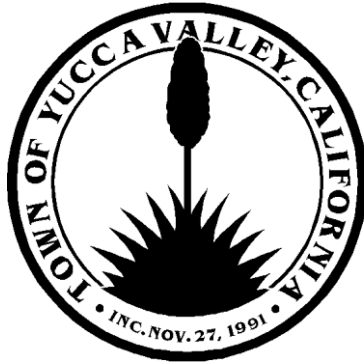


# TOWN OF YUCCA VALLEY TOWN COUNCIL MEETING



*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.*

**TOWN COUNCIL: 6:00 PM  
TUESDAY, OCTOBER 16, 2018  
YUCCA VALLEY COMMUNITY CENTER  
YUCCA ROOM  
57090 TWENTYNINE PALMS HWY  
YUCCA VALLEY, CA 92284**

**\* \* \* \***

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

**\* \* \* \***

**TOWN ADMINISTRATIVE OFFICE:  
760-369-7207  
[www.yucca-valley.org](http://www.yucca-valley.org)**

**AGENDA  
MEETING OF THE  
TOWN COUNCIL  
TUESDAY, OCTOBER 16, 2018  
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](http://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.***

**OPENING CEREMONIES:**

**CALL TO ORDER:**

**ROLL CALL:**

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

**PLEDGE OF ALLEGIANCE:**

**PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS::**

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

**APPROVAL OF AGENDA:**

**Recommendation:**

Approve the meeting agenda 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.*

2. 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.**

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

**Recommendation:**

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

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

**Recommendation:**

**That the Town Council amends 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; directs staff to return to the Town Council prior to the end of the fiscal year with a Measure I 5 Year Plan amendment, and accepts 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. 2018/2019 Town Wide Slurry Seal Project – Town Project No. 8340: Notice of Completion

**Recommendation:**

**That the Town Council accepts the project as substantially complete, authorizes staff to file the Notice of Completion, authorizes the reduction of the Faithful Performance Bond to 10%, and directs staff to retain the Labor and Material Bond for six (6) months for Project No. 8340.**

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

**Recommendation:**

**That the Town Council accepts the projects as substantially complete, authorizes staff to file the Notice of Completions, authorizes the reduction of the Faithful Performance Bond to 10%, and directs staff to retain the Labor and Material Bond for six (6) months for Projects No. 8045 and 8054.**

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

**Recommendation:**

**That the Town Council:**

**Amends 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**

**Approves 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**

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

8. Ratification of Warrant Registers

**Recommendation:**

**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**

**PUBLIC HEARING:**

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

**Recommendation:**

**As recommended by the Planning Commission, that the Town Council finds 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;**

And introduces the Ordinance, 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.

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.

#### DEPARTMENT REPORTS:

10. Update on Recycling Legislation

**Recommendation:**

That the Town Council receive and file this update on recent recycling legislation.

11. Brown Act Presentation

**Recommendation:**

That the Town Council receives and files the Brown Act presentation.

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

## **ANNOUNCEMENTS:**

### **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.

## **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 <sup>st</sup> Century
TOT	Transient Occupancy Tax



## Town Council Committee Assignments

COMMITTEE	REPRESENTATIVE	MEETING SCHEDULE	LOCATION
ANTI-BULLYING TASK FORCE	Lombardo Staff	Varies	Yucca Valley
DESERT SOLID WASTE JPA	Leone Drozd (Alt)	10:00 a.m. 2 <sup>nd</sup> Thursday Feb, May, Aug, Nov	Victorville
LEAGUE OF CALIFORNIA CITIES DESERT MOUNTAIN DIVISION	Lombardo Denison (Alt)	10:00 a.m. 4 <sup>th</sup> 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 <sup>th</sup> Wednesday	San Bernardino
MEASURE I	Denison Abel (Alt)	9:30 a.m. 3 <sup>rd</sup> Friday	Apple Valley
MORONGO BASIN TRANSIT AUTHORITY	Abel Leone Drozd (Alt)	5:00 p.m. 4 <sup>th</sup> Thursday	Joshua Tree
MOJAVE AIR QUALITY DISTRICT	Leone Abel (Alt)	10:00 a.m. 4 <sup>th</sup> Monday	Victorville
SBCTA	Denison Abel (Alt)	10:00 a.m. 1 <sup>st</sup> Wednesday	San Bernardino
SO. CALIFORNIA ASSOC. GOV (SCAG) GENERAL ASSEMBLY	SBCTA 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 <sup>nd</sup> Monday March, June, Sept	Yucca Valley

## Ad Hoc Committee Assignments

COMMITTEE	REPRESENTATIVES
AUDIT	Denison Drozd
COMMUNITY PARTNERSHIPS	Drozd Lombardo
LEGAL SERVICES	Abel Denison
LIBRARY BUILDING PROJECT	Abel Denison
LIVABILITY STUDY	Denison Lombardo
PUBLIC FACILITIES	Leone Lombardo
RDA BONDS	Leone Lombardo
REVENUE MEASURE OVERSIGHT	Drozd Leone
WASTEWATER PROJECT	Denison Leone
WEBSITE REDESIGN PROJECT	Denison Drozd