

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
NOVEMBER 18, 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 Members Present: Town Manager Yakimow, Deputy Town Manager Stueckle, Town Attorney Laymon, Assistant Police Chief Wilke, Planning Technician Olsen and Town Clerk Copeland

The Pledge of Allegiance was led by Mayor Lombardo.

With no clergy present for the invocation, Mayor Lombardo invited those present in a moment of silence.

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS

1. 2014-15 Yucca Valley Youth Commissioners

Recreation Supervisor Earnest introduced the 2014-15 Yucca Valley Youth Commissioners. The Town Council thanked the group for their volunteerism and welcomed all to the Town of Yucca Valley.

APPROVAL OF AGENDA

Mayor Lombardo asked the Council for consideration in moving the Department Reports prior to the Public Hearing. Council Member Abel moved to approve the agenda for the Town Council Meeting of November 18, 2014 as amended. 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

CONSENT AGENDA

2. Waive further reading of all ordinances and read by title only

3. Item Pulled

4. Receive and file the monthly Statistical Fire Department Reports for the month of September 2014

5. Adopt Ordinance No. 250

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 9, YUCCA VALLEY DEVELOPMENT CODE, BY ADOPTING ARTICLE 1, CHAPTERS 9.01 THRU 9.03.06, AUTHORITY AND APPLICABILITY, AND REPEALING SECTIONS 81.0101 THRU 81.1095, SECTION 81.0305 AND SECTIONS 84.0801 THRU 84.0830 OF TITLE 8 FROM THE YUCCA VALLEY DEVELOPMENT CODE.

6. Adopt Ordinance No. 251

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 9, YUCCA VALLEY DEVELOPMENT CODE, BY ADOPTING ARTICLE 5, CHAPTERS 9.80 THRU 9.86, ADMINISTRATION, AND REPEALING SECTIONS 81.0205-81.0235, SECTIONS 83.010605-83.010630 AND SECTIONS 87.1201-87.1202 OF TITLE 8 OF THE YUCCA VALLEY DEVELOPMENT CODE.

7. Adopt Ordinance No. 252

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 9, YUCCA VALLEY DEVELOPMENT CODE, BY ADOPTING ARTICLE 7, CHAPTER 9.99, SECTIONS 9.99.020 THRU 9.99.260, DEFINITIONS, AND REPEALING SECTION 812.01005 CHAPTERS 1 THRU 27, DIVISION 12, TITLE 8 OF THE YUCCA VALLEY DEVELOPMENT CODE.

8. Adopt Resolution No. 14-32 Approving the FY 2014-16 Authorized Position List and Adopt Resolution No. 14-33 Updating the designation of those officials authorized to make requisitions for encumbrances against appropriations, and reflect the modified FY 2014-16 Authorized Position Listing

9. Authorize the professional services subscription agreement between the Town of Yucca Valley and Accela, Inc. for Government Meeting Management Software, with the Town Manager and Town Attorney executing the final contract.

10. Accept the SR62, Camino del Cielo to Acoma, Signal Synchronization Project, Town Project No. 8028 as substantially complete, authorize staff to file the Notice of

Completion, authorize the reduction of the Faithful Performance Bond to 10%, and directs staff to retain the Labor and Material Bond for six (6) months.

- 11. **Accept** Black Rock Canyon Road into the Town’s Maintained Road System effective October 8, 2014. **Release** the expenditure budget surplus back to fund balance in Local Transportation Fund 516.
- 12. **Appoint** the applicants recommended by the Parks, Recreation and Cultural Commission to the 2014-15 Youth Commission, and authorize the Parks, Recreation & Cultural Commission to review future applications and make subsequent appointments on behalf of the Town Council.
- 13. **Item Pulled**
- 14. **Receive and file** the AB1234 Reporting Requirement Schedule for the month of October 2014.
- 15. **Ratify** the Payroll Registers Total of \$141,725.14 for checks dated October 24, 2014, and **Ratify** the Warrant Registers total of \$213,688.69 for checks dated October 30, 2014.

Council Member Rowe requested to pull item No. 3 from the Consent Agenda.

Council Member Abel requested to pull item No. 13 from the Consent Agenda.

Mayor Lombardo opened public comment on the Consent Agenda.

Margo Sturges, Yucca Valley commented on the appointment of process of the Youth Commissioners and spoke in opposition to the large agenda packet.

Sheila Vreeken, Yucca Valley spoke in opposition to the large agenda packet.

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

Council Member Abel moved to approve Consent Agenda items 2, 4-12, 14 and 15. 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

Item No. 3- Town Council Meeting Minutes of October 7, 2014 and November 4, 2014.
 Council Member Rowe explained the reasoning for pulling the item is to correct the motion for Item No. 14 of the November 4, 2014 meeting. The correct motion should read:

Council Member Leone moved to return Site Plan Review- SPR-01-13 Billings Transfer to the Planning Commission for further review. Mayor Pro Tem Huntington seconded. Motion carried 5-0 on a roll call vote.

Council Member Rowe moved to request that the Planning Commission review the Old Town Specific Plan to be consistent in interpretation and application with the Town’s General Plan and other applicable documents. Council Member Leone seconded. Motion carried 5-0 on a roll call vote.

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

Mayor Pro Tem Huntington moved to approve the minutes of the October 7, 2014 Town Council meeting as presented and approve the minutes of the November 4, 2014 Town Council meeting as amended. 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

Item No. 13- California Department of Housing and Community Development Housing-Related Parks Program Grant Resolution.

Town Manager Yakimow presented the staff report, giving additional details of the grant received.

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

Mayor Lombardo asked for confirmation, that the grant was received because of the new senior housing project in Yucca Valley.

Council Member Abel inquired on the process to allocate the grant funds to specific projects.

Mayor Pro Tem Huntington moved to adopt Resolution No. 14-34 authorizing submittal and execution of the Department of Housing and Community Development Housing-Related Parks Program Standard Agreement including the specific grant award amount per the revised template received from the California Department of Housing and Community Development Housing-Related Parks Program Team. 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

DEPARTMENT REPORTS

16. Comprehensive Annual Financial Report for fiscal year ended June 30, 2014

Senior Accountant Cisneros introduced Scott Manno, from Rogers, Anderson, Malody and Scott, LLP. Manno presented the Town’s 2013-14 annual audit report and explained the audit process.

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

Council Member Rowe moved to receive and file the Comprehensive Annual financial Report (CAFR) for the fiscal year ended June 30, 2014. 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

17. Audit of the Low and Moderate Income Housing Asset Fund of the Town of Yucca Valley for the fiscal year ended June 30, 2014

Scott Manno, from Rogers, Anderson, Malody and Scott, LLP explained the audit process for the Low and Moderate Income Housing Asset Fund. SB341 requires an annual independent audit of the Town’s Housing Fund which was conducted and presented in the 2013-14 CAFR.

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

Council Member Rowe inquired on the number of jurisdictions having a low/mod fund.

Council Member Rowe moved to receive and file the Audit of the Low and Moderate Income Housing Asset Fund of the Town of Yucca Valley for the fiscal year ended June 30, 2014, which is included in the independent financial audit as presented in the Comprehensive Annual Financial Report (CAFR). 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

PUBLIC HEARINGS

**18. Planning Commission Recommendation
Ordinance No.
Development Code Amendment, DCA-01-14
Development Code Article 2, Zoning Districts and Development Standards
CEQA Exemption 15061(b)(3)**

Mayor Lombardo introduced the item and inquired if any written communication has been received prior to the hearing.

Town Clerk Copeland reported that no written communication has been received on the item.

Deputy Town Manager Stueckle read the title of the ordinance and presented the staff report for Article 2 of the Draft Development Code: Zoning Districts and Development Standards

A review of overlay districts, zoning districts, development standards, hillside reserve districts and, accessory structures was given, as well as the review process the Draft Development Code has undertaken to reach this point.

Mayor Lombardo opened the public hearing.

Lori Herbel, Yucca Valley commented on the lack of certain plant species not included in the native plant section of the ordinance, and added additional comments on grading concerns for single family residences.

Margo Sturges, Yucca Valley spoke in opposition to the industrial overlay on SR247 at Buena Vista.

Susan Simmons, Yucca Valley commented on the lack of certain plant species not included in the native plant section of the ordinance.

Fritz Koenig, Yucca Valley spoke on the term “property by right” and home occupations.

Ramon Mendoza, Morongo Valley spoke on the regulation enforcement of the grading of private property.

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

Council Member Leone spoke of concern with the native plant section and would like to have a local botanist review the section and present findings to the Town Council.

Mayor Pro Tem Huntington offered an updated list to include local native plants into the schedule. The list included: Yucca Brevifolia (Joshua Tree), Yucca Schidigera (Mojave Yucca), Nolina Parryi (Parry's Nolina), Juniperus Californica (California Juniper), Yucca Whipplei (Our Lords Candle), and Pinus Monophylla (Pinon Pine).

Council Member Abel suggested looking into the height limits for successful transplanting for some of the species listed.

Mayor Lombardo reminded the Council of the purpose of simplifying the code.

Council Member Rowe commented that the Council should use a balanced approach between developed land and nearby protected land.

Council's discussion and review continued chapter by chapter, with comments on vacation rentals, temporary special permits and temporary event permits, outdoor storage, fencing specifications, energy systems, and hillside reserve designation.

Mayor Pro Tem Huntington moved to include the recommended changes to the ordinance prior to second reading, and;

Find that the project is exempt from CEQA in accordance with Section 15061 (b)(3) of the California Environmental Quality Act. The proposed amendment to revise the Town's Development Code has no potential to impact the environment. The proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Development Code Amendment, DCA 05-14 meets the exemption criteria which states "that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" and;

Introduce the Ordinance, Article 2, Zoning Districts and Development Standards, amending Title 9, Yucca Valley Development Code, Chapter 9.05 thru Chapter 9.22, establishing the Town's Zoning Districts and Zoning Maps including Overlay Zones and providing land use standards and development requirements for the zoning districts and overlay districts, and repealing Sections 83.020105 through 83.020205, Sections 84.0101 through 84.0125, Sections 84.0205 through 84.0250, Sections 84.0301 through 84.0390, Sections 84.0501 through 84.0570, Section 84.0601, Section 84.0605, Section 84.0620, Sections 85.0101 through 85.0145, Sections 85.020101 through 85.020130, Sections 85.020201 through 85.020230, Sections 85.020301 through 85.020335, Sections 85.020401 through 85.020415, Sections 85.020501 through 85.020510, Sections 85.030101 through 85.030110, Sections 85.030201 through 85.030220, Sections 85.030301 through 85.030315, Sections 85.030401 through 85.030425, Sections 85.030501 through 85.030520, Sections 85.030601 through 85.030610, Sections 88.0501 through 88.0520, Section 88.0605 and Sections 88.0701 through 88.0715 of the San Bernardino County Development Code as adopted and amended by the Town of Yucca Valley.

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

19. Planning Commission Recommendation
Ordinance No.
Development Code Amendment, DCA-07-13
Development Code Article 3, General Development Standards
CEQA Exemption 15061(b)(3)

Mayor Lombardo introduced the item and inquired if any written communication has been received prior to the hearing.

Town Clerk Copeland reported that written communication on the item was received by Mrs. Wuite, Yucca Valley. Copeland read the letter into the record, opposing adult-oriented businesses in Yucca Valley.

Deputy Town Manager Stueckle read the ordinance title and presented the staff report for Development Code Amendment DCA-07-13, Article 3: General Development Standards.

Mayor Lombardo opened the public hearing.

The following individuals spoke in favor adult-oriented businesses.

- Sheila Vreeken, Yucca Valley
- Sara Hutson, Yucca Valley
- Fritz Koenig, Yucca Valley
- Katie Young, Yucca Valley

The following individuals spoke in opposition to the new ordinance section relating to adult-oriented businesses and should keep what is currently in place. Most spoke against adult-oriented businesses in general.

- Debi Shealy, Yucca Valley
- Chris Sorenson, Yucca Valley
- Brenda Chartand, Yucca Valley
- Jane Purdy, Yucca Valley
- Darren Purdy, Yucca Valley
- Jim Jobe, Yucca Valley
- Sanda Compars, Yucca Valley
- Ashlie Mayes, Yucca Valley

Randy Mayes, Yucca Valley
Marian Randolph, Yucca Valley
Genevieve Sanchez, Yucca Valley
Karen Richardson, Yucca Valley
Kathy White, Yucca Valley
Charles Regan, Yucca Valley
Becki Vowles, Pioneertown

Margo Sturges, Yucca Valley spoke in opposition to the ordinance section on property maintenance.

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

Consensus was made among the council members to pull Chapter 9.52 Adult-Oriented Business from the new ordinance for further review at a later time.

Mayor Pro Tem Huntington requested clarification on utility undergrounding, and parking regulations. Huntington also suggested removing the operating hours from Home Occupancy Permits- Level 1 as it would be difficult to regulate.

Council Member Rowe inquired on pedestaled solar systems.

Council Member Abel moved to remove Chapter 9.52 from the draft ordinance, and to include the recommended changes to the ordinance prior to second reading and;

Find that the project is exempt from CEQA in accordance with Section 15061 (b)(3) of the California Environmental Quality Act. The proposed amendment to revise the Town's Development Code has no potential to impact the environment. The proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Development Code Amendment, DCA 05-14 meets the exemption criteria which states "that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" and,

Introduce the Ordinance, Article 3, General Development Standards, Chapters 9.30 through 9.52, and repealing Sections 41.151 thru 41.1569 of the Yucca Valley Municipal Code and Sections 84.0701 thru 84.0740, Sections 87.0101 thru 87.0105, Sections 87.0201 thru 87.220, Sections 87.0401 thru 87.0405, Sections 87.0501 thru 87.0505, Sections 87.0601 thru 87.0645, Sections 87.0901 thru 87.0940, Sections 88.0805 thru 88.0810, Sections 810.0101 thru 810.0135, Sections 810.0201 thru 810.0275, Sections 88.0701 thru 88.0715, Section 84.0610, Sections 87.1110 thru 87.1180, Section 812.01005, Section 84.0615, and Sections 811.301 thru 811.309 of Title 8 of the San Bernardino County Development Code as adopted and amended by the Town of Yucca Valley, and Sections 9.75.010 thru 9.75.130 of title 9 of the Yucca Valley Development Code.

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

FUTURE AGENDA ITEMS

None Stated

PUBLIC COMMENTS

Mayor Lombardo opened public comments.

Ramon Mendoza, Morongo Valley spoke of the importance of voting.

Sheila Vreeken, Yucca Valley spoke on commercial property zoning.

Fritz Koenig, Yucca Valley spoke of current litigation with the Town of Yucca Valley

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

STAFF REPORTS AND COMMENTS

Town Manager Yakimow reported on recent special events and thanked the Planning Commissioners and Staff for their dedication in working on the Development Code.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

- 20. Council Member Abel- No comments
- 21. Council Member Leone thanked the public for attending the meeting. Thanked the residents who voted for him in the recent election and thanked the Planning Commission and staff for their work on the Development Code
- 22. Council Member Rowe also thanked the Planning Commission, and congratulated Council Members Abel and Leone for their reelection. Rowe welcomed newly elected Rick Denison to the Town Council.

23. Mayor Pro Tem Huntington thanked the Planning Commissioners and staff for the work on the Development Code, congratulated the Youth Commission appointees, thanked staff for a nice financial report and thanked the recreation staff for conducting a wonderful Veterans' Day event.
24. Mayor Lombardo congratulated the winners of the November election, and inquired on the possibility of a visioning process for branding Yucca Valley.

ANNOUNCEMENTS

The Town Council will not be meeting at its next regularly scheduled meeting of Tuesday, December 2, 2014.

The Town Council will meet for a Special Meeting on Tuesday, December 9, 2014 at 6:00 p.m. in the Yucca Valley Community Center Yucca Room.

ADJOURNMENT

Mayor Lombardo adjourned the meeting at 10:00 p.m.

Respectfully Submitted,



Lesley Copeland, CMC
Town Clerk