

**TOWN OF APPLE VALLEY
TOWN COUNCIL – REGULAR MEETING
MINUTES – August 12, 2008**

OPENING CEREMONIES

CALL TO ORDER:

Mayor Jasper called to order the meeting of the Apple Valley Town Council at 6:30 p.m.

Roll call was taken with the following members present:

Roll Call

Present: Councilman Nassif; Mayor Pro Tem Sagona; Mayor Jasper. Absent: Councilman Allan; Councilman Roelle.

CLOSED SESSION

Mayor Jasper with the consensus of the Town Council recommended that Closed Session be discussed at the end of the meeting.

INVOCATION: The invocation was led by Pastor Doris Eddy.

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

PRESENTATIONS: Richard – Municipal Services Director – Tommy Dunegan

Retirement of Town Attorney – M. Neal Singer

SPECIAL ANNOUNCEMENTS: None.

PUBLIC COMMENTS

Chuck Hanson, Apple Valley, expressed his appreciation for the new bike lanes on Kiowa Road. He encouraged the Town Council to provide more bike lanes throughout the Town.

Paul Hood, Apple Valley, expressed concern regarding the increase in fees for lap swim. He also expressed concern regarding the large number of individuals who participate in the swim activities at the pool. He recommended that staff make additional arrangements for large gatherings.

William Furmage, Apple Valley, congratulated Mr. Singer on his retirement. He also commented on the possibility of using the basin behind the James Woody Community Center for a skatepark.

Matthew Woods, Apple Valley, thanked the Town Council for its participation in the arts and the new Plaque dedicated to the founders of Apple Valley.

Doris Hooker, Apple Valley Lions Club, invited the Town Council to its Charter Club Meeting on August 30, 2008 at 3:30 p.m. at the Angels Roadhouse. She stated that donations are \$29.00.

COUNCILMEMBER COMMENTS AND COMMITTEE/COMMISSION PARTICIPATION

Councilman Roelle thanked the Mayor for attending the San Bernardino Associated Governments (SANBAG) Meeting during his absence. He stated that he would be participating on the strategic plan meeting with SANBAG tomorrow.

Councilman Allan stated that he toured the new Victor Valley Wastewater Reclamation Authority (VWVRA) building and was very impressed with the facility.

Councilman Nassif commented on his ride on a P51 Airplane for the Airshow Kickoff that will be held in September. He commented on the Mountain Desert Committee that was held on August 8, 2008 and spoke of the reports that were given at that meeting.

Mayor Pro Tem Sagona congratulated Neal Singer on his years of service. He also commented on the ribbon cutting ceremony for the VWVRA Main Plant expansion.

Mayor Jasper stated that Caltrans gave a presentation at SANBAG that enlightened the members regarding the amount of funds spent on graffiti removal. He stated that San Bernardino County has spent \$30 million in graffiti removal compared to \$6 million in sealing the roads.

TOWN COUNCIL ANNOUNCEMENTS

Suggested items for next agenda:

Councilman Roelle commented on sign waivers standing in front of major emergency facilities. He recommended that a report to the Town Council be prepared on this issue.

**Time, Date & Place for Next Town Council Regular or Special Meeting:
B. Regular Meeting – Tuesday, August 26, 2008, 6:30 p.m. – Council Chambers**

CONSENT AGENDA

Mayor Jasper announced that Committee Member Earl Graham resigned from the Equestrian Committee. Based on this action, he stated that there was no need to take action on Agenda Item number 5 and he recommended that this item be tabled.

MOTION

Motion by Councilman Nassif, seconded by Mayor Pro Tem Sagona, to approve and adopt the Consent Calendar items numbered 2, 3, 4, 6, and 7, and that item 5 be tabled.

VOTE ON ITEM 2

Vote: Motion carried 4-0-1-0

Yes: Councilman Nassif; Councilman Roelle; Mayor Pro Tem Sagona; Mayor Jasper.

Abstain: Councilman Allan

VOTE ON REMAINING ITEMS

Vote: Motion carried 5-0-0-0

Yes: Councilman Allan; Councilman Nassif; Councilman Roelle; Mayor Pro Tem Sagona; Mayor Jasper. Absent: None.

2. Approval of Minutes of the Town Council

A. Regular Meeting – July 22, 2008

B. Special Meeting – July 31, 2008

Recommendation:

Approve the subject minutes as part of the consent agenda.

3. Claimant – Joshua Charles Davis

Recommendation:

Reject the claim of Joshua Charles Davis.

4. A Resolution of the Town Council of the Town of Apple Valley Opposing Fiscally Responsible State Budget Decisions that would “Borrow” Local Government and Transportation Funds

Recommendation:

Adopt Resolution No. 2008-48, A Resolution of the Town Council of the Town of Apple Valley Opposing Fiscally Irresponsible State Budget Decisions that would “Borrow” Local Government and Transportation Funds.

6. A Resolution of the Town Council of the Town of Apple Valley, California, Authorizing the Designated Signature Authority for the California Integrated Waste Management Board (CIWMB) 2006/2007 Local Government Tire Cleanup and Amnesty Day Grant be Updated

Recommendation:

Adopt Resolution 2008-49, a resolution of the Town Council of the Town of Apple Valley, California, authorizing the designated “Signature Authority” for the California Integrated Waste Management Board (CIWMB) 2006/2007 Local Government Tire Cleanup and Amnesty Day Grant be updated.

7. Fee Waiver Requests for the Annual Chili Cook Off Held by the Rotary Club of Apple Valley.

Recommendation:

For good cause shown, and finding a waiver will serve a public purpose, approve

the waiver of Special Event Permit and park rental fees for the Rotary Club of Apple Valley.

TABLED

5. **Notification and Request by the Chairperson of the Equestrian Advisory Committee to Designate a Position Vacant and Authorize the Position to be Filled in Accordance with Town Policy**

Recommendation:

That the Council designate the position vacant and direct the Town Clerk to advertise the vacancy on the Equestrian Advisory Committee.

PUBLIC HEARINGS

(CONTINUED FROM JULY 22, 2008)

8. **Lighting and Landscape Assessment District #1- L-9 Engineer's Annual Report and Levy of Assessment for FY 2008-2009**

Mayor Jasper stated that he had a potential conflict of interest and therefore excused himself from discussion of this item.

MAYOR JASPER WAS EXCUSED FROM THE DAIS AT 7:15 P.M.

Mayor Pro Tem Sagona opened the public hearing at 7:15 p.m.

There being no requests to speak, Mayor Pro Tem Sagona closed the public hearing at 7:16 p.m.

Motion by Councilman Nassif, seconded by Councilman Roelle, to Adopt Resolution No. 2008-46, "A Resolution of the Town Council of the Town of Apple Valley confirming diagram and assessment and levying assessment for fiscal year 2008-2009".

Vote: Motion carried 4-0-0-1

Yes: Councilman Allan; Councilman Nassif; Councilman Roelle; Mayor Pro Tem Sagona. Absent: Mayor Jasper.

MAYOR JASPER RETURNED TO THE DAIS AT 7:17 P.M.

LEGISLATIVE MATTERS

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

9. **Introduce Ordinance No. 386 of The Town Council of The Town of Apple Valley Amending Chapter 2.20 of Title 2 (Administration And Personnel) of The Town of Apple Valley Municipal Code Relating to the Parks And Recreation Commission Meetings – Rules Of Procedure**

Ralph Wright, Parks and Recreation Manager, presented the staff report as filed with the Town Clerk.

MOTION

Motion by Councilman Allan, seconded by Councilman Nassif, and unanimously carried, to waive the reading of Ordinance No. 386 and read by title only.

La Vonda M-Pearson, Town Clerk, read the title to Ordinance No. 386.

MOTION

Motion by Councilman Allan, seconded by Councilman Nassif, to introduce Town Council Ordinance No. 386, an Ordinance of the Town Council of the Town of Apple Valley, California, Amending Chapter 2.20 of the Town of Apple Valley Municipal Code Relating to the Parks and Recreation Commission Meetings – Rules of Procedure

Vote: Motion carried 5-0-0-0

Yes: Councilman Allan; Councilman Nassif; Councilman Roelle; Mayor Pro Tem Sagona; Mayor Jasper. Absent: None.

10. Town Manager Video Presentation – First 120 Days

Frank Robinson, Town Manager, presented a presentation to the Town Council and the public on his plans for his First 120 Days.

TOWN MANAGER’S COMMENTS & LEGISLATIVE UPDATE

Frank Robinson, Town Manager, informed the Town Council that staff is anticipating receiving necessary data regarding the Victor Valley Waste Water Reclamation Authority at the end of the month. He stated that due to this delay, the item would be presented to the Town Council in September.

Brad Miller, Town Engineer, presented a series of visualizations of the Mojave River Bridge at Yucca Loma Road for review by the Town Council. He also discussed the paving that will be taking place on Highway 18 and Dale Evans Road this week.

Kathie Martin, Public Information Officer, presented a series of picture slides on the Apple Valley Concert Series. She stated that there were a total of six concerts this summer with attendance totaling approximately 6000 people. She explained that the program was funded through a grant awarded by Target and announced that the Town has been invited to participate in the grant process for next year.

Gina Whiteside, Municipal Services Director, announced a series of events that Animal Control would host to increase Pet Awareness in the community.

Mr. Robinson thanked staff for sharing these positive attributes with the Town Council and the public and stated that he is looking forward to providing more positive comments to the Council during future meetings.

Mr. Robinson also announced that during the last quarter, the Town saw an increase of

14.6% in sales tax growth, which was the third highest in San Bernardino County.

CLOSED

1. Closed Session

Motion by Councilman Allan, seconded by Councilman Nassif, and unanimously carried, to adjourn to Closed Session at 7:40 p.m. to discuss the following:

- A. Conference with Legal Counsel – Initiation of Litigation pursuant to subdivision (c) of the Government Code Section 54956.9 (one or more potential cases).
- B. Personnel Matters – Government Code Section 54957/Public Employee Performance Evaluation. Title: Town Manager.

Upon returning from Closed Session at 9:40 p.m., Mayor Jasper announced that there was no reportable action taken.

ADJOURNMENT

MOTION

Motion by Councilman Nassif, seconded by Mayor Pro Tem Sagona, and unanimously carried, to adjourn the meeting of the Apple Valley Town Council at 9:42 p.m.

Town Clerk

Mayor