

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

REGULAR MEETING

MINUTES – March 10, 2015

CALL TO ORDER:

Mayor Cusack called to order the regular session of the Apple Valley Town Council and the Successor Agency at 6:30 p.m.

Roll call was taken with the following members present:

Roll Call

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

Absent: None

OPENING CEREMONIES

INVOCATION: Pastor Denotra Johnson, Victory in Jesus Bible Faith Center

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Pro Tem Stanton.

PRESENTATION: Apple Valley County Early Education Center, Kristine Alvarez

Update of Multi-Species Habitat Conservation Plan and Briefing on Desert Renewable Energy Conservation Plan, Lori Lamson, Assistant Town Manager

PUBLIC COMMENTS

Tom Piper, Apple Valley, commented on using solar energy throughout the Town of Apple Valley.

Cecil Volsch, Apple Valley, commented on the Community Neighborhood Watch Program. He provided the Town Council and the public with brochures and meeting schedules for the watch program.

Hayden Martin, Representative for Assemblyman Jay Obernolte, thanked the Town of Apple Valley for their assistance and support for the Assemblyman's Coffee Meet and Greet held in the Apple Valley Conference Center. He stated that the event was well received and attended.

COUNCILMEMBER COMMITTEE/COMMISSION PARTICIPATION

Council Member Emick commented on committee meetings and events that he attended.

Council Member Nassif commented on committee meetings and events that he attended.

Council Member Bishop commented on committee meetings and events that he attended.

Mayor Pro Tem Stanton commented on committee meetings and events that she attended.

Mayor Cusack commented on committee meetings and events that he attended.

TOWN COUNCIL ANNOUNCEMENTS

Suggested items for future agenda:

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

A. Regular Meeting – Tuesday, March 24, 2015 – Council Chambers at 6:30 p.m.

TOWN COUNCIL CONSENT AGENDA

Mayor Cusack announced that Council Member Nassif has a remote interest in specific warrants on tonight's commercial warrants dealing with NAPA Auto Parts for the Town of Apple Valley as the owner of NAPA Auto Parts. Therefore, he will be abstaining from voting on the warrants for NAPA Auto Parts listed under Agenda Item Number 2. Mayor Cusack stated that he, too, has a remote interest in specific warrants on tonight's commercial warrants dealing with Apple Valley Communication for the Town of Apple Valley as the owner of Apple Valley Communication; therefore, he, too, will be abstaining from voting on the warrants for Apple Valley Communications listed under Agenda Item Number 2.

Motion by Council Member Emick, seconded by Council Member Bishop, to approve the Consent Calendar items numbered 1-5, as presented.

Vote: Motion carried 5-0-0-0

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

Absent: None.

Mayor Pro Tem Stanton abstained from voting on Agenda Item Number 1.

Council Member Nassif and Mayor Cusack abstained from voting on specific warrants listed under Agenda Item Number 2.

1. **Approval of Minutes of the Town Council**
 - A. **Regular Meeting – February 24, 2015**

Recommendation:
Approve the subject minutes as part of the consent agenda.
2. **January 2015 Commercial Warrants Schedule**

Recommendation:
That the Town Council receive, ratify, and file the Commercial Warrants Schedule as presented.
3. **January 2015 Payroll/Benefits Warrants Schedule**

Recommendation:
That the Town Council receive, ratify and file the Payroll/Benefits Warrants as presented.
4. **Treasurer's Report – Month of January 2015 and Schedules of Revenues, Expenditures and Changes in Fund Balance for the Parks and Recreation Fund and the Apple Valley Golf Course Fund**

Recommendation:
That the Town Council receive and file the January 2015 Treasurer's Report.

5. Fee Waiver Request for the Church for Whosoever Annual Outreach on May 25, 2015 and September 7, 2015

Recommendation:

For good cause shown, and finding a waiver will serve a public purpose, approve the waiver of the Facility Rental Fee of \$316.70.

PUBLIC HEARINGS

None.

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

None.

TOWN MANAGER'S COMMENTS & LEGISLATIVE UPDATE

Frank Robinson, Town Manager, addressed statements made in the Apple Valley Review regarding the Town's Emergency Preparedness Program. He stated that the Town has a very active Emergency Preparedness Program, which has been transitioned in-house. He recognized Mr. Joseph Ramos, Emergency Preparedness Coordinator, for his work on the program. He was pleased to announce that the Town of Apple Valley's Cert program is also very healthy. He thanked Ms. Dawn Harrison who recently joined the Town as Volunteer Coordinator to manage the program and bring Cert Training to all of the employees at Town Hall. He noted that throughout this transition, the Town has been working closely with the Apple Valley Fire Protection District, as well as, the school district in an effort to elevate the emergency preparedness within the school and fire district boundaries.

Mr. Robinson commented on various grants that the Town is working on that will enhance the quality of life in not only the Town of Apple Valley but the high desert region. He announced that on Thursday, March 12, 2015, beginning at 6:00 a.m. through 8:00 p.m., there is scheduled to be approximately seven thousand tons of concrete that will be poured into the frame on the Yucca Loma Bridge. He invited the Council Members to attend the event once confirmation of the event has been scheduled.

DEPARTMENTAL REPORTS AND BUSINESS:

STAFF REPORTS

CORRESPONDENCE

CLOSED SESSION

6. Closed Session.

It was the consensus of the Town Council to adjourn to Closed Session at 7:49 p.m. to discuss the following:

- A. 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.
- B. Conference with Legal Counsel – Anticipated Litigation – Initiation of litigation pursuant to Paragraph (4) of subdivision (d) of Section 54956.9: one potential case.
- C. 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 Rate Charges for Water Service by \$3,127,463.00 or 14.88% in 2015, \$2,056,455.00 or 8.48% in 2016, and \$2,160,731.00 or 8.19% in 2017.
- D. Conference with Real Property Negotiators – Pursuant to Government Code Section 54956.8. Property: Apple Valley Ranchos Water Company; Authority Negotiator: Town Manager; Negotiating Parties: Park Water Company, The Carlyle Group, Carlyle Infrastructure Partners, Western Water Holdings LLC; Under Negotiation: Price and terms of Payment.

MAYOR PRO TEM STANTON WAS EXCUSED FROM CLOSED SESSION AND THE MEETING OF THE APPLE VALLEY TOWN COUNCIL AND SUCCESSOR AGENCY AT 9:00 P.M.

Upon returning from Closed Session at 9:39 p.m., Mayor Cusack reported 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 9:40 p.m.

Larry Cusack, Mayor

La Vonda M-Pearson, Town Clerk