

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
June 23, 2009**

Mayor Luckino called the regular meeting of the Town of Yucca Valley Council to order at 6:02 p.m.

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

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

PLEDGE OF ALLEGIANCE

Led by Mayor Luckino.

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS

1. Employee of the Quarter

Presented to Rose Goetz, Animal Control Officer I

2. Longevity Awards

Janine Cleveland, Museum Assistant, 15 Years; Maureen Randall, Administrative Assistant II, 15 years; Robert Kirschmann, Associate Planner, 5 years; and Kim Casey, Animal Shelter Supervisor, 10 years.

Community Services Director Schooler introduced Summer staff members Randy Evans, Tommy Stephenson, Jamie Olson, Jessica Ferguson.

AGENCY REPORTS

Hi Desert Water District

3. Monthly Report

No report given

Margo Sturges, Yucca Valley, distributed a finance report from the Water District and commented that they have used their entire allotment for water recharge.

APPROVAL OF AGENDA

Town Manager Takata requested that Item No. 11 be moved from Consent Agenda to Public Hearings noting it was a notice public hearing.

Council Member Mayes moved to approve the agenda as presented. Council Member Huntington seconded. Motion carried 4-0-1 on a voice vote with Council Member Neeb absent.

CONSENT AGENDA

4. **Approve**, Regular Town Council Meeting Minutes of June 9, 2009 as presented.
5. **Waive**, further reading of all ordinances (if any in the agenda) and read by title only.
6. **Authorize**, Animal Care and Control Division to obtain services from D & D Services, Inc., for the removal and disposal of animals for Fiscal Years 2009/2010 and 2010/2011, in the amount not to exceed \$13,000.00 annually; and waive the formal bidding procedures as the Town Council finds that adherence to the purchasing procedures (Chapter 3.12), would be inefficient, impractical and unnecessary.
7. **Authorize**, Animal Care and Control Division to utilize the services of Companion Animal Clinic for veterinary services and supplies in the amount not to exceed \$17,000.00 for FY 2009/2010 and 2010/2011; and waive the formal bidding procedures as the Town Council finds that adherence to the purchasing procedures (Chapter 3.12) would be inefficient, impractical and unnecessary.
8. **Authorize**, engagement of Southwest Networks, Inc. to provide professional network maintenance and computer services, and authorize the Town Manager to make any necessary non-substantive changes and sign all related documents in a form approved by the Town Attorney.
9. **Adopt**, Resolution No. 09-18, opposing diversion of local shares of Highway Users Tax, and supporting the League of California Cities litigation efforts to oppose diversion of these funds.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, SUPPORTING THE LEAGUE OF CALIFORNIA CITIES, OTHER CITIES AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE TOWN'S STREET MAINTENANCE FUNDS

10. **Adopt**, Resolution No. 09-19, determining the necessity for administration expenditures from the Redevelopment Agency Low and Moderate Housing Fund.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AUTHORIZING THE TOWN OF YUCCA VALLEY TO BE REIMBURSED FOR EXPENSES INCURRED FROM THE LOW AND MODERATE HOUSING FUND ON BEHALF OF THE YUCCA VALLEY REDEVELOPMENT AGENCY

- 12. **Ratify**, Warrant Registers in the amount of \$587,628.95 for checks dated May 22, 2009 to June 9, 2009. Ratify Payroll Registers in the amount of \$169,424.25 dated May 29, 2009.

Council Member Mayes advised he will be abstaining on Item No. 8 and moved to approve Consent Agenda Items 4-10 and 12. Council Member Herbel seconded. Motion carried 4-0-1 on a roll call vote.

- AYES:** Council Member Herbel, Huntington, Mayes, and Mayor Luckino.
NOES: None
ABSTAIN: Council Member Mayes on Item 8 only
ABSENT: Council Member Neeb

PUBLIC HEARINGS

- 11. **Resolution 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 Town Council intent to levy and collect assessments upon real property within said districts for the 2009-2010 tax year.**

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 2009-2010 TAX YEAR.

Public Works Director da Rosa advised the Council previously formed Landscape and Lighting Maintenance Districts and Benefit Assessment Districts as a condition of private subdivision development projects. The Assessment Engineer’s report, which establishes the amount of annual assessment in each District is updated annually. At this time, only the Home Depot parcel map has maintenance costs being incurred and is assessed a fee.

Mayor Luckino opened the Public Hearing, and as no one appeared to speak, he closed the hearing.

Council Member Huntington moved to approve and adopt Resolution No. 09-20, which approves Assessment Engineer’s Reports and the maximum allowable assessments for

each of the Districts and authorizes the levy of assessments upon real property within each of the districts for fiscal year 2009-2010 at the rate not to exceed the maximum allowable assessment. Council Member Mayes seconded. Motion carried 4-0-1 on a voice vote with Council Member Neeb absent.

13. FY 2008-09 & 2009-10 Adopted Budget Amendments

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FISCAL YEAR 2009-10 ADOPTED BUDGET

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ESTABLISHING THE SPENDING LIMITATION FOR FISCAL YEAR 2009-2010

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AUTHORIZING POSITIONS AND PAY RANGES FOR FISCAL YEAR 2009-10

Administrative Services Director Yakimow advised the FY 2009-10 Supplemental budget is a balanced budget with no planned use of reserves. With regard to Revenue the declining sales tax growth has been offset by new retail, there is also declining property tax assessments, Vehicle License Fee revenue, Community Development Revenue and interest earnings. Revenue Uncertainties include the impact of the adopted State Budget, local economic activity, and the impact of the County Assessor Actions. Expenditures have been reduced 14% from the adopted budget, and 11% from the FY 2008-09 projected actual. There have been five voluntary retirement participants and there are eight authorized but unfilled positions, leaving the Town's staffing down 15%. In addition, there is a continued deferral of the prior year COLA to at least January 2010. Employment vacancies will remain unfilled. Essential services will be backfilled with part-time temporary labor. Program support has been reduced in IT, the state lobbyist, public relations, vehicle replacement, elective capital projects, travel and meetings and the Town's insurance deductible. Programs that are being maintained include a majority of the recreation and community service programs, community partnerships and contracts, public safety, park and recreation facilities, and the Hi Desert Nature Museum. Regarding emphasis on efficiency improvements, the phones will be answered by an auto attendant, an alternative 9/80 work schedule is being looked at, Town facilities will be closed during the holiday slowdown in December, and there will be ongoing departmental staffing reviews. He also reviewed FY 2010-13 three year forecast budget assumptions and long-term alternatives

Town Manager Takata thanked the department heads for their hard work on this budget, and especially to the employees for their sacrifices. He noted he has promised to always bring forward a balanced budget. If there is a need to use 2 years of reserves things have to be cut, but if you have to use one year it is different story. Staff has gone as low as

they can cutting back on things such as supplies etc. and if things get worse there will have to be discussions about cutting programs. He noted he doesn't like the idea of looking at different benefits for newer employees but we have to look at reality. The State may shut down if they don't pass a budget by July. If the state cuts the Highway Users Funds, it will be taking our road funds and staff will have to look at the general fund to cover those loses. If the state borrows the Prop 1A money it would have to be paid back. The changes recommended by staff will have the least impact on residents.

Mayor Luckino opened the Public Hearing

Ramon Mendoza, Yucca Valley, commented the budget is realistic but expressed concern that he does not see funding for emergency incident command response.

There being no one else wishing to speak, Mayor Luckino closed the Public Hearing

Town Manager Takata advised there is funding set aside in a separate fund for emergency preparation. The Town uses the monies for clean up after storms etc.

Council Member Mayes commented he has been concerned about the future, noting that Michael Coleman with the League of California Cities has suggested that Cities have to come to grips with the rising costs of employee benefits. When talking about benefits, the current employees expect that and need to know they are going to continue to get that, but the Town does need to look at what is offered to the new employees.

Council Member Huntington commended staff on a good job of putting together a balanced budget.

Council Member Herbel questioned why all department budgets were reduced except the Town Manager's Department. Administrative Services Director Yakimow advised the Town Manager's Department has 5 different sub departments, and the increase is the line item for contingency funding to continue with the School Resource Officer if Federal stimulus funds are not made available.

Mayor Luckino Thanked staff for their hard work, and questioned the worse case scenario as far as the potential dollars that could be taken from the Town. Administrative Services Director Yakimow stated at this point the state budget doesn't reflect much of an issue with the General Fund, it is mostly a threat to special revenue funds such as gas tax, which may be able to be back filled from other special revenue funds. The second area of concern is Prop 42 monies. It seems as if they are off table at this time, but if it comes back, these are monies the Town uses to provide street maintenance. The third is a similar proposal tried last year with RDA in an amount of about \$350,000,000 which was found to be unconstitutional. With reference to the potential taking of gas tax, Town Manager Takata advised the first thing the League of California Cities would do is put an injunction on the action because they believe it is unconstitutional. Another issue that is

not on the table now but can be brought up is borrowing from Cities and Counties.

Council Member Mayes moved to: 1) Adopt Resolution No. 09-21, amending the fiscal year 2008-09 and 2009-10 two-year budget; 2) adopt Resolution No. 09-22, establishing the spending limitation for fiscal year 2009-10; 3) adopt Resolution No. 09-23, authorizing positions and pay ranges for fiscal year 2009-10; 4) approve an amendment to the contract with the San Bernardino County Sheriff’s Department, and authorize the Town Manager to sign on behalf of the Town; 5) Direct staff to develop an alternative 9/80 work schedule, and return an implementation plan for Council consideration in August 2009, including the closure of non-essential Town functions for the period of December 28, 2009 through December 30, 2009; and 6) direct staff to review alternatives related to long-term employment cost control and long-term voter approved revenue enhancements. Council Member Huntington seconded. Motion carried 4-0-1 on a roll call vote.

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

Town Manager Takata commented that out of the 8 ¾% sales tax that is imposed, the Town gets one cent of each dollar. If residents shop locally those pennies add up.

14. Public Facilities Development Impact Fees, Consideration of Fee Level Modifications, Direction to Staff.

Deputy Town Manager Stueckle reported this is the annual public hearing for consideration of, and making any adjustments to, Public Facility Development Impact Fees. Fees collected were adopted in 2005 and became effective in 2006, for general facilities, park facilities, trails, storm drains and streets and traffic. The balances as of June 17, 2009 are general facilities \$46,833.14; parks \$90,843.00; streets \$251,520.00; drainage \$202,476.48; and trails \$16,257.00. The fees in place today for Commercial, Office, and Industrial is \$1.00 per square foot, Single Family Residential is \$5,200 per unit and Multi Family Residential is \$3,600 per unit.

Council Member Mayes questioned if the item can be postponed until Council Member Neeb is present. Deputy Town Manager Stueckle advised the recommended action is to open the public hearing, accept public testimony and continue the Public Hearing to the Town Council meeting of August 4, 2009.

Mayor Luckino opened the Public Hearing

Ramon Mendoza, Yucca Valley, commented the impact fees should be made as high as possible.

Margo Sturges, Yucca Valley, commented regarding the need to raise the fees to improve the infrastructure.

David Fick, Joshua Tree, commented the fees should be raised, especially for commercial.

There being no one else wishing to speak. Mayor Luckino continued the public hearing.

Council Member Mayes moved to continue the Public Hearing to the Town Council Meeting of August 4, 2009; and direct staff to return final actions, if necessary, following the August 4, 2009 meeting, to the Town Council meeting of August 18, 2009. Council Member Herbel seconded. Motion carried 4-0-1 on a voice vote with Council Member Neeb absent.

DEPARTMENT REPORTS

15. **Agreement with San Bernardino County, Animal Shelter Services**

Animal Care and Control Manager Crider reported the Town and County have entered into animal shelter service agreements since August 14, 2006. The contract before the Council at this time would continue this arrangement through June 30, 2010.

Council Member Herbel complemented Animal Care and Control Manager Crider and staff on the job they do and congratulated the County for partnering with the Town.

Council Member Mayes commented regarding the partnership with the County, noting it is a proud moment to see this come together.

Council Member Mayes moved to approve the Contract between the County of San Bernardino and the Town of Yucca Valley for providing animal shelter services for FY 2009/2010, authorizing the Mayor, Town Manager and Town Attorney to sign all necessary documents to execute the Agreement. Council Member Herbel seconded. Motion carried 4-0-1 on a voice vote with Council Member Neeb absent.

16. **Ratification of Planning Commission Action, Resolution No. PC-09-02, Town Wide Discussion of Special Events, Temporary Events and Open Air Markets, SPL 13-09, Farmers Market, Located on the North Side of SR 62, Approximately 125' West of Pioneertown Road, Assessor Parcel Number 586-322-10, 11 &12.**

Council Member Herbel advised she is the applicant for this item, recused herself, and left the dais. She advised she would go into audience to represent herself as applicant and would leave the room before the vote.

Associate Planner Kirschmann reported a request came before the Town to establish a farmers market in the Old Town Specific Plan Area. There are no specific regulations regarding these types of uses, therefore, the regulations from the Development Code would apply. Currently, the development of a farmers market will require the submittal of a conditional use permit and subject to the requirements of Ordinance No. 110 which may limit the development of this type project in the Old Town area. The item went before the Planning Commission at their meeting of June 2nd, where it was determined that these types of uses are desirable and staff directed to amend various Development Code Regulations to facilitate these uses. The Commission approved a resolution on June 16th listing the desired changes and Special License SPL-13-09.

Ramon Mendoza, Yucca Valley, spoke in favor of the request.

Eric Mueller, Pioneertown, thanked the Council and requested approval.

David Fick, Joshua Tree, spoke in favor of the request.

William Swinnerton, Yucca Valley, spoke in favor of the request.

Cary Harwin, Yucca Valley, thanked staff and spoke in favor of the requests.

William Horn, Yucca Valley, spoke in favor of the request.

David Mahaffey, Yucca Valley, spoke in favor of the request.

Council Member Huntington stated he is all for this request.

Council Member Mayes commented this is his vision of what Old Town should be.

Council Member Mayes moved to ratify Resolution PC-09-02 identifying the desired changes to Ordinance 100 Temporary Special Event Permit, Ordinance 110 Additional uses and Ordinance 112 Definitions, and approving Temporary Special Event, SPL-13-09 for the Farmer's Market. Council Member Huntington seconded. Motion carried 3-0-2 with Council Members Herbel and Neeb absent.

17. Ordinance Amendment: Selection of Mayor and Mayor Pro Tempore

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING SECTION 2.05.210 OF THE YUCCA VALLEY MUNICIPAL CODE RELATING TO THE SELECTION OF MAYOR AND MAYOR PRO TEMPORE

Town Attorney Haubert advised the Council discussed the rotation of Mayor and Mayor Pro Tem and the ambiguity of the statute, and at its meeting of June 9th indicated it

wished to change the procedure for nominations of Mayor and Mayor Pro Tem so the procedure was less rigid. Also, since determining who is the next senior council member was subject to multiple interpretations, Council wished to eliminate this criteria. State law requires every city to meet every other year and select one member as Mayor and one as Mayor Pro Tem, but the Town historically does this on an annual basis. State law does not provide an order of progression for council to rotate, however the Council has historically, and through adoption of the ordinance, created a method where the Mayor and Mayor Pro Tem rotate based on seniority. The ordinance amendment does not change the selection of a new Mayor each year, it just takes out the wording on seniority, and would not affect the current positions of Mayor and Mayor Pro Tem. The first occurrence of rotation after adoption would be in December.

Rae Packard, Yucca Valley, spoke in opposition to the ordinance.

Diana Sheay Diehl, Yucca Valley, spoke in opposition to the ordinance.

Ramon Mendoza, Yucca Valley, commented regarding the rotation.

Eric Mueller, Yucca Valley, spoke in opposition to the ordinance.

Liz Medivia, Yucca Valley, spoke in opposition to the ordinance.

Gerry Smith, 29 Palms, spoke in opposition to the ordinance.

William Horn, Yucca Valley, spoke in opposition to the ordinance.

Lori Silver, Yucca Valley, on behalf of Charla Shamhart spoke in opposition to the ordinance.

Margo Sturges, Yucca Valley, spoke in opposition to the ordinance.

Barbara Renton, Landers, spoke in opposition to the ordinance.

William Souder, Yucca Valley, spoke in opposition to the ordinance.

Joyce Metcalf, Yucca Valley, spoke in opposition to the ordinance.

Bob Engel, Yucca Valley, spoke in opposition to the ordinance.

Carl Schmitt, Yucca Valley, spoke in opposition to the ordinance.

Dave Mahaffey, Yucca Valley, spoke in opposition to the ordinance.

Isaac Hagerman, Yucca Valley, commented regarding the need to educate the public on

what is happening.

David Fick, Joshua Tree, spoke in opposition to the ordinance.

William Hampton, Landers, spoke in opposition to the ordinance.

Judy Van Ruggles, Landers, spoke in opposition to the ordinance.

David McChesney, Joshua Tree, spoke in opposition to the ordinance.

Council Member Herbel thanked everyone for coming out noting she wants to see the community grow in a way that is sustainable. The Council has had a traditional orderly succession of Mayor and Mayor Pro Tem by seniority. The intent of the code is clear in that “it is the intent of the Council to rotate the position of Mayor and Mayor Pro Tem through the legislative body to provide each Council Member the opportunity to serve”. Therefore she would be in line to move up the dais to Mayor Pro Tem. She expressed concern regarding comments about the position being earned and not an entitlement, and questioned how a Council Member earns the position of Mayor Pro Tem. She advised if Council still intends to vote on this amendment she is requesting an opinion from the State Attorney General. The Mayor position should not become a political position based on political approval. She moved to keep the municipal code as is. Motion died for lack of a second.

Council Member Mayes requested to postpone the item until there is a full Council present to be able to address this, noting it has become much ado about nothing. He noted that being called a bigot is offensive, and he doesn't have a problem with keeping the ordinance as is. When the discussion began on this issue, there was a question regarding what the interpretation was to be, and he voted for the ordinance when it was adopted in 2004. Prior to the ordinance, Council was using suggestions made in 1992. He noted he has thought that Council Member Herbel would be Mayor Pro Tem in December of this year. The existing ordinance is a piece of junk, when staff has one interpretation and the Attorney has another. The Attorney's interpretation is that Council Member Neeb is next in line. He requested to move this issue to the next meeting when Council Member Neeb is available.

Council Member Herbel objected and said the Council should request a legal opinion from the Attorney General Legal or FPPC. Town Attorney Haubert advised the Attorney General and FPPC do not give opinions interpreting local measures. Also, only certain people, like legislators, can request opinions from the Attorney General.

Mayor Luckino clarified that the item was put on the agenda at the request of Council Member Herbel during discussion of future agenda items. In addition, looking back at his rotation, Mayor Leone was elected and went ahead and he didn't make an issue of it, he let the system work its way through. The issue isn't being looked at to change everything

in mid stream, it is to make it better because it is subject to interpretation. He noted if his turn comes up again for Mayor and it was felt he did not do a good job, he would not expect to be nominated for the position again. This is not a gender issue.

Council Member Herbel commented the reason Bob Leone went in front of Mayor Luckino was that he received more votes. She noted she brought the issue up because about three months ago the Town Manager told her he had a discussion with a staff member about who should be Mayor, Mayor Pro Tem. She doesn't understand why this is an issue, it is a historical rotation that has been going like it has been going for the past 18 years.

Council Member Huntington stated he does not know what precipitated the 2004 ordinance because the rotation had worked well for the years before it was adopted. The ordinance is flawed, has a problem with the definition of seniority, and needs to be fixed. He noted he is all for the traditional rotation of members of the Council based on seniority by the number of votes they received in their election. This issue was brought to a head by Council Member Herbel who pushed it onto the agenda.

Council Member Mayes stated if the ordinance stands and the Council doesn't change it, Council Member Neeb would be in front of Council Member Herbel. If the Council has to have attorneys to lay out language, why can't it just go back to the way it was?

Town Attorney Haubert explained that the 3rd place person in an election may never be nominated as Mayor Pro Tem or Mayor because there are 5 Council Members and only four year terms.

Town Manager Takata stated that he had a discussion with one of the department heads in regards to the way the ordinance reads, noting that his opinion was that Council Member was Herbel sitting in the right position. Because of the differing opinions, he requested the Attorney's interpretation.

Council Member Mayes advised, in regard to the 2006 election, he received the most votes, Council Member Neeb was second, and Council Member Herbel third. This is just a matter of being able to clean up the ordinance.

Council Member Herbel commented regarding the intent of the ordinance and stated it needs to be left as is.

Mayor Luckino commented regarding the occasional need to change ordinances to make them clear. He agreed that the position of Mayor should rotate and the same person should not serve as Mayor back to back.

Council Member Herbel commented by taking the rotation out of the ordinance it changes whole ordinance. She does not see why it needs to be changed.

Council Member Mayes clarified that the ordinance has only been in place since 2004, noting if it is removed the Council will continue to rotate as they always have.

Council Member Huntington questioned if Section C can be clarified.

Council Member Herbel quoted the minutes from the previous meeting and advised she would like to see Section C cleaned up and the intent of the ordinance honored.

Staff was directed to work on cleaning up the language and bring the ordinance back to the next meeting.

18. Resolution setting Town Council Meeting Day and Time as the 1st and 3rd Tuesdays of each month at 6:00 p.m.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ESTABLISHING THE DAYS, TIME AND PLACE OF REGULAR MEETINGS OF THE TOWN COUNCIL

Town Clerk Anderson advised the issue was requested by Council Member Neeb to coincide with the SANBAG meetings.

Council Member Mayes moved to adopt Resolution No. 09-24, changing the day and time for Town Council Meetings. Council Member Herbel seconded. Motion carried 4-0-1 on a voice vote with Council Member Neeb absent.

19. Appointment of Voting Delegate and Alternates for the Business Meeting of the League of California Cities Annual Conference

Town Clerk Anderson reported the Business Meeting of the League of California Cities will take place on Friday, September 18th. The League asks that a voting delegate and two alternates be appointed. Normally the Mayor is the voting delegate, however he has indicated he may not be attending the conference.

Mayor Pro Tem Mayes advised he is attending and has acted in that capacity before.

Council Member Huntington, and Council Member Herbel advised they will also be attending and will act as alternates.

20. Ordinance amending Section 4.04.040 a(1) of the Town of Yucca Valley Municipal Code, and a Resolution establishing the Planning Commission meeting days as the 2nd and 4th Tuesdays of each month at 7:00 p.m.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY,

CALIFORNIA, AMENDING SECTION 4.04.040A(1) OF THE YUCCA VALLEY MUNICIPAL CODE RELATING TO PLANNING COMMISSION MEETINGS

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ESTABLISHING THE DAYS, TIME AND PLACE OF REGULAR MEETINGS OF THE PLANNING COMMISSION

Associate Planner Kirschmann reported that in accordance with the action taken earlier to change the Council Meeting days to the 1st and 3rd Tuesdays, the ordinance and resolution are required to change the Planning Commission days to the 2nd and 4th Tuesdays.

Town Clerk Anderson read the title of the Ordinance.

Council Member Huntington moved to introduce the Ordinance amending section 4.04.040 A(1) of the Municipal Code, and adopt Resolution No. 09-25, establishing the days and time for Planning Commission Meetings as the second and fourth Tuesdays of each month at 7:00 p.m., beginning on August 1, 2009. Council Member Mayes seconded. Motion carried 4-0-1 on a roll call vote.

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

PUBLIC COMMENT

Margo Sturges, Yucca Valley, commented regarding obtaining stimulus funds for senior programs and the weeds at Phelps Chevrolet.

David Fick, Joshua Tree, commented regarding the garlands still hanging at the Phelps center.

Isaac Hagerman, Yucca Valley, suggested that Council require participants speaking to specific agenda items adhere to the same rules as written for the general public comments about not making unduly personal, impertinent, slanderous, profane, threatening or abusive remarks to any member of the Town Council, Town Staff or general public.

Town Manager Takata advised that Code Enforcement is working to find out who actually owns the Phelps property to take care of the issues that were brought up. Advised that the Town is applying for as many stimulus dollars as possible, and has one staff member who spends most of their time looking at the bill to see what is available.

STAFF REPORTS AND COMMENTS

Community Services Director Schooler reminded Council of the ribbon cutting ceremony for completion of new Jacobs Park tennis courts at 9:00 a.m. on Saturday, June 27th.

Administrative Services Director Yakimow clarified that tonight's budget presentation was related to the Town's general fund. Staff may be back before Council in September with any changes to special revenue funds.

Town Manager Takata advised that SANBAG will receive the stimulus funding for transportation projects, which will free up Measure I funds for Town Projects. He thanked the Department Heads, and staff for their great job on the budget, noting it was difficult.

Public Works Director da Rosa advised when the department is given tips for stimulus funds it follows up on those leads.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

21. Council Member Huntington

Commended staff for a good job on the budget.

Congratulated Animal Control Officer I Goetz for being selected as Employee of the Quarter,

Congratulated Museum Assistant Cleveland, Administrative Assistant II Randall, Associate Planner Kirschmann and Animal Shelter Supervisor Casey for their years of service.

Welcomed the summer staff members.

22. Council Member Neeb

Absent

23. Council Member Herbel

Congratulated Animal Control Officer I Goetz for being selected as Employee of the Quarter and for her work in the Anima Shelter.

Congratulated Museum Assistant Cleveland, Administrative Assistant II Randall, Associate Planner Kirschmann and Animal Shelter Supervisor Casey.

Thanked everyone for coming tonight and encouraged people to come to the meetings and let Council know what they are thinking.

24. Mayor Pro Tem Mayes

Echoed comments about the Town's employees, noting we have a fantastic staff working here.

25. Mayor Luckino

Echoed comments regarding staff, noting everyone does a great job and the Council values them.

Commented that the letters about the Motor Officers in the paper have been unfair, noting they do an excellent job. He thanked them and all the Deputies out there. Town Manager Takata advised that the Motor Officers actually prevent other crimes from happening.

ANNOUNCEMENTS

Next Town Council Meeting, Tuesday, August 4, 2009.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Jamie Anderson, MMC
Town Clerk