

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
OCTOBER 1, 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 Captain Boswell, Town Attorney Laymon, and Town Clerk Copeland

The Pledge of Allegiance was led by Mayor Abel

The Invocation was presented by Pastor Tye Bridges, Calvary Christian Fellowship

PRESENTATIONS

1. **Town Employee of the 2nd Quarter, 2013**

Human Resource and Risk Manager, Debra Breidenbach-Sterling announced the EOQ as Michele Linzner, Payroll Specialist. Mayor Abel presented a plaque and words of congratulations for her award.

AGENCY REPORTS

2. The Yucca Valley Chamber of Commerce monthly report was presented by Chamber President, Jim Lawless.

APPROVAL OF AGENDA

Council Member Huntington moved to approve the Yucca Valley Town Council meeting agenda for October 1, 2013. Council Member Rowe seconded. Motion carried 5-0 on a voice vote.

CONSENT AGENDA

3. **Waive** further reading of all ordinances and read by title only.
4. **Adopt** Resolution No. 13-35, congratulating the City of Needles for 100 years of incorporation.
5. **Ratify** the Payroll Registers total of \$311,099.41 for checks dated August 30, 2013 to September 13, 2013;

Ratify the Warrant Registers total of \$696,218.97 for checks dated September 5, 2013 to September 19, 2013

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

Council Member Rowe moved to approve items 3-5 of the consent agenda. Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a voice vote.

DEPARTMENT REPORTS

6. FY 2013-14 Community Partnerships

Administrative Services Director Yakimow presented the staff report and gave background information on community partnerships with the Boys and Girls Club of the Hi Desert, the Yucca Valley Chamber of Commerce, and the Desert Regional Tourism Agency (DRTA). As part of the FY 2013-14 budget adopting cycle, preliminary discussion occurred with respect to the various community partnerships between the Town and its non-profit partners. The adopted budget included \$35,000 of initial partnership funding, with direction to staff to return to Council with final partnership proposals.

In reference to the Boys and Girls Club Facility Use Agreement, Yakimow stated the Town primarily uses the facility during the youth basketball program occurring December through March of each year. The use of the gymnasium in FY 2013-14 is anticipated to be approximately 400 hours. The proposed agreement formalizes the Town's use of the Boys and Girls Club facilities during the current fiscal year and allocates \$32,000 (\$16,000 for Facility Use and \$16,000 for Youth Afterschool Support) in partnership funding. The proposed agreement will expire on June 30, 2014.

In respect to the Yucca Valley Chamber of Commerce Yakimow explained that formal action for FY 2013-14 was not acted upon during the time of the Town's budget adoption, necessitating an update to the existing lease. A Scope of Services Schedule for FY 2013-14 was presented, identifying the joint marketing tasks that the chamber will provide on behalf of the Town. The proposed schedule also includes a line-item alternative in the amount of \$5,000 (combined cash and in-kind services) to support the chamber's efforts in hosting the annual Grubstakes Parade and related festivities.

Regarding DRTA, Yakimow explained that the partnership with the agency was to provide operational and financial support to operate the California Welcome Center and develop a program to promote Morongo Basin Tourism. The program was designed to support tourism outreach, education, and initiatives, and ideally contribute to the sales tax basis of the town. Proposed, is a modification of the current lease to provide in-kind utility contribution, paralleling the current agreement with the Chamber of Commerce. The Town would assume the utility costs of the Agency, while the agency would assume

all of the janitorial costs of the facility. This would be a net increase of in-kind contributions of approximately \$8,000 annually. In exchange for this contribution, the Agency would work with the Town to develop any requested tourism and/or marketing material that could be utilized for various economic development purposes. As part of this action, it is recommended that a waiver of existing unpaid utility balance of an \$18,000 liability be considered.

Mayor Abel opened public comment.

Sam Handley, Executive Director for the Boys and Girls Club of the Hi-Desert spoke of current programming and thanked the Town Council for their consideration.

Cheryl Nankervis, Executive Director and Tom Huls for the Yucca Valley Chamber of Commerce spoke of upcoming campaigns scheduled to launch for the coming year. Comments were also made regarding the challenges in presenting the Grubstake parade.

Carey Harwin, DRTA, thanked the Town Council for continued support. Harwin stated that the California Welcome Center is experiencing approximately 16,000 visitors per year.

Ron Cohen, Yucca Valley spoke on item 6B and read the letter he sent to the Town Council prior to the meeting.

Margo Sturges, Yucca Valley spoke in agreement to Mr. Cohen's comments and spoke against including the three partnership agreements in one agenda item.

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

Town Attorney Lona Laymon commented on Mr. Cohen's letter, stating the Town Council Members do not have a financial interest with the Yucca Valley Chamber of Commerce as defined under Government Code Section 1090. In addition, an exception for non-salaried members of a non-profit corporation is allowed, as long as the membership of the corporation is disclosed to the body. Laymon continued to report that the body is being disclosed at this time for the record, as defined under Government Code Section 1091.587 as being qualified as non-interest within Government Code Section 1090. Town Council Member Huntington and Mayor Pro Tem Lombardo are not barred from the decision.

Council Members Leone and Rowe commented on the funding requirements and how this affects the projected use of funds for infrastructure.

Council Member Huntington commented on the importance of keeping the historical aspect of the community and would like to see the Grubstake festivities continue. Huntington also inquired about the impact this would make to the proposed infrastructure

funding.

Mayor Pro Tem Lombardo inquired on the funding specific to the parade cost.

Mayor Abel stated the benefits of community partners and local community events.

Council Member Rowe moved to approve the Facility Use Agreement and Partnership Funding in the amount of \$32,000 for FY 2013-14 Facility Use and Youth Programming Activities with the Boys and Girls Club of the Hi Desert, and direct staff to continue working with the Club to identify potential areas of future collaboration. Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a roll call vote.

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

Council Member Leone moved to approve the Scope of Services schedule between the Town and the Yucca Valley Chamber of Commerce for FY 2013-14 Partnership Activities, and allocate funding in the amount of \$20,000 for FY 2013-14 Partnership Activities. Mayor Abel seconded. Motion carried 4-1 on a roll call vote.

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

Mayor Pro Tem Lombardo moved to approve Amendment Number One to the Lease Agreement between the Town and the Desert Regional Tourism Agency, allocate funding in the amount of \$25,000 for both unfunded FY 2012-13 and FY 2013-14 (\$7,000 & \$18,000 respectively) activities, and allocate \$18,000 in one-time funds to accommodate the proposed lease amendment. Council Member Huntington seconded. Motion carried 4-1 on a roll call vote.

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

Council Member Leone moved to amend the FY 2013-14 Adopted Budget by \$48,000, decreasing prior allocation to transportation funds as indicated to accommodate the recommendations. Mayor Abel seconded. Motion carried 4-1 on a roll call vote.

- AYES:** Council Members Huntington, Leone, Lombardo, and Mayor Abel
- NOES:** Rowe

ABSTAIN: None

ABSENT: None

7. **Implementation of Town Council Policy & Budget Direction
Park Maintenance Transition Plan
Youth Sports Park Draft Lease Agreement**

Deputy Town Manager Stueckle presented the staff report. The draft lease between the Town of Yucca Valley and the Boys and Girls Club of the Hi-Desert formulates an agreement for the Town to lease Youth Sports Park at 56525 Little League Drive from the Boys and Girls Club of the Hi Desert. The lease term is 35 years, with a rental amount of one dollar (\$1.00) per year. The agreement implements an element of the Parks Maintenance Transition Plan, approved by the Town Council in April, 2013.

Mayor Abel opened public comment.

Cindy Melland, Yucca Valley spoke on behalf of the Basin Wide Foundation and the activity held at Youth Sports Park, including current use contracts with Morongo Basin Youth Soccer Association, and Morongo Unified School District.

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

Council Member Rowe moved to approve the Draft Lease between the Town of Yucca Valley and the Boys & Girls Club of the Hi-Desert, authorizing the Mayor and Town Attorney to sign the lease, and authorizing the Town Attorney to make non-substantive changes as necessary to finalize the Lease. Council Member Leone seconded. Motion carried 5-0 on a voice vote.

8. **Ordinance No.; Pit Bull and Pit Bull Type Dogs; Mandatory Spay and Neuter**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY CALIFORNIA, ADDING TO TITLE 10 CHAPTER 10.02 OF THE TOWN OF YUCCA VALLEY MUNICIPAL CODE RELATING TO ANIMAL CONTROL BY ADDING SECTIONS 10.02.175 AUTHORIZING MANDATORY SPAYING AND NEUTERING OF PIT BULLS

Animal Care and Control Manager Melanie Crider presented the staff report and gave an explanation of the California Health and Safety Code. The California State Law (Health and Safety Code Section 122330-122331) prohibits any breed from being deemed potentially dangerous or vicious, while allowing local agencies to enact breed-specific programs for spaying/neutering to control over population. Statistics of activity relating to pit bull breeds in shelter and animal control cases were presented.

Crider continued to explain that the objective of the recommended Ordinance is to reduce

the number of pit bull type dogs running at large in the community; to reduce the number of pit bull type dogs brought to the animal shelter; and to reduce the number of impounds of this breed. The proposed Ordinance would require any pit bull or pit bull type breeds over the age of 4 months to be spayed or neutered with few exceptions.

Mayor Abel opened public comment on the item.

Amy Fauls, Joshua Tree spoke in favor of the Ordinance.

Rae Packard, Yucca Valley spoke in favor of the Ordinance.

Gordon Larson, Yucca Valley commented on an issue he has had in his neighborhood with pit bulls and spoke favorably of the Ordinance.

Jeff Owen, Yucca Valley spoke highly of the Yucca Valley Animal Shelter and commented favorably of the Ordinance.

Melody Farnik, Yucca Valley representing Animal Action League spoke favorably of the Ordinance

George Hoagland, Yucca Valley spoke of an incident from a pit bull attack and spoke in favor of the Ordinance.

Mimi Mitz, Yucca Valley spoke as a representative of Morongo Basin Humane Society and stated that they can no longer accept pit bulls and pit bull type breeds at their facility. Mitz spoke favorably of the Ordinance.

Chelsea Fletcher, Yucca Valley spoke in favor of the Ordinance, but also believes there is a responsible owner problem.

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

Deputy Town Manager Stueckle read the title of the Ordinance.

Council Member Leone spoke of past incidents he has experienced with the particular breed and commented in favor of the Ordinance.

Council Member Huntington questioned how staff determines the breed and spoke in favor of the Ordinance

Mayor Pro Tem Lombardo inquired about spay and neutering costs and spoke of correspondence received from Tami Roleff who voiced opposition of the Ordinance. Lombardo spoke in favor of the Ordinance.

Council Member Rowe spoke in favor of the Ordinance, and if a spay and neuter voucher program could be implemented using the Cyla Wells Estate funding and the General Fund to continue its existence, Rowe stated that an all-breed, mandatory spay and neuter program should be considered.

Mayor Abel inquired about the overpopulation of pets in Yucca Valley and of the adoption rate of pit bulls and pit bull mixes. Abel also inquired about the ability to enforce such an ordinance.

Deputy Town Manager stated that information regarding the spay and neuter voucher program should be before the Town Council in November 2013.

Council Member Leone moved to introduce the Ordinance, establishing mandatory spay and neuter regulations for pit bulls and pit bull type dogs. Council Member Rowe 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

9. **Council Appointment to the San Bernardino County Homeless Partnership and Interagency Council on Homelessness**

Administrative Services Director Yakimow presented the staff report and explained the potential commitment required for a representative for the San Bernardino County Homeless Partnership and Interagency Council on Homelessness.

Mayor Pro Tem Lombardo stated he would be interested but is concerned of the travel commitment and inquired about the availability of teleconferencing and believed the position of alternate might be a better fit.

Council Member Leone expressed his interest to represent the Town of Yucca Valley in this capacity.

Mayor Abel moved to appoint Council Member Leone to serve on the Interagency Council on Homelessness (ICH) and Mayor Pro Tem Lombardo serving as the alternate representative. Council Member Huntington seconded. Motion carried 5-0 on a voice vote.

FUTURE AGENDA ITEMS

Mayor Pro Tem Lombardo stated he would like to have a discussion on volunteering opportunities with the Town of Yucca Valley. Deputy Town Manager explained that staff is working on the memorandum to the Town Council regarding the Town's Volunteer Program.

PUBLIC COMMENTS- none

STAFF REPORTS AND COMMENTS

Deputy Town Manager Stueckle congratulated Michele Linzner for her Employee of the Quarter award and gave a brief update on Tractor Supply moving into a portion of the old Wal Mart building.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

10. Council Member Leone congratulated Michele Linzner for her Employee of the Quarter award and thanked everyone who participated in today's Safety Fair.
11. Council Member Rowe stated it was nice to see everyone gathered at the Community Center for the safety fair and congratulated Michele Linzner for her award.
12. Council Member Huntington thanked Michele Linzner for her hard work with the Town and reported that he recently visited the replacement animal shelter and it looks like it is coming along nicely.
13. Mayor Pro Tem Lombardo congratulated Michele Linzner for being Employee of the Quarter and is happy to see the new playground equipment at the Community Center.
14. Mayor Abel stated he recently met with MBTA. New routes and services are in place and are well received. Abel also reported he will be traveling to Needles to present the Resolution passed earlier this evening.

ANNOUNCEMENTS

The next regular meeting of the Yucca Valley Town Council will be held on Tuesday, October 15, 2013 at 6:00 pm, in the Yucca Room of the Yucca Valley Community Center.

ADJOURNMENT

With no further business, Mayor Abel adjourned the meeting at 8:40 p.m.

Respectfully Submitted,

Lesley Copeland, CMC
Town Clerk