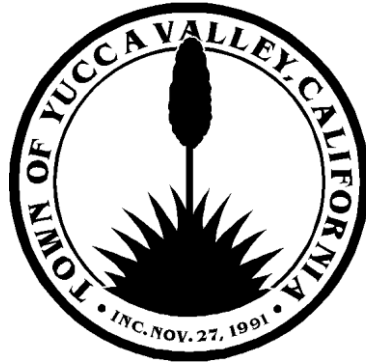


TOWN OF YUCCA VALLEY TOWN COUNCIL MEETING



*The Mission of the Town of Yucca Valley is to
provide a government that is responsive to its citizens
to ensure a safe and secure environment
while maintaining the highest quality of life*

**CLOSED SESSION: 5:30 PM
YUCCA VALLEY COMMUNITY CENTER
MESQUITE ROOM**

**TOWN COUNCIL: 6:00 PM
TUESDAY, JUNE 20, 2017
YUCCA VALLEY COMMUNITY CENTER
YUCCA ROOM
57090 TWENTYNINE PALMS HWY
YUCCA VALLEY, CA 92284**

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**Town Council
Merl Abel, Mayor
Rick Denison, Mayor Pro Tem
Jeff Drozd, Council Member
Robert Leone, Council Member
Robert Lombardo, Council Member**

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**TOWN ADMINISTRATIVE OFFICE:
760-369-7207
www.yucca-valley.org**

**AGENDA
MEETING OF THE
TOWN COUNCIL
TUESDAY, JUNE 20, 2017
6:00 PM**

The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's Office at 760-369-7209 at least 48 hours prior to the meeting.

An agenda packet for the meeting, and any additional documents submitted to the majority of the Town Council, are available for public view in the Town Hall lobby and with respect to the staff agenda packet, on the Town's website, www.yucca-valley.org, prior to the Regular Meeting. Any materials submitted to the Agency after distribution of the agenda packet will be available for public review in the Town Clerk's Office during normal business hours and will be available for review at the Regular Meeting. For more information on an agenda item or the agenda process, please contact the Town Clerk's office at 760-369-7209 ext. 226.

If you wish to comment on any subject on the agenda, or any subject not on the agenda during public comments, please fill out a card and give it to the Town Clerk. The Mayor/Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.

Where appropriate or deemed necessary, action may be taken on any item listed in the agenda.

CLOSED SESSION 5:30 PM:

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

A closed session will be held, pursuant to Government Code Section 54956.9 (d)(2) significant exposure to litigation in one (1) case.

Public Comment will be taken prior to adjournment to Closed Session.

REPORT OUT FROM CLOSED SESSION

OPENING CEREMONIES 6:00 PM:

CALL TO ORDER:

ROLL CALL:

Council Members Denison, Drozd, Leone, Lombardo, and Mayor Abel

PLEDGE OF ALLEGIANCE:

INVOCATION:

APPROVAL OF AGENDA:

Recommendation:

Approve the meeting agenda for Tuesday, May 2, 2017 as prepared.

CONSENT AGENDA:

All items listed on the consent calendar are considered to be routine matters or are considered formal documents covering previous Town Council instruction. The items listed on the consent calendar may be enacted by one motion and a second. There will be no separate discussion of the consent calendar items unless a member of the Town Council or Town Staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on consent calendar items should be filed with the Town Clerk before the consent calendar is called.

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

Recommendation:

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

2. Community Center Complex and Animal Shelter Backup Emergency Generators – Town Project No. 8028: Hazard Mitigation Grant Program (HMGP): Purchase of Caterpillar Diesel Powered Standby Electrical Generators for Community Center Complex and Animal Shelter

Recommendation:

That the Town Council authorize the purchase of a Caterpillar Model C9-300 Kw diesel Standby Generator for Town Hall in the amount of \$82,483.92 and Caterpillar Model D80-8, 80 Kw diesel Standby Generator for the Animal Shelter in the amount of \$38,644.56 from Johnson CAT, Riverside, California, per the terms outlined in the National Joint Powers Alliance (NJPA) contract number 080613-Cat.

3. Appointment of Voting Delegate and alternate for the business meeting of the League of California Cities Annual Conference

Recommendation:

Designate Mayor Abel as Voting Delegate, and Mayor Pro Tem Denison as alternate for the business meeting of the 2017 League of California Cities Annual Conference

4. Resolution No. 17- ; Authorization of the Levy of A Special Service Tax Upon Real Property Within Community Facilities District (CFD) No. 11-1; Improvement Areas # 1, 2, 3, 4, and 5

Recommendation:

That the Town Council adopts the Resolution authorizing the annual levy of Special Taxes for Community Facility District No. 11-1, Improvement Areas # 1, #2, #3, #4, and #5 for fiscal year 2017/2018.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY AUTHORIZING THE ANNUAL LEVY OF SPECIAL TAXES FOR COMMUNITY FACILITIES DISTRICT NO 11-1 FOR FISCAL YEAR 2017/2018

5. 2017/2018 Town Wide Slurry Seal Project – Town Project No.8340: award of Construction Contract, American Asphalt South, Inc, Fontana CA

Recommendation:

That the Town Council awards the construction contract to American Asphalt South, Inc., in the amount of \$383,500 and authorizes a construction contingency in the amount of \$41,500, for a total contract amount of \$425,000, authorizing the Mayor, Town Manager, and Town Attorney to sign all necessary documents, and authorizing the Town Manager to expend the contingency fund, if necessary, to complete the project.

6. Shoulder Maintenance Contract Services: Award of Contract, Clark Construction

Recommendation:

That the Town Council awards a professional services agreement for shoulder maintenance and storm clean up to Clark Construction in the amount of \$25,000, authorizing the Town Manager, Town Attorney, and Mayor to sign the Town’s standard professional services agreement and related documents for these services.

7. SR62 Median Island Landscape Maintenance Contract Services: Award of Contract, Desert Green Landscape

Recommendation:

That the Town Council awards a contract for professional services to Desert Green Landscape for maintenance of the SR62 median islands in the amount of \$21,396.00 annually, and authorizes the Town Manager, Town Attorney, and the Mayor to sign the standard professional services agreement and any necessary documents to complete the project.

8. Street Sweeping Contract Services: Award of Contract, Quality Street Services, Inc.

Recommendation:

That the Town Council awards the service contract to Quality Street Services, Inc., authorizing the Mayor, Town Manager, and Town Attorney to sign the Town's standard professional services agreement and related documents, in the amount of \$40,000.00 for general on-call street sweeping services.

9. Town Parks/Facilities Contract Services: Award of Contract

Recommendation:

That the Town Council award a contract for professional services to Desert Arc for Parks/Facilities maintenance services in the amount of \$54,738.84 annually, and authorizes the Town Manager, Town Attorney, and the Mayor to sign the standard professional services agreement and all necessary documents to complete the project.

10. Traffic Signal Maintenance Contract Services: Award of Contract, Siemens Industry, Inc.

Recommendation:

That the Town Council award a contract for professional services to Siemens Industry, Inc., for Traffic Signal Maintenance Contract Services in the amount of \$15,000, and authorizes the Town Manager, Town Attorney, and the Mayor to sign the Town's standard professional service agreement and all related documents as necessary to complete the project.

11. Authorization to Purchase Replacement Fleet Heavy Equipment, unit #38 and unit #5: Declaring the 1989 Case 580K Backhoe and the 2006 JCB Skip loader as Surplus and Authorization to Dispose of Surplus Property

Recommendation:

That the Town Council:

- 1- Authorizes the purchase of a new 2017 Case 580 Backhoe, from Sonsray Machinery LLC, in the amount of \$106,292.32 for replacement of vehicle #38; and authorizes the purchase of a new 2017 Case skip loader, from Sonsray Machinery LLC, in the amount of \$100,704.80 for replacement vehicle #5.**
- 2- Declares the 1989 Case 580K Backhoe and the 2006 JCB Skip Loader as surplus, and approves the sale of the surplus, authorizing the Town Manager to auction/sell the vehicle through a public bidding/auction process or through disposition through dismantling services.**

12. Highway Safety Improvement Program (HSIP): Federal Project No. HSIPL-5466(023): Authorization to Release RFP Resolution No. 17-: Program Supplemental Agreement No.014-F

Recommendation:

That the Town Council:

- 1- Adopts the Resolution, approving Program Supplemental Agreement No. 014-F and authorizing the Town Manager to sign all necessary documents for the program;
- 2- Authorizes the release of the RFP for design of Town Project No. 8971, Federal Project No. HSIPL-5466(023);

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING PROGRAM SUPPLEMENT NO. 014-F TO ADMINISTRING AGENCY-STATE AGREEMENT NO. 08-5466F15 FOR THE PRELIMINARY ENGINEERING OF THE YUCCA TRAIL SAFETY IMPROVEMENT PROJECT. FEDERAL PROJECT NO. HSIPL-5466(023), IN SAID TOWN AND APPROVING AUTHORIZED SIGNATORS TO ALL NECESSARY AGREEMENTS AND DOCUMENTS.

13. Town and District Settlement Agreement - Town-Owned Easements

Recommendation:

That the Town Council approve the attached “Stipulation For Interlocutory Judgment” (the “Stipulation”) to grant High Desert Water District access to certain Town-owned easements for purposes of implementing the District’s Sewer Project.

14. Hi-Desert Nature Museum California Humanities Grant Proposal

Recommendation:

Approve the Hi-Desert Nature Museum proposed application for a California Humanities Grant as recommended by the Parks, Recreation and Cultural Commission.

15. Spending Limitation for Fiscal Year 2017-18

Recommendation:

It is recommended that the Council adopt a resolution establishing the spending limitation for fiscal year 2017-18.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ESTABLISHING THE SPENDING LIMITATION FOR FISCAL YEAR 2017-2018

16. AB1234 Reporting Requirements

Recommendation:

Receive and file the AB1234 Reporting Requirement Schedule for the month of May 2017

17. Ratification of Warrant Registers

Recommendation:

Ratify the Payroll Register totaling \$147,682.81 dated June 2, 2017

Ratify the Warrant Register totaling \$445,315.39 dated June 2, 2017

PUBLIC HEARINGS:

18. Agreement for Special Tax Levies with San Bernardino County Resolution No. 17; Annual Assessment Engineer's Report for Previously Formed Street and Drainage and Landscape and Lighting Maintenance Districts Levying Annual Assessments Upon Real Property Within Districts

Recommendation:

That the Town Council:

- Approves the Agreement with San Bernardino County for collection of Special Taxes, fees, and assessments for Fiscal Year 2017-18;
- Adopts the Resolution, approving and confirming the assessment diagrams and confirming the assessments as set forth in the Engineer's reports for Landscaping and Lighting Maintenance Districts and Street and Drainage Maintenance Districts within the existing Districts for the 2017-2018 tax year and authorizes the levy of assessment upon real property as identified in the Engineer's Reports.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA CONFIRMING THE ASSESSMENT DIAGRAMS AND CONFIRMING THE ASSESSMENTS AS SET FORTH IN THE ENGINEER'S REPORTS FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICTS AND STREET AND DRAINAGE MAINTENANCE DISTRICTS WITHIN THE EXISTING DISTRICTS FOR THE 2017-2018 TAX YEAR AND AUTHORIZES THE LEVY OF ASSESSMENT UPON REAL PROPERTY AS IDENTIFIED IN THE ENGINEER'S REPORTS

19. Environmental Assessment, EA- 03-17: Development Code Amendment, DCA 01-17; Resolution No. PC-01-17; Ordinance, AN ORDINANCE OF THE TOWN OF YUCCA VALLEY AMENDING SECTIONS 9.07.040, 9.09.020, 9.10.020, 9.12.030, 9.13.051, 9.50.020, and 9.99.140, AND REPEALING SECTION 9.14.050, AND ADDING SECTION 9.53, TITLED MARIJUANA USES PROHIBITED: PERSONAL MARIJUANA CULTIVATION REGULATIONS, OF TITLE 9, YUCCA VALLEY DEVELOPMENT CODE, OF THE YUCCA VALLEY MUNICIPAL CODE, TO PROHIBIT ALL MARIJUANA USES WITHIN THE TOWN AND ESTABLISH REASONABLE REGULATIONS FOR THE INDOOR PERSONAL CULTIVATION OF MARIJUANA

Recommendation:

That the Town Council:

Finds that the project is exempt from the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15061(b)(3) since there is no possibility of a significant impact on the environment caused by this amendment.

The proposed amendment to revise the Town’s Development Code regulations has no potential to impact the environment. The proposed amendment does not alter the existing requirements that specific development projects must comply with the provisions of the California Environmental Quality Act. Development Code Amendment, DCA 01-17 meets the exemption criteria 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”.

Introduces the Ordinance AN ORDINANCE OF THE TOWN OF YUCCA VALLEY AMENDING SECTIONS 9.07.040, 9.09.020, 9.10.020, 9.12.030, 9.13.051, 9.50.020, and 9.99.140, AND REPEALING SECTION 9.14.050, AND ADDING SECTION 9.53, TITLED MARIJUANA USES PROHIBITED: PERSONAL MARIJUANA CULTIVATION REGULATIONS, OF TITLE 9, YUCCA VALLEY DEVELOPMENT CODE, OF THE YUCCA VALLEY MUNICIPAL CODE, TO PROHIBIT ALL MARIJUANA USES WITHIN THE TOWN AND ESTABLISH REASONABLE REGULATIONS FOR THE INDOOR PERSONAL CULTIVATION OF MARIJUANA.

DEPARTMENT REPORTS:

20. Town of Yucca Valley Summer Music Festival & 4th of July Fireworks

Recommendation:

That the Council receive and file the report regarding the 2017 Summer Music Festival and 4th of July Fireworks presentation.

21. FY2017-18 Proposed Budget Amendment

Recommendation:

It is recommended that Council

Adopts the Resolution amending the FY2017-18 General Fund and Special Revenue Fund Budgets as identified in Exhibits A and B respectively

Approve the recommended amendment to the Authorized Position List as identified in Exhibit C

Approve the recommended amendment to the pay ranges for such positions for fiscal years 2017-18, effective with the payroll dated July 28, 2017 as identified in Exhibit D

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FISCAL YEAR 2017-18 ADOPTED BUDGET.

FUTURE AGENDA ITEMS:

PUBLIC COMMENTS:

In order to assist in the orderly and timely conduct of the meeting, the Town Council takes this time to consider your comments on items of concern which are on the Closed Session or not on the agenda. When you are called to speak, please state your name and community of residence. Notify the Mayor if you wish to be on or off the camera. Please limit your comments to three (3) minutes or less. Inappropriate behavior which disrupts, disturbs or otherwise impedes the orderly conduct of the meeting will result in forfeiture of your public comment privileges. The Town Council is prohibited by State law from taking action or discussing items not included on the printed agenda.

STAFF REPORTS AND COMMENTS:

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS:

Council Member Drozd
Council Member Leone
Council Member Lombardo
Mayor Pro Tem Denison
Mayor Abel

ANNOUNCEMENTS:

Upcoming Meeting Schedule

The Town Council will be dark for the regularly scheduled meeting of July 4, 2017.

The next regular meeting of the Yucca Valley Town Council will be held on Tuesday, July 18, 2017 at 6:00 PM in the Yucca Valley Community Center Yucca Room.

ADJOURNMENT:

Yucca Valley Town Council

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Town of Yucca Valley Town Council in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Yucca Valley Town Council, Commissions and Committees.

Agendas - All agendas are posted at Town Hall, 57090 Twentynine Palms Highway, Yucca Valley, at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the Town Hall offices located at 57090 Twentynine Palms Highway, Yucca Valley.

Agenda Actions - Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Town Council will generally consider items in the order listed on the agenda. However, items may be considered in any order. Under certain circumstances new agenda items can be added and action taken by two-thirds vote of the Town Council.

Closed Session Agenda Items - Consideration of closed session items, *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Mayor will announce the subject matter of the closed session. If final action is taken in closed session, the Mayor shall report the action to the public at the conclusion of the closed session.

Public Testimony on any Item - Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Town Council should complete a "Request to Speak" form, provided near the Town Clerk's desk at the meeting room, and present it to the Town Clerk prior to the Council's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak. When recognized by the Mayor, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Council, speakers are limited to up to three (3) minutes on each item. The Mayor or a majority of the Council may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Council member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times - The Council is concerned that discussion takes place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment - At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject with Council's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in Rule #4 still apply.*

Disruptive Conduct - If any meeting of the Council is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Mayor may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Council without first being recognized, not addressing the subject before the Council, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Council from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for all Town of Yucca Valley meetings. Your cooperation is appreciated!*

ACRONYM LIST

| | |
|----------|---|
| ADA | Americans with Disabilities Act |
| CAFR | Comprehensive Annual Financial Report |
| CALTRANS | California Department of Transportation |
| CEQA | California Environmental Quality Act |
| CCA | Community Center Authority |
| CDBG | Community Development Block Grant |
| CHP | California Highway Patrol |
| CIP | Capital Improvement Program |
| CMAQ | Congestion Mitigation and Air Quality |
| CMP | Congestion Management Program |
| CNG | Compressed Natural Gas |
| COP | Certificates of Participation |
| CPI | Consumer Price Index |
| DOJ | Department of Justice |
| DOT | Department of Transportation |
| ED | Economic Development |
| EIR | Environmental Impact Report (pursuant to CEQA) |
| GAAP | Generally Accepted Accounting Procedures |
| GASB | Governmental Accounting Standards Board |
| HDWD | Hi Desert Water District |
| HUD | US Department of Housing and Urban Development |
| IEEP | Inland Empire Economic Partnership |
| IIPP | Injury and Illness Prevention Plan |
| IRC | Internal Revenue Code |
| LAIF | Local Agency Investment Fund |
| LLEBG | Local Law Enforcement Block Grant |
| LTF | Local Transportation Fund |
| MBTA | Morongo Basin Transit Authority |
| MBYSA | Morongo Basin Youth Soccer Association |
| MDAQMD | Mojave Desert Air Quality Management District |
| MOU | Memorandum of Understanding |
| MUSD | Morongo Unified School District |
| PARSAC | Public Agency Risk Sharing Authority of California |
| PERS | California Public Employees Retirement System |
| PPA | Prior Period Adjustment |
| PVEA | Petroleum Violation Escrow Account |
| RDA | Redevelopment Agency |
| RSA | Regional Statistical Area |
| RTP | Regional Transportation Plan |
| SANBAG | San Bernardino Associated Governments |
| SCAG | Southern California Association of Governments |
| STIP | State Transportation Improvement Program |
| STP | Surface Transportation Program |
| TEA-21 | Transportation Enhancement Act for the 21 st Century |
| TOT | Transient Occupancy Tax |

Town Council Committee Assignments

| COMMITTEE | REPRESENTATIVE | MEETING SCHEDULE | LOCATION |
|--|-----------------------------------|--|----------------|
| DESERT SOLID WASTE JPA | Leone Drozd (Alt) | 10:00 a.m. 2 nd Thursday Feb, May, Aug, Nov | Victorville |
| LEAGUE OF CALIFORNIA CITIES DESERT MOUNTAIN DIVISION | Lombardo Denison (Alt) | 10:00 a.m. 4 th Friday- Quarterly | Varies |
| LEAGUE OF CALIFORNIA CITIES LEGISLATIVE DELEGATE | Mayor | | |
| LEGISLATIVE TEAM | Abel Denison Lombardo (Alt) | Proposed for Council Members to work with Town Manager meeting with legislators when necessary | |
| HOMELESS PARTNERSHIP (SBCO) AND INTERAGENCY COUNCIL ON HOMELESSNESS | Staff | 9:00 a.m. 4 th Wednesday | San Bernardino |
| MEASURE I | Denison Abel (Alt) | 9:30 a.m. 3 rd Friday | Apple Valley |
| MORONGO BASIN TRANSIT AUTHORITY | Abel Leone Drozd (Alt) | 5:00 p.m. 4 th Thursday | Joshua Tree |
| MOJAVE AIR QUALITY DISTRICT | Leone Abel (Alt) | 10:00 a.m. 4 th Monday | Victorville |
| SANBAG | Denison Abel (Alt) | 10:30 a.m. 1 st Wednesday | San Bernardino |
| SO. CALIFORNIA ASSOC. GOV (SCAG) GENERAL ASSEMBLY | SANBAG Rep/Alternate | Annually May | Varies |
| SB COUNTY SOLID WASTE ADVISORY TASK FORCE (SWAT) | Leone | Twice Yearly | San Bernardino |
| SPORTS COUNCIL | Drozd | 6:30 p.m. 2 nd Monday March, June, Sept | Yucca Valley |

Ad Hoc Committee Assignments

| COMMITTEE | REPRESENTATIVES |
|---------------------------|---------------------|
| AUDIT | Denison Drozd |
| LEGAL SERVICES | Abel Denison |
| LIVABILITY STUDY | Denison Lombardo |
| PUBLIC FACILITIES | Leone Lombardo |
| RDA BONDS | Leone Lombardo |
| REVENUE MEASURE OVERSIGHT | Drozd Leone |
| WASTEWATER PROJECT | Denison Leone |