

**TOWN OF YUCCA VALLEY  
TOWN COUNCIL MEETING MINUTES  
JUNE 16, 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 Laymon, Assistant Police Chief Wilke, Human Resources Manager Breidenbach-Sterling, and Town Clerk Copeland

The Pledge of Allegiance was led by Mayor Huntington.

The invocation was led by Mike Kelliher, San Bernardino County Sheriff's Chaplain.

**PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS**

**1. Copper Mountain College – Jeff Cummings**

Mayor Huntington introduced Jeff Cummings, Copper Mountain College Superintendent/President. Cummings gave a brief update on the college and community involvement.

**2. Desert Regional Tourism Agency Quarterly Update**

Cary Harwin, DRTA President presented the agency's quarterly report to the Town Council.

Mayor Pro Tem Leone commented on the air quality of the Morongo Basin.

Council Member Abel inquired on DRTA's use of interns.

Mayor Huntington commended DRTA for the collaboration with many area agencies.

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

**APPROVAL OF AGENDA**

Council Member Lombardo moved to approve the agenda for the Town Council meeting of June 16, 2015. Council Member Denison seconded. Motion carried 5-0 on a roll call vote.

**AYES:** Council Members Abel, Denison, Leone, Lombardo and Mayor

	Huntington
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

**CONSENT AGENDA**

- 3. **Waive** further reading of all ordinances and read by title only
- 4. **Approve** Amendment No. One (1) to the contract with Southwest Networks, Inc. for IT services, extending the contract term through June 30, 2016 and authorize the Town Manager to sign all related documents in a form approved by the Town Attorney.
- 5. **Authorize** the purchase of twenty (20) park tables from Quick Crete Products Corporation in the amount of \$21,682, bid through the California Multiple Award Schedules, and find that the California Multiple Award Schedule complies with the requirement for a formal bidding process established by the Town’s Purchasing Ordinance.
- 6. **Item Pulled**
- 7. **Retail Recruitment and Retention**
  - 1. **Authorize** an award of contract to Buxton Company for a not to exceed amount of \$35,000 for professional services related to the development of customized retail recruitment and retention solutions, utilizing the Town’s standard contract form, and authorizing the Mayor, Town Manager, and Town Attorney to execute the contract, subject to non-substantive changes.
  - 2. **Direct** staff to work with Buxton in the development of comprehensive market data and marketing material unique to Yucca Valley, and to facilitate individual meetings as appropriate as part of the International Council of Shopping Centers – Western Division meeting in San Diego, September 2015 and ICSC- RECon May 2016.
- 8. **Adopt** Resolution No. 15-14 confirming and certifying the June 2, 2015 Special Election results.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
 YUCCA VALLEY, CALIFORNIA, CONFIRMING AND  
 CERTIFYING THE JUNE 2, 2015 SPECIAL ELECTION  
 RESULTS

- 9. **Receive and file** the AB1234 Reporting Requirement Schedule for the month of May

2015.

- 8. **Ratify** the Warrant Register totaling \$637,676.02 for checks dated May 14, 2015.  
**Ratify** the Payroll Register totaling \$135,798.02 dated May 8, 2015.
- 9. **Receive and file** the Treasurer’s Report for the third quarter of FY 2014-15.
- 10. **Ratify** the Warrant Register totaling \$37,646.11 for Checks dated May 28, 2015;  
**Ratify** the Payroll Register totaling \$140,657.63 Dated May 22, 2015.

Mayor Huntington requested to pull Item No. 6.

Mayor Huntington opened public comment on Consent Agenda items 3-5, 7-10. With no member of the public wishing to speak, public comments were closed.

Council Member Abel moved to adopt Consent Agenda items 3-5, 7-10. 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

**Item No. 6- Legislative Priorities**

Town Manager Yakimow presented the staff report. Per Council direction, an ad hoc committee was formed to create a document that would guide positions on clearly stated legislative issues. The ad hoc committee met and prepared the Town of Yucca Valley 2015 Legislative Priorities and the 2015 Funding Priorities for full Council consideration.

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

Mayor Huntington gave explanation as to the reasoning the Legislative Ad-Hoc Committee used to prioritize legislative items.

Mayor Pro Tem Leone inquired on the dollar figure referenced in the report for flood control.

Council Member Denison reiterated the ad-hoc committee’s reasoning for prioritizing the items.

Council Member Abel moved to consider the Ad Hoc Committee’s recommendation to adopt the Town of Yucca Valley 2015 Legislative Priorities and 2015 Funding Priorities. 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

**PUBLIC HEARING**

**11. Public Nuisances Abated at Town’s Expense  
 Placement of Liens on the FY 2014-15 San Bernardino County Tax Rolls  
 Resolution No. 15-15**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, CONFIRMING STATEMENTS OF COSTS AGAINST REAL PROPERTY LOCATED IN THE TOWN OF YUCCA VALLEY FOR ABATEMENTS OF PUBLIC NUISANCES AND DIRECTING THAT SAID STATEMENTS OF COSTS CONSTITUTE A LIEN UPON SAID PROPERTIES.

Deputy Town Manager Stueckle presented the staff report, explaining the placement of liens on the Tax Roll for those property owners who have not reimbursed the Town for costs incurred in public nuisance abatement procedures. The adoption of the resolution will authorize the placement of tax liens on the FY 2014-15 San Bernardino County Tax Rolls.

Mayor Huntington opened the public hearing.

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

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

Council Member Abel inquired on how residents can report blighted properties to Code Compliance.

Mayor Pro Tem Leone inquired on the Town’s involvement in monitoring abandoned properties.

Council Member Denison thanked staff for their work in the community.

Mayor Huntington requested clarification on the lien process.

Council Member Lombardo moved to adopt Resolution 15-15, placing tax liens on the FY 2014-15 San Bernardino County Tax Rolls. 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

**DEPARTMENT REPORTS**

**12. Morongo Basin Pathway Citizen Effort Update**

Town Manager Yakimow presented the staff report explaining that over the past few months, there has been wide interest in the initial visioning efforts related to a bicycle and pedestrian pathway project across the entire Morongo Basin. Mr. Greg Gilbert has taken the first steps in attempting to share the vision with the various political and regional organizations to gauge the level of support for further action.

Yakimow invited Greg Gilbert to share his vision. Gilbert continued the presentation explaining the need for safer bike routes in the Morongo Basin.

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

Council Member Lombardo spoke of support of such a project.

Mayor Pro Tem Leone spoke of bike use in the Morongo Basin.

Council Member Abel commented favorably about a project for the residents and visitors to enjoy our natural assets.

Council Member Denison expressed support for the project.

Mayor Huntington mentioned that with California’s movement to sustainability, it will be interesting to see what type of support this type of project would receive with other governmental entities.

Mayor Pro Tem Leone moved to:

1. Receive and file an update of recent citizen efforts related to a basin- wide bicycle pathway concept
2. Provide general support toward the concept vision.
3. Direct staff to assist in the calling of a basin-wide annual transportation agency meeting, and request that the vision be shared as an agenda item for future discussion at that meeting.

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

**13. Paid Sick Leave Policy**

Human Resources Manager Breidenbach-Sterling presented the staff report explaining that with the passing of Assembly Bill 1522- Healthy Workplaces, Healthy Families Act of 2014, employers must provide paid sick leave to all part-time, temporary and seasonal staff, as well as full time employees. Currently the Town’s sick leave policy does not provide for sick leave benefits to part-time employees.

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

Council Member Abel moved to review and approve the proposed policy for paid sick leave. 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

**14. Paradise Park Playground Improvements- Town Project No. 8048  
Authorization to Prepare Plans and Specifications  
Planning Commission & Parks Recreation and Cultural Commission Joint Meeting**

Deputy Town Manager Stueckle presented the staff report. The Town has been allocated \$168,700 in State Grant Funds for improvements to Paradise Park. In addition, \$91,460 in Community Development Block Grant Funds (CDBG) has been allocated to the park for a total allocation of \$260,160. Public outreach was solicited to receive input on the amenities desired at the park.

Stueckle explained various amenity scenarios. Though there were many requests for turf areas at the park, due to the current drought conditions, it is suggested to turf swap or phase such improvements until such time as environmental conditions improve and reclaimed water may

come available.

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

Mayor Pro Tem inquired on possible State restrictions on turf and irrigation.

Council Member Abel inquired if additional amenities will allow an increase in recreational programming.

Community Services Manager Earnest explained the possibility to use additional hardscape areas for programming. Flat, level surfaces will allow a safe and useable space for hosted events and activities.

Mayor Huntington thanked the Parks, Recreation and Cultural Commission for their review and input on the project.

Mayor Pro Tem Leone moved to:

1. Receive the report for the Paradise Park Playground Improvement Project.
2. Provide direction to staff on desired improvement options and potential project phasing.
3. Direct staff to proceed with preparation of plans and specifications.

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

**15. Powdered Alcohol (Palcohol)**

Management Analyst Rice presented the staff report on substance of powdered alcohol which was recently approved by the Alcohol and Tobacco Tax Trade Bureau. Powdered alcohol is a dried form of alcohol that can be mixed with water to create liquid alcohol. Palcohol is expected to be available in local stores within the next few months.

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

Council Member Denison asked for clarification on local availability.

Council Member Abel commented on the proposed convenience and expressed concern on possible abuse of the substance.

Council Member Lombardo moved to receive and file the report and direct staff to contact the Town’s State Legislators and Federal legislators expressing Town concerns regarding powdered alcohol. Council Member Abel 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

**16. Appointment of Voting Delegate and alternate for the business meeting of the League of California Cities Annual Conference**

Town Clerk Copeland presented the staff report seeking appointment for a voting delegate and an alternate for the business meeting of the League of California Cities (LOCC) Annual Conference. LOCC member cities wishing to participate in casting votes on behalf of the Town must take formal action to appoint a representative to do so. Mayor Huntington and Council Member Abel have expressed interest in attending the conference.

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

Council Member Lombardo moved to appoint Mayor Huntington as the League of Cities Voting Delegate and Council Member Abel as alternate delegate for the business meeting of the 2015 League of California Cities Annual Conference. 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

**FUTURE AGENDA ITEMS**

Because of the heat, Mayor Huntington deemed the July 7, 2015 Town Council meeting as a Hawaiian shirt meeting.



**PUBLIC COMMENTS**

Mayor Huntington opened public comments.

Warren Lavender, Yucca Valley spoke in regards to the CUP 03-95 Yucca Valley RV Park; the item reviewed at the June 9, 2015 Planning Commission meeting.

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

**STAFF REPORTS AND COMMENTS**

Assistant Police Chief Wilke commented on the public safety activity in Yucca Valley, including the HOPE program and increased traffic patrol.

Community Services Manager Earnest announced upcoming summer programs.

Town Manager Yakimow updated the Town Council on the reduction of State funding as announced during the State's budget cycle. These funds are currently used for public safety expenses. Staff will continue to monitor the State's actions on the matter.

**MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS**

17. Council Member Abel commented on the Jacobs Park Ribbon Cutting Ceremony and encouraged the residents to check out the new amenities. Abel thanked the Sheriff's Department for their increased off-highway traffic enforcement.
18. Council Member Denison thanked the Sheriff's Department for the increased visibility and encouraged parents to take advantage of the Town's learn to swim program. Denison thanked Mr. Gilbert for his presentation.
19. Council Member Lombardo reported he tested the equipment at Jacobs Park and found it quite entertaining, and expressed that he is looking forward to the updates at Paradise Park.
20. Mayor Pro Tem Leone also thanked the Sheriff's Department for their presence in the community and announced that the Concert in the Park programming will begin on July 11<sup>th</sup> this year.
21. Mayor Huntington thanked staff for the work at Jacobs Park and gave a brief update on

recent committee assignments. Huntington congratulated Shelly Licata as the new Yucca Valley Chamber of Commerce President.

Mayor Huntington recessed the Yucca Valley Town Council Meeting and convened as the Yucca Valley Successor Agency to the former Redevelopment Agency at 7:38 p.m.

Mayor Huntington reconvened the Yucca Valley Town Council Meeting at 7:45 p.m.

**ANNOUNCEMENTS**

The next meeting of the Yucca Valley Town Council is scheduled for Tuesday, July 7<sup>th</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.(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: Mirage Front Properties, LLC vs. Town of Yucca Valley; CIVDS1400401

**2. 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: Frank Lindsay vs. Town of Yucca Valley; Case Number 515-cv-0036-VAP-DTBx; United States District Court

Town Attorney Laymon read the Closed Session items, and announced that any closed session reports will be held at Town Hall immediately following the Closed Session.

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

Mayor Huntington adjourned the meeting to Closed Session at 7:48 p.m.

**CLOSED SESSION REPORT / ADJOURNMENT**

Town Attorney Laymon reported that Closed Session adjourned at 8:00 p.m. with the following action:

**YUCCA VALLEY TOWN COUNCIL MINUTES**

**June 16, 2015**

Closed Session Item No. 1- No reportable action.

Closed Session Item No. 2- The Yucca Valley Town Council determined to settle the case with a vote of 4-1, with Leone voting no. The material terms of \$2,000 payment by the Town to the plaintiff for exchange of plaintiff's dismissal of case with prejudice. The settlement will be public once drafted and executed by all parties.

Respectfully Submitted,

Lesley Copeland, CMC  
Town Clerk