

**TOWN OF YUCCA VALLEY  
REGULAR TOWN COUNCIL MEETING MINUTES  
DECEMBER 18, 2012**

**OPENING CEREMONIES**

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

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

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 Mayor Abel

**INVOCATION**

Led by Pastor Bob Wagner, Joshua Springs Community Chapel

**PRESENTATIONS, RECOGNITIONS, INTRODUCTIONS**

- 1. Recognition of Joshua Springs Lightning Football Team for becoming four-time back to back CIF Champions.**

Mayor Abel presented certificates of achievement to Joshua Springs Lightning Football Coaches and recognized the team.

- 2. Employee of the Quarter.**

Presented to Administrative Assistant II, Linda Wright.

- 3. Recognition of Deputy Town Clerk Copeland for achieving Certified Municipal Clerk (CMC) designation.**

Deputy Town Clerk Copeland recognized for becoming a Certified Municipal Clerk through the International Institute of Municipal Clerks.

AGENCY REPORTS

Chamber of Commerce

4. **Monthly Chamber of Commerce Report for November 2012**

Jennifer Collins, Chamber President, gave the monthly report for November 2012.

Hi Desert Water District

5. **Water and Wastewater Project Updates.**

Sarann Graham, Board President, gave the monthly water and wastewater project update.

Council Member Rowe questioned if there is anything the Council can do to lobby for Round 2, Prop. 84 funds. President Graham stated it never hurts to have other agencies send letters letting them know we have a real concern here.

APPROVAL OF AGENDA

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

CONSENT AGENDA

7. **Waive**, further reading of all ordinances and read by title only.
8. **Receive and file**, Monthly Statistical Fire Department Report for November 2012
9. **Approve**, fifth amendment to the library lease agreement between the Town and the County at a rate of \$2,063 per month, and authorize the Mayor to sign all necessary documents.
10. **Receive and file**, AB 1234 Reporting Requirement Schedule for the month of November 2012
12. **Adopt**, Resolution No. 12-46, updating the Town's authorized signatories at Pacific Western Bank

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AUTHORIZING THE TOWN TO UTILIZE PACIFIC WESTERN BANK FOR GOVERNMENTAL BUSINESS BANKING SERVICES AND

UPDATING AUTHORIZED SIGNATORIES

13. **Authorize**, Town staff to solicit information bids from three vendors for the procurement of the FY 2012 Emergency Management Performance Grant (EMPG) purchases of computer equipment and to waive the formal bidding procedures finding that the established procedures would be impractical for these purchases; and **Adopt**, Resolution No. 12-47, designating the Town Manager, Deputy Town Manager and Director of Administrative Services as authorized agents to execute for and on behalf of the Town of Yucca Valley for the purpose of obtaining federal financial assistance or grants through California State or Federal assistance programs.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, FOR DESIGNATION OF APPLICANT'S AGENT FOR THE PURPOSE OF OBTAINING STATE AND FEDERAL FINANCIAL ASSISTANCE PROVIDED BY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY AND SUB-GRANTED THROUGH THE STATE OF CALIFORNIA OR OTHER JURISDICTION

14. **Adopt, Resolution No. 12-48, amending Resolution No. 12-32, that called and gave notice of a Special Election on March 5, 2013, to allow for an all-mail ballot election.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING RESOLUTION NO. 12-32, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2013 TO FILL A TOWN COUNCIL VACANCY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES, ALLOWING FOR AN ALL-MAIL BALLOT ELECTION

16. **Accept**, Project No. 8961 – Essig Park, as substantially complete, authorize staff to file the Notice of Completion, authorize the reduction of the Faithful Performance Bond to 10%, and direct staff to retain the Labor and Material Bond for six (6) months.
17. **Award**, a professional services agreement to Heider Engineering Services, Inc., for soil testing, special inspections, and material testing services in the amount of \$39,346.00, and authorize the Town Manager, Town Attorney, and Mayor to sign all necessary documents, Yucca Valley Animal Shelter – ACJPA No. 1.
18. **Ratify**, the Warrant Register total of \$1,038,369.21 for checks dated November 29, 2012 and December 4, 2012. Ratify Payroll Registers total of \$1,046.04 for checks dated November 29, 2012.

Council Member Rowe requested to pull Item 6, 11, and 15,

**Margo Sturges**, Yucca Valley, spoke regarding the \$71,656.64 remaining from the Essig Park project. Town Manager Nuaimi advised that staff will return to Council in January with a full project accounting and updated interfund loan balances.

Council Member Rowe moved to adopt Consent Agenda Items 7, 8, 9, 10, 12, 13, 14, 16, 17, and 18. Council Member Huntington seconded. Motion carried 4-0.

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

**6. Minutes of the Town Council Meeting of December 4, 2012.**

Council Member Rowe requested that clarification be added to public comments on page 6 of the minutes stating that the comments from Stanley Zarakov and Meredith Jones regarding a special tax initiative is for the benefit of the Town and the Town’s expenses.

Council Member Rowe moved to approve the minutes as amended. Council Member Huntington seconded. Motion carried 4-0.

**11. Expenditure Plan for Cyla Wells’ Bequest**

Community Services Director Schooler gave the staff report advising Ms. Wells participated with the care and adoption of animals through the Hi Desert Humane Center. The expenditure plan focuses on the Town’s efforts to support the health, comfort and adoption of animals and needs of the Shelter.

Mayor Abel commented he is very pleased to see the request for funding for a spay/neuter voucher program and requested the County be approached to see if a grant program is possible for matching funds for county residents. He noted he is happy with this plan.

Council Member Huntington clarified that the \$60,000 for the contingency fund will be used as a last resort.

Council Member Rowe advised her concern is the cat condo inserts and questioned if there would be no cat condos if the request wasn’t in the plan. Community Services Director Schooler advised what we have now are cat cages. Town Manager Nuaimi advised that any investments made into the facility improvements will go against our

credit at a rate of 50 cents on the dollar, adding our expectation is that we will not use all of the contingency funds. Council Member Rowe commented there is a need for the shelter because there is a surplus of animals in our community, so it seems like a spay/neuter program would be the most beneficial. She would like to put more funding into that than maybe a shade shelter etc.

Council Member Huntington commented the draft is a living document, subject to change.

Town Manager Nuaimi commented that the County does have a spay and neuter program in the unincorporated area.

Council Member Lombardo stated it is important to get the facility fully functional noting the shade shelters are also important.

Council Member Huntington moved to approve the expenditure plan for the funds donated by the estate of Cyla Wells and delegate authority to the Town Manager to transfer funds among the categories as needs arise. Council Member Lombardo seconded. Motion carried 4-0.

**15. SR 62 @ Dumosa Traffic Signal, Authorization to Release Request for Proposals for Preparation of Plans, Specifications and Estimates.**

Council Member Rowe stated that page 64 of the staff report states that there are 2 conceptual plans one that utilizes the existing four lane roadway on SR 62 and the other providing traffic signal equipment that would accommodate the future widening of SR-62, but the staff report does not say what the staff recommendation will be. She encouraged use of Conceptual Plan 2 from a standpoint of cost savings in the long run. Deputy Town Manager Stueckle stated the approach staff always tries to take is to design for the ultimate configuration, noting the preliminary analysis says that is possible. He is confident it should not be an issue for Caltrans. Council Member Rowe stated it will save more in the long run if we spend more now. Town Manager Nuaimi advised that the Town will be requesting dollars from SANBAG.

Mayor Abel questioned if the light synchronization project will occur after this light installed. Deputy Town Manager Stueckle stated the light would typically be synchronized with construction or when it is turned on. Town Manager Nuaimi advised Caltrans will be synchronizing the exiting lights now and will add the new lights as they are constructed.

Council Member Rowe Moved to authorize staff to release a Request for Proposals for the preparation of plans, specifications and estimates (PS&E) for the SR 62 at Dumosa traffic signal. Council Member Huntington seconded. Motion carried 4-0

## DEPARTMENT REPORTS

**19. Fiscal Year 2011-12 Comprehensive Annual Financial Report**

Services Director Yakimow advised the recommendation to receive and file report. The audit is conducted by a firm of independent CPAs appointed by and reporting to the Town Council.

Senior Accountant Cisneros reported regarding the audit process and introduced Scott Manno of Rogers, Anderson, Malody and Scott, LLP.

Scott Manno, Rogers, Anderson, Malody and Scott, advised their job is to express an opinion of Town's finances as to whether or not they are fairly presented in all material respects and in conformance with generally accepted accounting principles. The Town has received an unqualified opinion which is the top rating. Mr. Manno also gave a review of the impact the Redevelopment Agency dissolution had on the Town-wide financial statements for the year ended June 30, 2012

Administrative Services Director Yakimow thanked former Senior Accountant Kathy Ainsworth for her work preparing for the audit and Senior Accountant Cisneros for coming in to the staff.

Council Member Rowe moved to receive and file the FY 2011-12 Comprehensive Annual Financial Report. Council Member Huntington seconded. Motion carried 4-0.

**20. FY 2012-13 Budget Amendment – Information Services**

Deputy Town Clerk/Management Analyst Copeland reported that in June 2012, the Council approved the FY 2012-13 General Fund budget, including anticipated provisions for information services. Along with routine information technology maintenance and equipment replacement, the budget included funding for replacement of the Town's main file server due to age and inadequate storage space. As part of scoping the replacement project, the entire Town network was analyzed and it was determined that the separate finance server was also critically low in storage space and requires continual monitoring and maintenance. It is recommended that replacement of that server be included as part of this project. Both servers are beyond the manufacturers recommended life expectancy and fully depreciated, and we are seeing increased maintenance costs. By replacing both servers there is an opportunity to combine the units into one larger server. Another major upgrade is to increase the bandwidth between the Town's major work centers. It is anticipated the server replacements will be completed during the Town's winter office closure later this month.

**Richard Harlan**, Yucca Valley, questioned if the Town has any idea of replacing the phone system, and recommended consideration of a change. Administrative Services Director Yakimow advised that is one of the items we have on our technology master plan, but we are not in a position to do it right now.

Council Member Huntington questioned if staff has identified where the money is coming from. Administrative Services Director Yakimow advised that staff's recommendation is to take it out of existing reserves.

Mayor Abel questioned if staff would consider the request to be a need or a want. Deputy Town Clerk Copeland advised it is definitely a need at this time. Mayor Abel questioned if the Town approached the IT provider or if they approached us. Deputy Town Clerk Copeland advised the Town approached them. Mayor Abel stated it is his understanding this work will also save on maintenance costs.

Council Member Lombardo moved to amend the FY 2012-13 Budget to fund necessary Information Technology equipment replacement and upgrades by an amount of \$25,000. Mayor Abel seconded. Motion carried 4-0

**PUBLIC COMMENT**

**Margo Sturges**, Yucca Valley, expressed concern about the fall out of Measure U having divided our community and that there are still some citizens who are very bitter. She has heard there have been some incidents, and feels the Town should be concerned about this. She suggested that it is time to bring in the FBI to bring it to a halt. Capt. Boswell advised there have been some break in incidents that were thought to be retaliation, but that was not found to be the case.

**Richard Harlan**, Yucca Valley, questioned when the street sign will be installed at SR 62/247 now that the project is complete. Deputy Town Manager Stueckle advised that when the parts arrive the installation will be scheduled with Caltrans.

**Saran Graham**, Yucca Valley, wished everyone a Merry Christmas and hope the New Year brings much happiness and good health.

**STAFF REPORTS AND COMMENTS**

Town Manager Nuaimi wished all a very safe holiday season and thanked Council and Staff for everything they have done this past year. There has been a lot of progress and some setbacks. We have a good team of staff who love what they do.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

**21. Council Member Rowe**

Congratulated Deputy Town Clerk Copeland on her achievement.

Congratulated Administrative Assistant II Wright for being selected as Employee of the Quarter.

Congratulated the Joshua Springs Lightning Football Team.

Gave an extra special thank you to staff for their part in the light parade, and all the people who make it happen.

**22. Council Member Huntington**

Echoed the previously stated congratulations.

Wished the Hi Desert Water District a happy 50 year anniversary.

Reported regarding a meeting with SANBAG Director Wolfe and the Town Manager regarding discussion of the signal at Dumosa and the Town's probable request for funding. He noted that high on the SANBAG list is a recommendation and willingness to participate in a Council of Governments for the Morongo basin. They are looking for participants and subject matter, and will probably start meeting in April.

Congratulated Administrative Services Director Yakimow and staff for another exceptional year with a clean audit.

**23. Council Member Lombardo**

Congratulated all those receiving recognition tonight.

Commented regarding the great report on the CAFR noting it is nice to know we have a clean slate.

Wished a Happy New Year to all, noting it is nice to be a part of the Town family.

**24. Council Member Abel**

Requested consideration of contacting some of the local governmental agencies such as the Hospital District and College District to share quarterly reports.



Thanked the Rotary for their involvement in the light parade noting it was well attended, with lots of fun and participation

Encouraged people to set aside a part of their holiday budget to shop locally.

Advised that our hearts go to the community of Newtown.

**ANNOUNCEMENTS**

Next Town Council Meeting, Tuesday, January 22, 2013, 6:00 p.m.

Town Manager Nuaimi advised the Council will be having goal setting workshop on Saturday, January 12, 2013 from 9:00 a.m. to 3:00 p.m.

**CLOSED SESSION**

Mayor Abel Adjourned to closed session at 7:20 p.m.

- 25. Potential Litigation per Government Code Section 54956.9(c) -- One (1) Matter
- 26. Government Code Section 54956.8, Conference with Real Property Negotiators.  
*State law provides the opportunity for closed session for real property purchase negotiations, prior to placement of the matter on a regularly scheduled meeting agenda for formal action.*

Property: APN 595-081-22, 56528 Twentynine Palms Hwy.  
Michael David Richards /Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-081-20, 56560 Twentynine Palms Hwy.  
David W. Bradley, Trustee/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-081-19, 56572 Twentynine Palms Hwy.  
Samuel Kodish/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-081-18, 56592 Twentynine Palms Hwy.  
Daniel Haro, Kim Haro/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator

Real Property Negotiations

Property: APN 595-081-17, 56608 Twentynine Palms Hwy.  
Michael Wilson /Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-081-16, 56624 Twentynine Palms Hwy.  
Michael Hildebrand /Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-081-15, 56636 Twentynine Palms Hwy.  
Mr. Werner Altenburg/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-081-14, 56650 Twentynine Palms Hwy.  
Hosea E Brown, Trustee /Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-081-13, 56668 Twentynine Palms Hwy.  
Iron Horse Capital Inc./Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-111-11, 56750 Twentynine Palms Hwy.  
Margaret Peterson /Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-111-10, 56780 Twentynine Palms Hwy.  
Leroy Braszeal/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-111-33, 56778 Twentynine Palms Hwy.  
Mr. Chester G. Mistal & Mrs. Ann M. Mistal /Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-111-29, San Bernardino County, CA

San Bernardino County Flood Control District/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-111-07 & 32, 56806 Twentynine Palms Hwy.  
Ultimate Motors Inc./Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-111-05, 56824 Twentynine Palms Hwy.  
Robert R. Beam, III/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-111-03 & 04, 56840 Twentynine Palms Hwy.  
Joseph R. Huber, Trustee/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-371-34, 57044 Twentynine Palms Hwy.  
Western Bay, LLC/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-371-33, 57084 Twentynine Palms Hwy.  
Theresa Hettich, Trustee/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-371-30, 57096 Twentynine Palms Hwy.  
Sanjay D. Patel/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 587-351-02, 56547 Twentynine Palms Hwy.  
Mr. Arturo Castaneda/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 587-351-06, 56637 Twentynine Palms Hwy.  
Paul A. Cella, Trustee/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 587-351-07 & 08, 56659 Twentynine Palms Hwy.  
Bae & Perris, LLC/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 587-361-10, San Bernardino County, CA  
Hansen Betty H./Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-371-19, 57075 Twentynine Palms Hwy.  
Ft. Wayne Matador, Inc., Susan Sandelman/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Property: APN 595-371-21, 57037 Twentynine Palms Hwy.  
Arthur E. Miller/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations


Property: APN 595-371-23, 57125 Twentynine Palms Hwy.  
Savings & Loan World/Town of Yucca Valley  
Mark Nuaimi, Real Property Negotiator  
Real Property Negotiations

Mayor Abel called the Closed Session to order at 7:27 p.m., returned to open session at 7:48 p.m. and advised there was no reportable action. There were no members of the public present.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 7:48 p.m.

Respectfully submitted,

  
Jamie Anderson, MMC  
Town Clerk