

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
March 19, 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, Community Services Director Schooler, Police Capt. Boswell, and Town Clerk Anderson

PLEDGE OF ALLEGIANCE

Led by Council Member Huntington

INVOCATION

Led by Pastor Bob Wagner, Joshua Springs Calvary Chapel

AGENCY REPORTS

Chamber of Commerce

1. Monthly Chamber of Commerce Report for February 2013.

No one available to give the report.

Hi Desert Water District

2. Water and Wastewater Project Updates.

Mark Ban, Hi Desert Water District Assistant General Manager / Director of Operations, gave the monthly project update.

APPROVAL OF AGENDA

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

CONSENT AGENDA

3. Approve, Minutes of the Town Council Workshop of February 19, 2013 and Regular

Meeting of March 5, 2013, as presented.

4. **Waive**, further reading of all ordinances and read by title only.
5. **Adopt**, Resolution No. 13-08 confirming and certifying the March 5, 2013 election results

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, CONFIRMING AND CERTIFYING THE MARCH 5, 2013 SPECIAL ELECTION RESULTS

6. **Approve**, governing body Resolution No. 13-09, for the FY 2012/2013 OHV grant application.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS

7. **Approve**, Cost Distribution Agreement for traffic signals and safety lighting, Permit No. 08-11-6-SN-0078, between the Town of Yucca Valley and Caltrans for the SR 62 at Inca Trail traffic signal, and authorize the Town Manager to sign the agreement.
8. **Amend**, FY 2012-13 Adopted Budget, and **adopt** Resolution No. 13-10, transferring \$205,000 from Fund 531 – Flood Control, to Fund 350 – Development Impact Fees, to reflect the current project status and meet required timing considerations associated with the collection of exactions.

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

9. **Approve**, the Cooperative Agreement, No. 08-1560, between Caltrans and the Town of Yucca Valley, Public Lands Highway Discretionary Fund (PLHD), and authorize the Town Manager to sign and execute the Agreement, SR 62 project Apache Trail to Palm Avenue.
10. **Ratify**, the Warrant Register total of \$405,769.45 for checks dated March 7, 2013. **Ratify**, Payroll Registers total of \$148,713.45 for checks dated March 1, 2013.

Council Member Lombardo moved to adopt Consent Agenda Item 3-10. Council Member Rowe seconded. Motion carried 4-0

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

OATH OF OFFICE

11. Swear in Council Member Elect Robert Leone

Donna Munoz, Field Rep. for James Ramos, swore in Council Member Elect Leone.

Council Member Leone thanked his supporters and advised he will listen to the community.

DEPARTMENT REPORTS

12. Proposed League of California Cities Bylaw Amendment

Town Manager Nuaimi advised the first amendment proposed by the League raises the bar regarding resolutions brought before the General Assembly to require that they must be concurred to by at least five or more cities or by city officials from at least five or more cities. The second amendment changes the vote required before the Board may take a position on a statewide ballot measure requiring a 2/3rd vote of those directors present.

Council Member Huntington commented that these amendments are valid, noting issues at last year's General Assembly when resolutions were placed with little support outside the recommending entity.

Mayor Abel commented this is a good move by the League.

Council Member Rowe moved to approve proposed League of California Cities Bylaw Amendment and direct staff to forward the Council's vote to the League. Council Member Huntington seconded. Motion carried 5-0.

13. Town Council Ad-Hoc Committee Assignments

Town Manager Nuaimi reported that, as issues are raised, the Council will form ad hoc committees. A Council ad-hoc committee was established to deal with the issue of sewer financing, which has met previously with a counterpart committee from the Hi-Desert Water District. Given the failure of Measure U, there remains a need to identify potential funding solutions for the wastewater treatment system, and near-term conversations are required to identify alternatives for moving forward. Council could

decide to disband the committee, leave it with one representative, or add another member.

Council Member Lombardo commented he thinks it is important to assign a second person to the committee and there is a need for consistency.

Mayor Abel and Council Member Leone both expressed interest in serving on the committee.

Upon further discussion, Council Member Huntington moved to appoint Council Member Leone as the second representative to sit on the Sewer Financing Ad-Hoc Committee. Council Member Lombardo seconded. Motion carried 5-0.

14. Fiscal Year 2011-12 Single Audit Report on Federal Awards

Administrative Services Director Yakimow advised this audit is strictly related to funds from federal awards. It is required of non-federal entities that expend federal awards equal to or in excess of \$500,000 in a fiscal year. He noted it was a clean audit, as a result of the Council's sound fiscal policies, procedures, and financial management. Staff anticipates the need for completion of a Single Audit report for the next four to six years as the Town's federally funded projects move forward.

Council Member Huntington stated it is great to hear we are going to have federal funds to spend in the next three to four years.

Council Member Rowe moved to receive and file the FY 2011-12 Single Audit Report on Federal Awards. Mayor Abel seconded. Motion carried 5-0.

15. Southern California Association of Governments (SCAG), Compass Blueprint Demonstration Project, Mid-Town Master Land Use Vision and Mobility Plan.

Deputy Town Manager Stueckle reported the Council authorized submittal of a grant application to the Southern California Association of Governments Compass Blueprint Demonstration project program in October 2010. The Mid-Town area was identified to provide a more in depth land use analysis than provided through the general plan update process. The primary objectives were to identify conceptual land use options that include increased housing densities, alternatives for mixed use development, and to evaluate vehicle and pedestrian circulation alternatives between the Community Center, commercial, public transit, recreation and education activity centers. The Arroyo Group was selected by SCAG for the Town's project.

Members of the Arroyo Group thanked the community for their participation at the various workshops and presented the details of the plan.

Ramon Mendoza, Morongo Valley, commented in opposition noting the open space portion is not good for a small town.

Council Member Leone commented regarding the Town's desire to remain rural upon incorporation and the need to be stewards of our environment and protect the indigenous Joshua trees.

Deputy Town Manager Stueckle commented the Master Plan for the Mid-Town area that has been presented to the Council is based on the current general plan, noting the Arroyo Group has insured good coordination with the Planning Center. Nothing presented tonight is changing density, regulations, or increasing intensity of land use. He added, when the Town adopted its first General Plan in 1995, it actually lowered the estimated build out from county jurisdiction of 88,000 down to 62,000. Council at that time established policies to retain that desert environment. With the update there have been very little changes. The Project presented this evening is consistent with the General Plan and guarantees that consistency.

Council Member Rowe agreed with the incentives.

Council Member Huntington reported regarding attendance at both outreach sessions and has followed the process fairly closely. He noted that AB 32 and SB 375 have changed the rules about how to plan for urban areas. We are under new concepts from when the Town originally adopted the General Plan.

Council Member Lombardo expressed his approval of the plan adding the concepts are something to dream about and build toward.

Mayor Abel stated he liked the vacant and underutilized parcel concept and mobility recommendations for traffic flow.

Town Manager Nuaimi stated it is important to note that, while this is a town in a basin in the county, we are also part of a metropolitan planning area called SCAG and we also live in the State. A lot of the time we are taking and a lot of what we are doing is responding to mandates of the state such as the Regional Housing Needs Assessment (RHNA). It is not enough to say we want to be small town when we are part of a region of southern California. The number of units required to be built are dictated by the state, trickled down to SCAG. This is why the Town applied to SCAG for the Compass Blueprint project at the same time we are updating the general plan. He noted that the State sues entities if they do not meet state mandates. If we get so far afield from the State and their mandates we will have a General Plan that is challengeable in court because it is not certified. That action exposes every property owner to loss of value, or lack of the ability to turn their asset into something else. The community can say that

we don't want any more growth, but we have to realize that we are not in a vacuum. The General Plan update and this Compass Blueprint plan give us tools to address the state mandates.

Mayor Abel thanked all the residents who came to the workshops.

Council Member Huntington moved to receive and file the Compass Blueprint, Mid-Town Master Land Use Vision and Mobility Plan. Council Member Lombardo seconded. Motion carried 5-0.

FUTURE AGENDA ITEMS

Council Member Leone requested discussion of revenue enhancement and reconsideration of concerts in the park and the pool program. Council agreed that would be appropriate as a part of the budget process.

PUBLIC COMMENT

Ramon Mendoza, Morongo Valley, thanked Council Member Leone for coming back, commented regarding AB 885 and septic tanks.

Patience McDowell, Yucca Valley, requested funding of the pool.

Aaron Ahmadi, Yucca Valley, thanked the Council Members who were able to come to the Teen Forum, and spoke in opposition to closing the pool and ending concerts in the park. Mr. Ahmadi also questioned the logic of employing a Town Manager who does not reside in the community.

Tim Humphreville, Yucca Valley, commented regarding the recent campaign and accusations made about staff and Council.

Margo Sturges, Yucca Valley, commented regarding the recent campaign.

Jennifer Collins, Yucca Valley, thanked everyone for their support and expressed pride in Council's comments made at the last Council meeting.

Sarann Graham, Yucca Valley, advised she is co-chairing a fashion show, live art auction event on Saturday, April 20, 2013, to raise money for a new nonprofit called the Morongo Basin Haven for Homeless Families.

STAFF REPORTS AND COMMENTS

Town Manager Nuaimi announced the State Department of Finance has issued the Finding of

Completion (FOC) as part of the Redevelopment Agency dissolution process, noting Yucca Valley is the first community in the County to receive the FOC, due to the hard work of Administrative Services Director Yakimow. Announced that Supervisor Ramos has promised matching funds up to \$10,000 for concerts in the park. He thanked the Supervisor noting we now need to raise the dollars in the community to match those funds.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

16. Council Member Leone

Stated it is a privilege to sit in the Council seat and listen to the citizens of Yucca Valley.

17. Council Member Rowe

Welcomed Council Member Leone

Commented that the Ad-Hoc Committee consisting of herself and Council Member Huntington did hit up Supervisor Ramos for funding assistance for the concerts. She thanked him and accepted his challenge to work with the community trying to meet that match.

Thanked the School District for asking the Council to participate in the search for a new Superintendent.

Noted the swimming pool is a School District amenity that they gave up and leased to the Town. It is an asset and a burden at the same time.

Commented regarding the Teen Forum last night, noting that most of the Council was there.

Commended Administrative Services Director Yakimow for obtaining the finding of completion from the state Department of Finance.

18. Council Member Huntington

Echoed Council Member Rowe's comments noting he participated at each of those events.

Reported regarding attendance at the Battle Color Ceremony at the Marine Corps Base on Tuesday, where he met the new Commanding General who is interested in attending a Council Meeting in April to talk about the base.

Reported regarding attendance at the last General Plan Advisory Committee Meeting.

Reported regarding attendance at the Measure I meeting in Apple Valley.

Advised he will be attending the City County Conference this coming Thursday and Friday.

Welcomed Council Member Leone.

19. Mayor Pro Tem Lombardo

Welcomed Council Member Leone and congratulated him on his win.

Thanked all the folks who turn out at the meetings.

Reported regarding attendance at the School District meeting regarding the selection of a new Superintendent.

Commented he is looking forward to the Art Auction and Fashion Show.

Advised he will be happy to put in the first contribution to the concert in the park in the amount of \$500.00

20. Mayor Abel

Reported he also attended the School District meeting regarding the new Superintendent, noting one of the most important assets of a community is a strong school district.

Reported regarding attendance at the Youth Commission Forum stating it was wonderful to see the Commissioners in leadership roles. He added he wished that more people had attended.

Commented the decision regarding the pool situation was painful. The program is valued and important and there is a need to continue to look at it.

Congratulated and welcomed Council Member Leone.

ANNOUNCEMENTS

Next Town Council Meeting, Tuesday, April 2, 2013, 6:00 p.m.

CLOSED SESSION

21. 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)

22. CONFERENCE WITH LABOR NEGOTIATORS

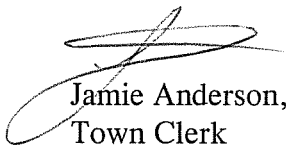
Government Code Section 54957.6(a), Negotiators: Mark Nuaimi
Employee Organization(s), Unrepresented Exempt, Unrepresented Non-Exempt

Mayor Abel adjourned the meeting to closed session at 7:43 p.m., reconvened at 9:15 p.m. and advised there was no reportable action taken. There were no members of the public present.

ADJOURNMENT

There being no further business the meeting was adjourned at 9:15 p.m.

Respectfully submitted,


Jamie Anderson, MMC
Town Clerk