

TOWN OF YUCCA VALLEY  
TOWN COUNCIL MEETING



*The Mission of the Town of Yucca Valley is to  
provide a government that is responsive to its citizens  
to ensure a safe and secure environment  
while maintaining the highest quality of life.*

**THURSDAY, JANUARY 25, 2007  
TOWN COUNCIL: 6:00 p.m.  
YUCCA VALLEY COMMUNITY CENTER  
YUCCA ROOM  
57090 - 29 PALMS HIGHWAY  
YUCCA VALLEY, CALIFORNIA 92284**

**CLOSED SESSIONS  
YUCCA VALLEY TOWN HALL CONFERENCE ROOM  
57090 - 29 PALMS HIGHWAY  
YUCCA VALLEY, CALIFORNIA 92284**

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**TOWN COUNCIL**  
*Bill Neeb, Mayor*  
*Robert "Bob" Leone, Mayor Pro Tem*  
*Lori Herbel, Council Member*  
*Frank Luckino, Council Member*  
*Chad Mayes, Council Member*

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**TOWN ADMINISTRATIVE OFFICE:  
760-369-7207**

[www.yucca-valley.org](http://www.yucca-valley.org)

**AGENDA  
MEETING OF THE  
TOWN OF YUCCA VALLEY COUNCIL  
THURSDAY, JANUARY 25, 2007, 6:00 P.M.**

*The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's Office at 369-7209 at least 48 hours prior to the meeting.*

*If you wish to comment on any subject on the agenda, or any subject not on the agenda during public comments, please fill out a card and give it to the Town Clerk. The Mayor/Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.*

**(WHERE APPROPRIATE OR DEEMED NECESSARY, ACTION MAY BE TAKEN ON ANY ITEM LISTED IN THE AGENDA)**

**OPENING CEREMONIES**

**STATE OF THE TOWN ADDRESS**

**CALL TO ORDER**

**ROLL CALL:** Council Members Herbel, Leone, Luckino, Mayes and Mayor Neeb.

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**PRESENTATIONS, RECOGNITIONS, INTRODUCTIONS**

1. Presentation to Mara Cantelo for service to Tender Loveing Christmas - 2006
2. Introduction of New Employee(s)
3. Employee of the Quarter
4. Longevity Awards

**AGENCY REPORTS**

**Fire Department – Chief Summers**

5. Monthly Report for December, 2006.

**APPROVAL OF AGENDA**

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ Voice Vote \_\_\_\_\_

**CONSENT AGENDA**

- 6. Minutes of the Special Town Council meeting of November 27, 2006, Regular Town Council meeting of November 9, 2006 and December 14, 2006.

**Recommendation: Approve minutes as presented.**

- 7. Waive further reading of all ordinances (if any in the agenda) and read by title only.

**Recommendation: Waive further reading of all ordinances and read by title only.**

- 8. Rejection of one (1) Claim.

**Recommendation: Reject one claim filed against the Town of Yucca Valley submitted by Clifford R. Gianunzio.**

- 9. 2005/2006 Annual Redevelopment Report, 2005/2006 Annual Redevelopment Agency Financial Report.

**Recommendation: Receive 2005/2006 Annual Redevelopment Report and the 2005/2006 Annual Redevelopment Agency Financial Report. Report and schedules Town Council action for the meeting of February 22, 2007.**

- 10. Appointment of Public Art Advisory Committee Member.

**Recommendation: Move to appoint Phyllis Lyte to the Town of Yucca Valley's Public Art Advisory Committee.**

- 11. Measure I 5 Year Plan Amendment 2004-2009 and 2005-2010, Resolution.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FIVE-YEAR TRANSPORTATION PROJECT LIST FOR FISCAL YEARS 2004/2005, 2005/2006 AND 2006/2007

**Recommendation: Adopt the Resolution, amending the 2004-2009**

**and 2005-2010 Measure I 5 Year Capital Improvement Plan to include the expenditures noted in the annual financial audit.**

12. Street and Berm Repair, Multiple Locations, Town Project No. 8504, Award of Construction Contract

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FY 2006-07 ADOPTED BUDGET BY AUTHORIZING THE TRANSFER OF GENERAL FUND RESERVES AND THE ESTABLISHMENT OF A NEW CAPITAL PROJECT

**Recommendation: 1. Approve Resolution No. 07-\_\_\_ amending the FY 2006-07 adopted budget authorizing the transfer of \$136,000 of General Fund (001) undesignated reserves to the Flood Reimbursement Fund (580), and establish Account No. 580-55-59-8310-8504-000 in the amount of \$136,000 for flood damage repair of the streets designated in the contractual scope of work.; and 2. Award the construction contract to Ficara Paving Inc. for the lowest submitted base bid in the amount of \$120,272; establish \$12,027 contingency and \$3,000 administrative costs; accept the additive alternate bid of \$8.00 per square foot and \$10.00 per linear foot for additional work not a part of the base bid that may be requested; and authorize the Town Manager, Town Attorney, and the Mayor to sign all necessary agreements; and authorize the Town Manager to expend the contingency if necessary to complete the project.**

13. Community Development Block Grant, Community Center Shade Shelter, CDH Project No. 123-30302, Case No. 2642, Town Project No. 8949, Accept Construction as Substantially Complete – Final Report

**Recommendation: Accept the construction of Community Shade Shelter, CDH Project No. 123-30302, Case No. 8949 by J.D. Stine Constructors, Inc. in the amount of \$37,651 as substantially complete and that the Town Council: 1. Authorize Town staff to file the Notice of Completion with the county recorder. 2. Authorize staff to release retention monies due the contractor thirty-five (35) calendar days after recordation of the Notice of Completion.**

14. Approval of Final Map of TM 17328, Assessor Parcel No. 588-311-09, Located on the south side of Yucca Trail, between approximately Balsa and Emerson, 17 single Family Residential Lots

**Recommendation: 1. Approve the Final Map of TM 17328, Subdivision Improvement Agreement, Performance Bond and Payment Bond. 2. Authorize the Town Manager to sign the Subdivision Improvement Agreement. 3. Direct staff to forward the**

**map to the San Bernardino County Recorder for recordation.**

15. Council Public Agency Board / Commission Liaison and 2+ 2 Assignments.

**Recommendation: Approve and confirm the list of Boards, Commissions and 2+2 Committees the Council Members are assigned.**

16. Town Council Strategic Plan, Facility Master Plan, Authorization to Release the Request for Proposals

**Recommendation: Authorize the release of the Request for Proposals for the Facility Master Plan.**

17. Authorization to advertise bid for Solar Project No. 2 and Authorization of loan application to the California Energy Commission for a loan in the amount of \$175,291

**Recommendation: Authorize staff to: 1. Advertise for public bid Solar Project No. 2; and 2. Submit Town application for a loan from California Energy Commission in the amount of \$175,291. 3. Submit Town application for California Energy Initiative incentive funds to Southern California Edison.**

18. Warrant Register – January 25, 2007

**Recommendation: Ratify Warrant Registers in the amount of \$1,450,151.23 for expenses dated November 17, 2006 through January 12, 2007.**

*All items listed on the consent calendar are considered to be routine matters or are considered formal documents covering previous Town Council instruction. The items listed on the consent calendar may be enacted by one motion and a second. There will be no separate discussion of the consent calendar items unless a member of the Town Council or Town Staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on consent calendar items should be filed with the Town Clerk/Deputy Town Clerk before the consent calendar is called.*

**Recommendation: Adopt Consent Agenda (items 6-18)(roll call vote)**

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

## **PUBLIC HEARINGS**

19. Certification of ballots and confirmation of assessments approved by the voting

landowners for Landscape and Lighting Maintenance District No. 1, Annexation No. 1, Zone 2 and Street and Drainage Maintenance District No. 1, Annexation No. 1, Zone 2 for TM 16587, Assessor Parcel Numbers 587-021-08, 39 & 40 East side of Acoma Trail, between approximately Navajo & Mt. View, 55 lot Single Family Residential Subdivision.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY CALIFORNIA, CERTIFYING BALLOTING RESULTS AND CONFIRMING THE ASSESSMENTS APPROVED BY THE VOTING LANDOWNERS FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT 1, ANNEXATION NO. 1, ZONE NO. 2 AND STREET AND DRAINAGE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 1, ZONE 2 FOR TM 16587.

Staff Report

Open Public Hearing

Close Public Hearing

**Recommendation: Approve the Resolution certifying the ballot Results and confirm the Assessments approved by the voters within Landscape and Lighting Maintenance District No. 1, Annexation No. 1, Zone 2 and Street and Drainage Maintenance District No. 1, Annexation No. 1, Zone 2.**

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ Voice Vote \_\_\_\_\_

## DEPARTMENT REPORTS

20. Intersection of SR 62 and SR 247, Update from Town/Caltrans Meeting of January 18, 2007

Staff Report

**Recommendation: Provide Direction to Staff**

Action: Move \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ Roll Call Vote \_\_\_\_\_

## PUBLIC COMMENTS

*In order to assist in the orderly and timely conduct of the meeting, the Council takes this time to consider your comments on items of concern which are not on the agenda. When you are called to speak, please state your name and community of residence. Notify the Mayor if you wish to be on or off the camera. Please limit your*

*comments to three (3) minutes or less. Inappropriate behavior which disrupts, disturbs or otherwise impedes the orderly conduct of the meeting will result in forfeiture of your public comment privileges. The Town Council is prohibited by State law from taking action or discussing items not included on the printed agenda.*

## **STAFF REPORTS AND COMMENTS**

### **MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS**

21. Council Member Herbel
22. Council Member Leone
23. Council Member Luckino
24. Council Member Mayes
25. Mayor Neeb

### **COMMITTEE REPORTS**

*If the 2+2 Committees have met, Committee Members may report on discussion items.*

- A. Town of Yucca Valley (Leone, Neeb)/Hi Desert Water District.
- B. Town of Yucca Valley (Luckino, Mayes)/Morongo Unified School District
- C. Town of Yucca Valley (Mayes, Neeb)/Chamber of Commerce
- D. Town of Yucca Valley (Cook, Leone)/Caltrans
- E. Town of Yucca Valley (Leone/Neeb)/Airport District

### **ANNOUNCEMENTS**

Time, date and place for the next Town Council meeting or Study Session.

**Next Town Council Meeting, Thursday, February 8, 2007, 6:00 p.m.**

### **CLOSING ANNOUNCEMENTS**

### **ADJOURNMENT**

## Yucca Valley Town Council

### **Meeting Procedures**

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Town of Yucca Valley Town Council in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Yucca Valley Town Council, Commissions and Committees.

**Agendas** - All agendas are posted at Town Hall, 57090 Twentynine Palms Highway, Yucca Valley, at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the Town Hall offices located at 57090 Twentynine Palms Highway, Yucca Valley.

**Agenda Actions** - Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Town Council will generally consider items in the order listed on the agenda. However, items may be considered in any order. Under certain circumstances new agenda items can be added and action taken by two-thirds vote of the Town Council.

**Closed Session Agenda Items** - Consideration of closed session items, *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Mayor will announce the subject matter of the closed session. If final action is taken in closed session, the Mayor shall report the action to the public at the conclusion of the closed session.

**Public Testimony on any Item** - Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Town Council should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the Town Clerk prior to the Council's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Mayor, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Council, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Council at any one meeting. The Mayor or a majority of the Council may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Council member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** - The Council is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** - At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject with Council's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in Rule #4 still apply.*

**Disruptive Conduct** - If any meeting of the Council is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Mayor may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Council without first being recognized, not addressing the subject before the Council, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or other wise preventing the Council from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for all Town of Yucca Valley meetings. Your cooperation is appreciated!*

## ACRONYM LIST

ADA	Americans with Disabilities Act
CAFR	Comprehensive Annual Financial Report
CALTRANS	California Department of Transportation
CEQA	California Environmental Quality Act
CCA	Community Center Authority
CDBG	Community Development Block Grant
CHP	California Highway Patrol
CIP	Capital Improvement Program
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COP	Certificates of Participation
CPI	Consumer Price Index
ED	Economic Development
EIR	Environmental Impact Report (pursuant to CEQA)
GAAP	Generally Accepted Accounting Procedures
GASB	Governmental Accounting Standards Board
IEEP	Inland Empire Economic Partnership
IIPP	Injury and Illness Prevention Plan
IRC	Internal Revenue Code
LAIF	Local Agency Investment Fund
LLEBG	Local Law Enforcement Block Grant
LTF	Local Transportation Fund
MBTA	Morongo Basin Transit Authority
MBYSA	Morongo Basin Youth Soccer Association
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MUSD	Morongo Unified School District
PARSAC	Public Agency Risk Sharing Authority of California
PERS	California Public Employees Retirement System
PPA	Prior Period Adjustment
PVEA	Petroleum Violation Escrow Account
RDA	Redevelopment Agency
RSA	Regional Statistical Area
RTP	Regional Transportation Plan
SANBAG	San Bernardino Associated Governments
SCAG	Southern California Association of Governments
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TEA-21	Transportation Enhancement Act for the 21 <sup>st</sup> Century
TOT	Transient Occupancy Tax

COUNCIL COMMITTEE MEETING TIMES

<u>COMMITTEE</u>	<u>REPRESENTATIVE</u>	<u>TIMES</u>	<u>LOCATION</u>
SANBAG	COOK MAYES (ALT)	9:15am 1st Wed	San Bernardino
MEASURE I	COOK MAYES (ALT)	9:00 a.m. 3rd Fri.	Apple Valley
DESERT SOLID WASTE JPA	LEONE LUCKINO (ALT)	10:00am 2nd Thurs March, June, Sept, Dec.	Victorville
LEAGUE OF CALIFORNIA CITIES DESERT/MOUNTAIN DIVISION	MAYES NEEB	10:00am. 4th Fri every other month	Various Locations
MORONGO BASIN TRANSIT AUTHORITY	NEEB LUCKINO LEONE (ALT)	3:30pm 4th Thurs	Various Locations in Basin
MORONGO BASIN REGIONAL ECONOMIC DEVELOPMENT CONSORTIUM	LUCKINO	2:00pm 3 <sup>rd</sup> Wed	Copper Mountain College
MOJAVE AIR QUALITY DISTRICT	LEONE NEEB	10:00am 4th Mon	Victorville
SCAG	NEEB MAYES (ALT)	Yearly	Various
SPORTS COUNCIL NEEB	LUCKINO	2nd Mon March, June Sept. & Dec.	Community Center

LEAGUE OF CALIFORNIA CITIES  
LEGISLATIVE DELEGATE

MAYOR

SANBAG PLANS AND PROGRAMS  
(appointed by Sanbag Board)

COOK

12:00 p.m. 3<sup>rd</sup> Wed.

San Bernardino

LEGISLATIVE TEAM

MAYES  
COOK (ALT)

Proposed for Council Member to work with Town  
Manager meeting with legislators when necessary.

FLOOD CONTROL ZONE 6

MAYOR

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2 + 2 COMMITTEES

CALTRANS

COOK  
LEONE

CHAMBER OF COMMERCE

MAYES  
NEEB

HI DESERT WATER DISTRICT

LEONE  
NEEB

MORONGO UNIFIED SCHOOL DISTRICT

LUCKINO  
MAYES

AIRPORT DISTRICT

LEONE  
NEEB