

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
JUNE 1, 2010**

Mayor Mayes called the regular meeting of the Town of Yucca Valley Council to order at 5:00 p.m.

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

Staff Present: Interim Town Manager Tooker, Deputy Town Manager Stueckle, Town Attorney Haubert, Community Services Director Schooler, Administrative Services Director Yakimow, Police Chief Miller, and Deputy Town Clerk Kim.

PLEDGE OF ALLEGIANCE

Led by Council Member Neeb.

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS

1. Employee of the Year

Community Services Director Schooler and Mayor Mayes presented Maureen Randall with an Employee of the Year Award.

Summer Aquatics Staff

Community Services Director Schooler introduced the Summer Aquatics Staff.

Youth Commissioners

Museum Supervisor Richardson introduced and thanked the 2009-10 Youth Commissioners for their service.

AGENCY REPORTS

Water District

2. Monthly Report for May, 2010

No report given.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- 3. **Approve**, Special Town Council Meeting Minutes of May 14, 2010, Regular Town Council Meeting Minutes of May 18, 2010 Special Town Council Meeting Minutes of May 20, 2010 and Special Town Council Meeting Minutes of May 26, 2010.
- 4. **Waive**, further reading of all ordinances and read by title only.
- 5. **Ratify**, Warrant Register in the amount of \$174,196.36 for checks dated May 20, 2010. Ratify Payroll Register total of \$163,178.49 dated May 14, 2010.

Council Member Neeb moved to adopt Consent Agenda Items 3-5. Council Member Herbel seconded. Motion carried 4-0-0-1 on a roll call vote. Council Member Luckino was absent.

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

PUBLIC HEARINGS

- 6. **Public Nuisances abated at Town’s Expense, Placement of Liens on the Tax Roll, Resolution**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, CONFIRMING STATEMENTS OF COSTS AGAINST REAL PROPERTY LOCATED IN THE TOWN OF YUCCA VALLEY FOR ABATEMENTS OF PUBLIC NUISANCES AND DIRECTING THAT SAID STATEMENTS OF COSTS CONSTITUTE A LIEN UPON SAID PROPERTIES

Deputy Town Manager Stueckle gave the staff report.

Mayor Mayes opened the Public Hearing and as there was no one wishing to speak, he closed the hearing.

Council Member Neeb moved to adopt Resolution No. 10-10, placing tax liens on the FY

2010/2011 San Bernardino County Tax Rolls. Council Member Huntington seconded. Motion carried 4-0-0-1 on a roll call vote. Council Member Luckino was absent.

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

DEPARTMENT REPORTS

7. Appointment to Parks, Recreation and Cultural Commission (PRCC) and Planning Commission

Interim Town Manager Tooker gave the staff report stating that Parks Recreation and Cultural Commissioner Alberg was appointed to the Planning Commission leaving a vacancy on the Parks Commission and Planning Commissioner Sturges has resigned. Vacancies were posted and applications were received and are on file from Gregory Graham and Charles McHenry for the Planning Commission and from Jeff M. Evans and Douglas Pennington for the PRCC. The Planning Commission vacancy is Mayor Pro Tem Herbel’s appointment to make and the PRCC vacancy is Mayor Mayes’ appointment to make.

Council Member Herbel thanked Margo Sturges for her work and dedication on the Commission, and moved to nominate Gregory Graham to the Planning Commission. Council Member Neeb seconded. Motion carried 4-0-0-1 on a roll call vote. Council Member Luckino was absent.

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

Mayor Mayes moved to nominate Jeff Evans to the PRCC. Council Member Herbel seconded. Motion carried 4-0-0-1 on a voice vote with Council Member Luckino absent.

8. Erosion and Sediment Control Regulations, Ordinance

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ADOPTING CHAPTER 8.05 OF TITLE 8 ESTABLISHING EROSION AND SEDIMENT CONTROL REGULATIONS

Mayor Mayes suggested tabling the item until Council Member Luckino was present.

Mayor Mayes opened Public Comment.

Margo Sturges, Yucca Valley, asked why the item ordinance wasn't being presented to the Planning Commission before being brought up to the Town Council.

Council Member Herbel thanked the staff for bringing the item forward because it is important to address erosion and sediment control regulations, and questioned if it is consistent with the General Plan, easy to understand, or if it is open to interpretation. Suggested the word "may" in the Ordinance context can be open to interpretation and should be replaced with "will" as well as looking at the wording "waived by the Town Official", replacing "Town Official" with "Town Engineer" as the person having to be looking at it. She also suggested including a definition of "conduct phased grading" on item #6 on page 58 as well as defining what the guidelines are to stabilizing the slopes and to maybe consider including single family homes.

Both Council Members Neeb and Huntington commented regarding the need for the erosion and sediment control regulations to take any corrective actions against any developer.

Deputy Town Manager Stueckle commented with regard to the item not coming before the Planning Commission stating that this recommended action before the Town Council was to introduce the ordinance making it in part of Title 8 of the Non-Development Municipal Code. Such matters did not require Planning Commission review or hearing. He noted that some communities include these regulations in their development code and some in their municipal code.

Council Member Herbel moved to table the item until the August meeting. Council Member Neeb seconded. Motion carried 4-0-0-1 on a voice vote with Council Member Luckino absent.

9. FY 2010-11 Proposed General Fund Budget

Interim Town Manager Tooker introduced the FY2010-11 Proposed General Fund Budget and Administrative Director Yakimow gave the staff report with a PowerPoint presentation summarizing decreasing revenues and increasing expenditures resulting in a projected \$315,000 deficit.

Mayor Mayes opened Public Comment.

Charles McHenry, Yucca Valley, spoke in opposition to the elimination of a motorcycle officer and staff.

Margo Sturges, Yucca Valley, spoke in opposition to the elimination of a motorcycle officer and museum closure.

Mark Wheeler, Joshua Tree, spoke in opposition to museum closure.

Joyce Metcalf, Yucca Valley, spoke in opposition to museum cuts.

Isaac Hagerman, Yucca Valley, spoke in opposition to the elimination of a motorcycle officer and suggested transitioning the museum to a 501c3 non-profit organization status.

Tom O'Key, Joshua Tree, spoke in opposition to museum cuts and stated safety is important.

Fritz Koenig, Yucca Valley, suggested a 10% staff salary cut across the board.

Sarann Graham, Yucca Valley, spoke in opposition to cutting the Motorcycle Officer position and commented regarding the museum possibly being functional on its own as a 501c3 entity.

Barbara Renton, Yucca Valley, spoke in opposition to museum funding cuts.

Cynthia Villani, Yucca Valley, **Shellynnie Hann**, Yucca Valley and **Amanda Sloan**, Yucca Valley, did not wish to speak but submitted cards showing opposition to public safety budget cuts. **Charlyne Connors**, Yucca Valley, submitted a card in opposition to museum relocation and closure.

There being no one else wishing to speak, Mayor Mayes closed the public comments.

Mayor Mayes addressed the Council stating that we only have one other meeting between now and July 1st and stressed the need to have a prepared and adopted budget before July 1, 2010.

Council Member Neeb suggested reviewing the budget line by line.

Council Member Huntington agreed to a review line item by line item.

Mayor Mayes addressed the question of a balanced budget and the use of reserves to balance the budget.

Council Member Neeb commented we should maintain a balanced budget without using reserves.

Council Member Huntington concurred that we should balance the budget without using

reserves except for one time for about \$100,000 if need be.

Council Member Herbel stated that reserves are for emergencies and this is an emergency situation. Asked the council to consider filling in the gap with reserves until the new Town Manager is on board and then to regroup and have a flow of consistency to suggest long term solutions.

Mayor Mayes commented he wanted to balance the budget without using the reserves and summarized that 2.5 out of 4 Council Members were in agreement to not use reserves.

Administrative Services Director Yakimow stated that currently the Town has 45 % reserves while the current policy is to maintain 25-30%. He also stated that the Council would need to address the structural deficit where the revenues are not sufficient for the ongoing expenses in this year or at sometime in the near future.

Mayor Mayes referred to stamped page 72 of the staff report to begin the discussion.

Deputy Town Manager Stueckle gave the staff report regarding the Code Enforcement Position. Council Members Huntington and Neeb were in agreement with the staff report to eliminate the position, Council Members Herbel and Mayor Mayes were not.

Interim Town Manager Tooker gave the staff report regarding the Senior Management Analyst Position. All Council Members were in agreement with the staff report to eliminate the Senior Management Analyst Position.

Community Services Director Schooler gave the staff report regarding the Museum Registrar Position. Council Members Neeb and Mayor Mayes were in agreement with the staff report to eliminate the position. Council Members Herbel and Huntington were not.

Police Chief Miller gave the staff report regarding the Schedule A – Motorcycle Officer Position. Council Members Huntington and Neeb were in agreement with the staff report to eliminate the position. Council Member Herbel and Mayor Mayes were not.

Interim Town Manager Tooker gave the staff report regarding adding the Engineering Associate Position. Council Members Neeb and Mayor Mayes were in agreement with the staff report to add the position. Council Members Herbel and Huntington were not.

Community Services Director Schooler gave the staff report regarding Partnership Reductions.

Interim Town Manager Tooker summarized Council Members comments stating if we reinstate the CDBG Programs, MB Cultural Arts Tour and DRTA that would be adding \$22,000 back to the staff's proposed budget and Council Members all agreed to reduce

the remaining \$23,385 as recommended by the staff report.

Administrative Director Yakimow gave the staff report regarding the Employee Retirement Contribution. All Council Members were in agreement with the staff report to start a 2.0% Employee Retirement Contribution.

Interim Town Manager Tooker commented that the only reason he as the Interim Town Manager would do anything like this is because he sees a significant problem in the budget and it's a structural problem that is one that will get worse and not better. As much as he would like to advise the Council to take it out of reserves so that he would not have to deal with it, he is compelled as a professional to advise the Council that is not the correct course of action. He commented that the Council can use reserves to help solve the problem but he feels it will get worse over the next few years before it gets better.

Council Member Neeb moved to continue the meeting to Monday, June 7, 2010.

Mayor Mayes agreed to continue the meeting.

PUBLIC COMMENT

Mardee Poist, Yucca Valley, Rancho Mesa group member commented regarding Burrtec.

Greg Graham, Yucca Valley, thanked the Council for his appointment.

Margo Sturges, Yucca Valley, commented regarding procedures to contact Council.

CLOSED SESSION

- 15. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to Government Code Section 54956.9(b)
1 potential case
- 16. **Closed Session pursuant to Government Code Section 54957, Public Employee Appointment (Town Manager Recruitment)**

Mayor Mayes adjourned to Closed Session at 8:25 p.m. and reconvened at 8:57 p.m. with no reportable action taken. There were no members of the public present. The meeting was recessed to June 7, 2010 at 6:00 p.m.

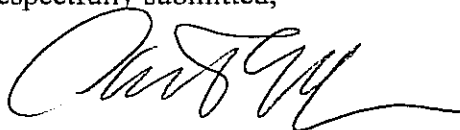
ANNOUNCEMENTS

Town Council Meeting was adjourned to June 7, 2010 at 6:00 p.m.

ADJOURNMENT

The meeting was recessed at 8:57 p.m. until June 7, 2010 at 6:00 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christine E. Kim', with a long horizontal flourish extending to the right.

Christine E. Kim, CMC
Deputy Town Clerk