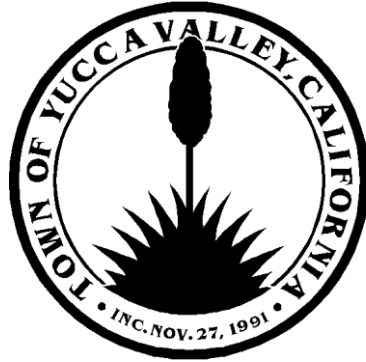


TOWN OF YUCCA VALLEY TOWN COUNCIL MEETING



*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: 5:15 PM
TUESDAY, AUGUST 18, 2020
YUCCA VALLEY COMMUNITY CENTER – MESQUITE ROOM
57090 TWENTYNINE PALMS HWY
YUCCA VALLEY, CA 92284**

**TOWN COUNCIL: 6:00 PM
TUESDAY, AUGUST 18, 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**

*** * * ***

**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, August 18, 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, AUGUST 18, 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:

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 Legal Counsel - Pending Litigation

The Town Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9 (d)(1) to confer with legal counsel with regard to the following matter of pending litigation:

A. Fonville et al v. State of California, County of San Bernardino, Town of Yucca Valley et al; case number: CIVDS 2010381

Conference with Legal Counsel - Potential Exposure to Litigation

The Town Council will meet in closed session pursuant to the provisions of Government Code Section 54956.9(d)(2) and (3) to confer with legal counsel with regard to one matter of potential exposure to 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:

INVOCATION:

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS:

1. Presentation: FSA / SoCalGas "Fueling our Communities" Event Recap

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.

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. Resolution 20-; Authorization to Bid Yucca Trail Safety Improvement; Town Project No. 8971A-2020 Highway Safety Improvement Program (HSIP) Federal Project No.HSIPL5466(023)

Recommendation:

That the Town Council adopts the Resolution, approves plans, specification and estimates for the Yucca Trail Safety Improvement Project, Town Project No. 8971A-2020, Federal Project No. HSIPL 5466(023); and authorizes the Town Clerk to advertise and receive bids.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING PLANS, SPECIFICATIONS AND ESTIMATES FOR THE

CONSTRUCTION OF YUCCA TRAIL SAFETY IMPROVEMENT IN SAID TOWN AND AUTHORIZING AND DIRECTING THE TOWN CLERK TO ADVERTISE AND RECEIVE BIDS.

4. Outer Highway Sidewalk Project No. 8963 - Notice of Completion, Final Project Report

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%, directs staff to retain the Labor and Material Bond for six (6) months for Project No. 8963, and authorizes staff to proceed with SBCTA reimbursement process for Article 3 TDA funding.

5. Amendment No. 2 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 approves Amendment No. 2 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 \$39,350.00, for a total contract value of \$92,190.00; and authorizes the Town Manager, to sign all necessary documents to complete the preliminary engineering documentation.

6. Conflict of Interest Policy Applicable to Bidders and Proposers Submitting Responses to an Invitation to Bid for Construction Projects or Request for Proposals for Design-Build Projects

Recommendation:

That the Town Council:

Approves a Town-wide standard organizational Conflict of Interest policy, consistent with applicable law, regarding the ability of a person or entity to submit a proposal as a construction contractor ("Bidder") for all Town construction projects, however procured; and

Approves a Conflict of Interest policy, as required under California Public Contract Code section 22162, consistent with applicable law, regarding the ability of a person or entity to submit a proposal as a design-build entity or to join a design-build team ("Proposer") for all Town design-build projects procured pursuant to California Public Contract Code section 22160, *et seq.*

7. Resolution 20-; Authorization to Bid Palomar Avenue Widening Project Town Project No. 8971B-2020

Recommendation:

That the Town Council adopts the Resolution, approves plans, specifications and estimates for Palomar Avenue Widening Project, Project No. 8971B-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, SPECIFICATIONS AND ESTIMATES FOR THE CONSTRUCTION OF THE PALOMAR AVENUE WIDENING PROJECT IN SAID TOWN AND AUTHORIZING AND DIRECTING THE TOWN CLERK TO ADVERTISE AND RECEIVE BIDS.

8. Town Project No. 9050-2020; Street Storm Drain Improvement Project; Cholla Avenue Drywell Installation. 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%, directs staff to retain the Labor and Material Bond for six (6) months for Project No. 9050

9. Hi-Desert Nature Museum Purchase of George Van Tassel Collection

Recommendation:

That the Town Council accepts the recommendation of the Parks, Recreation and Cultural Commission and approve the purchase and accession of the *George Van Tassel Collection* by the Hi-Desert Nature Museum in an amount not to exceed \$12,000; authorizing the Town Manager to negotiate and execute all necessary documents; and amending the FY2020-21 General Fund budget by recognizing \$12,000 from the Museum Deferred Donations to Museum Revenues and establishing the Museum Collection Project #4035 for a project budget of \$12,000.

10. AB1234 Reporting Requirements

Recommendation:

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

11. Ratification of Warrant Registers

Recommendation:

Ratify the Payroll Registers totaling \$177,106.16 dated July 10, 2020, and \$192,164.48 dated July 24, 2020.

Ratify the Warrant Registers totaling \$465,741.21 dated July 10, 2020, \$1,365,439.41 dated July 24, 2020, and \$263,698.54 dated July 30, 2020

DEPARTMENT REPORTS:

- 12. Building & Safety Annual Presentation/Report
 - Recommendation:**
That the Town Council receives and files the Building & Safety annual presentation.

- 13. Town Project No. 8965: Town of Yucca Valley Branch Library - PFF Design and Renovation Project: 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 Town Project No. 8965: Town of Yucca Valley Branch Library - PFF Design and Renovation Project.

- 14. 2020/21 - 2024/25 Five Year Capital Improvement Program (CIP)
 - Recommendation:**
As recommended by the Planning Commission, that the Town Council:
 - A. Finds that the project is exempt from CEQA in accordance with Section 15378(b) (4) and Section 15061 (b) (3) of the California Environmental Quality Act. The Capital Improvement Program (CIP) is not a project nor is there possibility of a significant effect on the environment from the program. Further the CIP does not result in a commitment to any specific project.**

 - B. Recommends that the Town Council adopts the Five-Year Capital Improvement Program for Fiscal Years 2020/2021 through 2024/2025.**

- 15. San Bernardino County Interagency Council on Homelessness update
 - Recommendation:**
That the Town Council receive and file this informational report regarding the updates for the San Bernardino County Interagency Council on Homelessness.

- 16. Yucca Valley Film Festival 2020 Event Approval and Award of Contract
 - Recommendation:**
That the Town Council accepts the recommendation of the Parks, Recreation and Cultural Commission to approve the 2020 Yucca Valley Film Festival event plan and budget in the amount of \$20,000; and that the Town Council authorizes the award of contract to Colorado Studios LLC for event and program services for the Yucca Valley Film Festival in the amount of \$12,000.00, using the Town’s standard Professional Services Agreement, and authorizes the Mayor, Town Manager and

Town Attorney to sign all necessary documents, and authorizes the Town Manager to negotiate minor changes to the agreement, if necessary, to complete the project.

17. Summer 2020 Community Services Programs - Fireworks Spectacular Event Update

Recommendation:

That the Council approve the modifications to the Summer 2020 Fireworks Spectacular Event and provide 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, September 1, 2020 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 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