

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

REGULAR MEETING

MINUTES – May 26, 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: The invocation was given by Minister James Campbell, JC Ministries.

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

PRESENTATIONS: Presentation – Apple Valley Kiwanis, Jim Nickerson, President

Presentation to Students– Town Clerk Intern Recognition, Debra Thomas, Deputy Town Clerk

Presentation – Lion’s Club – Lena Quinonez, Recreation Supervisor

Presentation to Students – Greener Way of Life, Joseph Moon, Environmental & Transit Services Manager.

Presentation – Healthy Apple Valley Update, Lena Quinonez, Recreation Supervisor

PUBLIC COMMENTS

Greg Raven, Apple Valley, expressed concern regarding the Town’s intent to take over Ranchos Water Company. He recommended a series of actions be taken to prohibit this action.

Brett Snow, Apple Valley, commented on a business license that was issued to residents in Apple Valley who wish to open a drug rehabilitation facility at their residence. He expressed concern regarding this type of facility being located near parks and schools.

Brenda Waddington, Apple Valley, expressed concern regarding the drug rehabilitation facility being located near her home. She stated that they have a petition signed by over 500 people who protest to this facility.

A brief discussion ensued amongst the Town Council regarding their concern over this type of facility being located in the Town of Apple Valley.

John Brown, Town Attorney, confirmed that this use is allowable by State law and not the Town of Apple Valley.

Terry Saenz, Don't Trash our Desert Committee, spoke on the campaign by the committee to keep the desert clean. She invited the Town Council to attend a kick-off rally on Thursday, June 4, 2015 at Victor Valley College.

Al Rice, Apple Valley, expressed concern regarding information that he believed was incorrect regarding the Town's financial documents.

Bill Crowe, Pet Care Foundation in Beverly Hills, commented on a dog that he is trying to retrieve from the Town of Apple Valley Animal Services. He stated that the dog is elderly and in need of care.

Ada Mahler, Apple Valley, encouraged the Town not to purchase Apple Valley Ranchos Water Company.

Richard Simpson, Apple Valley, spoke in opposition to the Town purchasing the water company.

Chuck Hanson, Apple Valley, spoke in opposition of the Town of Apple Valley making a decision to purchase the water company. He believed residents were not in support of this action.

Pat Hanson, Apple Valley, stated that individuals that she has spoken with all oppose the Town purchasing the water agency.

Bernadette McNulty, Apple Valley, commented on the benefit of the Apple Valley Golf Course stating that it benefits agencies by giving them an affordable venue for events. She thanked the Town for keeping the course open.

Tom Piper, Apple Valley, commented on purchasing water that would benefit Apple Valley.

Leane Lee, Apple Valley, expressed concern regarding the lack of the Town Council responding to the concerns of the public.

Thurston Smith, Apple Valley, commented on the upcoming Bicycle Tour through the Victor Valley. He encouraged the Town to participate and offered sponsorship opportunities.

Sky Valencia, St Martin's Animal Foundation, expressed concern regarding the way she believes she has been treated by the Animal Services Department when trying to obtain her elderly dog from the shelter. She explained that her dog was taken from a boarding facility that is currently under investigation.

David Mueller, Apple Valley, commented on the Writ of Mandate filed against the Town of Apple Valley. He also commented on discussions that took place at the Oversight Board Meeting that he believed validates his concerns over the Town's finances.

John Laraway, Apple Valley, expressed concern regarding the resolution approved by the Town Council regarding the Desert Conservation Act.

Edna Donahue, Apple Valley, expressed her disapproval of the Town of Apple Valley attempting to purchase Apple Valley Ranchos Water Company. She did not believe that this would be in the best interest of the community.

Katie Manning, Apple Valley, expressed concern regarding the Town purchasing the water company. She encouraged the Town not to take over Apple Valley Ranchos Water Company.

Greg Sorenson, Apple Valley, commented on the campaigning efforts against the Town taking over the water company. He stated that he is in support of the Town purchasing Apple Valley Ranchos Water company.

Bill Sorenson, Apple Valley, spoke in opposition of the Town purchasing the water company; however, he also expressed concern regarding the high rates of Apple Valley Ranchos.

Ryan Keith, Apple Valley, spoke in opposition of the Town of Apple Valley purchasing the water company.

Joe Donovan, Apple Valley, believed that it is illegal for the Town to conduct eminent domain.

Tony Penna, General Manager, Apple Valley Ranchos Water Company, commented on the water mandates imposed by the State of California. He also expressed concern regarding the proposed takeover by the Town of Apple Valley. He invited the public to attend a meeting at Granite High School on June 5, 2015 regarding water conservation efforts.

Diana Carloni O'Malley, Attorney, expressed concern regarding business practices that she believed was taking place between the Town of Apple Valley and the private business of Ranchos Water Agency. She also recommended that the meeting of April 28, 2015 be placed online with other meetings of the Town Council.

COUNCILMEMBER COMMENTS AND 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:

Council Member Nassif, with the consensus of the Town Council, requested an item be placed on a future agenda regarding substandard lots in the Town of Apple Valley. He also commented on the need to discuss landscaping requirements as it relates to infill lots. He recommended that the Town form an Ad Hoc Committee consisting of members from the Town Council and the Planning Commission to discuss and make recommendations on landscaping in the Town of Apple Valley.

Council Member Bishop would like staff to come back to the Council with information on the animal that is currently under investigation. He also requested an update on the water conservation efforts in the Town of Apple Valley.

Frank Robinson, Town Manager, stated that staff is currently working on the report for water conservation that will be presented on a future agenda.

John Brown, Town Attorney, clarified that the Town Attorney's office is currently working with staff to establish ownership of the animal.

Council Member Emick also requested that information be provided to the Town Council as to whether or not Healthy Apple Valley, a non-profit organization, can be used to educate the youth on drug abuse.

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

- A. Special Meeting – Thursday, May 28, 2015 – Council Chambers at 6:00 p.m.**
- B. Regular Meeting – Tuesday, June 9, 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 8. 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 8.

Motion by Council Member Bishop, seconded by Mayor Pro Tem Stanton, to approve the Consent Calendar items numbered 1, 3, 4, 5, 6, 8-12, respectfully, and that item's numbered 2 and 7 be pulled for discussion.

Vote: Motion carried 5-0-0-0

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

Absent: None.

Council Member Nassif and Mayor Cusack abstained from voting on specific warrants listed under Agenda Item Number 8.

1. Approval of Minutes of the Town Council

- A. Regular Meeting – April 14, 2015**
- B. Special Meeting – April 22, 2015**
- C. Special Meeting – April 28, 2015**

Recommendation:

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

3. Adopt Ordinance No. 468 – An Ordinance of the Town of Apple Valley Amending the Jess Ranch Planned Unit Development Relating to the Future Development of Lot Nos. 69 thru 204 and Lot Nos. 210 thru 219 within Tract Map 14484 (Jess Ranch Lakes RV Resort)

Recommendation:

Adopt Ordinance No. 468.

4. **Claimant – Marvin Shenkin**
Recommendation:
Reject the claim of Marvin Shenkin.
5. **Claimant – Verizon**
Recommendation:
Reject the claim of Verizon.
6. **Claimant – Shaival J. Patel**
Recommendation:
Reject the claim of Shaival J. Patel.
8. **March 2015 - Commercial Warrants Schedule**
Recommendation:
That the Town Council receive, ratify, and file the Commercial Warrants Schedule as presented.
9. **March 2015 - Payroll/Benefits Warrants Schedule**
Recommendation:
That the Town Council receive, ratify, and file the payroll/benefits warrants as presented.
10. **Accept the Final Map for Parcel Map No. 19645**
Recommendation:
Approve the final map for Parcel Map No. 19645.
11. **Request to Vacate an Alley Easement on Tract Map 4643**
Recommendation:
That the Town Council
 1. Find that alley easement as shown on Tract Map 4643, has not been used for the purpose for which it was dedicated for five (5) consecutive years immediately preceding the proposed vacation;
 2. Adopt Resolution No. 2015-14, A Resolution of the Town Council of the Town of Apple Valley, California, vacating an alley easement on Tract Map 4643, pursuant to the Streets and Highways Code Section 8333 (a);
 3. Direct the Town Clerk to cause the Resolution vacating the alley 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.
12. **Chip Seal/County Agreement**
Recommendation:
Approve and sign the attached Cooperative Agreement with the County of San Bernardino for the joint Chip Seal Paving Project.

PULLED FROM CONSENT CALENDAR

2. **Adopt Ordinance No. 467 – An Ordinance of the Town of Apple Valley Amending the Zoning Map by Changing the Zoning Designations from R-E to R-SF Centrally Located North of Bear Valley Road and West of Deep Creek Road; APNs 3087-171-07 and Easterly Portion of 3087-161-04**

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

Al Rice, Apple Valley, expressed concern regarding previous discussions that he has had with staff regarding outdated signs in the Town.

David Mueller, Apple Valley, commented on previous plans for development of this property.

MOTION

Motion by Council Member Nassif, seconded by Council Member Emick, to adopt Ordinance No. 467.

Vote: Motion carried 5-0-0-0

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

Absent: None

7. Treasurer's Report – Month of March 2015 and Schedules of Revenues, Expenditures and Changes in Fund Balance for the Parks and Recreation Fund and the Apple Valley Golf Course Fund

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

Tom Piper, Apple Valley area, commented on balances listed on the Treasurer's Report.

John Brown, Town Attorney, responding to the concerns expressed by the speakers, clarified the information as shown on the treasurer's report.

MOTION

Motion by Mayor Pro Tem Stanton, seconded by Council Member Bishop, to receive and file the March 2015 Treasurer's Report.

Vote: Motion carried 5-0-0-0

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

Absent: None

PUBLIC HEARINGS

13. Public Hearing #2 – Consolidated Plan Fourth-Year Action Plan for the Community Development Block Grant (CDBG) and the Home Investment Partnerships (HOME) Programs for Fiscal Year 2015-2016

Mayor Cusack opened the public hearing at 9:03 p.m.

Christopher Moore, Housing and Community Development Specialist II, presented the staff report as filed with the Town Clerk.

Dawn Harrison, Chairperson, Community Development Citizen's Advisory Committee, discussed the process of reviewing and recommending funding for eligible applicants. She stated that 17 applications were received and 11 were recommended for funding by the committee.

Linda Delay, CFW Literacy Center, spoke of the success of the Literacy Center and thanked the Town Council for funding the organization.

Matthew Coughlin, Executive Director, Moses House Ministries, thanked the Town Council for their support and for the funding recommendation.

David Mueller, Apple Valley, expressed concern regarding loans made by the Town of Apple Valley to the Redevelopment Agency.

Marc Puckett, Assistant Town Manager, rebutted statements made by Mr. Mueller regarding his understanding of information that he received per a records request. He gave a thorough explanation for the benefit of the public and the Town Council how funds were legally used by the Town of Apple Valley prior to dissolution of the Redevelopment Agency that have been disputed by the Department of Finance. He also stated that the Town, the former Redevelopment Agency and the CDBG Program have been audited each year with no findings.

Al Rice, Apple Valley, commented on concerns of other agencies in dealing with the Department of Finance.

Mr. Moore clarified that the state mandates how funding is spent. He explained that a portion of the funding may be used for public service and a portion for capital improvements.

There being no additional requests to speak, Mayor Cusack closed the public hearing at 9:30 p.m.

The Town Council Members each thanked the Committee for their hard work on this process.

MOTION

Motion by Council Member Nassif, seconded by Council Member Emick, to approve the Community Development Citizen Advisory Committee recommendations for funding proposed projects under the 2015-2016 CDBG and HOME programs as part of the Town's Fourth-Year Action Plan, which is an integral component of the Consolidated Plan; approve the draft Action Plan and authorize the Town Manager to execute all necessary HUD documents on behalf of the Town.

Vote: Motion carried 5-0-0-0

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

Absent: None.

14. Appeal No. 2015-001 of the Planning Commission's Denial of Sign Program No. 2015-001

Mayor Cusack announced that he had a potential conflict of interest with this item. He stated that his business does work for the applicant.

MAYOR CUSACK WAS EXCUSED FROM THE DAIS AT 9:32 P.M.

Mayor Pro Tem Stanton opened the public hearing at 9:33 p.m.

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

Robert Martinez, Project Architect, expressed concern regarding interpretations of the code that he believed led to difficulty when working on this project. He commented on the size of the building versus the size of the recommended digital sign that the applicant would like to install.

Dr. Liu, Applicant, spoke on the difficulty of building this project in the Town of Apple Valley. He stated that he is seeking a monument sign for his building similar to the monument signs in the surrounding areas.

Council Member Nassif commented on the requested sign by the applicant, its size and proposed location.

Discussion ensued regarding the various issues surrounding the interpretations of the code as it relates to signs.

Mr. Liu briefly discussed the type of advertising that would be displayed on the proposed digital signs.

Mrs. Liu stated that they would be willing to bear all costs to move the sign if needed due to it possibly being located within a future right of way.

Ms. Lamson explained that there is need for interpretation because the code is not clear as to whether or not it is an existing right of way line or future right of way line. She stated that the Town Council could make the determination.

John Brown, Town Attorney, commented on the interpretations of the code as described by Ms. Lamson. He also commented on potential policy issues for the Town Council that include the increased cost of tax payers to remove any signs in the future. He encouraged the Town Council to require a deed for the removal of a sign at the expense of the owner.

Upon further review and discussion by the Town Council, Ms. Lamson recommended the following revision to condition P-7:

"At such time as the Apple Valley Road is improved based on ultimate width, the property owner shall relocate the free standing sign at their expense outside the newly created clear sight triangle as defined by the Development Code. Prior to the sign being relocated, a building permit shall be required. A deed shall be recorded as to the removal of the sign from the clear sight triangle at future road expansion of Apple Valley Road at the expense of the owner as detailed above."

There being no requests to speak, Mayor Pro Tem Stanton closed the public hearing at 10:13 p.m.

1. Find that pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen

with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

2. Find the Facts presented within the staff report for the Council hearing of May 26th, including Commissioner discussion as reflected in the minutes from the March 18th and April 15th Planning Commission meetings, do not support approval of Sign Program No. 2015-001 .
3. Grant the appeal, as amended in Section P-7 of the Sign Program No. 2015-001.

Vote: Motion carried 4-0-0-1 Yes: Council Members Bishop; Emick; Nassif; Mayor Pro Tem Stanton.
Absent: Mayor Cusack.

MAYOR CUSACK RETURNED TO THE DAIS AT 10:19 p.m.

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

15. Discussion regarding Modification to the Development Code Regulation for Fencing to Allow Chain Link around Vacant Parcels and Undeveloped Properties

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

Mayor Pro Tem Stanton explained her request to discuss this item and commented on problems that property owners are experiencing with illegal dumping on their property.

Ms. Lamson explained the benefit of the method that the City of Victorville used in regulating undeveloped properties. He stated that they differentiate between residential and commercial.

Discussion ensued regarding this item and the need to keep the fence in good condition.

John Laraway, Apple Valley, agreed with the ability to place chain link fencing around private property. He stated that plants could be placed around the fence to hide the chain link if desired.

MOTION

Motion by Council Member Emick, seconded by Mayor Pro Tem Stanton, to initiate a Development Code Amendment on this item and forward it to the Planning Commission for review and recommendation.

Vote: Motion carried 5-0-0-0

Yes: Council Members Bishop; Emick; Nassif; Mayor Pro Tem Stanton; Mayor Cusack.
Absent: None.

16. Consideration of SB 16 (Beall): Transportation Funding and SCA 7 (Huff): Motor Vehicle Fees and Taxes – Restriction on Expenditures

Council Member Nassif presented the staff report as filed with the Town Clerk.

It was the consensus of the Town Council to send a letter of opposition on SB 16 and a letter of support on SCA 7.

Vote: Motion carried 5-0-0-0

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

Absent: None.

17. Consultant and Experts for Potential Apple Valley Ranchos Water Company Acquisition

Mayor Cusack announced that he had a potential conflict of interest with this item. He stated that his business does work for the Apple Valley Ranchos Water Company.

MAYOR CUSACK WAS EXCUSED FROM THE DAIS AT 10:48 P.M.

John Brown, Town Attorney, presented the staff report as filed with the Town Clerk.

Charity Schiller, Best Best & Krieger, provided some history on the process that the Town of Apple Valley must engage in prior to purchasing Apple Valley Ranchos Water Agency.

Council Member Bishop questioned whether or not a solicitation of bids should be done.

Ms. Schiller explained under California State Law, there are certain contracts that require a formal bidding process; however, this contract does not require that solicitation process. She also noted that per Town Council's direction, the Town Attorney's office did solicit bids.

John Laraway, Apple Valley, spoke of the need for the cost of the water to be reduced.

Richard Turnbull, Apple Valley, commented on the Town's right to do eminent domain.

Diana Carloni O'Malley, Apple Valley, asked for clarification and recommended that the Town continue this item until additional information is obtained.

Chris Schilling, President, Apple Valley Ranchos Water Agency, commented on the potential "take-over" of the water company by the Town of Apple Valley. He also commented on the information regarding the cost for the study performed as noted in the agenda. He believed there is a need for the Town Council to direct staff and the Town Attorney to present a budget for the total cost associated for the environmental review and present it in an open meeting.

Greg Sorenson, President, Liberty Utilities, stated that this company is an American company that buys utility companies. He stated that they have never sold a company. He spoke of what the company offers to residents, communities and its employees.

Kevin Brogan, Attorney, Apple Valley Ranchos Water Company, stated that AVR is opposed to eminent domain and will challenge the Town Council on this matter. He believed the Town should reconsider this action.

Leane Lee, Apple Valley, commented on the expenditures for this issue be funneled through the Town Attorney's office. She believed that there was a conflict with the Town Attorney becoming a party to this contract.

Tamara Alaniz, Apple Valley Citizens, commented on the amount of funding already expended on this project for legal expenses and documentation.

Al Rice, Apple Valley, stated that the Town will need to be accountable for the decisions that they make on this action as it relates to the amount of funding spent working on this matter.

The following individuals did not speak but submitted cards in opposition of this item:

David Moser	Jane Robinson
Jeff Kinnard	Nolan Smith
Renee Vogel	K. Phillips
Lulu Munoz	Sherri Kramer
Doug Warren	Linda Warren
Tracy Diaz	Olivia Ramirez
Rafael Ramirez	Jerry Vincent
Roman Diaz	Wayne Ramirez

Mr. Brown and Ms. Schiller responded to statements made by the public. Ms. Schiller stated that the project is largely, a title transfer. She noted that the proposal is also meant to provide legal defensibility and increase public disclosure. Additionally, she explained that the \$80,000.00 proposal included, if necessary, the preparation of a full environmental assessment. She also answered questions by the public regarding the CEQA process.

Discussion ensued regarding the potential purchase of the water company, as well as, the benefits that come from the CEQA process.

MOTION

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

- A. Authorize the Town Attorney to contract with an environmental and planning firm in an amount not-to-exceed \$80,000.00 for preparation of the necessary environmental documentation to study the Town's potential acquisition and operation of the Apple Valley Ranchos Water Company system.
- B. Appropriate \$80,000.00 for purposes of retaining an environmental and planning firm for preparation of the necessary environmental documentation to study the Town's potential acquisition and operation of the Apple Valley Ranchos Water Company System (General Fund).

Vote: Motion carried 5-0-0

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

Absent: Mayor Cusack.

MAYOR CUSACK RETURNED TO THE DAIS AT 11:29 p.m.

TOWN MANAGER'S COMMENTS & LEGISLATIVE UPDATE

None.

DEPARTMENTAL REPORTS AND BUSINESS:

STAFF REPORTS

CORRESPONDENCE

CLOSED SESSION

18. Closed Session.

Mayor Cusack announced that he would be abstaining from one or more of the closed session items as it pertained to Apple Valley Ranchos Water Company, due to a potential conflict of interest. He stated that his company does business with the above company.

Mayor Cusack adjourned the meeting of the Apple Valley Town Council to Closed Session at 11:33 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 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.
- E. 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.
- F. Conference with Legal Counsel – Settlement of Existing Litigation.

MAYOR CUSACK WAS EXCUSED FROM THE MEETING OF THE APPLE VALLEY TOWN COUNCIL AT 11:45 P.M.

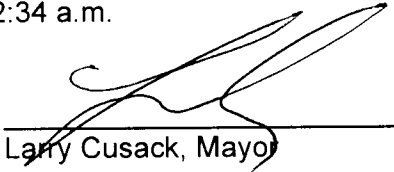
Upon returning from Closed Session at 12:33 a.m., Mayor Pro Tem Stanton reported that the Town Council authorized the Town Attorney to make an offer of just compensation for the acquisition of Apple Valley Ranchos Water Company in accordance with Government Code Section 72667.2.

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 12:34 a.m.



La Vonda M-Pearson, Town Clerk



Larry Cusack, Mayor