

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
March 5, 2013**

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, Town Attorney Laymon, Administrative Services Director Yakimow, Police Capt. Boswell, and Town Clerk Anderson

PLEDGE OF ALLEGIANCE

Led by Mayor Abel

INVOCATION

Led by Pastor Matt Jennings, Good Shepherd Lutheran Church

PRESENTATIONS, RECOGNITIONS, INTRODUCTIONS

1. Recognition of and Presentation by Eagle Scout Samuel Clinger

Mayor Abel presented a letter of congratulations from Council to Sam Clinger for his accomplishment of obtaining Eagle Scout.

Sam Clinger commented regarding the advantages of the Scouting program. He advised that it is difficult to achieve Eagle Scout, but he loves the program and what it has done for him and his family.

Council Member Huntington commented he is a proud grandparent of 2 Eagle Scouts and aware of the process. He congratulated Mr. Clinger for his accomplishment.

APPROVAL OF AGENDA

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

CONSENT AGENDA

2. Approve, Minutes of the Town Council Meetings of February 19, 2013, as presented.

3. **Waive**, further reading of all ordinances and read by title only.
4. **Reject**, one claim filed against the Town of Yucca Valley submitted on February 21, 2013 by Kimberly Kelly.
5. **Review and approve**, the proposed Prop 1B funding proposal modification, allocating the remaining Town's share of Prop 1B money to the SR 247 and Hwy 62 signalization project.
6. **Approve**, the Project Funding Agreement between the Town of Yucca Valley and the San Bernardino County Transportation Authority, C13056, authorizing the Mayor and Town Attorney to sign all necessary documents for the program, Public Lands Highway Discretionary Funds Project (PLHD): SR 62, Apache Trail to Palm Avenue, San Bernardino Associated Governments (SANBAG)
7. **Approve**, the Project Funding Agreement between the Town of Yucca Valley and the San Bernardino Transportation Authority, C13057, authorizing the Mayor and Town Attorney to sign all necessary documents for the program, Transportation Congestion Relief Program Project (TCRP): SR 62, La Honda Way to Dumosa Avenue, San Bernardino Associated Governments (SANBAG).
8. **Receive and file**, the General Plan 2012 Annual Report
9. **Approve and adopt**, Resolution No. 13-06 adopting the revised Emergency Operations Plan dated March 5, 2013 and authorize the Mayor to sign the letter of promulgation.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING AND ADOPTING THE REVISED TOWN OF YUCCA VALLEY EMERGENCY OPERATIONS PLAN

10. **Ratify**, the Warrant Register total of \$245,880.31 for checks dated February 21, 2013. Ratify Payroll Registers total of \$154,032.98 for checks dated February 15, 2013.

Council Member Lombardo moved to adopt Consent Agenda Item 2-10. Council Member Rowe seconded. Motion carried 4-0

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

ABSENT: None

DEPARTMENT REPORTS

11. Staff Re-Organization – Animal Care and Control

Town Manager Nuaimi gave the staff report advising that for over a year staff has been impacted by vacancies and injuries. The proposed changes will allow more flexibility in coverage, is consistent with the contract with San Bernardino County, and generates a modest savings of \$5,000.

Council Member Huntington pointed out this adds ½ person to the staffing at the shelter with a \$5,000 savings.

Council Member Lombardo commented the public needs to see that these things clearly improve service and save money.

Mayor Abel requested an explanation regarding cross training. Animal Care and Control Manager Crider advised training would consist of PC 832, to allow the officer to give citations, and field training with Officer Casey.

Council Member Lombardo questioned if there are facilities in the new Shelter to accommodate training. Animal Care and Control Manager Crider advised there will be a conference room.

Mayor Abel commended Officer Casey’s abilities interacting with animals and the public.

Town Manager Nuaimi advised that staff is still looking at the barking dog ordinance as to its effects on calls for service and level of service, noting that from time to time the Town is brought into neighbor on neighbor disputes.

Council Member Rowe moved to approve the proposed re-organization of the Animal Care and Control division staff and authorize the positions and compensation levels contained therein. Council Member Lombardo seconded. Motion carried 4-0.

12. FY 2012-13 Mid-Year Budget Report

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FISCAL YEAR 2012-13 ADOPTED

BUDGET

Administrative Services Director Yakimow gave a PowerPoint presentation noting the review indicates that both revenue and expenditures are slightly below those incorporated in the FY 2012-13 adopted budget. He noted the year end fund balance increasing by \$75,000 net of carry-over projects, or \$157,000 less than the adopted budget. Based on the projections, the General Fund will not be able to provide the budgeted transfer of \$230,000 for infrastructure maintenance. Proposed mid-year budget changes include \$80,000 for contract legal services; \$30,000 Risk Management insurance premiums; and \$10,000 internet connectivity charges. He also gave an update on the Special Revenue Funds.

Town Manager Nuaimi emphasized that the legal expenditures were tied to animal control, and noted the Town prevailed in all instances, however it does cost money for defense. Mayor Abel questioned what happens in cases that are not brought forward in a legal form. Town Manager Nuaimi advised the Town attempts to achieve voluntary compliance, which is possible with responsible animal owners, but there are those cases where folks just don't want to comply. He noted if the Town holds a hearing and the animal is found to be potentially dangerous, the Town could be held liable if that finding was ignored, and there is another incident. Town Attorney Laymon added the additional costs for attorney fees involved at least 3 animal control cases, where two involved court cases. The complaints were filed against the Town, putting it in a position to have to defend itself in court.

Council Member Rowe asked questions regarding the policy guidance discussion during the last budget workshop where the Council gave direction to remove the proposed \$250,000 from the 13/14 budget for road maintenance. Administrative Services Director Yakimow advised that due to the number of priorities, the direction at that time was to remove that amount until there was a better picture of the budget available.

Council Member Huntington questioned if the Low/Mod backfill funds were put into a special fund or the General Fund. Administrative Services Director Yakimow advised they go into the General Fund but are recorded separately for tracking purposes.

Mayor Abel commenting with regard to the elimination of the \$250,000 for road maintenance noted that after Council has a better picture funding can be placed back into the budget at a later date. Administrative Services Director Yakimow commented it is staff's intent to come back to budget workshops with a comprehensive package so that Council can make the changes they wish.

Council Member Huntington moved to receive and file the Mid-year Budget Report and adopt Resolution No. 13-07, amending the FY 2012-13 general and special revenue funds budget. Council Member Rowe seconded. Motion carried 4-0.

PUBLIC COMMENT

Charles McHenry, Yucca Valley, spoke in opposition to a 30 year time frame for the proposed $\frac{1}{4}$ cent portion of a possible tax for roads, advising he would be in favor of 10 years.

Cynthia Kraemer, Yucca Valley, advised of work being done by the Move Yucca Valley Forward group and the need for a $\frac{3}{4}$ cent tax for 30 years for sewer and roads.

Cooki Bilsborough, Joshua Tree, commented about rumors in the community regarding Town Manager pay, where Council Members live and the need for districts.

Jennifer Collins, Yucca Valley, commented that Yucca Valley needs a revenue source, noting Move Yucca Valley forward is continuing to meet with both the opposition and proponents of a tax measure to find a solution. They have been spreading the word by creating a website, and going out into community to invite people to join them. She requested that Council assist by placing a measure on the ballot.

Bob Leone, Yucca Valley, spoke in favor of a $\frac{1}{2}$ % tax for sewer but in opposition to any addition for roads.

Bill Neeb, Indio, noted he is a property owner in Yucca Valley and thanked the Council for their willingness to move forward with a sewer tax proposal.

Margo Sturges, Yucca Valley, commented regarding the remaining funds after construction of Essig Park, election costs, reserve drawdown, and the need for signatures to place a tax measure on the ballot.

STAFF REPORTS AND COMMENTS

Town Manager Nuaimi explained the annual flow of funds that come into the community, noting that it is typical for the Town to receive $\frac{1}{3}$ of its revenue in the first half of the fiscal year and the balance of funding in the second half. With regard to comments on revenue measures, he advised he has presented a comprehensive road maintenance strategy which demonstrates that without a dedicated revenue stream the Town could not sustain the roads, and suggested that the analysis shows the Town needs a $\frac{1}{4}$ % sales tax going towards roads on an on-going basis. With regard to comments that there is only a need for a revenue stream for

the sewer, which will bring economic growth, he stated growth will happen but not instantaneously, adding the sewer won't be constructed until 2016. Also, a successful high end restaurant will generate \$20,000 to \$30,000 in sales tax and it would take 20-30 restaurants to generate the same funding as a ¼ % sales tax. There is no cure all or quick fix, but if we don't build the sewer, we know what the impacts are on the community. He invited the public to review the presentations, staff reports, analysis and set up a meeting with him to discuss the issues. He noted if the community says that it does not want to fix the roads, that is a policy call.

Town Manager Nuaimi wished Community Services Director Schooler well on his 25th wedding anniversary.

Mayor Abel commented it is painful to see cuts such as the pool and concerts, but if there is no revenue, we have to deal with the budget we are handed. Those two times had to come to the Council's attention earlier than some of the other items. Council may also have to cut the road maintenance budget, or let roads completely go. A lot of previous council members have been up here at the dais and the Town of Yucca Valley has always had challenges. He noted Yucca Valley is a very small community, and none of the Council Members are isolated from any portion of the community. It is painful to have to say there is no money for a program, but something has to give, and we need to make sure that we do something that is going to help the community as a whole. We are going to have to pay for a sewer and don't want the citizens of Yucca Valley burdened with that by themselves. We need to have revenue to go toward roads and sewer. Council has to make tough decisions and he is hoping citizens will come together, step up, trust Council and keep us accountable on how we spend the money.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

13. Council Member Rowe

Congratulated Samuel Clinger on his accomplishment of achieving Eagle Scout

Advised she has been sworn in as San Bernardino County LAFCO alternate City representative

14. Council Member Huntington

Congratulated Samuel Clinger on his Eagle Scout status.

Noted that the road backlog we have doesn't even address dirt roads in the community. They will also have to be addressed at some point.

Wished all the candidates the best of luck.

15. Mayor Pro Tem Lombardo

Commended Samuel Clinger for achieving Eagle Scout, adding the community is better for his service.

16. Mayor Abel

Expressed congratulations to all those running for Town Council, noting it is nice to see everyone on that ballot. Whoever is elected will join us on Council and work with us as a team.

Advised that the Town is still trying to get some kind of funding or revenue, and trying to find ways to save the Concerts in the Park and pool program.

Congratulated Davis Nuaimi and the Etiwanda High School basketball team for their win.

Advised the Ad hoc Committee met regarding the Brehm Park project.

Advised of a budget workshop on Saturday, April 6th, 2013 from 9:00 a.m. to 11:00 a.m.


ANNOUNCEMENTS

Next Town Council Meeting, Tuesday, March 19, 2013, 6:00 p.m.

ADJOURNMENT

There being no further business the meeting was adjourned at 7:16 p.m.

Respectfully submitted,


Jamie Anderson, MMC
Town Clerk