

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

**REGULAR MEETING
MINUTES – August 23, 2011**

CALL TO ORDER:

Mayor Nassif called to order the meeting of the Apple Valley Town Council/Redevelopment Agency at 6:31 p.m.

Roll call was taken with the following members present:

Roll Call

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

TOWN COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION

1. Closed Session

MOTION

Motion by Council Member Coleman, seconded by Council Member Emick, and unanimously carried, to adjourn to Closed Session at 5:06 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 5:27 p.m. Mayor Nassif announced that there was no reportable action.

OPENING CEREMONIES

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Nassif

PRESENTATIONS: Teen Volunteers – Presented by Alicia Dannelly, Recreation Leader
Military Banner Presentation - Jordan Hill

SPECIAL ANNOUNCEMENTS: None

PUBLIC COMMENTS

Jim Lohan, Apple Valley, invited the Town Council and the public to the Remembrance of 9-11 event hosted by God's Garden Church on September 11, 2011 at 6:00 p.m. at the San Bernardino County Fairgrounds.

Daryl Luthy, Apple Valley, expressed concern regarding the speed limits on Rancherias Road. He recommended that the speed limit be reduced for safety.

Reggie Lamson, Apple Valley Ranchos Water, commented on a Press Release that was submitted today from Apple Valley Ranchos Water regarding the safety of drinking water in the high desert.

David Mueller, highdesertpolitics.org, commented on the Blue Ribbon Water Committee Meeting. He commented on whether or not the committee would have enough information in order to make a recommendation to the Town Council in the timeframe required.

Karl Heuer, Apple Valley, commented on the mandatory trash service in Apple Valley. He expressed concern regarding the difficulty in discontinuing trash service when a home is vacant and requested assistance in the matter from the Town Council.

William Furmage, Apple Valley, expressed concern regarding the need for volunteers at the Skatepark. He commented on issues that are taking place at the park that need to be addressed.

APPLE VALLEY CHAMBER OF COMMERCE – BUSINESS RETENTION UPDATE

Jim Gutierrez, Chairman, Apple Valley Chamber of Commerce, provided an updated to the Town Council and the public regarding recent and upcoming events hosted by the Apple Valley Chamber. He invited the Council to attend the September Membership Luncheon where Supervisor Brad Mitzelfelt will present a State of the County message. He announced that the Chamber will host a reception at the Spirit River Center for Alan Garrett, St. Mary Chairman, on Wednesday, September 28th at 5:00 p.m. He also thanked Jordan Hill for his service to our country.

COUNCILMEMBER COMMENTS AND COMMITTEE/COMMISSION PARTICIPATION

Council Member Emick commented on speaking with exchange students that were visiting from China about politics. He also commented on his attendance at the Property Business Improvement District meeting, the Chamber luncheon, the Grand Re-opening of Baskin Robbins, and the Night of the Koppa event. He thanked the Chamber for their hard work on putting together the Koppa event.

Council Member Coleman commented on her attendance at a Regional Housing Needs Assessment meeting, Local Agenda Formation (LAFCO) meeting, and Night of the Koppa.

Mayor Pro Tem Stanton thanked the Town of Apple Valley staff for the sympathy cards that were sent to her during her bereavement due to the loss of her sister. She commented on discussions she had with Fire Chief Art Bishop and Laura Whitehead, Apple Valley Fire District, regarding a proposal for a disaster transportation plan which she brought forward to the Transportation Agency to discuss whether or not the Town has a specific contract with FEMA in order to recover cost to the agency to utilize those buses. She commented on her attendance at the Victor Valley Waste Water Reclamation Authority (VWRA) meeting and the Mojave Desert Air Quality Management District (MDAQMD) meeting.

Council Member Roelle commented on the need for studies to be completed prior to speed limits being changed. He stated that this issue could be referred to the TAC committee for review and recommendation.

Mayor Nassif commented on potential ways to address the difficulties with the Skate Park. He also commented on his attendance at the Victor Valley Waste Water Reclamation Authority (VWVRA), various grand openings of new and old businesses in Apple Valley, the State of the Town Address at Jess Ranch Community Center, and the Waste Management meeting where a presentation was made on composting. He announced that the SHOCK Program will begin in two weeks.

TOWN COUNCIL ANNOUNCEMENTS

Suggested items for next agenda:

Mayor Pro Tem Stanton asked for quarterly updates from Apple Valley Ranchos Water. She also would like staff to provide a report regarding the Town's policy on merit pay and longevity pay.

Mayor Pro Tem Stanton would also like staff to prepare recommendations for Council's consideration for a reserve fund policy.

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

- A. Special Meeting – Thursday, August 25, 2011, 5:00 p.m. – Council Chambers**
- B. Regular Meeting – Tuesday, September 13, 2011, 6:30 p.m. – Council Chambers**

TOWN COUNCIL/REDEVELOPMENT AGENCY CONSENT AGENDA

David Mueller, highdesertpolitics.org, commented on the proposed fee increase listed in Agenda Item Number 6. He recommended that Burrtec prove to the public that its fees increased.

MOTION

Motion by Council Member Roelle, seconded by Council Member Coleman, to approve and adopt the Consent Calendar items numbered 2 – 6, respectfully.

Vote: Motion carried 5-0-0-0

Yes: Councilmember's Coleman; Emick; Roelle; Mayor Pro Tem Stanton; Mayor Nassif.

Absent: None.

- 2. Approval of Minutes of the Town Council**
 - A. Adjourned Meeting – August 2, 2011**
 - B. Regular Meeting – August 9, 2011**

Recommendation:

Approve the subject minutes as part of the consent agenda.

- 3. Claimant – Christa White**

Recommendation:

Reject the claim of Christa White

4. Cooperative Agreement with County Of San Bernardino for Chip Seal on Central and Joshua Road

Recommendation:

That the Town Council approve the attached agreement with the County of San Bernardino for Joshua and Central Road chip seal project.

5. Fee Waiver Request for the Salvation Army Thanksgiving Day Dinner November 24, 2011 at James Woody Community Center

Recommendation:

For good cause shown, and finding a waiver will serve a public purpose, approve the waiver of the Facility Rental Fee of \$110.80.

6. A Resolution Setting The Time And Place For A Public Hearing On Trash User Fee Increases In An Amount Of Between 0.71% And 4.19% And Providing Direction To Staff To Proceed With The Special Notice Proceeding As Required By Law

Recommendation:

Town Council adopt Resolution 2011- 42 stating its intention to hold a Public Hearing to increase trash user fees based on the attached schedule and direct staff to proceed with the special notice as required by law.

PUBLIC HEARINGS

LEGISLATIVE MATTERS

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

7. Discussion of Public Facility Naming Rights In Exchange For a Financial Contribution.

Kathie Martin, Marketing and Public Affairs Officer, presented the staff report as filed with the Town Clerk.

Council Member Emick stated that he would like a policy for not only new buildings/facilities, but also existing buildings/facilities. He believed this would also assist with funding opportunities for the Park and Recreation Department.

Mayor Pro Tem Stanton would not like campaign funds used for naming public facilities.

Council Member Coleman commented on non-monetary contributions that should also be addressed in the proposed policy.

It was the consensus of the Town Council to develop a formal policy to be brought back for adoption.

8. Resolution Of Intention And Introduction Of Town Ordinance To Amend The Contract Between The Board Of Administration Of The California Public Employees' Retirement System (CALPERS) And The Town Of Apple Valley To Implement California Government Code Section 20475 (Different Level Of Benefits), Section 21354 (2% @ 55 Formula) And Section 20037 (Three-Year Final Compensation) For All Local Miscellaneous Members.

Nikki Salas, Director of Human Resources, presented the staff report as filed with the Town Clerk. She noted that there was a correction to the staff report and resolution. Both documents should be amended to include, "Section 20903 – Two Years Additional Service Credit" as requested by CALPERS.

Mayor Pro Tem Stanton asked for clarification regarding the hiring freeze and early retirement benefit.

MOTION

Motion by Council Member Roelle, seconded by Council Member Coleman, to:

1. Adopt of Resolution No. 2011-43, Resolution of Intention to amend the contract between the Board of Administration of the California Public Employees' Retirement System and the Town Council of the Town of Apple Valley as it relates to these benefit changes;
2. Move to waive the reading of Ordinance No. 423 in its entirety and read by title only.

Vote: Motion carried 5-0-0-0

Yes: Councilmember's Coleman; Emick; Roelle; Mayor Pro Tem Stanton; Mayor Nassif.

Absent: None.

La Vonda M-Pearson, Town Clerk, read the title to Ordinance No. 423.

MOTION

Motion by Council Member Roelle, seconded by Council Member Coleman, to introduce Ordinance No. 423, authorizing an amendment to the contract.

Vote: Motion carried 5-0-0-0

Yes: Councilmember's Coleman; Emick; Roelle; Mayor Pro Tem Stanton; Mayor Nassif.

Absent: None.

TOWN MANAGER'S COMMENTS & LEGISLATIVE UPDATE

DEPARTMENTAL REPORTS AND BUSINESS:

Gina Schwin-Whiteside, Animal Services Manager, announced the Paws and Claws Pet Fair. She commented on the Bark for Life event to be held on Saturday, September 17.

Ralph Wright, Parks and Recreation Manager, announced recent and upcoming events hosted by the Parks and Recreation Department, including Movies in the Park and a soccer event.

Frank Robinson, Town Manager, announced that the new Household Hazardous Waste site opens this week at its new location.

STAFF REPORTS

CORRESPONDENCE

ADJOURNMENT

Motion by Council Member Emick, seconded by Council Member Coleman, and unanimously carried to adjourn the meeting of the Apple Valley Town Council at 8:00 p.m.

Mayor

Town Clerk