

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

**REGULAR MEETING
MINUTES – June 24, 2014**

CALL TO ORDER:

Mayor Bishop called to order the regular session of the Apple Valley Town Council at 6:32 p.m.

Roll call was taken with the following members present:

Roll Call

Present: Council Member; Stanton; Mayor Pro Tem Cusack; Mayor Bishop.

Absent: Council Member Emick (arrived late); Council Member Nassif.

OPENING CEREMONIES

INVOCATION:

The invocation was given by Joseph Moon, Special Projects Manager.

PLEDGE OF ALLEGIANCE:

The Presentation of Flags was conducted by Boy Scout Troops 356 and 956. The Pledge of Allegiance was led by Boy Scout Jackson, Troop No. 356.

PRESENTATIONS: None.

PUBLIC COMMENTS

Richard Rorex, Apple Valley, thanked the Town Council for the production of the Music Man held in the Town Amphitheatre.

Valerie Infante, requested assistance in changing the Town code to allow beekeeping in the RE-Zone. She stated that she does not have the funding to pay for a zone change in the amount \$10,700, nor does she intend to use the hives for commercial purposes. She believed that members in the community would welcome beekeeping due to their ability of healing through honey and the pollination.

Gail Apodaca, Apple Valley, stated that she supported beekeeping. She stated that she too has noticed a reduction of bees in the area.

Laurajean Reams, Apple Valley, stated that she wanted to place bee hives on her property; however, she was told that they were not allowed under the Town code.

Thomas Beck, Apple Valley, respectfully requested that the code be modified to include bees on personal property. He felt bees are becoming endangered and feels that this is a threat to our food source.

COUNCIL MEMBER EMICK ARRIVED AT 6:45 P.M.

Joanna Medugal, Apple Valley, stated that she supports beekeeping in the Town of Apple Valley.

Martin Avila, Sr., Apple Valley, expressed concern regarding the lack of bees in the area. He stated that he is in favor of the zone being changed to allow beekeeping in ½ acre lots in the Town of Apple Valley.

Kelsie Chavez, Apple Valley, stated that she has done research on bees and supports urban beekeeping.

Scott Bell, Apple Valley, stated that he is allergic to bees; however, he supports beekeeping for residents in the Town. He commented on the importance of pollination in order to support families as well as plant life.

Babette Dershem, Apple Valley, requested that her email be unblocked from the Town of Apple Valley server. She questioned the status of her home improvement loan. She also commented on Agenda Item Number 5 and the guidelines for the RRLP program as listed on the Town website. She requested this information be updated or corrected.

APPLE VALLEY CHAMBER OF COMMERCE – QUARTERLY BUSINESS RETENTION UPDATE

Sam Pulice, President, Apple Valley Chamber Board, announced that Chamber Treasurer Casey Armstrong, was also in attendance. He thanked the Town Council for the opportunity to present an update. He commented on businesses in the high desert that are celebrating 50+ years of service to the community. He stated that the Chamber is working with Town staff on sustaining and recruiting new business owners in our community. He commented on upcoming grand openings and events sponsored by the Chamber and also the shop local program.

COUNCILMEMBER COMMITTEE/COMMISSION PARTICIPATION

Council Member Emick commented on committee meetings and events that he attended. He commented on “The Music Man” production and thanked the Town staff for their hard work on this project as well as the theatre company that put on the production. He commented that the actors in the production were all local talent.

Council Member Stanton commented on committee meetings and events that she attended. She also commented on “The Music Man” production and thanked Council Member Emick for his belief and vision for this theatrical project.

Mayor Pro Tem Cusack commented on committee meetings and events that he attended. He thanked Council Member Emick for diligently working on Music Man production and its success.

Mayor Bishop, on behalf of Council Member Nassif, thanked Richard Rorex for his generous donation toward “The Music Man” production. Mayor Bishop commented on committee meetings and events that he attended. He too commented on the success of “The Music Man”.

TOWN COUNCIL ANNOUNCEMENTS

Suggested items for future agenda:

None.

Time, Date & Place for Next Town Council Regular or Special Meeting:
A. Regular Meeting – Tuesday, July 8, 2014 at 6:30 p.m.

TOWN COUNCIL CONSENT AGENDA

MOTION

Motion by Council Member Emick, seconded by Council Member Nassif, to approve the Consent Calendar items numbered 1-15, respectfully.

Vote: Motion carried 4-0-0-1

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

Absent: Council Member Nassif.

1. Approval of Minutes of the Town Council

A. Special Meeting – June 05, 2014

B. Regular Meeting – June 10, 2014

Recommendation:

That the Town Council approve the subject minutes as part of the consent agenda.

2. Adopt Resolution No. 2014-21, A Resolution Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements for the General Municipal Election, November 4, 2014.

Recommendation:

Adopt Resolution No. 2014-21 adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at an election, November 4, 2014.

3. Adopt Resolution No. 2014-28 Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 4, 2014

Recommendation:

Adopt Resolution No. 2014-28 of the Town Council calling and giving notice of the holding of a General Municipal Election for the election of certain officers as required by the provision of the laws of the State of California relating to General Law Cities.

4. Approval of FY 2014-2015 Grant Management Services Agreement with Blais & Associates, Inc.

Recommendation:

That the Town Council approve the professional services agreement with Blais & Associates, Inc., for FY 2014-2015 grant management services for an amount not-to-exceed \$58,500.

5. Submission of CalHome Program Application to the California Department of Housing and Community Development (HCD) for Mortgage Assistance and Owner Occupied Rehabilitation Activities

Recommendation

1. That the Town Council adopt Resolution 2014-26 authorizing the submittal of an application to the California State Department of Housing and Community Development (HCD) for funding under the CalHome Program for mortgage assistance and owner occupied rehabilitation;
2. Authorize the Town Manager, Frank W. Robinson, and Assistant Town Manager, Lori Lamson, to execute, on behalf of the Town of Apple Valley, the applications, Standard Agreements, and all other documents required by HCD for participation in the CalHome Program, and any amendments thereto.

6. Submission of CALHOME Program Application to the California Department of Housing and Community Development (HCD) for Mortgage Assistance and Owner Occupied Rehabilitation Activities

Recommendation

1. That the Town Council adopt Resolution 2014-25 authorizing the submittal of an application to the California State Department of Housing and Community Development (HCD) for funding under the CalHome Program Manufactured Home Set Aside, for mortgage assistance and owner occupied rehabilitation;
2. Authorize the Town Manager, Frank W. Robinson, or Assistant Town Manager, Lori Lamson, to execute, on behalf of the Town of Apple Valley, the applications, Standard Agreements, and all other documents required by HCD for participation in the CalHome Program, and any amendments thereto.

7. Adopt Ordinance No. 463 - An Ordinance of the Town Council of the Town of Apple Valley Repealing Chapter 11.54 of the Apple Valley Municipal Code Regarding Loitering by Registered Sex Offenders

Recommendation

Adopt Ordinance No. 463

8. Adopt Resolution No. 2014-23 – A Resolution of the Town Council of the Town of Apple Valley Amending the Personnel Policy and Procedure Manual, Salary Schedule, and Employee Classification Plan for the Town of Apple Valley

Recommendation

That the Town Council adopt the attached Resolution No. 2014-23, A Resolution of the Town Council of the Town of Apple Valley amending the Personnel Policy and Procedure Manual, Salary Schedule, and Employee Classification Plan for the Town of Apple Valley.

9. Adopt Resolution No. 2014-24 – A Resolution Setting the Time and Place for a Public Hearing on Trash User Fee Increases in an Amount of Between 9.50% and 9.85% and Providing Direction to Staff to Proceed with the Special Notice Proceeding as Required by Law

Recommendation

That the Town Council adopt Resolution No. 2014-24 stating its intention to hold a Public Hearing on August 12, 2014, to increase trash user fees in an amount of between 9.5% and 9.85% and, providing direction to staff to proceed with the special notice proceeding as required by law.

10. Lighting and Landscape Assessment District #1 – Engineer’s Annual Report and Levy of Assessment for FY 2014-2015

Recommendation

1. Adopt Resolution No. 2014-19, a Resolution of the Town Council of the Town of Apple Valley Directing the Filing of the Annual Report for the Town of Apple Valley Landscaping and Lighting Assessment District.
2. Receive and approve the Engineer's report as filed, or as amended.
3. Adopt Resolution No. 2014-20, a Resolution of the Town Council of the Town of Apple Valley Declaring its Intention to Order Improvements and to Levy and Collect Assessments for Fiscal Year 2014-2015.
4. Direct the Town Clerk to publish the Resolution of Intention at least 10 days prior to the date of the public hearing.

PUBLIC HEARINGS

11. Adopt Resolution No. 2014-27 - A Resolution of the Town Council of the Town of Apple Valley, California, Amending and Establishing Specified Fees for Town Services

Mayor Bishop opened the public hearing at 7:28 p.m.

Marc Puckett, Assistant Town Manager, presented the staff report as filed with the Town Clerk. Mr. Puckett made minor revisions to various fees listed within the document. He stated that the fee changes noted would be incorporated in the actual document.

The Town Council Members each thanked Mr. Puckett for his outstanding work creating the fee schedule.

There being no requests to speak, Mayor Bishop closed the public hearing at 7:35 p.m.

MOTION

Motion by Council Member Emick, seconded by Council Member Stanton, to adopt Resolution Number 2014-27, a Resolution of the Town Council of the Town of Apple Valley, California, amending and establishing specified fees for Town services for Fiscal Year 2014-2015.

Vote: Motion carried 4-0-0-1

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

Absent: Council Member Nassif.

12. Adopt Resolution No. 2014-22 - A Resolution of the Town Council of the Town of Apple Valley, California, Amending and Establishing Sewer Connection Fees as Specified to Recover the Costs to the Town and the Victor Valley Wastewater Reclamation Authority (VWRA) for Future Construction of Public Infrastructure and Improvements

Mayor Bishop opened the public hearing at 7:38 p.m.

Marc Puckett, Assistant Town Manager, presented the staff report as filed with the Town Clerk.

There being no requests to speak, Mayor Bishop closed the public hearing at 7:40 p.m.

MOTION

Motion by Council Member Emick, seconded by Mayor Pro Tem Cusack, to adopt Resolution No. 2014-22 amending and establishing sewer connection fees as specified.

Vote: Motion carried 4-0-0-1

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

Absent: Council Member Nassif.

LEGISLATIVE MATTERS

None

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

13. Discussion on Paving Dirt Roads

Brad Miller, Town Engineer, presented the staff report as filed with the Town Clerk.

Mayor Pro Tem Cusack explained that he requested an inventory of the dirt roads in the event that funding becomes available to pave the roads or if the Town receives the right of way for the property. With a current inventory, it would make it much easier and quicker to identify the dirt roads.

This was a receive and file item only. There was no action taken.

MOTION

14. Modification to the Temporary Use Permit Process to Allow for Light Industrial Uses in Existing Commercial Buildings

Lori Lamson, Assistant Town Manager, presented the staff report as filed with the Town Clerk.

Council Member Stanton commented on the positive aspect of allowing light industrial use in existing commercial buildings. She believed that blighted buildings are not positive for the Town and felt that light industrial uses would bring jobs to the area.

Frank Robinson, Town Manager, commented on the positive response from the building community on this item.

MOTION

Motion by Council Member Stanton, seconded by Council Member Emick, to initiate a Development Code Amendment to allow Temporary Use Permits for light industrial uses in existing commercial buildings.

Vote: Motion carried 4-0-0-1

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

Absent: Council Member Nassif.

TOWN MANAGER'S COMMENTS & LEGISLATIVE UPDATE

Frank Robinson, Town Manager, stated that upcoming agenda items for the next meeting include the Animal Control update and the Sign Code ordinance.

Kathie Martin, Marketing and Public Affairs Officer, commented on the success of the Music Man and the positive feedback received from the community in the High Desert, who look forward to the having another theatre production next year. She announced that the Sunset Concerts begin this week. She also commented on the Daily Press poll announcing that the Town has been voted best venue for live entertainment in the High Desert. She thanked the Town Council for their continued support.

DEPARTMENTAL REPORTS AND BUSINESS:

STAFF REPORTS

CORRESPONDENCE

CLOSED SESSION

15. Closed Session

MOTION

Motion by Council Member Emick, seconded by Council Member Stanton, to adjourn to closed session at 8:00 p.m. to discuss the following:

Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case Name: Application No. 14-01-002, In the Matter of the Application of Park Water Company-Apple Valley Ranchos Water Company Water System (U346W) for Authority to Increase Rates Charges for Water Service by \$3,127,463 or 14.88% in 2015, \$2,056,455 or 8.48% in 2016, and \$2,160.731 or 8.19% in 2017.

Vote: Motion carried 4-0-0-1

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

Absent: Council Member Nassif.

Upon returning from Closed Session at 8:42 p.m., Mayor Bishop announced that there was no reportable action taken.

ADJOURNMENT

Motion by Council Member Emick, seconded by Mayor Pro Tem Cusack, to adjourn the meeting of the Apple Valley Town Council at 8:43 p.m.

Art Bishop, Mayor

La Vonda M-Pearson, Town Clerk