



Town of
Apple Valley

*Town Council/Successor Agency
Agenda*
**TUESDAY,
MARCH 22, 2016**

6:30 p.m.

Town Council Members

Barb Stanton, Mayor
Scott Nassif, Mayor Pro-Tempore
Art Bishop, Council Member
Larry Cusack, Council Member
Curt Emick, Council Member

Mission Statement

Provide a better way of life through local control of public safety, development, services and amenities; enhancing our residents' lives and providing for our community's future.

Vision 2020

As a premier community, full of first-class amenities, events, and employment opportunities, Apple Valley will lead the High Desert in public safety and environmental stewardship defining "A Better Way of Life."

1. A Safe Community
2. Public Infrastructure
3. A Thriving Economy
4. Transportation
5. Ample Parks and Recreation
6. Quality Staff
7. Promoting Partnerships
8. Revenue Generation

AGENDA

**APPLE VALLEY TOWN COUNCIL/
SUCCESSOR AGENCY**

MARCH 22, 2016

REGULAR SESSION BEGINS AT 6:30 P.M.

PLEASE SILENCE CELL PHONES AND PAGERS UPON ENTERING THE CHAMBER

The meeting will occur in the Council Chamber located at 14955 Dale Evans Parkway in Apple Valley, California.

This is an agenda for the scheduled meeting of the Town Council of the Town of Apple Valley.

This agenda contains a brief description of each item of business to be considered at today's meeting. In accordance with the Brown Act, this meeting agenda is posted at least 72 hours prior to the regularly scheduled meeting. The agenda, its supporting documents and all writings received by the Town Council related to these items are public records and available for review during regular business hours in the Town Clerk's office in the Town Council Chamber. The agenda and its supporting documents, along with live and archived video of the meeting, can be viewed online at <http://www.applevalley.org>. However, the online agenda may not include all available supporting documents or the most current version of documents.

Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the Town Clerk's Office at 14955 Dale Evans Parkway, Apple Valley, CA during normal business hours. Such documents are also available on the Town of Apple Valley website at www.applevalley.org subject to staff's ability to post the documents before the meeting.

Items listed on the Consent Calendar are expected to be routine and non-controversial and, unless the Town Council directs that an item be held for further discussion, the entire Consent Calendar will be acted upon as the first item of business. If the Town Council directs that an item listed on the Consent Calendar be held for further discussion, the item will be addressed immediately after approval of the Consent Calendar.

In accordance with the Rules of Procedure, members of the public may address the Town Council on any item on the agenda and on any matter that is within the Town Council's jurisdiction. To address the Town Council regarding an item, complete and submit the yellow card entitled Request to Speak. Please indicate on the card whether you are speaking under Public Comments or on an item that is listed on the agenda and please list the item number.

When called, approach the podium and please state your name before giving your presentation. Speakers may address the Town Council for up to three (3) minutes. Speakers are to address the Town Council as a whole through the Presiding Officer. Comments to individual Council Members and/or staff are not permitted.

Individuals, who demonstrate disruptive conduct during Town Council meetings that prevent the Town Council from conducting its meeting in an orderly manner, are guilty of a misdemeanor as stated in PC403, disrupting a public meeting, and are subject to removal from the chamber or arrest.

The Town of Apple Valley recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the Town Clerk's Office at (760) 240-7000 two working days prior to the scheduled meeting for any requests for reasonable accommodations.

TOWN COUNCIL REGULAR SESSION

CALL TO ORDER THE REGULAR SESSION OF THE TOWN COUNCIL MEETING – 6:30 p.m.

ROLL CALL

COUNCIL MEMBERS:

Bishop _____, Cusack _____, Emick _____, Mayor Pro Tem Nassif _____, Mayor Stanton _____.

(WHERE APPROPRIATE OR DEEMED NECESSARY, ACTION MAY BE TAKEN ON ANY ITEM LISTED IN THE AGENDA)

OPENING CEREMONIES

INVOCATION: Pastor Steve Colangelo, Lucerne Bible Fellowship

PLEDGE OF ALLEGIANCE:

PRESENTATIONS: Certificate of Appointment – Valerie Smith – Parks and Recreation Committee

PUBLIC COMMENTS

COUNCILMEMBER COMMITTEE/COMMISSION PARTICIPATION

Boards, Committees and Commissions

TOWN COUNCIL ANNOUNCEMENTS

Suggested items for future agenda:

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

- A. Regular Meeting – Tuesday, April 12, 2016 – Council Chamber
Regular Session at 6:30 p.m.**

TOWN COUNCIL CONSENT AGENDA

Recommendation: Adopt all below listed items on the Consent Agenda in one motion. The Consent Agenda is composed of routine non-controversial items of business and will be adopted in whole in one motion unless a request is made by a Council Member to remove a specific item.

- 1. Approval of Minutes of the Town Council**
 - A. Special Meeting – March 3, 2016**

B. Special Meeting – March 8, 2016

C. Regular Meeting – March 8, 2016

Recommendation:

Approve the subject minutes as part of the consent agenda.

- 2. Establishing Date and Time Certain for Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Public Hearing No. 2 (Consolidated Plan – Fifth-Year 2016-2017 Action Plan)**

Recommendation:

That the Town Council establish April 26, 2016 at 6:30 p.m., as the date and time certain for the purpose of conducting the second of two (2) public hearings necessary to develop the Town's Consolidated Plan– 2016-2017 Fifth Year Action Plan.

- 3. Microsurface 15-16 – Project No. 2016-02**

Recommendation:

1. That the Town Council review and approve the bid documents for Microsurface 15-16 – Project No. 2016-02.
2. That the Town Council authorize staff to solicit bids for construction of said project.

- 4. Bear Valley Bike Path Project**

Recommendation:

1. Reject all bids for the Bear Valley Road Bike Path Project.
2. Direct staff to create two (2) construction phases for the project.
3. Authorize staff to solicit bids for the construction of Phase 1.
4. Authorize staff to apply for both Transportation Development Act (TDA) funds and Active Transportation Program (ATP) funds to construct Phase 2 of the project.

PUBLIC HEARINGS

None.

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

- 5. Discussion of Cancellation of the Town Council Meetings of April 12, 2016 and May 24, 2016**

Recommendation:

Provide direction to staff.

TOWN MANAGER'S COMMENTS & LEGISLATIVE UPDATE

DEPARTMENTAL REPORTS AND BUSINESS

None

CLOSED SESSION

- 6. Closed Session.**

- 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 or more potential cases.
- C. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case Name: Application No. 14-11-013 Joint Application of Liberty Utilities Co., Liberty WWH, Inc., Western Water Holdings, LLC, Park Water Company (U314W), and Apple Valley Ranchos Water Company (U346W) for Authority for Liberty Utilities Co. to Acquire and Control Park Water Company and Apple Valley Ranchos Water Company.
- 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: Liberty Utilities Co., Liberty WWH, Inc., Algonquin Power & Utilities Corp., Park Water Company, Western Water Holdings LLC, Tony Penna, General Manager, Apple Valley Ranchos Water Company; Under Negotiation: Price and Terms of Payment.
- E. Negotiations with Real Property Negotiator – Parcel Number: 3112-181-01 located at Highway 18, between Dale Evans Parkway & Rancherias Road, Apple Valley; Negotiating Parties: 360 Apple West, LLC; Town Negotiator(s) - Town Manager. Negotiations involve both price and terms.
- F. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case No.: CIVDS1517935 - Apple Valley Ranchos Water Company vs. Town of Apple Valley Et Al.
- G. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case No.: CIVDS1600180 – Town of Apple Valley vs. Apple Valley Ranchos Water Company Et Al.
- H. Personnel Matters – Government Code Section 54957/Public Employee Performance Evaluation. Title: Town Manager

ADJOURNMENT

MOTION

Time: _____

TOWN OF APPLE VALLEY
TOWN COUNCIL SERVING ON BOARDS, COMMITTEES & COMMISSIONS

CITIZEN ADVISORY COMMITTEES

HISTORICAL ADVISORY COMMITTEE (HAC)

Council Member Cusack
Meets every 3rd Thursday of each month at 2:00 p.m.,
(location may vary)

SPECIAL ADVISORY COMMITTEES

DISASTER PREPAREDNESS*

Mayor - Chairman
Meets quarterly at 1:30 p.m., Fire Station 336
19235 Yucca Loma Road, Apple Valley.

TRAFFIC ADVISORY COMMITTEE (TAC)

Mayor Stanton
Alternate – Council Member Cusack
As needed.
Town Council Chambers

TOWN PERSONNEL COMMITTEE

Council Member Cusack
Council Member Bishop
Meets as Needed

PARK AND RECREATION ADVISORY COMMITTEE

Council Member Cusack
Mayor Pro Tem Nassif

AD HOC COMMITTEES

APPLE VALLEY ROAD AD HOC COMMITTEE

Mayor Stanton
Mayor Pro Tem Nassif - Alternate

VILLAGE MERCHANTS AD HOC COMMITTEE

Council Member Emick

AGENCY - BOARDS/COMMITTEES & COMMISSIONS

CALIFORNIA JOINT POWERS INSURANCE
AUTHORITY (CJPIA)

Mayor Pro Tem Nassif – Director
Exec. Committee meets every 4th Wednesday of each
month at 7:00 p.m., La Palma, CA.

LEAGUE OF CALIFORNIA CITIES/DESERT
MOUNTAIN DIVISION (LOCC/DMD)

Mayor Pro Tem Nassif- Voting Delegate
Mayor Stanton – Alternate
Meets quarterly on the 4th Friday of every other month
at 10:00 a.m., rotating cities.

MOJAVE DESERT AIR QUALITY MANAGEMENT
DISTRICT (MDAQMD)

Mayor Stanton— Delegate
Council Member Bishop – Alternate
Meets every 4th Monday of each month at 10:00 a.m.,
14306 Park Avenue, Victorville

MOJAVE DESERT AND MOUNTAIN RECYCLING
AUTHORITY

Council Member Bishop – Delegate
Mayor Pro Tem Nassif – Alternate
Meets quarterly on the 2nd Thursday February, May,
August and November at 10:00 a.m.
at the Materials Recovery Facility, 17000 Abbey Lane,
Victorville

SAN BERNARDINO ASSOCIATION OF
GOVERNMENTS (SANBAG)

Council Member Emick - Board Member
Mayor Stanton – Alternate
Meets 1st Wednesday of each month at 10:00 a.m.,
SANBAG – 1170 West 3rd St.
San Bernardino

SOUTHERN CALIFORNIA ASSOCIATED
GOVERNMENTS (SCAG) - TRANSPORTATION AND
COMMUNICATION COMMITTEE

Mayor Stanton – Committee Member
Meets 1st Thursday of each month at 10:00 a.m.
818 West 7th Street 12th Floor
Los Angeles

VICTOR VALLEY ECONOMIC DEVELOPMENT
AUTHORITY (VVEDA)

(George Air Force Base Reuse Task Force)
Council Member Emick – Commissioner
Council Member Bishop – Alternate
Meets every 2nd Wednesday of each quarter at 5:00
p.m., SCLA

VICTOR VALLEY TRANSIT AUTHORITY (VVTA)

Mayor Stanton – Representative
Council Member Emick - Alternate
Meets every 3rd Monday of each month at 9:30 a.m.,
Victorville City Hall

VICTOR VALLEY WASTE WATER RECLAMATION
AUTHORITY (VWVRA)

Mayor Pro Tem Nassif – Commissioner
Council Member Bishop – Alternate
Meets every 3rd Thursday at 7:30 a.m.
VWVRA Offices

**APPLE VALLEY CHAMBER OF
COMMERCE**

GOVERNMENTAL RELATIONS COMMITTEE

Council Member Bishop – Representative

****These Boards, Committees and
Commissions require the Mayor to serve
as the representative.***



TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council

Date: March 22, 2016

From: La Vonda M-Pearson, Town Clerk
Town Clerk's Office

Item No: 1

Subject: APPROVAL OF MINUTES

T.M. Approval: _____

Budgeted Item: Yes No N/A

RECOMMENDED ACTION:

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

SUMMARY:

- A. Special Meeting – March 3, 2016
- B. Special Meeting – March 8, 2016
- C. Regular Meeting – March 8, 2016

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

**SPECIAL MEETING
MINUTES – March 3, 2016**

CALL TO ORDER:

Mayor Stanton called to order the regular session of the Apple Valley Town Council and the Successor Agency at 7:05 p.m.

Roll call was taken with the following members present:

Roll Call

Present: Council Members Bishop; Cusack; Emick; Mayor Stanton.

Absent: Mayor Pro Tem Nassif

OPENING CEREMONIES

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

PUBLIC COMMENTS

None.

CLOSED SESSION

At 7:10 p.m. Mayor Stanton adjourned to Closed Session to discuss Items A – D.

It was noted that Council Member Cusack would recuse himself from the discussion of items on the agenda as it pertains to Apple Valley Ranchos Water Company, due to a potential conflict of interest as his company does business with that entity, if needed.

- 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 or more potential cases.
- C. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case Name: Application No. 14-11-013 Joint Application of Liberty Utilities Co., Liberty WWH, Inc., Western Water Holdings, LLC, Park Water Company (U314W), and Apple Valley Ranchos Water Company (U346W) for Authority for Liberty Utilities Co. to Acquire and Control Park Water Company and Apple Valley Ranchos Water Company.
- 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: Liberty Utilities Co., Liberty WWH, Inc., Algonquin Power & Utilities Corp.,

Park Water Company, Western Water Holdings LLC, Tony Penna, General Manager, Apple Valley Ranchos Water Company; Under Negotiation: Price and Terms of Payment.

Upon returning from Closed Session at 7:57 p.m., Mayor Stanton announced that there was no reportable action taken.

ADJOURNMENT

Motion by Council Member Emick, seconded by Council Bishop, and unanimously carried, to adjourn the meeting of the Apple Valley Town Council at 7:58 p.m.

Barb Stanton, Mayor

Debra Thomas, Deputy Town Clerk

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

**SPECIAL MEETING
MINUTES – March 8, 2016**

CALL TO ORDER:

Mayor Stanton called to order the regular session of the Apple Valley Town Council and the Successor Agency at 5:30 p.m.

Roll call was taken with the following members present:

Roll Call

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

OPENING CEREMONIES

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

PUBLIC COMMENTS

None.

CLOSED SESSION

At 5:31 p.m., Mayor Stanton adjourned to Closed Session to discuss Items A – G.

It was noted that Council Member Cusack would recuse himself from the discussion of items on the agenda as it pertains to Apple Valley Ranchos Water Company, due to a potential conflict of interest as his company does business with that entity, if needed.

- 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 or more potential cases.
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- 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: Liberty Utilities Co., Liberty WWH, Inc., Algonquin Power & Utilities Corp.,

Park Water Company, Western Water Holdings LLC, Tony Penna, General Manager, Apple Valley Ranchos Water Company; Under Negotiation: Price and Terms of Payment.

- E. Negotiations with Real Property Negotiator – Parcel Number: 3112-181-01 located at Highway 18, between Dale Evans Parkway & Rancherias Road, Apple Valley; Negotiating Parties: 360 Apple West, LLC; Town Negotiator(s) -Town Manager. Negotiations involve both price and terms.
- F. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case No.: CIVDS1517935 - Apple Valley Ranchos Water Company vs. Town of Apple Valley Et Al.
- G. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case No.: CIVDS1600180 – Town of Apple Valley vs. Apple Valley Ranchos Water Company Et Al.

Upon returning from Closed Session at 6:29 p.m., Mayor Stanton announced that there was no reportable action taken.

ADJOURNMENT

Motion by Council Member Emick, seconded by Council Bishop, and unanimously carried, to adjourn the meeting of the Apple Valley Town Council at 6:30 p.m.

Barb Stanton, Mayor

La Vonda M-Pearson, Town Clerk

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

REGULAR MEETING

MINUTES – March 8, 2016

CALL TO ORDER:

Mayor Stanton called to order the regular session of the Apple Valley Town Council and the Successor Agency at 6:33 p.m.

Roll call was taken with the following members present:

Roll Call

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

OPENING CEREMONIES

INVOCATION: Jim Andersen, Code Enforcement Manager

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Council Member Emick.

PRESENTATIONS: Knights of Columbus, Lena Quinonez, Recreation Supervisor
Economic Development Update, Orlando Acevedo, Economic Development Manager

PUBLIC COMMENTS

Chuck Hanson, Apple Valley, questioned the need to bring unity to Town Council.

Tom Piper, Apple Valley, expressed concern regarding the Town of Apple Valley's mid-year budget presentation.

Joe Garcia, Apple Valley Lions Club, commented on volunteering with the Heart Games in the Town of Apple Valley. He thanked the Town for supporting the event.

COUNCILMEMBER COMMITTEE/COMMISSION PARTICIPATION

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

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

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

Mayor Pro Tem Nassif commented on committee meetings and events that he attended

Mayor Stanton commented on committee meetings and events that she 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 22, 2016 – Council Chamber
Regular Session at 6:30 p.m.**

TOWN COUNCIL CONSENT AGENDA

Mayor Stanton announced that Mayor Pro Tem 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. Council Member Cusack also has a remote interest in specific warrants on tonight's Commercial Warrants dealing with Apple Valley Communications for the Town of Apple Valley as owner of Apple Valley Communications; therefore, he, too, will be abstaining from voting on warrants for Apple Valley Communications listed under Agenda Item Number 2.

Mayor Stanton, with the consensus of the Town Council, pulled Agenda Item Number 5 for discussion. Council Member Bishop, with the consensus of the Town Council, pulled Agenda Item Number 8 for discussion.

Motion by Council Member Emick, seconded by Council Member Bishop, to approve the Consent Calendar items numbered 1, 2, 3, 4, 6 and 7, respectfully.

Vote: Motion carried 5-0-0-0

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

Absent: None.

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

1. **Approval of Minutes of the Town Council**
 - A. **Special Meeting – February 8, 2016**
 - B. **Regular Meeting – February 23, 2016**

Recommendation:

Approve the subject minutes as part of the consent agenda.

2. **January 2016 Commercial Warrants Schedule**

Recommendation:

That the Town Council receive, ratify and file the Commercial Warrants Schedule as presented.

3. **January 2016 Payroll/Benefits Warrants Schedule**

Recommendation:

That the Town Council receive, ratify and file the Payroll/Benefits Warrants as presented.

4. **Treasurer's Report – January 2016 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 Town Council receive and file the January 2016 Treasurer's Report.

6. **Adopt Ordinance No. 484, An Ordinance of the Town Council of the Town of Apple Valley, California, Amending Chapter 12.20, entitled "Special Speed Limits" of Title 12 of the Town of Apple Valley Municipal Code**
Recommendation:
Adopt Ordinance No. 484

7. **Request to Vacate a Road Easement on Parcel Map 11292**
Recommendation:
That the Town Council:
 1. Find that the road easement as shown on Parcel Map 11292, has:
 - (a) For a period of five consecutive years, the street or highway has been impassable for vehicular travel and;
 - (b) No public money was expended for maintenance on the street or highway during such period.

 2. Adopt Resolution No. 2016-07 "A Resolution of the Town Council of the Town of Apple Valley, California, vacating a road easement on Parcel Map 11292, pursuant to the Streets and Highways Code Section 8331."

 3. Direct the Town Clerk to cause the Resolution vacating the road easement to be recorded in the office of the County Recorder of the County of San Bernardino, pursuant to Section 8336 of the Streets and Highways Code.

PULLED FOR DISCUSSION

5. **Review Bid Documents for Restoration Landscape Maintenance and Monitoring Services for Yucca Loma Road/Yates Road/Green Tree Boulevard Transportation Improvement Project Re-Establishing Site**

Greg Snyder, Public Works Manager, presented the staff report as filed with the Town Clerk.

MOTION

Motion by Council Member Bishop, seconded by Council Member Nassif, to:

1. Approve the bid documents for Restoration Landscape Maintenance and Monitoring Services for Yucca Loma Road, Yates Road and Green Tree Boulevard Transportation Improvement Re-Establishment Site – Project no. PW2016-01;

2. That the Town Council authorize staff to advertise and solicit bids for maintenance of said project.

Vote: Motion carried 5-0-0-0

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

Absent: None.

8. Adopt a Resolution Authorizing the Emergency Services Officer or Designee to Apply and Access Grant Documents on Behalf of the Town of Apple Valley and Receive and Ratify the Memorandum of Understanding Between the City of Riverside Office of Emergency Management and the Town of Apple Valley Office of Emergency Preparedness

Council Member Bishop thanked the Town for moving forward with this item.

MOTION

Motion by Council Member Bishop, seconded by Council Member Emick, to:

1. Adopt Resolution No. 2016-08 A Resolution of the Town Council of the Town of Apple Valley, California Authorizing the Emergency Services Officer or Designee to Apply and Access Grant Documents for the Town of Apple Valley; and
2. That the Town Council receive, ratify, and file the Memorandum of Understanding (MOU) between the City of Riverside Office of Emergency Management and the Town of Apple Valley regarding Urban Area Security Initiative (UASI) Grant Funding.

Vote: Motion carried 5-0-0-0

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

Absent: None.

PUBLIC HEARINGS

None.

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

9. Discussion on Digital Signs

Pam Cupp, Associate Planner, presented the staff report as filed with the Town Clerk.

Mayor Pro Tem Nassif commented on the need to revisit this item as it related to the size of the digital portion of signs.

Discussion ensued regarding the need to make amendments to this issue and possibly establish an Ad Hoc committee to discuss this item and forward it to the Planning Commission and Town Council for review and approval.

It was the consensus of the Town Council to establish an Ad Hoc Committee to include Mayor Pro Tem Nassif and Council Member Cusack to review the issue of digital signs in the Town of Apple Valley.

10. Vacancy on the Parks and Recreation Committee

MOTION

Motion by Council Member Cusack, seconded by Council Member Bishop, to nominate Valerie Smith to the Parks and Recreation Committee.

Vote: Motion carried 5-0-0-0

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

Absent: None.

TOWN MANAGER'S COMMENTS & LEGISLATIVE UPDATE

DEPARTMENTAL REPORTS AND BUSINESS

None.

CLOSED SESSION

Mayor Stanton announced that Council Member Cusack would be abstaining from one (1) or more of the closed session items as it pertained to Liberty Utilities if needed, due to a potential conflict of interest. She stated that his company does business with the above referenced company.

Mayor Stanton adjourned to Closed Session at 7:50 p.m. to discuss the following:

11. Closed Session

- 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 or more potential cases.
- C. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case Name: Application No. 14-11-013 Joint Application of Liberty Utilities Co., Liberty WWH, Inc., Western Water Holdings, LLC, Park Water Company (U314W), and Apple Valley Ranchos Water Company (U346W) for Authority for Liberty Utilities Co. to Acquire and Control Park Water Company and Apple Valley Ranchos Water Company.
- 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: Liberty Utilities Co., Liberty WWH, Inc., Algonquin Power & Utilities Corp., Park Water Company, Western Water Holdings LLC, Tony Penna, General Manager, Apple Valley Ranchos Water Company; Under Negotiation: Price and Terms of Payment.

- E. Negotiations with Real Property Negotiator – Parcel Number: 3112-181-01 located at Highway 18, between Dale Evans Parkway & Rancherias Road, Apple Valley; Negotiating Parties: 360 Apple West, LLC; Town Negotiator(s) - Town Manager. Negotiations involve both price and terms.
- F. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case No.: CIVDS1517935 - Apple Valley Ranchos Water Company vs. Town of Apple Valley Et Al.
- G. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case No.: CIVDS1600180 – Town of Apple Valley vs. Apple Valley Ranchos Water Company Et Al.
- H. Personnel Matters – Government Code Section 54957/Public Employee Performance Evaluation. Title: Town Manager

Upon returning from Closed Session at 9:04 p.m., Mayor Stanton announced that during Closed Session, the Town Council authorized a total amount of \$335,000 from the general fund balance for the purchase of the Hilltop House, APN #3112-181-01.

ADJOURNMENT

Motion by Council Member Emick, seconded by Council Member Bishop, and unanimously carried, to adjourn the meeting of the Apple Valley Town Council at 9:05 p.m.

Barb Stanton, Mayor

La Vonda M-Pearson, Town Clerk

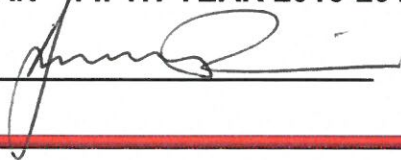


TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** March 22, 2016

From: Christopher Moore - Housing and **Item No:** 2
Community Development Specialist
Community Development Department

Subject: ESTABLISHING DATE AND TIME CERTAIN FOR COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT
PARTNERSHIPS (HOME) PUBLIC HEARING NO. 2 (CONSOLIDATED
PLAN – FIFTH-YEAR 2016-2017 ACTION PLAN)

T.M. Approval:  **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

That the Town Council establish April 26, 2016 at 6:30 p.m., as the date and time certain for the purpose of conducting the second of two (2) public hearings necessary to develop the Town's Consolidated Plan– 2016-2017 Fifth Year Action Plan.

SUMMARY:

The Code of Federal Regulations regarding the Consolidated Plan requires a minimum of two (2) public hearings prior to submitting the Town's Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD). The first of these public hearings was conducted on December 8, 2015, for the purpose of soliciting public input in the development of the Fifth-Year Action Plan. The Fifth-Year Action Plan is a major component of the Consolidated Plan and will determine the specific use of CDBG and HOME Consortium funds for the 2016-2017 program year.

The second and final public hearing will be conducted on April 26, 2016, for the purpose of receiving the Community Development Citizen Advisory Committee (CDCAC) funding recommendations and public input regarding such recommendations. It is anticipated that, after the closure of the Consolidated Plan Public Hearing No. 2, the Town Council will take action to fund certain programs, projects and activities for fiscal year 2016-2017.

The Town has been allocated CDBG funds in the amount of \$559,270 for the period beginning July 1, 2016, and ending June 30, 2017. In addition, a carry-over balance from prior fiscal years of \$18,598 will be reprogrammed for the 2016-2017 program year into CDBG projects. The available CDBG funding for 2016-2017 is \$577,868.

The Town has been allocated HOME funds in the amount of \$535,507 (Apple Valley - \$225,181, Victorville – \$310,326) for the period beginning July 1, 2016, and ending June 30, 2017. Awaiting HUD determination for percentage share formula, which may change allocation amounts for Apple Valley and Victorville; total \$535,507 is final.

Attached are the 2016-2017 proposals under review by the Community Development Citizen's Advisory Committee (CDCAC). Project and funding recommendations will be presented to Council on April 26, 2016.

FISCAL IMPACT:

None

ATTACHMENTS:

1. 2016-2017 CDBG/HOME Submitted Proposals

Town of Apple Valley				
Submitted Proposals- Public Service Projects				
2016-2017 CDBG/HOME Application Evaluation Sheet				
1617 #	Public Service Projects			
Project #	Name of Organization	Project Title	Description	Fund Amount Requested
1	AV PAL	AV PAL	Boxing Program	12,600
2	Catholic Charities San Bernardino	Emergency Food, Shelter and Utility Assistance	Emergency Food, Shelter and Utility Assistance	25,000
3	Victor Valley Domestic Violence	A Better Way Shelter and Outreach	Transitional housing and services	10,000
5	Assistance League of Victor Valley	Operation School Bell	Clothing for School Kids	20,000
6	Lutheran Social Services of So Cal	Our Children Project	Service to child abuse victims and family	5,000
7	S B County Library	Adult Literacy Services	Adult learners 17+, not in school, literacy	10,000
8	Inland Fair Housing and Mediation Board	Fair Housing Services	Anti-Discrimination and Landlord/Tenant	25,000
9	Family Assistance Program	Transitional Living	Utility expenses for transitional housing	10,000
10	Moses House Ministries	Employment Development Program	Job training at Moses House thrift store	7,132
11	Moses House Ministries/ Rose of Sharon	Resources and Referrals for Families	Single mother w/ children under six-assistance/services	22,338
12	Victor Valley Community Services Council	Senior/Adult Disabled Needs Program	Small home repairs, transportation, homebound/ care facility visits	15,000
15	St. John of God Health Care Services	Homeless Prevention and Intervention Services	One time assistance payment for utilities/rent	20,000
16	Feed My Sheep Ministries	Project Life Sustain II	Food Pantry Services	5,000
17	Church for Whosoever	CFW Literacy Center	At risk youth, K - 2nd	8,732
18	High Desert Homeless Services	Shelter Services	Shelter and support	25,000
19	Orenda Foundation	Orenda Transportation and Program Services (TAPS)	Transportation services to homeless/ transitional housing veterans	67,360
			Total Public Service Funding Requested	288,162
			Public Service Maximum	83,891

Proposed Projects				
Project 1617 #	16-17 CDBG Allocation-final 559270		559,270	
21	Less 20% Administration	111,854	447,416	
	Less 15% Public Service	83,891	363,526	
	Reprogram CDBG balances from prior years	18,598	382,124	CDBG Balance available for in house & construction
2016-2017 Non-Profits- not under public service cap				
4	Set Free Church of the High Desert	Faith, Hope and Love	New Construction Homeless Shelter	16,700
13	Victor Valley Community Services Council	CDBG Senior/Adult Disabled Emergency Repairs	Medium repairs (\$400-\$2,000) to gap VVCSC and TOAV repair programs	20,000
2016-2017 In House Proposals				
14	TOAV Park and Rec	CDBG Thunderbird Park Restroom Project	Permanent accessible facility	100,000
20	TOAV Economic Development	CDBG Micro-Enterprise Business Assistance	Assist small business in return for job creation	20,000
22	TOAV Community Development	CDDBG Rehabilitation Administration 14H	Pays costs directly related to administration of rehabilitation programs	80,000
23	TOAV Community Development	CDBG Residential Rehabilitation Loan Program (RRLP)	Owner occupied single family residential repair	162,124

Proposed Funding			
	Final 16-17 allocation		
	CDBG	559,270	
	HOME Consortium	535,507	
	Apple Valley Funding HOME 2016-2017		2/18/16 need % share
24	Administration	37,218	
25	Community Housing Development Organization (CHDO)	31,327	
27	Residential Rehabilitation Loan Program (RRLP) AV HOME	156,636	
	AV HOME Allocation	225,181	
26	Coachella Valley Housing Coalition (CVHC) CHDO project (prior year funds)	200,000	
	Victorville Funding HOME 2015-2016		
28	Administration	16,333	
29	Community Housing Development Organization (CHDO)	48,999	
31	Senior Housing Repair Program (SHRP)	244,994	
	VV HOME Allocation	310,326	535,507
30	Prior year funds for National Core CHDO project (Victorville)	500,000	

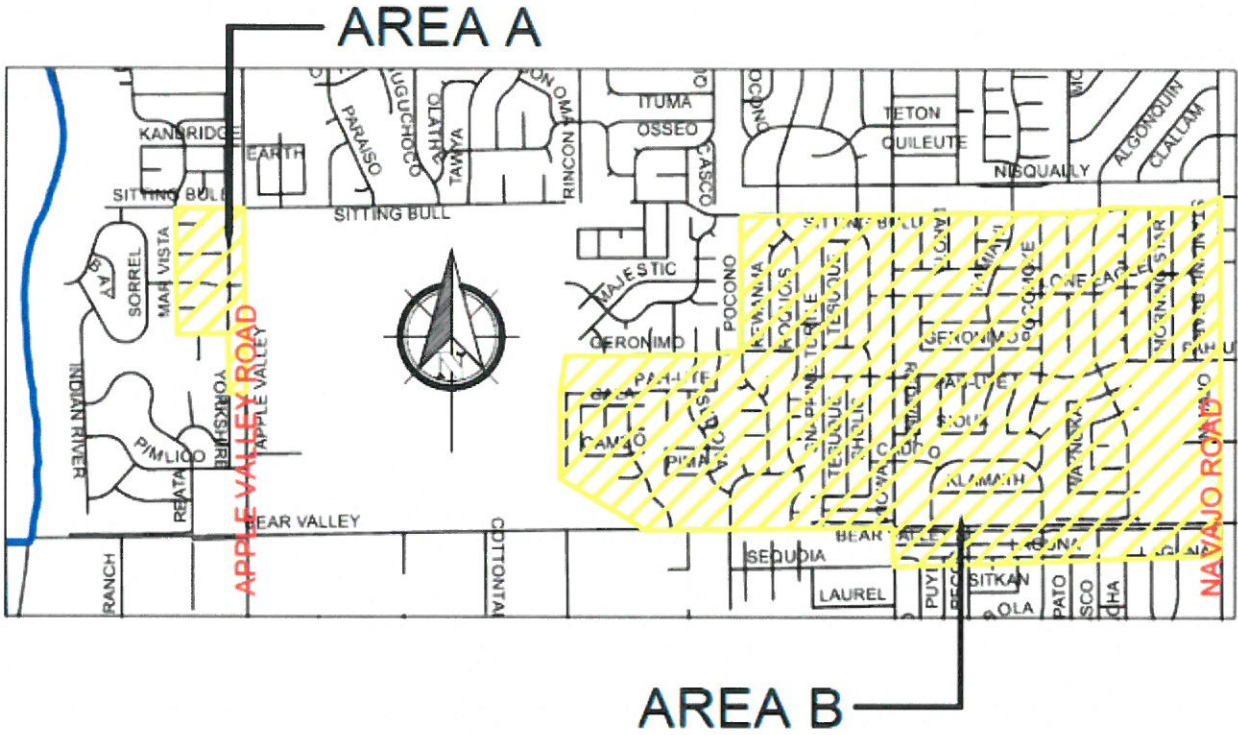
FISCAL IMPACT:

Funding for this project has been appropriated in the Town Council approved 2015-2016 Capital Improvement Projects Budget using Measure I funds. There is no immediate fiscal impact with approval of the bid documents and authorization to advertise for bids.

ATTACHMENTS:

1. Location Map
2. Segment List

LOCATION MAP

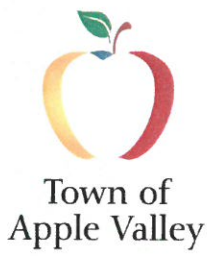


SEGMENT LIST

SEGMENT	FROM	TO	LENGTH (MI)
ALGONQUIN ROAD	PAH-UTE ROAD	BEAR VALLEY ROAD	0.48
ALGONQUIN ROAD	PAH-UTE ROAD	SITTING BULL ROAD	0.47
ARAWAK CIRCLE	IROQUOIS ROAD	END E IROQUOIS	0.04
BANNOCK COURT	GERONIMO ROAD	END	0.08
BANNOCK DRIVE	GEROMINO ROAD	PAHUTE ROAD	0.11
BEAR VALLEY ROAD OHN	.05 MI E/O ALGONQUIN ROAD	.2 MI W/O ALGONQUIN ROAD	0.25
BEAR VALLEY ROAD OHN	KIOWA ROAD	SNAPPING TURTLE ROAD	0.2
BUFFALO POINT ROAD	IROQUOIS ROAD	.1 MI E/O IROQUOIS ROAD	0.04
CABAZON COURT	SAGUARO WAY	END	0.08
CADDO ROAD	SHOLIC ROAD	MULTNOMAH ROAD	0.2
CATALINA ROAD	APPLE VALLEY ROAD	SORREL ROAD	0.29
CLALLAM ROAD	SITTING BULL ROAD	PAH-UTE ROAD	0.45
CRAZY HORSE COURT	IROQUOIS ROAD	.05 MI E/O IROQUOIS RD	0.04
GERONIMO ROAD	SNAPPING TURTLE RD	SHOLIC ROAD	0.12
GERONIMO ROAD	IROQUOIS ROAD	.05 MI W/O POCONO RD	0.21
GERONIMO ROAD	.05 MI W/O POCONO RD	.029 MI W/O SARSI CT	0.13
GERONIMO ROAD	.029 MI W/O SARSI CT	OVERLOOK ROAD	0.24
GERONIMO ROAD	POCOMOKE ROAD	REDWING ROAD	0.37
HALFMOON COURT	POCONO ROAD	END	0.09
HAVASUPI ROAD	PAH-UTE ROAD	END	0.1
HOHOKAM COURT	SEDONA ROAD	END	0.03
HOHOKAM ROAD	INCA ROAD	SEDONA ROAD	0.12
INCA ROAD	PIMA ROAD	HOHOKAM ROAD	0.08
IROQUOIS ROAD	GERONIMO ROAD	SITTING BULL ROAD	0.45
IROQUOIS ROAD	BEAR VALLEY ROAD	GERONIMO ROAD	0.55
IROQUOIS COURT	IROQUOIS ROAD	END (.05 MI E/O IROQUOIS RD)	0.04
KACHINA ROAD	SNAPPING TURTLE ROAD	SHOLIC ROAD	0.14
KENORA COURT	KENORA ROAD	END	0.05
KENORA ROAD	NOWATA ROAD	OKANAGAN ROAD	0.13
KEWANNA ROAD	GERONIMO ROAD	IROQUOIS ROAD	0.36
KEYA COURT	END	CLALLAM ROAD	0.02
KLAMATH ROAD	WAYNOKA ROAD	.05 MI E/O ALGONQUIN RD	0.2
KLAMATH ROAD	MULTNOMAH ROAD	MULTNOMAH ROAD	0.33
LA QUNITA PLACE	MAR VISTA DRIVE	END	0.07
LAKOTA ROAD	SIOUX ROAD	PAH-UTE ROAD	0.18
LAKOTA ROAD	LITTLE BEAVER ROAD	SITTING BULL ROAD	0.16
LIPIAN COURT	LIPIAN ROAD	END	0.04
LIPIAN ROAD	MULTNOMAH ROAD	POCOMOKE ROAD	0.14
LITTLE BEAR COURT	POCONO ROAD	END	0.04
LITTLE BEAVER ROAD	KIOWA ROAD	LAKOTA ROAD	0.44
LONE EAGLE ROAD	SHOLIC ROAD	KIOWA ROAD	0.06
LONE EAGLE ROAD	KIOWA ROAD	POCOMOKE ROAD	0.45

LONE EAGLE ROAD	POCOMOKE ROAD	CLALLAM ROAD	0.25
LONE EAGLE ROAD	CLALLAM ROAD	RUNNING DEER ROAD	0.07
LONE EAGLE ROAD	RUNNING DEER ROAD	STANDING BEAR ROAD	0.11
MANITOBA ROAD	IROQUOIS ROAD	SNAPPING TURTLE ROAD	0.07
MAR VISTA DRIVE	SAGUARO WAY	CATALINA ROAD	0.15
MAR VISTA DRIVE	CATALINA ROAD	SITTING BULL ROAD	0.22
MARITA PLACE	MAR VISTA DRIVE	END	0.06
MATAWAN ROAD	SARATOGA ROAD	TAMIANI ROAD	0.1
MATAWAN ROAD	SNAPPING TURTLE ROAD	SHOLIC ROAD	0.12
MINNETONKA ROAD	REDWING ROAD	POCOMOKE ROAD	0.36
MINODOKA ROAD	WAYNOKA ROAD	.06 MI E/O ALGONQUIN RD	0.2
MOCKINGBIRD AVENUE	BEAR VALLEY ROAD	SEDONA ROAD	0.1
MOCKINGBIRD AVENUE	SEDONA ROAD	.05 MI E/O IROQUOIS ROAD	0.26
MOCKINGBIRD PLACE	MOCKINGBIRD AVENUE	END	0.05
MORNING STAR ROAD	PAH-UTE AVENUE	SITTING BULL ROAD	0.45
MULTNOMAH ROAD	BEAR VALLEY ROAD (E)	.02 MI S/O KLAMATH ROAD	0.05
MULTNOMAH ROAD	.02 MI S/O KLAMATH ROAD	BEAR VALLEY ROAD	0.59
NEBO COURT	IROQUOIS ROAD	END	0.03
NOWATA ROAD	KENORA ROAD	ALGONQUIN ROAD	0.1
OKAHDA COURT	END	CLALLAM ROAD	0.02
OKANAGAN ROAD	KENORA ROAD	.05 MI E/O ALGONQUIN RD	0.15
OMAK ROAD	SIOUX ROAD	PAH-UTE AVENUE	0.18
OMANI COURT	END	CLALLAM ROAD	0.02
PAH-UTE AVENUE	KIOWA ROAD	NAVAJO ROAD	0.99
PAH-UTE AVENUE	.05 MI E/O IROQUOIS RD	KIOWA ROAD	0.23
PAH-UTE AVENUE	IROQUOIS ROAD	.05 MI E/O IROQUOIS RD	0.05
PAH-UTE AVENUE	.03 MI W/O HAVASUPI RD	BANNOCK DRIVE	0.18
PATOKA COURT	KEWANNA ROAD	END	0.03
PIMA COURT	SEDONA ROAD	END	0.02
PIMA ROAD	SEDONA ROAD	INCA ROAD	0.13
POCOMOKE COURT	POCOMOKE ROAD	END	0.05
POCOMOKE ROAD	.05 MI N/O PAH-UTE AVE	SIOUX ROAD	0.22
POCOMOKE ROAD	SITTING BULL ROAD	.05 MI N/O PAH-UTE AVE	0.48
POCONO PL	POCONO ROAD	END	0.07
POCONO ROAD	MOCKINGBIRD ROAD	.05 MI S/O GERONIMO ROAD	0.35
POCONO ROAD	SITTING BULL ROAD	.05 MI S/O GERONIMO ROAD	0.45
REDHAWK PLACE	POCONO ROAD	END	0.09
REDWING ROAD	SIOUX ROAD	PAH-UTE AVENUE	0.17
REDWING ROAD	LITTLE BEAVER ROAD	SITTING BULL ROAD	0.16
REDWING ROAD	GERONIMO ROAD	LONE EAGLE ROAD	0.15
RUNNING DEER ROAD	PAH-UTE AVENUE	LONE EAGLE ROAD	0.21
RUNNING DEER ROAD	LONE EAGLE ROAD	.1 MI N/O LONE EAGLE RD	0.07
RUNNING DEER ROAD	.1 MI N/O LONE EAGLE RD	SITTING BULL ROAD	0.16
SAGUARO WAY	MAR VISTA DRIVE	YORKSHIRE DRIVE	0.15
SAN JACINTO WAY	MAR VISTA DRIVE	YORKSHIRE DRIVE	0.15
SARATOGA ROAD	LITTLE BEAVER ROAD	SITTING BULL ROAD	0.16
SARATOGA ROAD	PAH-UTE AVENUE	END	0.11

SARSI COURT	GERONIMO ROAD	END	0.08
SARSI PLACE	GERONIMO ROAD	SOUTH END	0.04
SEDONA ROAD	MOCKINGBIRD AVENUE	PAH-UTE AVENUE	0.35
SHOLIC ROAD	GERONIMO ROAD	SITTING BULL ROAD	0.41
SHOLIC ROAD	KACHINA ROAD	GERONIMO ROAD	0.46
SIOUX ROAD	OMAK ROAD	POCOMOKE ROAD	0.06
SIOUX ROAD	LAKOTA ROAD	TAMIANI ROAD	0.13
SIOUX ROAD	KIOWA ROAD	REDWING ROAD	0.1
SNAPPING TURTLE ROAD	KACHINA ROAD	MATAWAN ROAD	0.77
SNAPPING TURTLE ROAD	BEAR VALLEY ROAD	KACHINA ROAD	0.07
STANDING BEAR ROAD	PAH-UTE AVENUE	SITTING BULL ROAD	0.45
TAMIANI ROAD	PAH-UTE AVENUE	SIOUX ROAD	0.19
TAMIANI ROAD	.05 MI N/O SITTING BULL RD	PAH-UTE AVENUE	0.54
TESUQUE ROAD	KACHINA ROAD	PAH-UTE AVENUE	0.36
TESUQUE ROAD	GERONIMO ROAD	MATAWAN ROAD	0.32
TONOPAH COURT	SEDONA ROAD	END	0.08
WAYNOKA ROAD	KLAMATH ROAD	MINODOKA ROAD	0.25
WAYNOKA ROAD	END	LONE EAGLE ROAD	0.18
WAYNOKA ROAD	END	SITTING BULL ROAD	0.17
WINTAP COURT	.05 MI W/O CLALLAM ROAD	CLALLAM ROAD	0.02
YORKSHIRE DRIVE	CATALINA ROAD	SOUTH END	0.26
YORKSHIRE DRIVE	CATALINA ROAD	NORTH END	0.19



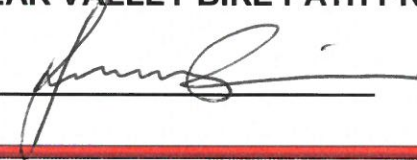
TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** March 22, 2016

From: Brad Miller, Town Engineer
Engineering Department **Item No:** 4

Subject: BEAR VALLEY BIKE PATH PROJECT

T.M. Approval:  **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

1. Reject all bids for the Bear Valley Road Bike Path Project.
2. Direct staff to create two (2) construction phases for the project.
3. Authorize staff to solicit bids for the construction of Phase 1.
4. Authorize staff to apply for both Transportation Development Act (TDA) funds and Active Transportation Program (ATP) funds to construct Phase 2 of the project.

SUMMARY:

Staff advertised the Bear Valley Road Bike Path Project for construction, contingent upon fully funding the project. The design engineer's construction cost estimate for the project was \$719,000. On March 3, 2016, the Town received two (2) bids for the Bear Valley Bike Path. The following are the bid results:

Sully-Miller Contracting Company	\$1,495,000
Vance Corporation	\$1,411,787

BACKGROUND:

The Town of Apple Valley is the lead agency on a bike path planned along the north side of Bear Valley Road from Reata Road to Jacaranda Avenue. This bicycle path will be an important link to a network of bikeways in Victorville, Apple Valley and Hesperia. It will connect to both the Mojave Riverwalk Project and also to Hesperia's Bear Valley Road Bypass Phase II Bikeway Project at Jacaranda Avenue.

Because the project bids exceed the current available funding sources, it is recommended to reject all bids and to construct the project in two (2) phases. The first phase would be from Reata Road to Mojave Fish Hatchery Road. The second phase would be from Mojave Fish Hatchery Road to Jacaranda Avenue.

In December, 2011, the San Bernardino Associated Governments (SANBAG) Board approved an allocation to the Town of Apple Valley in the amount of \$386,370, utilizing Article 3, Transportation Development Act (TDA) funds for the construction phase of the project. The Town is providing matching funds of 20%. In addition, the City of Victorville has committed to paying an additional \$270,000 toward the project.

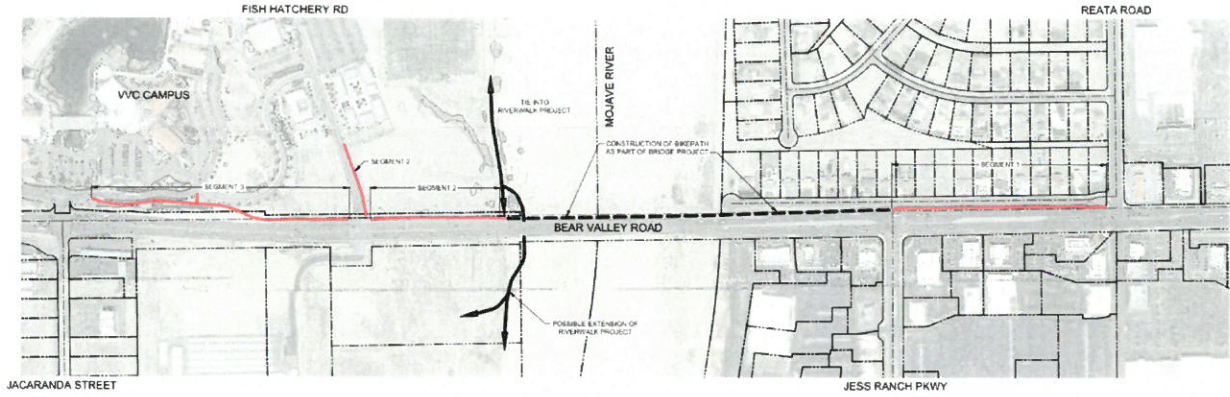
Because the low bid amount exceeds the budget for the project, staff contacted SANBAG to determine if there were additional funding sources available for the project. It was suggested to divide the project into two (2) construction phases and utilize the Article 3, Transportation Development Act (TDA) funds (current grant of \$386,370) for the first phase. It was also suggested that the Town apply for additional TDA funds and ATP funds. The funding application deadlines for these funding opportunities are this April, for TDA funds, and this June for ATP funds.

FISCAL IMPACT:

Funding for this project has been appropriated in the Town Council approved 2015-2016 Capital Improvement Projects Budget. There is no immediate fiscal impact with approval of the bid documents and authorization to advertise for bids of phase 1.

ATTACHMENT:


Location Map



LOCATION MAP



TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** March 22, 2016
From: La Vonda M-Pearson, Town Clerk **Item No:** 5
Town Clerk's Office
Subject: DISCUSSION OF CANCELLATION OF THE TOWN COUNCIL
MEETINGS OF APRIL 12, 2016 AND MAY 24, 2016
T.M. Approval:  **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

Provide direction to staff.

SUMMARY:

The Town Council and key staff members are scheduled to travel to Washington, D.C during the month of April. The purpose of this travel is to promote legislative advocacy for economic development and transportation issues that highly affect the Town. This will also present an excellent opportunity for our Town to establish relationships with our elected officials and agency directors in Washington.

The regular meeting of the Apple Valley Town Council is scheduled for April 12, 2016. Staff had identified the week of April 11, 2016, as the time needed to meet with the Washington delegates. In order to accommodate this trip to Washington D.C. staff is recommending that the meeting of April 12, 2016 be cancelled.

Members of the Town Council are also scheduled to attend the ICSC Conference during the month of May. The ICSC Conference will offer more opportunities for our Town to solicit business for our community. In consideration of this, staff recommends that the meeting of May 24, 2016 be cancelled.

This item has been placed on the agenda to allow Council the opportunity to discuss this matter and take action as appropriate. Advanced noticing of meeting times and cancellations will be done so that the public is aware of any changes in a timely manner.



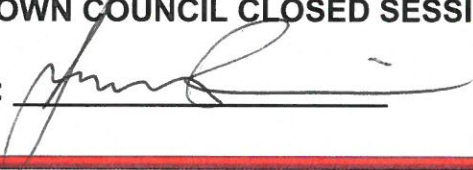
TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** March 8, 2016

From: Frank Robinson, Town Manager **Item No:** 6
Town Manager's Office

Subject: TOWN COUNCIL CLOSED SESSION

T.M. Approval:  **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

- 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 or more potential cases.
- C. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case Name: Application No. 14-11-013 Joint Application of Liberty Utilities Co., Liberty WWH, Inc., Western Water Holdings, LLC, Park Water Company (U314W), and Apple Valley Ranchos Water Company (U346W) for Authority for Liberty Utilities Co. to Acquire and Control Park Water Company and Apple Valley Ranchos Water Company.
- 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: Liberty Utilities Co., Liberty WWH, Inc., Algonquin Power & Utilities Corp., Park Water Company, Western Water Holdings LLC, Tony Penna, General Manager, Apple Valley Ranchos Water Company; Under Negotiation: Price and Terms of Payment.

- E. Negotiations with Real Property Negotiator – Parcel Number: 3112-181-01 located at Highway 18, between Dale Evans Parkway & Rancherias Road, Apple Valley; Negotiating Parties: 360 Apple West, LLC; Town Negotiator(s) - Town Manager. Negotiations involve both price and terms.

- F. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case No.: CIVDS1517935 - Apple Valley Ranchos Water Company vs. Town of Apple Valley Et Al.

- G. Conference with Legal Counsel – Existing Litigation – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9, Case No.: CIVDS1600180 – Town of Apple Valley vs. Apple Valley Ranchos Water Company Et Al.

- H. Personnel Matters – Government Code Section 54957/Public Employee Performance Evaluation. Title: Town Manager