

**TOWN OF YUCCA VALLEY  
TOWN COUNCIL MEETING MINUTES  
APRIL 5, 2011**

Mayor Huntington called the regular meeting of the Town of Yucca Valley Council to order at 6:03 p.m.

Council Members Present: Hagerman, Luckino, Rowe and Mayor Huntington. Council Member Mayes arrived at 6:25 p.m.

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

**PLEDGE OF ALLEGIANCE**

Led by Mayor Huntington

**PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS**

**1. Longevity Awards.**

Presented to Recreation Coordinator Candy Drake for 15 years and Code Compliance Technician Christine Lewis for 5 years.

**1A. Proclamation proclaiming Volunteer Recognition Week.**

Mayor Huntington read the proclamation proclaiming the week of April 10-16, 2011 as Volunteer Recognition Week.

**APPROVAL OF AGENDA**

Council Member Luckino moved to approve the agenda. Council Member Hagerman seconded. Motion carried 5-0 on a voice vote.

**CONSENT AGENDA**

- 2. Approve,** Regular Town Council Meeting Minutes of March 15, 2011 as presented.
- 3. Waive,** further reading of all ordinances and read by title only.
- 4. Approve,** the Community Development Block Grant Cooperation Agreement and the City-County Delegate Agency Agreement with San Bernardino County for fiscal years 2012-13, 2013-14, and 2014-15; and authorize staff and the Town Attorney to sign and

execute the agreement.

**6. Approve Resolution No. 11-17 for the 2010/2011 OHV grant application.**

A RESOLUTION OF THE TOWN COUNCIL FO THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS

**7. Approve, Amendment No. 4 of the Agreement for Professional Consulting Services with RBF Consultants, Inc., to provide additional required tasks and services specifically described in Consultant’s Proposal dates March 9, 2011 and attached to the proposed amendment as Exhibit “E” increasing the total compensation under the Agreement for Professional Consulting Services by \$35,160, bringing the total compensation under the Agreement to \$689,699, for PS&E Phase, SR 62 PLHD Median Improvement Project – Apache to Palm Avenue, Proposed Amendment to Compensation for Additional Tasks and Services**

**8. Ratify, Warrant Register total of \$495,488.50 for checks dated March 10, 2011 through March 24, 2011. Ratify Payroll Registers total of \$148,745.86 for checks dated March 18, 2011.**

Council Member Luckino requested to pull Item 5.

**Margo Sturges**, Yucca Valley, commented on Item 4 CDBG Cooperative Agreement regarding the need to help the charities in the community, and opposing the use of the funding for Code Enforcement.

Council Member Hagerman moved to adopt Consent Agenda Items 2-4 and 6-8. Council Member Rowe seconded. Motion carried 4-1 on a roll call vote.

- AYES:** Council Member Hagerman, Luckino, Rowe and Mayor Huntington.
- NOES:** None
- ABSTAIN:** None
- ABSENT:** Council Member Mayes

**5. Grant of Water Line Easement to Hi-Desert Water District**

Council Member Luckino advised he has a conflict due to his employment with the Hi Desert Water District, recused himself and left the dais.

Deputy Town Manager Stueckle gave the staff report recommending approval of the item.

Council Member Hagerman moved to grant a public utility easement to the Hi Desert Water District (HDWD) located on the west side of the eastern boundary of Section 11 thirty (30) feet in width extending from the south boundary of APN 597-211-06 to the southerly boundary of Section 11 provided by prior to the recordation of said easement HDWD execute an Agreement with the Town of Yucca Valley providing that HDWD bear the cost of any future water relocation which may be necessary by future road construction within the easement and authorizing the Mayor and Town Manager to execute said Agreement on behalf of the Town of Yucca Valley. Council Member Rowe seconded. Motion carried 3-0-2 on a roll Call vote.

- AYES:** Council Member Hagerman, Rowe and Mayor Huntington.
- NOES:** None
- ABSTAIN:** None
- ABSENT:** Council Member Luckino and Mayes

**DEPARTMENT REPORTS**

Mayor Huntington took Items 9 and 10 out of order so that Council Member Mayes is able to participate in the Commission appointment discussions. Council Member Mayes arrived at 6:25 p.m.

**10. Traffic Speed Surveys, Ordinance**

Deputy Town Manager Stueckle read the title of the Ordinance, advised of the fact California state law dictates how speeds will be established in the state, and explained how the survey is performed. Surveys must be repeated no less than every 7 years. The Ordinance contains the reestablishment of 12 existing speed zones and establishes one new zone. Of those 12, 7 remain the same speed, 4 are lower and 1 is higher. He noted that the Engineering staff did coordinate with the Sheriff's Department during the surveys as previously requested by Council.

**Margo Sturges**, Yucca Valley, commented regarding the proposed speed on her street noting there are a lot of children playing in the area and she was hoping something could have been done to lower the speed there rather than keeping it the same.

Council Member Luckino expressed concern regarding raising the speed on Juarez between Palomar and Joshua Lane to 40 miles per hour, noting he sees no justification and would prefer to keep those side streets as low as possible.

Council Member Hagerman questioned if a person can still have a ticket thrown out if a street is posted, even it is posted at a lower speed than shown in the survey. Capt. Miller

explained the process and requirements noting that the Judge receives copies of the speed surveys.

Council Member Rowe commented that there are currently two 35 mph areas in that ¼ mile stretch and recommended leaving the limit at 35 mph.

Council Member Mayes commented regarding the law dictating setting the limits, adding if you set a speed limit that can't be enforced, why have it.

Council Member Rowe objected to people being able to set the speed by breaking the law.

Mayor Huntington commented that this is a very scientific process, and the survey dictates what is enforceable and what the posted limit can be.

Town Manager Nuaimi suggested that Juarez Drive, Palomar to Joshua Lane be removed from the Ordinance.

Council Member Luckino moved to introduce the Ordinance amending Title 12, Chapter 12.20 of the Town of Yucca Valley Municipal Code, Section 12.20.020, entitled "Changes to State Law Speed Limits" by establishing the recommended speed limits, removing Juarez Drive from the Ordinance, and rescinding that portion of the Ordinance that establishes the existing speed zones. Council Member Hagerman seconded. Motion carried 5-0 on a roll call vote.

**AYES:** Council Member Hagerman, Luckino, Mayes, Rowe and Mayor Huntington.

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**9. Commission Appointments**

Town Clerk Anderson gave the background on the changes to the Planning Commission terms and the beginning and ending dates of each term. Advised that Mayor Huntington nominates Robert Lombardo to Planning Commission and Laurine Silver to the Parks, Recreation and Cultural Commission; Mayor Pro Tem nominates Tim Humphreville to the Planning Commission and Cynthia Kraemer to the Parks, Recreation and Cultural Commission; Council Member Rowe nominates Michael Alberg to the Planning Commission and Dan Harman to the Parks, Recreation and Cultural Commission; Council Member Hagerman nominates Michael Hildebrand to the Planning Commission and Jennifer Collins to the Parks, Recreation and Cultural Commission; Council Member Mayes nominates Merl Abel to the Planning Commission and Jeff Evans to the Parks,

Recreation and Cultural Commission.

**Margo Sturges**, Yucca Valley, commented she feels the new process is going to be political, suggesting there may now be a higher risk of violating the Brown Act.

Council Member Mayes commented regarding the Planning Commission Appointment, noting there is currently one vacancy and questioned if there would be a problem with not filling that seat for next few months. Mayor Huntington recommended appointing a full Commission at this time due to the upcoming work load with the Development Code update and proposed General Plan Update.

Council Member Hagerman commented this was one of the first things he brought forward as a new Council Member noting he thinks the process will be much faster now.

Council Member Hagerman moved to appoint Merl Abel, Michael Alberg, Michael Hildebrand, Tim Humphreville, and Robert Lombardo to the Planning Commission and Jennifer Collins, Jeff Evans, Dan Harman, Cynthia Kraemer and Laurine Silver to the Parks, Recreation and Cultural Commission. Council Member Rowe seconded. Motion carried 5-0 on a voice vote.

## **FUTURE AGENDA ITEMS**

Council Member Luckino questioned if the discussion of the Native Plan Ordinance is still scheduled for late April or early May. Deputy Town Manager Stueckle advised that staff will be working to schedule a joint meeting between the Council and Commission now that the Commission appointments have been made and anticipate the meeting to be in that time frame.

Council Member Luckino requested a Resolution honoring Fire Chief Benedict. Council agreed.

## **PUBLIC COMMENT**

**Margo Sturges**, Yucca Valley, commented regarding the need to look at pension reform.

## **MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS**

### **11. Council Member Mayes**

Council Member Mayes tendered his resignation effective at the end of the Council Meeting due to the demands of his work schedule and commute times. Thanked Council, Staff and the community for their support.

### **12. Council Member Hagerman**

Commented he is happy for Council Member Mayes and his family, but sad for the Council and Town. His knowledge is going to be missed.

Thanked Recreation Coordinator Drake and Code Compliance Technician Lewis for their service the Town.

**13. Council Member Rowe**

Commented regarding Council Member Mayes' resignation

Thanked Michael Alberg and Dan Harmon for their willingness to serve the Town.

**14. Mayor Pro Tem Luckino**

Commented this is a sad day for this Council, noting Council Member Mayes will be missed.

**15. Mayor Huntington**

Commented that Council Member Mayes will be missed.

Congratulate Code Compliance Technician Lewis and Recreation Coordinator Drake for their service to the Town

Congratulated the Members selected to serve on the Commissions.

Reminded everyone that Clean-up and Free Dump Day is this Saturday, April 9<sup>th</sup> from 8:00 a.m. to Noon at Hilton and the Highway.

**ANNOUNCEMENTS**

Special Joint Town Council - Hi Desert Water District Meeting, Monday, April 11, 2011 at 4:30 p.m.

Next Town Council Meeting, Tuesday, April 19, 2011, 6:00 p.m.

**CLOSED SESSION**

**16. Government Code Section 54956.8, Conference with Real Property Negotiators.**

Property: APN 587-011-04 & 24, Southeast corner of Church and Onaga

Michael Jakubiec/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 587-11-18, East side of Church Street, North of Zuni Trail  
Roza Kazangian/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

**17. Conference with Labor Negotiators – Government Code Section 54957.6(a).**

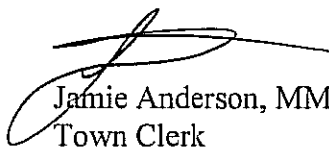
Negotiators Mark Nuaimi, Dani Lassetter  
Employee Organization(s)  
Unrepresented Exempt  
Unrepresented Non-Exempt

Mayor Huntington adjourned to Closed Session at 6:53 p.m., returned to open session at 7:52 p.m., and announced there was no reportable action taken. There were no members of the public present.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 7:52 p.m.

Respectfully submitted,

  
Jamie Anderson, MMC  
Town Clerk