

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

**SPECIAL MEETING
MINUTES – June 5, 2014**

CALL TO ORDER:

Mayor Bishop called to order the special session of the Apple Valley Town Council at 6:00 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

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Mayor Pro Tem Larry Cusack.

PUBLIC COMMENTS

None.

BUSINESS OF THE COUNCIL

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1. **Ordinance No. 463 – An Ordinance of the Town Council Repealing Chapter 11.54 of the Apple Valley Municipal Code regarding Loitering by Registered Sex Offenders**

Thomas Rice, Town Attorney, presented the staff report as filed with the Town Clerk's office. He recommended that the Town Council move forward with action.

Mr. Rice provided the Council with clarification on the subject of the ordinance. Mr. Rice also responded to questions by the Council regarding other cities that have not yet repealed their ordinances and have received law suits.

Mr. Rice stated that all sex offenders are treated the same under the California law.

Council Member Stanton expressed concern regarding the law affecting all sex offenders regardless of whether or not the crime they committed is a less serious offense.

Mayor Pro Tem Cusack clarified that although the Town is responding to the rules and regulations under the state code, the Town is still able to police them.

Council Member Emick expressed concern regarding the state's ability to take away control from local government, as well as citizens not having a say as to the rules that pertain to their community.

Mayor Bishop also expressed concern regarding the state taking away local control. He also commented on the benefits that come from local government having the ability to develop an ordinance to help protect the rights of the citizens.

Council Member Nassif felt this topic is very similar to the group home issue in which the state also began taking control away from local government.

Council Member Stanton requested that each member of the Council receive a copy of the state law.

MOTION

Motion by Mayor Pro Tem Cusack, seconded by Council Member Emick, to:

1. Move to waive the reading of Ordinance No. 463 in its entirety and read by title only.

Vote: Motion carried 5-0-0-0

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

Absent: None.

Yvonne Rivera, Deputy Town Clerk, read the title to Ordinance No. 463.

MOTION

Motion by Mayor Pro Tem Cusack, seconded by Council Member Emick, to:

2. Introduce Ordinance No. 463, an Ordinance of the Town Council repealing Chapter 11.54 of the Apple Valley Municipal Code regarding Loitering by Registered Sex Offenders.

Vote: Motion carried 5-0-0-0

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

Absent: None.

2. Fiscal Year 2014/2015 Budget Workshop

Frank Robinson, Town Manager, thanked Mr. Puckett for his hard work and dedication on the Fiscal Year 2014-2015 proposed budget. He commented on the numerous tasks and collective effort by all staff to complete this task. He noted that the budget is a balanced budget and that the appropriation funds reserve increased to \$200,000. He also stated that the adoption of the budget will be placed on the June 10, 2014 agenda; however, if there is direction from Council that requires additional information from staff, it can be placed on the June 24, 2014 agenda. He also noted there is a requirement for the Council to adopt the budget by the end of this fiscal year.

Marc Puckett, Assistant Town Manager, explained the budget process. He announced that the Town is the proud recipient of the Distinguished Budget Presentation Award for complying with professional standards.

Mr. Puckett provided the Council with information regarding the changes to the budget. He announced that he will distribute a document to the Council and public at the next regular meeting on June 10, 2014, called "Budget at a Glance", which is a brief summary of the budget information.

Mayor Bishop thanked staff for the "Budget at a Glance" report that will be provided at the next meeting. He believed it will be a good way for the public to understand the budget.

Mr. Puckett commented on the challenges that the Town faced when developing the FY14-15 proposed budget. He discussed the total capital improvements, summary of appropriations, General Fund summary, Parks and Recreation Fund Summary and the Apple Valley Golf Course Fund Summary.

Mr. Puckett advised that he will be providing the Council with a sales tax report that will have additional information based on the calendar year 2013. He stated the report will reflect that general consumer goods amount to over 39% of the total sales tax collections.

Mr. Puckett stated that additional information was received following the distribution of the draft budget; therefore, there is a need to revise the budget Resolution for Council's consideration at the next regular meeting on June 10, 2014. He discussed the changes that affect the sales tax, CaPERS Prepayment option, Auto Mileage Allowance, and the Sheriff's Contract.

Mr. Puckett commented on the CaPERS Prepayment process. He noted that by participating in the optional prepayment plan, the Town receives a prepayment discount of the employer's contribution for the year in the amount of \$271,000. He also noted that if the Town did not take advantage of the prepayment option, the Town would pay approximately \$1.6 million dollars.

Discussion ensued regarding various department program highlights.

Mr. Puckett commented on the positive increase to the Park and Recreation fund as compared to the last budget. He noted that the Blue Ribbon Water Committee contributed to this increase.

Mayor Bishop thanked Mr. Puckett for the outstanding presentation. He believed that the Town does an excellent job keeping its costs at a minimum and providing excellent service.

Council Member Stanton believed the budget was very easy to understand. She asked questions regarding the sustainability of the retirement system.

Mayor Pro Tem Cusack asked, and Mr. Puckett responded, to questions regarding the status of the reserves, as well as the retirement program for Town employees.

Mayor Bishop commented on employee contributions toward their retirement program.

Jim Andersen, Code Enforcement Manager, commented on graffiti within the Town limits.

Discussion ensued regarding asset seizures and the distribution of any remaining funds.

Mr. Robinson thanked the Town Council for attending the Budget Workshop. He stated that staff will bring the budget back for adoption at the next regular meeting on June 10, 2014.

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

ADJOURNMENT

Motion by Council Member Emick, seconded by Mayor Pro Tem Cusack, and unanimously carried to adjourn the special meeting of the Apple Valley Town Council at 7:30 p.m.

Art Bishop, Mayor

Yvonne Rivera, Deputy Town Clerk