

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
MARCH 12, 2009**

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

Council Members Present: Herbel, Huntington, Mayes, Neeb and Mayor Luckino.

Staff Present: Town Manager Takata, Deputy Town Manager Stueckle, Town Attorney Silvergleid, Community Services Director Schooler, Public Works Director da Rosa, Administrative Services Director Yakimow, Police Capt. Miller, and Town Clerk Anderson.

PLEDGE OF ALLEGIANCE

Led by Mayor Luckino

INVOCATION

Led by Mike Kelliher, Joshua Springs Calvary Chapel

PUBLIC COMMENTS

Mayor Luckino opened the Public Comments for one presentation from Assemblyman Cook.

Assemblyman Cook gave an update on the state budget noting there are 22 trailer bills in connection with the Budget. He suggested the possibility of a joint meeting with all the entities in the Morongo Basin to discuss the impacts of the state fiscal problems on the basin.

Council Member Neeb commented there have been a lot of foreclosures in Riverside and San Bernardino counties and questioned if there have been any consideration to help them. Assemblyman Cook advised there will be a formula to assist with the backfill and noted that one of the trailer bills did address the situation.

Mayor Luckino expressed appreciation regarding having our own Assembly Member from the Town.

AGENCY REPORTS

Mayor Luckino excused himself, handed the gavel over to Mayor Pro Tem Mayes and left the dais.

Hi Desert Water District

1. Monthly Wastewater Treatment System Update.

Joseph Glowitz gave the monthly wastewater update.

Mayor Luckino returned to the dais.

Fire Department

2. Monthly Fire Department Report.

Battalion Chief Munsey gave the monthly fire department report and safety message regarding the need to check and change old worn out flexible gas hoses, which were the possible cause of two fires in the community in the past week.

APPROVAL OF AGENDA

Council Member Huntington moved to approve the agenda. Council Member Neeb seconded. Motion carried 5-0 on a voice vote.

CONSENT AGENDA

3. **Approve** Regular Town Council Meeting Minutes of February 26, 2009 as presented.
4. **Waive**, further reading of all ordinances and read by title only.
5. **Receive and file**, Monthly Capital Projects Status Report, Fiscal Year Budget 2008/09 and 2009/10
6. **Approve**, termination of the Yucca Valley Community Center Joint Powers Authority (“JPA”) and authorize the execution of any legal documents necessary to vest all real and personal property in the name of the Town of Yucca Valley.
7. **Receive and file**, AB 1234 Reporting Requirement Schedule for the month of February 2009.
8. **Adopt**, the 2008 General Plan Annual Report.
9. **Approve**, 2009 Facility Use Agreement with Hi Desert Aquatics, Inc. with a waiver of the monthly per-swimmer charge through December, 2009.
10. **Ratify**, Warrant Registers in the amount of \$134,820.65 for checks dated February 27, 2009.

Barbara Renton, Flamingo Heights, commented regarding Item 8 and the potential conflict of interest of a member of the Council working for the Water District. Town Attorney Haubert request that the speaker make her comments germane to an item on the consent agenda or hold them to the general public comments section later in the meeting, noting a potential conflict of interest does not apply to this item.

Council Member Neeb moved to adopt Consent Agenda Items 3-10. Council Member

Huntington seconded. Motion carried 5-0 on a roll call vote.

AYES: Council Member Herbel, Huntington, Mayes, Neeb and Mayor Luckino
NOES: None
ABSTAIN: None
ABSENT: None

DEPARTMENT REPORTS

11. Yucca Valley Animal Care and Control JPA Membership.

Town Clerk Anderson reported the Joint Powers Agreement was approved at the Town Council Meeting of November 13, 2008 and consists of an Authority made up of two members from the Town and two members from the County. Council Member Herbel expressed interested in becoming a member of that authority at the November 13th meeting.

Council Member Huntington advised he would be interested in serving on the Authority.

Council Member Mayes moved to appoint Council Member Herbel and Council Member Huntington to the Yucca Valley Animal Care and Control JPA. Council Member Neeb seconded. Motion carried 5-0 on a voice vote.

Mayor Luckino turned the gavel over to Mayor Pro Tem Mayes and left the dais for the next item.

12. Hi Desert Water District 2+2 Committee Appointment.

Town Clerk Anderson reported that Mayor Luckino advised at the last meeting that he must resign from the 2+2 Committee with the Water District leaving a vacancy.

Council Member Neeb moved to appoint Council Member Huntington to the Hi Desert Water District 2+2. Council Member Herbel seconded. Motion carried 4-1 on a voice vote with Mayor Luckino absent.

Mayor Luckino returned to the dais.

13. Town's Emergency Preparedness Program Update

Senior Admin Analyst Faoro gave an overview of the Emergency Preparedness Program and a power point presentation.

Town Manager Takata advised that Senior Admin Analyst Faoro has an extensive background in emergency management, and the Town is fortunate to have her technical

expertise in this field.

Council Member Huntington requested an explanation of the debris management plan. Senior Admin Analyst Faoro advised it is a plan to deal with the debris created from a disaster, which may be toxic, such as establishment of collection centers.

Council Member Herbel thanked Senior Admin Analyst Faoro for her hard work and keeping the Council up to date.

Mayor Luckino commented that during the snow storm last year the local radio station was out of commission and people who are on satellite dishes rather than cable were not able to get any information. He requested that the situation be looked into to see if something can be done to disseminate information in those cases.

Council Member Mayes moved to receive and file the report. Council Member Herbel seconded. Motion carried 5-0 on a voice vote.

14. Desert Regional Tourism Agency Quarterly Activity Report for the quarter ending February 28, 2009

Administrative Services Director Yakimow reported the lease agreement between the Town and the Desert Regional Tourism Agency (DRTA), which operates the California Welcome Center, requires DRTA to provide the Town with a quarterly written report, to provide an update of DRTA's tourism activities and an accounting of income and expenditures to demonstrate that the Town's contributions are being expended for those purposes set forth in the agreement. Also, staff received notification from DRTA regarding their desire to request an additional \$10,000 in funding for the current fiscal year.

Cary Harwin, DRTA President, advised that the Council previously questioned whether or not the Welcome Center has experienced inquires regarding the golf course, and advised they have not. With reference to consideration as to whether or not a time line has been developed toward movement to independence, he noted it is not in their present plan, and added that participation from the Town is paramount. It would be greatly appreciated if the Council would consider approving the additional \$10,000. He also requested that a 2+2 committee be established.

Sarann Graham, Yucca Valley, advised she is the Chair of the Economic Development Committee for the Basin Chambers of Commerce and didn't know that the 2+2 committee was going to be requested. She stated if this is what Council chooses to do, it is appropriate to also meet with the various chambers in the basin to discuss the plan that DRTA has developed for tourism, noting she feels the document conflicts with what the chambers are already doing.

Council Member Neeb suggested that how DRTA and the Town interact needs to be

discussed during the Strategic Plan to sort out how to go forward in the future.

Council Member Mayes commented regarding the request for the \$10,000, noting when the Welcome Center was first opened the Town made a two year commitment, and expressed concern regarding the dependence on the funding and feelings of entitlement. Mr. Harwin stated DRTA does not feel entitled to funding but are very appreciative of it, noting the economy has made things difficult. Council Member Mayes questioned the estimate of time until DRTA would not need funding from the Town. Mr. Harwin stated if they are not able to show how they are growing over the next year, there will be a need to take a hard look at their ability to continue.

Mayor Luckino questioned how DRTA is going to quantify their results. Mr. Harwin stated the main qualification will be showing the benefit to the community and that visitation is growing.

Council Member Neeb commented that the welcome center is one of only 12 in the state. There are more things DRTA could be doing to enhance economic development, but in the short term the Center shouldn't be closed down when it is one of 12 in a state with a population of millions.

Mayor Luckino questioned if the additional \$10,000 was budgeted as part of the mid year budget. Administrative Services Director Yakimow advised that \$15,000 was the allocated amount for the current year.

Council Member Mayes advised of a 2+2 discussion with the Chamber today talking about tourism issues and the need for a cooperative effort with the Town, Twentynine Palms and the County to come together to solve tourism issues. He expressed concern regarding the use public money.

Council Member Herbel commented that tourism, and getting people to stop in the community is important.

Council Member Mayes advised he will be happy to be a part of the 2+2 with DRTA. Council Member Herbel also volunteered to be on the committee.

Council Member Neeb commented he would like a thorough discussion regarding what is going to take place with the Welcome Center and economic development in total during the Strategic Planning Session.

Council Member Neeb moved to receive and file the Quarterly Activity Report for the quarter ending February 28, 2009, and approve the request from the Agency for additional funding in the amount of \$10,000 with the stipulation that the issue be brought back for discussion at the Strategic Planning Session. Mayor Luckino seconded. Motion carried 3-1-1-0 on a roll call vote. Council Member Huntington advised he is abstaining because his wife is on the DRTA Board.

AYES: Council Member Herbel, Neeb and Mayor Luckino
NOES: Council Member Mayes
ABSTAIN: Council Member Huntington
ABSENT: None

15. GASB 45 Actuarial Study

Administrative Services Director Yakimow advised that the goal in public finance is to assure that the government agency has transparency. In 2004 the Government Accounting Standards Board issued Statement 45 covering accounting and financial reporting rules for post employment benefits other than pensions. GASB 45 requires that all public entities with other post employment benefits (OPEB) calculate their existing liability and disclose those liabilities on their balance sheets. The item tonight is the first step of a three step process, and with the recommended action, step one will be complete. Staff will then begin working on steps two and three performing an analysis of study results and implementation of funding recommendation and financial statement disclosure.

Council Member Herbel moved to receive and file the Actuarial Valuation of the Other Post-Employment Benefit programs as of July 1, 2008 for the Town of Yucca Valley as prepared by Bickmore Risk Services & Consulting; Direct staff to evaluate the financial funding alternatives associated with the study; and Return to Council with a recommended financial funding alternative to address the Town’s Other Post-Employment Benefit obligation. Council Member Mayes seconded. Motion carried 5-0 on a voice vote.

16. State Route 62, State Route 247 and Joshua Lane Median Island Project, Approval of Median Island Placement.

Public Works Director da Rosa reported the project consists of shortening the existing median island along SR 62 by 225 feet, placing a new median island from the intersection of SR 62/247 to approximately the northerly driveway of the Food 4 Less center, and placing a new median island on Joshua Lane from SR 62 north approximately 543 feet, which will keep the traffic from turning left onto the outer highways causing traffic backup at the intersections.

Deputy Town Manager Stueckle advised that originally Caltrans was going to construct a new signal and the median islands, and the Town was to contribute \$382,000 to the project. Caltrans has now requested that the Town separate out the two components. The Town will build the medians as it contribution and Caltrans will build the new signal. The new signal will be operational about a year, and the Town will then proceed with the construction of the median islands.

Bob Dunn, Yucca Valley, commented in favor of the project but expressed concern

about the length of the median on Joshua Lane and advised there will have to be “No U Turn” signs and some mechanism to keep people from using the parking lots at the businesses at the end of the median to turn around to go to the Washington Mutual Bank. He recommended the median may need to go all the way to Yucca Trail.

Donna Willis, Yucca Valley, spoke on behalf of the owners of Star Market noting their concern is that the medians will stop people from coming to the market because they will not want to go down to Airway and come back to the store.

Town Manager Takata asked Sheriff Capt. Miller if California gives communities the ability to adopt a “no cut through” ordinance. Capt. Miller advised he will research the issue and believes there is a provision for that in the Vehicle Code.

Council Member Mayes questioned if the proposed medians are engineered correctly. Public Works Director da Rosa advised that when Caltrans communicated that they wanted to split the project staff asked for their design files. Originally the median on the north side would have extended beyond Barr Lumber but staff was concerned about disrupting the business, so it was shortened to the northern most driveway into the Food 4 less complex. The median on the south side is as short as it can be, however it could be extended. Deputy Town Manager Stueckle responded with regard to the engineering, noting it is not good but the town is dealing with a state highway designed in the 40’s and 50’s, so is starting with a bad situation and trying to improve traffic safety, traffic flow and turning movements with an in-house project. These improvements are going to push and modify circulation in this part of the community. He noted the comment regarding taking the median to Yucca Trail needs to be considered in the near term, adding that if the Super Wal-Mart is built, one of their conditions is to place a signal at the intersection of Yucca Trail and Joshua Lane. In summary, this is not perfect, but it does help to continue the flow of traffic and improve traffic safety.

Council Member Neeb agreed with Council Member Mayes noting it is quite a complex area that the Town has been trying to deal with. There will be a new highway with 6 lanes in the future, and hopefully that will smooth traffic flow.

Mayor Luckino expressed concern regarding keeping patrons from turning left into the gas station on the highway and questioned if it is due to a safety issue. Deputy Town Manager Stueckle advised that it is, noting those left turn movements from SR 62 caused many T-bone accidents, which is the reason Caltrans constructed the median in the first place.

Council Member Huntington questioned if the Fire Department has been notified, expressing concern regarding their ability to get onto the highway. Town Manager Takata reported that they have noting there will be pre-empted added to the lights so they will be red in all directions to allow the trucks to enter the highway.

Council Member Mayes moved to approve the State Route 62, State Route 247, and

YUCCA VALLEY TOWN COUNCIL MINUTES

March 12, 2009

Joshua Lane Median Island placement. Council Member Neeb seconded. Motion carried 5-0 on a voice vote.

FUTURE AGENDA ITEMS

Mayor Luckino requested that discussion regarding the Gateway Project be brought back for discussion.

Council Member Herbel requested that discussion regarding funding for the Morongo Basin Humane Society no kill shelter in Joshua Tree be brought forward for discussion.

PUBLIC COMMENT

Barbara Renton, Flamingo Heights, commented regarding conflict of interest with someone on the Town Council working for the Hi Desert Water District.

Mimi Mitz, Joshua Tree, spoke regarding the Morongo Basin Humane Society shelter and the need for funding from the surrounding communities.

William Hampton, Landers, commented regarding the Morongo Unified School District.

STAFF REPORTS AND COMMENTS

Capt. Miller commended Deputy Giles and Deputy Brown for apprehending two suspects in several break-ins in Yucca Valley. He also complimented Senior Admin Analyst Faoro on her dedication and enthusiasm.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

17. Council Member Huntington

Commented he is excited about working on the JPA for the animal shelter.

18. Council Member Neeb

Thanked Assemblyman Cook for giving the Council an update on the State Budget.

19. Council Member Herbel

Welcomed Town Attorney Haubert

20. Mayor Pro Tem Mayes

Stated he is glad the Council approved the SR 62/247 projects.

YUCCA VALLEY TOWN COUNCIL MINUTES

March 12, 2009

Welcomed Town Attorney Haubert noting he did a great job tonight.

21. Mayor Luckino

Thanked Assemblyman Cook for coming to the meeting.

Welcomed Town Attorney Haubert

Town Attorney Haubert thanked the Council and staff noting that Town Manager Takata and the staff have been very professional and helpful bringing him up to speed.

ANNOUNCEMENTS

Joint Town Council/Planning Commission Study Session, Tuesday, March 24, 2009, Native Plant Ordinance

Next Town Council Meeting, Thursday, April 14, 2009, 6:00 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:56 p.m.

Respectfully submitted,

Jamie Anderson, MMC
Town Clerk