

**TOWN OF YUCCA VALLEY  
TOWN COUNCIL MEETING MINUTES  
MAY 5, 2015**

**OPENING CEREMONIES**

Mayor Huntington called the meeting to order at 6:00 p.m.

Council Members Present: Abel, Denison, Leone, Lombardo, and Mayor Huntington.

Staff Members Present: Town Manager Yakimow, Deputy Town Manager Stueckle, Town Attorney Onstot (for Laymon), Assistant Police Chief Wilke, Human Resources Manager Breidenbach-Sterling, and Town Clerk Copeland

The Pledge of Allegiance was led by Council Member Lombardo.

With no members of the clergy present, Council Member Lombardo offered a moment of silence.

**APPROVAL OF AGENDA**

Mayor Pro Tem Leone moved to approve the agenda for the Town Council meeting of May 5, 2015. Council Member Lombardo seconded. Motion carried 5-0 on a roll call vote.

<b>AYES:</b>	Council Members Abel, Denison, Leone, Lombardo and Mayor Huntington
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

**CONSENT AGENDA**

1. **Waive** further reading of all ordinances and read by title only
2. **Approve** the Town Council Meeting Minutes of April 7, 2015 as presented
3. **Approve** Resolution No. 15-08

**Preliminarily approving** the engineering reports for the existing Landscape and Lighting Maintenance Districts and Street and Drainage Maintenance Districts and directing the filing of such reports with the Town Clerk.

**Set** the date for conducting a public hearing at 6:00 PM on Tuesday, June 16, 2015, in the Yucca Valley Community Center, 57090 29 Palms Highway, Yucca Valley, CA 92284 pursuant to California Streets and Highways Code Sections 22552 and 22553 and Government Code Section 53753.5, to consider the levy of annual assessments upon real property.

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA CONFIRMING THE ASSESSMENTS AS SET FORTH IN THE ENGINEER'S REPORTS FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS AND STREET AND DRAINAGE MAINTENANCE DISTRICTS AND DECLARING ITS INTENT TO LEVY AND COLLECT ASSESSMENTS UPON REAL PROPERTY WITHIN SAID DISTRICTS FOR THE 2015-2016 TAX YEAR.**

- 4. Approve and adopt** Resolution No. 15-09, authorizing the issuance of grading and improvement permits for Tentative Tract Map, TTM 17862, as depicted in the attached engineered drawings.

**Authorize** the Town Manager and Town Attorney to enter into a grading bond agreement in the amount of \$170,000.

**Direct** staff to return to the Town Council with the final map for Tentative Tract Map, TTM 17862, following the completion of grading and construction of improvements as identified in the engineered drawings attached to this Staff Report, and following the formation of maintenance districts in the form of landscape and lighting assessment districts, street and drainage assessments districts, or through a community facilities district.

**A RESOLUTION OF THE TOWN COUNCIL, OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AUTHORIZING THE ISSUANCE OF GRADING AND IMPROVEMENT PERMITS FOR THE PROJECT IDENTIFIED AS TENTATIVE TRACT MAP, TTM-17862 AND PLANNED DEVELOPMENT, PD-01-07**

- 5. Authorize** the Town Manager to submit applications for the Active Transportation Program grant cycle, including the identification of matching funds for project applications, based upon available resources and budget limitations, and based upon Town Council policy guidance and public input and participation.
- 6. Award** the construction contract for the 2015-2016 Town-Wide Slurry Seal Project-Town Project No. 8340 to All American Asphalt, in the amount of \$449,400 and authorizes a construction contingency in the amount of \$50,600, for a total contract amount of \$500,000, authorizing the Mayor, Town Manager and Town Attorney to sign all necessary documents, and authorizing the Town Manager to expend the contingency fund, if necessary, to complete the project.
- 7. Approve** the amended and restated lease agreement between the Town of Yucca Valley and Morongo Basin Unity Home, Inc. and authorize the Mayor and Town Manager to sign all necessary documents.

- 8. **Receive and file** the Third Quarter Budget Report for FY 2014-15
- 9. **Receive and file** the Treasurer’s Report for the third quarter of FY 2014-15
- 10. **Ratify** the Warrant Registers totaling \$997,255.92 for checks dated April 2, 2015 to April 30, 2015. **Ratify** the Payroll Registers totaling \$567,457.50 dated march 13, 2015 to April 24, 2015

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

Council Member Abel moved to approve the Consent Agenda items 1-10. Council Member Denison seconded. Motion carried 5-0 on a roll call vote.

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

**DEPARTMENT REPORTS**

**11. Town Volunteer Program Policy**

Human Resources Manager Breidenbach-Sterling presented the staff report giving background information on the current volunteer resources provided to the Town. Proposed policy highlights were explained, with the intent to establish procedures for an effective volunteer program, encouraging citizens to contribute their time and talents to public service while minimizing associated risks to the Town.

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

Council Member Denison inquired if the number of volunteers typically providing service to the Town meets the demands of Town programs.

Council Member Lombardo spoke favorably of the proposed policy and the Town’s volunteer program.

Mayor Pro Tem Leone commended the volunteers of the community, including those at the California Welcome Center and the Citizens on Patrol.

Mayor Huntington inquired on past workers compensation claims filed by volunteers.

Council Member Lombardo moved to review and approve the proposed policy for the Town’s volunteer program. Mayor Pro Tem Leone seconded. Motion carried 5-0 on a roll call vote.

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

**12. 2015 Legislative Update**

Town Manager Yakimow presented the staff report, giving an update on the significant items moving through the legislative process in Sacramento. Coordinating with the League of California Cities, Town staff follows and reviews legislation that would have the most significant impact on Town operations.

Yakimow also explained the recommendation of establishing Legislative Policy Guidelines to assist the Legislative Ad-Hoc Committee and staff in determining intended support or opposition to pending legislation. Often, the League of California Cities and the National League of Cities presents information on pending legislation, requesting immediate action by member cities. Adopting standing legislative guidelines and priorities will enable the Town to actively participate in State and federal processes on behalf of the Town in a timely and efficient manner. Any pending legislation not falling within the adopted Town’s legislative or regulatory issues would be brought before the entire Council for consideration.

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

Consensus was made among the Town Council members on the benefits of a legislative policy and ongoing review of legislation which may affect the Town.

Council Member Abel moved to:

1. Receive and file the legislative update on issues and bills moving through the 2015 California legislative session
2. Direct staff and the Council’s ad hoc legislative committee to develop a Legislative Policy Guidelines document to assist staff and Council in addressing ongoing legislative priorities and concerns.

Mayor Pro Tem Leone seconded. Motion carried 5-0 on a roll call vote.

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

**ABSENT:** None

**13. Initiative Process Update**

Town Manager Yakimow presented the staff report, explaining that the Town Clerk has received a Notice of Intent to circulate a petition to the voters for a proposed initiative to increase the local sales tax rate by ½ percent “to assist funding and lower related assessment fees for Phase 1 of the Town of Yucca Valley municipal sewer system.” Yakimow continued by explaining the initiative process for a potential ballot measure.

Mayor Huntington opened public comments.

Lori Herbel, Yucca Valley spoke of the sewer project and assessment vote currently being considered by the Hi-Desert Water District customers.

Bonnie Brady, Yucca Valley commented on proposed sewer assessment cost on her properties and would be in favor of an increase in local sales tax if it would help offset some of these costs.

Sabrina Peukert, Yucca Valley read an email sent to the Town Council on May 1, 2015 on the topic of a proposed sales tax initiative and in support of a Town Council Ad Hoc committee to work with the proponents on the effort.

Nancy Haynych, Yucca Valley spoke of the sewer project and assessment vote currently being considered by the Hi-Desert Water District customers, and spoke favorably of a sales tax initiative to help offset the sewer costs.

Larry Burge, Yucca Valley spoke of the proposed sewer assessment costs and noted that any assistance through a local sales tax increase would greatly benefit the property owners.

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

Council Member Lombardo expressed that though the assessment vote has not yet occurred, he is in favor of considering a sales tax type of concept to assist with the assessment costs.

Mayor Pro Tem Leone voiced favor of working with the proponents on a sales tax measure.

Council Member Abel thanked the proponents, and stated a comprehensive proposed sales tax measure should come from the people of the community.

Council Member Denison commended the proponents, and would like to see a fully developed measure with certain parameters.

Mayor Huntington agreed that though the assessment vote has not yet occurred, he understands the concern of proposed assessment costs and would like to see the proponents and the Town to

continue the discussion of a possible ballot measure.

Council Member Abel moved to:

- Receive and file the informational update
- Continue to support the HDWD’s current assessment district vote scheduled for conclusion on May 13, 2015
- Direct staff to communicate concerns with the proponents
  - Recommend withdrawal of current petition
  - Suggest that the proponents develop a citizen’s committee to work with the Town and other key stakeholders on a mutually supported revenue measure after the successful formation of the HDWD Assessment District

Council Member Lombardo seconded. Motion carried 5-0 on a roll call vote.

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

**FUTURE AGENDA ITEMS**

None discussed.

**PUBLIC COMMENTS**

Mayor Huntington opened public comments.

Sara Shook, Joshua Tree spoke on behalf of the Morongo Basin Community Coalition requesting the Town Council to place a ban on a product called Palcohol (Powdered Alcohol).

Mary Bradley, Yucca Valley spoke of a recent public safety issue.

Ruthe Fox, Yucca Valley spoke of safety concerns at the intersection of Indio Ave and Yucca Trail.

Elizabeth Kirkland, Yucca Valley asked the Town Council to consider placing the discussion of Palcohol on a future agenda.

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

**STAFF REPORTS AND COMMENTS**

Assistant Police Chief Wilke thanked the Council for providing the venue for the public to comment on concerns.

Town Manager Yakimow announced that Town staff is already working on legislative items relating to Palcohol and will be bringing this item forward for Town Council discussion.

**MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS**

14. Council Member Abel thanked the public for attending and their input.
15. Council Member Denison stated he is looking forward to talking about local trails and urged the public to attend the future meetings on this subject.
16. Council Member Lombardo also encouraged the public to bring ideas for local transportation and trail opportunities.
17. Mayor Pro Tem Leone spoke favorably on the wonderful attendance at the meeting and thanked the public for their comments and ideas.
18. Mayor Huntington reported of attending a recent a Miracle League event, San Bernardino County Drug Court graduation, a SANBAG meeting and the SCAG General Assembly.

**ANNOUNCEMENTS**

The regularly scheduled Town Council meeting for May 19, 2015 has been canceled due to a lack of agenda items.

The next meeting of the Yucca Valley Town Council is scheduled for Tuesday, June 2<sup>nd</sup> at 6:00 p.m. in the Yucca Valley Community Center Yucca Room

**ADJOURNED TO CLOSED SESSION**

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
A closed session will be held, pursuant to Government Code §54956.9(d)(1), to confer with legal counsel regarding pending litigation to which the Town is a party. The title of such litigation is as follows: Town of Yucca Valley vs. Yashraj Hospitality, Inc., dba Best Western Yucca Valley Hotel and Suites, Nathsons Hospitality, Inc., Venokumar Nathraj, Charmaine Nathraj et. al; CIVDS1415964; San Bernardino County Superior Court

Mayor Huntington read the Closed Session item and opened public comment. With no members of the public wishing to speak, public comments were closed.

Mayor Huntington adjourned the meeting to Closed Session at 7:34 p.m.

**CLOSED SESSION REPORT / ADJOURNMENT**

Town Attorney Onstot reported that Closed Session adjourned at 7:50 p.m. with no reportable action.

Respectfully Submitted,

Lesley Copeland, CMC  
Town Clerk