

**TOWN OF APPLE VALLEY
TOWN COUNCIL/ SUCCESSOR AGENCY**

**REGULAR MEETING
MINUTES – February 25, 2014**

CALL TO ORDER:

Mayor Bishop called to order the regular session of the Apple Valley Town Council at 6:30 p.m.

Roll call was taken with the following members present:

Roll Call

Present: Council Members Emick; Nassif; Stanton; Mayor Pro Tem Cusack; Mayor Bishop.

Absent: None.

OPENING CEREMONIES

INVOCATION: The invocation was given by Minister Campbell, JC Ministries

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Cusack.

PRESENTATION: None.

PUBLIC COMMENTS

Alice Minan and Samantha Beeson, students at Cal State San Bernardino, commented on the need to assist the homeless in Apple Valley and respectfully requested the Town Council's support. Ms. Minan announced they will be collecting donations on Saturday, March 1, 2014 at Lyon's Park beginning at 8:00 a.m. to help assist the homeless.

Paul Morgan, Apple Valley, thanked members of the Town Council for expressing their views regarding setting goals for the water district. He expressed concern regarding the future of the water district. He also thanked the Town of Apple Valley for the service they provide to the public.

Mark Shoup, Apple Valley, expressed concern regarding the use of the word deficit as it relates to the Park and Recreation budget. He gave a brief history of when the Town of Apple Valley took over the park district and discussed its purpose. He encouraged the Town Council to make wise policy decisions when working on the budget for this department.

Tom Piper, Apple Valley, commented on the water in Apple Valley. He also commented on Apple Valley having its own Department of Water and Power. He stated that he was in agreement with the report given by the Blue Ribbon Water Committee and explained the reasons why he believed the Town should consider taking 10% off the annual budget to start buying water rights.

Katie Manning, Apple Valley, commented on the water services in Apple Valley. She explained the reasons why she believed the water rates were increasing. She also commented on ways to conserve water.

COUNCILMEMBER COMMITTEE/COMMISSION PARTICIPATION

Council Member Stanton commented on committee meetings and events that she attended. She also commented on the article written in the newspaper regarding the bond.

Council Member Nassif commented on committee meetings and events he attended. He responded to the comments made tonight regarding the water rates.

Council Member Emick commented on committee meetings and events that he attended. He commented on the water rates in Apple Valley and how it affects businesses. He also announced the upcoming musical "The Music Man" coming to our amphitheater this summer beginning June 19th through June 21st, 2014.

Mayor Pro Tem Cusack commented on committee meetings and events that he attended. He also commented on the article written in the newspaper regarding Measure V.

Mayor Bishop commented on committee meetings and events that he attended. He also commented on the article in the Daily Press regarding the Fire District.

TOWN COUNCIL ANNOUNCEMENTS

Suggested items for future agenda:

None.

Time, Date & Place for Next Town Council Regular or Special Meeting:

A. Regular Meeting – Tuesday, March 11, 2014 at 6:30 p.m.

TOWN COUNCIL CONSENT AGENDA

Katie Manning, Apple Valley, commented on Agenda Item Number 6 regarding "Supporting the Extension of a Tax Measure on the June 3, 2014 Ballot for the Apple Valley Fire Protection District". She stated that she is in support of the resolution and felt a need to correct the article written in the paper.

The Town Council Members each expressed their support for the extension of the measure.

Mayor Bishop stated that the community has worked very hard the past 16 years to receive the best service from the fire district. He felt that if the Town does not move forward with supporting the measure, it could lose the much needed funding in the future.

MOTION

Motion by Council Member Emick, seconded by Mayor Pro Tem Cusack, to approve the Consent Calendar items numbered 1-6, respectfully.

Vote: Motion carried 5-0-0-0

Yes: Councilmember's Emick; Nassif; Stanton; Mayor Pro Tem Cusack; Mayor Bishop.

Absent: None.

1. **Approval of Minutes of the Town Council**
 - A. **Regular Meeting – February 11, 2014**
Recommendation:
Approve the subject minutes as part of the consent agenda.

2. **Approve and Authorize Amendment No. 1 to Funding Agreement with San Bernardino Association of Governments (SANBAG), for Construction of the Yucca Loma Bridge over the Mojave River**
Recommendation:
That the Town Council approve Amendment No. 1 to the existing Funding Agreement with San Bernardino Association of Governments for construction of the Yucca Loma Bridge over the Mojave River, subject to approval as to form by the Town Attorney and as to content by the Town Manager.

3. **Funding Agreement with San Bernardino County Public Works Department, and with Victor Valley Wastewater Reclamation Authority (VWRA), for the Relocation of an Existing Waste Water Testing Station located on Yates Road**
Recommendation:
That the Town Council approve the Funding Agreement with Victor Valley Wastewater Reclamation Authority (VWRA) and the San Bernardino County Public Works Department for the Relocation of an existing waste water testing station located on Yates Road.

4. **Adopt Ordinance No. 459 – An Ordinance of the Town Council of the Town of Apple Valley Amending Chapter 11.68 – Use of Park and Recreation Facilities of the Apple Valley Municipal Code**
Recommendation:
That the Town Council adopt Ordinance No. 459.

5. **Resolution No. 2014-08, A Resolution of the Town Council of the Town of Apple Valley Amending the Personnel Policies and Procedures Manual**
Recommendation:
That the Town Council adopt the attached Resolution No. 2014-08, a Resolution of the Town Council of the Town of Apple Valley amending Rule 4, Section 4.12 Employee Computer Purchase Program of the Personnel Policies and Procedures for the Town of Apple Valley.

6. **Adopt Resolution No. 2014-07 - A Resolution of the Town Council of the Town of Apple Valley Supporting the Extension of a Tax Measure on the June 3, 2014 Ballot for the Apple Valley Fire Protection District.**
Recommendation:
That the Town Council Adopt Resolution No. 2014-07 - A Resolution of the Town Council of the Town of Apple Valley Supporting the Extension of a Tax Measure on the June 3, 2014 Ballot for the Apple Valley Fire Protection District.

PUBLIC HEARINGS

None.

LEGISLATIVE MATTERS

None.

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

7. Fiscal Year 2013-2014 Mid-Year Budget Review

Marc Puckett, Assistant Town Manager, Finance and Administration, presented the staff report as filed with the Town Clerk's office.

Mr. Pucket noted that the variance in the amount of 1.49 % was over the estimated revenues projected and that the actual expeditures are in the amount of \$33,000 which is very favorable. He commented on the mid-year revenues that come from property taxes and Proposition 8. He noted an increase in the revenues for Building and Safety, Planning and Engineering. He also commented on the golf course budget and explained the need to make a transfer from the general fund into the golf course fund as part of the year-end closing.

Mr. Puckett reviewed, for the benefit of the Town Council, his final recommendations as it relates to the Mid-Year budget.

Discussion ensued regarding the Master Plan as it relates to the future of Apple Valley, as well as continued efforts towards budgeting for the Parks and Recreation Department.

Council Member Stanton questioned whether or not the Town is better off financially as a result of the participation of the public pool.

Ralph Wright, Parks and Recreation Manager, stated that the participation of the pool has increased; however, funding from the pool goes towards the programs and not the upkeep and maintenance of the pool.

Council Member Nassif stated that he noticed a drop in sales taxes and that there is an anticipated 2% increase by next year. He believed this signifize that we are heading back into the right direction. He also stated that he would like to see a report to help understand how the money within the parks district is divided. He thanked Mr. Puckett for the information he has presented tonight to the Town Council.

Tom Piper, Apple Valley, commented on the estimated revenues under the adopted budget and questioned the reserves.

MOTION

Motion by Council Member Nassif, seconded by Mayor Pro Tem Cusack, that the Town Council:
1. Receive and file the Fiscal Year 2013-2014 Mid-Year Budget Review Report and
2. Approve Budget Amendment Number 14-16.

Vote: Motion carried 5-0-0-0

Yes: Councilmember's Emick; Nassif; Stanton; Mayor Pro Tem Cusack; Mayor Bishop.

Absent: None.

TOWN MANAGER'S COMMENTS & LEGISLATIVE UPDATE

Frank Robinson, Town Manager, commented on the Town's goal to raise \$36,000 for the production of the Minute Man. He is pleased to report it has reached the \$18,000 mark, leaving a balance of \$18,000 more to go. Mr. Robinson thanked Council Member Stanton and Council Member Emick for their support.

Mr. Robinson also commented on SB 1262 regarding the return of local control as it relates to the regulation of medical marijuana. He stated SB 1262 is sponsored by the League of California Cities and the California Association of Police.

Mr. Robinson announced upcoming events including the State of the County on February 26, 2014 and the 2014 Hi Dessert Economic Summit on April 30, 2014.

DEPARTMENTAL REPORTS AND BUSINESS:

STAFF REPORTS

CORRESPONDENCE

CLOSED SESSION

11. Closed Session:

Motion by Mayor Bishop, seconded by Council Member Nassif, and unanimously carried, to adjourn to Closed Session at 8:25 p.m. to discuss the following:

Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 (one or more potential cases).

Upon returning from Closed Session at 9:07 p.m., Mayor Bishop announced that there was no reportable action taken.

ADJOURNMENT

Motion by Council Member Emick, seconded by Council Member Nassif, and unanimously carried to adjourn the meeting of the Apple Valley Town Council at 9:07 p.m.

Art Bishop, Mayor

Yvonne Rivera, Deputy Town Clerk