

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
FEBRUARY 2, 2010**

Mayor Mayes called the regular meeting of the Town of Yucca Valley Council to order at 5:55 p.m.

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

CLOSED SESSION

A. 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.

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

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

Property: APN 598-051-06, 5 acre parcel located at the NW corner Paradise View Rd and Oleander Dr
Michael & Nedelene Wajack/Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 601-551-17, 1.8 acre parcel located on the north side of Business Center Dr, east of Indio Ave
Don Lander Trust/Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 601-551-16, 1.54 acre parcel located on the north side of Business Center Dr, east of Indio Ave
Don Lander Trust/Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

YUCCA VALLEY TOWN COUNCIL MINUTES

FEBRUARY 2, 2010

Property: 601-551-25, 14.75 acre parcel located on the north side of Yucca Tr, west of La Contenta Rd

Byun/Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 585-061-06, 37.75 acre parcel located on the NW corner of Joshua Ln and Warren Vista

Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 585-061-05, 19.48 acre parcel located on the north side of Joshua Ln., west of Warren Vista

Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 595-361-24, 5 acre parcel located on the SE corner of Sage Ave and Sunnyslope Dr.

Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 587-091-50, 7.09 acre parcel located to the west of Sage Ave, owner White Brothers Investments/Town of Yucca Valley

Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 587-091-51, 17.4 acre parcel located on the west side of Sage Ave, White Brothers Investments/Town of Yucca Valley

Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property 587-091-49, 9.84 acre parcel, located on the south side of 29 Palms Hwy, west of Sage Ave.

White Brothers Investments/Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 586-031-36, 594-031-23, 594-041-34, Golf Course, 3 parcels totaling 99.42 acres located on the NW corner of Yucca Tr. and Kickapoo Tr.

Blue Skies Golf, LLC/Town of Yucca Valley
Andrew Takata, Real Property Negotiator

Real Property Negotiations

Property: 595-071-01, 595-071-02, 595-071-03, 3 parcels totaling 4.68 acres located on the SE corner of Little League Dr and Palm Ave.

Boys and Girls Club/Town of Yucca Valley

Andrew Takata, Real Property Negotiator

Real Property Negotiations

Property: 595-131-01, 9.1 acre parcel located on the NE corner of Little League Dr and Palm Ave.

Basin Wide Foundation/Town of Yucca Valley

Andrew Takata, Real Property Negotiator

Real Property Negotiations

Property: 595-071-04 and 595-091-06, 2 parcels totaling 7.8 acres located on the south side of Little League Dr, between Palm Ave and Grand Ave.

Tri Valley Little League/Town of Yucca Valley

Andrew Takata, Real Property Negotiator

Real Property Negotiations

Property: 597-091-15, 5 acre parcel located on the north side of Skyline Ranch Rd, west of Canyon Lane

Philip Malin/Town of Yucca Valley

Andrew Takata, Real Property Negotiator

Real Property Negotiations

Property: 597-111-61, 2.3 acre parcel located on the south side of Buena Vista Dr, east of Highway 247

WRW, LLC/Town of Yucca Valley

Andrew Takata, Real Property Negotiator

Real Property Negotiations

Property: 597-111-42, 2.5 acre parcel located on the south side of Buena Vista Dr, east of Highway 247

George Nudson/Town of Yucca Valley

Andrew Takata, Real Property Negotiator

Real Property Negotiations

Property: 597-111-41, 2.2 acre parcel located on the south side of Buena Vista Dr, east of Highway 247

Bobier Trust/Town of Yucca Valley

Andrew Takata, Real Property Negotiator

Real Property Negotiations

YUCCA VALLEY TOWN COUNCIL MINUTES

FEBRUARY 2, 2010

Property: 597-111-63, 2.01 acre parcel located on the south side of Buena Vista Dr, east of Highway 247

Hensel Financial Inc/Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 597-211-05, 556.49 acre parcel located on the east and west of sides of Highway 247, south of Aberdeen Ave

Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 587-252-08 thru 11, 4 parcels totaling 17.26 acres located on the west side of Valley Vista Ave at the southerly terminus

Stephen Mascaro/Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 589-361-01 & 589-401-05, Machris Park, 2 parcels totaling 18.48 acres located on the north side of Santa Barbara Dr, east of Hermosa Ave

Yucca Valley Park and Recreation District/Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 601-141-06 thru 09, 601-151-22, Paradise Park, 5 parcels totaling 1.67 acres located on the north side of Barron Dr, east of Indio Ave

Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 589-011-30, South Park, 40 acre parcel located on the north side of South Park Rd, west of Black Rock Canyon Rd

Yucca Valley Park and Recreation District/Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 594-011-04, North Park, 80 acre parcel located on the north side of Benecia Tr., west of Fairway Dr

Yucca Valley Park and Recreation/Town of Yucca Valley
Andrew Takata, Real Property Negotiator
Real Property Negotiations

Property: 586-141-08, Jacobs Park located on the NE corner of Hopi Tr. and Onaga Tr. Morongo Unified School District/Town of Yucca Valley

YUCCA VALLEY TOWN COUNCIL MINUTES

FEBRUARY 2, 2010

Andrew Takata, Real Property Negotiator
Real Property Negotiations

Mayor Mayes adjourned the meeting to closed session at 5:55 p.m., returned at 6:05 p.m., and announced the Council will return to closed session at the end of the regular meeting. He recessed the meeting.

Mayor Mayes reconvened the meeting at 6:08 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 Mayor Pro Tem Herbel

INVOCATION

Led by Mike Kelliher, Joshua Springs Calvary Chapel

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS

1. Presentations to Town Manager Takata

Mayor Mayes presented Town Manager Takata with a plaque thanking him for his service to the Town. He noted that the Council didn't have good chemistry until it had a good chemist in Town Manager Takata.

Town Manager Takata expressed mixed feelings about leaving, and thanked the Council for the opportunity to serve, the public for their support, and especially the staff. He added that this community has been wonderful to him and it was a very difficult decision to leave. Yucca Valley will always have a special place in his heart.

Dawn Rowe, Assemblyman Cook's Field Representative, read and presented a joint proclamation from Assemblyman Cook and Senator Dutton.

Mayor Mayes advised that Town Manager Takata has been a part of the family in this community and announced there will be an event at the Welcome Center on Thursday, February 11, 2010 from 5:00 p.m. to 7:00 p.m. for the public to say goodbye.

AGENCY REPORTS

Water District

2. Monthly Report.

Joseph Glowitz, gave the monthly wastewater report for February 2010.

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 January 19, 2010, as presented.
4. **Waive**, further reading of all ordinances (if any in the agenda) and read by title only.
5. **Receive and file**, AB 1234 Reporting Requirement Schedule for the month of December 2009
6. **Receive and file**, Treasurer's Report for 2nd Quarter FY2009-10 and direct staff to transmit the investment report to the California Debt and Investment Advisory Commission (CDIAC).
7. **Review and approve**, FY 2008-10 Investment Policy.
8. **Adopt**, Resolution No. 10-03, authorizing staff to submit a grant application to the State of California Department of Parks and Recreation to obtain funding for the South Side Community Park project.

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY,
CALIFORNIA, APPROVING THE APPLICATION FOR STATEWIDE PARK
PROGRAM GRANT FUNDS

9. **Approve**, subscription agreement between the Town of Yucca Valley and Government Outreach for internet-based customer tracking, work order management, and code enforcement software services.
10. **Ratify**, Warrant Registers in the amount of \$217,168.45 for checks dated January 8, 2010. Ratify the Payroll Registers in the amount of \$346,161.10 dated January 8, 2010 through January 22, 2010.

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

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

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

PUBLIC HEARINGS

11. Community Development Block Grant (CDBG) Prioritization Hearing

Community Services Director Schooler reported that the Town of Yucca Valley participates with the County’s Community development and Housing (CDH) Department, through a cooperation agreement, in the administration of Community Development Block Grant funding. Through this agreement, the Town Council is asked each year to review and prioritize eligible projects and proposals and forward a funding recommendation to the Board of Supervisors. The Town’s net allocation for the 2010-2011 funding cycle is anticipated to be \$147,023 following a deduction of \$41,010 that is set aside for the local Senior Housing Repair Program. In 2009, the Council agreed to designate all funding for three CDBG cycles to the renovation of the Community Center playground. It was noted the Community Center Playground is no longer compliant with playground safety standards. In addition, a splash park can be included in the re-designed playground area. Staff recommends continuing in the direction of single project funding over three CDBG cycles and designating the 2010-2011 allocation of \$147,023 for the playground/splash park project.

Shirley Peters, American Red Cross, requested funding for the continuation of disaster relief services.

Jennifer Cusack, Hi Desert Water District, requested funding to assist with sewer hook-ups for low income families

Sandy Fleck, Reach out Morongo Basin, requested funding for transportation services for seniors

Susan Gomez, Another Way, requested funds for emergency housing, and to provide for unmet basic needs.

Sarann Graham, Hi Desert Cultural Center, advised that they are requesting funding for rehabilitation of the parking lot, not the playhouse.

Jarrod Radnich, Hi Desert Cultural Center, requested funding for rehabilitation of the parking lot.

Claire Karp, Pacific Clinics, requested funding for transportation for at risk youth.

Wayne Hamilton, Morongo Basin ARCH, requested funding for assistance for office expenses, and noted they provide rental, mortgage, utilities and food assistance.

Vicki Roland, Desert ARC, requested funding for vocational assessment and employment training.

David, Maietta, Yucca Valley Library Adult Literacy Program, requested funding for continuation of their literacy education program.

John Yonushonis, Morongo Basin Senior Support Center, requested funding for continuation of services for seniors.

Council Member Luckino commented that, although he does not have a legal conflict of interest with one of the applicants who applied, he will recuse his self from discussion of this item to avoid even the appearance of a conflict and he left the dais.

Town Manager Takata reminded Council that community partnership funds were placed in the General Fund last year to backfill the program funds from CDBG, noting the Council can look into that possibility again this year during budget discussions.

Community Services Director Schooler advised that program requests were received in the amount of \$105,451 and the Town can only give 15% or roughly \$30,000. The County requires funding of at least \$10,000 per program. In the past the Council has tried to stretch that 15% throughout the community, and last year when it opted to allocate all the funding to the one project, it opted to backfill funding with general fund partnership money.

Council Member Neeb commented these are all very deserving agencies that do wonderful things out there. It seems, as needs become greater, the governments' capacity to assist diminishes. The Town committed to using the 3 years funding because we are out of compliance and don't have funding for the playground at the Community Center.

Mayor Mayes commented regarding the difficulty of allocating the funds every year, noting that now the Town has the opportunity to allocate the fund on a 3 year basis to complete one community project.

Council Member Herbel questioned the \$41,000 taken out for the senior housing repair program. Administrative Services Director Yakimow explained the program the Council previously approved, noting the Town is committed to set aside \$41,000 per year for that program, and advised how to apply for funds. Council Member Herbel stated she supports the continuation of funding for the playground.

Council Member Huntington commented that the Council made the commitment last year and has to go along with it.

Council Member Neeb pointed out that the County raised the minimum funding again this year from \$5,000 to \$10,000.

Council Member Herbel moved to recommend that the Town's entire 2010-11 CDBG allocation of \$147,023 be applied to the Town of Yucca Valley's multi-year Community Center Playground and Splash Park project and direct staff to reflect the additional anticipated revenue in the 2010-2011 budget proposal. Council Member Neeb 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

12. GASB 45 Funding Method Implementation

Administrative Services Director Yakimow reported GASB 45 covers accounting and financial reporting rules for post employment benefits other than pensions (OPEB), most commonly health care. The Town's current health care policy specifically states that the Town provides no post-retirement medical benefit for retirees, however, it also states that as long as the Town contracts with PERS for provision of medical benefits for its active employees, the Town will provide the required minimum contribution for its retirees as directed by PERS rules and regulations. Staff's recommendation is that the Town proceed with the current pay as you go funding approach, which would require that the Town continue to pay actual costs of approximately \$4,000 annually, and no third party trust would be established. Furthermore, the Town would disclose as a liability in the Town-wide financial statements, the Net Pension Obligation, which is the calculated difference between the Town's annual required contribution and the actual employer contribution. According to the actuarial valuation, the first year Net Pension Obligation is expected to be \$164,734. It is also recommended that Staff receive direction in evaluating other health care coverage options for active employees. If it is determined that other viable options exist for quality health care coverage outside PERS the Town would have the option of eliminating any OPEB health care obligation.

Council Member Luckino moved to adopt GASB Statement 45 disclosing the Town's Other Post-Employment Benefit policy as the Pay as You Go Funding Policy on a prospective basis; Identify and disclose any related net OPEB obligation, which will consist of the difference between the annual required contribution (ARC) and the amount paid according to the Pay as You Go Funding policy; Direct staff to begin a review of

health-care alternatives to the current health care coverage provider and its potential impact on the Town’s Health Care Policy. Council Member Neeb seconded. Motion carried 5-0 on a roll call vote.

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

13. Amend Section 2.05.020 A of Chapter 2.05 of Title 2 – Salary of Council Members

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING SECTION 2.05.020(a) OF CHAPTER 2.05 OF TITLE 2 OF THE TOWN OF YUCCA VALLEY MUNICIPAL CODE RELATING TO SALARY OF COUNCIL MEMBERS

Human Resources/Risk Manager Lassetter advised the proposal is for a 5% increase in Council salary that will take effect January 1, 2011 after the November election. The recommended pay is \$538.72. It was noted that the Council can also look at other options such as a 2% increase which would bring the monthly salary to \$498.40. Neighboring cities pay ranges from \$300.00 for Calimesa, \$465.00 in Twentynine Palms, \$817 in Apple Valley and \$1050 in Beaumont. The annual impact on the budget is \$2,932.00 with the 5% increase and \$586.00 with the 2% increase.

Town Manager Takata advised staff would not bring anything to the Council if the Town couldn’t afford it.

Council Member Neeb spoke in support of the increase noting he will not be running in the next election so won’t be benefiting from it. The Town is limiting its pool of candidates due to the amount of time it takes to be on the Council. It is important that the Council move forward with the proposal.

Council Member Herbel spoke in support of the increase noting she does not personally care about the money and that is not why she sits on the Council, however, it is important to keep up with inflation.

Council Member Huntington commented that money is not a big deal in this job, and 2% or 5% is not going to make a big difference. This can wait until some time in future. The economy is not going to change that much, and politically this is not the time to raise Council salaries.

Council Member Luckino advised he is not going to support this, noting that at last meeting he said no to a 2% increase for staff. Giving Council a 5% increase when staff is only getting 2% is a mistake.

Mayor Mayes advised he has never supported a pay increase for Council, noting philosophically it seems as though it is a conflict of interest for the Council to approve their own raise. Only the people should be able to decide.

Town Clerk Anderson read the title of the Ordinance.

Council Member Neeb moved to introduce the Ordinance, amending the Municipal Code to increase the compensation to each of member of the Town Council to an amount not to exceed \$538.72 per month commencing January 1, 2011. Council Member Herbel seconded. Motion failed 2-3 on a roll call vote.

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

POLICY DISCUSSION

14. Pomona First Federal (PFF) Property, Policy Discussion for Future Building Use

Staff suggested this item be continued until the Redevelopment Agency has decided what it wants to do with the property.

Council Member Neeb questioned if this issue should come back to a Strategic Planning Session. Town Manager Takata advised that is a possibility, however, at this time the RDA needs to decide if it wants to keep the property or sell it to the Town.

Margo Sturges, Yucca Valley, expressed concern about the possibility of moving the library or museum, noting it is very convenient for parents to go to the library or museum and then take their kids to the park in the same area.

Item continued.

FUTURE AGENDA ITEMS

Mayor Mayes requested Council discussion regarding maintenance of residential roads and trying to find a way to allow residents to solve the issue. Council Agreed.

Council Member Luckino requested that Council look at opportunities for public financing to leverage out funds for construction of projects. Council Member Herbel commented regarding the roads that suffer the most in the rains we have had.

It was noted all these issues fit together.

PUBLIC COMMENT

Lesley Andrews, Morongo Valley, advised of the existence of Desert Local News which is now serving the Morongo Basin

Margo Sturges, Yucca Valley, commented regarding the success of retention basins on individual lots and requested the older residences be required to have them also. Advised that Hi Desert Water District Director Munsey has requested an item on their agenda to look into capturing some of the rain water and run off.

Sarann Graham, Yucca Valley, congratulated Town Manager Takata noting that everyone hates to see him go, and advised the high standards and ethics he brought to the Town are appreciated. Commented regarding programs at the Hi Desert Cultural Center in Joshua Tree.

STAFF REPORTS AND COMMENTS

Administrative Services Director Yakimow thanked Town Manager Takata for all he has done.

Town Manager Takata thanked Council for the plaque and all their support over the past several years. He noted a sign of success is if you leave a place better than it was when you came, and he feels he has done that.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

14. Council Member Luckino

Wished Town Manager Takata well in his future endeavor with Banning, noting we are going to miss him. He has done a great job leading this community and the work he has done for this Council in our community is very much appreciated.

15. Council Member Huntington

Thanked Town Manager Takata for his leadership in the community during tough times. He has kept the ship afloat and the Town is under power and well provisioned to make its way through turbulent waters ahead. Also thanked him for his mentorship over the past year.

16. Council Member Neeb

Thanked Town Manager Takata for his hard work, expertise and willingness to do all the things that seemed to flow easily and to also do the hard things that have made the Town

successful. Wished him the best in Banning.

Reported regarding attendance at the Environmental Quality Policy Committee Meeting in Sacramento noting the Legislature is hard at work circulating 38 environmental bills, but has not done much work to solve the \$21 billion deficit.

17. Mayor Pro Tem Herbel

Commented regarding Council Member Neeb's announcement that he will not be running again.

Wished Town Manager Takata the best.

18. Mayor Mayes

Commented that Town Manager Takata has been a member of the family noting that the Council, staff and community are sad to see him go. Due to his leadership we are much better off then we were in the past. It has been great to work with him.

Commented regarding Council Member Neeb's announcement that he will not be running for reelection in November and advised it has been a pleasure to serve with him.

ANNOUNCEMENTS

Next Town Council Meeting, Tuesday, February 16, 2010.

CLOSED SESSION

Mayor Mayes adjourned the meeting back into closed session at 7:40 p.m., reconvened to open session at 8:00 p.m. and announced there was no reportable action taken. There were no members of the public present.

ADJOURNMENT

There being no further business the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Jamie Anderson, MMC
Town Clerk