

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
May 6, 2014**

OPENING CEREMONIES

Mayor Lombardo called the meeting to order at 6:00 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

The Pledge of Allegiance was led by Mayor Lombardo

PRESENTATIONS

1. San Bernardino County Sheriff's Department- HOPE Program

A presentation was given, explaining the San Bernardino County's H.O.P.E. Program (Homeless Outreach Proactive Enforcement). The program represents a different approach in addressing homelessness in the county, including the Morongo Basin. Sheriff McMahan implemented the Homeless Outreach and Proactive Enforcement program to help improve the quality of life for the citizens of San Bernardino County. The mission of H.O.P.E. is to balance proactive outreach with enforcement of the law, while connecting members of the homeless population with resources that may help them transition from homelessness. The ultimate goal is to reduce the rate of recidivism, and incarceration, and to reduce the current costs associated with homeless related crime.

The San Bernardino County Sheriff's Department also asks local residents to be aware of the County's anti-panhandler campaign "Positive Change, Not Spare Change" by not supporting panhandlers but instead give to a charity that can provide the needed services to the homeless population.

Council Member Leone commented favorably on the program.

Mayor Pro Tem Huntington inquired on the program's presence in the Morongo Basin.

2. San Bernardino County Fire- Battalion Chief Introduction

San Bernardino County Fire Division Chief Dave Benfield introduced Battalion Chief Tom Marshall, assigned to the South Desert Division.

3. Town of Yucca Valley Employee of the Quarter

Town Senior Accountant Cisneros introduced Shirlene Doten as the Town's employee of the first quarter for 2014.

APPROVAL OF AGENDA

Deputy Town Manager Stueckle requested that Item No. 14 be moved to Item No.10a and Item No. 10 be moved to Item No. 10b.

Mayor Pro Tem Huntington moved to approve the amended agenda for the Regular Town Council Meeting of May 6, 2014. 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

CONSENT AGENDA

- 4. **Waive** further reading of all ordinances and read by title only
- 5. **Approve** the Town Council meeting minutes for the regular meeting of April 15, 2014 as presented
- 6. **Adopt** Ordinance No. 248, removing Town Code provisions in conflict with the Manual of Procedural Guidelines and accurately referencing provisions between Town Code and the Manual of Procedural Guidelines.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY AMENDING SECTIONS OF CHAPTER 2.05 AND TITLE 4 REFERRING TO THE PROCEDURES FOR TOWN COUNCIL AND COMMITTEE MEETINGS AND COMMISSION APPOINTMENTS AND REPEALING CHAPTER 4.02 OF THE TOWN OF YUCCA VALLEY MUNICIPAL CODE RELATING TO BOARD AND COMMISSION MEMBERS

- 7. **Adopt** Ordinance No. 249, amending Title 12, Chapter 12.20 of the Town of Yucca Valley Municipal Code, Section 12.20.020, Entitled “Changes in State Law Speed Limits” by establishing the recommended speed limits, and rescinding that portion of the Ordinance that establishes the existing speed zones.

AN ORDINANCE OF THE TOWN OF YUCCA VALLEY, CALIFORNIA,AMENDING TITLE 12 OF THE TOWN OF YUCCA VALLEY MUNICIPAL CODE BY AMENDING SECTION 12.20.020 ENTITLED “CHANGES IN STATE LAW SPEED LIMITS” OF CHAPTER 12.20 OFTHE TOWN OF YUCCA VALLEY MUNICIPAL CODE ESTABLISHING SPEED LIMITS

- 8. **Adopt** Resolution No. 14-12 appointing Christy Marie Lopez as Assistant Town Attorney
- 9. **Ratify** the Payroll Register total of \$121,257.51 dated April 11, 2014.
Ratify Warrant Register total of \$355,121.86 for checks dated April 17, 2014.

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

Council Member Abel moved to approve consent agenda items 4-9. Mayor Pro Tem Huntington seconded. Motion carried 5-0 on roll call vote.

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

DEPARTMENT REPORTS

10a. Brehm Park Ad Hoc Committee Recommendation

Deputy Town Manager presented the staff report, explaining that the Brehm Park Ad Hoc Committee met with Basin Wide Foundation over the past several months to discuss the Brehm Park facility transition provisions.

Over-arching provisions brought forward by the Ad-Hoc Committee for Council’s consideration to transition the facility as of July 1, 2014, the Town of Yucca Valley will become the owners of the park facility, Basin Wide Foundation to complete playground equipment installation, fall surface and playground equipment shade sails, Town to complete the west parking lot and Palm Street improvements. The Town is also to provide \$10,000 annually for low income youth sports participation program for 10 years, with the opportunity for Basin Wide Foundation to request a 5-year extension. Basin Wide Foundation will also have the opportunity to complete a roller-derby flat track.

Mayor Lombardo opened public comments.

City Melland, Basin Wide Foundation spoke in favor of the provisions presented and thanked the Ad-Hoc Committee and staff for their support in the process. Melland spoke of the many volunteers involved with making the park a beautiful asset in the community.

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

Council Member Rowe spoke in favor of the Town acquiring the park and asked about the provisions of low income grants, and if there could be a priority for Yucca Valley residents when using these funds for activity fees. Rowe also inquired on the cost of improvement provisions.

Mayor Pro Tem Huntington thanked the Brehm Family for the contribution to the community.

Council Member Leone also thanked the Brehm Family for a beautiful facility.

Mayor Lombardo spoke of park amenities and stated the facility would be a highlight in the Town's park inventory.

Council Member Rowe moved to accept the Brehm Park Ad Hoc Committee with two modifications: 1) The General Fund expenditures for the Youth Sports Participation Program, include prioritization given to Town of Yucca Valley residents, and 2) staff return back to the Town Council with a transition process beginning July 1, 2014 with recommendations of delivering future amenity projects at the lowest possible cost to the community which includes private donations as well as public tax payers dollars. Mayor Pro Tem Huntington 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

**10b. State Safe Routes to School Grant Funds (SR2S)
Sage Avenue Safe Route to School (SR2S) Improvements – Town Project No. 8320
Reject all Bids and Re-advertise**

Project Engineer Qishta presented the staff report, reviewing the original project scope and the bidding process for the Safe Routes to School Improvement project. Qishta explained that the lowest bid came in approximately 29 percent over the engineer's estimate. Suggested project modifications were discussed, including the elimination of the sidewalk construction along the east side of Sage and the elimination of the flashing beacon at the corner of Sage Avenue and Pueblo Trail.

Mayor Lombardo opened public comment. With no members of the public wishing to speak, public comments were closed.

Council Member Leone commented favorably on rejecting the bids and modifying the scope of the project.

Council Member Abel inquired about the cost of including a crosswalk across Sage at Pueblo, with a flashing warning light.

Deputy Town Manager Stueckle explained that if a crosswalk was installed, ADA compliance components will need to be addressed. If there are enough grant funds remaining, further evaluation can be conducted on this.

Mayor Pro Tem Huntington stated he understands the need to reject the bids and is in favor of including a crosswalk and flashing warning light at the Sage/Pueblo intersection.

Council Member Abel moved to

- Reject all bids received on April 24, 2014, for Project No. 8320;
- Authorize the Town Clerk to return all Bid Bonds to all bidders;
- Authorize the Town Clerk to re-advertise and solicit bids for the project with an opening date of May 29, 2014

Council Member Rowe 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

**11. Town Council Direction to Staff
 Mojave Desert Air Quality Management District (MDAQMD)
 Release of AB 2766 Grant Funds for Construction of a SAE J1772 Standard
 Charging Station.**

Project Engineer Qishta presented the staff report stating that the Town of Yucca Valley has the opportunity to receive grant funding through the Mojave Desert Air Quality Management District (MDAQMD) with the release of AB2766 funds. One option that the Town may use these funds, is to install an electric vehicle charging station. The ongoing cost of electricity and whether to pass along these costs to the consumer is to be considered. Other administrative costs are also possible, if the Town chooses to accept credit cards at the charging station. Installation costs were reviewed.

Deputy Town Manager Stueckle provided additional discussion points, such as the life span of the equipment and the number of possible users.

Mayor Lombardo opened public comment. With no members of the public wishing to speak, public comments were closed.

Council Member Leone spoke of the benefits of electric car use and the increasing number of consumers using these types of vehicles.

Council Member Rowe inquired if any members of the public have requested such a facility, and if Town staff has determined the need for the service.

Council Member Abel stated that after his research on the electric car use, it may not be the best use of these available funds. In our area, the longer travel commutes may hinder the usability of a public charging station. Abel suggested staff bring back other air quality-type projects such as dust control for consideration.

In response to Council Member Rowe’s inquiry, Project Engineer Qishta commented that he has been in contact with City of Twentynine Palms staff, and there is one consistent user at the public charging station in Twentynine Palms.

Council Member Leone moved to direct staff to research alternative, air quality-type programs for use with AB 2766 funding. Council Member Abel 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

12. FY 2014-15 & FY 2015-16 Preliminary Special Revenue Funds Budget

Administrative Services Director Yakimow presented the staff report, giving an overview of the FY 2014-15 and 2015-16 Preliminary Special Revenue Funds Budget. The Special Revenue Funds are utilized to account for proceeds derived from specific revenue sources which may be legally restricted to expenditures for specified purposes. The proposed special revenue funds budgets total is just under \$10 million in expenditures with the majority as a result of the Town’s efforts in securing external revenue sources. These outside sources include grant funds, federal transportation funds, state transportation funds, block grants and a variety of smaller non-discretionary funding programs.

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

Council Member Leone stated he would like something allocated for traffic safety.

Mayor Pro Tem inquired on the vehicle replacement reserves with provisions allocated in both the gas tax fund and the vehicle replacement fund. Yakimow responded that if the equipment would fall into the specific role of road maintenance, certain expenses would be appropriately charged to the gas tax fund.

Mayor Lombardo commented on the cost of keeping our roads maintained at the current

level. Deputy Town Manager Stueckle provided additional information, stating that to maintain road maintenance at the current level; an additional \$600-\$700 thousand is needed. This does not address the reconstruction needs on those roads that are in complete disrepair.

Council Member Abel moved to receive and file the preliminary fiscal year 2014-15 and 2015-16 special revenue funds budget with no modifications at this time. Mayor Pro Tem Huntington 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

13. Five Year Capital Improvement Program (CIP) Preliminary Review

Project Engineer Qishta presented the staff report, explaining the five-year capital improvement program document as a planning tool for the expenditure of resources for public infrastructure. The program is a short-range, five-year plan which identifies capital projects, provides a planning schedule and identifies options for financing the program.

Qishta continued to provide a brief overview of each project and the suggested budget allocation for the 2014-15 fiscal year.

Mayor Lombardo opened public comments.

Charles McHenry, Yucca Valley spoke on the condition of Black Rock Canyon Road.

Fritz Koenig, Yucca Valley commented on the weight limits of local roads.

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

Council Member Leone suggested using heavy gravel on Black Rock Canyon Road.

Council Member Rowe stated she would like Black Rock Canyon Road paved and in good condition.

Council Member Abel commented on the many factors going into the decision of moving forward with improving Black Rock Canyon Road, including ongoing maintenance and risk concerns.

Mayor Lombardo spoke favorably of the projects presented in the report and would like to see funds set aside to improve the Hwy 62 alleyways and Pima Trail.

Deputy Town Manager Stueckle explained that moving forward with capital improvement projects is a complex and challenging task since the needs are often greater than the available funding.

Council Member Leone moved to receive and file the Five-Year Capital Improvement Program report. Council Member Abel 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

FUTURE AGENDA ITEMS

None stated.

PUBLIC COMMENTS

Mayor Lombardo opened public comments for items not on the agenda.

Ed Montgomery, Yucca Valley spoke of an ongoing code compliance case in his neighborhood.

Fritz Koenig, Yucca Valley spoke in agreement with Mr. Montgomery and also spoke of the adopting resolution for the Town’s General Plan.

Cindy Melland, Yucca Valley thanked the Town Council for their support and comments given regarding the community involvement with the Brehm Park project.

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

STAFF REPORTS AND COMMENTS

Deputy Town Manager Stueckle reported that the updated General Plan is up on the Town’s website. In response to public comment, the resolution was stated correctly and no further action is necessary. Stueckle continued by giving a brief update on the code compliance case referenced by Mr. Montgomery.

Administrative Services Director Yakimow reminded the Town Council of the Spring Fling Dance scheduled for the following Saturday evening at the Senior Center. Yakimow reported that a Town press release was issued today to announce the budget workshop for Saturday, May 10, 2014 at 10:00 a.m. The public is encouraged to attend.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

11. Council Member Abel thanked the San Bernardino County Sheriff’s Department for the informative presentation on the HOPE program. Abel also welcomed Tom Marshall as the area’s new Battalion Chief. Congratulations were offered to Doten for her Employee of the Quarter award.
12. Council Member Leone congratulated Ms. Doten, welcomed Chief Marshall and the thanked the Sheriff’s Department for developing the homeless outreach program. Leone reported that he will not be able to attend the budget workshop on May 10th; however he would like public safety to stay as a top priority.
13. Council Member Rowe thanked the Sheriff’s Department for the presentation on the HOPE Program, welcomed Tom Marshall and congratulated Doten on her well-deserved award.
14. Mayor Pro Tem Huntington welcomed the new fire chief and thanked Doten for her hard work. Huntington also announced that the MCAGCC recently issued a press release announcing plans for a military exercise planned for May 17th. Residents may experience increased activity that day. The Give Big for San Bernardino County campaign continues and expressed that local non-profit groups will benefit from the donations.
15. Mayor Lombardo thanked the public for attending the meeting, welcomed the new fire chief, gave congratulations to Doten, and thanked the Sheriff Department’s HOPE program for providing services to the area’s homeless.

ANNOUNCEMENTS

The next meeting of the Yucca Valley Town Council will be held on Tuesday, May 20, 2014 at 6:00 p.m., in the Yucca Room of the Yucca Valley Community Center.

CLOSED SESSION

- 1. Conference with Legal Counsel – Anticipated Litigation**
- 2. Public Employee Appointment / Conference with Labor Negotiator (One Matter)**

Mayor Lombardo opened public comment on closed session items.

Fritz Koenig, Yucca Valley inquired why litigation item was not identified by case. Koenig requested that the Town Manager contract not include a severance clause, but use large

performance bonuses instead.

Ed Montgomery, Yucca Valley commented on the Town Manager appointment process.

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

Town Attorney Laymon explained the Brown Act provisions for listing closed session items.

Mayor Lombardo adjourned to closed session at 8:35 p.m.

REPORT OUT FROM CLOSED SESSION - ADJOURNMENT

Town Attorney Laymon reported that closed session adjourned at 9:10 p.m. with no reportable action.

Respectfully Submitted,

Lesley Copeland, CMC
Town Clerk