

**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.*

**TOWN COUNCIL: 6:00 p.m.
TUESDAY, NOVEMBER 18, 2014
YUCCA VALLEY COMMUNITY CENTER
YUCCA ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284**

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

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**TOWN ADMINISTRATIVE OFFICE:
760-369-7207**

www.yucca-valley.org

**AGENDA
MEETING OF THE
TOWN OF YUCCA VALLEY COUNCIL
TUESDAY, NOVEMBER 18, 2014
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, and any additional documents submitted to the majority of the Town Council, are available for public view in the Town Hall lobby and with respect to the staff agenda packet, 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. 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, Leone, Rowe, and Mayor Lombardo

OPENING CEREMONIES

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS

1. Introduction- 2014-15 Yucca Valley Youth Commissioners

APPROVAL OF AGENDA

Action: Move _____ 2nd _____ Vote _____.

CONSENT AGENDA

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.

2. 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.

- 1-18 3. Town Council Meeting Minutes of October 7, 2014 and November 4, 2014

Recommendation: Approve the minutes of the Town Council Meetings of October 7, 2014 and November 4, 2014 as presented.

- 19-20 4. Monthly Fire Department Statistical Report for the month of September 2014

Recommendation: Receive and file the monthly Statistical Fire Department Reports for the month of September 2014

- 21-36 5. Development Code Amendment, DCA-04-14
Draft Development Code Article 1, Authority and Applicability
Ordinance Adoption

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 9, YUCCA VALLEY DEVELOPMENT CODE, BY ADOPTING ARTICLE 1, CHAPTERS 9.01 THRU 9.03.06, AUTHORITY AND APPLICABILITY, AND REPEALING SECTIONS 81.0101 THRU 81.1095, SECTION 81.0305 AND SECTIONS 84.0801 THRU 84.0830 OF TITLE 8 FROM THE YUCCA VALLEY DEVELOPMENT CODE.

Recommendation: Adopt Ordinance No. 250

- 37-60 6. Development Code Amendment, DCA-03-14

Draft Development Code Article 5, Administration
CEQA Exemption 15061(b)(3)
Ordinance Adoption

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 9, YUCCA VALLEY DEVELOPMENT CODE, BY ADOPTING ARTICLE 5, CHAPTERS 9.80 THRU 9.86, ADMINISTRATION, AND REPEALING SECTIONS 81.0205-81.0235, SECTIONS 83.010605-83.010630 AND SECTIONS 87.1201-87.1202 OF TITLE 8 OF THE YUCCA VALLEY DEVELOPMENT CODE.

Recommendation: Adopt Ordinance No. 251

- 61-122 7. Planning Commission Recommendation
Development Code Amendment, DCA-05-14
Draft Development Code Article 7, Definitions
CEQA Exemption 15061(b)(3)
Ordinance Adoption

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 9, YUCCA VALLEY DEVELOPMENT CODE, BY ADOPTING ARTICLE 7, CHAPTER 9.99, SECTIONS 9.99.020 THRU 9.99.260, DEFINITIONS, AND REPEALING SECTION 812.01005 CHAPTERS 1 THRU 27, DIVISION 12, TITLE 8 OF THE YUCCA VALLEY DEVELOPMENT CODE.

Recommendation: Adopt Ordinance No. 252

- 123-160 8. FY2014-16 Authorized Position Listing Update

Recommendation: Adopt:

- **Resolution No. 14- Approving the FY 2014-16 Authorized Position List**
- **Resolution No. 14- Updating the designation of those officials authorized to make requisitions for encumbrances against appropriations, and reflect the modified FY 2014-16 Authorized Position Listing**

- 161-184 9. Meeting Management Software – Professional Services Agreement

Recommendation: Authorize the professional services subscription agreement between the Town of Yucca Valley and Accela, Inc. for Government Meeting Management Software, with the Town Manager and Town Attorney executing the final contract.

- 185-194 10. SR 62, Camino del Cielo to Acoma, Signal Synchronization Project –
Town Project No. 8028
Congestion Mitigation Air Quality (CMAQ) Grant
Federal Project No. CMLN 5466(019)
Award of Construction Contract
DBX, Inc., Temecula, CA

Recommendation: Accept the project as substantially complete, authorize staff to file the Notice of Completion, authorize the reduction of the Faithful Performance Bond to 10%, and directs staff to retain the Labor and Material Bond for six (6) months for Project No.8028

- 195-206 11. Black Rock Canyon Road
Acceptance into the Town’s Maintained Road System

Recommendation:

- **Accept Black Rock Canyon Road into the Town’s Maintained Road System effective October 8, 2014.**
- **Release the expenditure budget surplus back to fund balance in Local Transportation Fund 516**

- 207-208 12. 2014-15 Youth Commission Appointments

Recommendation: Appoint the applicants recommended by the Parks, Recreation and Cultural Commission to the 2014-15 Youth Commission, and authorize the Parks, Recreation & Cultural Commission to review future applications and make subsequent appointments on behalf of the Council.

- 209-219 13. California Department of Housing and community Development Housing-Related Parks Program Grant Resolution

Recommendation: Adopt the Resolution authorizing submittal and execution of the Department of Housing and Community Development Housing-Related Parks Program Standard Agreement including the specific grant award amount per the revised template received from the California Department of Housing and Community Development Housing-Related Parks Program Team

- 220-222 14. AB1234 Reporting Requirements

Recommendation: Receive and file the AB1234 Reporting Requirement Schedule for the month of October 2014

223-229 15. Warrant Register

Recommendation: Ratify the Payroll Registers Total of \$141,725.14 for checks dated October 24, 2014, and ratify the Warrant Registers total of \$213,688.69 for checks dated October 30, 2014,

Recommendation: Adopt Consent Agenda (items 2-15)

Action: Move _____ 2nd _____ Vote _____

PUBLIC HEARINGS

230-624 16. Planning Commission Recommendation
Ordinance No.
Development Code Amendment, DCA-01-14
Development Code Article 2, Zoning Districts and Development Standards
CEQA Exemption 15061(b)(3)

Recommendation: As recommended by the Planning Commission, that the Town Council:

- **Finds that the project is exempt from CEQA in accordance with Section 15061 (b)(3) of the California Environmental Quality Act. The proposed amendment to revise the Town’s Development Code has no potential to impact the environment. The proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Development Code Amendment, DCA 05-14 meets the exemption criteria which states “that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA”.**
- **Introduces the Ordinance, Article 2, Zoning Districts and Development Standards, amending Title 9, Yucca Valley Development Code, Chapter 9.05 thru Chapter 9.22, establishing the Town’s Zoning Districts and Zoning Maps including Overlay Zones and providing land use standards and development requirements for the zoning districts and overlay districts, and repealing Sections 83.020105 through 83.020205, Sections**

84.0101 through 84.0125, Sections 84.0205 through 84.0250, Sections 84.0301 through 84.0390, Sections 84.0501 through 84.0570, Section 84.0601, Section 84.0605, Section 84.0620, Sections 85.0101 through 85.0145,

Sections 85.020101 through 85.020130, Sections 85.020201 through 85.020230, Sections 85.020301 through 85.020335, Sections 85.020401 through 85.020415, Sections 85.020501 through 85.020510, Sections 85.030101 through 85.030110, Sections 85.030201 through 85.030220, Sections 85.030301 through 85.030315, Sections 85.030401 through 85.030425, Sections 85.030501 through 85.030520, Sections 85.030601 through 85.030610, Sections 88.0501 through 88.0520, Section 88.0605 and Sections 88.0701 through 88.0715 of the San Bernardino County Development Code as adopted and amended by the Town of Yucca Valley.

Action: Move _____ 2nd _____ Vote _____

- 625-1027 17. Planning Commission Recommendation
Ordinance No.
Development Code Amendment, DCA-07-13
Development Code Article 3, General Development Standards
CEQA Exemption 15061(b)(3)

Recommendation: As recommended by the Planning Commission, that the Town Council:

- Finds that the project is exempt from CEQA in accordance with Section 15061 (b)(3) of the California Environmental Quality Act. The proposed amendment to revise the Town’s Development Code has no potential to impact the environment. The proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Development Code Amendment, DCA 05-14 meets the exemption criteria which states “that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA”
- Introduces the Ordinance, Article 3, General Development Standards, Chapters 9.30 through 9.52, and repealing Sections 41.151 thru 41.1569 of the Yucca Valley Municipal Code and Sections 84.0701 thru 84.0740, Sections 87.0101 thru 87.0105, Sections 87.0201 thru 87.220, Sections 87.0401 thru 87.0405, Sections 87.0501 thru 87.0505, Sections 87.0601 thru

87.0645, Sections 87.0901 thru 87.0940, Sections 88.0805 thru 88.0810, Sections 810.0101 thru 810.0135, Sections 88.0701 thru 88.0715, Sections 810.0201 thru 810.0275, Sections 88.0701 thru 88.0715, Section 84.0610, Sections 87.1110 thru 87.1180, Section 812.01005, Section 84.0615, and Sections 811.301 thru 811.309 of Title 8 of the San Bernardino County Development Code as adopted and amended by the Town of Yucca Valley, and Sections 9.75.010 thru 9.75.130 of title 9 of the Yucca Valley Development Code.

DEPARTMENT REPORTS

1028-1029 18. Comprehensive Annual Financial Report for the fiscal year ended June 30, 2014

Recommendation: Receive and file the Comprehensive Annual financial Report (CAFR) for the fiscal year ended June 30, 2014

Action: Move _____ 2nd _____ Vote _____

1030-1031 19. Audit of the Low and Moderate Income Housing Asset Fund of the Town of Yucca Valley for the fiscal year ended June 30, 2014

Recommendation: Receive and file the Audit of the Low and Moderate Income Housing Asset Fund of the Town of Yucca Valley for the fiscal year ended June 30, 2014, which is included in the independent financial audit as presented in the Comprehensive Annual Financial Report (CAFR)

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

20. Council Member Abel
21. Council Member Leone
22. Council Member Rowe
23. Mayor Pro Tem Huntington
24. Mayor Lombardo

ANNOUNCEMENTS

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

The Town Council will not be meeting at its next regularly scheduled meeting of Tuesday, December 2, 2014.

The Town Council will meet for a Special Meeting on Tuesday, December 9, 2014 at 6:00 p.m. in the Yucca Valley Community Center Yucca Room.

ADJOURNMENT

Yucca Valley Town Council

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Town of Yucca Valley Town Council in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Yucca Valley Town Council, Commissions and Committees.

Agendas - All agendas are posted at Town Hall, 57090 Twentynine Palms Highway, Yucca Valley, at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the Town Hall offices located at 57090 Twentynine Palms Highway, Yucca Valley.

Agenda Actions - Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Town Council will generally consider items in the order listed on the agenda. However, items may be considered in any order. Under certain circumstances new agenda items can be added and action taken by two-thirds vote of the Town Council.

Closed Session Agenda Items - Consideration of closed session items, *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Mayor will announce the subject matter of the closed session. If final action is taken in closed session, the Mayor shall report the action to the public at the conclusion of the closed session.

Public Testimony on any Item - Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Town Council should complete a "Request to Speak" form, provided near the Town Clerk's desk at the meeting room, and present it to the Town Clerk prior to the Council's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak. When recognized by the Mayor, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Council, speakers are limited to up to three (3) minutes on each item. The Mayor or a majority of the Council may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Council member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times - The Council is concerned that discussion takes place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment - At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject with Council's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in Rule #4 still apply.*

Disruptive Conduct - If any meeting of the Council is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Mayor may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Council without first being recognized, not addressing the subject before the Council, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Council from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for all Town of Yucca Valley meetings. Your cooperation is appreciated!*

ACRONYM LIST

ADA	Americans with Disabilities Act
CAFR	Comprehensive Annual Financial Report
CALTRANS	California Department of Transportation
CEQA	California Environmental Quality Act
CCA	Community Center Authority
CDBG	Community Development Block Grant
CHP	California Highway Patrol
CIP	Capital Improvement Program
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COP	Certificates of Participation
CPI	Consumer Price Index
DOJ	Department of Justice
DOT	Department of Transportation
ED	Economic Development
EIR	Environmental Impact Report (pursuant to CEQA)
GAAP	Generally Accepted Accounting Procedures
GASB	Governmental Accounting Standards Board
HDWD	Hi Desert Water District
HUD	US Department of Housing and Urban Development
IEEP	Inland Empire Economic Partnership
IIPP	Injury and Illness Prevention Plan
IRC	Internal Revenue Code
LAIF	Local Agency Investment Fund
LLEBG	Local Law Enforcement Block Grant
LTF	Local Transportation Fund
MBTA	Morongo Basin Transit Authority
MBYSA	Morongo Basin Youth Soccer Association
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MUSD	Morongo Unified School District
PARSAC	Public Agency Risk Sharing Authority of California
PERS	California Public Employees Retirement System
PPA	Prior Period Adjustment
PVEA	Petroleum Violation Escrow Account
RDA	Redevelopment Agency
RSA	Regional Statistical Area
RTP	Regional Transportation Plan
SANBAG	San Bernardino Associated Governments
SCAG	Southern California Association of Governments
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TEA-21	Transportation Enhancement Act for the 21 st Century
TOT	Transient Occupancy Tax

Town Council Committee Assignments

COMMITTEE	REPRESENTATIVE	MEETING SCHEDULE	LOCATION
CITY / COUNTY ANIMAL SERVICES JPA	Huntington Lombardo	12:00 pm. Last Thursday	Yucca Valley
DESERT SOLID WASTE JPA	Huntington Lombardo (Alt)	10:00 a.m. 2 nd Thursday Feb, May, Aug, Nov	Victorville
LEAGUE OF CALIFORNIA CITIES DESERT MOUNTAIN DIVISION	Lombardo Rowe (Alt)	10:00 a.m. 4 th Friday- Quarterly	Varies
LEAGUE OF CALIFORNIA CITIES LEGISLATIVE DELEGATE	Mayor		
LEGISLATIVE TEAM	Huntington Rowe	Proposed for Council Members to work with Town Manager meeting with legislators when necessary	
HOMELESS PARTNERSHIP (SBCO) AND INTERAGENCY COUNCIL ON HOMELESSNESS	Leone Lombardo (Alt)	9:00 a.m. 4 th Wednesday	San Bernardino
MEASURE I	Huntington Rowe (Alt)	9:30 a.m. 3 rd Friday	Apple Valley
MORONGO BASIN TRANSIT AUTHORITY	Abel Leone Rowe (Alt)	5:00 p.m. 4 th Thursday	Joshua Tree
MOJAVE AIR QUALITY DISTRICT	Leone Rowe (Alt)	10:00 a.m. 4 th Monday	Victorville
SANBAG	Huntington Rowe (Alt)	10:30 a.m. 1 st Wednesday	San Bernardino
SPORTS COUNCIL	Huntington	6:30 p.m. 2 nd Monday March, June, Sept	Yucca Valley

Ad Hoc Committee Assignments

COMMITTEE	REPRESENTATIVES
AUDIT	
BREHM PARK	Abel Lombardo
COUNCIL RULES AND PROCEDURES	Huntington Lombardo
COUNTY BUDGET	Huntington Rowe
MORONGO UNIFIED SCHOOL DISTRICT	Rowe
ONLINE VIDEO	Huntington Evans (PRCC)
RDA BONDS	Leone Rowe
SENIOR HOUSING	Huntington Rowe Drozd (PC) Whitten (PC)
SEWER FINANCING	Rowe Leone
SUBDIVISION	Huntington Leone