

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
FEBRUARY 4, 2014**

OPENING CEREMONIES

Mayor Lombardo called the meeting to order at 7:10 p.m.

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

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

APPROVAL OF AGENDA

Mayor Pro Tem Huntington moved to approve the agenda for the Regular Town Council Meeting of February 4, 2014. Council Member Leone seconded. Motion carried 5-0 on a voice vote.

CONSENT AGENDA

1. **Waive** further reading of all ordinances and read by title only.
2. **Adopt** Ordinance No. 245- Renewable Energy Generation Facilities

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 9, ARTICLE 3 OF THE YUCCA VALLEY DEVELOPMENT CODE, BY ADDING CHAPTER 9.46 RENEWABLE ENERGY GENERATION FACILITIES.

3. **Review and approve** the draft spring 2014 programs and events to be organized and conducted by the Community Services Department
4. **Receive and file** the FY 2012-13 Single Audit Report on Federal Awards
5. **Receive and file** the Treasurer's Report for the second quarter of FY 2013-14

Mayor Lombardo opened public comment for items on the Consent Agenda. With no members of the public wishing to speak, public comments were closed.

Council Member Rowe moved to approve consent agenda items 1-5. Council Member Leone seconded. Motion carried 5-0 on a roll call vote.

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

ABSENT: None

PUBLIC HEARINGS

6. 2013 Building Code Adoption

Mayor Lombardo opened the public hearing for the 2013 Building Code Adoption.

Deputy Town Manager Stueckle read the title of the ordinance and introduced Patrick Carroll of Charles Abbot and Associates, the Town's contractor for building a safety services.

Carroll gave a brief overview, explaining the purpose for adopting the 2013 building codes and examples of the types of changes included in the newer building codes. Appendix J was specifically explained in regards to grading.

Mayor Lombardo inquired if any written communication was received on this item. Town Clerk Copeland reported that written communication had been received by Fritz Koenig of Yucca Valley.

Mayor Lombardo opened public comment.

Fritz Koenig, Yucca Valley commented on Appendix J, regarding parcel grading and the lack of an established appeal process.

With no other members of the public wishing to speak, Mayor Lombardo closed the public hearing.

Carroll explained the standard appeal process which is in place.

Deputy Town Manager Stueckle explained the history of Appendix J.

Mayor Pro Tem Huntington inquired on building code exemptions at a local level.

Council Member Leone inquired about the soil removal for installing a cistern.

Council Member Rowe stated that the appeal process requires a fee which may deter the process.

AN ORDINANCE OF THE TOWN OF YUCCA VALLEY CALIFORNIA, AMENDING TITLE 8, CHAPTER 8.02, OF THE TOWNS MUNICIPLE CODE, WHICH ADOPTS AS MODIFIED THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE VOLUMES 1, 2 INCLUDING THE APPENDIX AND STANDARDS, THE 2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 20103

EDITION OF THE CALIFORNIA PLUMBING CODE, THE 2013 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2013 EDITION OF THE CALIFORNIA GREEN BUILDING CODE, THE 2013 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, THE 2012 EDITION SOLAR ENERGY CODE AND OTHER REGULATIONS RELATING TO BUILDING REQUIREMENTS.

Mayor Pro Tem Huntington Moved to adopt Ordinance 246 adopting the 2013 Building Codes. Council Member Leone seconded. Motion carried 5-0 on a roll call vote.

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

**7. Public Facilities Development Impact Fees
Annual Report & Public Hearing**

Mayor Lombardo opened the public hearing for the Public Facilities Development Impact Fee Annual Report.

At Mayor Lombardo's inquiry, Town Clerk Copeland reported that no written communication has been received on the item.

Deputy Town Manager Stueckle presented the staff report, providing an overview of the current Public Facility Development Impact Fee Schedule and reported that no adjustments are being proposed at this time.

Mayor Lombardo opened public comments.

Fritz Koenig, Yucca Valley commented on the imposed fees and would like to see higher fees in accordance to the Muni Financial Study.

Margo Sturges, Yucca Valley commented on the collected fees reported on the schedule and voiced objection to the format in which the fee balance is reported.

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

Deputy Town Manager Stueckle provided explanation on the maximum legally defensible fees.

Administrative Services Director Yakimow provided explanation on the Development Impact Fee Fund Annual Report as of June 30, 2013. An Update on the Essig Park

financing will be presented at a future Town Council meeting.

Council Member Abel commented favorably on past Council actions providing the collected fees the Town currently has to work with.

Council Member Rowe explained that she was on the Council for the original vote to impose the Development Impact Fee Schedule. Though she voted no at that time, her choice was due to the low threshold on the tiered approach, not an objection to the idea of Development Impact Fees in general.

Mayor Pro Tem Huntington commented favorably on the current fee structure.

Council Member Leone expressed the importance of impact fees and the structure is appropriate.

Council Member Abel moved to retain the current Public Facility Development Impact Fee structure. Huntington seconded. Motion carried 4-1 on a roll call vote, with Council Member Rowe voting no.

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

FUTURE AGENDA ITEMS

Council Member Rowe requested to bring a code appeal in front of the Town Council for code 2.08.09.

Deputy Town Manager Stueckle provided a list of items scheduled for the upcoming February 18, 2014 Town Council meeting.

PUBLIC COMMENTS

Mayor Lombardo opened public comments.

Fritz Koenig, Yucca Valley commented on a past public safety incident.

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

STAFF REPORTS AND COMMENTS

Deputy Town Manager Stueckle provided a brief update on the senior housing project

construction, the TCRP highway project, the Paradise Park playground improvement project and the re-striping of the intersection of Palomar and Yucca Trail.

ANNOUNCEMENTS

The next meeting of the Yucca Valley Town Council will be held on Tuesday, February 18, 2014 at 6:00 p.m., in the Yucca Room of the Yucca Valley Community Center.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

None Stated

CLOSED SESSION

Mayor Lombardo adjourned to Closed Session at 8:20 p.m.

13. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Subsection (d)(1) of Section 54956.9, Mirage Front Properties, LLC. vs. Town
of Yucca Valley CIVDS1400401

ADJOURNMENT

Town Attorney Laymon reported that the Closed Session was adjourned at 8:50 p.m. with no reportable action taken by the Town Council.

Respectfully Submitted,

Lesley Copeland, CMC
Town Clerk