

**TOWN OF YUCCA VALLEY  
TOWN COUNCIL MEETING MINUTES  
OCTOBER 16, 2018**

**OPENING CEREMONIES**

**CALL TO ORDER**

Mayor Rick Denison called the meeting to order at 6:00 PM.

**ROLL CALL**

**PRESENT:** Abel, Denison, Drozd, Leone, Lombardo

**ABSENT:**

Staff Members Present: Town Manager Yakimow, Deputy Town Manager Stueckle, Town Attorney Jex, Police Captain Newport, Community Services Manager Earnest, Management Analyst Rice, Human Resources and Risk Manager Breidenbach-Sterling, and Town Clerk Copeland

**PLEDGE OF ALLEGIANCE**

Led by Council Member Leone

**PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS:**

**1. Recognition: Oversight Board to the Successor Agency**

Mayor Denison recognized the Oversight Board to the Successor Agency Members, Chair Dawn Rowe, Bob Dunn, Scott Tuttle (for Tom Marshall), Sharon Flores, Dick Rogers (not in attendance) and Shane Stueckle. Mayor Denison presented a plaque of appreciation to each for their term of service.

**APPROVAL OF AGENDA**

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Robert Leone, Council Member  
**SECONDER:** Robert Lombardo, Mayor Pro Tem  
**AYES:** Abel, Denison, Drozd, Leone, Lombardo

**CONSENT AGENDA**

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Jeff Drozd, Council Member  
**SECONDER:** Merl Abel, Council Member  
**AYES:** Abel, Denison, Drozd, Leone, Lombardo

2. **Waive further reading of all ordinances (if any in the agenda) and read by title only.**

**MOTION:**

Waive further reading of all ordinances and read by title only.

3. **Town Council - Regular Meeting - Oct 2, 2018 6:00 PM**

**MOTION:**

Approve the meeting minutes of October 2, 2018 as presented.

4. **Approve the Buena Vista Pavement Rehab: Final Project Report, Notice of Completion, Budget Amendment and Measure I Plan Amendment**

**MOTION:**

Amend the 2018/2019 FY Budget, appropriating \$42,000 from the Measure I, Fund 524 account, appropriating those funds for the Buena Vista, SR 247 to Yucca Mesa Road project; direct staff to return to the Town Council prior to the end of the fiscal year with a Measure I 5 Year Plan amendment, and accept the projects as substantially complete, authorizing staff to file the Notice of Completion, authorizing the reduction of the Faithful Performance Bond to 10%, and directing staff to retain the Labor and Material Bond for six (6) months for Project No. 7002, Buena Vista, SR 247 to Yucca Mesa.

5. **Approve the 2018/2019 Town Wide Slurry Seal Project – Town Project No. 8340: Notice of Completion**

**MOTION:**

Accept the project as substantially complete, authorize staff to file the Notice of Completion, authorize the reduction of the Faithful Performance Bond to 10%, and direct staff to retain the Labor and Material Bond for six (6) months for Project No. 8340.

6. **Approve the Public Building Demolition Projects: Final Project Report, Notice of Completion**

**MOTION:**

Accept the projects as substantially complete, authorize staff to file the Notice of Completions, authorizes the reduction of the Faithful Performance Bond to 10%, and direct staff to retain the Labor and Material Bond for six (6) months for Projects No. 8045 and 8054.

7. **Approve the Yucca Mesa and La Contenta Pavement Rehabilitation Project No. 7003, Pavement Coatings Co., Budget Amendment, First Amendment to Contract; Final Project Report**

**MOTION:**

Amend the FY 2018/2019 Budget by appropriating \$50,000 from Fund 524, 2010-2040 Measure I, for the Yucca Mesa La Contenta Projects, Project No. 7703, and directing staff to return to the Town Council with an amendment to the Measure I Five Year Capital Improvement Program; and

Approve the first amendment to the construction contract for the Yucca Mesa and La Contenta Pavement Rehabilitation Project, Town Project No. 7003 with Pavement

Coatings Co. from the original amount of \$397,864, the \$39,786.40 contingency authorized at the meeting of July 3, 2018, by adding \$20,919.65 to the project, for a total contract compensation of \$458,570.05, authorizing the Mayor, Town Manager, and Town Attorney to sign all necessary documents; and

Accept the Yucca Mesa and La Contenta Pavement Rehabilitation Project, Town Project No. 7003 as substantially complete, authorizes staff to file the Notice of Completion, authorize the reduction of the Faithful Performance Bond to 10%, and directs staff to retain the Labor and Material Bond for six (6) months.

**8. Approve the Ratification of Warrant Registers**

**MOTION:**

Ratify the Payroll Registers totaling \$174,082.89 dated September 21, 2018, and \$175,543.76 dated October 5, 2018

Ratify the Warrant Registers totaling \$860,442.09 dated September 21, 2018

Mayor Denison opened public comments for the Consent Agenda items. With no members of the public wishing to speak, public comments were closed.

**PUBLIC HEARING**

**9. Development Code Amendment, DCA-02-18, Planning Commission Recommendation, 2nd Dwelling Unit Standards**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING SECTION 9.08.100, ACCESSORY DWELLING UNITS, OF CHAPTER 9.08, STANDARDS AND REGULATIONS FOR SPECIFIC USES IN RESIDENTIAL AND HILLSIDE RESERVE DISTRICTS, OF ARTICLE 2, ZONING DISTRICTS AND DEVELOPMENT STANDARDS, OF TITLE 9, DEVELOPMENT CODE, OF THE YUCCA VALLEY MUNICIPAL CODE.**

Deputy Town Manager Stueckle presented the staff report for the review of 2nd Unit Standards. The Town Council held a public hearing on September 18, 2018 which the Town Council requested modifications to the proposed ordinance. Stueckle reviewed the modifications being presented for consideration.

Mayor Denison opened the public hearing.

\_\_\_\_\_ (Did not state name) Inquired on the minimum lot size to host a second dwelling as seen on a current ordinance. Deputy Town Manager Stueckle clarified that the referenced ordinance is no longer in affect.

With no other members of the public wishing to speak, Mayor Denison closed the public hearing.

Council Member Abel inquired on the requirements of short-term vacation rentals (STVR) with multiple units on the same property under the proposed code. Deputy

Town Manager Stueckle explained that only one STVR can operate on a given property, under the current STVR ordinance. One long-term rental and one STVR can be located on a single property. Council Member Abel expressed he likes the proposed language to give the property owners the most flexibility to rent both units and assist with local rental opportunities.

Council Member Drozd commented favorably on how the document was written, though expressed concerned of having two rentals on one property in a neighborhood not normally zoned for multiple units.

Council Member Leone inquired if there is a minimum size lot that a 2nd dwelling can exist. Deputy Town Manager Stueckle explained that any property allowing a single family residence, State regulations mandate the allowance of a 2nd dwelling on the same property.

Mayor Pro Tem Lombardo noted he likes the way the document is written, giving property owners a few options and may help the rental opportunities in the community.

Mayor Denison thanked staff for incorporating the comments and suggestions from the last meeting.

Council Member Abel reminded the group that if issues arise with a property having both a standard rental and STVR, there is a STVR ordinance that can assist in addressing those concerns.

Mayor Denison spoke of safety regulations on rental units.

Council Member Leone requested clarification on parking regulations.

**MOTION:**

Find the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) which states that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA;

Introduce Ordinance 281, amending Section 9.08.100, Second Dwelling Units, Of Chapter 9.08, Standards and Regulations For Specific Uses In Residential and Hillside Reserve Districts, Of Article 2, Zoning Districts And Development Standards, Of Title 9, Development Code, Of The Yucca Valley Municipal Code.

**RESULT:**           **INTRODUCED [UNANIMOUS]**  
**MOVER:**           Jeff Drozd, Council Member  
**SECONDER:**       Merl Abel, Council Member

**AYES:** Abel, Denison, Drozd, Leone, Lombardo

**DEPARTMENT REPORTS**

**10. Update on Recycling Legislation**

Management Analyst Rice presented the staff report, giving an updated on recent legislation affecting recycling, including AB341 (Mandatory Commercial Recycling) AB1826 (Mandatory Organics Recycling), SB1383 (Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions), and China's Ban on Recyclable Materials.

Mayor Denison opened public comments. With no members of the public wishing to speak, public comments were closed.

Council Member Abel suggested reaching out to State representatives to assist with working on the challenges Yucca Valley has in meeting the proposed requirements.

Council Member Leone commented that as the recyclable industry changes, the consumer will probably end up footing the bill.

Mayor Pro Tem Lombardo expressed concern with the upcoming regulations, placing a lot of pressure on local businesses, and noted he likes the idea of recycling more, but is concerned on how businesses will be able to comply.

Mike Veto, Director of Municipal Services for Burrtec explained that composting is just part of the puzzle. There are a lot of unknowns on how to deal with the recycled product after it is collected.

Mayor Denison noted that complying with the proposed mandates will most likely come back to the consumer in some form.

**MOTION:**

Receive and file the update on recent recycling legislation.

**RESULT:** RECEIVED AND FILED [UNANIMOUS]

**MOVER:** Rick Denison, Mayor

**SECONDER:** Robert Lombardo, Mayor Pro Tem

**AYES:** Abel, Denison, Drozd, Leone, Lombardo

**11. Brown Act Presentation**

Town Attorney Jex presented an update on the Ralph M. Brown Act.

Mayor Denison opened public comments. With no members of the public wishing to speak, public comments were closed.

**MOTION:**

Receive and file the Brown Act presentation.

**RESULT:** RECEIVED AND FILED [UNANIMOUS]

**MOVER:** Rick Denison, Mayor

**SECONDER:** Robert Leone, Council Member

**AYES:** Abel, Denison, Drozd, Leone, Lombardo

**FUTURE AGENDA ITEMS**

Mayor Pro Tem Lombardo requested an update on the license plate reader project. Consensus was made among the Council to place on a future agenda.

**PUBLIC COMMENTS**

Mayor Denison opened public comments for items not on the agenda. With no members of the public wishing to speak, public comments were closed.

**STAFF REPORTS AND COMMENTS**

Captain Newport announced an upcoming fund raiser for the Explorer Scouts, and invited the public to attend.

Community Services Manager Earnest announced that youth basketball registration is underway and provided an updated on upcoming events at the Museum, the State of the Town luncheon, and the Veterans' Tribute.

Deputy Town Manager Stueckle gave a brief update on the recent storm.

Town Manager Yakimow reminded the public to get out and vote at the upcoming election, and gave kudos to the street crew for their dedication in the storm clean-up effort.

**MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS**

Council Member Abel thanked Chris Gubler and Sunset Rotary for the Orchid Festival, raising funds for local charities. Abel congratulated the Yucca Valley High School girls volleyball team for making it to the CIF finals, and reminded voters that mail ballots can be dropped off at Town Hall.

Council Member Drozd thanked staff and fellow Council Members for the hard work for tonight's complex discussion.

Council Member Leone commented on the recent storm and thanked Robert Adams and the street crew for their dedication to the local roadways.

Mayor Pro Tem Lombardo thanked the road crew, noting an impressive job working through the weekend. Lombardo reminded everyone to vote, and commented on a recent auto accident in Morongo Valley.

Mayor Denison thanked public safety personnel for assisting local residents and visitors during the recent storm event, and thanked the Town's street maintenance crew and parks crew for recent storm clean-up efforts.

**ANNOUNCEMENTS / ADJOURNMENT**

**Upcoming Meeting Schedule**

The next regular meeting of the Yucca Valley Town Council will be held on Tuesday, November 6, 2018 at 6:00 PM in the Yucca Valley Community Center Yucca Room.

Mayor Denison adjourned the meeting at 7:23pm

Respectfully Submitted,

Lesley Copeland, CMC  
Town Clerk