

**TOWN OF YUCCA VALLEY
TOWN COUNCIL MEETING MINUTES
FEBRUARY 22, 2007**

Mayor Neeb called the regular meeting of the Town of Yucca Valley Council to order at 6:00 p.m.

Council Members Present: Herbel, Luckino, Mayes, and Mayor Neeb. Mayor Pro Tem Leone was ill

Staff Present: Town Manager Takata, Deputy Town Manager Stueckle, Town Attorney Silvergleid, Community Services Director Schooler, Administrative Services Director Yakimow, Community Development Director Best, Public Works Director Glowitz, Capt. Williams, and Town Clerk Anderson

PLEDGE OF ALLEGIANCE

Led by Council Member Herbel

INVOCATION

Led by Jerel Hagerman, Joshua Springs Calvary Chapel

PRESENTATIONS, RECOGNITIONS, INTRODUCTIONS

1. Introduction of new employees.

Town Manager Takata introduced Joseph Glowitz, Public Works Director.

2. Longevity Awards.

Presented to Diane Olson for 10 years services.

AGENCY REPORTS

Fire Department

3. Monthly Fire Department Report for January, 2007

Battalion Chief Oplinger gave the monthly statistical Fire Department Report for January 2007 and safety message regarding portable heater safety and fireplace ash disposal.

APPROVAL OF AGENDA

Council Member Mayes moved to approve the agenda. Council Member Luckino seconded. Motion carried 4-0-1 on a voice vote with Mayor Pro Tem Leone absent.

CONSENT AGENDA

- 4. **Approve**, Minutes of Regular Town Council Meeting of February 8, 2007 as presented.
- 5. **Waive**, further reading of all ordinances (if any in the agenda) and read by title only.
- 6. **Adopt**, Resolution No. 07-05, accepting that portion of Church Street between Onaga Trail and Joshua Drive in the Town of Yucca Valley as a public road; **Approve**, Final Map 16587, Subdivision Improvement Agreement, Performance Bond and Payment Bond and authorize the Town Manager to sign the Subdivision Improvement Agreement; and **Direct**, staff to forward the map to the San Bernardino County Recorder for recordation.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ACCEPTING THAT PORTION OF CHURCH STREET BETWEEN ONAGA TRAIL AND JOSHUA DRIVE IN THE TOWN OF YUCCA VALLEY AS A PUBLIC ROAD

- 8. **Adopt**, Resolution No. 07-06, appropriating \$71,000.00 in CDBG funds for the Community Center Electronic Sign project.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FY 2006-07 ADOPTED BUDGET BY APPROPRIATING \$71,000 FROM COMMUNITY DEVELOPMENT BLOCK GRANT UNALLOCATED FUNDS TO THE COMMUNITY CENTER ELECTRONIC SIGN

- 9. **Ratify**, Warrant Registers in the amount of \$477,006.01 for expenses dated February 2, 2007 through February 9, 2007.

Sarann Graham, Yucca Valley, spoke in favor of appropriating funds for the Community Center Electronic Sign project.

Council Member Herbel requested that Item 7 be pulled for discussion.

Council Member Mayes requested that a no vote be shown for him on Item No. 8.

Council Member Luckino moved to adopt Consent Agenda Items 4-6, 8 and 9. Council Member Herbel seconded. Motion carried 4-0-1 on a roll call vote with Mayor Pro Tem Leone absent. Council Member Mayes voted no on Item 8.

- AYES:** Council Member Herbel, Luckino, Mayes, and Mayor Neeb
- NOES:** Council Member Mayes on Item 8 only.
- ABSTAIN:** None
- ABSENT:** Mayor Pro Tem Leone

7. Budget Amendment Resolution, Planning Professional Services, Hogle Ireland, Inc., Grading Ordinance and Native Plant Ordinance.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FY 2006-07 ADOPTED BUDGET BY APPROPRIATING \$8,000 FROM GENERAL FUND UNDESIGNATED RESERVES FOR THE GRADING AND NATIVE PLANT ORDINANCE PROJECT

Deputy Town Manager Stueckle advised it is estimated that an additional \$8,000.00 will be needed to complete the project in order to fund a slope analysis, power point presentation, informational mailers and response to public comment that were not part of the original contract or project scope.

Council Member Herbel questioned how the grading ordinance is going to change the way grading is done in Yucca Valley and if it will prevent activity such as that on the hill above the Evangelical Free Church and if it will address erosion control. Deputy Town Manager Stueckle advised the ordinance will take its final shape and form once the Council has adopted it and that it will have specified recommendations regarding erosion control. It was noted that the General Plan contains policy guidance stating that the Town should undertake a hillside grading ordinance. As defined at this time, the intent is not to preclude development, but to minimize the its impact on hillsides and ridge lines. He noted that the grading above the church is a Code Enforcement action. Council Member Herbel commented that flooding and erosion control is on everyone's mind, and noted that she previously brought up the fact that the Uniform Building Code and the Town's Municipal Code both state that slopes shall be protected against erosion, requiring builders to plant slopes and provide irrigation. It does not appear that that is being enforced. With reference to the native plant ordinance, she requested that there be a uniform way to identify plants that are going to be moved or destroyed, noting there is now a color code, but it differs among builders. She questioned when the ordinances can come before Council for a vote. Deputy Town Manager Stueckle advised that State law, for any ordinance having to do with the Development Code, requires public hearings before the Planning Commission and then Town Council. Depending on the outcome of the public hearings, it is staff's hope the ordinances will be before the Council within the next 90 days.

Council Member Luckino moved to adopt Resolution No. 07-07, amending the 2006-2007 FY Budget by appropriating an additional Eight Thousand (\$8,000.00) dollars, and authorizing the Town Manager to sign the First Amendment to the Services Agreement with Hogle Ireland, Inc., for professional planning services to complete preparation of a grading ordinance and revisions to the existing native plant protection ordinance. Council Member Herbel seconded. Motion carried 4-0-1 on a roll call vote with Mayor Pro Tem Leone absent.

AYES: Council Member Herbel, Luckino, Mayes, and Mayor Neeb

NOES: None
ABSTAIN: None
ABSENT: Mayor Pro Tem Leone.

PUBLIC HEARING

10. Community Development Block Grant (CDBG) Prioritization Hearing...

Community Services Director Schooler reported that, as a participating city with the County of San Bernardino in the CDBG program, the Town of Yucca Valley is required to prioritize eligible local proposals and forward a recommendation to the County Board of Supervisors for funding approval. Proposals are solicited in November of each year, recommendations sent to the Board of Supervisors in February, and funding will be available in the fall. This year's allocation is \$141,000 of which a maximum of 15% or \$21,150 can be allocated for programs. The Town can also allocate the entire \$141,000 toward projects if the Council so desires. The Town of Yucca Valley submitted three proposals for the upcoming funding cycle for the Jacobs Park Tennis Courts, the Community Center ADA doors, and for improvements to the Community Center Skate Park. A Council sub-committee consisting of Council Member Mayes and Mayor Neeb met with representatives from each agency prior to the public hearing to screen the applications and allow applicants to talk in more depth regarding their proposals. The recommendations from that sub committee include: 1) allocating the maximum allowable amount of \$21,850 to Public Service Programs; 2) Forward a program funding recommendation of \$5,000 for the Boys & Girls Club continuation of youth programs, \$5,000 to Unity Home for continuation of shelter services, \$5,000 to Morongo Basin Adult Health Services for continuation of senior services, \$3,075 to San Bernardino County Library for continuation of the literacy program and \$3,075 to the Morongo Basin Red Cross single family disaster relief services; 3) Forward project funding recommendations of \$70,000 for Town of Yucca Valley Jacobs Park tennis court project, and \$49,850 for Town of Yucca Valley Community Center ADA doors project; and 4) schedule future Town Council policy discussion regarding continuation of program funding in future years with consideration of substituting general fund partnership funds for program allocations, implications and opportunities associated with exercising the option of accessing a 5-year CDBG allocation for a specific community project, and review the current prioritization process.

Mayor Neeb opened the Public Hearing

Gideon Smith, Yucca Valley, President Morongo Basin Tennis Association, spoke in favor of funding the tennis courts.

Beverly Scott, Yucca Valley, spoke in favor of the request from Morongo Basin Mental Health Services for their "Cracked Eggs" program.

Alesia Ellis, Yucca Valley, spoke in favor of funding the Feed the Children weekend

nutrition program.

Linda Sibio, Joshua Tree, spoke in favor of the Morongo Basin Mental Health Cracked Eggs program.

Margo Sturges, Yucca Valley, spoke in favor of the Reach Out Morongo Basin request for funding for continuation of their senior transportation services.

John Viola, Yucca Valley, spoke in favor of funding for the Jacobs Park tennis courts.

There being no one else wishing to speak Mayor Neeb closed the Public Hearing

Council Member Luckino requested that the Town forgo taking the 7% administrative fee and commented regarding the amount of time it takes to get the funding. Deputy Town Manager Stueckle advised it is not unusual for a project to take 1 ½ to 2 years to receive the funding after an allocation has been made.

Council Member Herbel questioned the process for putting the 7% back into pool. Deputy Town Manager Stueckle advised that cost is actually transferred in the internal cost allocation process, noting the he believes that the indirect cost model the Council adopted a few years ago requires that this must be applied to all funds. He added that it does not appear that the Town has taken advantage of the cost recovery and has recommended allocation of the entire \$141,000.

Council Member Mayes commented that he thought the process this year was good compared to how it was done in the past, noting he enjoyed being able to sit across the table from the applicants to find out more about the projects. Every year the Council goes through this process and receives so many applicants with great ideas, but doesn't receive enough money to be able to fund them. Council needs to take a look at the policy of how the funds are allocated, and recommended that the funds be used as seed money to start new programs, and possibly look at taking a 5 year allocation to accomplish some of the big things in the Strategic Plan priorities. He suggested that the Council look at partnership agreements to fund some of the programs.

Mayor Neeb noted that he also has some concerns, and thanked staff for the recommendation to bring back discussion to the study session. He noted that a total of \$479,000 was requested for programs and the Council is limited to giving \$21,000 which is only 4% of what was requested. Also there is only enough funding for about 9% of the project requests.

Council Member Luckino moved to include program funding recommendations, in addition to project funding recommendations for the 2007-08 CDBG cycle; and forward the Council sub-committee's funding recommendations to the San Bernardino County Board of Supervisors. Council Member Herbel seconded.

Council Member Mayes requested clarification that the recommendation is all four of the items in the staff report. Council Member Luckino and Council Member Herbel agreed, and Town Manager Takata advised that staff will try to bring the policy discussion back to Council in the next 2 months.

Motion carried 4-0-1 on a roll call vote.

AYES: Council Member Herbel, Luckino, Mayes, and Mayor Neeb
NOES: None
ABSTAIN: None
ABSENT: Mayor Pro Tem Leone.

DEPARTMENT REPORTS

11. Appointments to Parks, Recreation and Cultural Commission and Traffic Commission; Consideration of reappointment to Planning Commission.

Town Clerk Anderson advised that Mayor Pro Tem Leone and Mayor Neeb have vacancies on the Parks, Recreation and Cultural Commission and Council Member Herbel has a vacancy on the Traffic Commission. In addition Mayor Pro Tem Leone requested that reappointment of Planning Commissioner Cooper be held over to this meeting.

Town Manager Takata reported that Mayor Pro Tem Leone advised he would like to ratify Commissioner Cooper's reappointment to the Planning Commission and appoint Laurine Silver to the Parks, Recreation and Cultural Commission.

Council Member Mayes moved to ratify reappointment of Commissioner Cooper to the Planning Commission. Council Member Luckino seconded. Motion carried 4-0-1 on a voice vote with Mayor Pro Tem Leone absent.

Council Member Mayes moved to nominated Laurine Silver to the Parks, Recreation and Cultural Commission. Council Member Herbel seconded. Motion carried 4-0-1 on a voice vote with Mayor Pro Tem Leone absent.

Mayor Neeb moved to nominated Merl Able to the Parks, Recreation and Cultural Commission. Council Member Mayes seconded. Motion carried 4-0-1 on a voice vote with Mayor Pro Tem Leone absent.

Council Member Herbel moved nominated Charles McHenry to the Traffic Commission, Council Member Mayes seconded. Motion carried 4-0-1 on a voice vote with Mayor Pro Tem Leone absent.

12. Council Request, Filming Commission Meetings

Town Clerk Anderson reported that Council has had discussions regarding public participation and effective communications at prior meetings and has discussed filming commission meetings. At this time Pro Video films Council Meetings and would have someone available to film Planning Commission meetings, but may have scheduling conflicts with some of the other commission meetings. Time Warner advised staff that finding a consistent evening air time during the week would be difficult due to the number of other agencies meetings and the inconsistent length of time each of those meetings run, however there is always space after 10:00 p.m. on week nights and between the hours of 11:00 a.m. and 1:00 p.m. on Sundays. Staff recommends that Council discuss the issue and provide direction to staff.

Harry Bowkly, Yucca Valley, commented regarding the importance of the Planning Commission and the need to film those meetings.

Charles McHenry, Yucca Valley, commented it would be a very important step forward to keep the citizens informed of what is going on with both the Town Council and Planning Commission.

Rae Packard, Yucca Valley, requested that the Planning Commission be filmed and that they also be available on DVD or VHS in the library for those who can not afford cable.

Council Member Mayes questioned if the Town has the ability to put the Council and Commission meetings on the internet. Community Services Director Schooler advised that currently we don't but we do have the capacity to build that component into the website. Council Member Mayes expressed concern in regards to the filming the commission meetings and individuals using that to forward their own political agendas. Stated that if the meetings are put on the web, the last 6 months to a year should be there.

Mayor Neeb commented that people do need to come to the meetings and participate. He expressed concern regarding trying to find a time slot to show the meetings and noted he doesn't think there is the capacity in the system right now until there is a specified government channel. He noted he is not against filming the commission meetings, but does not see putting them on in the middle of the night as a viable alternative.

Council Member Luckino questioned if there have been requests at Town Hall for the Planning Commission tapes. Town Clerk Anderson advised there has not. Council Member Luckino requested an explanation of the procedure for Planning Commission decisions. Deputy Town Manager Stueckle advised that codes, as adopted by the Council, give the Planning Commission decision making authority over Conditional Use Permits, Site Plan Reviews and Tentative Parcel Maps. Those items only come before the Town Council if the Planning Commission decision is appealed. It was noted that those items do require public hearings with a minimum of 10 days and a maximum of 45 days notice published in the newspaper, and notices are sent to all property owners within 300 feet of the outside boundary of the project. For site plan reviews for commercial projects and those types of land uses that are seen as non controversial, non impacting

and desirable for the community do not require a formal public notice except for the positing of the agenda 72 hours prior to the meeting. General Plan amendments and Rezones require a Town Council public hearing after the Planning Commission public hearings. All actions of any of the Commissions can be appealed to the Council. Council Member Luckino commented he does believe the Town should communicate more, but to hone in on one commission as being the most important is debatable. Suggested the Town look at having a government channel for all the commission.

Council Member Herbel commented that the report is regarding all commissions, not just the Planning Commission. She commented this is an important issue because it is discussion of communication between the public and the Town Government and suggested that Mayor Pro Tem Leone be present for the discussion.

Mayor Neeb suggested that a copy of the DVD of meetings be sent to the Library.

Council Member Mayes moved to table the issue until Mayor Pro Tem Leone is in attendance, and request that staff investigate the cost of putting the meetings on line. Council Member Luckino seconded. Motion carried 4-0-1 on a roll call vote with Mayor Pro Tem Leone absent..

13. FY 2006-07 Mid-year Budget Report, Resolution.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING THE FISCAL YEAR 2006-07 ADOPTED BUDGET

Administrative Services Director Yakimow reported that the mid-year review indicates that the projected year-end financial results will be in line with the FY 2006-07 amended budget and the resolution identifies minor changes to the budget with changes in projected revenues offsetting proposed increases. Budget changes include \$10,000 for the remainder of the Desert Regional Tourism Agency’s original partnership budget submission of \$25,000, \$3,000 for a Chamber media showcase event and up to \$75,00 in matching funds for the Chamber’s Scholarship Foundation. The total requests will be offset by an increase of \$200,000 in projected property tax revenues.

Sarann Graham, Yucca Valley, requested support for the two financial requests from the Chamber.

Council Member Mayes requested that Capt. Williams discuss some of the issues of the Town’s contract with the Sheriff’s Office and need for more staff. Capt. Williams advised that discussion would be premature at this time until the Town Manager has had the opportunity to hire a consultant to perform a staffing study as a planning tool for all staffing levels. He noted that the Town did experience a fairly significant increase in crime, and he should be prepared to give a thorough report in about 30 days. Council Member Mayes commented the Town will most likely have to come up with some other revenue to try to address public safety needs. Capt. Williams commented it is quite

possible the Council may be looking at something in the area of \$750,000 for 4 more personnel.

Council Member Luckino questioned if the 2006-07 budget shows any Home Depot Revenues. Town Manager Takata stated it does but the numbers were very conservative. Council Member Luckino questioned if the 2008 budget has the full anticipated revenues from Home Depot. It was noted those funds are not fully allocated, but if they do not materialize, there would be a hit to the budget. Council Member Luckino questioned if there will be another \$600,000 available for the Strategic Plan. Town Manager Takata advised that it depends on what happens in the 4th quarter.

Council Member Herbel questioned what the Sheriff's staffing would be with an additional 4 officers. Capt Williams advised there would be 3 per shift, noting if 4 officers were added there would be another traffic officer.

Mayor Neeb questioned when the long term staffing report will be ready. Town Manager Takata advised probably about 6 months down the road. At this time there is a plan to try to add an officer to the Sheriff's contract every other year, and the Town is trying to do some things with the new subdivisions to help fund those officers. It was noted the study will be population based. Mayor Neeb questioned if the partnerships with agencies like the Desert Regional Tourism Agency are one time expenditures. Administrative Services Director Yakimow advised that all partnerships come before the Council during the budget hearings, noting the original Tourism Agency partnership was a contractual obligation between the Town and Agency for 2 years, but that has since been retired and is now just an obligation at the will of the Council.

Council Member Mayes questioned when the Council is going to look at the reserve policy again. Administrative Services Director Yakimow advised the staff will bring it back in the next 2-3 months. Town Manager Takata commented that there are many different agencies with many different reserve policies or no policies at all, noting the standard is many times 3 months of operation needs or roughly 25%. Council Member Mayes advised he is still a fan of keeping the reserves as high as possible.

Council Member Herbel moved to receive and file the Mid-year Budget Report and adopt Resolution No. 07-08, amending the FY 2006-07 Adopted Budget. Council Member Mayes seconded. Motion carried 4-0-1 on a roll call vote.

AYES: Council Member Herbel, Luckino, Mayes, and Mayor Neeb
NOES: None
ABSTAIN: None
ABSENT: Mayor Pro Tem Leone.

14. Authorization to Proceed, Sphere of Influence Study (SOI), LAFCO SOI Application Process

Community Development Director Best advised that staff recommends the Council receive the report and provide direction whether or not to proceed with the Sphere of Influence Study and application to the LAFCO process. Areas and activities adjacent to the current Town boundaries create impacts upon the Town, including such things as land use patterns, circulation requirements, drainage patterns, etc. It is incumbent on the Town to evaluate those geographic areas outside of its current boundaries, to thoroughly evaluate the possible annexation of those areas at some point in the future and to evaluate the provision of municipal services to those areas. Also, in recent discussions with LAFCO staff, the Town has been encouraged to evaluate its Sphere of Influence

Council Member Mayes commented that there are no maps involved with this now and clarified that this is just to say that the Town wants to continue along process of analyzing sphere of influence. Community Development Director Best advised that is correct. Deputy Town Manager Stueckle added that, based on discussions with LAFCO staff, the Town has been encouraged to look at expansion of the sphere to the north, and that will be the main focus, however the analysis needs to be comprehensive. Council Member Mayes advised that there have been discussions regarding the Fire District and Water District boundaries.

Council Member Mayes moved to receive the report and direct staff to proceed with the Sphere of Influence Study and application to the LAFCO process. Council Member Luckino seconded. Motion carried 4-0-1 on a voice vote with Mayor Pro Tem Leone absent.

15. Public Facilities Development Impact Fees, Set Public Hearing for March 8, 2007.

Deputy Town Manager Stueckle reported that on October 27, 2005 the Town Council established Public Facilities Development Impact Fees for new residential development. Annual review of those fees is required. One of the recommendations when the Council began implementation of the program was that fees be implemented over a 3 year process. and started at 1/3 of the maximum fee, to be looked at on an annual basis. Staff is recommending that Council set the public hearing for April 12, 2007 to receive the annual report and consider adjustment of those fees.

Charles McHenry, Yucca Valley, commented he was looking through the street and traffic facilities master plan, and noted there isn't anything in the document regarding acquiring right of way for surface streets. He questioned what the Town has in mind for streets.

Mike Reynolds, Yucca Valley, President of Morongo Basin BIA urged the Council to refrain from raising the fees, and recommended lowering them.

Sarann Graham, Yucca Valley, encouraged the Council not to increase the impact fees.

Jerel Hagerman, Yucca Valley, spoke in opposition to raising the Development Impact

Fees at all.

Council Member Luckino requested that staff explain why the Council can not exclude impact fees from non profit organizations, noting that what came out of the Blue Ribbon Commission was that the Town can not differentiate from non profits. Deputy Town Manager Stueckle advised that there was discussion regarding Council's consideration of a blanket waiver for all 501 (c)3's, and at that time staff and the Town Attorney indicated there are multiple businesses that come under 501 (c) 3's and some do have full commercial impacts. While there is agreement with the need for a waiver process for non profit organizations, the best approach is one of evaluating those type of fee waiver requests on a case by case basis with necessary findings of facts.

Council Member Mayes questioned the number of residential home permits that have been issued this fiscal year. Deputy Town Manager Stueckle advised that there have been 42 new single family residential permits issued through the end of January, noting there were approximately 250 the prior fiscal year. Council Member Mayes comment if it stays on track there will be about ½ the homes built as last year. He noted he was originally against impact fees, but became to realize that they are important to provide the revenue to build the community properly. The Council will have to come to grips with both sides of the economic arguments. The Town has to have the revenue to build the infrastructure to support the new development, but at the same time the fees can't be so high that there is no building at all.

Council Member Herbel commented that those 501(c) 3's that add infrastructure to the community do need to be looked at for some type of fee waiver. She directed staff to come back with information regarding how much money was not collected according to the Muni Financial Study maximum legally defensible fee analysis, how much money the Town has not collected according to the Blue Ribbon Committee recommendations since implementation of the fee for new development, provide the projected population for 2025 and what monies will be needed to accommodate the population needs for parks, trails, storm drains, streets and traffic, advise of the projected deficit for infrastructure over the next 5 years if fees are not charged for commercial, industrial and office, and investigate other communities that have applied impact fees and determine what improvements have been made to their infrastructure.

Mayor Neeb stated he would like to see a staff report similar to the one that was submitted last time, noting it was easy to follow. He would also like to see what the infrastructure deficit is.

Council Member Luckino disagreed with placing the issue of lost revenues on the next agenda, noting that is a fictitious number because if the fees were very high, theoretically no one would have built here.

Town Manager Takata advised that Development Impact Fees can not be used for a

deficit in infrastructure, they are to pay for growth and the impact caused by that growth.

Council Member Mayes moved to set a public hearing for April 12, 2007, to receive the annual report for 2005/2006 Public Facilities Development Impact Fees, and consider any adjustments to the existing Public Facilities Development Impact Fees. Council Member Luckino seconded. Motion carried 4-0-1 on a voice vote.

PUBLIC COMMENT

Charles McHenry, Yucca Valley, thanked the Council for his appointment to the Traffic Commission, and commented regarding the time of the joint meeting with the Water District noting that he can not attend the meeting due to the time and it is his hope it will be telecast on Channel 6. Suggested a follow up session in the near future later in the evening.

Bill Souder, Yucca Valley, advised he distributed information to the Council regarding how to bring light industry and commercial business to the Town by attending trade shows, noting he is available to discuss the issue with the Council.

Sarann Graham, Yucca Valley, thanked the Town for allowing the Chamber to use the Community Center facilities, and noted they are going to be sponsoring a home and garden show on April 14th.

Margaret Sturges, Yucca Valley, expressed concerned about the lack of supervision at the skateboard park.

Sabrina, Peukert, Yucca Valley, commented regarding ways to get businesses to come up to Yucca Valley.

STAFF REPORTS AND COMMENTS

Town Manager Takata reminded the Council that the Battle Color ceremony will be at the Marine Base on Tuesday the 6th of March. Advised that Best, Best and Krieger will be holding a seminar regarding labor unions and pension reform on Monday, February 26th. Announced that the Joint meeting with the Hi Desert Water District is scheduled for Wednesday, February 28th from 4:00 p.m. to 6:00 p.m. Commented that the Council has cancelled several regular meetings due to conflict with regional meetings, and advised that he may bring forward a different day for the regular Town Council Meetings for Council consideration.

Capt. Williams recognized and thanked the employees and store manager of Vons, noting they worked with the Vons Foundation and were able to secure a \$5,000 grant for Citizen Patrol to be earmarked for vehicle replacement.

Community Services Director Schooler advised of the liability issues at the skate park noting that posting signs requiring protective gear covers the Town's liability. Town Attorney

Silvergleid added that skateboarding it is a dangerous activity so the Town is indemnified from the activity. If the facility was actively manned the Town would be responsible for enforcement.

Town Manager Takata thanked the Council for looking toward the future and enabling the hiring of the Community Development and Public Works Director, and also commended the work of Administrative Services Director Yakimow, Community Services Director Schooler, Deputy Town Manager Stueckle and Capt. Williams.

MAYOR AND COUNCIL MEMBER REPORTS AND COMMENTS

16. Council Member Luckino

Advised if there is going to be bad weather be careful for the next couple of days.

Thank Public Works Director Glowitz for becoming a member of the team.

Congratulated Diane Olson for receiving her 10 year pin.

Thanked Mr. Souder for his commitment to the community, noting that jobs are very important and we do need the revenue. Town Manager Takata advised the Town would need to build a booth so they can be present at the trade shows.

Commented regarding the importance of the joint meeting with the Water District next Wednesday.

Expressed his thanks to the staff.

17. Council Member Mayes

Welcomed Public Works Director Glowitz.

Congratulated Diane Olson for her 10 years of service to the Town.

Welcomed the new commissioners thanked them for stepping up to the plate and volunteering.

18. Council Member Herbel

Welcome Public Works Director Glowitz.

Congratulates Diane Olson on her longevity award.

Thanked citizens for their letters of concern to the Town, noting it is important that the citizens contact and interact with the town government so we can more efficiently serve their needs.

Advised that she has been asked by her constituents who live on the west end of Town to attend the next Caltrans 2+2 meeting, noting it is important that Caltrans produces a study that examines the implications of total build out of the Morongo Basin and how it will effect Highway 62 and emergency preparedness.

Advised she will be attending an International Dark Skies General Meeting on March 3-5, 2007

Announced that Skies the Limit intends to break ground for an observatory near the Park's entrance in Twentynine Palms.

Advised that she has asked staff to prepare updated statistical summary of the General Plan land use chart to identify density by acres.

Commented she looks forward to the meeting with the Water Board and Council, noting there will probably be a need for another one in April to address the growth issue.

19. Mayor Pro Tem Leone

Absent

20. Mayor Neeb

Requested clarification on the 2+2 committees and how they operate. Town Manager Takata advised they consist of two Council Members and 2 members of the other organization. In order for Council Member Herbel to attend the Caltrans meeting, one of the current members would have to be absent, or there could be an agendized meeting of the entire council.

Thanked Ric Vigallon, Keith Anderson and Geoffrey Fennell for their recent art donations to the Town.

Thanked Vons for their donation of \$5, 000 for Citizen Patrol.

Thanked Staff for their hard work on the budget.

CLOSED SESSION

**21. CONFERENCE WITH LEGAL COUNCIL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9(b)
(1) 1 potential case.**

Mayor Neeb adjourned the meeting to Closed Session at 8:55 p.m. and reconvened to open session at 9:45 with no reportable action taken. There were no members of the

YUCCA VALLEY TOWN COUNCIL MINUTES

February 22, 2007

public present.

ANNOUNCEMENTS

Joint Town Council/Hi Desert Water District Meeting, Wednesday, February 28, 2007, 4:00 p.m.

Next Town Council Meeting, Thursday, March 8, 2007, 6:00 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Jamie Anderson,
Town Clerk