

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

**REGULAR MEETING
MINUTES – March 22, 2011**

OPENING CEREMONIES

CALL TO ORDER:

Mayor Nassif called to order the meeting of the Apple Valley Town Council at 6:33 p.m.

Roll call was taken with the following members present:

Roll Call

Present: Boardmember/Council Member Coleman; Boardmember/Council Member Emick; Board Member/Council Member Roelle; Vice Chair/Mayor Pro Tem Stanton; Chair/Mayor Nassif. Absent: None.

OPENING CEREMONIES

INVOCATION:

The invocation was led by Pastor Doris Eddy, Valley Christian Fellowship

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Council Member Coleman.

SPECIAL ANNOUNCEMENTS:

None.

CLOSED SESSION

With the consensus of the Town Council, Mayor Nassif announced that Closed Session would be moved to the end of the meeting.

PRESENTATIONS

None.

PUBLIC COMMENTS

Reggie Lamson, Apple Valley Ranchos Water, stated that they recently received an award from the Climate Action Leader Award. He also commented on the Blue Ribbon Commission. He stated that he completed an application to become a member of the Commission and he believed his background would give him the experience needed to be on the commission. He also stated that the Town Council has been invited to tour the facility at their convenience.

Mr. Lamson also commented on the roadwork being conducted on Apple Valley Road.

Chuck Hanson, Apple Valley, invited the Town Council to participate in the Dale Evans Parkway bike ride.

Ted Cooper, Apple Valley, reiterated comments made at the last meeting regarding the need to have a Homeless Shelter in the Town of Apple Valley.

Milt Holland, Apple Valley, expressed concern regarding the PBID Audit and the delay in receiving a report from the investigation that has taken place. He also expressed concern regarding the crime in the village area.

Yvonne Cook, Apple Valley, expressed concern regarding the high cost of water from Apple Valley Ranchos Water Company.

APPLE VALLEY CHAMBER OF COMMERCE – BUSINESS RETENTION UPDATE

Jim Gutierrez, Apple Valley, provided the Town Council with the upcoming events for the Apple Valley Chamber of Commerce. He commented on the Village area and thanked the Council for their support in approving the additional signage. Mr. Gutierrez invited the Town Council to attend the 1st Annual Fools Open Golf Tournament on Friday, April 1st at the Country Club.

COUNCILMEMBER COMMENTS AND COMMITTEE/COMMISSION PARTICIPATION

Council Member Emick commented on the VVEDA meeting and distributed a letter to the Council regarding a request for information to VVEDA from Supervisor Mitzelfelt. He invited the Town Council to attend the next meeting to be held at Logistics on April 20, 2011.

Mayor Pro Tem Stanton commented on the Chamber of Commerce meetings and requested updates from the Hispanic Chamber of Commerce. She also commented on “Fur Ball”, the 1st annual fundraiser to benefit the Town’s Animal Shelter. She thanked Gina Whiteside and her staff for their work. Mayor Pro Tem Stanton also thanked staff for changing the webpage to allow for easy access to reach the agenda page.

Mayor Pro Tem Stanton announced that she was selected Vice-Chair to the Victor Valley Transit Authority. She commented on her attendance at the Victor Valley Waste Water Reclamation Authority. She also commented on the discussions held including the options for placement of the pipe currently located in the riverbed.

Mayor Pro Tem Stanton requested to receive a bi-weekly report from the Apple Valley Police Department on the crime in Town.

Council Member Coleman commented on attending the National League of California Cities Meeting in Washington, D.C. and the numerous meetings she along with the Mayor, Council Member Emick and staff attended. She also commented on her attendance at the museum re-opening.

Council Member Roelle commented on multi crime-free housing that includes both apartment units and single-family homes through-out all of San Bernardino County. He also commented on his attendance at the No Drugs Program, the Women Over 50 event at Victor Valley College and the Desert Mountain Division Meeting. He also commented on the progress with the Yucca Loma Bridge Project.

Mayor Nassif commented on his attendance at the National League of California Cities Meeting and the meetings with various legislators that they attended. He spoke of the term “CR” which means Continued Resolution that was used widely by the legislative members.

TOWN COUNCIL ANNOUNCEMENTS

Suggested items for next agenda:

Council Member Emick commented on a possible future agenda item. The Town Attorney will need to review it.

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

A. Regular Meeting – Tuesday, April 12, 2011, 6:30 p.m. – Council Chambers

TOWN COUNCIL/REDEVELOPMENT AGENCY CONSENT AGENDA

MOTION

Motion by Council Member Roelle, seconded by Council Member Coleman, and unanimously carried, to approve and adopt the Consent Calendar item numbered 2-6, as presented.

Vote: Motion carried 5-0-0-0

Yes: Councilmembers Coleman; Emick; Roelle; Mayor Pro Tem Stanton; Mayor Nassif. Abstain: None. Absent: None.

2. Approval of Minutes of the Town Council

A. Regular Meeting - March 8, 2011

B. Special Meeting – March 8, 2011

Recommendation:

Approve the subject minutes as part of the consent agenda.

3. Claimant – Robert Mercer

Recommendation:

Reject the claim of Robert Mercer

4. Claimant – Daniel Kelly

Recommendation:

Reject the claim of Daniel Kelly

5. Policy to Allow Limited Off-site Signage for Eligible Special Events

Recommendation:

Approve Off-Site Signage Policy.

PUBLIC HEARINGS

None.

LEGISLATIVE MATTERS

6. Nominees to the Town of Apple Valley – Blue Ribbon Commission

Recommendation:

That each Council Member nominate two individuals to the Blue Ribbon Commission.

Council Member Coleman to nominate:	Wilson So	Rob Turner
Council Member Emick to nominate:	Bill Mc Daniel	Pat Orr
Council Member Roelle to nominate:	Bernardette Mc Nulty	Lawrence Mc Carthy
Mayor Pro Tem Stanton to nominate:	Jim Chandler	John Bernier
Mayor Nassif to nominate:	Ron Barbieri	Rick Piercy

MOTION

Motion by Council Member Roelle, seconded by Council Member Coleman, and unanimously carried, to appoint the nominees as submitted by the Town Council.

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

7. Wal-Mart Supercenter Ballot Initiative Update

Ken Henderson, Assistant Town Manager, Economic and Community Development, presented the staff report as filed with the Town Clerk.

John Brown, Town Attorney, presented a short power point presentation regarding his analysis of the Wal-Mart Initiative Petition. He encouraged the Town Council to ask questions of staff; however, he felt it would be appropriate that they just hear from the public and the comments that they may make, but do not debate. He also pointed out to the Council and members of the public, that there would be another opportunity to review the initiative in the event it does qualify.

Yvonne Cook, Apple Valley, stated that she hoped if a new Wal-Mart Supercenter is built that it would be aesthetically pleasing to all.

Milt Holland, Apple Valley, expressed concern regarding the proposed location for the Wal-Mart Supercenter.

Richard Turnbull, Apple Valley, requested that when the petition comes before the Town Council, that it be presented to the voters of the Town of Apple Valley.

John Putko, Apple Valley, requested a Special Meeting be held by the Apple Valley Town Council to review the specific plan.

Bob Sagona, Apple Valley, commented on the history of this project since it was presented to the Planning Commission.

Cristin Ryan, Apple Valley, stated that she strongly opposes a Wal-Mart Supercenter in the community.

Gabriel Hernandez, Apple Valley, expressed concern regarding crime that occurs near Wal-Mart stores.

Bernardette McNulty, Apple Valley, read a letter in the record from citizen Beth Horton, opposing a specific plan that would circumvent the Town's development standards.

Lester Milroy, III, Apple Valley, expressed concern regarding the petitions that were being circulated by the public for a Wal-Mart Supercenter.

Barbara Davisson, Apple Valley, expressed concern regarding locating a Super Wal-Mart in the Town of Apple Valley.

This was a receive and file item only. No action taken.

TOWN MANAGER'S COMMENTS & LEGISLATIVE UPDATE

DEPARTMENTAL REPORTS AND BUSINESS:

STAFF REPORTS

CORRESPONDENCE

CLOSED SESSION

1. Closed Session

MOTION

Motion by Mayor Nassif, seconded by Council Member Coleman, and unanimously carried, to adjourn to Closed Session at 8:05 p.m. to discuss the following:

- A. Conference with Legal Counsel – Anticipated Litigation pursuant to subdivision (b) of the Government Code Section 54956.9 (one or more potential cases).

Upon returning from Closed Session at 8:10 p.m., Mayor Nassif announced that there was no need for Closed Session at this time.

ADJOURNMENT

MOTION

Motion by Council Member Coleman, seconded by Council Member Emick, and unanimously carried, to adjourn the meeting of the Apple Valley Town Council at 8:10 p.m., in memory of Mr. Bill Betterly, Former 1st District Supervisor for San Bernardino County.

Town Clerk

Mayor