

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

OPENING CEREMONIES

Mayor Abel called the meeting to order at 6:08 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 San Bernardino County Sheriff McMahon

The Invocation was presented by Pastor Bob Wagner, Joshua Springs Community Chapel

PRESENTATIONS

1. Town Employee of Quarter

Deputy Town Manager Stueckle introduced Robert Adams, Lead Maintenance Worker for the Town's Streets Division as the Town Employee of the 3rd Quarter of 2013. Mayor Abel presented a plaque and thanked Robert for his hard work and dedication.

2. San Bernardino County Sheriff's Department- AB109 Update and Annual Report

Sheriff McMahon presented an AB109 Update, explaining the legislation and the impact it has made to the public safety program.

Police Chief Boswell presented the Public Safety Annual Report

AGENCY REPORTS

3. Yucca Valley Chamber of Commerce

The monthly Yucca Valley Chamber of Commerce report was presented by Past Chairman, Jennifer Collins.

APPROVAL OF AGENDA

Deputy Town Manager Stueckle explained that Page 4 of the agenda was inadvertently omitted from the scanned, web page version of the posted agenda. Due to Brown Act provisions, it is necessary to pull items 9-12 from the agenda. Items are not time sensitive and will return on a future agenda.

Council Member Leone moved to remove items 9-12 and approve the Yucca Valley Town Council meeting agenda, including items 1-8 and 13, for November 5, 2013. Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a voice vote.

CONSENT AGENDA

- 4. **Waive** further reading of all ordinances and read by title only.
- 5. **Approve** the Town Council Meeting minutes of September 3, 2013 and September 17, 2013 and the Special Town Council Meeting minutes of September 19, 2013 as presented
- 6. **Award** the construction contract to Cicero Engineering, in the amount of \$105,800. And authorize a construction contingency in the amount of \$9,200. For a total contract amount not to exceed \$115,000. Authorizing the Mayor, Town Manager, and Town Attorney to sign all necessary documents, and authorizing the Town manager to expend the contingency fund, if necessary, to complete the project.
- 7. **Adopt** Resolution No. 13-37 and approve the granting of an easement to the public for street and utility purposes for Antelope Trail, as described in Attachment "A" to this staff report, and authorizes the Mayor to sign the grant of easement, and directs the Town Clerk to record the easement with the San Bernardino County Recorder's Office.
- 8. **Authorize** Town Staff to solicit informal bids from three vendors for the purchase of a portable solar message board using the FY 2013 Homeland Security Grant Program (HSGP) funds, and to waive the informal bidding procedures finding that the established procedures (Chapter 3.12) would be impractical for this purchase

Item 9-12 removed from agenda.

Mayor Abel opened public comment for the consent items. With no members of the public wishing to speak, Mayor Abel closed public comments.

Mayor Abel commented on Item 8, asking for clarification that informal bid results are also considered public records.

Council Member Leone confirmed that Item 7, has nothing to do with the closure of antelope Trail for the Senior Housing Project.

Council Member Huntington moved to approved Consent Items 4-8. 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

DEPARTMENT REPORTS

13. Request for Amendment to Existing Relocation & Settlement Agreement California Alternative Medicinal Solutions

Deputy Town Manager Stueckle presented the staff report explaining that California Alternative Medicinal Solutions (CAMS) representatives have requested an amendment to the existing agreement allowing additional time for operations. CAMS, a medical marijuana dispensary in Yucca Valley has been operating under the current Relocation and Settlement Agreement since August 3, 2010.

Mayor Abel opened public comments.

William Green, Yucca Valley spoke in opposition to granting additional time to CAMS existing agreement.

Lori Green, Yucca Valley also spoke in opposition to allowing additional time to CAMS existing agreement.

Brian Nicholson, CAMS owner spoke of the benefits of medical marijuana and how it fills a role in the community.

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

Council Member Rowe questioned Nicholson, if he has met with school resource officers about controlling medical marijuana availability in the home.

Mayor Pro Tem Lombardo confirmed that the project being sold is not consumed on the business premises. Lombardo also questioned how money changes hands. Nicholson explained that donations are received for the project and those donations are distributed throughout the co-op.

Council Member Leone questioned the forms of marijuana offered locally and spoke of concern for abuse of the medical cards.

Council Member Huntington inquired about sales tax revenue.

Mayor Abel re-opened public comment.

Susan Simmons, Yucca Valley spoke in favor of the use of medically needed marijuana.

Robert Thacher, Yucca Valley spoke in favor of extending the CAMS agreement.

Rubicelia Sibaja, Yucca Valley spoke in favor of extending the CAMS agreement.

Bob Stadum, Yucca Valley commented favorably of regulating and taxing medical marijuana.

Annette Bourgeau, Yucca Valley stated CAMS should be able to remain in operation in Yucca Valley.

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

Mayor Pro Tem Lombardo stated he understands it is a difficult decision and though medical marijuana has a place in society, it also has a potential to be misused. Lombardo explained he is in favor of extending two more years with taxes or fees imposed to offset public safety costs.

Council Member Huntington questioned Police Captain Boswell if there has been any police activity specific to CAMS. Huntington stated he is not in favor of extending and believes that taxing would require a ballot measure.

Council Member Leone spoke in favor of extending the CAMS agreement as it is the only legally operated medical marijuana dispensary in San Bernardino County.

Council Member Rowe explained she is not in favor of extending the CAMS agreement and spoke of concern about Council considering going against the Town's own ordinance by allowing an extension of the sunset agreement put into place when the ordinance was passed.

Mayor Abel spoke against extending the agreement.

Mayor Pro Tem Lombardo requested to split the motion into two recommendations, one for the CAMS agreement and one regarding mobile dispensaries.

Council Member Rowe moved to direct the Planning commission to forward an Ordinance to the Town Council for the prohibition of mobile medical marijuana dispensaries and delivery services within the Town of Yucca Valley. 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 Rowe moved to not amend the existing Relocation and Settlement Agreement with CAMS. Council Member Huntington seconded. Motion carried 3-2 on a roll call vote.

AYES: Council Members Huntington, and Rowe and Mayor Abel

NOES: Mayor Pro Tem Lombardo and Council Member Leone

ABSTAIN: None

ABSENT: None

FUTURE AGENDA ITEMS

None stated.

PUBLIC COMMENTS

Art Miller, Yucca Valley spoke as Treasurer of Desert Regional Tourism Agency and informed the Council that the California Welcome Center will be hosting an upcoming visit from a group of tourism related representatives from the Coachella Valley and invited the mayor to attend.

STAFF REPORTS AND COMMENTS

Alex Qishta presented a brief update on the Hwy 62, TCRP project schedule and stated that public outreach sessions are scheduled throughout the project timeline.

Mayor Abel questioned the use of alternate routes and if signage was in place informing motorists of these routes. Qishta stated he is working with Caltrans to adjust the timing on the traffic lights within the construction zone.

Council Member Leone suggested changing land directions during peak community times to eliminate the back log of traffic.

Deputy Town Manager Stueckle spoke of the upcoming Town Council meeting schedule and congratulated Robert Adams for being the Town's Employee of the Quarter. Stueckle also thanked Sheriff McMahan and Captain Boswell for their assistance and facilitating a great working relationship with the Town of Yucca Valley.

Administrative Services Director Yakimow informed the Council of upcoming Veterans' Day festivities in Twentynine Palms and reminded them of the upcoming Tree Lighting Event and Craft Faire on December 7th.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

- 14.** Council Member Leone congratulated Robert for the Employee of the Quarter award and Thanked Captain Boswell for the annual report.
- 15.** Council Member Rowe spoke of the upcoming General Plan Public hearing on November 19, 2013 and congratulated Robert Adams for his award.
- 16.** Council Member Huntington thanked Robert for his service. Huntington reported of recent committee action, including the Solid Waste Committee, the ACJPA, SANBAG, and the Senior Housing Ad Hoc Committee.
- 17.** Mayor Pro Tem Lombardo thanked Robert for his dedication.
- 18.** Mayor Abel thanked Robert for his service and reminded the public to donate blankets to the Animal Shelter for the cold winter months.

ANNOUNCEMENTS

The next regular meeting of the Yucca Valley Town Council will be held on Tuesday, November 19, 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 8:10 p.m.

Respectfully Submitted,

Lesley Copeland, CMC
Town Clerk