

**TOWN OF YUCCA VALLEY  
REGULAR TOWN COUNCIL MEETING MINUTES  
DECEMBER 4, 2012**

**CLOSED SESSION**

Mayor Rowe called the meeting to order at 5:00 p.m. with all members present. As there were no members of the public wishing to comment, she adjourned to closed session at 5:01 p.m.

**1. Potential Litigation per Government Code Section 54956.9(c) -- One (1) Matter**

Mayor Rowe reconvened to open session at 5:08 and recessed the meeting to 6:00 p.m.

**OPENING CEREMONIES**

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

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

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

**PLEDGE OF ALLEGIANCE**

Led by Congressman Elect Paul Cook

**PRESENTATIONS, RECOGNITIONS, INTRODUCTIONS**

**1. State of the Town Address**

Mayor Rowe presented the State of the Town address and a video of the year's highlights.

**APPROVAL OF AGENDA**

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

Mayor Rowe announced there was no reportable action taken at the Closed Session.

**CONSENT AGENDA**

- 2. **Approve**, Minutes of the Town Council Meeting of November 20, 2012, as presented.
- 3. **Waive**, further reading of all ordinances and read by title only.
- 4. **Adopt**, Resolution No. 12-44, confirming and certifying the November 6, 2012 election results

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, CONFIRMING AND CERTIFYING THE NOVEMBER 6, 2012 ELECTION RESULTS

- 5. **Adopt**, Resolution No. 12-45, declaring the intent to annex territory to Community Facilities District No. 11-1, and setting a public hearing date for January 15, 2013; Annexation Area No. 2, Improvement Area No. 3 (Super Wal-Mart)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY DECLARING ITS INTENTION TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 11-1 (SERVICES)

- 6. **Accept**, Project No. 8048 – Community Center Building Re-Plumbing Project as substantially complete, authorize staff to file the Notice of Completion, authorize the reduction of Faithful Performance Bond to 10%, and direct staff to retain the Labor and Material Bond for six (6) months.
- 7. **Accept**, Project No. 8310 – 2012/2013 Town Wide Slurry Seal Project as substantially complete, authorize staff to file the Notice of Completion, authorize the reduction of Faithful Performance Bond to 10%, and direct staff to retain the Labor and Material Bond for six (6) months.
- 8. **Reject**, all bids for Project No. 8961 – Community Center Playground Improvement & Splash Park, and direct staff to return the project to the Town Council at the time of 2013 CDBG funding allocations.
- 9. **Authorize**, the Town Manager to execute all Right-of-Way documents and authorize payment to the property owners to secure Temporary Construction Easements (TCE's) and Permanent Construction Easements (PCE's) to complete the PLHD Project, PLHD SR 62 Median Improvement project – Apache to Palm Avenue
- 11. **Ratify**, Warrant Register total of \$965,011.34 for checks dated October 11-18, 2012 and November 15, 2012. Ratify Payroll Registers total of \$149,206.17 for checks dated November 21, 2012.

Council Member Huntington Requested to pull Item No. 10

Council Member Abel moved to adopt Consent Agenda Items 2-9 and 11. Council Member Lombardo seconded. Motion carried 4-0 on a roll call vote.

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

**10. Partnership Agreement- Yucca Valley Chamber of Commerce**

Town Manager Nuaimi gave the staff report advising the Chamber has provided marketing services to the Town as well as benefitted from rent free access of the California Welcome Center. This Agreement continues that arrangement starting on December 4<sup>th</sup>.

Council Member Huntington commented he feels the term should go back to July 1 for 2 fiscal years rather than two years from today.

**Fritz Koenig**, Yucca Valley, commented the agreement does not contain anti-discrimination language regarding sexual orientation and requested that it be changed and included as criteria.

**Jennifer Collins**, Chamber President, stated she is available to answer any questions.

Council Member Huntington questioned if this is the same agreement we have been working under and if there are any changes. Community Services Director Schooler advised the only changes are the dates and exhibits A and B have changed slightly to reflect the marketing efforts of the Chamber and the amounts of the contract. Council Member Huntington advised he would like to make the agreement retroactive dated back to 1 July and carry on for 2 years. Town Manager Nuaimi advised that the intent was to keep the agreement on the fiscal year schedule.

Council Member Huntington moved to approve the Partnership Agreement with the Yucca Valley Chamber of Commerce as amended. Council Member Lombardo seconded. Motion carried 4-0.

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

**REORGANIZATION OF TOWN COUNCIL**

**12. Oath of Office to Newly Elected Council Members**

Congressman Elect Paul Cook administered the Oath of Office to Council Members Huntington and Lombardo.

Congressman Elect Cook thanked the Council for allowing him to come back to his home town to administer the oath noting it was his honor to participate.

Mayor Rowe advised that Congressman Cook has been selected to sit on the House Committee on Armed Services, Veterans Affairs, and hopefully will be chosen for the Committee on Foreign Affairs.

**13. Selection of Mayor**

Town Clerk Anderson accepted nominations for Mayor

Council Member Huntington moved to nominate Council Member Abel to serve as Mayor for 2013. Council Member Lombardo seconded. Motion carried 4-0.

**14. Selection of Mayor Pro Tem.**

Mayor Abel accepted nominations for Mayor Pro Tem.

Council Member Rowe moved to nominate Council Member Lombardo to serve as Mayor Pro Tem for 2013. Council Member Huntington seconded. Motion carried 4-0.

**15. Presentations to outgoing Mayor**

Mayor Abel presented a gavel plaque to Outgoing Mayor Rowe.

Council Member Rowe thanked everyone for their patience as she learned on the job, noting it was an honor to represent everyone and thanked all for a great year.

Town Manager Nuaimi thanked Mayor Rowe on behalf of the entire staff stating it was a rewarding and tough year to be Mayor and she has done a fantastic job leading the Town

**DEPARTMENT REPORTS**

**16. San Bernardino Associated Governments (SANBAG) Contract No. C13066,**

**Property Assessed Clean Energy Program (PACE)**

Deputy Town Manager Stueckle gave a PowerPoint presentation and recommended that Council approve participation in the program and authorize signatures. The program allows SANBAG and an interested property owner to enter into a contractual agreement to finance installation of eligible renewable energy, energy efficiency, or water efficiency improvements that are permanently fixed to the property. SANBAG loans the property owner the funds which are repaid through an assessment on the property tax bill. It was noted there are no administrative responsibilities or costs to the Town.

**Ramon Mendoza**, Yucca Valley, questioned if geothermal programs will be offered noting that they take a lot of water. Mayor Abel advised that SANBAG has provided a list of things that could be applied for, noting not all items will be for all areas.

Council Member Rowe questioned where we are on developing guidelines for introducing these renewables, such as wind energy, into our community. Deputy Town Manager Stueckle advised they are all part of the Development Code.

Council Member Huntington commented this is a win/win situation. The Town is saying yes we will participate and SANBAG carries the ball. SANBAG is trying to expand beyond just the transportation mode and more into the Council of Governments function.

Council Member Lombardo stated it sounds like a great program and highly encouraged residents to participate.

Council Member Rowe moved to approve participation in SANBAG's PACE program, and authorize the Mayor, Town Manager, and Town Attorney to sign contract No. C13066. Council Member Huntington seconded. Motion carried 4-0.

**17. Town Website – Community Video Tours**

Community Services Director Schooler reported the item is regarding renewal of the agreement with CGI Communications for video tours displayed on the Town's website. The service is offered at no cost to the Town. Staff is requesting concurrence on continuing the program for the next 3 years, and any suggestions on changes or additions to the program.

**Margo Sturges**, Yucca Valley, spoke in opposition, stating she does not think this does a service to the community, objected to the advertisements, and suggested the videos should be on the Yucca Valley Chamber of Commerce website.

Council Member Rowe questioned who sells the advertising. Town Manager Nuaimi advised that CGI does. Council Member Rowe questioned how often they solicit advertising. Council Member Lombardo advised they haven't approached him for 3 years now. Community Services Director Schooler added they canvass heavily in the beginning of the cycle and respond to inquiries after that.

Council Member Huntington stated the advertisements pay for service and it is free to us, noting that if the Chamber wants to use the videos also, he doesn't see any problem with duplication. He does think the videos lacking and there is a need for some guidance on what the Council would like to see. He suggested maybe a small committee be put together to work on the content.

Council Member Lombardo advised it is a program that can be used well if we update it and put a little more effort in the videos.

Mayor Abel questioned if this item is time sensitive and if anyone else would provide the service. Community Services Director Schooler advised the Town has not been approached by anyone else, adding that CGI does let us review the videos. The sooner we start, the sooner we have an opportunity to update them.

Council Member Huntington moved to approve the renewal of the agreement with CGI Communications, with the stipulation that some form of committee be formed to give input and provide direction to staff regarding any desired changes to the program. Council Member Rowe seconded. Motion carried 4-0.

Upon discussion it was recommended the committee be made up of 4-5 people with someone from the Parks, Recreation and Cultural Commission, Someone from DRTA and other members that staff feels may be appropriate. Council Member Huntington advised he would sit on the committee.

## PUBLIC COMMENT

**Stanley Zarakov**, Yucca Valley, read a letter regarding the need for Council support of a citizen's grass roots clipboard brigade to get a special tax initiative on a ballot for the Town's use for the Town's expenses.

**Meredith Jones**, Yucca Valley, requested Council endorsement for a grass roots clipboard brigade to place a sales tax measure on a future ballot for the Town's use for the Town's expenses.

**Ramon Mendoza**, Yucca Valley, commented regarding various issues within the town and suggested there is a need for a Town ordinance and Code Enforcement action regarding septic seepage.

**STAFF REPORTS AND COMMENTS**

None

**MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS**

**18. Council Member Rowe**

Commended the Christmas tree lighting ceremony and thanked staff and all who participated.

Thanked the Council for the opportunity to serve as Mayor.

Thanked Congressman Elect Cook for joining the Council tonight and administering the Oath of Office.

**19. Council Member Huntington**

Echoed comments regarding the Christmas tree lighting ceremony.

Congratulated Mayor Abel and Mayor Pro Tem Lombardo and thanked Council Member Rowe for her representation this past year, noting she did it with grace.

Congratulated the Hi Desert Water District for 50 years of service.

**20. Mayor Pro Tem Lombardo**

Congratulate Mayor Abel.

Thanked Council Member Rowe for serving as Mayor for the past year, noting it was a tough time.

Stated the Christmas tree lighting ceremony was awesome.

Stated he is looking forward to what going to happen this year, and is anxiously looking forward to solving the problems with the needed sewer.

**21. Council Member Abel**

Stated he appreciates the honor to serve as the Town's 16<sup>th</sup> Mayor, appreciates the two Mayors he has worked with, and looks forward to working with Mayor Pro Tem Lombardo.

Thanked his wife Dory and his children for their support.

**ANNOUNCEMENTS**

Next Town Council Meeting, Tuesday, December 18, 2012, 6:00 p.m.


**CLOSING ANNOUNCEMENTS**

Town Manager Nuaimi read a text message that was forwarded from staff, from a grandmother advising what the activities this weekend with Santa Clause meant to her grandchild who is separated from his parents. He noted you can't put a value on something like that, and thanked staff for everything they do to deliver service and a quality of life that is second to none in this region. He wished all a healthy holiday season as we move toward year end.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 7:18 p.m.

Respectfully submitted,



Jamie Anderson, MMC  
Town Clerk