

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
SEPTEMBER 20, 2011**

Mayor Huntington called the meeting to order at 6:22 p.m.

OPENING CEREMONIES

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

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

A. Recognition of Aquatics Staff.

Community Services Director Schooler introduced Rebecca Russell, Asst. Pool Manager, Ana Goddard, Marcell Dorsey, Desire Russell, Gloria Williams, and Kristie Vrooman, Pool Manager.

1. Longevity Awards

Presented to Community Services Supervisor Lynne Richardson for 5 years of service.

APPROVAL OF AGENDA

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

AGENCY REPORTS

Fire Department

2. Monthly statistical report for August, 2011

Battalion Chief Benfield gave the monthly statistical Fire Department report for August 2011.

Chamber of Commerce

3. Monthly Statistical report for August 2011.

Vickie Bridenstine, Chamber President, gave the monthly statistical Chamber report for August 2011.

CONSENT AGENDA

4. Approve, Regular Town Council Meeting Minutes of September 6, 2011, as presented.

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

6. Receive and file, the AB 1234 Reporting Requirement Schedule for the Month of July and August 2011

7. Approve, the Final Map of PM 19103 and direct staff to forward the map to the San Bernardino County Recorder for Recordation, five commercial lots, Warren Vista Shopping Center, South West Corner of SR 62 and Warren Vista Avenue

9. Find, the bid submitted by Masterbuilt Construction Corporation Inc., to be non-responsive to the Call for Bids and Addenda thereto; and **award** a contract for construction services, subject to California Energy Commission (CEC) approval to Joe Putrino General Contractor in the amount of \$94,079 for the Base Bid of the Library HVAC and \$44,238 for the Lighting Replacement Alternative Bid B, for a total contract award of \$138,317; establish a \$13,000 contingency and \$4,000 administration expenditures, and authorize the Town Manager, Town Attorney, and the Mayor to sign all necessary documents; and authorize the Town Manager to expend the contingency if necessary to complete the project, EECBG Library HVAC and Lighting Replacement EECBG Project Grant No. 09-029, Town Project No. 8954

10. Adopt, Resolution No. 11-41 for the annual Measure I, Five-Year Capital Improvement Plan and Expenditure Strategy for Fiscal Years 2011/2012 to 2015/2016 under Measure I 2010-2040

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ADOPTING THE FIVE-YEAR MEASURE I CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2011/2012 TO 2015/2016

11. Receive and File, Redevelopment Agency's Preliminary Draft Recognized Obligation Payment Schedule.

12. **Approve**, Resolution No. 11-42 authorizing the execution of a Remittance Agreement with the Town of Yucca Valley

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY APPROVING A REMITTANCE AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE TOWN OF YUCCA VALLEY IN ACCORDANCE WITH ASSEMBLY BILL AB X1 27

13. **Ratify**, Warrant Register total of \$114,199.64 for checks dated September 8, 2011. Ratify Payroll Registers total of \$144,111.84 for checks dated September 2, 2011.

Council Member Hagerman requested to pull Item 8.

Council Member Lombardo moved to adopt Consent Agenda Items 4-7 and 9-13. Council Member Abel seconded. Motion carried 5-0 on a roll call vote.

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

8. **2011-12 Youth Commission appointments**

Community Services Director Schooler presented the staff report.

Mayor Huntington expressed appreciation to the applicants and wished them luck in the coming year.

Council Member Lombardo commended the Commission for their presentation of the social host ordinance that has come forward to Council.

Council Member Abel commented regarding the lack of applicants from La Contenta this Year. Community Services Director Schooler advised that staff will approach the school again to see if there is any interest from the students.

Council Member Hagerman advised he pulled the item in case anyone was here from the Commission, and thanked them for their service to our community. He also thanked the parents who are allowing their kids to be involved.

Council Member Hagerman moved to appoint Hannah Bogue, Velda Denison, Ana Goddard, Connor Hendry, Kalie Hendry, Cassidy Hyso, Ian Lafferty, Nicholas Lombardo, Kiarra Mora, and Blake Rowe to the 2011-12 Youth Commission. Council Member Rowe seconded. Motion carried 5-0 on a voice vote.

DEPARTMENT REPORTS

14. Youth Commission Recommendation: Social Host Ordinance

AN ORDINANCE OF THE TOWN COUNCIL, TOWN OF YUCCA VALLEY, CALIFORNIA, ADDING CHAPTER 6.10 TO TITLE 6 OF THE TOWN OF YUCCA VALLEY MUNICIPAL CODE, IMPOSING LIABILITY ON SOCIAL HOSTS WHO ALLOW MINORS TO OBTAIN, POSSESS, OR CONSUME ALCOHOLIC BEVERAGES AND/OR ILLEGAL SUBSTANCES AT GATHERINGS

Community Services Director Schooler advised the Ordinance is the result of about 2 years of work by the Youth Commission. This is one of the more common measures taken by cities and counties in the State. The recommendation to adopt a Social Host Ordinance was made to the Parks, Recreation and Cultural Commission, and includes illegal substances in addition to alcoholic beverages.

Ramon Mendoza, Yucca Valley, spoke in favor of the ordinance, but questioned how it is going to be enforced.

Cathryn Choate, Yucca Valley, spoke in favor of the ordinance.

Ana Goddard, Youth Commission, thanked the Council for considering the social host ordinance and the people who helped put it together.

Bonnie Shaffer, Coordinator Ready Aim Coalition, spoke in support of the Ordinance and distributed a list of people in support.

Council Member Lombardo advised he is in favor of the ordinance. Stated there are some questions about having ultimate knowledge of what is going on at a property if you are the owner of a rental property.

Council Member Abel credited the Youth Commission for being the force behind the Ordinance. There are a lot of kids in the community doing the right thing, and this is asking the adults in their lives to be responsible for the safety of our youth. This is another tool for law enforcement. He commented regarding the importance of getting the word out that this ordinance is going to be enforced.

Council Member Hagerman commented he is also very much in favor of the ordinance and proud of the Youth Commission. He expressed appreciation to the Ready Aim Coalition for their work with the Commission.

Council Member Rowe stated she is also in favor of the Ordinance.

Mayor Huntington recommended that the education regarding this ordinance be tied into red ribbon week.

Town Attorney Laymon read the title of the ordinance.

Council Member Rowe moved to introduce the Ordinance adding Chapter 6.10 to Title 6 of the Yucca Valley Municipal Code imposing liability on social hosts who allow minors to obtain, possess, or consume alcoholic beverages and/or illegal substances at gatherings. Council Member Hagerman seconded. Motion carried 5-0 on a roll call vote.

AYES: Council Member Abel, Hagerman, Lombardo, Rowe and Mayor Huntington.

NOES: None

ABSTAIN: None

ABSENT: None

15. South Side Neighborhood Park, Phase I A, Contract Amendment, RHA Landscape Architects, Authorization to Proceed with Final Design, Authorization to Proceed with Construction Bidding, Budget Amendment

Deputy Town Manager Stueckle presented the staff report and displayed a PowerPoint presentation showing the proposed amenities.

Ramon Mendoza, Yucca Valley, questioned how much this is going to add in maintenance and water usage, why grass is being used, and the schedule of the other two parks.

Deputy Town Manager Stueckle advised the annual maintenance costs is estimated to be about \$26,000 including water use. He noted that turf is a limited commodity in the community and the opportunity to add small turf areas in another neighborhood is a critical part of the services to community.

Town Manager Nuaimi advised the other two proposed dog parks that were mentioned are not scheduled or funded at this time. The ability to deliver those other two facilities will depend on funding.

Council Member Hagerman questioned where the tortoise habitat required mitigation for \$115,000 comes from. Deputy Town Manager Stueckle advised that during the initial design phases for this, a survey showed recent signs of tortoises being on property, noting the cost estimate included is for an anticipated fence that will be necessary if the signs of the tortoise are still present in the vicinity of Phase 1A. Staff will be continuing with the biological assessment, and the fencing cost may go away. Council Member Hagerman questioned who requires the mitigation. Deputy Town

Manager Stueckle advised it is a federal law due to the fact that the tortoise is an endangered animal, and this is the first step in the process of what must be done to address the issue.

Mayor Huntington advised the mitigation consists of fencing that is 3' in the ground and 3' high, at a cost of approximately \$60.00 per foot.

Council Member Abel questioned if a group such as Petco has any programs where they provide funding for parks. Town Manager Nuaimi advised that staff wanted to be very careful not to interfere with fund raising efforts for other parks in the community. When you look at the list of funding that is currently identified, one source is Development Impact Fees, which will provide dollars that could supplant the use of RDA dollars. In addition, the Architect has also said that bids are still coming in about 20% below estimates. Council Member Abel commented, as he understands, the people who are coming up to Machris Park are from all over the community. Town Manager Nuaimi advised there are also people from outside the community bringing their dogs to the park.

Council Member Hagerman questioned if the Warren Vista street improvement is part of \$14,000,000 backlog. Deputy Town Manager Stueckle advised that a portion is.

Mayor Huntington questioned the policy Council adopted previously stating that all the Development Impact Fees would go to roads. Town Manager Nuaimi advised that the last time the item was discussed the maximum defensible fees were amended and apportioned to all the areas. He noted the fees being imposed did not change, and are higher than the fee for just the streets and traffic portion.

Council Member Hagerman moved to approve the budget amendment appropriating funds for South Side Neighborhood Park as outlined in the Fiscal Impact section of the staff report, approve the conceptual plans for the South Side Neighborhood Park Phase I A, approve the amendment to the Town's Agreement with RHA Landscape Architects authorizing the Town Manager to sign the amended agreement, authorize the final design of South Side Neighborhood Park Phase I A, and authorize construction bidding for Phase I A. Council Member Lombardo seconded. Motion carried 5-0 on a roll call vote.

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

POLICY DISCUSSION

FUTURE AGENDA ITEMS

Council Member Hagerman requested an update on the PFF property. Council agreed.

PUBLIC COMMENT

Sarann Graham, Yucca Valley, stated she is glad the Council didn't consider the use of synthetic turf for the dog park, and advised of the need to distribute educational materials on the social host ordinance, noting it is a good opportunity to include some of the service clubs.

Ramon Mendoza, Yucca Valley, commented he is not pleased the Council didn't consider synthetic turf to save water, and expressed concern regarding the perception that only certain people are being taken care of the Town.

STAFF REPORTS AND COMMENTS

Town Manager Nuaimi commented as we head into fall and cooler weather the Animal Shelter will be accepting donations of blankets. Requested that everyone save date of Tuesday, November 15, for an all day celebration in honor of the Towns 20th anniversary of incorporation, noting there should be something for everyone. The County Department of Public Health will be holding a flu clinic at the Yucca Valley Elks Club on October 11, 2011 from 9:00 a.m. to 11:00 a.m. at a cost of \$10.00. There will also be one at the Joshua Tree Community Center on October 14th.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

16. Council Member Lombardo

Advised that he and Council Member Rowe will be attending a meeting regarding homelessness at the Pacific Clinic on October 7th.

17. Council Member Abel

Commented the Council represents the entire community.

Reported regarding a preliminary meeting with the Morongo Basin Transit Authority.

Advised he is pleased with the Aquatics Program, noting that prevention is the key to water safety.

18. Council Member Hagerman

Expressed disappointment with the water rates increase.

Reported that his son is part of the Yucca Valley Lobos football team, adding that the volunteers who put that program together are phenomenal and represent Yucca Valley well.

19. Mayor Pro Tem Rowe

Reported that she and the Mayor are leaving in the morning to represent the Town at the League of California Cities Annual Conference.

Welcomed the Youth Commission Members

20. Mayor Huntington

Congratulated Community Services Supervisor Richardson for 5 years of service.

Advised that the Museum has 2 programs working to try to improve their funding. Those applications are available at Town Hall and the Museum.

Reported regarding attendance at the Boys and Girls Club auction on Saturday where Council Member Abel was the auctioneer and did fantastic job.

Advised that the next Community Clean Up Day is scheduled for October 22nd.

Thanked Kristie Vrooman and staff for another successful year at the pool.

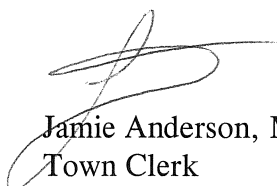
ANNOUNCEMENTS

Next Town Council Meeting, Tuesday, October 4, 2011, 6:00 p.m.

ADJOURNMENT

There being no further business the meeting was adjourned at 7:26 p.m.

Respectfully submitted,


Jamie Anderson, MMC
Town Clerk