

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
DECEMBER 15, 2009**

Mayor Mayes called the regular meeting of the Town of Yucca Valley Council to order at 5:30p.m.

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

CLOSED SESSION

21. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Subsection (a) of Section 54956.9(a), Ronald Green and Sharon Green vs. County of San Bernardino, City of Yucca Valley, Case No. CIVMS 800111, Center for Biological Diversity vs. Town of Yucca Valley, Town Council of Yucca Valley, Case No. CIVBS 800607; Coalition for Environmental Integrity in Yucca Valley vs. Town of Yucca Valley, Town Council of the Town of Yucca Valley, Case No. CIVSS 810232, Superior Court of California, County of San Bernardino.

22. Government Code Section 54956.8, Conference with Real Property Negotiators.

Property: APN 586-031-36, 594-031-09 & 23, 595-041-34 & 35; 55100 Martinez Trail

Blue Sky Golf LLC/Town of Yucca Valley
Shane Stueckle, Real Property Negotiator
Real Property Negotiations

Property: APN 595-162-08 & 09 South West corner of Joshua Lane and Twentynine Palms Outer Highway
Town of Yucca Valley/Yucca Valley Redevelopment Agency
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Mayor Mayes adjourned to Closed Session at 5:30 p.m., returned at 5:45 p.m. and announced there was no reportable action taken.

Mayor Mayes recessed the meeting to 6:00 p.m.

Mayor Mayes reconvened the meeting at 6:00 p.m.

Staff Present: Town Manager Takata, Deputy Town Manager Stueckle, Town Attorney Haubert, Administrative Services Director Yakimow, Community Services Director Schooler, Police Lt. Boswell, and

Town Clerk Anderson.

PLEDGE OF ALLEGIANCE

Led by Council Member Huntington

Assemblyman Paul Cook administered the Oath of Office to Mayor Mayes and Mayor Pro Tem Herbel.

Mayor Mayes thanked Assemblyman Cook for attending the meeting to administer the oath.

AGENCY REPORTS

Fire Department

1. Monthly Report.

No one available to give the report

Chamber of Commerce

2. Monthly Report

No one available to give report.

APPROVAL OF AGENDA

Council Member Herbel Moved to approve the agenda. Council Member Neeb seconded. Motion carried 4-0-1 on a voice vote with Council Member Luckino absent.

CONSENT AGENDA

- 3. Approve**, Regular Town Council Meeting Minutes of December 1, 2009, as presented.
- 4. Waive**, further reading of all ordinances (if any in the agenda) and read by title only.
- 5. Approve**, the Cost Distribution Agreement with Caltrans for Installation of Emergency Vehicle Preemption System, and authorize the Mayor to sign all necessary documents, SR 62/SR 247 Traffic Signal.
- 6. Approve**, the 2009/2010 FY Budget, appropriating \$10,500 from the unappropriated General Fund Reserve, and approve Amendment No. 1 to the Contract with Willdan Financial Services for completing the public safety district analysis.
- 7. Authorize**, staff to proceed with preparation of plans, specifications, and estimates for

the Yucca Valley Swimming Pool for compliance with the Virginia Graeme Baker Act and electrical upgrades.

- 8. **Adopt**, Resolution No. 09-42, authorizing staff to prepare and submit a low interest loan application to the California Energy Commission for an amount up to \$65,000

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AUTHORIZING THE TOWN MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN AN ENERGY EFFICIENCY LOAN UP TO THE AMOUNT OF \$65,000 FROM THE CALIFORNIA ENERGY COMMISSION AND AGREEING TO THE TERMS OF REPAYMENT OF SAID LOAN

- 9. **Approve**, the improvement drawings and specifications for the Morongo Basin Adult Health Services building improvements and authorize staff to proceed with advertisement for construction bids, CDH Project No. 123-32101, Case No. 2914, Town Project No. 8954.
- 10. **Receive**, the Preliminary 2008/2009 Annual Redevelopment Report and the Preliminary 2008.2009 Annual Redevelopment Agency Financial Report and schedule Town Council Action for the meeting of January 19, 2010.
- 11. **Receive and File**, the FY 2008-09 Yucca Valley Community Center Authority’s Financial Statements.
- 12. **Ratify**, Warrant Registers in the amount of \$745,107.50 for checks dated December 04, 2009. Ratify the Payroll Registers in the amount of \$164,121.77 dated November 25, 2009.

Council Member Neeb moved to adopt Consent Agenda Items 3-12. Council Member Huntington seconded. Motion carried 4-0-1 on a roll call vote.

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

DEPARTMENT REPORTS

- 13. **FY 2008-10 First Quarter Budget Report**

Administrative Services Director Yakimow advised the Town’s fiscal performance for the first quarter is slightly below the levels included in the FY 2009-10 adopted budget. Challenges on the revenue side include property tax receive through assessed valuation is in line with budget estimate as being down 9% but that is a substantial decrease. It is

staff's opinion there will also be a decrease in FY 2010/11. The VLF fees the Town receives is down 9%, was anticipated to be down 4%, and is about \$150,000 less than budgeted. Sales tax was down roughly 20%. It was noted that the 2nd quarter sales tax was just received and was down 9%. He advised there is no indication that anything other than a mild mid year adjustment will be required. Expenses are lower than projected, and the Public Safety contract is in line with budgeted figures, and slightly favorable. What the challenges will be regarding sales tax remains to be seen, and the bigger question is what the State will be encountering. With regards to the Redevelopment Agency will be making provisions for the ERAF shift. Staff will return in late February or early March with the mid year budget review.

Council Member Neeb moved to receive and file the FY 2009-10 First Quarter Budget Report. Council Member Huntington seconded. Motion carried 4-0-1 on a voice vote with Council Member Luckino absent.

POLICY DISCUSSION

14. Town Council Request and Policy Discussion, Sign Ordinance Enforcement, Temporary Signs, Banners & Flags for Commercial Enterprises

Item continued to next meeting.

PUBLIC COMMENT

Larry Callander, Yucca Valley, Congratulated Mayor Mayes and Mayor Pro Tem Herbel. Advised of an issue with the restriping Buena Vista between Yucca Mesa and SR 247 with double yellow lines so that no passing is allowed the entire length. He recommended a couple of turnouts be placed on each side so that people can pass the slow moving trucks.

DJ Ross, Yucca Valley, commented regarding statements made at the last meeting stating his facility would not move, and advised they have tried to move, but were prevented due to moratorium.

STAFF REPORTS AND COMMENTS

Town Manager Takata advised that the Town offices will be closed from Christmas Eve until after the New Year, and the new hours will begin on January 4th.

Deputy Town Manager Stueckle acknowledged Administrative Services Director Yakimow and Town Manager Takata for their work on the budget, noting it was a very difficult year.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

15. Council Member Luckino

Absent

16. Council Member Huntington

Concurred with Deputy Town Manager Stueckle's comments regarding Administrative Services Director Yakimow and staff.

Wished the Council and staff a Happy Holiday Season

17. Council Member Neeb

Echoed comments regarding Administrative Services Director Yakimow and staff.

Wished everyone a Merry Christmas and Happy New Year, and to be safe.

18. Mayor Pro Tem Herbel

Wished everyone happy and safe Holidays

19. Mayor Mayes

Wished everyone Merry Christmas and Happy Holidays.

Commented to Mr. Callander that the Council does not respond to public comments because the items are not on the agenda, and thanked him for coming to the meeting and making his comments.

FUTURE AGENDA ITEMS

Council Member Herbel requested that the Council bring back discussion regarding medical marijuana to look at the possibility of finding a creative solution to allow CAMS to move without lifting the moratorium.

Council Member Neeb recommend the Council continue with staff's recommendation to wait until the first meeting in February to agendize the discussion about medical marijuana to see how the ballot initiatives are going. Council Member Huntington concurred.

Mayor Mayes stated, at least for now, the Council will go with that recommendation.

ANNOUNCEMENTS

Next Town Council Meeting, Tuesday, January 19, 2010.

ADJOURNMENT

There being no further business the meeting was adjourned at 6:30 p.m.

Respectfully submitted,

Jamie Anderson, MMC
Town Clerk