

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
FEBRUARY 19, 2013**

Mayor Abel called the meeting to order at 6:27 p.m.

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

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

PLEDGE OF ALLEGIANCE

Led by Miss Yucca Valley Court

INVOCATION

Led by Pastor Bill Wilcox, Evangelical Free Church

PRESENTATIONS, RECOGNITIONS, INTRODUCTIONS

1. Recognition of Miss Yucca Valley and Court

Mayor Abel introduced Miss Yucca Valley Kelli King and her Court 1st Princess Katie Sage, 2nd Princess Chelsie Mondary and 3rd Princess Ashley Burnett.

AGENCY REPORTS

Chamber of Commerce

2. Monthly Chamber of Commerce Report for January 2013

Jennifer Collins, Chamber President, gave the monthly statistical Chamber report for January 2013.

Hi Desert Water District

3. Water and Wastewater Project Updates.

Mark Ban, Hi Desert Water District Director of Operations, gave the monthly water

and wastewater project update.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- 4. **Approve**, Minutes of the Town Council Meetings of February 5, 2013.
- 5. **Waive**, further reading of all ordinances and read by title only.
- 6. **Adopt**, Ordinance No. 237, Authorizing the Levy of a Special Tax (Super Wal-Mart).

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN IMPROVEMENT AREA 3, ANNEXATION NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 11-1 (SUPER WAL-MART)

- 8. Item pulled.
- 10. **Ratify**, Warrant Register total of \$816,567.66 for checks dated February 7, 2013. Ratify Payroll Registers total of \$161,309.98 for checks dated February 1 - 11, 2013.

Council Member Rowe moved to adopt Consent Agenda Item 4-6 and 10. Council Member Lombardo seconded. Motion carried 4-0

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

7. San Bernardino County Fire Department Monthly Report for January 2013

Council Member Huntington questioned the situation with the ambulance service. Battalion Chief Benfield advised there is currently a staffing issue. Council Member Huntington questioned the number of ambulances available. Battalion Chief Benfield stated there are two 24 hour ambulances and one 12 hour ambulance for the Town, noting when there is a shortage of staff, the 12 hour car will go down. Council Member

Huntington requested to see response times for those occasions.

Council Member Rowe questioned if there is ever a time the department is just running one ambulance in the area. Battalion Chief Benfield advised that would be very rare.

Council Member Huntington moved to receive and file the monthly statistical Fire Department report for January 2013. Council Member Rowe seconded. Motion carried unanimously.

9. Acceptance of Donation – Hensel Phelps Construction Company

Council Member Huntington asked if it is acceptable to give the items to the nonprofits before putting them out to auction. Town Manager Nuaimi advised that staff will research that possibility.

Council Member Huntington moved to accept the donation of office furnishings from the Hensel Phelps Construction Company and direct staff to distribute the items as necessary within the organization; if any items remain, authorize the disposal of those items to nonprofit agencies or at a public auction of surplus property. Council Member Rowe seconded. Motion carried unanimously.

PUBLIC HEARING

11. Community Development Block Grant (CDBG) Prioritization Hearing

Community Services Director Schooler advised the Town is required to prioritize eligible local proposals and forward a recommendation to the County Board of Supervisors for funding approval. Four agencies, including the Town of Yucca Valley, submitted proposals for funding under the Town's allocation of approximately \$100,802 for the 2013-14 funding cycle.

Town Manager Nuaimi advised it was anticipated there would be discussion at the budget workshop recommending that the funding be allocated to Code Enforcement which would relieve the town of \$100,000 from general fund obligations, allowing the savings to be allocated to Public Safety Schedule A to fund the Sheriff Safety Specialist.

Mayor Abel opened the public hearing.

Margo Sturges, Yucca Valley, spoke in opposition to using the funds for Code Enforcement, and requested that Council consider the stress to the local charities such

as Reach Out Morongo Basin.

There being no one else wishing to speak, Mayor Abel closed the public hearing.

Town Manager Nuaimi commented that the Morongo Basin Transit Authority has helped Reach Out Morongo Basin secure transportation funding.

Council Member Huntington advised that the Transit Agency has assistance program funds that come in at about \$250,000 annually, noting that Reach Out Morongo Basin has been given a significant amount of those tag funds. Town Manager Nuaimi advised the Town also continues to offer support through providing office space.

Council Member Rowe questioned if it certain that the Schedule A increase would be approximately 5%. Capt. Boswell advised that a 5% increase is the worst case scenario. Council Member Rowe commented that, before assigning general fund dollars to the Sheriff Safety Specialist, she would like to see where our property tax comes in. Town Manager Nuaimi advised that what staff is looking for direction tonight as to where the CDBG dollars will go, noting we can wait to see where County comes in with the Schedule A charges before committing to funding the Sheriff Safety Specialist.

Council Member Lombardo moved to recommend that the Town's entire 2013-14 allocation of \$100,802 be allocated toward the Town's application for Code Enforcement. Council Member Rowe seconded. Motion carried 4-0.

DEPARTMENT REPORTS

12. **Community Center Playground Improvement & Splash Park – Town Project No. 8961, Community Development Block Grant Funds.**

Deputy Town Manager Stueckle advised of staff's recommendation to replace only the playground equipment at the Community Center in the current site configuration and to replace the playground equipment and associated recreational infrastructure at Paradise Park with the remaining funds. There is approximately \$325,000 available for the project. Project bids for the Community Center Playground Improvement and Splash Park came in \$168,400 above available funding for the base bid alone, and \$469,100 over for the base bid and splash pad alternate combined. Staff has been working evaluating alternatives for project delivery, including prioritizing needed improvements at the Community Center playground as well as other park facilities. He noted that similar playground constraints exist at both Jacobs and Paradise Parks, however Jacobs park is not in the CDBG system and would require a plan modification to be included.

With regard to the question of HUD applying pressure on the organization to spend funds, he noted that the ability to set aside 2-3 years allocations to one project is no longer available

Richard Harlan, Yucca Valley, question if all the money is going to be given to the Town to spend. Deputy Town Manager Stueckle explained.

Council Member Rowe moved to direct staff to proceed with the Community Center Playground Improvement and Splash Park project, approving modifications to the project design for this phase to include only the replacement of playground equipment in the current site configuration, and direct staff to proceed with replacement of playground equipment and associated recreational infrastructure at Paradise Park and authorizing submittal of all necessary documents to the County of San Bernardino necessary to secure the Community Development Block Grant Funds for both project sites. Council Member Huntington seconded. Motion carried 4-0

13. **Solid Waste Franchise Agreement Update**

Administrative Assistant Rice advised that staff has begun the process of updating the current franchise agreements with Burrtec Waste and Recycling for solid waste and recycling disposal. The update will consolidate the existing four agreements into one, incorporate legislative changes since the original adoption and address other items such as agreement term, rate structures, enhanced reporting and performance targets. To assist the Town in this activity, staff will be working with John Davis to provide consulting services regarding the technical aspects of the agreement.

Council Member Rowe questioned how soon mandatory pickup will be available to the Town. Administrative Services Director Yakimow advised that the current agreement requires it, noting the update will include enforcement of the ordinance.

Council Member Lombardo questioned how long contracts run. Administrative Services Director Yakimow advised they are multiyear contracts.

Mayor Abel questioned how important is it to have a consultant, and whether or not the Town addresses the condition of the provider's present operations and facilities. Administrative Services Director Yakimow advised that going through update we start with clean slate with everything on the table. The need for technical assistance is to deal with legal ramifications and technical aspects. He noted that Mr. Davis is the chairman of the Mountain/Desert Solid Waste JPA and is an expert on solid waste.

Council Member Huntington reiterated that Mr. Davis is the administrator of the materials recycling facility and is the guru of trash. He follows all the legislation.

Council Member Rowe moved to receive and file the informational report regarding the Solid Waste Franchise Agreement update project. Council Member Huntington seconded. Motion carried 4-0.

FUTURE AGENDA ITEMS

Mayor Abel commented that the City of Twentynine Palms has passed an ordinance regarding the sales and use of bath salts and requested future information on the status. Town Manager Nuaimi advised that staff is monitoring the efforts of Twentynine Palms and pleased to see that they are the mavericks moving forward on this. If the Town can build off it we will be happy to do so.

PUBLIC COMMENT

Beverly Schmuckle, Hi Desert Chorus, gave the background of chorus and requested that the Town continue to support them.

Richard Harlan, Yucca Valley, commented the kind of decisions that the Council has to make in next few months are not going to be popular, and noted that all Council candidates should be in the audience at the meetings.

Margo Sturges, Yucca Valley, commented regarding the need to move forward and come together as community.

Jennifer Collins, Yucca Valley, concurred with comments made at the earlier budget workshop by Ms. Kraemer and Ms. Loveless regarding putting a group together trying to move Yucca Valley forward. We have citizens around the table trying to do just that, and are willing to compromise and work together to benefit our town.

Sarann Graham, Yucca Valley, commented that since Measure U was defeated by a slim amount of voters, she is asking the Town to put a sales tax on the November ballot, so that the Town can continue to provide quality services and make needed improvements to our infrastructure.

Bonnie Brady, Yucca Valley, commented she has been attending meetings of the Yucca Valley forward group, noting that many of the participants on the committee were on the no on Measure U side. She thinks there is a need to come up with something unifying for the

community.

STAFF REPORTS AND COMMENTS

Town Manager Nuaimi commented regarding talk of a clip board brigade gathering signatures, and advised that no initiative has been brought forward to the Town Clerk or Town Attorney. He expressed concern and caution to the community that if someone is out gathering signatures they are not qualifying for anything.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

14. Council Member Rowe

Thanked Miss Yucca Valley and her Court for coming to the meeting this evening

Noted that Retired Sheriff's Capt. Miller was in the audience and welcomed him back.

15. Council Member Huntington

Welcomed Miss Yucca Valley and her Court to the meeting

Commented regarding attendance at the Mojave Desert Solid Waste JPA meeting, noting that 6 of the 9 members are new to the board and were all in attendance.

Reported regarding attendance at the SANBAG Measure I meeting where the board approved construction dollars for improvements to SR 62, Apache to Palm in the amount of \$858,000 and for La Honda to Dumosa in the amount of \$868,000. They also approved a budget amendment increasing the Morongo Basin reimbursement from \$550,000 to \$775,000.

16. Mayor Pro Tem Lombardo

Questioned what the Council can do to help move the tax initiative that is being worked on and discussed forward.

Congratulated Miss Yucca Valley and her Court.

Commented it is nice to see the chairs full of people tonight to discuss the budget. He noted he is encouraged by the Swim Team Captain stating they are willing to pay more for services, and is encouraged that the community can come together and seek answer

to these problems.

17. Mayor Abel

Welcomed Miss Yucca Valley and her Court

Commented it was nice to see Pastor Wilcox here.

Stated that it is not fun as a Council Member making some of the hard decisions, but the idea of being on the Council is to make decisions, no matter how difficult, and not worry about future votes. If we don't have revenues we have to make painful decisions, and it is his hope the community trusts the Council to use the money wisely. Trying to stretch funding as much as possible is not unique to Yucca Valley, every community in Southern California is going through what we are.

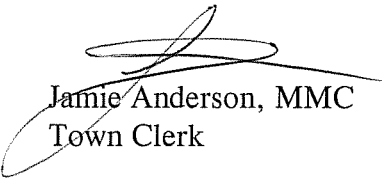
ANNOUNCEMENTS

Next Town Council Meeting, Tuesday, March 5, 2013, 6:00 p.m.

ADJOURNMENT

There being no further business the meeting was adjourned at 7:42 p.m.

Respectfully submitted,


Jamie Anderson, MMC
Town Clerk