

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

**REGULAR MEETING
MINUTES – April 14, 2009**

OPENING CEREMONIES

CALL TO ORDER:

Mayor Roelle 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: Councilwoman Coleman; Councilman Sagona; Mayor Pro Tem Nassif; Mayor Roelle.

Absent: Councilman Allan

INVOCATION: The invocation was given by Pastor Doris Eddy, Valley Christian Fellowship Church

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Rick Roelle.

TOWN COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION

1. Closed Session

None.

PRESENTATIONS:

Employee of the Quarter – Diana Szarzynski, Administrative Assistant

Proclamation - Denim Day – High Desert Domestic Violence Program

Proclamation – Donate Life California Month – United Organ Transplant Association

Proclamation – Child Abuse Prevention Month – SB County Department of Children Services

SPECIAL ANNOUNCEMENTS:

PUBLIC COMMENTS

Donna Fitzgerald, Apple Valley, expressed concern regarding the Happy Trail Villas town home complex that is now in the control of the San Bernardino County Housing Authority.

Chuck Hanson, Apple Valley, reminded the Town Council of the Bike Ride on Monday, May 4. He stated that the ride will be approximately 30 minutes.

David Corbell, Apple Valley, expressed concern regarding off-riders in his neighborhood. He thanked Captain Belknap for meeting with him on this issue. He understands the lack of resources; however, he believes there is still a problem that needs to be addressed.

Frank Schamack, Apple Valley, expressed concern regarding mandatory trash service. He stated that he has never paid trash service in over 40 years and he does not believe that physically he can move the trash bins.

Norma Hoskins, American Legion, recommended the Town Council donate a piece of parcel to the post in order to service the community.

William Furmage, Apple Valley, expressed concern regarding the lack of a bicycle park in the Town of Apple Valley.

Keith Schumacker, Apple Valley, commented on his contact with the Apple Valley Police Department regarding the off-road cyclists in his area.

COUNCILMEMBER COMMENTS AND COMMITTEE/COMMISSION PARTICIPATION

Councilman Sagona thanked the Park and Recreation Department for all of their programs including the Swing Dance program.

Councilwoman Coleman stated that she and Mayor Pro Tem Nassif met last week regarding the Bicycle Park. She stated that a meeting will be noticed for the public to attend at James Woody Park on this issue. She also commented on her attendance at the City/County Conference and the discussions on the economic impact to California. She discussed the funding received by Victor Valley Transit Authority (VVTA) for a new facility and additional buses. Lastly she commented on the League of California Cities Policy Meeting. She stated that the league voted to support skateboard safety gear and income tax credits for children adopted for group homes.

Mayor Pro Tem Nassif also commented on the Bicycle Park Committee Meeting and their efforts to move forward on this issue. He stated that he attended the League of California Cities Policy Meeting on Economic Development. He explained that they discussed the stimulus package and the propositions proposed by the Governor. He also stated that he attended the Flood Control Zone 4 Meeting. He distributed to the Council the Phase II Plan and budget that are currently being reviewed by Zone 4. He also thanked the Parks and Recreation Department for the excellent condition on the ballfields.

Mayor Roelle stated that the Town is diligently working to include a Bicycle Park in Apple Valley. He stated that the San Bernardino Associated Governments (SANBAG) voted to approve the high deserts funding of \$40,000,000. He also stated that he attended the Hispanic Chamber of Commerce breakfast.

TOWN COUNCIL ANNOUNCEMENTS

Councilwoman Coleman commented on Senate Bill 295. She asked that staff research and consider taking a position on this issue and present it to the Town Council on a future agenda.

Mayor Pro Tem Nassif commented on the original design of Civic Center Park which included a Community Center. He requested either an agenda item or a workshop be held regarding the priorities for public facilities.

Mayor Roelle requested an item be presented to the Town Council on a future agenda regarding fire protection and the feasibility of the Town taking over fire protection services. He directed staff to bring back a report regarding possible options and the steps and procedures needed to complete this action.

Suggested items for next agenda:

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

A. Regular Meeting – Tuesday, April 28, 2009, 6:30 p.m. – Council Chambers

CONSENT AGENDA

Councilman Sagona requested that Agenda Item Number 6 be pulled from the Consent Calendar.

MOTION:

Motion by Councilman Sagona, seconded by Councilwoman Coleman, to approve and adopt the consent calendar items numbered 2, 3, 4, 5, 7, 8, 9, 10 and 11; and that item number 6 be pulled for discussion.

Vote: Motion carried 4-0-0-1

Yes: Councilmember's Coleman; Sagona; Mayor Pro Tem Nassif; Mayor Roelle. Absent: Councilmember Allan.

2. Approval of Minutes of the Town Council

A. Regular Meeting – March 24, 2009

Recommendation:

Approve the subject minutes as part of the consent agenda.

3. Claimant – Anna McIntosh

Recommendation:

Reject the claim of Anna McIntosh

4. Claimant – Nathan Lewis

Recommendation:

Reject the claim of Nathan Lewis.

5. A Resolution of the Town Council of the Town of Apple Valley Amending the Personnel Policies and Procedures of the Town of Apple Valley

Recommendation:

Adopt Resolution No. 2009-11, a Resolution of the Town of Apple Valley amending the Personnel Policies and Procedures Manual of the Town of Apple Valley.

7. **Authorize the Renewal of the Contract for Animal Disposal with D & D Services, Inc.**
Recommendation:
Direct staff to renew the contract for one year with D & D Services, Inc for animal disposal services, subject to "Approval as to Form" by the Town Attorney and "Approval as to Content" by the Town Manager.

8. **Extending the Expiration Dates of approved Conditional Use Permits and Development Permits**
Recommendation:
That the Town Council direct staff to initiate a Development Code Amendment that would extend the entitlement expiration date for a CUP an additional two (2) years and DP for an additional three (3) years for a total of five (5) years for both.

9. **Interpretation of "Adjacent" for the Purpose of Location of Human Operated Signage Near Public Safety or Emergency Facilities**
Recommendation:
Move to receive and file the report and direct staff to initiate a Development Code Amendment.

10. **Fee Waiver Request by the Apple Valley Sheriff's Posse for use of the Rodeo Arena at Horsemen's Center**
Recommendation:
For good cause shown, and finding a waiver will serve a public purpose, approve the waiver of the facility rental fee of \$323.80 for the Apple Valley Sheriff's Posse.

11. **Award Contract to Re-New Hill's (Science Diet) Shelter Partners Program**
Recommendation:
Direct staff to re-new a two year contract with Hill's Pet Nutrition, Inc. for an in-shelter feeding program, subject to "Approval as to Form" by the Town Attorney and "Approval as to Content" by the Town Manager.

PULLED FROM CONSENT

6. **Award Contract for the Demolition of the Property Located at 15431 Broken Bow Road, Apple Valley.**

Gina Schwin-Whiteside, Director of Municipal Services, presented the staff report as filed with the Town Clerk. She presented a photograph of the property scheduled for demolition.

Motion by Councilman Sagona, seconded by Councilwoman Coleman, to award a contract to HFG Pacific Excavation for the demolition of 15431 Broken Bow Road, subject to "Approval as to Form" by the Town Attorney and "Approval as to Content" by the Town Manager.

Vote: Motion carried 4-0-0-1

Yes: Councilmember's Coleman; Sagona; Mayor Pro Tem Nassif; Mayor Roelle. Absent: Councilmember Allan.

PUBLIC HEARINGS

LEGISLATIVE MATTERS

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

12. Discussion of Vote Taken Regarding Property Negotiations at the Northwest Corner of Dale Evans Parkway and Thunderbird Road

Councilman Sagona commented on the vote that was taken on this issue. He recommended that an item be agendized to discuss the Town's Housing Program.

Dino Defazio, Apple Valley, believed that land within the Town has dropped and urged the Town Council to take caution when completing demolition projects. He spoke of the cost of housing during this economic downturn and believed that with the reduction of housing costs, apartments will no longer be necessary.

Discussion ensued regarding the Town's Housing Program and developing a long term goal.

This was a discussion item only. There was no action taken.

13. Introduce An Ordinance Of The Town Council Of The Town Of Apple Valley Amending Chapter 2 Sections 2.04,010, 2.04.020 Creating Section 2.24.015 And Amending Chapter 11.68 Of The Town Of Apple Valley Municipal Code And Authorizing Staff To Correct Employee Titles Within The Municipal Code To Coincide With Approved Titles By The Town Council And/Or Listed Within The Town Of Apple Valley Classification Plan

La Vonda M-Pearson, Town Clerk, presented the staff report as filed with the Town Clerk.

MOTION

Motion by Mayor Pro Tem Nassif, seconded by Councilman Sagona, and unanimously carried, to waive the reading of Ordinance 396 and read by title only.

La Vonda M-Pearson, Town Clerk, read the title to Ordinance No. 396.

MOTION

Motion by Mayor Pro Tem Nassif, seconded by Councilman Sagona, to introduce Ordinance No. 396 - An Ordinance of The Town Council of the Town of Apple Valley Amending Chapter 2.04 Sections 2.04,010, 2.04.020, Creating Section 2.24.015 and Amending Chapter 11.68 of the Town of Apple Valley Municipal Code and authorizing staff to correct employee titles within the Municipal Code to coincide with approved titles by the Town Council and/or listed within the Town of Apple Valley Classification Plan.

Vote: Motion carried 4-0-0-1

Yes: Councilmember's Coleman; Sagona; Mayor Pro Tem Nassif; Mayor Roelle. Absent: Councilmember Allan.

14. Update on the Rules and Regulations for the Municipal Skate Park

Gina Schwin-Whiteside, Director of Municipal Services, presented the staff report as filed with the Town Clerk. Ms. Schwin-Whiteside presented a powerpoint presentation on the history of the skatepark.

Mayor Pro Tem Nassif commented on this issue and thanked staff for the informational report.

MOTION

Motion by Councilman Sagona, seconded by Councilwoman Coleman, to direct staff to continue enforcing the Rules and Regulations of the Municipal Skate Park in compliance with State Law.

Vote: Motion carried 4-0-0-1

Yes: Councilmember's Coleman; Sagona; Mayor Pro Tem Nassif; Mayor Roelle. Absent: Councilmember Allan.

15. Authorize The Town Manager To Execute A Contract Between The Town Of Apple Valley And Integrated Business Systems For The Purchase Of Club Management Software Related Hardware For Apple Valley Country Club

Bill Pattison, Assistant Town Manager, Finance and Administration, presented the staff report as filed with the Town Clerk.

MOTION

Motion by Mayor Pro Tem Nassif, seconded by Councilwoman Coleman, to direct staff to execute the contract between the Town of Apple Valley and Integrated Business Systems for the purchase of Club Management Software and the related hardware in an amount not to exceed \$37,000.

Vote: Motion carried 4-0-0-1

Yes: Councilmember's Coleman; Sagona; Mayor Pro Tem Nassif; Mayor Roelle. Absent: Councilmember Allan.

16. Update to the 2006 Bartle Wells Feasibility Study of the Acquisition of Two Privately Owned Water Utilities

Dennis Cron, Assistant Town Manager, Municipal Operations, presented the staff report as filed with the Town Clerk.

Discussion ensued regarding the need to move forward with this item.

MOTION

Motion by Mayor Pro Tem Nassif, Seconded by Councilman Sagona, to direct staff to bring back to the Town Council a formal Professional Services Agreement (RFP), to be added to Consent Agenda by the next meeting of April 28, 2009.

Vote: Motion carried 4-0-0-1

Yes: Councilmember's Coleman; Sagona; Mayor Pro Tem Nassif; Mayor Roelle. Absent: Councilmember Allan.

TOWN MANAGER'S COMMENTS & LEGISLATIVE UPDATE

DEPARTMENTAL REPORTS AND BUSINESS:

Frank Robinson, Town Manager, stated that staff would have an item on the agenda for April 28, 2009 regarding rates for the Apple Valley Golf Course. He also updated the Town Council on the Town actively seeking environmental grants.

Mr. Robinson informed the Town Council and the public that the new signs are up along Apple Valley Road thanks to Caltrans and the Town Engineer. He also stated that the Town has issued permits for Ross Dress for Less, Jack in the Box and Aspen Dental Office.

Mr. Robinson announced that the Town of Apple Valley was awarded a Savings by Design Award by Edison due to its design of the Town Hall Expansion.

Dennis Cron, Assistant Town Manager, Municipal Operations, commented on the Odor Control Study that will be conducted April 17 – May 5 in the Town of Apple Valley. He stated that this study will be funded jointly with the Town of Apple Valley and the Victor Valley Wastewater Reclamation Authority.

Mr. Cron also commented on the Energy Conservation Block Grant available based on population. He stated that if awarded the Grant is approximately \$640,000. He further commented on the projects that are energy conserving.

Mr. Cron also commented on the Town's Clean-up Day on Saturday. He thanked Julie Gilmer for her hard work and dedication for this event. He stated that there were approximately 700 volunteers who came out and assisted in the clean-up of over 100 lots.

Bill Pattison, Assistant Town Manager, Finance and Administration, commented on the financial transfer between Victor Valley Economic Development Authority (VVEDA) and the Town as their fiscal treasurers. He explained how this transfer would take place and the audit that would be conducted by the Town's auditing firm.

Gina Schwin-Whiteside, Director of Municipal Services, updated the Town Council on the Rabies Clinic and the upcoming pet fair and proposed Amnesty Day.

Mr. Robinson announced that Ken Henderson, Assistant Town Manager of Economic and Community Development, was recommended to be a panelist at the League of California Cities to speak on the General Plan Process.

STAFF REPORTS

CORRESPONDENCE

ADJOURNMENT

Motion by Councilman Sagona, seconded by Councilwoman Coleman, and unanimously carried, to adjourn the meeting of the Apple Valley Town Council at 8:35 p.m.

Town Clerk

Mayor

