

**TOWN OF YUCCA VALLEY  
TOWN COUNCIL MEETING MINUTES  
SEPTEMBER 27, 2007**

Mayor Neeb called the regular meeting of the Town of Yucca Valley Council to order at 6:00 p.m.

Council Members Present: Herbel, Luckino, Mayes, and Mayor Neeb. Mayor Pro Tem Leone was absent as he was out of Town.

Staff Present: Town Manager Takata, Town Attorney Silvergleid, Deputy Town Manager Stueckle, Administrative Services Director Yakimow, Community Services Director Schooler, Community Development Director Best, Police Chief Williams, and Deputy Town Clerk Kim.

**PLEDGE OF ALLEGIANCE**

Led by Council Member Luckino.

**AGENCY REPORTS**

**Hi Desert Water District**

**1. Wastewater Treatment System Update.**

Joseph Glowitz, Hi Desert Water District Project Manager, updated the Town Council concerning the progress of the wastewater treatment facility project. Mr. Glowitz summarized the Water District's current tasks, past meetings and upcoming meetings regarding the wastewater treatment facility project and answered questions regarding project commencement and the outreach plan.

**Fire Department**

**2. Monthly Statistical Report for August, 2007.**

Battalion Chief Benedict gave the monthly statistical fire department report for August, 2007. He also gave a safety message regarding flash floods and stated Fire Prevention Week would be the second week of October.

**PRESENTATIONS, RECOGNITIONS, INTRODUCTIONS**

**3. Employee Introduction.**

Town Manager Takata introduced Debbi Sullivan, Kennel Technician.

**APPROVAL OF AGENDA**

Council Member Mayes moved to approve the agenda. Council Member Luckino seconded. Motion carried 4-0-1 on a voice vote with Council Member Leone absent.

**CONSENT AGENDA**

- 4. **Approve**, Regular Town Council Meeting Minutes of September 13, 2007 as presented.
- 5. **Waive**, further reading of all ordinances and read by title only.
- 6. **Receive and File**, AB 1234 Reporting Requirement Schedule for the Months of July and August 2007.
- 7. **Approve**, Work Release Program, Revised Contract with San Bernardino County Sheriff's Department.
- 8. **Accept**, construction of Paradise Park Playground Equipment, CDH Project NO. 123-20202, Town Project No. 8947 by Cora Constructors Inc. as substantially complete; authorize staff to file the Notice of Completion with the County Recorder; and authorize staff to release retention monies due the contractor thirty-five (35) days after recordation of the Notice of Completion.
- 11. **Ratify**, Warrant Registers in the amount of \$620,126.73 for expenses dated September 7, 2007 through September 14, 2007.

Council Member Herbel requested to pull Item 10. Council Member Luckino requested to pull Item 9.

Council Member Mayes moved to adopt Consent Agenda Items 4-8, and 11. Council Member Herbel seconded. Motion carried 4-0-1 on a roll call vote.

- AYES:** Council Member Herbel, Luckino, Mayes, and Mayor Neeb.
- NOES:** None
- ABSTAIN:** None
- ABSENT:** Council Member Leone

**9. Amended and Restated Town Manager Agreement**

Mayor Neeb gave the staff report.

Council Member Mayes commented for the record that the amount of city managers' raises all over the state of California has been getting ridiculous and it is having an

impact like a commodity: i.e. if there are more city managers the prices go down, and when there are less the prices go up. He commented that he hoped that Town Manager Takata doesn't go to work elsewhere for more money.

Council Member Luckino moved to approve the first amendment to the amended and restated agreement dated May 12, 2005 between the Town of Yucca Valley and Andrew J. Takata. Council Member Herbel seconded. Motion carried 4-0-1 on a roll call vote.

- AYES:** Council Member Herbel, Luckino, Mayes, and Mayor Neeb.
- NOES:** None
- ABSTAIN:** None
- ABSENT:** Council Member Leone

**10. Award of Contract for the Sky Harbor Specific Plan Environmental Impact Report, Tentative Tract Map 18381, S 01-07, EA 04-07**

Community Development Director Best gave the staff report.

Council Member Herbel questioned the buffer between Yucca Valley and Joshua Tree National Park and if there was any consideration about continuing the buffer to the managed open space area.

Town Attorney Silvergleid stated the item before the Council is to award of contract to the consultant to prepare the EIR as opposed to any specifics of the project which will come back at a later date to the Council.

Council Member Herbel moved to award the contract for preparation of the Sky Harbor Specific Plan Environmental Impact Report to Michael Brandman Associates (Thomas J. McGill, Vice President/Principle) for a contract amount not to exceed \$310,050, understanding that staff may wish to negotiate allocations to specific budget categories with the consultant, depending upon project complexity and thoroughness of existing studies for which funds are proposed and allocated; and authorize the Deputy Town Manager and Town Attorney to sign all necessary agreements and documents needed to commence and complete the Sky Harbor Environmental Impact Report.

Council Member Mayes seconded. Motion carried 4-0-1 on a roll call vote.

- AYES:** Council Member Herbel, Luckino, Mayes, and Mayor Neeb.
- NOES:** None
- ABSTAIN:** None
- ABSENT:** Council Member Leone

**DEPARTMENT REPORTS**

**12. Revised Health Care Policy**

Administrative Services Director Yakimow gave the staff report regarding legislative changes for providing PERS health care benefits for retirees.

Administrative Services Director Yakimow and Town Attorney Silvergleid stated staff will provide additional information at a later date regarding actuarial studies and PERS health care coverage for retired council members.

Council Member Luckino moved to approve the revised Health Care Policy. Council Member Mayes seconded. Motion carried 4-0-1 on a voice vote with Council Member Leone absent.

**13. 2006-07 Purchase Order Encumbrances, Project Carryovers and Special Revenue Fund Budget Amendments, Resolution.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FISCAL YEAR 2007-08 ADOPTED BUDGET

Administrative Services Director Yakimow gave the staff report.

Council Member Luckino suggested the funds allocated for the surface water master plan should be reallocated. Town Manager Takata suggested that the council look at this issue at the beginning of 2008 when other budget items are discussed.

Council Member Herbel questioned the funds reserved for the animal shelter start up. Staff advised that the funds were encumbered and/or expended.

Council Member Luckino moved to adopt Resolution No. 07-28, approving the 2006-07 Purchase Order Encumbrances, Project Carryovers and FY 2007-08 Special Revenue Fund Budget Amendments identified in the report. Council Member Herbel seconded. Motion carried 4-0-1 on a roll call vote.

**AYES:** Council Member Herbel, Luckino, Mayes, and Mayor Neeb.

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Council Member Leone

**14. Public Art Exhibition Proposal**

Community Services Director Schooler gave the staff report.

Public Arts Advisory Committee Chair Shay-Diehl on behalf of the committee stated that she was thrilled and excited about the generosity of the Town being patrons of this

project arts are embraced in the community.

Public Arts Advisory Committee Member Lyte stated the artist would create an work of art that would represent the volunteer community.

Council Member Herbel stated she was excited about this project which was wonderful for the community. Council Member Herbel moved to approve the recommendation by the Public Arts Advisory Committee regarding the theme for sculpture to be carved by artist John Fisher.

Council Member Mayes seconded. Motion carried 4-0-1 on a voice vote with Council Member Leone absent.

**PUBLIC COMMENT**

**Darril Becker**, Yucca Mesa, commented regarding public safety and the need for street lights on the highway.

**STAFF REPORTS AND COMMENTS**

Town Manager Takata advised the council of Police Chief Williams' retirement in January, 2008.

Police Chief Williams stated that it was a pleasure serving the basin for six years and thanked the council, staff, and the community.

Community Services Director Schooler commented on upcoming Starry Nights Festival.

**MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS**

**15. Council Member Mayes**

Welcomed Debbi Sullivan.

Wished Police Chief Williams the best and stated he will be greatly missed.

Reported meetings with CALTRANS and MUSD and expressed wanting to set up meetings to further discuss doing some works with the parks.

**16. Council Member Herbel**

Congratulated Police Chief Williams on his retirement.

Welcomed Debbi Sullivan.

Reminded everyone of Starry Nights Festival, Lighting Conference, and Sky's the Limit Observatory Ground Breaking in Twentynine Palms.

Requested staff prepare an update on the North Park's legal access study in the future.

**17. Mayor Pro Tem Leone**

Absent

**18. Council Member Luckino**

Congratulated Police Chief Williams on his retirement.

Welcome Debbi Sullivan to the staff.

Reported having met with the 29 Palms Marine Base General and commented on the possible job opportunities the expansion of the base can create for the community.

Congratulated Kevin Cole on his new position with the City of Twentynine Palms.

Reminded everyone of Sky's the Limit Observatory Ground Breaking in Twentynine Palms.

**19. Mayor Neeb**

Congratulated Police Chief Williams on his retirement.

Welcomed Debbi Sullivan.

Commented on attending the wonderful Hi Desert Classic Run at Machris Park.

**CLOSED SESSION**

**20. CONFERENCE WITH LEGAL COUNCIL – ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to subdivision (c) of Section 54956.9(c) 1 potential case.

Town Attorney Silvergleid advised there is no need to hold a closed session on this matter at this time.

**YUCCA VALLEY TOWN COUNCIL MINUTES**

**September 27, 2007**

**ANNOUNCEMENTS**

Next Town Council Meeting, Thursday, October 11, 2007, 6:00 p.m.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:01 p.m.

Respectfully submitted,

Christine E. Kim,  
Deputy Town Clerk