

**TOWN OF YUCCA VALLEY  
TOWN COUNCIL MEETING MINUTES  
NOVEMBER 19, 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

**PRESENTATIONS**

**1. Epilepsy Awareness Month Proclamation**

Mayor Abel read and presented a proclamation to Epilepsy Awareness Advocate, Susan Simmons in recognition of Epilepsy Awareness Month.

**AGENCY REPORTS**

**2. Hi Desert Water District**

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

Mayor Abel recessed the regular meeting of the Yucca Valley Town Council, and convened the Special Joint Meeting of the Yucca Valley Town Council and the Yucca Valley Planning Commission at 6:10 pm.

Mayor Abel reconvened the regular meeting of the Yucca Valley Town Council at 8:05 pm.

**APPROVAL OF AGENDA**

Council Member Huntington moved to approve the agenda for the Regular Town Council Meeting of November 19, 2013. Mayor Pro Tem Lombardo seconded. Motion carried 5-0 on a voice vote.

**CONSENT AGENDA**

Council Member Huntington pulled Item 6 from the consent agenda.

Council Member Leone pulled Item 4a from the consent agenda.

- 3. **Waive** further reading of all ordinances and read by title only.
- 4a. Item pulled.
- 4b. **Approve** the Town Council meeting minutes of October 1, 2013 and October 15, 2013 as presented.
- 5. **Receive and file** the AB1234 Reporting Requirement Schedule for the month of October 2013.
- 6. Item pulled.
- 7. **Receive and file** the Treasurer’s Report for the first quarter of FY 2013-14.
- 8. **Receive and file** the FY 2013-14 First Quarter Budget Report
- 9. **Ratify** the Payroll Registers total of 243,095.29 for checks dated October 11, 2013 and October 25, 2013;  
**Ratify** the Warrant Registers total of \$352,836.30 for checks dated October 17, 2013 and October 31, 2013

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

Council Member Huntington moved to approve items 3, 4b, 5, 7, 8 and 9 on the Consent Agenda. 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

**Item 4a.- Rejection of One (1) claim- Mirage Front Properties, LLC**

Administrative Services Director Yakimow presented the staff report, stating that the item will be discussed further as a closed session item. Council Member Leone requested additional clarification. Town Attorney Lona Laymon stated there will be a full packet of information presented at the Closed Session scheduled for December 10, 2013.

Council Member Leone moved to reject one (1) claim filed against the Town of Yucca Valley submitted on October 21, 2013 by Thomas W. Harris, Jr., Esq. in reference to Mirage Front Properties, LLC. 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

**Item 6- Town-wide HVAC Service Agreement**

Administrative Services Yakimow presented the staff report, explaining that in prior years, the HVAC service agreement with Honeywell only included the system at the Town Hall Complex. The agreement before the Town Council expands the service area to include all Town facilities with the exception of the Replacement Animal Shelter and is considered a cost savings approach to HVAC maintenance services. The three-year agreement allows the Town to enter into rebate programs offered by Southern California Edison.

Council Member Huntington moved to approve an expanded professional services agreement providing Town-wide heating ventilation and air conditioning (HVAC) maintenance with Honeywell Building Solutions through June 30, 2016, subject to annual budgetary authorization. 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. Public Lands Highway Discretionary Funds Project (PLHD)  
 SR62, Apache Trail to Palm Avenue – Town Project No. 8661  
 Federal Project No. PLHL04-5466(015)  
 Award of Bid**

Town Project Engineer, Alex Qishta presented the staff report for the Public Lands Highway Discretionary Funds Project (PLHD). Qishta described the project and bid process. Current traffic studies showing an excess of 30,000 daily vehicle trips east and west of Hwy 247 on State Route 62, and the projected growth estimate of these trips increase to approximately 60,000. Qishta stated that the bid deadline was extended due to a low number of interested planholders.

Qishta continued to explain the Town staff continues to work with Caltrans to address concerns voiced at recent public workshops, though many concerns have already been addressed. Qishta explained the conditions of the award of bid required by December 31, 2013.

Mayor Abel opened public comment.

David Bradley, Yucca Valley spoke of a lack of public outreach on the project and spoke in opposition to the highway projects.

Andy Pitts, Yucca Valley voice concern of alternate traffic routes, lack of public outreach, traffic counts and continued to speak in opposition to the highway projects.

Chester Smelser, Yucca Valley stated his opposition to the highway projects.

Ron Cohen, Yucca Valley spoke of past comments made by Council Member Leone regarding the median projects in the west end of Town.

Fritz Koenig, Yucca Valley spoke against the award of bid.

Margo Sturges, Yucca Valley commented on meeting notifications; that the Town should go beyond State requirements.

James Collins, Joshua Tree spoke in opposition to the highway projects.

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

Deputy Town Manager Stueckle provided clarification that all environmental documents were handled through appropriate federal and state agencies.

Council Member Leone stated concern that though the project is required by Caltrans, the project seems premature and is causing disruption to the local businesses. Leone continued by stating he does not believe due process was held by notifying local businesses.

Mayor Abel questioned staff on the lack of bids received and the funding process for the project. Qishta explained that there were a total five planholders, with most deciding not to bid on the project. Qishta provided an overview of project funding.

Qishta also explained that as a result of the outreach meetings held with local residents and businesses, the project has been modified to include a left-turn pocket at Palm Avenue and alternative access routes.

Mayor Abel asked for clarification from staff of items of concern brought up at the public outreach sessions such as driveway modifications, sidewalk installation, controlled intersections. Abel commented that the majority of the public concern is with the center medians, not the rest of the project. Abel stated that he would like to see a way to stop the project and separate the project out to not include the center medians.

Council Member Rowe inquired if public safety controls are being included with the new signals. Rowe also asked staff if the project can continue if the center medians are not included, and how much has been spent by the Town so far, to get this project to this point.

Rowe continued to voice concern over the explanation to study the alternative routes and that the council should give specific direction that the alternative routes will be completed and not just studied.

Huntington expressed concern for the property owners and questioned the public outreach. Funds are hard to come by with many years of work to get the project to this point. Huntington explained that the medians are required by Caltrans, and the project satisfies the requirement for some commercial businesses along the highway.

Mayor Pro Tem Lombardo explained that certain highway frontage improvements are required of individual property owners and this project assists property owners to comply with this requirement. Lombardo stated he believes that we need to find a way to make the alternative routes happen.

Council Member Rowe moved to award the construction contract to Match Corporation, in the amount of \$2,798,000.00; and authorize a construction contingency in the amount of \$280,000.00, for a total contract amount of \$3,078,000.00; and authorize the Mayor, Town Manager, and Town Attorney to sign all necessary documents; and authorizing the Town Manager to expend the contingency funds, if necessary, to complete the project; and amend the FY 2013-14 Adopted Budget by authorizing the transfer of \$113,553.00 from Fund 800 to Fund 527; and direct staff to request Caltrans approval to install a left-hand turn pocket for eastbound traffic at SR 62 and Palm Ave; and direct staff to return to Town Council in January 2014 with detailed analysis of developing alternative access routes including Pima Trail, between Church Street and Palm Avenue, and the alley between Palm Avenue and Grand Avenue. Council Member Huntington seconded. Motion carried 3-2 on a roll call vote with Council Member Leone and Mayor Abel voting in opposition.

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

**11. Town Council Manual of Procedural Guidelines- Status Update and Approval of Interim Language Regarding Officers**

Administrative Services Director Yakimow presented the staff report, giving background information and historical discussion of the selection of Mayor and Mayor Pro Tem, and

explained that this item is a section of the upcoming rules and procedures manual to be brought forward to the Town Council at a later date.

Mayor Abel opened public comment.

Margo Sturges, Yucca Valley questioned which council members make up the ad-hoc committee reviewing the document. Administrative Services Director Yakimow, explained that the staff report and the meeting agenda lists the Town Council Rules and Procedures Ad-Hoc Committee Members as Council Members Lombardo and Huntington.

Andy Pitts, Yucca Valley spoke in opposition to a comment directed to him made by Council Member Rowe during the previous item discussion. Council Member Rowe expressed her apology for the comment.

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

Council Member Huntington gave a brief overview of the ad-hoc committee review process on the document.

Council Member Leone commented he was elected to fill a vacancy on the Town Council, yet did not assume the committee responsibilities. Leone noted he would like to represent the Town of Yucca Valley in additional committee assignments.

Mayor Pro Tem Lombardo moved to receive and file a status update on the Council's Manual of Procedural Guidelines and; adopt section 9.1 (a) of Article IX – Officers, and direct staff to include the adopted language in the final draft when presented to Council for action. Council Member Huntington 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

**12. Spay/Neuter Voucher Program**

Animal Care and Control Manager Melanie Crider, presented the staff report explaining the benefits of a spay and neuter voucher program. Crider presented the proposed program and explained the implementation process. Spay and Neuter Voucher Programs provide for a reduction in costs for those services provided through local veterinarians. Pet owners are responsible for costs exceeding the amount of the voucher.

Crider continued to explain that the proposed spay /neuter program for the Town of

Yucca Valley will only be available for Town of Yucca Valley residents, there are no restrictions on personal income level, and have a voucher limit of up to three (3) personal pets (dogs and/or cats) per pet owner / family. Once a pet owner / family receive three vouchers, they may not apply for another Town voucher for a time period of five (5) years after the last voucher was received. Implementation of the spay / neuter voucher program is recommended to start within approximately thirty days following initiation of operations at the Replacement Animal Shelter.

Crider explained the program would initially be funded by the Cyla Wells Bequest. With voucher funding for 500 dogs at \$60 each and 500 cats at \$35 each, the funding is estimated to carry the program for one to two years. Additional funding may be necessary in the form of donations, collected revenues, grants, or budgeted by the Town.

Mayor Abel opened public comment.

Fritz Koenig, Yucca Valley commented on irresponsible pet owners and spoke in favor of the program.

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

Council Member Huntington questioned the tracking process of licensing during in the process of spay or neutering the animal.

Mayor Abel spoke favorably of the program and is glad to see it moving forward.

Council Member Leone inquired about the Cyla Wells Bequest funding.

Council Member Rowe spoke in favor of the program and stated that if the current funding sources run low, the Town Council will need to continue the funding.

Council Member Huntington moved to approve the spay/neuter voucher program as outlined within the staff report. 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

**FUTURE AGENDA ITEMS**

Council Member Leone stated he would like a discussion about the speed limits on dirt roads.

Council Member Huntington suggested including all roads, not just dirt roads in this discussion. Consensus was made for a future discussion on speed limits of Town streets and dirt roads.

**PUBLIC COMMENTS**

Mayor Abel opened public comment.

Sarann Graham, Yucca Valley spoke on HAVEN Resource Center for the Homeless.

Fritz Koenig, Yucca Valley commented on the closed session, regarding ethics policies for town management and to eliminate severance pay.

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

**STAFF REPORTS AND COMMENTS**

San Bernardino Sheriff's Captain Boswell introduced Lieutenant Russ Wilke to the Town Council and Staff.

Administrative Services Director Yakimow reminded the Town Council of the upcoming Annual Tree Light Ceremony at Town Hall on December 7<sup>th</sup> at 5:30 pm.

Deputy Town Manager Stueckle announced that next Town Council meeting has been moved from December 3<sup>rd</sup> to December 10<sup>th</sup>.

**MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS**

- 13. Council Member Leone stated that he places his constituents first.
- 14. Council Member Rowe thanked the Planning Center and apologized as she misspoke earlier in the meeting.
- 15. Council Member Huntington gave a brief update on SANBAG activity and welcomed Lieutenant Wilke to the team.
- 16. Mayor Pro Tem Lombardo thanked Council Member Huntington for his diligence with the Town Council Rules and Procedures Ad-Hoc Committee and stated he is glad the spay / neuter voucher program is moving forward and also welcomed Wilke to his local post.
- 17. Mayor Abel congratulated Lieutenant Wilke and is also pleased with the voucher program. Also, Abel spoke favorably to see there are local services for the homeless.

**ANNOUNCEMENTS**



**YUCCA VALLEY TOWN COUNCIL MINUTES**

**November 19, 2013**

The next meeting of the Yucca Valley Town Council will be held on Tuesday, December 10, 2013 at 6:00 pm, in the Yucca Room of the Yucca Valley Community Center.

**ADJOURNMENT**

With no further business, Mayor Abel adjourned to closed session at 9:45 p.m.

**CLOSED SESSION**

Mayor Abel opened public comment for closed session.

Margo Sturges, Yucca Valley warned the Town Council that the public is watching their actions.

Andy Pitts, Yucca Valley commented favorably of Ms. Sturges' comment and stated that the next Town Manager should be a local resident without a severance package included.

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

**REPORT OUT FROM CLOSED SESSION**

Town Attorney Lona Laymon announced that the Town Council met in Closed Session with no reportable action.

Meeting adjourned at 10:20 pm.

Respectfully Submitted,

Lesley Copeland, CMC  
Town Clerk