



**NOTICE AND CALL OF THE
TOWN OF APPLE VALLEY TOWN COUNCIL
SPECIAL MEETING – November 17, 2015**

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 **November 17, 2015, at 5:30 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. (Gov. Code, § 54954.3 (a)). Please note that, in accordance with State law, the Town Council may not consider any non-agendized business. (Gov. Code, § 54956).

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 Bishop _____, Emick _____, Nassif _____, Mayor Pro Tem Stanton _____, Mayor Cusack _____.

BUSINESS OF THE COUNCIL

1. **Town Council Consideration of the Apple Valley Ranchos Water System Acquisition Project Final Environmental Impact Report**
Recommendation:
 - A. Conduct a public hearing on the Apple Valley Ranchos Water System Acquisition Project Final Environmental Impact Report (SCH # 2015061078)
 - B. Adopt: RESOLUTION NO. 2015-42, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, CERTIFYING THE APPLE VALLEY RANCHOS WATER SYSTEM ACQUISITION PROJECT FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2015061078) AND APPROVING THE PROJECT.

2. Town Council Consideration of Two Proposed Resolutions of Necessity Authorizing the Town of Apple Valley's Acquisition of Apple Valley Ranchos Water Company's Apple Valley Water System by Eminent Domain and the Filing of a Complaint

Recommendation:

A. Conduct a public hearing in accordance with Section 1245.235 of the California Code of Civil Procedure to consider the adoption of the following resolutions authorizing the acquisition, by eminent domain, of Apple Valley Ranchos Water Company's Apple Valley Water System, including providing all the parties interested in the affected property interests and their attorneys and representatives, an opportunity to be heard on the findings relevant to the resolutions of necessity as outlined in Section B below:

1. RESOLUTION NO. 2015-43 - RESOLUTION OF NECESSITY OF THE TOWN OF APPLE VALLEY AUTHORIZING ACQUISITION BY EMINENT DOMAIN OF THOSE PORTIONS OF APPLE VALLEY RANCHOS WATER COMPANY'S WATER SYSTEM KNOWN AS THE APPLE VALLEY WATER SYSTEM TO THE EXTENT LOCATED WITHIN THE TOWN OF APPLE VALLEY.

2. RESOLUTION NO. 2015-44 - RESOLUTION OF NECESSITY OF THE TOWN OF APPLE VALLEY AUTHORIZING ACQUISITION BY EMINENT DOMAIN OF PORTIONS OF APPLE VALLEY RANCHOS WATER COMPANY'S WATER SYSTEM KNOWN AS THE APPLE VALLEY WATER SYSTEM TO THE EXTENT LOCATED WITHIN PORTIONS OF THE CITY OF VICTORVILLE AND AN UNINCORPORATED AREA OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, OR OTHERWISE OUTSIDE THE BOUNDARIES OF THE TOWN OF APPLE VALLEY.

B. Make the following findings in each Resolution as described in greater detail in the report:

1. The public interest and necessity require the proposed Project;
2. The Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury;
3. The property to be acquired is necessary for the Project;
4. The property to be acquired is for a more necessary public use than the use to which the property is appropriated;
5. The requirements of the California Environmental Quality Act have been met; and
6. The offer of just compensation has been made to the property owner.

C. Adopt:

1. RESOLUTION NO. 2015-43 - RESOLUTION OF NECESSITY OF THE TOWN OF APPLE VALLEY AUTHORIZING ACQUISITION BY EMINENT DOMAIN OF THOSE PORTIONS OF APPLE VALLEY RANCHOS WATER COMPANY'S WATER SYSTEM KNOWN AS THE APPLE VALLEY WATER SYSTEM TO THE EXTENT LOCATED WITHIN THE TOWN OF APPLE VALLEY.

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ADJOURNMENT

Time: _____

La Vonda M-Pearson

Dated: November 13, 2015

La Vonda M-Pearson, CMC
Town Clerk