
From: Yvonne Rivera
Sent: Thursday, July 21, 2011 3:03 PM
To: Apple Valley Ranchos; AV Chamber - Janice Moore; Barbara Stanton-Personal; Barstow City Clerk; Captain Bart Belknap; Charles Hanson; Chief Art Bishop; David Keck; Deanna Hernandez; Deborah Barmack; Dick Allen; Don Holland; Ed Smith; Elliott Fajardo; Inland Newspaper; Jeffrey; John Putko; Keith Jones; Lahonton; Laurie Phillips; List; Lt. Lana Tomlin; Lynette Kachelmeyer; Marilyn Lesley; Michael Page - Verizon; Mojave Water Agency; Nancy Jackson; Pat Johnson; Perry Dahlstrom; Pettis; Rachel Byrd; SB County; Shari Maloney; Southwest Gas; Trish Castanon; Wilson So
Subject: Town Council Agenda(s)
Attachments: SM110725.doc; July 26, 2011.doc

Attached please find the agenda(s) for the following:

Special Meeting to be held on Monday, July 25, 2011
Regular Meeting to be held on Tuesday, July 26, 2011.

Thank you ~



NOTICE AND CALL OF THE
TOWN OF APPLE VALLEY TOWN COUNCIL
SPECIAL MEETING – July 25, 2011

NOTICE IS HEREBY GIVEN as provided by Section 54956 of the Government Code of the State of California that the Mayor has called a Special Meeting for the purposes listed below.

This Special Meeting is to be held on **July 25, 2011, at 3:00 p.m.**, in the Council Chambers located at **14955 Dale Evans Parkway, Apple Valley, California.**

AGENDA

PUBLIC PARTICIPATION IS INVITED. If you wish to be heard on any item on the agenda during Council's consideration of that item or earlier if determined by Council, please so indicate by filling out a "REQUEST TO SPEAK" form at the Council meeting. Place the request in the Speaker Request Box on the table near the Town Clerk or hand to the Town Clerk at the Town Council meeting. (G.C. 54954.3 {a}).

The Town of Apple Valley recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the Town Clerk's Office at (760) 240-7000 two working days prior to the scheduled meeting for any requests for reasonable accommodations.

CALL TO ORDER:

ROLL CALL: Council Members Coleman _____, Emick _____, Roelle _____, Mayor Pro Tem Stanton _____, Mayor Nassif _____.

PLEDGE OF ALLEGIANCE:

PUBLIC COMMENTS

BUSINESS OF THE COUNCIL

1. **Town Of Apple Valley Compliance With The State Of California Voluntary Alternative Redevelopment Program Pursuant To Part 1.9 Of Division 24 Of The California Health And Safety Code As Provided By Abx1 27.**

Recommendation:

That the Town Council adopt the attached urgency Ordinance No. 421 which, upon adoption, will enable the AVRDA to opt into the state's Voluntary Alternative Redevelopment Program. Further, that the Town Council introduce Ordinance No. 422 for the purpose of enabling the Town of Apple Valley to opt into the state's Voluntary Alternative Redevelopment Program.

2. **FY 2011/2012 Budget Workshop - Continued**

ADJOURNMENT

Time: _____

La Vonda M-Pearson

Dated: July 20, 2011

La Vonda M-Pearson, CMC
Town Clerk

AGENDA

**APPLE VALLEY TOWN COUNCIL/
REDEVELOPMENT AGENCY
July 26, 2011**

CLOSED SESSION BEGINS AT 5:00 P.M.

REGULAR SESSION BEGINS AT 6:30 P.M.

The meeting will occur in the Council Chambers located at 14955 Dale Evans Parkway in Apple Valley, California.

PUBLIC PARTICIPATION IS INVITED. Any member of the public may speak on any matter within the subject matter jurisdiction of the Council/Redevelopment Agency. If you wish to be heard on any item on the closed session or remaining items of this Regular Meeting agenda, including matters not on the agenda but within the subject matter jurisdiction of the Council/Redevelopment Agency, please so indicate by filling out a REQUEST TO SPEAK form and place the request in the Speaker Request Box on the table near the Town Clerk or hand to the Town Clerk at the beginning of the meeting or before the item or matter is heard. No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of the Town Council/Redevelopment Agency or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. Public Comments are limited to three (3) minutes per speaker.

The Town of Apple Valley recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the Town Clerk's Office at (760) 240-7000 two working days prior to the scheduled meeting for any requests for reasonable accommodations.

Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the Town Clerk's Office at 14955 Dale Evans Parkway, Apple Valley, CA during normal business hours. Such documents are also available on the Town of Apple Valley website at www.applevalley.org subject to staff's ability to post the documents before the meeting.

CALL TO ORDER THE REGULAR SESSION OF THE TOWN COUNCIL/REDEVELOPMENT AGENCY MEETING – 6:30 p.m.

ROLL CALL

COUNCILMEMBERS/BOARDMEMBERS:

Coleman_____, Emick_____, Roelle_____, Mayor Pro Tem Stanton_____, Mayor Nassif_____.

(WHERE APPROPRIATE OR DEEMED NECESSARY, ACTION MAY BE TAKEN ON ANY ITEM LISTED IN THE AGENDA)

TOWN COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION

1. Closed Session

- A. Conference With Legal Counsel-Existing Litigation (Subdivision (a) of Section 54956.9)
Name of case: Application of Western Water Holdings, LLC, PWC Merger Sub, Inc., Park Water Company (U 134 W), and Apple Valley Ranchos Water Company ((U-346-W) for Authority for Western Water Holdings, LLC to Acquire and Control Park Water Company and Apple Valley Ranchos Water Company.
- B. Conference Involving a Joint Powers Agency: Victor Valley Wastewater Reclamation Authority - Conference with legal Counsel-Real Property Negotiator (Govt. Code Section 54956.8). Agency Negotiators: Logan Olds, General Manager/Piero C. Dallarda, General Counsel. Location: 20080 Helendale Road, Victorville; Negotiating Party/Parties: City of Victorville; Under Negotiation: Price and Terms.
- C. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9
Name of case: Vandergriff (III and II) vs. Town of Apple Valley (Case No. CIVVS 70138).
- D. Personnel Matters – Government Code Section 54957/Public Employee Performance Evaluations. Title: Town Manager.

OPENING CEREMONIES

INVOCATION: Pastor Patrick D. Foy, United In Christ Baptist Church of Apple Valley

PLEDGE OF ALLEGIANCE:

PRESENTATIONS: Presentation on the Illegal Use of Bath Salts/Mephadrone, Sergeant Shawn Henry

SPECIAL ANNOUNCEMENTS:

PUBLIC COMMENTS

APPLE VALLEY CHAMBER OF COMMERCE – BUSINESS RETENTION UPDATE

COUNCILMEMBER COMMENTS AND COMMITTEE/COMMISSION PARTICIPATION

Boards, Committees and Commissions

TOWN COUNCIL ANNOUNCEMENTS

Suggested items for next agenda:

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

- A. Regular Meeting – Tuesday, August 9, 2011, 6:30 p.m. – Council Chambers

TOWN COUNCIL/REDEVELOPMENT AGENCY CONSENT AGENDA

Recommendation: Adopt all below listed items on the Consent Agenda in one motion. The Consent Agenda is composed of routine non-controversial items of business and will be adopted in whole in one motion unless a request is made by a Council Member to remove a specific item.

2. Approval of Minutes of the Town Council

- A. **Special Meeting – July 6, 2011**
- B. **Regular Meeting – July 12, 2011**

Recommendation:

Approve the subject minutes as part of the consent agenda.

3. Authorize the Submittal of A Proposition 1B State Local Partnership Program (SLPP) Competitive Grant Application

Recommendation:

That the Town Council Authorize the Town Manager to Submit an Application for the Proposition 1B State Local Partnership Program Competitive Grant.

4. Approve and Authorize an Amendment to the Agreement with San Bernardino County Department of Public Works for Right-of-Way Acquisition within Town Jurisdictional Area

Recommendation:

- 1. That The Town Council Approve The Agreement Amendment With San Bernardino County Department Of Public Works For Right-Of-Way Acquisition Within Town Jurisdictional Area, Subject To Approval As To Form By The Town Attorney And As To Content By The Town Manager; and
- 2. That The Town Council Adopt Resolution 2011-40, "Declaring The Proposed Yucca Loma Bridge as A County Highway For That Portion Of The Yucca Loma Bridge That Lies Within The Town of Apple Valley For The Purpose of Aquiring Right-of-Way From The State".

5. Resolution No. 2011-41 Approving the Levy and Collection of Assessments for Fiscal Year 2011-12 Within the Apple Valley Village Property and Business Improvement District

Recommendation:

That the Town Council adopt Resolution No. 2011-41 approving the levy and collection of assessments for FY2011-12 within the Apple Valley Village Property and Business Improvement District.

PUBLIC HEARINGS

6. Conditional Use Permit No. 2011-005, Which is A Request to Allow the Installation of Six (6), Roof-Mounted Wind Turbines. The Property is Five (5) Acres in Size Within the Low Density Residential (R-LD) Zoning District (Referred to Council by the Planning Commission).

Recommendation:

- 1. Find that Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), Section 15270 (a), that a project which is denied is Exempt from CEQA.
- 2. Find the Facts presented within the staff report and the record as a whole as discussed and considered by the Council, including the negative finding that, the proposed wind energy conversion system will be located on a detached garage and will be visible from Oriole Road. The installation of multiple roof tops WECS would have a negative impact on the aesthetics of the surrounding area.
- 3. Deny Conditional Use Permit No. 2011-005

7. **Resolution 2011-39, To Record Delinquent Animal Control Fees, Utility Fees and Costs and Code Enforcement Fees Against Real Property Located In The Town of Apple Valley And Directing That Said Assessments Constitute A Lien Upon Said Properties**

Recommendation:

1. Open Public Hearing; Close Public Hearing
2. Adopt Resolution No. 2011-39, confirming delinquent utility fees and costs against real property located in the Town, and directing that said assessments constitute a lien upon said properties.

8. **Lighting and Landscape Assessment District #1 - Engineer's Annual Report and Levy of Assessment For Fy 2011-2012**

Recommendation:

1. Conduct the public hearing
2. Adopt Resolution No. 2011-38, "A Resolution of the Town Council of the Town of Apple Valley confirming diagram and assessment and levying assessment for Fiscal Year 2011-2012"

LEGISLATIVE MATTERS

REPORTS, REQUESTS AND COMMUNICATIONS

BUSINESS OF THE COUNCIL

9. **Discussion of Current Development Standards For Wind and Solar Energy Production**

Recommendation:

Move to receive and file the report and to provide direction to staff as deemed appropriate.

10. **Referral of the Preliminary "Update of Feasibility Analysis of Acquisition of the Apple Valley Ranchos Water System" to the Blue Ribbon Water Committee for Review and Recommendations**

Recommendation:

Receive and file the preliminary Feasibility Analysis prepared by Bartle Wells Associates and refer the preliminary Feasibility Analysis to the Blue Ribbon Water Committee for Review and Recommendations regarding both the financial feasibility of acquiring Apple Valley Ranchos Water Company through public financing and the advantages and disadvantages of public ownership should public debt be used to finance such an acquisition. The Blue Ribbon Water Committee is requested to provide its recommendations in writing to the Town Council within sixty (60) days.

TOWN MANAGER'S COMMENTS & LEGISLATIVE UPDATE

DEPARTMENTAL REPORTS AND BUSINESS:

STAFF REPORTS

CORRESPONDENCE

CLOSED SESSION

Further Closed Session, if necessary and if not completed during the above 6:30 p.m. portion of this agenda, including any or all items described in that portion of this agenda. Reportable actions during closed session will be announced.

ADJOURNMENT

MOTION

Time: _____