clothing with reflective markings or tape.
- Approach only houses that are lit.
- Stay away from and don't pet animals you don't know.

Home Owners / Parents

- Make your child eat dinner before sending out.
- Children should carry quarters /cell phone so they can call home.
- Ideally, young children of any age should be accompanied by an adult.
- If you buy a costume, look for one made of flame-retardant material.
- Older children should know where to reach you and when to be home.
- Look at the wrapping carefully and toss out anything that looks suspicious.
- If your children go on their own, be sure they wear a watch, preferably one that can be read in the dark.
- Although tampering is rare, tell children to bring the candy home to be inspected before consuming anything.
- Battery powered jack lantern candles are preferable to a real flame.
- Make sure paper or cloth yard decorations won't be blown into a flaming candle.
- Make sure your yard is clear of such things as ladders, hoses, dog leashes and flower pots that can trip the young ones.
- Pets get frightened on Halloween. Put them inside to protect them from cars or inadvertently biting a trick-or-treater.
- If you do use candles, place the pumpkin well away from where trick-or-treaters will be walking or standing.
- Healthy food alternatives for trick-or-treaters include packages of low-fat crackers with cheese or peanut butter filling, single-serve boxes of cereal, packaged fruit rolls, mini boxes of raisins and single-serve packets of low-fat popcorn that can be micro-waved later.

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Jim Schooler, Community Services Director
Date: October 23, 2012
For Council Meeting: October 30, 2012

Subject: Winter 2012-13 Program Offerings – Community Services Department

Prior Council Review: The Community Services Department submits a summary of upcoming programs and events for Council review each quarter.

Recommendation: That the Council move to receive and file the report outlining the Winter 2012-13 programs and events to be organized and conducted by the Community Services Department.

Order of Procedure:

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

Discussion: The programming staff of both the Hi Desert Nature Museum and the Recreation division of the Community Services Department has developed a schedule of programs and events that will be offered in the winter season of 2012-13 (December, January and February). Detailed descriptions will be included in the printed Experience Yucca Valley fall activity guide that will be distributed throughout the community in mid-November.

The Parks, Recreation and Cultural Commission reviewed the list of intended program offerings at their October 9th meeting and forwarded a recommendation that the Council receive and file the report.

Alternatives: None recommended

Fiscal impact: None

Attachments: Hi Desert Nature Museum winter 2012-13 program summary
Recreation Division winter 2012-13 program summary

Reviewed By:


Town Manager


Town Attorney


Mgmt Services

JAS
Dept Head

Department Report

Ordinance Action

Resolution Action

Public Hearing

Consent

Minute Action

Receive and File

Study Session

HI-DESERT NATURE MUSEUM PROGRAMS DECEMBER 2012, JANUARY & FEBRUARY 2013

Temporary Exhibitions:

Ride 'em Cowboy! The West in Popular Culture

September 22, 2012 – January 19, 2013

Today America's colorful Wild West history continues to resonate in our popular culture. From the dime novels of the 1800s to radio, movies and television, the ideal solitary and righteous hero was characterized in the stories of the American West, saving communities from the evils of an untamed wilderness. "Ride 'em Cowboy!" will present information on the romanticizing of the West since the Louisiana Purchase and its influence on American popular culture including movies and television shows, some filmed locally in Pioneertown.

Reduce, Reuse, Recycle

January 25 – April 27, 2013

"Reduce, Reuse, Recycle" is a show of artwork contributed by local artists made from recycled or reused materials. This exhibition is designed to make people rethink our throw-away society by sharing the local community's innovative and often surprising use of discarded items.

Special Events:

Holiday Crafts

Adults – Monday, December 3, 1:00 – 4:00 p.m., Free

Kids – Saturday, December 8, 11:00 a.m. – 12:00 p.m., Free

Yucca Valley's Got Talent!

Saturday, January 26, \$10 entrance fee per auditioning act

Zoo Family Fun Day,

Saturday, February 9, 10:00 a.m. – 3:00 p.m., Free

Hands-on crafts, live animal demonstrations, face painting

Educational Programs:

Science Saturdays, 11:00 – 11:30 a.m., Free

Each program presents information and performs experiments relating to biological and physical sciences suitable for school age children.

January 12: Desert Creatures

January 26: Insects

February 23: Magnetism

Winter Lecture Series,

One Thursday a month, November through March, 12:00 – 1:00 p.m., Free

December 6: Holiday Traditions January 17: Astronomy

February 21: Native American Rock Art

Community Services Department Planned Recreation Programs - Winter 2012

Special Events

Holiday Events

Saturday, December 01, 2012	Christmas Craft Faire	vendors: \$25 per table
Saturday, December 01, 2012	Santa Visits	no charge
November 12 - December 17	Letters to Santa	no charge
Saturday, February 09, 2013	Kids' Valentines Dance	\$3.00 per person

Fitness Fun Runs

Saturday, February 16, 2013	Healthy Hearts Run	\$20, \$18
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Senior Dances

Saturday, February 23, 2013	Dance for Seniors & Adults	\$3, \$5
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Youth Programs

Classes

Beginning Guitar	14 & older, Tuesday evenings	\$40/6 weeks
Bellydance (Beginning & Advanced)	10 & older, Wednesday evenings	\$35/6 weeks
Gymnastics (Beginning)	6 & older, Monday afternoons	\$35/4 weeks
Gymnastics (Intermediate)	10 & older, Monday afternoons	\$35/4 weeks
Kinder Gym	3-5 year olds, Monday afternoons	\$25/4 weeks

Paradise Park After School Program

Ages 5 -16, Monday through Thursday beginning August 27th, 3-5 pm	no charge
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Youth Basketball League

Ages 6-14, Weeknight practices, Saturday Games; December through early March.	R \$58/NR \$63 per child
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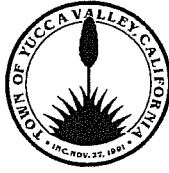
Adults & Seniors

Enrichment Classes

Beginning Guitar	14 & older, Tuesday evenings	\$40/6 weeks
Bellydance	10 & older, Wednesday evenings	\$35/6 weeks
Yucca Valley Bridge Club	18 & older, Friday afternoons	\$2 per session
Dog Obedience	18 & older, Friday evenings	\$135/6weeks
Harmonica	5 & older, Friday evenings	\$2 per session
Scrabble	18 & older, Tuesday afternoons	\$2 per session
Pinochle	18 & older, Friday afternoons	\$2 per session
Knit & Crochet	18 & older, Thursday mornings	\$2 per session
Stretch N Tone	18 & older, Monday thru Friday mornings	\$2 per session
Table Tennis	18 & older, Wednesday afternoons	\$2 per session
Tai Chi Chuan	All ages, Wednesday evenings	\$30 per month
Open Art Studio Workshop	18 & older, Thursday mornings	\$2 per session
Western Line Dancing (Instructional)	18 & older, Mon evenings & Thurs afternoons	\$2 per session
Western Line Dancing (Intermediate)	18 & older, Mon evenings & Thurs afternoons	\$2 per session
Woodcarving	16 & older, Tuesday evenings	\$2 per session
Wii for Seniors	Wednesday afternoons & Thursday mornings	no charge
Walking Club	18 & older, ongoing	\$15 one-time fee

Seniors & Adult Trips

December 12, 2012	Lawrence Welk Resort - Christmas Show	\$110
February 27, 2013	Filmore Western Railway	\$102



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Sharon Cisneros, Senior Accountant
Date: October 11, 2012
For Council Meeting: October 30, 2012
Subject: AB1234 Reporting Requirements

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

Recommendation: Receive and file the AB1234 Reporting Requirement Schedule for the month of September 2012.

Order of Procedure:

- Request Staff Report
- Request Public Comment
- Council Discussion / Questions of Staff
- Motion/Second
- Discussion on Motion
- Roll Call Vote

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

An example of when a report is required is when a Town Council member represents his or her agency on a joint powers agency board and the Town pays for the official's expenses in serving in that representative capacity. Additionally, in the spirit of AB1234,

Reviewed By:

[Signature] [Signature] [Signature] [Signature]
Town Manager Town Attorney Admin Services Dept Head

Department Report
 Consent

Ordinance Action
 Minute Action

Resolution Action
 Receive and File

Public Hearing
 Study Session

Discussion (continued)

the Yucca Valley Town Council also reports all travel related to conference and training attended at public expense.

Although the AB1234 report can be either written or oral, this report must be made at the next meeting of the legislative body that paid for its member to attend the meeting.

Alternatives: None.

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

Attachments: **AB1234 Reporting Requirement Schedule**

Town of Yucca Valley

Councilmember AB1234 Meetings Schedule Month of September 2012

Date of Travel	Organization	Description	Location
Mayor Rowe	Leage of California Cities	Annual Conference	San Diego
Mayor Pro Tem Abel	Leage of California Cities	Annual Conference	San Diego
Councilmember Huntington	Leage of California Cities	Annual Conference	San Diego
Councilmember Lombardo	Leage of California Cities	Annual Conference	San Diego
Councilmember -Vacant			



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Sharon Cisneros, Senior Staff Accountant

Date: October 17, 2012

For Council Meeting: October 30, 2012

Subject: Authorized Financial Signatory Update

Recommendation: That the Town Council adopt the following resolution:

Resolution 12-

The Resolution updating the Town's authorized signatories at the Local Agency Investment Fund (LAIF).

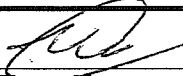
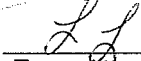


Order of Procedure:

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

Discussion:

Signatory Resolutions

The Town last updated its financial signatories in February 2011 with the adoption of Resolution 11-05. Since that time, there has been a personnel change within the Town staff. The proposed resolution updates the signatories to reflect current personnel. In keeping with the current authorization level, the following positions are authorized signatories for the LAIF account:

Reviewed By:				
	Town Manager	Town Attorney	Admin Services	Dept Head

<input type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input checked="" type="checkbox"/> Resolution Action	<input type="checkbox"/> Public Hearing
<input checked="" type="checkbox"/> Consent	<input checked="" type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session

LAIF

Town Council Member
Town Manager
Deputy Town Manager
Director of Administrative Services
Senior Accountant

As a reminder, there are two signatures required on all financial transactions of the Town, with the Mayor and Town Manager as primary signatories.

Alternatives: None at this time.

Fiscal Impact: None at this time.

Attachments: LAIF Resolution

RESOLUTION NO. 12-

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY,
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AUTHORIZING
DEPOSIT AND WITHDRAWAL IN THE STATE LOCAL AGENCY INVESTMENT
FUND

WHEREAS, Pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer: and

WHEREAS, the Town Council does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein as in the best interests of the TOWN OF YUCCA VALLEY.

NOW THEREFORE, BE IT RESOLVED, that the Town Council does hereby authorize the deposit and withdrawal of the Town of Yucca Valley's monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED, that the following Town of Yucca Valley officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund.

Dawn Rowe
(NAME)

Mark Nuaimi
(NAME)

Curtis Yakimow
(NAME)

Mayor
(TITLE)

Town Manager
(TITLE)

Dir. Of Admin Services
(TITLE)

(SIGNATURE)

(SIGNATURE)

(SIGNATURE)

Shane R. Stueckle
(NAME)
Deputy Town Manager
(TITLE)

Sharon Cisneros
(NAME)
Senior Accountant
(TITLE)

(SIGNATURE)

(SIGNATURE)

PASSED AND ADOPTED by the Town Council of the Town of Yucca Valley, County of San Bernardino, State of California on October 30, 2012.

MAYOR

ATTEST:

TOWN CLERK

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Jim Schooler, Community Services Director
Date: October 25, 2012
For Council Meeting: October 30, 2012

Subject: Machris Park – Rescind Temporary Approval of Off-leash Activities

Prior Council Review: None

Recommendation: That the Town Council rescinds their temporary suspension of enforcement of the Town's leash law during certain morning hours at Machris Park, and direct staff to immediately resume normal enforcement activities.

Summary: In August of 2011, the Town Council responded to community input and approved a temporary suspension of enforcing the Town's leash law at the Machris Park softball field from dawn until 10 am, when the facility was not scheduled for other recreation or maintenance activities. With the opening of the newly constructed dog park facilities, staff recommends that Council rescind that approval, effective immediately.

Order of Procedure:

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

Discussion: In July 2011, Town staff members met with a group of citizens who were regularly gathering at the Machris Park softball fields to run their dogs off leash. Understanding that this activity was in conflict with local ordinances, the group proposed a compromise by which the Town would suspend enforcement of the leash law at that location until 10 am each day so they could continue their activity.

In August 2011, the Parks, Recreation and Cultural Commission (PRCC) considered the formal proposal and forwarded a recommendation to the Town Council to approve the request on a temporary basis. The Council approved the PRCC recommendation and concurrently provided direction to staff to explore the development of the South Side Park property and the feasibility of constructing a dog park at that site.

Reviewed By:


Town Manager


Town Attorney


Mgmt Services

jas
Dept Head

Department Report
 Consent

Ordinance Action
 Minute Action

Resolution Action
 Receive and File

Public Hearing
 Study Session

Phase 1-a of the South Side project was initiated in May 2012 and the park was opened for public use this month. The park includes separate dog park facilities for large and small dogs.

With the opening of the new facility, staff and the PRCC have recommended rescinding the temporary off-leash approval at the Machris Park softball field so that facility can be maintained for athletic programs and purposes. With Council approval, the Animal Control staff will resume leash law enforcement at Machris as well as other Town park facilities.

Alternatives: None recommended

Fiscal impact: None

Attachments: None



TOWN COUNCIL STAFF REPORT



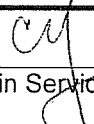
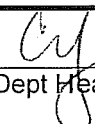
To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Sharon Cisneros, Senior Accountant
Date: October 25, 2012
For Council Meeting: October 30, 2012
Subject: Treasurer's Report for the Quarter Ending September 30, 2012
Recommendation: Receive and file the Treasurer's Report for the first quarter of FY 2012-13.

Order of Procedure:

- Request Staff Report
- Request Public Comment
- Council Discussion / Questions of Staff
- Motion/Second
- Discussion on Motion
- Roll Call Vote

Discussion: The investment policy and Town Code of the Town of Yucca Valley requires that quarterly Treasurer's reports be filed with the Town Council. Effective January 1, 2010, State law no longer requires nor provides for submission of any such quarterly investment report to the California Debt and Investment Advisory Commission (CDIAC). The attached Treasurer's Report is for the 1st Quarter of FY 2012-13.

Attachments: Treasurer's report 1st quarter FY2012-13

Reviewed By:    
Town Manager Town Attorney Admin Services Dept Head

Department Report Ordinance Action Resolution Action Public Hearing
 Consent Minute Action Receive and File Study Session

Town of Yucca Valley

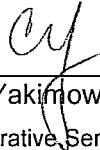
Treasurer's Report

As of September 30, 2012

Institution/Investment	Market Value	Percent of Portfolio	Yield	Maturity Date
Pacific Western-Checking Acct	\$ 2,242,759	11.95%	0.00%	Liquid
Local Agency Investment Fund (LAIF)	10,041,984	53.50%	0.35%	Liquid
Pac Western-Successor Agency	6,482,623	34.54%	0.00%	Liquid
Petty Cash	3,600	0.02%	0.00%	Liquid
Total Cash & Investments	<u>\$ 18,770,965</u>	<u>100.00%</u>	<u>0.19%</u>	Fully Liquid

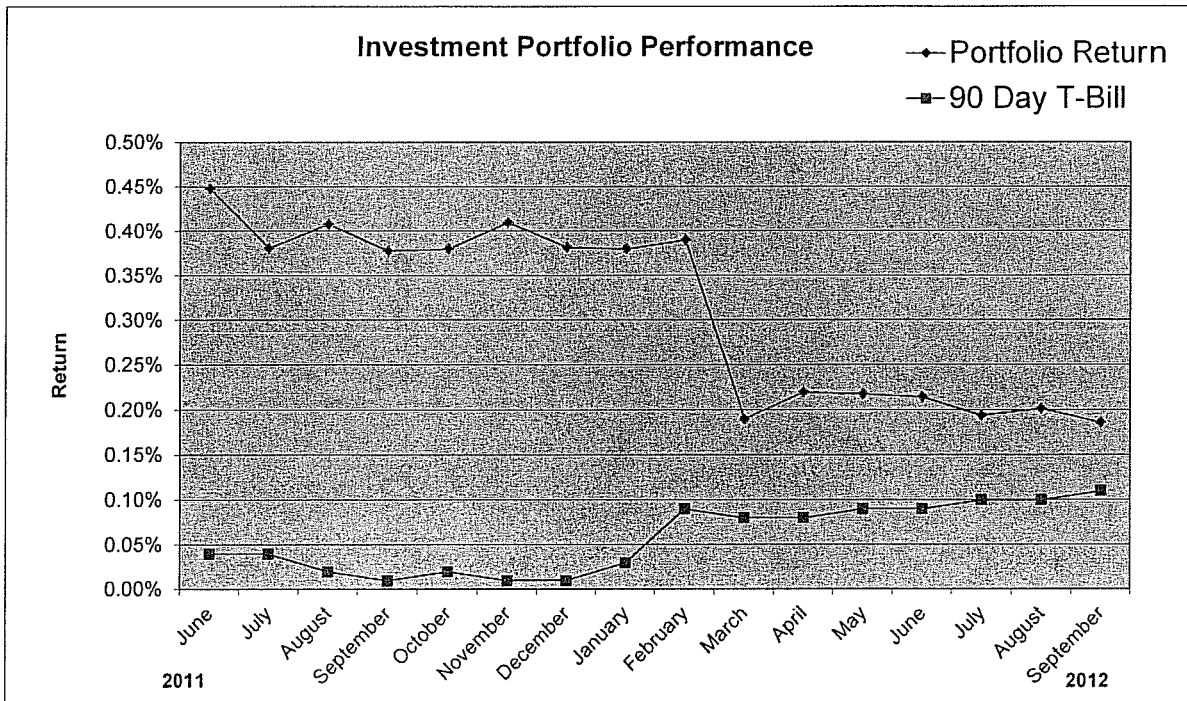
* Note - Drop in Yield in March 2012 reflective of movement of RDA monies to separate bank account.

I certify that to the best of my knowledge, this report accurately reflects all pooled investments, and is in conformity with the Town's investment policy effective February 2010, which complies with the California Government Code. A copy of this investment policy, along with the supporting banking and investment statements, is available in the office of the Town Clerk. This investment program provides sufficient cash flow liquidity to meet the next six months of budgeted expenditures.



Curtis Yakimow

Administrative Services Director





TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Sharon Cisneros, Senior Accountant
Date: October 25, 2012
For Council Meeting: October 30, 2012
Subject: Budget Report for the Quarter Ending September 30, 2012
Recommendation: Receive and file the FY2012-13 First Quarter Budget Report

Order of Procedure:

- Request Staff Report
- Request Public Comment
- Council Discussion / Questions of Staff
- Motion/Second
- Discussion on Motion
- Roll Call Vote (consent agenda)

Discussion: The attached report summarizes the Town's General Fund fiscal performance through the first quarter of the current fiscal year. As indicated in the report, the Town's fiscal performance for the first quarter is in line with the levels included in the FY 2012-13 adopted budget. Revenue and expenditures are tracking in line with the FY 2012-13 adopted budget.

At this time, the Town does not expect actual annual fiscal results to vary significantly from the financial plan incorporated in the Fiscal Year 2012-13. As trends become more fully developed in the year, there may be more than a minimal impact on the projected annual revenues, expenditures and fund balance.

Reviewed By:


Town Manager


Town Attorney


Admin Services


Finance

Department Report Ordinance Action Resolution Action Public Hearing
 Consent Minute Action Receive and File Study Session

Alternatives: None.

Fiscal impact: The Town's first quarter results are currently generally aligned with the financial plan incorporated in the FY 2012-13 adopted budget.

Attachments:

First Quarter FY 2012-13 Budget Report



Town of Yucca Valley
First Quarter Budget Report
Fiscal Year 2012-13

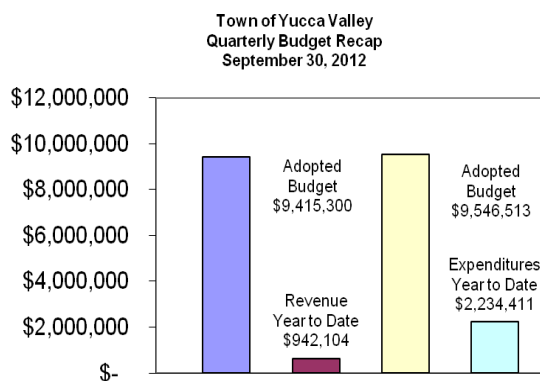
September 30, 2012

Town of Yucca Valley
First Quarter Budget Report
Fiscal Year 2012-13

Quarterly Financial Highlights

Revenues

- Sales and Use tax increased over prior year reflecting 4% increase in April – June 2012 point of sale transactions.
- Property tax revenues are generally not received until after the first quarter of the fiscal year.



- Community development revenues increased 10% due to an increase in abatement activity over prior year.

Expenditures

- Salaries and benefit expenditures increased from prior year by 3% reflecting full employment levels for first quarter of FY2012-13
- Major non-personnel expenditure remains Contract safety, accounting for 38% of 1Q expenditures, or \$857,989.
- Other expenditure categories remain in line for the quarter reflecting typical even expenditure patterns throughout the fiscal year.

Upcoming Financial Events

- **November**
- Election results on Measure U
- Continued advances and apportionments of Sales & Use and Vehicle License Fee tax revenues.
- Presentation of the FY 2011-12 Comprehensive Annual Financial Report

December

- First major receipts of FY 2012-13 Property tax revenues. Assessed valuations expected to be down 0.7% from FY2011-12.
- Continued advances and apportionments of Sales & Use and Vehicle License Tax revenues.

Town of Yucca Valley

**General Fund Revenues and Expenditures
First Quarter Budget Report**

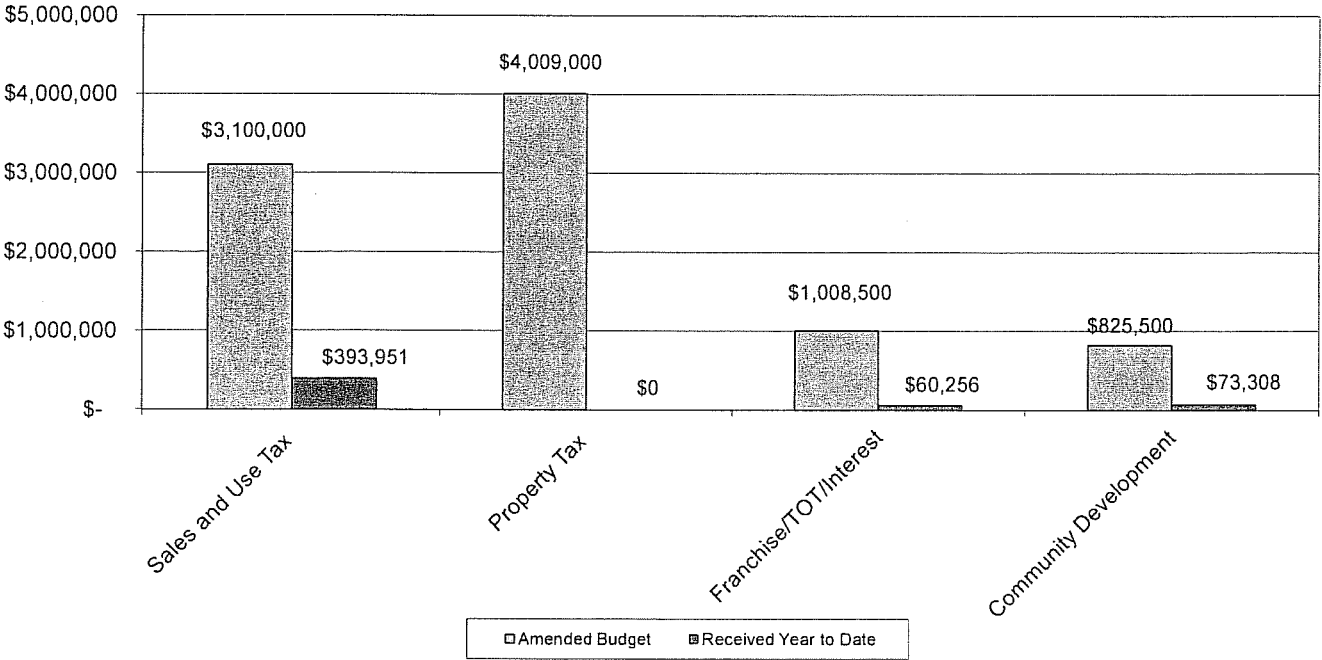
September 30, 2012

	Prior Year FY 2011-12			Current Year FY 2012-13		
	Amended Budget	Revenue Year to Date	% of Budget	Adopted Budget	Revenue Year to Date	% of Budget
REVENUES						
Sales and Use Tax	\$ 2,855,000	\$ 378,690	13.26%	\$ 3,100,000	\$ 393,951	12.71%
Property Tax	3,913,000	-	0.00%	4,009,000	-	0.00%
Franchise/TOT/Interest	1,010,500	67,471	6.68%	1,008,500	60,256	5.97%
Community Development	716,250	66,536	9.29%	825,500	73,308	8.88%
Community Services	168,300	39,212	23.30%	251,800	71,181	28.27%
Administrative/Other	195,055	46,628	23.91%	220,500	40,564	18.40%
Total Revenues	\$ 8,858,105	\$ 598,537	6.76%	\$ 9,415,300	\$ 639,260	6.79%
EXPENDITURES						
Personnel Services	\$ 3,272,489	\$ 815,761	24.93%	\$ 3,414,963	\$ 839,557	24.58%
Contract Safety	3,429,500	844,488	24.62%	3,600,711	857,989	23.83%
Operating Supplies and Services	2,115,786	465,648	22.01%	2,043,110	471,234	23.06%
Partnerships	82,000	20,000	24.39%	109,000	45,650	41.88%
Capital Projects	711,500	701,475	98.59%	378,729	19,981	5.28%
Total Expenditures	\$ 9,611,275	\$ 2,847,372	29.63%	\$ 9,546,513	\$ 2,234,411	23.41%

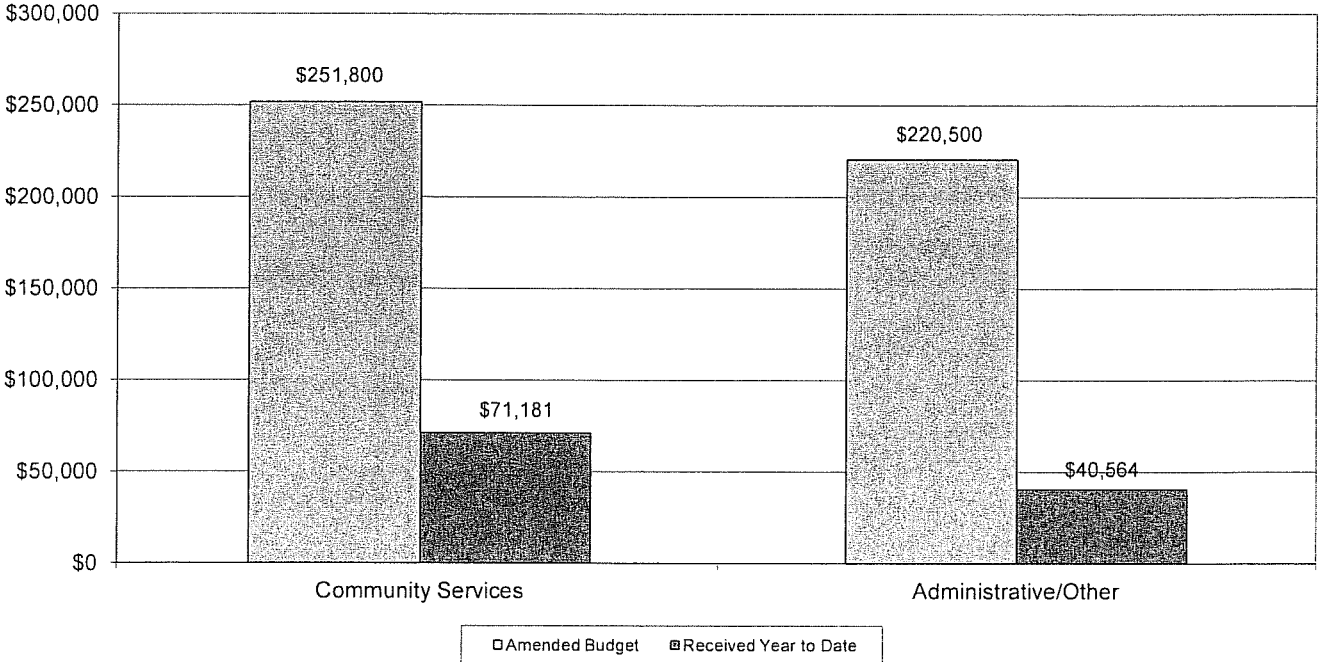
Notes

1. Capital Projects Expenditures in FY2011-12 includes a transfer of \$700,000 from the general fund to the capital reserve fund for road maintenance.
2. Adopted budget reflects anticipated FY2011-12 carryover amounts.
3. Partnership expenditures increased over prior year as recipients requested budgeted funding earlier in the fiscal year.

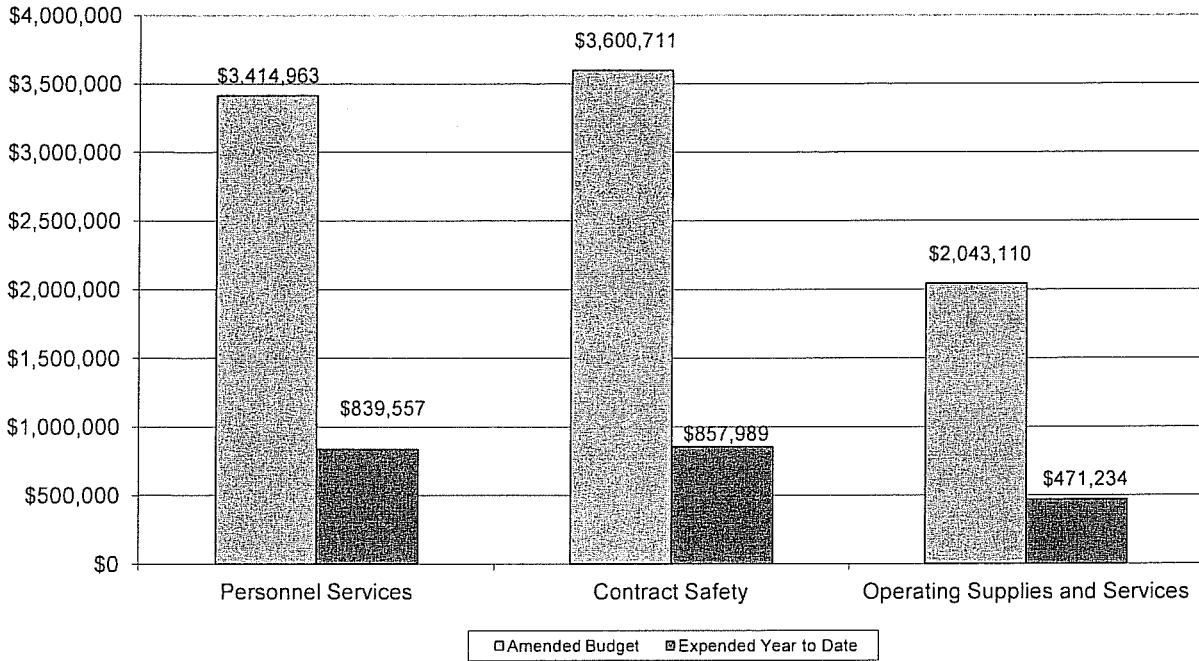
**Town of Yucca Valley
Major Revenue Sources
September 30, 2012**



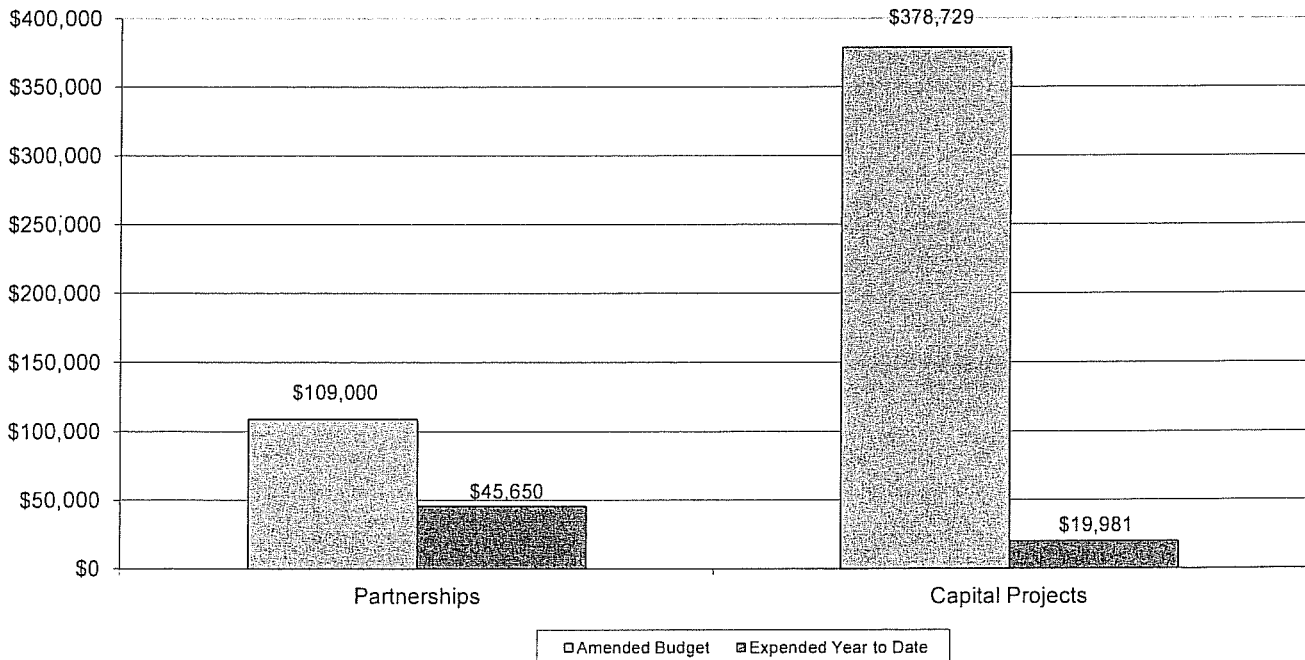
**Town of Yucca Valley
Other Revenue Sources
September 30, 2012**



Town of Yucca Valley
Major Expenditure Categories
 September 30, 2012



Town of Yucca Valley
Other Expenditure Categories
 September 30, 2012





TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Date: October 25, 2012

For Council Meeting: October 30, 2012

Subject: 2011-12 Purchase Order Encumbrances & Project Carryovers

Recommendation: Adopt the Resolution approving the 2011-12 Purchase Order Encumbrances and Project Carryovers as identified.

Order of Procedure:

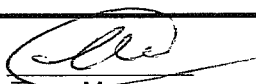
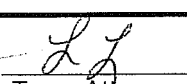
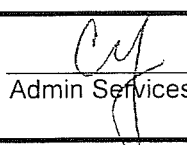
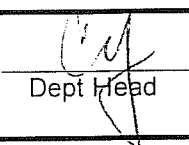
- Staff Report
- Public Comment
- Council Discussion
- Motion/Second
- Discussion on Motion
- Roll Call Vote (Consent)

Discussion: The encumbrances and projects identified in the attached schedule (Exhibit "A") represent expenditures that were authorized and approved, but not completed or invoiced as of June 30. The most common example would be for a purchase order issued but outstanding as of the end of the fiscal year. Another example would be the authorization of a capital project that has been planned, approved and budgeted for, but not yet initiated or completed.

The approval of the encumbrance schedule will transfer the authorized amount from the fiscal year 2011-12 budget to the current fiscal year 2012-13 budget. Due to the fact that these funds were not expended in the prior fiscal year, there is no net impact on total expenditures. This process simply moves the expenditure authorization from one fiscal year to the next.

Pursuant to the Town's Budget Resolution, for all special revenue funds, unexpended appropriations for approved individual capital projects will be carried forward as necessary.

Reviewed By:

			
Town Manager	Town Attorney	Admin Services	Dept Head

<input type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input checked="" type="checkbox"/> Resolution Action	<input type="checkbox"/> Public Hearing
<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Item

Alternatives: None.

Fiscal impact: Total requested general fund and special revenue fund carryovers are \$386,622. The changes primarily affect the year in which the expenditures are planned.

Attachments:

Resolution

Exhibit A – Encumbrance and Project Carryover listing

RESOLUTION NO. 12-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FISCAL YEAR 2012-13 ADOPTED BUDGET.

WHEREAS, the Town Council of the Town of Yucca Valley has adopted a budget for the Town's 2012-13 fiscal year; and

WHEREAS, amendments are required to reflect changes in appropriations from the original adopted budget.

NOW, THEREFORE, THE TOWN COUNCIL resolves as follows:

1. A total of \$386,622 is appropriated as reflected in Exhibit "A" to cover amounts encumbered during the 2011-12 fiscal year within the Town's General Fund (001) as identified.

APPROVED AND ADOPTED THIS 30th day of October 2012.

MAYOR

ATTEST:

TOWN CLERK

Exhibit "A"

**Town of Yucca Valley
Fiscal Year 2011-12
Proposed Carryover Listing**

Encumbrance Detail

Vendor/Project	Description of Services	Amount	Account
General Fund 001			
Hogle-Ireland	Development Code Update	\$55,691	001 50 50 8100 8012 000
Lew Edwards Group	Prof Svcs - Education/Information	3,485	001 10 11 8103 4055 000
The Planning Center	Prof Svcs - General Plan Update	308,038	001 50 50 8100 8014 000
RAMS	Prof Svcs - Financial Audit/RDA	4,312	001 10 10 7110 0000 000
Multiple	Prof Svcs - Animal Shelter	15,096	001 40 45 7110 0000 000
Subtotal General Fund		386,622	
Total Proposed Carry-over Funds		<u>\$386,622</u>	

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Administrative Services Director
Date: October 16, 2012
For Council Meeting: October 30, 2012

Subject: Warrant Register: October 30, 2012

Recommendation:

Ratify the Warrant Register total of \$ 267,632.81 for checks dated October 4, 2012. Ratify the Payroll Registers total of \$ 318,506.28 dated September 28, 2012 and October 12, 2012.

Order of Procedure:


- Department Report
- Request Staff Report
- Request Public Comment
- Council Discussion
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call)

Attachments:

- Payroll Register No. 14 dated September 28, 2012 total of \$ 171,595.06
- Payroll Register No. 16 dated October 12, 2012 total of \$ 146,911.22
- Warrant Register No. 19 dated October 4, 2012 total of \$ 267,632.81

Reviewed By:


Town Manager


Admin. Services


Town Attorney

-
- | | | | |
|---|---|--|---|
| <input checked="" type="checkbox"/> Department Report | <input type="checkbox"/> Ordinance Action | <input type="checkbox"/> Resolution Action | <input type="checkbox"/> Public Hearing |
| <input checked="" type="checkbox"/> Consent | <input checked="" type="checkbox"/> Minute Action | <input type="checkbox"/> Receive and File | <input type="checkbox"/> Study Session |

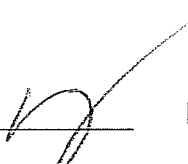
TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 14
CHECK DATE - September 28, 2012

Fund Distribution Breakdown

Fund Distribution

General Fund	\$151,975.12
Gas Tax Fund	10,429.85
Successor Agency	9,190.09
	<hr/>

Grand Total Payroll	\$171,595.06
	<hr/> <hr/>


Prepared by P/R & Financial Specialist: 

Reviewed by H/R & Risk Mgr.: 

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
Pay Period 14 - Paid 09/28/2012
(September 08, 2012 - September 21, 2012)
Checks: 4515 - 4523

	Employee	Employer	Total
<u>Net Employee Pay</u>			
Payroll Checks	\$3,840.96		\$3,840.96
Direct Deposit	87,942.61	-	87,942.61
Sub-total	91,783.57		91,783.57
<u>Employee Tax Withholding</u>			
Federal	16,916.43		16,916.43
Medicare	1,783.90	1,783.90	3,567.80
SDI - EE	-	-	-
State	6,029.29		6,029.29
Sub-total	24,729.62	1,783.90	26,513.52
<u>Employee Benefit & Other Withholding</u>			
Health Benefit Account Credit	-	-	-
Deferred Compensation	3,305.52	2,675.53	5,981.05
PERS Survivor Benefit	50.00		50.00
Health Café Plan	2,158.29	12,967.97	15,126.26
American Fidelity Pre-Tax	259.76		259.76
American Fidelity After-Tax	12.15		12.15
American Fidelity-FSA	681.29		681.29
PERS EE - Contribution 7%	724.22		724.22
PERS EE - Contribution 8%	6,700.80		6,700.80
PERS Retirement - Employee	-	811.78	811.78
PERS Retirement - Employer	-	15,567.63	15,567.63
Wage Garnishment - Employee	471.48		471.48
Life & Disability Insurance		988.87	988.87
Unemployment Insurance		1,802.50	1,802.50
Workers' Compensation		4,120.18	4,120.18
Sub-total	14,363.51	38,934.46	53,297.97
Gross Payroll	\$130,876.70	\$40,718.36	\$171,595.06

Prepared by P/R & Financial Specialist: 

Reviewed by H/R & Risk Mgr.: 

TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 16
CHECK DATE - October 12, 2012

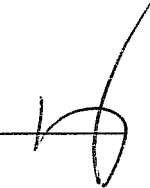
Fund Distribution Breakdown

Fund Distribution

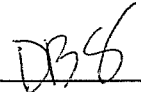
General Fund	\$128,701.99
Gas Tax Fund	11,024.31
Successor Agency	7,184.92
	<hr/>

Grand Total Payroll	\$146,911.22
	<hr/> <hr/>

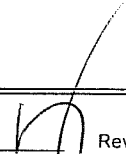
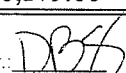
Prepared by P/R & Financial Specialist:



Reviewed by H/R & Risk Mgr.:



Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
Pay Period 16 - Paid 10/12/2012
(September 22, 2012 - October 05, 2012)
Checks: 4524-4531

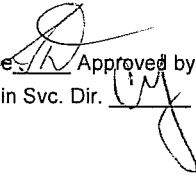

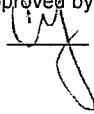
	Employee	Employer	Total
<u>Net Employee Pay</u>			
Payroll Checks	\$3,557.01		\$3,557.01
Direct Deposit	72,753.38	-	72,753.38
Sub-total	76,310.39		76,310.39
<u>Employee Tax Withholding</u>			
Federal	12,754.19		12,754.19
Medicare	1,434.39	1,434.37	2,868.76
SDI - EE	-	-	-
State	4,221.09		4,221.09
Sub-total	18,409.67	1,434.37	19,844.04
<u>Employee Benefit & Other Withholding</u>			
Health Benefit Account Credit	-	-	-
Deferred Compensation	2,445.15	1,205.28	3,650.43
PERS Survivor Benefit	42.00		42.00
Health Café Plan	2,187.47	13,117.94	15,305.41
American Fidelity Pre-Tax	259.76		259.76
American Fidelity After-Tax	12.15		12.15
American Fidelity-FSA	681.29		681.29
PERS EE - Contribution 7%	751.91		751.91
PERS EE - Contribution 8%	6,581.63		6,581.63
PERS Retirement - Employee	-	842.79	842.79
PERS Retirement - Employer	-	15,290.77	15,290.77
Wage Garnishment - Employee	497.58		497.58
Life & Disability Insurance		1,000.20	1,000.20
Unemployment Insurance		1,777.61	1,777.61
Workers' Compensation		4,063.26	4,063.26
Sub-total	13,458.94	37,297.85	50,756.79
Gross Payroll	\$108,179.00	\$38,732.22	\$146,911.22
Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 			

WARRANT REGISTER # 19
CHECK DATE - OCTOBER 4, 2012

FUND DISTRIBUTION BREAKDOWN

Checks # 41332 to # 41405 are valid

GENERAL FUND # 001	\$111,811.18
CENTRAL SUPPLIES FUND # 100	663.18
CUP DEPOSITS FUND # 200	7,682.30
COPS SLESF FUND # 509	298.24
AB2928 ST CONTRUCTION FUND # 513	7,402.05
GAS TAX FUND # 515	26,614.25
MEASURE I 2010-2040 # 524	114.24
SAFE ROUTES TO SCHOOLS FUND # 530	113.14
FLOOD CONTROL FUND # 531	104,750.00
CMAQ FUND # 542	7,060.00
CDBG FUND # 560	287.33
CAPITAL PROJECTS RESERVE FUND # 800	836.90
GRAND TOTAL	<u><u>\$267,632.81</u></u>

Prepared by Shirlene Doten, Finance  Approved by Mark Nuaimi, Town Manager 
Reviewed by: Curtis Yakimow, Admin Svc. Dir. 

Town of Yucca Valley

Warrant Register

October 4, 2012

Fund	Check #	Vendor	Description	Amount
001	GENERAL FUND			
	41332	Debra Breidenbach Sterling	CSTI Training Expense	\$342.00
	41333	Las Palmas Restaurant	Event Catering Expense	490.00
	41334	Lew Edwards Group	Revenue Measure Outreach Svcs.	7,273.51
	41335	Jessica Rice	CSTI Training Expense	810.98
	41336	Ace Alternators	Fleet Vehicle Maintenance	158.28
	41338	Aleshire & Wynder, LLC	08/12 Professional Svcs.	42,824.28
	41339	AlSCO/American Linen, Inc.	Facilities Supplies & Uniforms	139.13
	41340	Arrowhead Mountain Water	Office Supplies	109.95
	41341	AT & T Mobility	Cell Phone Service	379.80
	41342	Audio Dynamix	Sound System Speaker	1,169.35
	41343	Boys & Girls Club	Community Contract 10-12/12	10,750.00
	41346	BSN Sports	Recreation Program Expense	449.99
	41347	Burrtec Environmental	Recreation Program Expense	46.01
	41348	Charles Abbott & Assoc, Inc.	Plan Check Service	9,923.56
	41349	Chevron & Texaco Card Services	Vehicle Fuel	93.95
	41352	Wayne Coughlan	Sports Referee	66.00
	41353	Cowboy Corral	Shelter Animal Supplies	452.55
	41355	Alfred De Castro	Home Occupation Permit Refund	229.50
	41356	Desert Pacific Exterminators	Exterminator Services	229.00
	41357	Desert Hot Springs Animal Clinic	Veterinary Professional Svcs.	1,056.00
	41358	FedEx	Delivery Service	61.02
	41359	Fred's Tires	Fleet Tire Services	232.24
	41360	Fulton Distributing Co.	Shelter Custodial Supplies	247.62
	41362	Geo Central	Museum Shop Merchandise	19.80
	41364	Hi-Desert Water	Water Service	1,630.39
	41365	Hogle-Ireland Inc.	Development Code Update Svcs.	2,660.00
	41366	Knorr Systems, Inc.	YVHS Pool Maintenance	220.35
	41367	Jason Lewellyn	Sports Referee	66.00
	41369	The Mallants Corp	Temporary Employment Svcs.	1,502.58
	41371	Mity-Lite, Inc.	Portable Stage Replacement	7,331.67
	41372	Morongo Unified School District	Fleet Fuel Expense	3,125.61
	41373	Yucca Valley NAPA Auto Parts, Inc.	Vehicle Maintenance	108.59
	41374	NRO Engineering	Engineering Services	2,645.00
	41375	Oasis Office Supply	Office Supplies	197.25
	41377	Pappy & Harriet's	Conference Dinner Deposit	250.00
	41378	Public Agency Retirement Services	Trust Administrator Svcs. 07/12	300.00
	41379	Petty Cash-Jessica Rice	Miscellaneous Supplies	580.66
	41380	Pikes Peak Rock Shop Wholesale	Museum Shop Merchandise	132.03
	41381	Pool & Spa Center	YVHS Pool Expense	89.22
	41382	Pro Video	Town Council Taping Svcs.	100.00
	41384	Quick Scores	Recreation Program Supplies	108.00
	41385	Rosenow Spevacek Grp., Inc.	08/12 Professional Svcs.	175.00
	41387	SCE	Electric Service	1,070.17
	41388	Smith Pipe & Supply, Inc.	Parks Irrigation Supplies	161.69
	41389	So. Cal. Gas Co.	Natural Gas Service	355.24
	41390	Stater Bros	Museum Event Expense	464.61
	41391	Tease Shirts	Recreation Program Expense	2,943.06
	41393	Twentynine Palms Historical Society	Membership Renewal	35.00

Town of Yucca Valley

Warrant Register

October 4, 2012

Fund	Check #	Vendor	Description	Amount
	41394	Delanford Truitt	Sports Referee	132.00
	41395	Ultimate Motors	Fleet Vehicle Repairs	305.67
	41396	VCA Yucca Valley Animal Hospital	Veterinary Services	585.65
	41397	Verizon	Shelter Inside Line Repair	180.00
	41398	Verizon	Phone Service	3,040.17
	41401	Walmart Community	Museum Exhibit Expense	319.95
	41403	Woods Auto Repair	Fleet Vehicle Repair & Smog Svs.	226.00
	41404	Guy Wulf	Sports Referee	132.00
	EFT	First Bankcard	Meetings & Supplies Expense	3,083.10
Total 001 GENERAL FUND				\$111,811.18
100 INTERNAL SERVICE FUND				
	41361	GE Capital Corporation	Copier Property Tax	\$663.18
Total 100 INTERNAL SERVICE FUND				\$663.18
200 DEPOSITS FUND				
	41344	Jeffrey Bailey	Deposit Account Refund	\$2,579.58
	41358	FedEx	Delivery Service	24.53
	41363	Heil Properties, LLC	Deposit Account Refund	1,278.63
	41368	Morrison & Heard	Deposit Account Refund	2,592.06
	41374	NRO Engineering	Engineering Services	1,207.50
Total 200 DEPOSITS FUND				\$7,682.30
509 COPS-SLESF FUND				
	41345	Beaumont Motorcycles	Sheriff's Office Vehicle Maint.	\$260.23
	41399	Verizon Wireless	Sheriff's Office Phone	38.01
Total 509 COPS-SLESF FUND				\$298.24
513 AB2928-STATE CONSTRUCTION FUND				
	41358	FedEx	Delivery Service	\$118.01
	41376	Overland Pacific & Cutler, Inc.	TCRP ROW Phase 3	2,497.50
	41402	Willdan Associates	TCRP Project	4,786.54
Total 513 AB2928-STATE CONSTRUCTION FUND				\$7,402.05
515 GAS TAX FUND				
	41339	AlSCO/American Linen, Inc.	Streets Uniform Service	\$79.05
	41350	Clark Construc/Hal Scott Clark	Storm Repair/Yucca Mesa	17,331.92
	41351	CNH Capital	Streets Vehicle Maintenance	171.05
	41354	Crafco, Inc.	Asphalt Supplies	2,767.02
	41370	Matich Corporation	Acoma & Golden Bee Project	1,653.00
	41383	Quality Street Services, Inc.	Street Sweeping Service	2,415.00
	41387	SCE	Electric Service	68.63
	41392	Tops n Barricades	Signage	2,083.24
	41405	YV Ford Center	Vehicle Maintenance	45.34
Total 515 GAS TAX FUND				\$26,614.25
524 MEASURE I - 2010-2040 FUND				
	41387	SCE	Electric Service	\$114.24
Total 524 MEASURE I - 2010-2040 FUND				\$114.24

Town of Yucca Valley
Warrant Register
October 4, 2012

Fund	Check #	Vendor	Description	Amount
530		SAFE ROUTES TO SCHOOLS FUND		
	41400	Valley Independent	Safe Routes to School Printing	\$113.14
Total 530		SAFE ROUTES TO SCHOOLS FUND		\$113.14
531		FLOOD CONTROL FUND		
	41386	SBCO - Public Works/Flood	Long Canyon Wash Study	\$104,750.00
Total 531		FLOOD CONTROL FUND		\$104,750.00
542		CMAQ FUND		
	41337	Albert Grover & Assoc.	Hwy Signal Synchronization	\$7,060.00
Total 542		CMAQ FUND		\$7,060.00
560		CDBG FUND		
	41375	Oasis Office Supply	CC Splash Park Expense	\$287.33
Total 560		CDBG FUND		\$287.33
800		CAPITAL PROJECTS RESERVE FUND		
	41338	Aleshire & Wynder, LLC	08/12 Professional Svs.	\$229.68
	41358	FedEx	Delivery Service	607.22
Total 800		CAPITAL PROJECTS RESERVE FUND		\$836.90
***		Report Total		\$267,632.81

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Alex Qishta, Project Engineer
Date: October 22, 2012
For Council Meeting: October 30, 2012

Subject: Resolution No. 12-
Street Vacation SV-01-12, Southern California Gas Company
Approximately Twelve (12') feet by three hundred thirty one feet (331') of
right of way on Pioneertown Road
Assessor's Parcel No. 594-061-08

Prior Council Review: On September 18, 2012, Council adopted and approved Resolution No. 12-33, declaring its intention to vacate a portion of easement on Assessor's Parcel No. 594-061-08 and set a time and place for a Public Hearing.

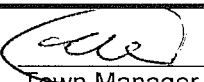
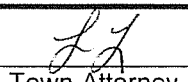
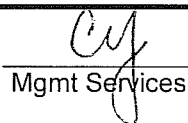
Recommendation: That the Town Council approves the Resolution, vacating approximately twelve (12') feet of that portion of easement(s) on the east side of Assessor's Parcel Number 594-061-08.

Executive Summary: At their meeting of August 28, 2012, the Planning Commission determined the requirements for vacating public road easements on Pioneertown Road were satisfied, as the easements identified are not necessary for future circulation purposes nor are they necessary for existing or future access for other properties in the surrounding area. The Planning Commission voted unanimously to approve the application to vacate the street easements.

The Streets and Highways Code permits the Town to vacate a street easement only upon a finding supported by substantial evidence that the easement is no longer needed for vehicular traffic and that the street is unnecessary for present or prospective public use.

Order of Procedure:

- Request Staff Report
- Open the Public Hearing, Request Public Comment
- Close the Public Hearing
- Council Discussion/Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Voice Vote)

Reviewed By:    _____
Town Manager Town Attorney Mgmt Services Dept Head

<input type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input checked="" type="checkbox"/> Resolution Action	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Consent	<input type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session

Discussion: An application was submitted to the Town by Southern California Gas Company to vacate a portion of Pioneertown Road. The Town's General Plan, Circulation Element, identifies Pioneertown Road as an 80' wide (40' half width) collector. Based upon existing dedications, the existing right of way is 12' wider than required by the Circulation Element. When the project was originally approved under the jurisdiction of San Bernardino County the road was improved to the then County standard which was a 52' half width. The Planning Commission reviewed the street vacation request and confirmed that the request is in conformance to the General Plan.

Public agencies are required to obtain right-of-way or easements for construction of public improvements including roadways, flood control facilities and other public works improvements. Planning for future extensions and expansions of public works projects requires that local agencies acquire right-of-way or easements years in advance of the actual construction projects. There are other situations where right-of-way or easements have been acquired and utilized for their intended purpose, but as the Town grows and roadways are improved and realigned, certain right-of-ways or easements no longer serve their original purpose.

Alternatives: Staff recommends no alternative action.

Fiscal impact: None

Attachments: Resolution No.
Resolution No. 12-33 Intention to Vacate
Notice of Public Hearing
Request for Street Vacation
Assessor's Parcel Map
Streets and Highways Code Sections

RESOLUTION NO. 12-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING STREET VACATION SV-01-12 TO VACATE THAT PORTION OF EASEMENT ON ASSESSOR'S PARCEL NO. 0594-061-08 AS IDENTIFIED HEREIN

WHEREAS, the Town Council of the Town of Yucca Valley, California, approves the vacation of a twelve (12') feet by three hundred thirty one feet (331') easement adjacent to the easterly property line located at 7230 Pioneertown Road, and also known as Assessor's Parcel No. 0594-061-08; and

WHEREAS, the Town Council has determined the easement identified is not necessary for future circulation purposes or are they needed for existing or future access by other properties in the surrounding area; and

WHEREAS, the vacation proceeding was conducted pursuant to the provisions of Chapter 3, Part 3 of Division 9, of the Streets and Highways Code of the State of California designated "General Vacation Procedure" (beginning at Section 8320 of said Code); and

WHEREAS, the Town Council conducted a duly noticed public hearing on October 30, 2012, and heard all testimony of any persons wishing to speak on this issue; and

WHEREAS, notices of Resolution of Intention were conspicuously posted along the line of the street to be vacated at least two weeks before October 30, 2012, setting the day, hour and place for the public hearing and described the street easement to be vacated. At least three (3) Notices were posted not more than 300 feet apart; and

WHEREAS, in addition, pursuant to Section 8322 of the Street and Highways Code, the Resolution of Intention was posted by the Town Clerk in public places designated by the Town Council for the posting of resolutions and ordinances of the Town, and the Notice of Hearing was published in the Hi-Desert Star newspaper at least two (2) successive weeks prior to the hearing.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, RESOLVES AS FOLLOWS:

SECTION 1: The Street Vacation for twelve (12) feet by three hundred thirty one feet (331) easement adjacent to the easterly property line located at 7230 Pioneertown Road; also known as Assessor's Parcel No. 0594-061-08 is hereby approved.

SECTION 2: The Town Clerk is directed to cause a copy of this Resolution to be Recorded with the San Bernardino County Office of the Recorder.

PASSED, APPROVED AND ADOPTED THIS 30th day of October, 2012.

MAYOR

ATTEST:

TOWN CLERK

RESOLUTION NO. 12-33

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, DECLARING ITS INTENTION TO VACATE THAT PORTION OF EASEMENTS ON ASSESSOR'S PARCEL NO. 594-061-08 IDENTIFIED ON THE ATTACHED MAPS AND SETTING A TIME AND PLACE FOR HEARING THEREON.

The Town Council of the Town of Yucca Valley, California, does hereby resolve as follows:

SECTION 1. That the Town Council of the Town of Yucca Valley, California, intends to order the vacation approximately twelve (12') feet of that certain portion of an existing 52' foot easements adjacent to the westerly and easterly property lines of Assessor's Parcel No. 594-061-08.

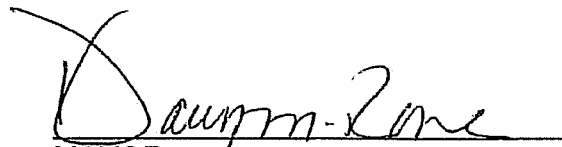
SECTION 2. This vacation proceeding is conducted pursuant to the provisions of Chapter 3, Part 3 of Division 9, of the Streets and Highways Code of the State of California designated "General Vacation Procedure" (beginning at Section 8320 of said Code).

SECTION 3. Notice is hereby given that on October 16, 2012 at 6:00 p.m. in the Yucca Room of the Town of Yucca Valley Community Center, Yucca Valley, California, is the time and place fixed for hearing all persons interested in or objecting to the proposed street easement vacation.


SECTION 4. The Town Engineer or his representative of the Town of Yucca Valley shall cause to be conspicuously posted, along the line of the street proposed to be vacated, notices of the passage of this Resolution of Intention, which notices shall be posted at least two weeks before the day set for the hearing. Notices shall be posted not more than 300 feet apart, but at least three notices shall be posted. The notices shall state the day, hour and place of the hearing, and describe the street or public service easement proposed to be vacated.

SECTION 5. In addition, pursuant to Section 8322 of the Streets and Highways Code, this Resolution shall be posted by the Town Clerk in public places designated by the Town Council for the posting of resolutions and ordinances of the Town, and published in a newspaper of general circulation within the Town for at least two successive weeks prior to the hearing.

ADOPTED AND APPROVED THIS 18th day of September, 2012.


MAYOR

ATTEST:


TOWN CLERK

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Janet M. Anderson, Town Clerk of the Town of Yucca Valley, California do hereby certify that Resolution No. 12-33 was duly and regularly adopted by the Town Council of the Town of Yucca Valley, California, at a meeting thereof held on the 18th day of September, 2012, by the following vote:

AYES: Council Members Abel, Huntington, Lombardo, and Mayor Rowe

NOES: None

ABSTAIN: None

ABSENT: None



TOWN CLERK

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

TUESDAY, OCTOBER 30, 2012, BEGINNING AT 6:00 P.M.

A PUBLIC HEARING ORIGINALLY SCHEDULED FOR OCTOBER 16, 2012, HAS BEEN RESCHEDULED BEFORE THE TOWN OF YUCCA VALLEY TOWN COUNCIL FOR OCTOBER 30, 2012 TO CONSIDER THE FOLLOWING DESCRIBED APPLICATION:

CASE NUMBER: Street Vacation 01-12; Southern California Gas Company

APPLICANT: Southern California Gas Company
8101 Rosemead Blvd, SC720F
Pico Rivera, CA 90660

PROPOSAL: Proposal to vacate an easement adjacent to the east side of the property located at 7230 Pioneertown Road; also known as Assessor's Parcel No. 594-061-08. The easement is a 12' wide by 330.94' portion of Pioneertown Road and extending in it's entirety from the north to south property lines, referenced in the attached map.

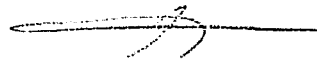
LOCATION: The project is located at 7230 Pioneertown Rd, on the west side of Pioneertown Rd, north of Yucca Trail and identified as APN 594-061-08.

The vacation proceeding is conducted pursuant to the provisions of Chapter 3, part 3 of Division 9 of the Streets and Highway Code of the State of California.

Any person affected by the application(s) may appear and be heard in support or opposition to the proposal at the time of the hearing. Anyone not able to attend the Public Hearing may submit comments in writing to the Town Clerk, 57090 Twenty-Nine Palms Highway, Yucca Valley, California 92284 prior to the 6:00 p.m. Tuesday, October 30, 2012.

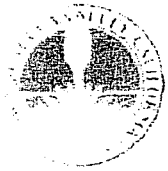
The Town Council in their deliberation could recommend approval of the project, deny the project, or approve the project in an alternative form. If you challenge any of the projects in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in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

TOWN OF YUCCA VALLEY



Jamie Anderson
Town Clerk

Please advertise two (2) times
Saturday, October 13, 2012
Saturday, October 20, 2012



Street Vacation
Application

8/3/12
Rakins
w/cvp
SU 01-12

X

General Information

APPLICANT Southern California Gas Company

8101 Rosemead Blvd., SC720F rakins@semprautilities.com
Pico Rivera, CA 90660

REPRESENTATIVE JTC Architects, Inc. 626-254-8884 626-574-7775
65 N. First Ave., Suite 201
Arcadia, CA 91006 jtcarch@pacbell.net

PROPERTY OWNER Monrogo Basin Humane Society
Current property owner is the Monrogo Basin Humane Soci

The property is in escrow to be sold to Southern California Gas Compa

Project Information

7230 Pioneertown Road

0594-061-08

Coyote Trail and Antelope Trail

330.94 feet

12 feet

Please see attached

EXHIBIT "A"

SHEET 1 OF 1

LEGAL DESCRIPTION

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 10784, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 126 PAGES 55 AND 56 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL 1;
THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 1; SOUTH 89°31'26" EAST, 279.35 FEET TO THE TRUE POINT OF BEGINNING AND POINT BEING 52.00 FEET FROM CENTERLINE OF PINOEERTOWN ROAD;
THENCE LEAVING SOUTHERLY LINE OF SAID PARCEL 1, PARALLELING WITH CENTERLINE OF PINOEERTOWN ROAD; NORTH 00°12'24" EAST, 281.01 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.00 FEET, WITH A RADIAL BEARING OF NORTH 89°47'36" WEST;
THENCE ALONG SAID CURVE NORTHWESTERLY, 31.31 FEET THROUGH A CENTRAL ANGLE OF 90°17'22" TO A POINT OF CUSP AND THE POINT ON THE NORTHERLY LINE OF SAID PARCEL 1;
THENCE ALONG NORTHERLY LINE OF SAID PARCEL 1; SOUTH 89°30'14" EAST, 12.00 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.00 FEET, WITH A RADIAL BEARING OF SOUTH 00°29'46" WEST;
THENCE ALONG SAID CURVE SOUTHEASTERLY, 31.31 FEET THROUGH A CENTRAL ANGLE OF 90°17'22" TO A POINT BEING 40.00 FEET FROM CENTERLINE OF PINOEERTOWN ROAD;
THENCE PARALLELING WITH CENTERLINE OF PINOEERTOWN ROAD; SOUTH 00°12'24" WEST, 281.01 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 1;
THENCE ALONG SOUTHERLY LINE OF SAID PARCEL 1; NORTH 89°31'26" WEST, 12.00 FEET TO THE POINT OF BEGINNING;

SAID RIGHT OF WAY VACATION CONTAINS 3,611 SQUARE FEET, MORE OR LESS

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION

David T. Rosell

DAVID T. ROSELL

P.L.S. 6281

EXP. 9/30/14

W&W TECHNOLOGIES
1750 W. ANDES DRIVE
UPLAND, CA 91784

(909) 608-7118 PH
(909) 946-1137 FAX

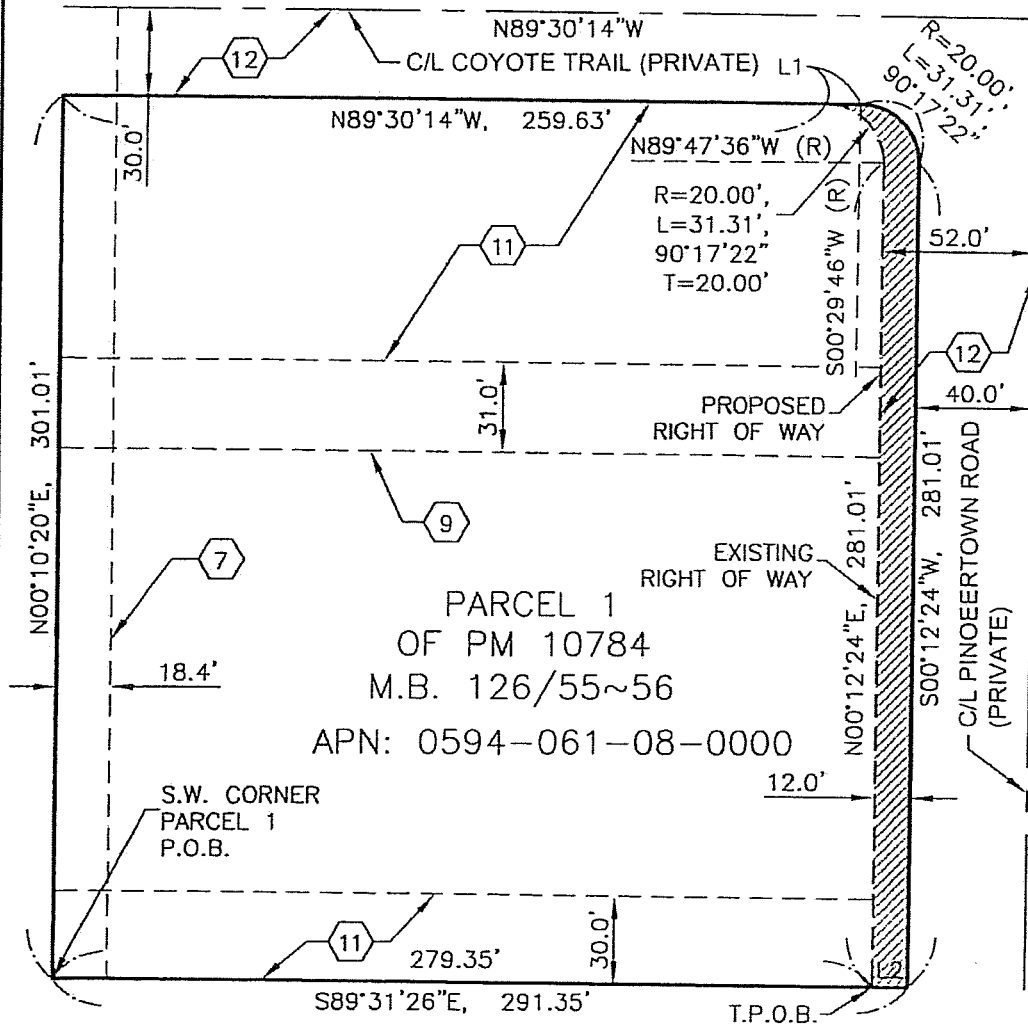


EXHIBIT "B"

EASEMENT NOTES

PLAT MAP

- 7 EASEMENT FOR POLE LINES PURPOSES RECORDED SEPTEMBER 8, 1947 BOOK 2129 PAGE 243 OFFICIAL RECORDS (PLOTTED HEREON).
- 9 EASEMENT FOR ELECTRIC LINES AND TELEPHONE LINES PURPOSES RECORDED JULY 26, 1949 BOOK 2439 PAGE 358 OFFICIAL RECORDS (PLOTTED HEREON).
- 11 EASEMENT FOR ROAD PURPOSES RECORDED DECEMBER 2, 1986 INSTRUMENT/FILE No. 86-363148 AND RE-RECORDED APRIL 16, 1987 INSTRUMENT No. 87-124988 BOTH OFFICIAL RECORDS (PLOTTED HEREON).
- 12 EASEMENT FOR PUBLIC UTILITIES AND ROADS PURPOSES RECORDED JANUARY 10, 1947 BOOK 5 PAGE 45 RECORDS OF SURVEY (PLOTTED HEREON).



LEGEND

- EXISTING ROW LINES TO BE REVISED PER THIS VACATION
- EXISTING PROPERTY LINES TO REMAIN
- CENTER LINE
- POB POINT OF BEGINNING
- ▨ PROPOSED STREET VACATION FROM CITY OF YUCCA VALLEY.

SURVEY DATA:

SURVEY DATA WAS USED TRUE SURVEY PROVIDED BY CAL VADA SURVEYING, INC DATED ON MAY 12, 2012.

LINE TABLE		
LINE	LENGTH	BEARING
L1	12.00'	S89°30'14"E
L2	12.00'	N89°31'26"W

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION

David T. Rosell

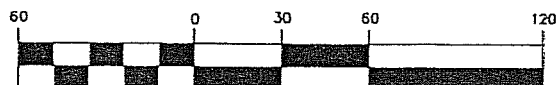
DAVID T. ROSELL

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(IN FEET)
1 inch = 60 ft.

Owner/Applicant Authorization

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

Signed: _____

Raymond D. Adams

Date: _____

7/9/2012

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

Russell Gibbs

to act as my agent and is further authorized to sign any and all documents on my behalf:

Signed: _____

Mary Metz

Dated: _____

7-10-12

Public Record

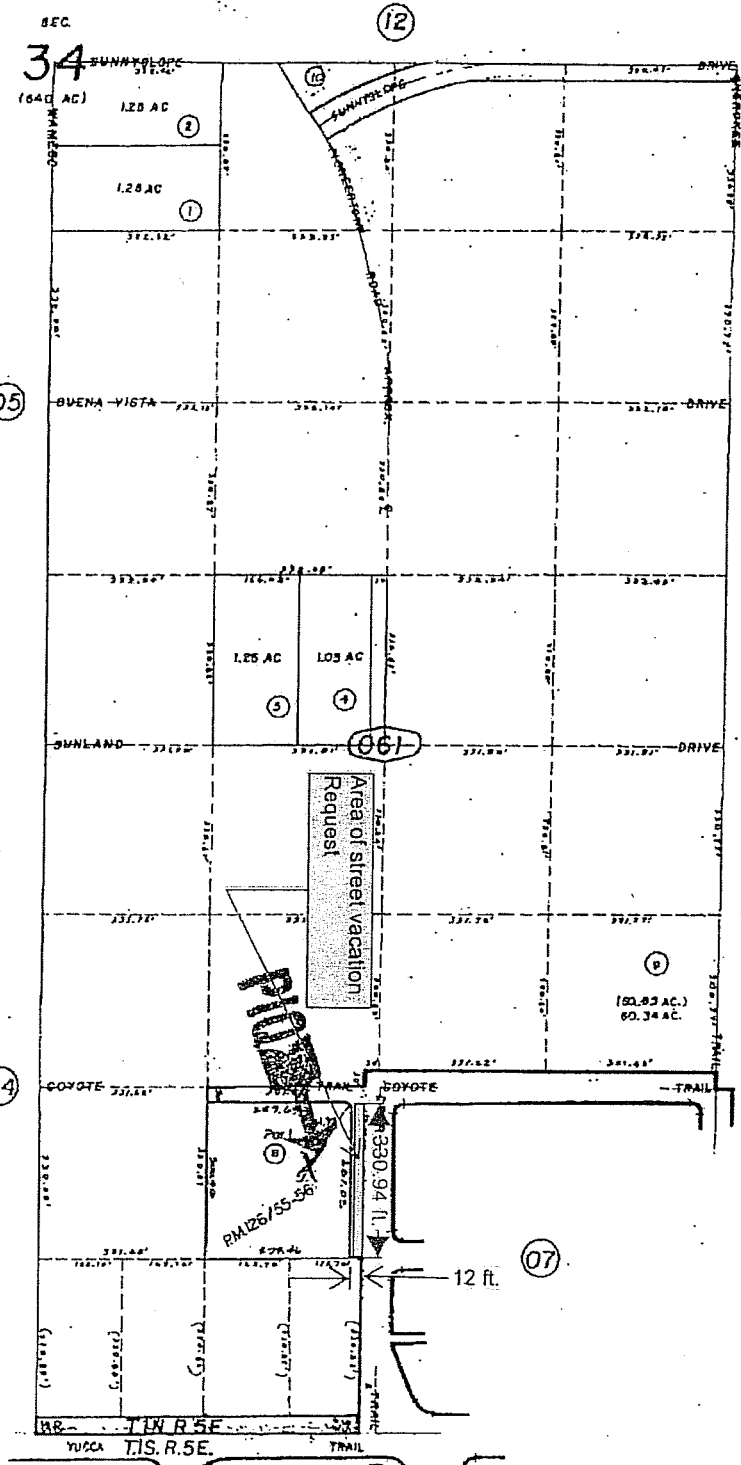


Por. W.1/2 S.E.1/4 Section 34 T.1N.R.5E. S.B.B.M.

R.S. 5/45.

Town of Yucca Valley
Tax Roll - Area
23000

594-06



Parcel Map No. 0784, P.M. 126/55-56

This plat is not a survey. It is intended as a guide to the local sources of information, the County Assessor's Office, and the National Title Insurance Co.

Note - Assessor's B.M. A Lot Numbers Shown in Circles

Assessor's Map Book 594, Page 06 San Bernardino County

REVIS
3/13/08
12/20/09
4/20/09



around the capitol

[Home](#) > [California Laws](#) > [Streets And Highways Code](#) > Section 8300-8309

[Caution]

CALIFORNIA STREETS AND HIGHWAYS CODE

8300. This part may be cited as the Public Streets, Highways, and Service Easements Vacation Law.

8301. Unless the provision or context otherwise requires, the definitions in this chapter shall govern the construction of this part.

8302. "Adoption" of a resolution includes passage or enactment of a resolution.

8303. "Clerk" includes a person or officer who is the clerk of a legislative body.

8304. "Legislative body" means:

(a) In the case of a county or city and county, the board of supervisors.

(b) In the case of a city, the city council or other body which, by law, is the legislative body of the government of the city.

(c) In the case of the California Transportation Commission, the commission.

8305. "Local agency" means a county, city, or city and county.

8305.5. "Public entity" means a local agency or the California Transportation Commission.

8306. "Public service easement" includes all or part of, or any right in:

(a) A right-of-way, easement, or use restriction acquired for public use by dedication or otherwise for sewers, pipelines, polelines, electrical transmission and communication lines, pathways, storm drains, drainage, canal, water transmission lines, light and air, and other limited use public easements other than for street or highway purposes.

(b) An easement or right of a type described in Section

8340.

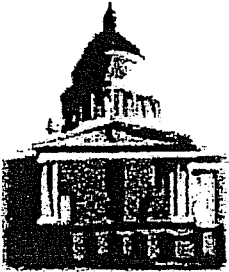
8306.5. "Public utility" means a public utility as defined in Section 216 of the Public Utilities Code.

8307. "Resolution" includes an ordinance.

8308. "Street" and "highway" include all or part of, or any right in, a state highway or other public highway, road, street, avenue, alley, lane, driveway, place, court, trail, or other public right-of-way or easement, or purported public street or highway, and rights connected therewith, including, but not limited to, restrictions of access or abutters' rights, sloping easements, or other incidents to a street or highway.

8309. "Vacation" means the complete or partial abandonment or termination of the public right to use a street, highway, or public service easement.

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around the capitol

[Home](#) > [California Laws](#) > [Streets And Highways Code](#) > Section 8320-8325

[Caution]

CALIFORNIA STREETS AND HIGHWAYS CODE

8320. (a) The legislative body of a local agency may initiate a proceeding under this chapter in either of the following ways:

(1) On its own initiative, where the clerk of the legislative body shall administratively set a hearing by fixing the date, hour, and place of the hearing and cause the publishing and posting of the notices required by this chapter.

(2) Upon a petition or request of an interested person, at the discretion of the legislative body, except as provided in subdivision (e) of Section 8321, where the clerk of the legislative body shall administratively set a hearing by fixing the date, hour, and place of the hearing and cause the publishing and posting of the notices required by this chapter.

(b) The notices required by this chapter shall contain both of the following:

(1) A description of the street, highway, or public service easement proposed to be vacated and a reference to a map or plan, that shows the portion or area to be vacated and includes a statement that the vacation proceeding is conducted under this chapter. In the case of a street or highway, the description shall include its general location, its lawful or official name or the name by which it is commonly known, and the extent to which it is to be vacated. In the case of a public service easement, the description shall identify it with common certainty. The map or plan showing the location of the street, highway, or public easement proposed to be vacated is sufficient compliance with this paragraph.

(2) The date, hour, and place for hearing all persons interested in the proposed vacation. The date shall not be less than 15 days after the initiation of proceedings.

8321. (a) Ten or more freeholders may petition the board of supervisors to vacate a street or highway under this chapter. At least two of the petitioners shall be residents of the road district in which some part of the street or highway proposed to be vacated is situated and shall be taxable therein for street or highway purposes.

(b) Five or more freeholders may petition the board of supervisors to vacate a public service easement under this chapter. At least one of the petitioners shall be a resident of the township in which the public service easement proposed to be vacated is situated.

(c) The residence address of each petitioner shall be set forth in the petition.

(d) The board of supervisors may require the payment of a fee for filing a petition to defray the expenses of investigations, mailings, publications, and postings under this chapter.

(e) Upon the filing of a petition and the making of the deposit, if any, required under this section, the board of supervisors, by order, shall fix the date, hour, and place of the hearing on the petition. At least two weeks before the day set for the hearing, the clerk of the board shall mail a notice of the date, hour, and place of the hearing to each of the petitioners at the address set forth in the petition.

(f) Nothing in this section shall affect the right of a legislative body to initiate a proceeding under this

chapter upon its own initiative, or upon petition or request of an interested person, or prevent the board of supervisors from vacating a street, highway, or public service easement without charging costs if the board determines it is in the public interest to do so.

8322. (a) Except as provided in subdivisions (b) and (c), notice of the hearing on the proposed vacation shall be published for at least two successive weeks prior to the hearing in a daily, semiweekly, or weekly newspaper published and circulated in the local agency conducting the proceeding and which is selected by the legislative body for that purpose or by the clerk or other officer responsible for the publication where the legislative body has not selected any newspaper for that purpose.

(b) If the proceeding is conducted by a city and there is no daily, semiweekly, or weekly newspaper published and circulated in the city, the notice shall be published in some newspaper published in the county in which the city is located.

(c) Notice need not be published under this section where there is no daily, semiweekly, or weekly newspaper published and circulating in the county in which the local agency conducting the proceeding is located.

8323. At least two weeks before the day set for the hearing, the legislative body shall post conspicuously notices of vacation along the line of the street, highway, or public service easement proposed to be vacated. The notices shall be posted not more than 300 feet apart, but at least three notices shall be posted. If the line of the street, highway, or public service easement proposed to be vacated exceeds one mile in length, the legislative body may, in lieu of posting not more than 300 feet apart, post notices at each intersection of another street or highway with the street, highway, or public service easement to be vacated and at one point approximately midway between each intersection, but at least three notices shall be posted.

8324. (a) At the hearing, the legislative body shall hear the evidence offered by persons interested.

(b) If the legislative body finds, from all the evidence submitted, that the street, highway, or public service easement described in the notice of hearing or petition is unnecessary for present or prospective public use, the legislative body may adopt a resolution vacating the street, highway, or public service easement. The resolution of vacation may provide that the vacation occurs only after conditions required by the legislative body have been satisfied and may instruct the clerk that the resolution of vacation not be recorded until the conditions have been satisfied.

8325. (a) The clerk shall cause a certified copy of the resolution of vacation, attested by the clerk under seal, to be recorded without acknowledgment, certificate of acknowledgment, or further proof in the office of the recorder of the county in which the property is located. No fee shall be charged for recordation.

(b) Upon such recordation, the vacation is complete.

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