

**TOWN OF YUCCA VALLEY
TOWN COUNCIL SUMMARY MEETING MINUTES
OCTOBER 16, 2018**

OPENING CEREMONIES

CALL TO ORDER

Mayor Rick Denison called the meeting to order at 6:00 PM.

ROLL CALL

PRESENT: Abel, Denison, Drozd, Leone, Lombardo

ABSENT:

Staff Members Present: Town Manager Yakimow, Deputy Town Manager Stueckle, Town Attorney Jex, Police Captain Newport, Community Services Manager Earnest, Management Analyst Rice, Human Resources and Risk Manager Breidenbach-Sterling, and Town Clerk Copeland

PLEDGE OF ALLEGIANCE

PRESENTATIONS, INTRODUCTIONS, RECOGNITIONS:

1. Recognition: Oversight Board to the Successor Agency

Mayor Denison recognized the Oversight Board to the Successor Agency Members, Chair Dawn Rowe, Bob Dunn, Scott Tuttle (for Tom Marshall), Sharon Flores, Dick Rogers (not in attendance) and Shane Stueckle. Mayor Denison presented a plaque of appreciation to each for their term of service.

APPROVAL OF AGENDA

RESULT: APPROVED [UNANIMOUS]
MOVER: Robert Leone, Council Member
SECONDER: Robert Lombardo, Mayor Pro Tem
AYES: Abel, Denison, Drozd, Leone, Lombardo

CONSENT AGENDA

RESULT: APPROVED [UNANIMOUS]
MOVER: Jeff Drozd, Council Member
SECONDER: Merl Abel, Council Member
AYES: Abel, Denison, Drozd, Leone, Lombardo

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

MOTION:

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

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

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

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

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. Approve the 2018/2019 Town Wide Slurry Seal Project – Town Project No. 8340: Notice of Completion**MOTION:**

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. Approve the Public Building Demolition Projects: Final Project Report, Notice of Completion**MOTION:**

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. Approve the Yucca Mesa and La Contenta Pavement Rehabilitation Project No. 7003, Pavement Coatings Co., Budget Amendment, First Amendment to Contract; Final Project Report**MOTION:**

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. Approve the Ratification of Warrant Registers

MOTION:

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

Mayor Denison opened public comments for the Consent Agenda items. With no members of the public wishing to speak, public comments were closed.

PUBLIC HEARING

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

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.

Deputy Town Manager Stueckle presented the staff report for the review of 2nd Unit Standards. The Town Council held a public hearing on September 18, 2018 which the Town Council requested modifications to the proposed ordinance. Stueckle reviewed the modifications being presented for consideration.

Mayor Denison opened the public hearing.

_____ (Did not state name.) Inquired on the required lot size as seen on a current ordinance. Deputy Town Manager Stueckle clarified that the ordinance references is no longer in affect.

With no members of the public wishing to speak, Mayor Denison closed the public hearing.

Council Member Abel inquired on the requirements of short-term vacation rentals (STVR) with multiple units under the proposed code. Deputy Town Manager explained that only one STVR can be operated on a given property. One long-term rental and one STVR can be located on a property. Council Member Abel expressed he likes the

proposed language to give the property owners the most flexibility to rent both and assist with local rental opportunities.

Council Member Drozd commented favorably on how the document was written and expressed concerned of having two rental on one property in a neighborhood not normally zoned for multiple units.

Council Member Leone inquired if there is a minimum size lot that a 2nd dwelling can exist. Deputy Town Manager Stueckle explained that any property allowing a single family residence, State regulations mandate the allowance of a 2nd dwelling on the same property.

Mayor Pro Tem Lombardo noted he likes the way the document is written, giving property owners a few options and may help the rental opportunities in the community.

Mayor Denison thanked staff for incorporating the comments and suggestions from the last meeting.

Council Member Abel reminded the group that if there are issues with a property with both a rental and STVR, there is a STVR ordinance that can assist in addressing those concerns.

Mayor Denison spoke of safety regulations on rental units.

Council Member Leone requested clarification on parking regulations.

MOTION:

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.

RESULT: **INTRODUCED [UNANIMOUS]**

MOVER: Jeff Drozd, Council Member

SECONDER: Merl Abel, Council Member

AYES: Abel, Denison, Drozd, Leone, Lombardo

DEPARTMENT REPORTS

10. Update on Recycling Legislation

Management Analyst Rice presented the staff report, giving an updated on recent legislation affecting recycling, including AB341 (Mandatory Commercial Recycling) AB1826 (Mandatory Organics Recycling), SB1383 (Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions), and China's Ban on Recyclable Materials.

Mayor Denison opened public comments. With no members of the public wishing to speak, public comments were closed.

Council Member Abel suggested council speak with State representatives to assist with working on the challenges Yucca Valley has in meeting the proposed requirements.

Council Member Leone commented that as the recyclable industry changes, the consumer will probably end up footing the bill.

Mayor Pro Tem Lombardo expressed concern with the upcoming regulations, placing a lot of pressure on local businesses, and noted he likes the idea of recycling more, but is concerned on how businesses will be able to comply.

Mike Veto, Burrtec explained that composting is just part of the puzzle. There are a lot of unknowns on how to deal with the recycled product after it is collected

Mayor Denison noted that complying with the proposed mandates will eventually come back to the consumer in some form.

MOTION:

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

RESULT: RECEIVED AND FILED [UNANIMOUS]

MOVER: Rick Denison, Mayor

SECONDER: Robert Lombardo, Mayor Pro Tem

AYES: Abel, Denison, Drozd, Leone, Lombardo

11. Brown Act Presentation

Town Attorney Jex presented an update on the Ralph M. Brown Act.

Mayor Denison opened public comments. With no members of the public wishing to speak, public comments were closed.

MOTION:

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

RESULT: RECEIVED AND FILED [UNANIMOUS]

MOVER: Rick Denison, Mayor

SECONDER: Robert Leone, Council Member

AYES: Abel, Denison, Drozd, Leone, Lombardo

FUTURE AGENDA ITEMS

STAFF REPORTS AND COMMENTS

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

ANNOUNCEMENTS / ADJOURNMENT

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.

Mayor Denison adjourned the meeting at 7:23pm

Respectfully Submitted,

Lesley Copeland, CMC
Town Clerk