

**TOWN OF YUCCA VALLEY
SPECIAL TOWN COUNCIL MEETING MINUTES
JUNE 23, 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, Town Attorney Laymon, and Town Clerk Copeland

The Pledge of Allegiance was led by Mayor Lombardo

PRESENTATIONS

1. Yucca Valley Youth Commission- Video Project

Administrative Services Director Yakimow introduced a video produced by the 2013-14 Youth Commission as one of its annual projects. The topic of the video is sleep deprivation of teens. Recreation Supervisor Earnest explained that the video will be used as a tool to present useful information to the community as well as to promote the Youth Commission.

AGENCY REPORT

2. Hi Desert Water District

Hi Desert Water District Operations Manager Mark Ban presented the agency report. Ban reported that public outreach continues for the wastewater project and a timeline on the upcoming assessment election was given.

Council Member Abel explained he had an opportunity to attend an outreach meeting and thought it was very informative. Abel encouraged residents to attend future outreach sessions and to be sure and visit the wastewater project website for additional information.

Council Member Rowe inquired on the status of the finalized engineers report.

Mayor Lombardo expressed that though the Town is not the lead agency on the project, the Town Council is supportive of Hi Desert Water District.

Mayor Lombardo opened public comment.

Tom Fauls, Joshua Tree, inquired on the cost the Town will be incurring if the wastewater assessments are put in affect.

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

APPROVAL OF AGENDA

Mayor Pro Tem Huntington moved to approve the agenda for the Special Town Council Meeting of June 23, 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

- 3. **Waive** further reading of all ordinances and read by title only
- 4. **Approve** the Town Council Meeting Minutes for the regular meeting of May 6, 2014, the special meeting (budget workshop) of May 10, 2014, the special meeting (budget workshop) of May 20, 2014 and the regular meetings of May 20, 2014 and the regular meeting of June 3, 2014
- 5. **Approve** Final Parcel Map No. 19525, authorizing the Town Clerk and Town Manager to sign the Subdivision Improvement Agreement, subject to non-substantive changes, between the Town of Yucca Valley and Wal-Mart, and directs the Town Clerk to forward Final Parcel Map No. 19525 to the San Bernardino County Recorder for recordation.
- 6. Item Pulled.
- 7. Item Pulled
- 8. **Approve** the Amended and Restated Community Development Block Grant Cooperation Agreement and the City-County Delegate Agency agreement with San Bernardino County for fiscal years 2015-16, 2016-17, and 2017-18 and subsequently automatically renew unless terminated, and authorize the mayor to execute the agreement
- 9. **Receive and file** the End of Service Report related to the professional services contract for Museum Registrar activities.
- 10. **Adopt** Resolution No. 14- , approving the Measure I Five-Year Capital Improvement Plan and Expenditure Strategy for Fiscal Years 2014-15 to 2018-19 under Measure I 2010-2040
- 11. **Receive and file** the AB1234 Reporting Requirement Schedule for the month of May 2014

- 12. **Ratify** Payroll Register total of \$130,219.68 dated May 23, 2014.
Ratify Warrant Register total of \$84,458.99 for checks dated May 29, 2014

Mayor Lombardo opened public comments on the consent agenda.

Herb Orban, Yucca Valley spoke in opposition to the slurry project (Item 6) and objects to maintenance on a decent road, when other roads are in need of repair.

Gina Orban, Yucca Valley spoke in opposition to the slurry project (Item 6).

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

Council Member Abel moved to approve consent agenda items 3-5 and 8-12. 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

Item 6. Mayor Pro Tem Huntington explained the item was pulled to allow for staff comment. Town Project Engineer Qishta provided information of the slurry project, the different types of road construction and associated costs.

Council Member Abel inquired on the cost difference between maintaining a street with slurry or cape seal, instead of allowing the road to deteriorate to the point of needed more extensive repair. Abel also commented on the relationship with Hi Desert Water District and the scheduled road repairs in conjunction with the wastewater system project.

Mayor Pro Tem Huntington moved to approve a contract amendment per Section 1.10 of the original Contract between the Town of Yucca Valley and Pavement Coatings Company to add Joshua Lane from Joshua Drive to Yucca Trail, Cape Seal, to the scope of work in the amount of \$128,558.74; and authorize the Town Attorney, Mayor and Town Manager to sign all necessary agreements. Council Member Rowe seconded. Motion carried on a roll call vote.

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

Item 7. Administrative Services Director Yakimow introduced Administrative Assistant III Rice

to present additional information on the IT award of contract process. Rice explained that the Town contracts for information technology services as a cost effective approach in providing a secure environment for the Town’s computer network systems. The request for proposal was advertised on the Town’s website, noticed in the local newspaper, distributed through contacts at the Yucca Valley Chamber of Commerce and directly mailed to interested companies.

Proposals were evaluated based on services and support provided, similar work experience in a similar environment, 24/7 support with minimal response time, cost of service and an innovative approach to IT management. With these criteria, staff recommends the award of contract to Southwest Networks, Inc.

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

Council Member Leone asked if the current contract was the same as prior contracts with this vendor.

Rowe inquired if local companies responded to the request for proposal. Rice reported that no local companies responded.

Mayor Pro Tem Huntington moved to approve the selection of Southwest Networks, Inc. to provide professional information technology/network maintenance and computer services for a one-year term with option to renew, and authorize the Mayor, Town Manager and Town Attorney to make any necessary non-substantive changes and sign all related documents in a form approved by the Town Attorney. 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

PUBLIC HEARING

13. Resolution No. 14-21; Annual Assessment Engineer’s Report for Previously Formed Street and Drainage and Landscape and Lighting Maintenance Districts Levying Annual Assessments upon Real Property within the Districts

Town Project Engineer presented the staff report on the Annual Assessment Engineer’s Report for Previously Formed Street and Drainage and Landscape and Lighting Maintenance Districts.

The Town has formed Landscape and Lighting maintenance Districts and Street and Drainage (Benefit) Assessment Districts as a condition of development projects. The

formation of these districts began in 2005 and there are nine maintenance districts in existence today. The assessment Engineers Report establishes the amount of annual assessment in each of the districts.

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

Council Member Leone sought confirmation that these assessments are for new development only.

Mayor Pro Tem Huntington commented on the assessment numbers, noting that there are minor adjustments from the prior year.

Council Member Abel moved to adopt Resolution No. 14-21, approving and confirming the assessments as set forth in the Engineer’s Reports and declares its intent to levy and collect assessments upon real property within the existing districts for the 2014-15 tax year, and authorizes the levy of assessments as recommended in the Engineer’s Reports. 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

DEPARTMENT REPORTS

**14. Public Lands Highway Discretionary Funds Project (PLHD)
 SR62, Apache Trail to Palm Avenue – Town Project No. 8661
 Federal Project No. PLHL04-5466(015)
 Contract Amendment; 2014-15 Budget Amendment
 Black Rock Canyon Road; Additional Traffic Control**

Town Project Engineer Qishta presented the staff report requesting an amendment to the PLHD contract with Matich Corporation to include repairs to Black Rock Canyon Road into the project scope. Pursuant to Town Council direction to bring Black Rock Canyon Road into the Town’s Maintained Road System, staff has identified a temporary solution to bring the road to a drivable status. This involves eliminating potholes and deteriorated asphalt road surface by pulverizing the existing asphalt in place, followed by grading and compacting.

Continued research to acquire additional financial resources is necessary to construct a typical asphalt concrete road. It is estimated that the temporary solution will require grading approximately every 2-3 months, and after significant storm events.

The requested amendment to the Matich contract also includes provisions to minimize the impact to traffic on SR 62 during construction. With temporary restriping, labor and equipment, the contractor will open both lanes of traffic at the end of each day and during the weekends.

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

Council Member Abel commented favorably on the inclusion of Black Rock Canyon Road into the maintained road system, and would like to see the road fully paved in the near future. Abel stated he is impressed with Matich and how quickly the company is moving along with the sidewalks.

Mayor Pro Tem Huntington inquired if the Black Rock Canyon Road repair includes any work on San Marino. Huntington also explained that this is not a permanent solution and would like to see agreements with the residents along Black Rock Canyon Road, with the understanding that the property owners will be responsible for certain aspects of the road maintenance.

Council Member Leone commented on the number of vehicles traveling along Black Rock Canyon Road and wished this was taken care of a long time ago. Leone also commented favorably on the work along the highway and the flexibility of opening and closing lanes at the appropriate times.

Mayor Pro Tem Huntington moved to:

- Approve a contract amendment per Section 1.10 of the original Contract between the Town of Yucca Valley and Matich Corporation to add Black Rock Canyon Road repair to the scope of work in the amount of \$28,000, subject to easement acquisition on the east side of Black Rock Canyon Road;
- Amend the 2014/15 Adopted Budget to transfer \$30,800 (\$28,000 plus \$2,800 contingency) from Fund 516 to Fund 527.
- Direct staff to return to the Town Council at the meeting of July 15, 2014 with the recommended area of improvement/maintenance for Black Rock Canyon Road and a Resolution establishing the timeline for accepting Black Rock Canyon Road into the Town's Maintained Road System;
- Direct staff to proceed with the amended traffic control plan enabling two open travel lanes for both east and west bound traffic on SR 62 at the end of each work day and on weekends

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

15. Resolution No. 14-22; Authorization of the Levy of a Special Service Tax upon Real Property within Community Facilities District (CFD) No. 11-1

Town Project Engineer Qishta presented the staff report for the authorization of the levy of a special service tax upon real property within CFD No. 11-1 As a legislative body, the Town Council by resolution as provided in section 53340 of the ACT, determines the specific special tax rate and amount to be levied for the current or future tax years. The special tax rate to be levied shall not exceed the maximum rate.

The Town has formed three such service areas included in CFD No. 1-1. These include Warren Vista Center CFD, Annexation Area No. 1, Improvement Area 1; Dollar General CFD, Annexation Area No. 1, Improvement Area 1; and, Super Wal-Mart CFD, Annexation Area No. 2, Improvement Area 3.

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

Council Member Leone Moved to adopt Resolution 14-22, authorizing the annual levy of special taxes for Community Facility District No. 11-1, for fiscal year 2014/2015. 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

16. Resolution No. 14-23; Budget Amendment; Recall Petition Summary

Town Clerk Copeland presented the staff report requesting a 2013-14 fiscal year budget amendment for unanticipated expenditures related to the recall petition process incurred during the fiscal year.

Mayor Lombardo opened public comments.

Charles McHenry, Yucca Valley commented on the costs associated with the attempted recall process.

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

Council Member Rowe moved to amend the FY 2013-14 Budget and adopt Resolution No. 14-23, appropriating \$56,000 from the Undesignated Reserves for recall petition expenditures. Council Member Leone seconded. Motion carried 4-1 on a roll call vote with Mayor Lombardo voting no.

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

FUTURE AGENDA ITEMS

None Stated

PUBLIC COMMENTS

Mayor Lombardo opened public comments.

Charles McHenry, Yucca Valley invited the public to Brehm Park on July 4th to watch fireworks and to celebrate the holiday.

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

STAFF REPORTS AND COMMENTS

None Stated

Mayor Lombardo adjourned the regular Town Council meeting and convened the Successor Agency to the Yucca Valley RDA meeting at 7:28 p.m.

Mayor Lombardo reconvened to the regular Town Council meeting at 7:35 p.m.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

- 17. Council Member Abel announced his support of Hi Desert Water District’s efforts in the upcoming election for the wastewater project assessments.
- 18. Council Member Rowe invited the public to the 4th of July celebration at Brehm Park and also spoke of support of Hi Desert Water District
- 19. Mayor Pro Tem Huntington commented on the necessity of the wastewater system assessments and is supportive of Hi Desert Water District’s efforts on the project.

Huntington also reported on his attendance at a recent Sports Council meeting and is impressed with all the activities that are going on in the community. Thanked the Youth Commission for their informative video.

20. Mayor Lombardo thanked the public for attending the meeting and stated he is also highly supportive of Hi Desert Water's efforts with the assessment vote for the wastewater system.

ANNOUNCEMENTS

There will not be a Town Council meeting on July 1, 2014 for lack of an agenda.

The next regularly scheduled meeting of the Town Council is 6:00 p.m. Tuesday, July 15, 2014 at the Yucca Valley Community Center Yucca Room.

CLOSED SESSION

Town Attorney Laymon announced the closed session items. Mayor Lombardo opened public comments. With no members of the public wishing to speak on the closed session items, public comments were closed.

1. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:
(One (1) Potential Case)

Mayor Lombardo adjourned to closed session at 7:45 p.m.

REPORT OUT FROM CLOSED SESSION - ADJOURNMENT

Town Attorney Laymon reported that closed session adjourned at 8:05 p.m. with reportable action by unanimous vote to initiate litigation.

Respectfully Submitted,

Lesley Copeland, CMC
Town Clerk