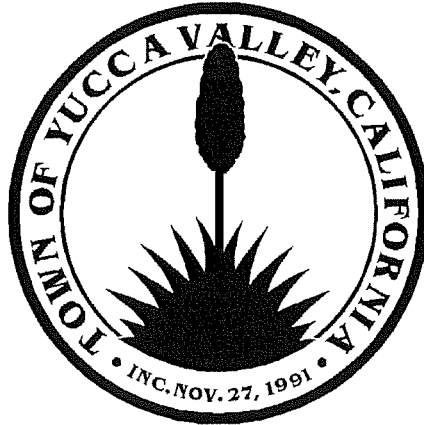


TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING



*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, FEBRUARY 19, 2013
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
Merl Abel, Mayor
Robert Lombardo, Mayor Pro Tem Member
George Huntington, Council Member
Dawn Rowe, Council Member

* * * *

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

**AGENDA
MEETING OF THE
TOWN OF YUCCA VALLEY COUNCIL
TUESDAY, FEBRUARY 19, 2013
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 Huntington, Lombardo, Rowe, and Mayor Abel.

PLEDGE OF ALLEGIANCE

INVOCATION

Led by Pastor Bill Wilcox, Evangelical Free Church

PRESENTATIONS, RECOGNITIONS, INTRODUCTIONS

1. Recognition of Miss Yucca Valley and Court

AGENCY REPORTS

Chamber of Commerce

- 2. Monthly Chamber of Commerce Report for January 2013

Hi Desert Water District

- 3. Water and Wastewater Project Updates.

APPROVAL OF AGENDA

Action: Move _____ 2nd _____ Vote _____

CONSENT AGENDA

- 1-10 4. Minutes of the Town Council Meetings of February 5, 2013.

Recommendation: Approve the minutes as presented.

- 5. Waive further reading of all ordinances and read by title only.

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

- 11-12 6. Ordinance Authorizing the Levy of a Special Tax (Super Wal-Mart).

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN IMPROVEMENT AREA 3, ANNEXATION NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 11-1 (SUPER WAL-MART)

Recommendation: Adopt the Ordinance

- 13-14 7. San Bernardino County Fire Department Monthly Report for January 2013

Recommendation: Receive and file the monthly statistical Fire Department report for January 2013.

- 15 8. Hi Desert Nature Museum 2011-12 Annual Report

Recommendation: Receive and file the Hi Desert Nature Museum's 2011-12 Annual Report.

- 16-18 9. Acceptance of Donation – Hensel Phelps Construction Company

Recommendation: Accept the donation of office furnishings from the Hensel Phelps Construction Company and direct staff to distribute the items as necessary within the organization; if any items remain, authorize the disposal of those items at a public auction of surplus property.

19-27 10. Warrant Register, February 5, 2013.

Recommendation: Ratify the Warrant Register total of \$816,567.66 for checks dated February 7, 2013. Ratify Payroll Registers total of \$161,309.98 for checks dated February 1 - 11, 2013.

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 4-10)

Action: Move _____ 2nd _____ Vote _____

PUBLIC HEARING

28-35 11. Community Development Block Grant (CDBG) Prioritization Hearing

Staff Report

Open Public Hearing

Recommendation: Review the 2013-14 eligible proposals and provide direction regarding the Council's priority project(s) and/or programs(s)

Action: Move _____ 2nd _____ Vote _____.

DEPARTMENT REPORTS

36-38 12. Community Center Playground Improvement & Splash Park – Town Project No. 8961, Community Development Block Grant Funds.

Staff Report

Recommendation: Direct staff to proceed with the Community Center Playground Improvement and Splash Park project, approving modifications to the project design for this phase to include only the replacement of playground equipment in the current site configuration, and direct staff to proceed with replacement of playground equipment and associated recreational infrastructure at Paradise Park and authorizing submittal of all necessary documents to the County of San Bernardino necessary to secure the Community Development Block Grant Funds for both project sites.

Action: Move _____ 2nd _____ Vote _____.

- 39-41 13. Solid Waste Franchise Agreement Update

Staff Report

Recommendation: Receive and file the informational report regarding the Solid Waste Franchise Agreement update project.

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

- 14. Council Member Rowe
- 15. Council Member Huntington

16. Mayor Pro Tem Lombardo

17. Mayor Abel

ANNOUNCEMENTS

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

6:00 p.m., Tuesday, March 5, 2013, Yucca Valley Community Center Yucca Room

CLOSING ANNOUNCEMENTS

ADJOURNMENT

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
FEBRUARY 5, 2013**

OPENING CEREMONIES

Mayor Abel called the meeting to order at 6:00 p.m.

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

Staff Present: 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 Abel

INVOCATION

Led by Pastor Stephen Jones, First Southern Baptist Church

PRESENTATIONS, RECOGNITIONS, INTRODUCTIONS

1. Recognition of Yucca Valley High School Cross Country Team

Mayor Abel presented Certificates of Recognition to Coach Stepp and members of the Yucca Valley Girls Cross Country Team.

APPROVAL OF AGENDA

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

CONSENT AGENDA

2. **Approve**, Minutes of the Special Town Council Meetings of January 22, 2013 and January 30, 2013, as presented.
3. **Waive**, further reading of all ordinances and read by title only.
4. **Receive and file**, the AB 1234 Reporting Requirement Schedule for the month of January 2013

- 5. **Accept**, Project No. 8325 as substantially complete, authorize staff to file the Notice of Completion, authorize the reduction of the Faithful Performance Bond to 10%, and direct staff to retain the Labor and Material Bond for six (6) months; **Amend**, the FY 2012-13 budget for Project No. 8325 by increasing the project budget by \$10,000, from \$262,000 to \$272,000 - SR62/SR247 Median Island and Traffic Signal Improvements
- 6. **Execute**, the final draft of the HDWD / Town Water Supply Agreement with Exhibit A, identifying the CIMIS water accounts and budgets affected by the agreement and approve the payment of \$400,000 to the Hi Desert Water District (“District”).
- 7. **Declare**, certain Town property as surplus, and authorize the sale of surplus supplies and equipment at an in-house public auction.
- 8. **Receive and file**, the Treasurer’s Report for the second quarter of FY 2012-13
- 9. **Ratify**, Warrant Register total of \$273,179.26 for checks dated January 24, 2013. Ratify Payroll Registers total of \$152,026.90 for checks dated January 18, 2013.

Council Member Rowe moved to adopt Consent Agenda Items 2-9. Council Member Huntington seconded. Motion carried 4-0.

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

PUBLIC HEARING

- 11. **Annexation Area No. 2 (Improvement Area No. 3) (Super Wal-Mart), APN 0601-201-37 to Community Facilities District No. 11-1**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA FOR THE ANNEXATION OF IMPROVEMENT AREA NO. 3 TO COMMUNITY FACILITIES DISTRICT NO. 11-1, ANNEXATION AREA #2, IMPROVEMENT AREA #3 (SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE DISTRICT, AND SUBMITTING THE LEVY OF THE SPECIAL TAX TO THE QUALIFIED ELECTORS OF THE AREA TO BE ANNEXED TO THE DISTRICT

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA SETTING A DATE FOR AN ELECTION ON THE ANNEXATION OF ANNEXATION AREA NO. 2 (IMPROVEMENT AREA NO. 3)

TO COMMUNITY FACILITIES DISTRICT NO. 11-1 (SERVICES), SPECIAL TAX LEVY FOR FY 2013/14

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, DECLARING RESULTS OF THE SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN IMPROVEMENT AREA 3, ANNEXATION NO 2, OF COMMUNITY FACILITIES DISTRICT NO. 11-1 (SUPER WAL-MART)

Mayor Abel opened the Public hearing and questioned if the Town Clerk has proof of publication and mailing of notice of hearing. Town Clerk Anderson advised that the proof of publication and mailing are on file in the Town Clerk's Office showing that notices were published and mailed in a timely manner. Mayor Abel questioned if there have been written protests filed with the Clerk against formation of the District. Town Clerk Anderson advised no written protests have been received.

Deputy Town Manager Stueckle reported that Community Facilities Districts may be used to pay directly for facilities and services, and to pay debt service on bonds or other debt, the proceeds of which are used to finance facilities. The Town has formed Landscape and Lighting Maintenance Districts, Street and Drainage (Benefit) Assessment Districts, and Community Facilities Districts as a condition of subdivision and development projects to pay the costs of infrastructure maintenance created by new development. Included in the district is the maintenance of public streets and alleyways, maintenance of all public pedestrian or bicycle pathways, public lighting and appurtenant facilities, and Town and County costs associated with the setting, levying and collection of all the special tax, and in the administration of the District including contract administration. Bonds, debt financing and infrastructure financing are not included in the District, and there are no other properties or property owners outside of the Super Wal-Mart property. If the maximum allowable annual fee were levied, the revenue generated would be \$14,430.00 annually.

Mayor Abel questioned if there is anyone present who wishes to address the Council on this matter, and if any member of the Town Council has any comments or questions. There being none, he closed the public hearing.

Town Clerk Anderson presented the Resolution for the annexation of Annexation Area 2, Improvement Area No. 3 to CFD No. 11-1, establishing the appropriation limit for Improvement Area No. 3; and a Resolution calling special tax election for February 5, 2013.

Council Member Lombardo moved to adopt Resolution No. 13-03 for the annexation of Annexation Area No. 2, Improvement Area No. 3, and Resolution No. 13-04 setting a date for an election of the Annexation. Council Member Rowe seconded. Motion carried 4-0.

Mayor Abel requested that the Town Clerk conduct the election and report on the results.

Town Clerk Anderson advised that one ballot has been received which establishes that the measure submitted at the Special Election called by Resolution No.13-04 passed on a vote of 1-0. A resolution declaring the results of the election and levy of special taxes was presented for adoption.

Council Member Huntington moved to adopt Resolution No. 13-05 declaring the results of the special election and directing recording of the Notice of Special Tax Lien. Council Member Lombardo seconded. Motion carried 4-0.

Town Clerk Anderson presented the ordinance levying taxes for first reading and read the title.

Council Member Huntington moved to introduce the Ordinance. Council Member Lombardo seconded. Motion carried 4-0.

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

DEPARTMENT REPORTS

11. Appointments to Parks, Recreation and Cultural Commission and Planning Commission

Town Clerk Anderson gave the staff report advising that Council Member Huntington wishes to reappoint Jeff Drozd to the Planning Commission and Laurine Silver to the Parks, Recreation and Cultural Commission. Council Member Lombardo wishes to reappoint Tim Humphreville to the Planning Commission and Meredith Jones to the Parks, Recreation and Cultural Commission. In addition, there is a vacancy on the Planning Commission due to the resignation of Commissioner Alberg. The position has been advertised and two applications received from Steve Whitten and Soltanhamid Nooraei. This is Council Member Rowe’s appointment to make.

Steve Whitten, Planning Commission Applicant, advised of his background.

Council Member Rowe advised she had chance to interview Mr. Whitten extensively and feels his land use background and desire to serve his community will add greatly to the Planning Commission. She nominated Mr. Whitten to fill the vacant seat.

Council Member Lombardo thanked Commissioners Humphreville and Jones for their continued service.

Mayor Abel advised of the advertisement and interview process when there is an opening on a Commission.

Council Member Huntington moved to affirm the appointment of Tim Humphreville and Jeff Drozd to the Planning Commission and Laurine Silver and Meredith Jones to the Parks, Recreation and Cultural Commission; 2) Affirm Council Member Rowe’s nomination of Steven Whitten to the Planning Commission to fill the unexpired term of Commissioner Alberg. Council Member Lombardo seconded. Motion carried 4-0

12. Selection of Ad Hoc Committees to meet with Basin Wide Foundation and Supervisor Ramos

Deputy Town Manager Stueckle reported that the Council requested the development of the Ad Hoc Committees at the last meeting.

Margo Sturges, Yucca Valley, commented regarding prior actions related to Brehm Park.

Mayor Abel advised that Ad Hoc Committees are strictly for fact finding, noting that no action is taken.

Council Member Huntington moved that Council Member Lombardo and Mayor Abel be assigned to the Basin Wide Foundation Ad Hoc Committee, Council Member Huntington and Council Member Rowe be appointed to the Supervisor Ramos Ad Hoc Committee. Council Member Rowe seconded. Motion carried 4-0. Roll Call.

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

13. Second Amended & Restated Employment Agreement Between the Town of Yucca Valley and Mark Nuaimi

Human Resources Manager Breidenbach-Sterling advised the original employment agreement with Town Manager Nuaimi was entered into on June 17, 2010. The first

amendment occurred on May 17, 2011 increasing the employee retirement contribution from 2% to 8% of his salary, reducing the total compensation to the Town Manager and the cost to the Town of the employment agreement by over \$9,000 annually. There have been no other adjustments to the Town Manager's compensation since his hiring in 2010.

The five overarching objectives the agreement seeks to meet include treating the Town Manager consistently with how other employees have been treated with respect to specific benefits; to compensate the Town Manager for his efforts and accomplishments without increasing the base salary; to incentivize retention of the Manager; to minimize the long term liability costs to the Town; and language is included in the agreement to comply with recent changes in state law tied to CEO compensation.

It was noted that previously a number of adjustments were made to employee benefits to reduce the long-term liabilities to the organization. One of those adjustments was vacation accrual schedule. The Amended Contract captures vacation accrual in writing to ensure there is no confusion as to the rationale for the adjustment, and is consistent with how other town staff members were previously treated.

Paid time off leave is awarded to exempt employees throughout the organization who do not qualify for overtime. Currently all exempt employees, including the Town Manager, receive 80 hours of PTO on an annual basis. The Town Manager has routinely worked above and beyond normal hours by bringing in-house activities that traditionally would have been outsourced, such as the annual strategic planning activities and project management for the animal shelter project. The Manager requested compensation for a portion of these additional hours. The amended contract allows for payment of an additional 80 hours of PTO on an annual basis. The additional 80 hours amounts to 20% of the estimated hours worked by the Town Manager, and the provisions in the amended agreement allow for Council to annually eliminate those additional hours at time of the performance review.

In order to minimize long-term liabilities, the Manager's salary is fixed at \$190,000 and merit is rewarded through a longevity bonus. The employee continues to make the PERS contribution, and there is no COLA, even if provided to staff in the future. The contract term is through June 30, 2016.

In addition, the amended agreement eliminates unnecessary contractual language tied to original hire. Even though the term is through June 2016, the Council maintains the ability to terminate at any time with or without cause, with the same severance provisions of the current contract. The amended agreement still provides for annual performance reviews, but eliminates the mandate for annual salary review. It also incorporates mandated language from AB 1344 by capping automatic compensation increases to CPI and adds language concerning restitution in the event of criminal

conduct.

Bob Leone, Yucca Valley, spoke in opposition to the amended agreement for a 3 year term.

Ron Cohen, Yucca Valley, spoke in opposition expressing concern regarding the impact to the budget.

Betty Cannon, Yucca Valley, spoke in opposition objecting to any overtime or additional pay, and urged Council to wait until the new Council Member is elected.

Margo Sturges, Yucca Valley, spoke in opposition, suggesting the contract be for one year with the requirement for annual reviews and no overtime.

Ellin Loveless, Yucca Valley, spoke in favor of the amendment, congratulating Council and staff for the innovative way of compensation.

Fritz Koenig, Yucca Valley, spoke in opposition.

Administrative Services Director Yakimow clarified that the requirement for annual reviews remains, and the agreement contains clear identification of the total compensation. With regard to comments about the timing and pushing the contract through, the original agreement required review on or about January 8th of each year. In addition, it is a code requirement that the Manager be involved in all critical decisions of the Town.

Council Member Rowe commented regarding the process and reasoning for using the compensation of like agencies. She also noted the Council will be reviewing the Manager annually, and the additional PTO hours will only be granted by the Council if he is performing at that level. The fact that the additional compensation is in the deferred compensation rather than salary is a savings to the Town since the deferred comp is separate from salary and doesn't require years of payout. Overall the net difference is \$2,200 per year over the original contract. Whether you like the Town Manager or not, he works hard for the Town, and brings this organization more than the net outlay.

Council Member Lombardo commented it is easy to say that the Town Manager is overpaid when most of us in the room don't earn this kind of money, but he feels it would be short sighted to go on numbers alone. We have experienced the work ethic, creativity and experience the Town Manager brings to this position, and the facts support that he has been a productive and effective Manager. His experience has paid off to the Town's benefit time after time. He noted that the personal time off can be reduced from the 160 back down to 80 hours if needed in the future, adding he is not

afraid to make difficult decisions if change is warranted.

Council Member Huntington commented regarding the Manager taking the lead on so many projects. For instance, the Architect for the Animal Shelter is from Upland and the Manager resides in Fontana, so it saved the Town numerous dollars by not having to have a staff member travel back and forth to meet with the Architect. He is an individual who isn't in the same mold as any other Town Manager we have had in this community. He presses, pulls together funding from multi sources, and puts together projects that this community would not see without his innovative financing ability.

Mayor Abel questioned if compensation from administrative Time or Paid Time Off is a common practice among like agencies and other cities. Administrative Services Director Yakimow advised that it is, noting the intent is what is reasonable and equitable in terms of what the expectation is for an exempt employee. Mayor Abel advised that the Council has thrown a lot of things at the Manager and asked him to be the project manager on several projects, saving the Town money. The increase in deferred comp is an incentive to encourage longevity. There is no COLA and he is paying his employee portion of PERS as well. It was noted that the Town Attorney has reviewed the contract in full.

Council Member Rowe pointed out the contract being considered tonight does not stop the Council from terminating the Manager at any time.

Council Member Rowe moved to approve the Second Amended & Restated Employment Agreement between the Town of Yucca Valley and Mark Nuaimi. Council Member Lombardo seconded. Motion carried 4-0.

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

PUBLIC COMMENT

Margo Sturges, Yucca Valley, commented regarding the ballots for the upcoming special election.

Bob Leone, Yucca Valley, expressed concern regarding lack of communication with the general public.

Ellin Loveless, Yucca Valley, commented regarding the need to mark ballots and mail them in.

STAFF REPORTS AND COMMENTS

None

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

14. Council Member Rowe

Congratulated Steve Whitten for his appointment to the Planning Commission

Thanked the public for coming out to the meeting.

15. Council Member Huntington

Thanked the audience for coming to the meeting and expressing their thoughts

Congratulated the new Miss Yucca Valley and her Court

Congratulated Coach Stepp and the Yucca Valley Girls Cross Country Team

Welcomed Steve Whitten to the Planning Commission.

16. Mayor Pro Tem Lombardo

Reported regarding attendance at the League of California Cities Desert Mountain Division meeting in Adelanto and questioned if the Town would be willing to host the July meeting.

Thanked the public for coming out here tonight, noting Council understands their concerns and have factored them in.

17. Mayor Abel

Congratulated all the Commissioners, noting their volunteerism is appreciated.

Reported regarding attendance at the Mojave Desert AQMD Board meeting. He reminded everyone of the gross polluter buyback program for old cars.

Reported regarding attendance at the Morongo Basin Transit Authority meeting with Supervisor James Ramos was in attendance,

Thanked the speaker for reminding everyone that our upcoming election is a mail in ballot election and that all meetings are televised. Stated perhaps they will be live

streamed in the future.

ANNOUNCEMENTS

Next Town Council Meeting, Tuesday, February 19, 2013, 5:00 Budget Workshop, 6:00 p.m.
Regular Meeting

ADJOURNMENT

There being no further business the meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Jamie Anderson, MMC
Town Clerk

ORDINANCE NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN IMPROVEMENT AREA 3, ANNEXATION NO 2, OF COMMUNITY FACILITIES DISTRICT NO. 11-1 (SUPER WAL-MART)

WHEREAS, The Town Council of the Town of Yucca Valley has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors authorizing the levy of special taxes within community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", being Chapter 2.5, Part I, Division 2, Title 5 of the Government Code of the State of California (the "Act"). This Community Facilities District is designated as COMMUNITY FACILITIES DISTRICT NO. 11-1 (the "District").

NOW, THEREFORE THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY DOES ORDAIN AS FOLLOWS:

Section 1. The Town Council does, by passage of this ordinance authorize the levy of special taxes within the District for the 2013-2014 tax year pursuant to the Rate and Method Apportionment of Special Taxes as set forth in Exhibit "A" attached hereto, referenced and so incorporated.

Section 2. The Town Council, is further authorized to annually determine, by Resolution, the special taxes to be levied within the District for the then current tax year or future tax years, except that the special tax to be levied within the District shall no exceed the maximum special tax calculated pursuant to the Rate and Method, but the special tax may be levied at a lower rate.

Section 3. The special taxes herein authorized, to the extent possible, shall be collected in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale, and lien priority in any case of delinquency as applicable for ad valorem taxes; provided, however, the District may utilize a direct billing procedure for any special taxes that cannot be collected on the County tax roll or my , by resolution, elect to collect the special taxes at a different time or in a different manner if necessary to meet its financial obligations.

Section 4. The special taxes shall be secured by the lien imposed pursuant to Sections 3114.5 and 3115.5 of the Streets and Highways Code of the State of California, which lien shall be a continuing lien and shall secure each levy of the special tax. The lien of the special tax shall continue in force an effect until the special tax obligation is permanently satisfied and canceled in accordance with Section 53344 of the Government Code of the State of California or until the

special tax ceases to be levied by the Town Council in the manner provided in Section 53330.5 of said Government Code.

Section 5. NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section 36933 of the Government Code.

Section 6. EFFECTIVE DATE: This Ordinance shall be effective thirty (30) days after its adoption.

APPROVED AND ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this _____ day of _____, 2013.

MAYOR

ATTEST:

APPROVED AS TO FORM:

TOWN CLERK

TOWN ATTORNEY



SAN BERNARDINO COUNTY FIRE DEPARTMENT SERVING YUCCA VALLEY

January 2013 Summary

ADMINISTRATIVE MONTHLY REPORT

The County Fire Department responded to a total of 411 requests for assistance within our town boundaries. Division wide responses for the South Desert during the Month of January were 663 incidents.

EMERGENCY RESPONSES

ESTIMATED FIRE LOSS (In dollars)

Total Loss	\$	245,000	Value	\$	381,000
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RESPONSES OTHER THAN FIRES

Fires	10
Rupture / Explosion	0
EMS / Rescue	291
Hazardous Condition	4
Service Calls	42
Good Intent Calls	40
False Call	10
Other	4

ALARMS – ALL TYPES

Yucca Valley Response Area
2013 Year-to-Date

TOTAL NON-FIRE RESPONSE.....	401
TOTAL FIRE RESPONSES.....	10
TOTAL ALARMS	411

Significant Events:

- Burn Awareness Month February 3rd through 9th, 2013
- Captain Don Westfall retired after 32 years of dedicated service to the Town of Yucca Valley and the San Bernardino County Fire Department. We wish him the best!
- Crew changes and orientation took place this month. New faces arrive and older faces remain, but the time is taken to ensure the teams are ready at a moments notice.



SAN BERNARDINO COUNTY FIRE DEPARTMENT SERVING YUCCA VALLEY

Carbon Monoxide Safety Tips

10 Tips to help keep you safe:

1. Install at least one carbon monoxide alarm with an audible warning signal inside and outside individual bedrooms. Make sure the alarm has been evaluated by a nationally recognized laboratory, such as Underwriters Laboratories (UL)
2. Have a qualified professional check all fuel burning appliances, furnaces, venting & chimney systems at least once a year.
3. Never use your range or oven to help heat your home. Never use a charcoal grill or hibachi in your home or garage.
4. Never keep a car running in a garage. Even if the garage doors are open, normal circulation will not provide enough fresh air to reliably prevent a dangerous buildup of CO.
5. When purchasing an existing home, have a qualified technician evaluate the integrity of the heating and cooking systems, as well as the sealed spaces between the garage and house.
6. Have your chimney flue checked annually by a professional. Is it drawing properly? Was it fitted correctly? Are there any obstructions?
7. If you are a renter, ask for a safety certificate or at least proof the landlord has had the appliance checked by a professional. It is required by law that landlords do this annually. Ask the landlord to install a CO detector.
8. It is more common for people to be affected by CO poisoning during the winter months due to cold weather outside and people closing the house up to keep warm. This reduces the ventilation, increasing the risk of an accidental poisoning if you use incorrect methods to heat your home.
9. Never sleep in an unvented room using a gas or kerosene space heater. Never use any gasoline powered engines in any enclosed space.
10. Don't ignore symptoms, especially if more than one person is feeling them. You could lose consciousness and die if nothing is done.

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Jim Schooler, Community Services Director
Lynne Richardson, Museum Supervisor
Date: February 13, 2013
For Council Meeting: February 19, 2013

Subject: Hi-Desert Nature Museum 2011-12 Annual Report

Prior Council Review: None

Recommendation: Receive and file the Hi-Desert Nature Museum’s 2011-12 Annual Report

Summary: Staff recently completed the Hi-Desert Nature Museum’s annual report covering activities, programs and events for the years 2011-12. The report will be submitted to Town Councilmembers at the February 19th Council meeting.

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: Hi-Desert Nature Museum staff recently prepared the annual report which provides an overview of the exhibitions and activities at the museum in 2011 and 2012. The report highlights public programs, special events, exhibits, partnerships, outreach, training, museum improvements, attendance, and revenues. Preparing the annual report provides an excellent opportunity to recap and reflect on recent accomplishments as a basis for future planning.

A copy of the annual report will be provided to each council member at the February 19, 2013 meeting. An electronic copy will be made available on the museum’s web site at www.hidesertnaturemuseum.org.

Fiscal impact: None

Attachments: None

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

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Jim Schooler, Community Services Director
Date: February 14, 2013
For Council Meeting: February 19, 2013

Subject: Acceptance of Donation – Hensel Phelps Construction Company

Prior Council Review: None

Recommendation: Move to accept the donation of office furnishings from the Hensel Phelps Construction Company and direct staff to distribute the items as necessary within the organization; if any items remain, authorize the disposal of those items at a public auction of surplus property.

Summary: The Town has received a donation of office furnishings, some of which will be useful in the various Town departments. This action is to formally accept the items and to authorize their distribution and disposal.


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)

Discussion: In the fall of 2012, Town staff was contacted by a representative of Hensel-Phelps Construction Company, a firm that has recently concluded a long-term construction project aboard the Twentynine Palms Marine Corps Air-Ground Combat Center. As their project neared completion, the company no longer needed the furnishings in their temporary offices, and offered to donate several of these items to the Town. Staff identified several possible uses for the items, including use at the replacement animal shelter facility.

Staff transported the donated items and placed them for temporary storage in the former Pomona First Federal bank building. Various department representatives have determined a use for some of the items, mostly as replacements for furnishings that are in a more worn condition.

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

The Council is requested to formally accept the donation, to authorize the distribution of the items as needed throughout the organization, and to authorize the sale of the remaining items, if any, at a public auction of surplus property.

Alternatives: None recommended

Fiscal impact: None

Attachments: List of donated items

Hensel Phelps Donation List

- 2 Bar stools
- 3 Book cases, 3' x 6'
- 3 Box miscellaneous office supplies
- 6 Bulletin boards
- 1 Chair for high desk - gray
- 8 Chair for low desk - black
- 10 Chair, black upholstered stackable
- 2 Chair, blue padded
- 2 Chair, blue upholstered stackable
- 41 Chair, mauve upholstered
- 1 Chair, purple
- 21 Chairs, black conference
- 1 Computer stand, unassembled
- 1 Conference Table, 18'
- 1 Conference Table, 20'
- 3 Desk return, cherry
- 16 Desk, cherry
- 5 Desk, mahogany w oak trim
- 1 Desk, mahogany w oak trim
- 2 Desk, oak
- 3 File cabinets, metal, 2-drawer
- 4 File cabinets, metal, 4-drawer
- 15 File cabinets, metal, 5-drawer
- 1 Mail box
- 8 Pedestal work tables
- 10 Recycle receptacles
- 1 Table w keyboard, 4' tall
- 14 Trash receptacles
- 4 Wipe board
- 1 Wipe board easel, 3 legs



TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Administrative Services Director
Date: February 11, 2013
Council Meeting: February 19, 2013
Subject: Warrant Register: February 19, 2013

Recommendation:

Ratify the Warrant Register total of \$ 816,567.66 for checks dated February 7, 2013. Ratify the Payroll Register total of \$ 161,309.98 for checks dated February 1 - 11, 2013.

Order of Procedure:

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

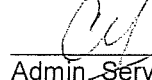
Attachments:

Payroll Register No. 32 dated February 1, 2013 total of \$ 151,360.08
Payroll Register No. 34 dated February 11, 2013 total of \$ 9,949.90
Warrant Register No. 37 dated February 7, 2013 total of \$ 816, 567.66

Reviewed By:


Town Manager

Town Attorney


Admin Services


Finance

____ Department Report
 Consent

____ Ordinance Action
 Minute Action

____ Resolution Action
____ Receive and File

____ Public Hearing
____ Study Item

TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 32
CHECK DATE - February 01, 2013

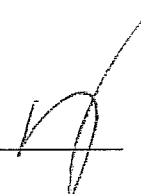
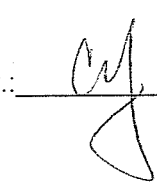
Fund Distribution Breakdown

Fund Distribution

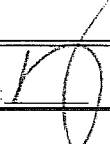
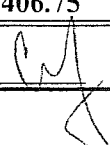
General Fund	\$133,526.10
Gas Tax Fund	11,278.52
Successor Agency	<u>6,555.46</u> **

Grand Total Payroll \$151,360.08

****This is not an obligation of the Town of Yucca Valley.**

Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 

Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
Pay Period 32 - Paid 02/01/2013
(January 12, 2013 - January 25, 2013)
Checks: 4600-4609

	Employee	Employer	Total
<u>Net Employee Pay</u>			
Payroll Checks	\$3,393.20		\$3,393.20
Direct Deposit	75,954.37	-	75,954.37
Sub-total	79,347.57		79,347.57
<u>Employee Tax Withholding</u>			
Federal	12,933.36		12,933.36
Medicare	1,481.94	1,481.94	2,963.88
SDI - EE	-	-	-
State	4,055.40		4,055.40
Sub-total	18,470.70	1,481.94	19,952.64
<u>Employee Benefit & Other Withholding</u>			
Health Benefit Account Credit	-	-	-
Deferred Compensation	2,429.21	1,354.89	3,784.10
PERS Survivor Benefit	43.00		43.00
Health Café Plan	2,290.72	14,002.42	16,293.14
American Fidelity Pre-Tax	148.86		148.86
American Fidelity After-Tax	97.40		97.40
American Fidelity-FSA	686.20		686.20
PERS EE - Contribution 7%	1,049.91		1,049.91
PERS EE - Contribution 8%	6,383.09		6,383.09
PERS Retirement - Employer	-	1,176.82	1,176.82
PERS Retirement - Employer	-	14,829.44	14,829.44
Wage Garnishment - Employee	460.09		460.09
Life & Disability Insurance		1,117.23	1,117.23
Unemployment Insurance		1,823.24	1,823.24
Workers' Compensation		4,167.35	4,167.35
Sub-total	13,588.48	38,471.39	52,059.87
Gross Payroll	\$111,406.75	\$39,953.33	151,360.08
Prepared by P/R & Financial Specialist:  Reviewed by H/R & Risk Mgr.: 			

TOWN OF YUCCA VALLEY
PAYROLL REGISTER # 34/1 / Special PR
CHECK DATE - February 11, 2013

Fund Distribution Breakdown

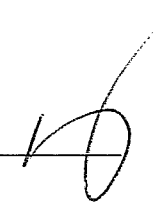
Fund Distribution

General Fund	\$7,462.42
Gas Tax Fund	0.00
Successor Agency	2,487.48 **
	<hr/>

Grand Total Payroll	\$9,949.90
	<hr/> <hr/>

****This is not an obligation of the Town of Yucca Valley.**

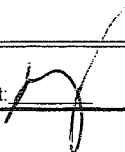
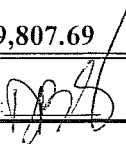
Prepared by P/R & Financial Specialist:



Reviewed by H/R & Risk Mgr.:



Town of Yucca Valley
Payroll Net Pay & Net Liability Breakdown
Pay Period 34/1 - Paid 02/11/2013 / Special PR
(January 26, 2013 - February 08, 2013)
Checks: 0000 - 0000



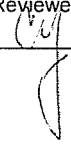
	Employee	Employer	Total
<u>Net Employee Pay</u>			
Payroll Checks	\$0.00		\$0.00
Direct Deposit	9,330.78	-	9,330.78
Sub-total	9,330.78		9,330.78
<u>Employee Tax Withholding</u>			
Federal	-		-
Medicare	142.21	142.21	284.42
SDI - EE	-	-	-
State	334.70		334.70
Sub-total	476.91	142.21	619.12
<u>Employee Benefit & Other Withholding</u>			
Health Benefit Account Credit	-	-	-
Deferred Compensation	-	-	-
PERS Survivor Benefit	-		-
Health Café Plan	-	-	-
American Fidelity Pre-Tax	-		-
American Fidelity After-Tax	-		-
American Fidelity-FSA	-		-
PERS EE - Contribution 7%	-		-
PERS EE - Contribution 8%	-		-
PERS Retirement - Employer	-	-	-
PERS Retirement - Employer	-	-	-
Wage Garnishment - Employee	-		-
Life & Disability Insurance		-	-
Unemployment Insurance		-	-
Workers' Compensation		-	-
Sub-total	-	-	-
Gross Payroll	\$9,807.69	\$142.21	9,949.90
Prepared by P/R & Financial Specialist: 	Reviewed by H/R & Risk Mgr.: 		

WARRANT REGISTER # 37
CHECK DATE FEBRUARY 7, 2013

FUND DISTRIBUTION BREAKDOWN

Checks # 42105 - # 42188 are valid

GENERAL FUND # 001	\$758,022.53
CENTRAL SUPPLIES FUND # 100	\$860.49
CUP DEPOSITS FUND # 200	\$390.36
COPS-SLESF FUND # 509	\$38.01
AB2928 STATE CONSTRUCTION GRANT FUND # 513	\$6,884.75
STREET MAINTENANCE FUND # 515	\$254.29
MEASURE I MAJOR ARTERIAL FUND # 522	\$46,192.50
MEASURE I - 2010-2040 FUND # 524	\$116.06
CMAQ FUND # 542	\$3,037.67
CAPITAL PROJECTS RESERVE FUND # 800	\$771.00
GRAND TOTAL	<u><u>\$816,567.66</u></u>

Prepared by Shirlene Doten, Accounting Technician II  Reviewed by Sharon Cisneros, Senior Accountant 
Approved by Curtis Yakimow, Administrative Services Director 

Town of Yucca Valley
Warrant Register
February 7, 2013

Fund	Check #	Vendor	Description	Amount
001	GENERAL FUND			
	42105	Action Pumping, Inc.	Septic Line Pumping & Replacement	\$770.00
	42107	Aleshire & Wynder, LLC	11/16-12/31/12 Professional Svs.	13,488.97
	42108	Alsco/American Linen, Inc.	Facilities Supplies & Uniforms	111.01
	42109	Arrowhead Mountain Water	Office Supplies	239.90
	42110	AT & T Mobility	Cell Phone Service	274.17
	42111	Big 5 Corp.	Recreation Program Expense	164.67
	42113	Carol Boyer	Contract Instructor	93.10
	42114	Debra Breidenbach-Sterling	CSTI Training Expense	299.00
	42115	BSN Sports	Parks Maintenance Supplies	311.88
	42116	Beverly Burkitt	Contract Instructor	2.80
	42117	C & S Electric	Facilities Maintenance	60.42
	42118	C & S Electric	Facilities Maintenance	46.66
	42119	Vanessa Cantu	Museum Event Assistant	100.00
	42120	Dennis Cavins	Sports Referee	132.00
	42121	Chevron & Texaco Card Services	Vehicle Fuel	49.17
	42122	China Star USA	Museum Shop Merchandise	113.32
	42124	Companion Animal Clinic	Veterinary Services	320.00
	42125	Cowboy Corral	Shelter Animal Supplies	452.55
	42126	Data Ticket	Citation Processing	385.00
	42127	Claire Davidson	Town Talent Event	300.00
	42128	Americo Demeo	Sports Referee	90.00
	42129	Desert Hot Springs Animal Clinic	Veterinary Professional Svs.	352.00
	42130	Ed Escalante	Sports Referee	90.00
	42131	Farmer Bros. Co.	Office Supplies	66.41
	42133	Catherine Fletcher	Contract Instructor	46.90
	42134	Brad Foxworthy	Contract Instructor	40.60
	42135	G & K Propane	Shelter Propane	451.09
	42137	Jess Geeson	Sports Referee	60.00
	42138	Geo Central	Museum Shop Merchandise	27.77
	42139	Jimmy Gleason	Museum Event Assistant	100.00
	42140	Golden State Sports Photography	Recreation Program Expense	943.29
	42141	Graphic Penguin	Web Site Maintenance	640.00
	42142	Totalfunds by Hasler	Postage	1,000.00
	42143	Totalfunds by Hasler	Postage	840.48
	42144	Lori Herbel	Contract Instructor	1,323.00
	42145	Hi-Desert Water	Water Service	1,407.23
	42147	Hi-Desert Water District	Water Supply Agreement	400,000.00
	42148	Hi-Desert Star	Newspaper Subscription	85.00
	42149	Intervet, Inc.	Vaccines & Microchips	5,351.40
	42150	Heather Kaczmarczk	Contract Instructor	1,025.50
	42151	Steven Lessley	Animal Adoption Refund	92.00
	42152	Dave Luse	Contract Instructor	35.00
	42153	Deborah S. Mallants	Temporary Employment Svs.	912.96
	42154	Justin Mc Gowan	Sports Referee	81.00
	42155	Melissa Mc Pheeters	Museum Event Assistant	100.00
	42156	Nicolette Morris	Museum Event Assistant	100.00
	42157	Sierra Oakes	Contract Instructor	44.80
	42158	Oasis Office Supply	Office Supplies	249.39

Town of Yucca Valley

Warrant Register

February 7, 2013

Fund	Check #	Vendor	Description	Amount
	42159	Oriental Trading Co. Inc.	Recreation Program Expense	77.86
	42161	Pro Security	Annual Alarm Monitoring	3,295.00
	42162	Quick Scores	Recreation Program Expense	210.00
	42163	Steven Renegar	Contract Instructor	224.00
	42164	Jessica Rice	CSTI Training Expense	751.00
	42165	Lynne Richardson	Contract Instructor	269.50
	42166	San Bernardino County	City County Conference	1,450.00
	42167	SBCO - Hazardous Material Div.	01-03/13 Hazardous Waste Svs.	6,920.00
	42168	SBCO Animal Care & Control	County License Pass Through	3,616.60
	42169	SBCO Sheriff's Dept	February 2013 Professional Svs.	288,911.00
	42170	Office of the County Recorder	Filing Fee	234.00
	42171	SCE	Electric Service	843.87
	42172	So. Cal. Gas Co.	Natural Gas Service	4,326.13
	42173	Southwest Networks, Inc.	Guardian Contract Additions	568.00
	42174	Stater Bros	Museum Exhibit Promotion	479.73
	42176	Steven Enterprises	Engineering Printing Svs.	676.09
	42177	Michael Summers	Museum Event Assistant	100.00
	42178	Marilyn Tarbutton	Professional Services	150.00
	42179	Tease Shirts	Recreation Program Expense	494.44
	42180	Angelica Trujillo	Museum Event Assistant	100.00
	42181	Unique Crafters Co.	Museum Shop Merchandise	241.80
	42182	VCA Yucca Valley Animal Hospital	Veterinary Services	590.32
	42183	Verizon	Phone Service	3,606.84
	42185	Walmart Community	Shelter Supplies	431.52
	42186	West Tech Refrigeration	Senior Center Refrigerator Repair	343.93
	42187	Clive Wright	Museum Event Sound System	300.00
	42188	Z 107.7 Mobile Music	Recreation Event Talent	175.00
	EFT	The Home Depot	Facilities Maintenance	1,222.61
	EFT	First Bankcard	Conference & Supplies Expense	4,142.85
Total 001	GENERAL FUND			\$758,022.53
100	INTERNAL SERVICE FUND			
	42136	GE Capital Corporation	Shelter Copier Lease	\$653.67
	42158	Oasis Office Supply	Copy Paper	206.82
Total 100	INTERNAL SERVICE FUND			\$860.49
200	DEPOSITS FUND			
	42158	Oasis Office Supply	Office Supplies	\$124.74
	42146	Hi-Desert Publishing	Wal-Mart Advertising	265.62
Total 200	DEPOSITS FUND			\$390.36
509	COPS-SLESF FUND			
	42184	Verizon Wireless	Sheriff's Office Phone Svs.	\$38.01
Total 509	COPS-SLESF FUND			\$38.01
513	AB2928-TCRP FUND			
	42160	Overland Pacific & Cutler, Inc.	TCRP SR 62 La Honda/Dumosa	\$6,884.75
Total 513	AB2928-TCRP FUND			\$6,884.75

Town of Yucca Valley
Warrant Register
February 7, 2013

Fund	Check #	Vendor	Description	Amount
515	GAS TAX FUND			
	42112	Bobcat of Cerritos	Vehicle Maintenance	\$194.44
	42171	SCE	Electric Service	59.85
Total 515	GAS TAX FUND			\$254.29
522	MEASURE I MAJOR ARTERIAL FUND			
	42175	Steiny & Company, Inc.	HWY 62/247 Project	\$46,192.50
Total 522	MEASURE I MAJOR ARTERIAL FUND			\$46,192.50
524	MEASURE I - 2010-2040 FUND			
	42171	SCE	Electric Service	\$116.06
Total 524	MEASURE I - 2010-2040 FUND			\$116.06
542	CMAQ FUND			
	42106	Albert Grover & Assoc.	Hwy Signal Synchronization	\$3,000.00
	42132	FedEx	Delivery Service	37.67
Total 542	CMAQ FUND			\$3,037.67
800	CAPITAL PROJECTS RESERVE FUND			
	42123	Circle Mountain Biological Consult.	Animal Shelter Project	\$771.00
Total 800	CAPITAL PROJECTS RESERVE FUND			\$771.00
***	Report Total			\$816,567.66

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Jim Schooler, Community Services Director
Date: February 11, 2013
For Council Meeting: February 19, 2013

Subject: Community Development Block Grant (CDBG) Prioritization Hearing

Prior Council Review: At the beginning of each cycle of CDBG funding, the Town Council is asked to review eligible project and program proposals and to make a funding recommendation based on local priorities to the County Board of Supervisors.

Recommendation: Review the 2013-14 eligible proposals and provide direction regarding the Council's priority project(s) and/or program(s).

Summary: As a participating city with San Bernardino County in the Community Development Block Grant program, the Town of Yucca Valley is required to prioritize eligible local proposals and forward a recommendation to the County Board of Supervisors for funding approval. Four agencies, including the Town of Yucca Valley, submitted proposals for funding under the Town's allocation of the 2013-14 funding cycle to the County Community Development and Housing (CDH) department, where they were reviewed for eligibility under program guidelines.

Order of Procedure:


- Request Staff Report
- Open Public Hearing
- Request Public Comment (pro and con)
- Close Public Hearing
- Council Discussion / Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote)

Discussion: Through a formal cooperation agreement, the Town of Yucca Valley participates with the San Bernardino County's Community Development and Housing (CDH) department in the administration of Community Development Block Grant funding. Through this agreement, the Town Council is asked each year to review and prioritize eligible projects and programs, and to forward a funding recommendation to the Board of Supervisors.

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

Applicants submitted project and program proposals in November of 2012 requesting funding under the Town's 2013-14 allocation. Agencies and organizations are entitled to apply for funding if the proposal fits the public benefit criteria established by the Department of Housing and Urban Development (HUD) in the Code of Federal Regulations.

The most typical criterion for CDBG funding is the proposal's benefit to low to moderate income residents. Other factors that favorably influence eligibility include compliance with Americans with Disabilities Act (ADA) standards and certain economic development activities. The CDBG program is intended to provide funding for the completion of a beneficial project, or to provide funds for new programs or measurable improvements to existing programs.

The Town's entire 2013-14 anticipated allocation of \$100,802 can be applied to one or more eligible *Projects* or *Public Service Programs*. Previously, *Programs* funding was limited to 15% of the total, but that limitation is not applicable because the County has prorated the Town's allocation after considering the 15% formula for the County as a whole.

The total amount requested from the Town's allocation for 2013-14 public service *Programs* is \$51,630. The total requested for the three eligible Town of Yucca Valley *Projects* is \$565,000.

According to the U.S. Department of Housing and Urban Development, a minimum grant award amount is necessary to justify the cost of administering CDBG funded projects and programs. CDBG guidelines set the minimum threshold amounts at \$10,000 for public service programs and \$75,000 for construction projects. These limits will not apply to Yucca Valley in 2013-14 because of the relatively small amount of the Town's allocation, but the County will not permit the funding of more than four projects.

Following the Town Council's prioritization and funding recommendation, the County Board of Supervisors will make the final determination of projects and programs to be funded. The board's decision typically occurs in early April.

Alternatives: None recommended

Fiscal impact: In the 2013-14 CDBG cycle, \$100,802 is expected to be available for local programs and projects. During the Budget workshop on February 19, 2013, Town Council will be asked to consider the use of CDBG funds for the delivery of Code Enforcement activity in Town. In considering this request, the Town's General Fund investment in Code Enforcement will be reduced by a like amount, freeing up those resources for use towards other, high priority services funded by the Town.

Attachments: CDBG Allocation letter
Program and Projects summary
County summary of proposals

ECONOMIC DEVELOPMENT AGENCY



**COUNTY OF
SAN BERNARDINO**

385 North Arrowhead Avenue • Third Floor
San Bernardino, CA 92415-0043 • (909) 387-4700 • Fax (909) 387-4415

Mary Jane Olhasso, Administrator

January 8, 2013

Mr. James Schooler, Community Services Director
Town of Yucca Valley
57090 Twentynine Palms Highway
Yucca Valley, CA 92284

RE: 2013-14 CDBG PROJECT PRIORITIZATION PUBLIC HEARING

Dear Mr. Schooler,

Each year as part of our preparation of the Community Development Block Grant (CDBG) application, we ask those cities participating with the County in the CDBG program, to prioritize projects for funding. The County's CDBG allocation is anticipated to be \$5.2 million. Once the actual allocation amount is known, you will be notified immediately. Your City's allocation amount is anticipated to be **\$100,802** and was calculated using Census 2010 poverty and overcrowded housing counts in addition to 2012 population estimates.

This year, we are requesting that the cities complete their prioritization hearings and submit their lists of funding recommendations to our office by **March 7, 2013**. This will permit us to include all City recommendations received by this date, in the Proposed CDBG Plan (Plan). The Plan is scheduled to be presented at a public hearing before the County Board of Supervisors (BOS) on April 23, 2013.

CDBG Capital Improvement Projects/Public Service Programs

To assist your efforts, we have enclosed a list of eligible CDBG project proposals identifying benefits to your City and a copy of each project proposal requesting CDBG funding for your reference. Further, we have enclosed instructions and a form for preparing and returning your funding recommendations.

In your deliberations, please keep in mind that public service activities for the County as a whole are limited to 15 percent of the grant received from HUD. This public service allocation has been prorated to your City utilizing the standard allocation formula. Accordingly, the maximum CDBG funding total that the City of Yucca Valley may allocate to its priority public service project is non-applicable.

Grant Process and Funding Thresholds

Your City Council will have an opportunity to consider proposals requesting funding from your City's CDBG allocation for Fiscal Year 2013-14.

Again this year, the County will implement HUD's recommendation that the County establish a minimum grant award amount necessary to justify the cost of administering funded projects. The minimum threshold amounts are \$10,000 for public service programs and \$75,000 for construction activities. The cities of Big Bear Lake, Grand Terrace, Loma Linda, Needles, Twentynine Palms and the Town of Yucca Valley receive less than \$150,000 and will have no minimum threshold, but may only fund a total of four (4) projects.

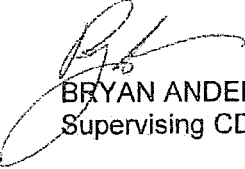
GREGORY C. DEVEREAUX
Chief Executive Officer

Board of Supervisors
ROBERT A. LOVINGOOD..... First District JAMES RAMOS Third District
JANICE RUTHERFORD Second District GARY C. OVITT Fourth District
JOSIE GONZALES Fifth District

RE: 2013-14 CDBG PROJECT PRIORITIZATION PUBLIC HEARING
January 8, 2013
Page 2

Thank you for your past and continuing support in the CDBG program. I appreciate your assistance in returning your funding recommendations no later than **March 7, 2013**. Should you have any questions or need additional assistance, please call Bryan Anderson, Supervising CD Analyst, at (909) 388-0961.

Sincerely,



BRYAN ANDERSON
Supervising CD Analyst

BA/TR
Enclosures

cc: Mark Nuaimi, City Manager
Mary Jane Olhasso, EDA Administrator
Patricia M. Cole, EDA Assistant Administrator

Town of Yucca Valley - 2013-14 CDBG Eligible Programs Summary

Applicant	Program	CDBG Funds Requested		TYV CDBG Funding previous year	Partnership Funding 2012-13 Town budget	Town Council Funding Recommendation
		Total CDBG	TYV Request			
Reach Out Morongo Basin	Senior & handicapped transportation Services	\$ 30,000	\$ 15,000		\$ -	
SB County Library - YV Branch	Literacy Education	\$ 10,000	\$ 10,000		\$ 3,000	
MB Adult Health Svcs	Education & exercise programs	\$ 41,630	\$ 26,630		\$ 5,000	
		\$ 81,630	\$ 51,630		\$ 8,000	

Town of Yucca Valley - 2013-14 CDBG Eligible Projects Summary

Applicant	Project	CDBG Funds Requested		TYV CDBG Funding previous years	Partnership Funding 2012-13 Town budget	Town Council Funding Recommendation
		Total CDBG	TYV Request			
Town of Yucca Valley	Playground renovation Comm. Center	\$ 300,000	\$ 300,000	\$ 401,667	n/a	
Town of Yucca Valley	Playground renovation Paradise Park	\$ 165,000	\$ 165,000	\$ -	n/a	
Town of Yucca Valley	Code Enforcement project	\$ 100,000	\$ 100,000	\$ -	n/a	
		\$ 565,000	\$ 565,000	\$ 401,667	n/a	

Notes:

Total 2013-14 anticipated allocation \$100,802

ELIGIBLE Proposals

Department of Community Developments and Housing

ELIGIBLE Proposals

Town of Yucca Valley

2013-2014 CDBG Proposals by Benefit Area

Log No.	Primary Benefit Area/Description:	Applicant:	Activity Eligibility	Benefit Eligibility	M&O Commit	Project/Request/Percent		Request	Dist	Comments
						Request/Percent	Community			
39061	Town of Yucca Valley Additional Funds for Renovation of Playground Equipment at Community Center Park, Town of Yucca Valley	Town of Yucca Valley Jim Schooler, Community Services Director (760) 369-7211 x239 57090 Twentymine Palms Highway Yucca Valley, CA 92284 24 CFR 201(c) 24 CFR 208(a)(1)	Y			\$701,667	Town of Yucca Valley	\$300,000	3	#123-35102/3280 Davis- Bacon Prevailing Wage Rate Requirements may increase costs. There are other parks throughout the Town. This park serves the CDBG target area.
						\$300,000	Total	\$300,000		
39062	Town of Yucca Valley Additional Funding for Warm Water Pool/Land-Based Exercise, Educational Seminars, Health and Nutrition Programs - Morongo Basin Adult Health Services	Morongo Basin Adult Health Services, Inc. Kari Grimes, Executive Director (760) 365-9661 x22 P.O. Box 106 Yucca Valley, CA 92286 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N			\$165,117	Town of Yucca Valley	\$26,630	3	Public Service. Limited to elderly persons. Remaining balance as of 12/12/12: \$11,000
						\$41,630	Twentymine Palms	\$15,000		
						25.0%	Total	\$41,630		

Totals for Town of Yucca Valley Count: 6 Amount: \$616,630 Proj Tot \$646,630

ELIGIBLE Proposals

Department of Community Development and Housing

ELIGIBLE Proposals

Town of Yucca Valley

2013-2014 CDBG Proposals by Benefit Area

Log No.	Primary Benefit Area/Description:	Applicant:		M&O Commit	Project/Request/Percent	Community	Request	Dist	Comments
		Activity Eligibility Benefit Eligibility	Benefit Eligibility						
39003	Twentynine Palms Continuation of Senior and Disabled Medical and Social Service Transportation Serving Morongo Basin - Reach Out 29	Reach Out Morongo Basin, Inc. Robin Schlosser, Executive Director (760) 361-1410 P.O. Box 2225 Twentynine Palms, CA 92277	24 CFR 201(e) 24 CFR 208(a)(2)(i)(C)	N	\$74,500 \$30,000 40.0%	Twentynine Palms Town of Yucca Valley Total	\$15,000 \$15,000 \$30,000	1	Public Service. Would require documentation of at least 51% low/mod income clientele served. Would serve/benefit disabled and senior persons. Continuation of #310-29227/2429
39027	Town of Yucca Valley New - Provision of Literacy Education at Yucaipa Branch Library, Yucaipa	Yucca Valley Branch Library Leonard Hernandez, County Librarian (909) 387-5721 104 West Fourth Street San Bernardino, CA 92415-0035	24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N	\$38,000 \$10,000 26.0%	Town of Yucca Valley Total	\$10,000 \$10,000	3	Public Service. Would be limited to illiterate persons.
39059	Town of Yucca Valley New - Renovations of Various Play Elements to Address ADA Safety Issues - Paradise Park, Yucca Valley	Town of Yucca Valley Jim Schooler, Community Services Director (760) 369-7211 x239 57090 Twentynine Palms Highway Yucca Valley, CA 92284	24 CFR 201(c) 24 CFR 208(a)(1)	Y	\$165,000 \$165,000 100.0%	Town of Yucca Valley Total	\$165,000 \$165,000	3	Davis-Bacon Wage Rate Requirements may increase costs. Park will serve selected census tracts as the Town has several parks that serve the remaining areas of the Town.
39060	Town of Yucca Valley Additional Funding for Code Enforcement Activities in CDBG Target Areas, Town of Yucca Valley	Town of Yucca Valley Jim Schooler, Community Services Director (760) 369-7211 x239 57090 Twentynine Palms Highway Yucca Valley, CA 92284	24 CFR 202(c) 24 CFR 208(a)(1)	N	\$100,000 \$100,000 100.0%	Town of Yucca Valley Total	\$100,000 \$100,000	3	Town of Yucca Valley will provide enhanced code enforcement to include foreclosed and distressed properties and public nuisance abatement. (State Highway Enhancement not eligible) 123-36117/3615

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Shane R. Stueckle, Deputy Town Manager
Date: February 14, 2013
For Council Meeting: February 19, 2013

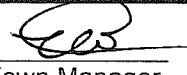

Subject: Community Center Playground Improvement & Splash Park – Town Project No. 8961
Community Development Block Grant Funds

Prior Council Review: The Town Council previously allocated three years of Community Development Block Grant (CDBG) funds to the renovation of the Community Center Playground, including the addition of a splash park amenity to the facility. The Town Council appropriated these funds in the FY 2012/2013 adopted budget. On October 4, 2011, the Town Council authorized advertisement of the Request for Proposal (RFP) for the park design and the preparation of bid ready construction drawings. On January 17, 2012, the Town Council awarded the design contract to RJM Design Group. The Town Council authorized project bidding at its meeting of September 18, 2012. At the Town Council meeting of December 4, 2012, the Town Council rejected all bids and directed staff to return to the Town Council at the time of CDBG funding allocation for further consideration.

Recommendation: That the Town Council directs staff to proceed with the Community Center Playground Improvement and Splash Park project, approving modifications to the project design for this phase to include only the replacement of playground equipment in the current site configuration, and directs staff proceed with replacement of playground equipment and associated recreational infrastructure at Paradise Park, and authorizing the submittal of all necessary documents to the County of San Bernardino necessary to secure the Community Development Block Grant funds for both project sites.

Executive Summary: Project bids for the playground renovation project exceeded available funding by approximately \$168,400 for the base bid alone, and by \$469,100 for the base bid and the splash pad alternate combined.

Staff has evaluated alternatives for project delivery, including prioritizing needed improvements at the Community Center playground, as well as at other Park facilities.

Reviewed By:	 Town Manager	Town Attorney	 Mgmt Services	Dept Head
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<input checked="" type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input type="checkbox"/> Resolution Action	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session

Order of Procedure:

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

Discussion: At the meeting of December 4, 2012, the Town Council directed staff to return the Community Center Playground and Splash Park project to the Council for reconsideration at the time of CDBG funding allocation.

Following Council's action to reject all bids for the Community Center Playground Improvement & Splash Park project, staff has been evaluating options for project delivery and addressing the primary needs based upon available financial resources. As the Council will recall, project bids for the playground renovation project exceeded available funding by approximately \$168,400 for the base bid alone, and by \$469,100 for the base bid and the splash pad alternate combined.

While there are several overall goals tied to the original project concept, one primary objective is the replacement of existing playground equipment that does not comply with current standards. The existing playground equipment was installed in 1995, and the state laws were modified in 1995/1996. No means are available for modifications to the existing playground equipment that would achieve compliance with current standards.

Therefore staff has been meeting with playground equipment manufacturers/distributors in an effort to develop a phased approach to delivering new playground equipment in the current site configuration, while ensuring the ability to deliver a future splash pad phase when funding becomes available.

Replacement of the playground equipment in the current site configuration allows the continuation of serving two primary age groups, being the 2-5 and 5-12 year olds, while retaining the existing sand volleyball court in its current location. Future phasing of the splash pad would result in the relocation of the sand volleyball court to another area of the Community Center, as was planned with the most recent design concepts for the playground area.

Similar playground equipment constraints exist at both Jacobs and Paradise Parks. While Paradise Park is currently approved for allocation by the County under the CDBG program,

Jacobs Park is not currently approved. Because of the need to move forward timely on the expenditure of these funds, allocation to Jacobs Park is not recommended at this time, but should be considered in future implementation phases.

Alternatives: Allocate to the Community Center only.

Fiscal impact: Approximately \$325,000 is available for project implementation. Initial review of playground equipment replacement costs indicates that playground equipment for the two age groups at the Community Center, including installation of a wood fiber fall surface throughout the area could be achieved with the expenditure of approximately \$175,000 to \$200,000. This would provide the opportunity to address playground equipment needs at other park facilities.

Minimal design expenditures would be required with this approach, allowing the CDBG funds to be expended on capital improvements.

Attachments: NA

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor & Town Council
From: Curtis Yakimow, Director of Administrative Services
Jessica Rice, Administrative Assistant III
Date: February 12, 2013
For Council Meeting: February 19, 2013

Subject: Solid Waste Franchise Agreement Update

Prior Council Review: Approval of existing four agreements for Commercial and Residential Solid Waste and Recycling in May, 1994 with subsequent amendments. Approval of the Assignment and Assumption Agreements between Waste Management and Burrtec in May, 2006.

Recommendation: That Town Council receive and file this informational report regarding the Solid Waste Franchise Agreement update project.

Order of Procedure:

- Staff Report
- Public Comment
- Questions of Staff
- Agency Discussion
- Motion/Second
- Discussion on Motion
- Voice Vote

Discussion: Staff has begun the process of updating the current franchise agreements with Burrtec Waste and Recycling for solid waste and recycling disposal. The update will consolidate the existing four agreements (Residential Solid Waste, Commercial Solid Waste, Residential Recycling and Commercial Recycling) into one agreement, incorporate legislative changes since the original adoption, and address other items such as agreement term, rate structures, enhanced reporting, and performance targets.

The process for updating the franchise agreement is outlined on the attached project calendar and will include public workshops, public hearings and multiple Council reviews. The initial phase of this project is currently underway and staff anticipates that the updated agreement will be ready for Council review in late summer of 2013, with adoption scheduled for fall 2013.

Reviewed By:


Town Manager

Town Attorney


Mgmt Services


Dept Head

Department Report
 Consent

Ordinance Action
 Minute Action

Resolution Action
 Receive and File

Public Hearing
 Study Session

To assist the Town in this activity, staff will be working with Mr. John Davis to provide consulting services regarding the technical aspects of the agreement. Mr. Davis is well known in southern California as an expert in solid waste administration, and will provide valuable insight to the Town during the negotiation process. Any related expenditures will be accommodated out of the current fiscal year general or special revenue fund professional services budgets.

Alternatives: None.

Fiscal impact: Project and consultant expenditures are anticipated to be less than \$10,000 total, and will be accommodated out of the current year general and special revenue funds adopted budget.

Attachments: Project Calendar



Town of Yucca Valley
Solid Waste Franchise Agreement Update Calendar

Month	Activities	Responsibility/Participation
January/February	Identify items to be included/excluded from agreement	Town Staff/Consultant
March	Meet with Burrtec, prepare for public workshops/hearings	Town Staff/Consultant
April	Hold Public Workshop, assess feedback	Town Council/Staff/Public
May	Hold Public Hearing, assess feedback	Town Council/Staff/Public
June	Council review	Town Council/Staff
July/August	Make necessary revisions	Town Staff/Consultant
September/October	Project Adoption	Town Council