

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
AUGUST 6, 2013**

OPENING CEREMONIES

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

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

Staff Present: Deputy Town Manager Stueckle, Administrative Services Director Yakimow, Police Lieutenant Toms, and Deputy Town Clerk Copeland

The Pledge of Allegiance was led by Council Member Leone

The Invocation was presented by Pastor David DiFalco of the Yucca Valley Church of the Nazarene.

AGENCY REPORTS

1. The Yucca Valley Chamber of Commerce report for the months of July 2013 was presented by Chamber President, Jim Lawless

APPROVAL OF AGENDA

Council Member Huntington moved to approve the agenda. Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a voice vote.

CONSENT AGENDA

Council Member Leone requested that Item 8 be pulled from the consent agenda.

2. **Waive**, further reading of all ordinances and read by title only.
3. **Approve** the minutes of the Town Council Workshop of June 4, 2013, the Town Council Meeting of June 4, 2013, the Town Council Meeting of June 18, 2013, the Town Council Workshop of July 23, 2013, and the Special Town Council Meeting of July 23, 2013
4. **Receive and file** the monthly statistical Fire Department Reports for May 2013 and June 2013
5. **Receive and file** the AB 1234 Reporting Requirement Schedule for the months of May 2013 and June 2013
6. **Approve** the lease agreement between the Town of Yucca Valley and Yucca Valley BMX, Incorporated for use of specified Town property for bicycle motocross activities and events

- 7. **Approve** Amendment No. 1 to the Agreement for Professional Consulting Services with Overland Pacific & Cutler, Inc., to provide additional required tasks and services specifically described in Consultant’s Proposal dated July 18, 2013, and attached to the proposed amendment as Exhibit “A”; increasing the total compensation under the Agreement for Professional Consulting Services by \$25,000, bringing the total compensation under the Agreement to \$141,475.00.

8. Item Pulled

Fritz Koenig, Yucca Valley spoke questioned the discrimination clause included in the BMX lease agreement.

Council Member Huntington moved to approve items 2-7 of the consent agenda. Mayor Pro Tem Lombardo seconded. Motion carried 4-1 on a voice vote with Mayor Abel abstaining from approving the workshop and meeting minutes of June 4, 2013 since he was not at those meetings.

Item 8- Warrant Register

Council Member Leone inquired about the expenses paid to Morongo Unified School District, Brian’s Lock Shop, and Desert Regional Tourism Agency. Leone expressed displeasure in the street sweeping services and the dust it creates.

Council Member Leone moved to ratify the Payroll Registers total of \$634,625.11 for checks dated June 7, 2013 to July 5, 2013; Ratify the Warrant Registers total of \$1,180,548.85 for checks dated June 13, 2013 to July 25, 2013. Council Member Rowe seconded. Motion carried 5-0 on a voice vote.

PUBLIC HEARING

- 9. **Development Code Amendment, DCA-01-13, Draft Development Code Article 6, Subdivision Regulations, CEQA Exemption, Section 15061(b)(3)**

AN ORDINANCE OF THE TOWN COUNCIL OF
 THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING
 TITLE 9, YUCCA VALLEY DEVELOPMENT CODE, BY
 ADOPTING ARTICLE 6, CHAPTERS 9.90 THROUGH 9.97,
 SUBDIVISIONS, AND REPEALING ARTICLES 1 THROUGH 13
 OF CHAPTER 4 OF DIVISION 3, TITLE 8, DIVISION OF
 LAND PROCEDURES, SAN BERNARDINO COUNTY DEVELOPMENT
 CODE, AS ADOPTED AND AMENDED BY THE TOWN OF YUCCA
 VALLEY

Mayor Abel opened the public hearing. Deputy Town Manager Stueckle read the title of the

ordinance and presented the staff report. Stueckle presented the background of the proposed ordinance. The Yucca Valley Planning Commission reviewed the item on April 9, 2013. There were no public comments on the proposed ordinance at the April 9th meeting and the Planning Commission unanimously recommended the item be brought before the Town Council for adoption.

Deputy Town Manager Stueckle explained the two basic types of subdivisions as parcel maps and subdivision maps and the subdivision review authority, tentative map filing and procedures as noted in Chapter 9.94. Stueckle described Chapter 9.94 regarding dedication and exactions and explained that the proposed ordinance does not change current land use, but changes guidance for preparation and legal compliance.

Mayor Abel opened public comment. With no one in the public wishing to speak, Mayor Abel closed public comment.

Council Member Leone inquired on flag lots. Deputy Town Manager explained that flag lots are names such for their shape to allow access to the property. Flag lots are discouraged, but not prohibited.

Mayor Pro Tem Lombardo stated he likes the document's user-friendly format.

Council Member Rowe commented on the document's less-ambiguous format and inquired about the language pertaining to curbs and gutters. Rowe explained she would like to see concrete tables included in the document and inquired about the areas of subjectivity within the proposed ordinance. Deputy Town Manager Stueckle explained subjectivity is a fine balance between planning staff discretion, along with director and Planning Commission recommendations. Council Member Rowe continued by inquiring about Planning Commissioner Drozd's comments about the need for an update to the Night Sky Ordinance.

Council Member Rowe also inquired if it is possible to include sewer hook-up requirements for subdivisions with parcels less than RS-2 into the development code. Deputy Town Manager Stueckle explained that there are many pending technical issues regarding the actions necessary for implementation of a future wastewater treatment system.

Council Member Huntington inquired about street widths and commented favorably about the new version of the development code.

Council Member Leone moved that the Town Council

- A. Finds that the project is exempt from CEQA in accordance with Section 15061 (b)(3) of the California Environmental Quality Act. The proposed amendment to revise the Town's Subdivision regulations has no potential to impact the environment. The proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Development Code Amendment,

DCA-01-03 meets the exemption criteria which states “that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA”.

B. Adopt the Ordinance, and repeal Chapter 4, Division of Land Procedures, from Title 8 of the San Bernardino County Development Code as adopted by the Town of Yucca Valley

Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a voice vote.

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

DEPARTMENT REPORTS

10. Contract Facility/Park Maintenance Services- Desert ARC, Authorization for Contract Services

Deputy Town Manager Stueckle presented the staff report, explaining an alternative manner to conduct necessary maintenance services. Increased maintenance responsibility is necessary since the inclusion of additional parks in the Town’s inventory and the recent move of a full time staff member from the Parks Division to the Streets Division.

Mayor Abel opened public comment. With no one wishing to speak, Mayor Abel closed public comment.

Council Member Leone received confirmation that Desert ARC is a local company.

Mayor Pro Tem Lombardo commented on the great example of working together to provide local employment.

Council Member Huntington spoke favorably of Desert ARC and the services they provide.

Council Member Rowe moved to authorize the Town Manager to enter into a professional services agreement with Desert ARC, with a maximum annual contract value of \$49,140, based upon organizational need and efficiency, and to return to the Town Council at Mid-Year Budget Review for program evaluation. Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a voice vote.

11. Town Council Compensation Review

Administrative Services Director Yakimow presented the staff report and noted that a Town Council compensation review was requested during the 2013-14 budget preparation cycle to be placed on a future meeting agenda for discussion. Yakimow explained what is currently included in the Town Council compensation. Currently, Town Council members receive a stipend of \$488.63 per month and a benefits allowance of \$1,050 per month. The benefits allowance is the same as all full-time employees of the Town.

Administrative Services Director Yakimow continued to report that a survey was conducted with 22 out of 24 cities in San Bernardino County providing compensation to their elected officials. Salary typically is defined by State law and benefits consistent with city employees. The State Controller's website was used as a source for information. The Attorney General's Opinion 97-103 establishes the parameters for bringing forward change in compensation. Yakimow explained the possible actions for the item. Any recommended changes would take effect after completion of current council member terms.

Mayor Abel opened public comment.

Margo Sturges, Yucca Valley commented that the size of the Town's budget should be taken into consideration to determine allowable Town Council compensation.

Bill Neeb, Indio Resident and Yucca Valley Property Owner, spoke favorably of Town Council compensation and noted the necessary expenses Council Members incur while being on the Council.

With no other members of the public wishing to speak, Mayor Abel closed public comment.

Mayor Abel received confirmation that the Town Council compensation is approximately 1% of the total budget and reported that Council Members use many hours of personal time away from their regular employment to attend many committee meetings and would prefer to keep the compensation the way it currently stands with no changes.

Council Member Rowe explained that she has health insurance through other means and chooses not to use the Town's benefit offer. Council Members are here because they enjoy serving the community, and each has a personal choice. The medical benefits and salary stipend helps to encourage a more diverse representation on the Council. Rowe stated she would prefer to keep the current benefits as they are.

Council Member Huntington stated he would like to keep the Town Council compensation as it currently is; status quo.

Council Member Leone commented that Council Members often donate many personal hours to

the duty of representing the public on the Town Council. The monthly stipend and benefits does not cover what time is spent representing the community.

Mayor Pro Tem Lombardo spoke on the use of Town offered benefits.

Council Member Huntington moved to receive and file the update with no changes in Town Council compensation. Council Member Rowe seconded. Motion carried 5-0 on a voice vote.

FUTURE AGENDA ITEMS

None Stated

PUBLIC COMMENT

Margo Sturges, Yucca Valley spoke of the Town Council meeting minutes of June 4th, 2013, page 4th and stated that the award of bid should include what project the award is for. Sturges also commented on septic prohibition.

Fritz Koenig, Yucca Valley spoke of discrimination clause included in the BMX agreement discussed earlier in the meeting.

Sarann Graham, Yucca Valley spoke in opposition of the potential recall.

Cary Harwin, Yucca Valley spoke in opposition of the potential recall.

Bill Neeb, Indio Resident and Yucca Valley Property Owner, spoke in opposition of the potential recall.

Mayor Abel asked about the inclusion of anti-discrimination language in the Town's contracts and lease agreements. Administrative Services Director Yakimow explained that current contracts and lease agreements are routinely reviewed for updated language.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

5. **Council Member Leone** invited the community to the remaining concerts for the summer, and stated that supporting the potential recall is a personal decision.
6. **Council Member Rowe** stated she is in support of the two Town Council members facing recall and thanked everyone who made Brehm Park a reality. Would like to see a anti-discrimination clause added to all town contracts appropriately in regards with participation or hiring practices.
7. **Council Member Huntington** thanked staff for a great summer concert series and congratulated the San Bernardino County Library for celebrating its centennial.

Huntington stated concern about a reduction of MBTA funding.

- 8. Mayor Pro Tem Lombardo** congratulated the San Bernardino County Library on its 100 years of service and reminded residents to shop local.
- 9. Mayor Abel** expressed his support of the Yucca Valley Chamber's Shop Local campaign and asked staff to research local agency meeting schedules.

ANNOUNCEMENTS

Next Town Council Meeting, 6:00 p.m. Tuesday, August 20, 2013, Yucca Valley Community Center, Yucca Room

ADJOURNMENT

There being no further business the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Lesley Copeland, CMC
Deputy Town Clerk