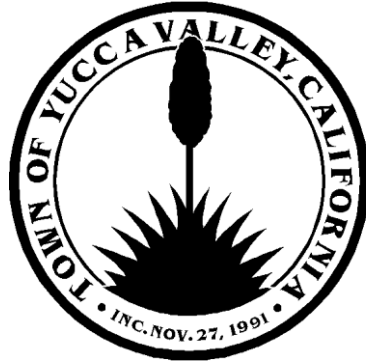


TOWN OF YUCCA VALLEY TOWN COUNCIL MEETING



*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
TUESDAY, MAY 19, 2020
YUCCA VALLEY COMMUNITY CENTER
MESQUITE ROOM
57090 TWENTYNINE PALMS HWY, YUCCA VALLEY, CA 92284**

**TOWN COUNCIL: 6:00 PM
TUESDAY, MAY 19, 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.

*** * * ***

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

*** * * ***

**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 **6:00 P.M. on Tuesday May 19, 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 6:00 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
MEETING OF THE
TOWN COUNCIL
TUESDAY, MAY 19, 2020
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

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.

CLOSED SESSION:

Public comments will be taken prior to adjourning to closed session.

Conference with Legal Counsel- Potential Litigation

The Town Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9(d)(4) to confer with legal counsel with regard to one matter of potential initiation of litigation.

Conference with Real Property Negotiator

A closed session will be held pursuant to Government Code 54956.8 to enable the Town Council to consider negotiations regarding certain real property.

APN: 0595-071-04-0000 and 0595-091-06-0000
56625 Little League Drive, Yucca Valley, CA
Tri-Valley Little League/Richard Bradshaw
Town of Yucca Valley/Curtis Yakimow, Real Property Negotiator

REPORT OUT OF CLOSED SESSION:

OPENING CEREMONIES:

CALL TO ORDER:

ROLL CALL:

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

PLEDGE OF ALLEGIANCE:

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS:

Memorial Recognition- First Council Member Marge Crouter

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- May 5, 2020 2:00 PM

Recommendation:

Approve the meeting minutes of May 5, 2020 as presented.

3. Second Reading and Adoption of Ordinance No. 289

Recommendation:

That the Town Council adopts Ordinance 289.

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.

4. Rejection of Claim

Recommendation:

That the Town Council rejects one claim filed against the Town of Yucca Valley submitted on April 28, 2020 by Bononi Law Group, LLP on behalf of Lani Brown, a Complaint for Damages - (Retaliation in Violation of Labor Code Section 1102.5).

5. Rejection of Claim

Recommendation:

That the Town Council rejects one Claim filed against the Town of Yucca Valley submitted on April 8, 2020 by J. Alan Plott, Esq. on behalf of Jo Ann R. Barajas for the wrongful death of her son.

6. Rejection of Claim

Recommendation:

That the Town Council rejects one Claim filed against the Town of Yucca Valley submitted on April 6, 2020 by James Cicalese, Attorney on behalf of Thomas Geiger for pain and suffering/general damages, property damages/loss of use, medical expenditures and loss of wages.

7. Designating Town's Labor Negotiators

Recommendation:

That the Town Council adopts the resolution establishing a standing list of representatives of the Town of Yucca Valley to temporarily participate in labor negotiations with unrepresented Town employees as provided for in California Government Code section 54957.6.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, DESIGNATING THE TOWN'S LABOR NEGOTIATORS FOR UNREPRESENTED TOWN EMPLOYEES

8. California Fish and Game Commission

Recommendation:

That the Town Council approves the Mayor's written communication to the California Fish and Game Commission.

9. Annual Street and Drainage & Landscape and Lighting Maintenance Districts, Approval of Engineer Reports and Setting a Public Hearing for June 16, 2020.

Recommendation:

That the Town Council adopts the Resolutions:

Approves the engineering reports for the existing Assessment Districts and directing the filing of such reports with the Town Clerk.

Adopts the Resolutions declaring the intention to levy and collect the assessments and setting the date for conducting a public hearing on Tuesday, June 16, 2020, at 6:00 PM in the Yucca Valley Community Center, 57090 29 Palms Highway, Yucca Valley, CA

92284 pursuant to California Streets and Highways Code Sections 22552 and 22553 and Government Code Section 53753.5, to consider the levy of annual assessments upon real property.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DECLARING ITS INTENTION FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 1, BENEFIT ZONES 1-3, FISCAL YEAR 2020-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DECLARING ITS INTENTION FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE STREET AND DRAINAGE MAINTENANCE DISTRICT NO. 1, BENEFIT ZONES 1-3 AND 5, FISCAL YEAR 2020-21

10. Amendment No. 2 to the Professional Services Agreement between the Town of Yucca Valley and Seto Construction Inc, for Town Project No. 8965 - Branch Library Project Construction Management Agreement.

Recommendation:

That the Town Council authorizes the Town Manager to execute Amendment No. 2 to the agreement between the Town of Yucca Valley and Seto Construction, Inc., for the construction management of the Yucca Valley Branch Library project in the amount not to exceed \$12,500.00, for a total contract value of \$112,500.00, and authorizes the Town Manager, to sign all necessary documents to complete the project.

11. Amendment No. 1 to the Professional Services Agreement between the Town of Yucca Valley and NV5 Inc, for Proposition 68, Aquatics and Recreation Center, Preliminary Engineering Design for CEQA documents.

Recommendation:

That the Town Council authorizes the Town Manager to execute Amendment No. 1 to the agreement between the Town of Yucca Valley and NV5 Inc., for the conceptual engineering design in support of the CEQA documentation for Proposition 68, Aquatics and Recreation Center Project, in the amount not to exceed \$9,690.00, for a total contract value of \$52,840.00; and authorizes the Town Manager, to sign all necessary documents to complete the preliminary engineering documentation.

12. Resolution 20- Town Project No. 9050-2020; Street Storm Drain Improvement Project; Cholla Avenue Drywell Installation. Award of Contract

Recommendation:

That the Town Council approves the following actions for Project No.

9050-2020, Street Storm Drainage Improvements; Cholla Avenue Drywell Installation:

- Awards the construction contract to Action Pumping Inc. in the amount not to exceed \$16,400.00 and authorize a 10% contingency in the amount of \$1,700.00.
- Establishes a project budget of \$23,000.00 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 Action Pumping 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.

13. Budget Report for the Quarter Ending March 31, 2020

Recommendation:

Receive and file the Budget Report for the quarter ending March 31, 2020

14. AB1234 Reporting Requirements

Recommendation:

Receive and file the AB1234 Reporting Requirement Schedule for the month of April 2020.

15. Ratification of Warrant Registers

Recommendation:

Ratify the Payroll Registers totaling \$174,048.85 dated April 3, 2020, and \$180,828.61 dated April 17, 2020.

Ratify the Warrant Registers totaling \$1,352,770.33 dated April 03, 2020, \$2,500 dated April 08, 2020, \$79,597.90 dated April 17, 2020, and \$131,960.48 dated April 23, 2020.

DEPARTMENT REPORTS:

16. Community Services Department Update

Recommendation:

That the Council receive and file the report.

17. FY2020-21 Draft General Fund Budget Review

Recommendation:

It is recommended that the Council:

- 1. Receive and file the staff presentation of the proposed draft budget for the General Fund for fiscal year 2020-21.**
- 2. Review alternatives presented and provide related input and direction.**
- 3. Review proposed policy modifications and provide related input and direction.**

18. Town of Yucca Valley COVID-19 Operational Guidelines

Recommendation:

That the Town Council review and approve the COVID-19 Operational Guidelines for reopening and authorize the Town Manager to modify or revise the guidelines as needed.

19. 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.**

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, June 2, 2020 at 6:00 PM in the Yucca Valley Community Center Yucca Room.

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 or through the Town's website at www.yucca-valley.org.

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!*

TOWN COUNCIL COMMITTEE ASSIGNMENTS

| COMMITTEE | REPRESENTATIVE | MEETING SCHEDULE | LOCATION |
|--|---------------------------------|--|---------------------|
| ANTI-BULLYING TASK FORCE | Lombardo Staff | Varies | Yucca Valley |
| DESERT SOLID WASTE JPA | Denison Drozd (Alt) | 10:00 a.m. 2 nd Thursday Feb, May, Aug, Nov | Victorville |
| LEAGUE OF CALIFORNIA CITIES DESERT MOUNTAIN DIVISION | Schooler Lombardo (Alt) | 10:00 a.m. 4 th Friday- Quarterly | Varies |
| LEAGUE OF CALIFORNIA CITIES LEGISLATIVE DELEGATE | Mayor Mayor Pro Tem (Alt) | TBD- Annually | Conference Location |
| LEGISLATIVE TEAM | Drozd Schooler Abel(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 |
| SBCTA MOUNTAIN/DESERT POLICY COMMITTEE | Denison Abel (Alt) | 9:30 a.m. 3 rd Friday | Apple Valley |
| MORONGO BASIN TRANSIT AUTHORITY | Abel Drozd Lombardo (Alt) | 5:00 p.m. 4 th Thursday | Joshua Tree |
| MOJAVE AIR QUALITY DISTRICT | Abel Schooler (Alt) | 10:00 a.m. 4 th Monday | Victorville |
| SBCTA | Denison Abel (Alt) | 10:00 a.m. 1 st Wednesday | San Bernardino |
| SO. CALIFORNIA ASSOC. GOV (SCAG) GENERAL ASSEMBLY | SBCTA Rep/Alternate | Annually May | Varies |
| SB COUNTY SOLID WASTE ADVISORY TASK FORCE (SWAT) | Denison | 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 |
|-------------------------------|----------------------|
| COMMUNITY LIVABILITY SURVEY | Abel Schooler |
| LIBRARY BUILDING PROJECT | Abel Denison |
| MAINTAINED ROAD SYSTEM | Abel Denison |
| PROP 68- PHASE 1A | Lombardo Schooler |
| SBCO FIRE DEPARTMENT PROJECTS | Denison Drozd |
| WEBSITE REDESIGN PROJECT | Denison Drozd |