

TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
March 6, 2012

OPENING CEREMONIES

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

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

PLEDGE OF ALLEGIANCE

Led by Ramon Mendoza

INVOCATION

Led by Pastor Jerel Hagerman, Joshua Springs Calvary Chapel

APPROVAL OF AGENDA

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

CONSENT AGENDA

1. **Approve**, Regular Town Council Meeting Minutes of February 21, 2012, as presented.
2. **Waive**, further reading of all ordinances (if any in the agenda) and read by title only.
3. **Affirm**, staff findings regarding the undergrounding of utilities associated with the Parrten Products development at 6650 La Contenta Road, Yucca Valley, CA 92284, and ratify a refund in the amount of \$19,390.42 pursuant to the Town's Utility Undergrounding Ordinance.
4. **Ratify**, the Warrant Register total of \$145,664.80 for checks dated February 23, 2012. Ratify Payroll Registers total of \$151,304.63 for checks dated February 17, 2012.

Council Member Abel moved to adopt Consent Agenda Items 1-4. Council Member Hagerman seconded. Motion carried 5-0 on a roll call vote.

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

ABSTAIN: None
ABSENT: None

DEPARTMENT REPORTS

5. Remote Caller Bingo Ordinance

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, REPEALING CHAPTER 17 OF DIVISION 1 OF TITLE 4 OF THE SAN BERNARDINO COUNTY CODE AS ADOPTED BY THE TOWN OF YUCCA VALLEY, AND ADDING CHAPTER 5.30 TO TITLE 5 OF THE TOWN OF YUCCA VALLEY MUNICIPAL CODE, REGARDING TRADITIONAL AND REMOTE CALLER BINGO

Town Clerk Anderson presented the staff report in the printed agenda, advised that the recommendation is to introduce the ordinance, and read the title of the ordinance.

Council Member Abel questioned if there had been any input from other organizations that hold bingo games. Town Clerk Anderson advised there has not.

Council Member Lombardo commented this ordinance allows organizations to join in on games with other organizations with a central caller.

Council Member Huntington commented the remote caller bingo has the same checks and balances as regular bingo games.

Council Member Hagerman moved to introduce the Ordinance of the Town Council of the Town of Yucca Valley, California, repealing Chapter 17 of Division 1 of Title 4 of the San Bernardino County Code as adopted by the Town of Yucca Valley, and adding Chapter 5.30 to Title 5 of the Town of Yucca Valley Municipal Code regarding Traditional and Remote Caller Bingo. Council Member Lombardo seconded. Motion carried 5-0 on a roll call vote.

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

POLICY DISCUSSION

6. Sign Ordinance Enforcement, Temporary Signs, Banners & Flags for Commercial & Industrial Enterprises, Joint Town Council & Planning Commission, Sign Ordinance Review.

Deputy Town Manager Stueckle gave staff report in the printed agenda and displayed a PowerPoint presentation during the discussion. In January 2010 and February 2011 the Council approved the suspension of the time period limitations for temporary signs for commercial and industrial establishments for a period of one year ending February 1, 2012. Based upon prior Town Council action temporary sign permit application and fees are required to be submitted and approved. Staff is recommending that the Council allow temporary banners, flags, b-wings, pennants, hulas and streamers to remain in place for a period of one year ending on March 6, 2013, or until further action by the Town Council.

One item not discussed in the staff report, but staff felt it is an important issue is the fact that at the time of adoption of the sign ordinance, the then Town Council elected to not include an amortization schedule, and instead enacted other standards to eliminate non-conforming signs. One such standard states that the installation of one new sign requires that all signs be brought into conformance with the sign ordinance. Staff recommends temporary suspension of Section 87.07170c8 to allow for new signs, conforming to current standards, without the requirement to bring all signs into compliance with existing code.

With regard to civic community events, Section 87.071302 allows temporary signage for civic community events and Section c allows for banners to be placed at the Town's entryway on SR 62, however, there may be benefits to the business community and the Town from expanding this section to allow additional locations for temporary signage for civic community events.

Jennifer Collins, representing the Chamber of Commerce, spoke in favor of the recommendations and noted, when it comes to special events signage is important.

Ramon Mendoza, Yucca Valley, spoke in support of doing whatever we can for businesses, but recommended communication with Caltrans regarding use of their right-of-way for special event signage. He also expressed concern about allowing balloons that may endanger the desert tortoise.

Curt Duffy, Yucca Valley, encouraged a close look at the signage policy and the use of best practices from other communities.

Council Member Huntington questioned if the Town is issuing permits and collecting fees for the temporary signage, and if staff has found the temporary suspension manageable. Deputy Town Manager Stueckle advised that businesses are being informed that they still need permits and to pay the fees for temporary signage. He noted that the flow is manageable but advised there has been a continued proliferation of b-wings on the highway. Council Member Huntington commented he is not opposed

to allowing the suspension to go on for another year or until it is addressed by the Council.

Council Member Lombardo questioned if damaged signs will be replaced. Deputy Town Manager Stueckle advised the business is still required to keep them in good order. Town Manager Nuaimi added that ordinances are only as good as the enforcement behind them, noting we do not have a shortage of compliance complaints, and it will require some continued focus on our part if we see the signs deteriorating.

Deputy Town Manager Stueckle corrected his previous statement noting that, during the first year of the temporary sign suspension, the Council waived the time period but did not waive the fees. In the second year the fees were waived, but the permit was still required. He noted that staff is not recommending that the waiver of fees continue today.

Council Member Huntington advised he agrees with the recommendation to direct staff to evaluate the potential for additional community event and economic development sign standards.

Council Member Lombardo suggested adding special event signs on SR 247 also. Deputy Town Manager Stueckle advised that at this time we have signs on the east and west ends of Town, but that should include the center of town as well as SR 247.

Council Member Huntington suggested that one other element with the economic development sign standards might be a kiosk type sign listing off highway businesses. Deputy Town Manager Stueckle stated that would need to be looked at with review of the sign code. What we are recommending at this time is related to Town sponsored economic development activities.

Council Member Hagerman questioned if the sign flippers have to file a permit. Town Manager Nuaimi advised that typically those sign flippers are mobile, and can cause a distraction. He is not aware of permitting requirements, but they do become a public safety issue.

Council Member Abel commented that will be something decided as we go through the ordinance, noting he is in favor of postponing discussion on that issue until we have public input etc.

Deputy Town Manager Stueckle advised that staff added one item not included in the staff report regarding suspension of section 87.07170c8 for a period of one year until March 6, 2013. Council Member Huntington commented that is extremely fair. Council agreed.

Council Member Huntington commented he is against a joint meeting on this issue, noting it becomes difficult to get 10 members together at one time, and the ordinance is pretty well put together except for specificity on some events. It should be sufficient for the Planning Commission to hold a public hearing, address those issues, and come up with a recommendation specific to the part of the code that needs to be addressed. He does not think a joint meeting would be fruitful.

Council Member Lombardo commented he would like to see more public input from business owners. The sign ordinance is complicated and important to businesses, and he would like to hear what other business people have to say about it.

Council Member Abel questioned what the thought process was of a joint meeting rather than just the Planning Commission then the Town Council looking at it. Deputy Town Manager Stueckle advised the primary issue is the fact that the sign ordinance was an optional task included within the Development Code update. That document is getting ready to complete staff internal review over the next several months and will be brought forward to hearing. As many opinions as will be expressed on the sign code from each hearing, staff felt it would be best to start with a joint meeting of the two bodies to give some policy guidance so that we don't walk in the door with something that is acceptable to the Planning Commission but not at all to the Town Council.

Council Member Hagerman stated he is in favor of a joint meeting.

Mayor Rowe stated she is also in favor of a joint meeting, and requested that the Chamber and their Subcommittee be involved to exhaust all those issues the chamber has as well.

Council Member Huntington Stated he would like to see issues and corrective actions identified and suggested that the Planning Commission hold a public hearing before a joint meeting to allow additional input to be brought to that meeting.

Council Member Hagerman moved to suspend temporary sign permit time limitations established for temporary commercial and industrial signs as established in Section 87.07130(c) for a period of one year ending on March 6, 2013, or until further acted upon by the Town Council; and Suspend Section 87.07170c8 for a period of one year, ending on March 6, 2013, or until further acted upon by the Town Council; Direct staff to evaluate the potential for additional community event and economic development sign standards; and direct staff to schedule a Planning Commission Public Hearing to allow additional input to be brought before a joint meeting between the Town Council and Commission. Council Member Lombardo seconded. Motion carried 5-0 on a voice vote.

FUTURE AGENDA ITEMS

PUBLIC COMMENT

Margo Sturges, Yucca Valley, commented regarding the use of CDBG funds for a splash pad at the community center.

Jeff Bullen, Yucca Valley, commented regarding energy savings for the Parks and Recreation Department.

STAFF REPORTS AND COMMENTS

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

7. Council Member Huntington

None

8. Council Member Lombardo

Thanked the public speakers.

9. Council Member Abel

Advised that Yucca Valley Elementary School will be having a dinner and open house on Saturday, March 31st from 4:30 to 8:00 p.m. and would like RSVP's for the event.

Reported regarding attendance at the Mojave Air Quality Management District meeting where he was sworn in and met members of the other communities.

Advised that AARP is offering seniors assistance for tax preparation at little to no cost at St. Mary's Church.

10. Mayor Pro Tem Hagerman

None

11. Mayor Rowe

None

Mayor Rowe recessed the meeting to the Successor Agency of the Yucca Valley RDA at 6:50 p.m., reconvened the Town Council at 7:15 p.m. and adjourned to Closed Session.

CLOSED SESSION

12. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

The legislative body is deciding whether or not to initiate litigation pursuant to Government Code Section 54956.9(c). (1 case)

Mayor Rowe adjourned the meeting to Closed Session at 7:16 p.m., returned to open session at 8:01 p.m., and advised there was no reportable action taken. There were no members of the public present.


ANNOUNCEMENTS

Next Town Council Meeting, Tuesday, March 20, 2012, 6:00 p.m.

ADJOURNMENT

There being no further business the meeting was adjourned at 8:01 p.m.

Respectfully submitted,



Jamie Anderson, MMC
Town Clerk