

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
OCTOBER 15, 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 Council Member Leone

The Invocation was presented by Pastor Wayne Morrow, Desert Hills Presbyterian Church

PRESENTATIONS

1. Fire Prevention Week Proclamation

Mayor Abel presented the Fire Prevention Week Proclamation to San Bernardino County Fire Battalion Chief Gary Bush.

AGENCY REPORTS

2. The Hi Desert Water District monthly Water/Wastewater Report was given by Mark Ban, Operations Manager for Hi Desert Water.

APPROVAL OF AGENDA

Council Member Huntington moved to approve the Yucca Valley Town Council meeting agenda for October 15, 2013. Mayor Pro Tem Lombardo 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** Ordinance No. 243, and repeal Sections 83.010105 thru 83.0103.15, Sections 83.010325 thru 83.010335, Section 83.010505, Sections 83.020105 thru 83.020210, Sections 83.030805 thru 83.030855, Sections 83.030145 thru 83.030175, Sections 83.030205 thru 83.030230, Sections 83.030310 thru 83.030325, Section 83.030405, Section 83.030505, Section 83.030605 Sections 83.030705 thru 83.030765, Sections 83.030905 thru 83.030955 of Division 3 of Title 8 from the Yucca Valley Development

Code and Sections 41.151 thru 41.1569 from Chapter 15, Division 1 Title 4 of the Yucca Valley Municipal Code.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 9, YUCCA VALLEY DEVELOPMENT CODE, BY ADOPTING ARTICLE 4, CHAPTERS 9.60 THROUGH 9.77, PERMIT PROCEDURES AND REPEALING SECTIONS 83.010105 THRU 83.0103.15, SECTIONS 83.010325 THRU 83.010335, SECTION 83.010505, SECTIONS 83.020105 THRU 83.020210, SECTIONS 83.030805 THRU 83.030855, SECTIONS 83.030145 THRU 83.030175, SECTIONS 83.030205 THRU 83.030230, SECTIONS 83.030310 THRU 83.030325, SECTION 83.030405, SECTION 83.030505, SECTION 83.030605 SECTIONS 83.030705 THRU 83.030765, SECTIONS 83.030905 THRU 83.030955 OF DIVISION 3 OF TITLE 8 FROM THE YUCCA VALLEY DEVELOPMENT CODE AND SECTIONS 41.151 THRU 41.1569 FROM CHAPTER 15, DIVISION 1 TITLE 4 OF THE YUCCA VALLEY MUNICIPAL CODE.

- 5. **Adopt** Resolution No. 13-36 for the annual Measure I, Five-Year Capital Improvement Plan and Expenditure Strategy for Fiscal Years 2013/2014 to 2017/2018 under Measure I 2010-2040.
- 6. **Adopt** Ordinance 244, establishing mandatory spay and neuter regulations for pit bulls and pit bull type dogs.

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

- 7. **Approve** the third amendment to the Subdivision Improvement Agreement, extending the period of time for completion of improvements an additional twenty-four (24) months through November 22, 2015, authorizing release of the Performance and Labor/Material Bonds, and accepting the Irrevocable Standby letters of Credit for the remaining public improvements.
- 8. **Receive and file** the AB1234 Reporting Requirement Schedule for the month of September 2013
- 9. **Ratify** the Payroll Registers total of \$142,906.84 for checks dated September 27, 2013; **Ratify** the Warrant Registers total of \$474,209.65 for checks dated October 3, 2013

Mayor Abel opened public comment for the consent items.

Margo Sturges, Yucca Valley commented on expansion thresholds as stated on the proposed Development Code Ordinance (Item 4)

Richard Harwin, Yucca Valley questioned the enforcement capability of the proposed Mandatory Spay and Neutering of Pit Bull and Pit Bull type breed Ordinance. (Item 6)

Gina Corser, Yucca Valley spoke in opposition of the Mandatory Spay and Neutering of Pit Bull and Pit Bull type breed Ordinance. (Item 6)

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

Council Member Leone suggested that in the future, additional public discussions would be helpful to review proposed complex ordinances, using Article 4 presented this evening as an example.

Mayor Abel clarified that he was aware of what changes were being proposed at the last meeting with the Article 4 Ordinance was introduced. Mayor also spoke in favor of a spay and neuter voucher program.

Council Member Rowe moved to approved Consent Items 3-9. Council Member Leone 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. Recreation Program Review- Summer 2013; Program Offerings Review- Winter 2013-14

Recreation Supervisor Earnest presented a visual review of the 2013 summer activities offered by the Town of Yucca Valley. Administrative Services Director Yakimow gave an overview of revenue and expenditures relating to the summer programs.

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

Mayor Abel thanked the Recreation and Museum staff for a summer full of wonderful activities.

Council Member Rowe thanked staff for their hard work.

Mayor Pro Tem Lombardo stated he enjoyed the visual presentation and inquired about the attendance compared to prior years.

Council Member Huntington also thanked staff and their dedication in presenting quality programs.

Council Member Leone suggested staff research the possibility of getting the Marine Corps Band from Camp Pendleton for future functions.

Mayor Pro Tem Lombardo moved to receive and file the Recreation Program Review for the 2013 summer period; and review and approve the winter 2013-14 programs and events to be organized and conducted by the Community Services Department. Council Member Leone seconded. Motion carried 5-0 on a voice vote.

11. **Affordable Healthcare Act Impact Update**

Human Resources and Risk Manager, Debra Breidenbach-Sterling presented a brief update to the Town Council for the Affordable Healthcare Act and how this affects the Town of Yucca Valley's employee benefit program. After review of information available, the Town of Yucca Valley has met all current requirements and there is no employer impact at this time.

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

Council Member Huntington moved to receive and file the review of the Affordable Healthcare Act impact on the Town's employee benefit program. Council Member Leone seconded. Motion carried 5-0 on a voice vote.

12. **Community Center Playground Improvement – Town Project No. 8961 Notice of Completion; JMJ Construction, Inc. Winchester, CA**

Town Project Engineer, Alex Qishta presented the staff report explaining the Community Center Playground Improvement project is substantially complete. Town Project No. 8961 included the replacement of the existing playground equipment, as well as replacing the existing sand with wood chips for ADA access. Qishta reported that the project cost was \$206,719.00.

Mayor Able opened public comment. With no members of the public wishing to speak on the item, the public comment period was closed.

Council Member Leone inquired about the type of wood used for the play surfaces.

Council Member Rowe moved to accept the project as substantially complete; authorize

staff to file the Notice of Completion; Authorize the reduction of the Faithful Performance Bond to 10% and; Direct staff to retain the labor and Material Bond for six (6) months for Project No. 8961. Council Member Huntington seconded. Motion carried 5-0 on a voice vote.

FUTURE AGENDA ITEMS

None stated.

PUBLIC COMMENTS

Margo Sturges, Yucca Valley commented on the need for transparency and spoke in opposition of the use of ad-hoc committees.

Dave Bradley, Yucca Valley presented a petition representing 56 business owners requesting the Town stop construction projects underway for State Highway 62.

Andy Pitts, Yucca Valley spoke in opposition to the projects along State Highway 62 and stated concern with the lack of alternative routes.

Ross Meyers, Yucca Valley spoke in opposition to the projects along State Highway 62 and was concerned about the lack of communication to business owners along the highway.

Richard Harwin, Yucca Valley inquired on the funding sources for the highway projects.

Deputy Town Manager Stueckle spoke on the use of ad-hoc committees and how a full report is brought back to the full council for discussion and review. Stueckle also explained that an outreach program is currently underway for the highway projects, and that no general fund dollars are being used for the highway projects.

Administrative Services Director Yakimow announced the collection of events planned for the upcoming Halloween season.

STAFF REPORTS AND COMMENTS

None Stated

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

- 13. Council Member Leone commented on the Highway 62 projects.
- 14. Council Member Rowe thanked the citizens who came out to the workshops for the highway projects. The workshops were very informative.

15. Council Member Huntington commented on County road funding.
16. Mayor Pro Tem Lombardo stated he also attended a recent workshop for the highway projects; found the information very useful and hopes the dialog continues with the public throughout the construction period.
17. Mayor Abel thanked the quilting guild for inviting him to help with their recent fund raising efforts. Abel also thanked the Recreation staff for their hard work in presenting events and activities to the public.

ANNOUNCEMENTS

The next regular meeting of the Yucca Valley Town Council will be held on Tuesday, November 5, 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 7:25 p.m.

Respectfully Submitted,

Lesley Copeland, CMC
Town Clerk