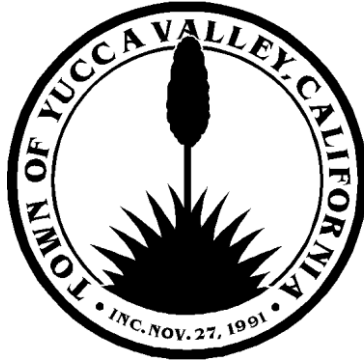


TOWN OF YUCCA VALLEY TOWN COUNCIL SPECIAL MEETING



*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: 2:00 PM
TUESDAY, MAY 5, 2020
YUCCA VALLEY COMMUNITY CENTER
YUCCA ROOM
57090 TWENTYNINE PALMS HWY
YUCCA VALLEY, CA 92284**

Pursuant to Governor Newsom's Executive Order N-25-20, members of the Town Council or Town Staff may participate in this meeting via a teleconference.

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Town Council

Jeff Drozd, Mayor

Merl Abel, Mayor Pro Tem

Rick Denison, Council Member

Robert Lombardo, Council Member

Jim Schooler, Council Member

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TOWN ADMINISTRATIVE OFFICE:

760-369-7207

www.yucca-valley.org

ATTENTION: SPECIAL INSTRUCTIONS DUE TO COVID-19 PUBLIC HEALTH EMERGENCY

The Town of Yucca Valley encourages your participation in this meeting; however, in order to minimize the spread of the COVID-19 virus, we ask that you please take into consideration the following:

1) You are strongly encouraged to view the meeting live on the Town's website at <http://yuccavalleyca.iqm2.com/Citizens/default.aspx> . To view from the website, select the live stream link on the top of the front page.

2) If you choose not to attend the Council meeting but wish to make a public comment and/or a comment on a specific agenda item, please submit your comment via email by **2:00 P.M. on Tuesday May 5, 2020** to the Town Clerk at townclerk@yucca-valley.org Your comments will be distributed to the Town Council and every effort will be made to read your comment into the record. Comments read will be timed and limited to 3 minutes. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time.

3) You may also submit comments during the meeting through the same email address. Every effort will be made to read comments aloud which are submitted after 2:00 P.M. and during the meeting, subject to the same 3-minute time limitation. All comments submitted before and during the meeting will be included in their entirety in the official record of the meeting.

4) If you choose to attend the Council meeting in person, seating in the Council Chamber may be limited in order to accommodate the 6-foot recommended social distancing seating procedure.

5) In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Town Clerk's Office at (760) 369-7209 x226

The Town of Yucca Valley thanks you in advance for taking all precautions to prevent spreading the COVID 19 virus.

**AGENDA
SPECIAL MEETING OF THE
TOWN COUNCIL
TUESDAY, MAY 5, 2020
2:00 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

The meeting agenda packet is available for public view in the Town Hall lobby and on the Town's website at www.yucca-valley.org prior to the 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 agenda item or on any subject not on the agenda during public comments, please fill out a request to speak card and give to the Town Clerk. 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, Denison, Lombardo, Schooler, and Mayor Drozd

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

Recommendation:

Approve the meeting agenda as prepared.

CONSENT AGENDA:

All items listed on the consent agenda are routine matters or formal documents covering previous Town Council instruction. Items are enacted by one motion and a second without separate discussion unless a member of the Town Council or Town Staff requests dialog on a specific item at the beginning of the meeting. Requests for public comment on the consent agenda items should be filed with the Town Clerk.

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. Town Council - Special Meeting Minutes - Mar 31, 2020 6:00 PM

Recommendation:

Approve the special meeting minutes of March 31, 2020 as presented.

3. Town Council - Special Meeting Minutes - Apr 14, 2020 2:00 PM

Recommendation:

Approve the special meeting minutes of April 14, 2020 as presented.

4. Town Council - Special Meeting Minutes - Apr 21, 2020 2:00 PM

Recommendation:

Approve the special meeting minutes of April 21, 2020 as presented.

5. Town Project No. 8971 B Yucca Trail and Palomar Avenue Intersection Signal Improvements - Procurement of Traffic Signal Poles and Mast Arms - Contract Award

Recommendation:

That the Town Council approves the following actions for the procurement of traffic signal poles and mast arms for the Town Project No. 8971B - Yucca Trail and Palomar Avenue Intersection Signal Improvements:

1. Awards the procurement contract to McCain Inc, in the amount of \$66,308.
 2. Establishes a project budget of \$72,940 including a contingency budget fund in the amount of \$6,632 (10% of the bid amount),
 3. Authorizes the Mayor, Town Manager, and Town Attorney to execute the agreement/purchase order with McCain Inc, contingent on all proper contract documents being fully executed to the satisfaction of the Town Manager and Town Attorney.
 4. Authorizes the Town Manager to expend contingency funds if necessary, for project completion.
6. Resolution No. 20-; Town Project No.7037-2020; Town-Wide Crack Seal Project. Award of Contract

Recommendation:

That the Town Council approves the following actions for Project No. 7037-2020, Town-wide Crack Seal.

- Adopts the Resolution, amending the FY2019/20 Special Revenue Funds Budget.
- Awards the construction contract to Pavement Rehab Company in the amount not to exceed \$593,990.00 and authorize a 10% contingency in the amount of \$59,399.00.

- Establishes a project budget of \$758,562 including construction contract, a contingency budget of 10% of the bid amount, inspection and administration costs, and indirect recovery costs.
- Authorizes the Mayor, Town Manager, and Town Attorney to execute the agreement with Pavement Rehab Company contingent on all bonds and proper contract documents being fully executed to the satisfaction of the Town Manager and Town Attorney.
- Authorizes the Town Manager to expend contingency funds if necessary, for project completion.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY CALIFORNIA AMENDING THE 2019/2020 FISCAL YEAR BUDGET FOR THE ANNUAL CRACK SEAL PROGRAM

7. Resolution No. 20-; Town Project No. 8963-2020; Outer Highway Sidewalks Improvement Project - Contract Award

Recommendation:

That the Town Council approves the following actions for Town Project No. 8963-2020; Outer Highway Sidewalks Improvement Project:

- Adopts the Resolution, amending the FY2019/20 Budget to appropriate \$154,000 from the 524 Measure I Revenue Fund balance to allocate to the project.
- Find the bid submitted by Universal Concrete Construction as non-responsive and rejecting the bid.
- Awards the construction contract to STL Landscape Inc, in the amount not to exceed \$265,500
- Establishes a project budget of \$339,000 including construction contract, a contingency budget fund (10% of the bid amount), administration/inspection fund and indirect recovery costs.
- Authorizes the Mayor, Town Manager, and Town Attorney to execute the agreement with STL Landscape Inc contingent on all bonds and proper contract documents being fully executed to the satisfaction of the Town Manager and Town Attorney.
- Authorizes the Town Manager to expend contingency funds if necessary, for project completion.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY CALIFORNIA AMENDING THE 2019/2020 FISCAL YEAR BUDGET FOR THE OUTER HIGHWAY SIDEWALK PROJECT

8. Town Project No.8340-2020 - Town-Wide Slurry Seal Project, Approval of Plans and Specifications Authorization to Advertise for Construction

Recommendation:

That the Town Council adopts the Resolution, approves the plans and specifications for Project No. 8340-2020, and authorizes the Town Clerk to advertise and receive bids.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE TOWN WIDE SLURRY SEAL IN SAID TOWN AND AUTHORIZING AND DIRECTING THE TOWN CLERK TO ADVERTISE AND RECEIVE BIDS.

9. Resolution No. 20-; Town Project No. 8562-2020; Pima Trail Street Improvements and Town Project No. 8559-2020 Palm/Grand Alley Street Improvements; Approval of Plans and Specifications; Authorization to Advertise for Construction.

Recommendation:

That the Town Council adopts Resolution 20- , approves the plans and specifications for Project No. 8562-2020 Pima Trail Street Improvements, approves the plans and specifications for Project No. 8559-2020 Palm/Grand Alley Street Improvements; and authorizes the Town Clerk to advertise and receive bids.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING THE SPECIFICATIONS FOR THE CONSTRUCTION OF PIMA TRAIL AND ALLEY - PALM TO GRAND STREET IMPROVEMENTS PROJECT IN SAID TOWN AND AUTHORIZING AND DIRECTING THE TOWN CLERK TO ADVERTISE AND RECEIVE BIDS.

10. Community Development Block Grant (CDBG) - CV Review and Ratification

Recommendation:

It is recommended that the Town Council review and ratify the submitted FY 2020-22 Community Development Block Grant - Coronavirus allocation as follows:

1. Allocate the entire final Town's FY2020-22 CDBG-CV allocation of \$100,000 (or as revised) to the following approved Town Project:

Senior Center/Community Center Kitchen
Improvements: \$100,000 (or as revised)

2. Ratify staff submission of the application to San Bernardino County Community Development and Housing due by May 4, 2020.

11. Renewal of Agreement with the San Bernardino County Sheriff Department's Work Release Program

Recommendation:

That the Town Council authorize the continued participation in the Work Release Program with the San Bernardino County Sheriff's Department.

12. Performance Pay Award Policy

Recommendation:

That the Town Council approve the proposed Performance Award Pay Policy clarifying the existing language in the Town's Employee Handbook.

13. Treasurer's Report for the Quarter Ending March 31, 2020

Recommendation:

Receive and file the Treasurer's Report for the third quarter of FY2019-20.

14. Authorization to participate in and submit an amicus curiae brief to the United States Supreme Court in *Higginson v. Xavier Becerra, In His Official Capacity As The Attorney General Of California; City Of Poway*, Sup. Ct. No. 19-1199 and an amendment to the legal services agreement with Nielsen, Merksamer, Parinnello, Gross & Leoni, LLP

Recommendation:

1. Grant authorization to participate in and submit an *amicus curiae* brief to the United States Supreme Court in *Higginson v. Xavier Becerra, In His Official Capacity As The Attorney General Of California; City Of Poway*, Sup. Ct. No. 19-1199; and

2. Approve an amendment to the legal services agreement with Nielsen, Merksamer, Parinnello, Gross & Leoni, LLP in an amount not to exceed \$5,000.

DEPARTMENT REPORTS:

15. Covid-19 Impact on the 2020 Census

Recommendation:

That the Town Council receive and file the 2020 Census update and related impacts from Covid-19.

16. Repeal and replace Chapter 6.02 of the Yucca Valley Municipal Code for Solid Waste Management

Recommendation:

That the Town Council introduce and approve the first reading of an ordinance entitled:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ADOPTING A CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EXEMPTION PURSUANT TO CEQA GUIDELINE SECTION 15061(b)(3), REPEALING CHAPTER 6.02 - "SOLID WASTE HANDLING AND RECYCLING SERVICES" OF THE YUCCA VALLEY MUNICIPAL CODE, AND ADDING CHAPTER 6.02 - "SOLID WASTE MANAGEMENT" TO THE YUCCA VALLEY MUNICIPAL CODE.

17. Approval of the Amended and Restated Franchise Agreement for Solid Waste and Recycling Services

Recommendation:

That the Town Council consider and approve the Amended and Restated Franchise Agreement for Solid Waste and Recycling Services between the Town of Yucca Valley and Burrtec Waste & Recycling Services, LLC.

18. Planning & Building and Safety Update

Recommendation:

That the Town Council receive and file the report.

19. Spring/Summer 2020 Community Services Programs – COVID-19 Update

Recommendation:

That the Council receive and file the report and provide direction as desired.

20. Public Health and Welfare Update - COVID 19

Recommendation:

That the Town Council:

1) Receive an update regarding State, County and Town actions related to the COVID 19 event and provide input or policy direction as desired.

2) Review the proposed letter to the Governor regarding fiscal impacts associated with COVID-19, and direct the Mayor's transmission of the letter.

FUTURE AGENDA ITEMS:

PUBLIC COMMENTS:

The Town Council takes this time to consider your comments on items of concern which are not on the agenda. When you are called to speak, please state your name and community of residence. 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 discussion items not on the printed agenda.

STAFF REPORTS AND COMMENTS:

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS:

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

ANNOUNCEMENTS:

Upcoming Meeting Schedule

The next regular meeting of the Yucca Valley Town Council will be held on Tuesday, May 19, 2020 at 6:00 PM in the Yucca Valley Community Center Yucca Room.