



City of Hesperia Meeting Minutes - Final City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, November 17, 2015

6:30 PM

**REGULAR MEETING AGENDA
HESPERIA CITY COUNCIL
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
HESPERIA HOUSING AUTHORITY
HESPERIA COMMUNITY DEVELOPMENT COMMISSION
HESPERIA FIRE PROTECTION DISTRICT
HESPERIA WATER DISTRICT**

CLOSED SESSION - 5:30 PM

Roll Call

Present: 4 - Mayor Schmidt, Mayor Pro Tem Holland, Council Member Blewett and Council Member Russ

Absent: 1 - Council Member Leonard

**Conference with Legal Counsel - Potential Litigation:
Government Code Section 54956.9(d)2**

1. Two (2) cases

**Conference with Real Property Negotiators – Property Negotiations
Government Code Section – 54956.8**

1. Negotiating Parties: Wagner and City of Hesperia
Location: APN 0357-591-54
Under Negotiations: Price and terms

2. Negotiating Parties: City of Hesperia, Hesperia Housing Authority and Eagle Hesperia 55 LP
Location(s): 0405-072-42
Under Negotiations: Price and terms

**Conference with Labor Negotiator
Government Code Section 54957.6**

1. Negotiations between the City of Hesperia and the San Bernardino Public Employees Association (SBPEA) and non-represented employees with the City's Negotiator. (Staff person: Brian D. Johnson, Assistant City Manager/ Management Services)

Government Code Section 54957

City of Hesperia

1. Public Employee Appointment
Title: City Manager

CALL TO ORDER - 6:30 PM

- A. Invocation by Diego Forero of Hesperia Hispanic Church of the Nazarene
- B. Pledge of Allegiance to the Flag - Presentation by Boy Scout Troops 356 and 956
- C. Roll Call

Present: 4 - Mayor Schmidt, Mayor Pro Tem Holland, Council Member Blewett and Council Member Russ
Absent: 1 - Council Member Leonard

- D. Agenda Revisions and Announcements by City Clerk - None
- E. Closed Session Reports by City Attorney- No reportable action taken.

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation of Certificate of Appreciation to the Hesperia Police Activities League volunteers by Mayor Schmidt and Lt Anderson of the Hesperia Police Department.
2. Employee of the Month for November to John Gaunder, Maintenance Worker
3. Employee of the Month for December to Daniel Sanchez, Maintenance Worker
4. Community Events Calendar by Rachel Molina, Community Relations and Media Coordinator

Storm readiness, animal shelter holiday hours, City offices closed 11/26 & 11/27, Public Hearing for the Tapestry project to be held 1/16/15 at 10:00 a.m.

PUBLIC COMMENTS

Bryson Latwig, representing Boy Scout troop 956, solicited Eagle Scout worthy projects from the City.

ET Snell, commented on City Council recall process.

Wes Bryant, commented on the proposed crime free rental housing program and Barstow court house.

Cody Leis, representing Apex Equipment Rentals offered equipment use for Eagle Scout projects.

JOINT CONSENT CALENDAR

A motion was made by Russ, seconded by Holland, that item nos. 1-5, 7 and 10 be approved on the Consent Calendar. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, November 3, 2015

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, November 3, 2015.

Sponsors: City Clerk Melinda Sayre

2. Warrant Run Report (City - Successor Agency - Housing Authority - Community Development Commission - Fire - Water)

Recommended Action:

It is recommended that the Council/Board ratify the warrant run and payroll report for the City, Successor Agency to the Hesperia Community Redevelopment Agency, Hesperia Housing Authority, Community Development Commission, Fire District, and Water District.

Sponsors: Assistant City Manager/Management Services Brian Johnson

3. Treasurer's Cash Report for the period ended September 30, 2015

Recommended Action:

It is recommended that the Council/Board accept the Treasurer's Cash Report for the City, Successor Agency to the Hesperia Community Redevelopment Agency, Hesperia Housing Authority, Community Development Commission, Fire District, and Water District.

Sponsors: Assistant City Manager/Management Services Brian Johnson

4. Fiscal Year 2015-16 Statement of Investment Policy

Recommended Action:

It is recommended that the Council/Board/Commission adopt City Resolution No. 2015-28, Successor Agency to the Hesperia Community Redevelopment Agency Resolution No. SA 2015-02, Hesperia Housing Authority Resolution No. HHA 2015-06, Community Development Commission Resolution No. CDC 2015-07, Fire District Resolution No. HFPD 2015-13, and Water District Resolution No. HWD 2015-09 amending the Fiscal Year 2015-16 Statement of Investment Policy.

Sponsors: Assistant City Manager/Management Services Brian Johnson

5. Fiscal Year 2014-15 Final Budget Amendments

Recommended Action:

It is recommended that the following resolutions be adopted, amending the respective Fiscal Year 2014-15 Budgets for the City of Hesperia and the Community Development Commission:

- 1) City of Hesperia Resolution No. 2015-060
- 2) Community Development Commission Resolution CDC 2015-13

Sponsors: Assistant City Manager/Management Services Brian Johnson

6. Final Tract Map 17177

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2015-059 approving Final Tract Map No. 17177 to create 19 Single-family Residential lots on 5.06 gross acres located on the northeast corner of Tamarisk Avenue and Palm Street. (Applicant: Allen Colantuono)

Sponsors: City Engineer John Leveillee

Item no. 6 was pulled from the consent calendar by Council Member Blewett in order to allow for his abstention. A motion was made by Russ, seconded by Schmidt, that this item be approved. The motion carried by the following vote:

Aye: 3 - Schmidt, Holland and Russ

Absent: 1 - Leonard

Abstain: 1 - Blewett

7. Parcel Map No. 19592

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2015-065 approving Parcel Map No. 19592 to create two lots on 2.6 acres zoned Regional Commercial located on the southeast corner of Main Street and Escondido Avenue (APN: 3057-011-44).

Sponsors: City Engineer John Leveillee

8. Resolution of Support - Hesperia Holy Heavenly Lake Project

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2015-066 supporting Holy Heavenly Lake, LLC's efforts to develop a Tourist Center for Buddhist culture on property located at 19099 Lemon Street.

Sponsors: Director of Development Services Scott Priester

Council Member Russ pulled item 8 from the consent calendar in order to recuse himself and leave the dias due to the proximity of his property to the subject property of the item. A motion was made by Blewett, seconded by Schmidt, that this item be approved. The motion carried by the following vote:

Aye: 3 - Schmidt, Holland and Blewett

Absent: 1 - Leonard

Recused: 1 - Russ

9. Award Professional Services Agreement with LDM & Associates, Inc.

Recommended Action:

It is recommended that the City Council award a Professional Service Agreement (PSA) with LDM & Associates, Inc. (LDM) to provide consultancy services to assist the City in implementing its Community Development Block Grant (CDBG) Program for a three year period in an amount not to exceed \$500,000.

Sponsors: Economic Development Director Steve Lantsberger

Item 9 was pulled from the consent calendar for discussion by Council Member Russ. A motion was made by Russ, seconded by Holland, that this item be Approved as amended for a one year contract term with a not to exceed 30 days opt out clause. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

10. Interim City Manager Appointment and Agreement

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2015-071 appointing Brian D. Johnson to Interim

City Manager effective December 5, 2015, and to approve the addendum to the At-Will Employment Agreement for the Assistant City Manager/Management Services.

Sponsors: Assistant City Manager/Management Services Brian Johnson

CONSENT ORDINANCES

11. Crime Free Rental Housing Program

Recommended Action:

Place on second reading and adopt as amended by title waiving the text of Ordinance No. 2015-12, approving the Crime Free Rental Housing Program.

Sponsors: Captain Nils Bentsen

A motion was made by Russ, seconded by Holland, that this item be approved. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

PUBLIC HEARINGS

12. Continuation of appeal (APP14-00002) of the Planning Commission's decision to deny Revised Tentative Tract TTR14-00001; Applicant: Frontier Communities; APNs: 0405-042-07 & 08

Recommended Action:

At the request of the applicant, this item was continued from the City Council meetings of January 20, 2015, February 17, 2015, April 21, 2015, June 16, 2015, and September 15, 2015. Frontier Communities has requested a sixth continuance. Staff has no objection to this request, and recommends that this item be continued to February 16, 2016.

Sponsors: Senior Planner Daniel Alcayaga

No public testimony was given.

A motion was made by Russ, seconded by Blewett, that this item be approved continuing the hearing to February 16, 2016. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

13. Substantial Amendment to the Community Development Block Grant (CDBG) 2012-2013, 2013-2014 and 2014-2015 Action Plans

Recommended Action:

It is recommended that the City Council conduct a public hearing and upon accepting public testimony: (1) Adopt Resolution No. 2015-052 approving the Substantial Amendment to the Program Year (PY) 2012-2013, 2013-2014 and 2014-2015 Annual Action Plans including any modifications or amendments thereto by the City Council; (2) Cancel a total of four (4) activities from PY 2012-2013, 2013-2014 and 2014-2015 totaling \$625,127, reducing funds under the 2014 Economic Development Loan Program in the amount of \$174,873 and reprogramming all \$800,000 into a new Street Improvement Project; and (3) Authorize the City Manager to execute and transmit all necessary documents, including the Substantial Amendment to the PY 2012-2013,

2013-2014 and 2014-2015 Annual Action Plans and any additional amendments to assure the City's timely expenditure of CDBG funds.

Sponsors: Economic Development Director Steve Lantsberger

The public hearing was opened. There being no public testimony the hearing was closed.

A motion was made by Russ, seconded by Blewett, that this item be approved. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

NEW BUSINESS

The meeting went into recess at 7:38 p.m. The meeting reconvened at 7:42 p.m.

14. Fiscal Year 2015-16 First Quarter Budget Review

Recommended Action:

It is recommended that the Fiscal Year 2015-16 First Quarter Budget Review be received and filed and the related following resolutions, which amend the respective Fiscal Year 2015-16 Budgets for the City of Hesperia, and Hesperia Water District to be approved:

1. City of Hesperia Resolution No. 2015-069
2. Hesperia Water District HWD 2015-18

Sponsors: Assistant City Manager/Management Services Brian Johnson

A motion was made by Russ, seconded by Blewett, that this item be approved. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

15. Independent Audit Services

Recommended Action:

It is recommended that the City Council provide direction to staff regarding independent audit services.

Sponsors: Assistant City Manager/Management Services Brian Johnson

A motion was made by Blewett, seconded by Holland, that alternative 1 be approved. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

16. City of Hesperia Combined Compensation Schedules

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2015-068, the Board of Directors of the Hesperia Water District adopt Resolution HWD 2015-17, the Commission of the Community Development Commission adopt Resolution CDC 2015-14, and the Commission of the Hesperia Housing Authority adopt

Resolution HHA 2015-011, approving the City's Combined Compensation Schedules effective the first full pay period after January 1, 2014 and thereafter.

Sponsors: Assistant City Manager/Management Services Brian Johnson

A motion was made by Russ, seconded by Schmidt, that this item be approved. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

17. Crime Free Rental Housing Program Fee

Recommended Action:

It is recommended that the Mayor and Council Members; Chair and Board Members, Hesperia Water District; Chair and Board Members, Hesperia Fire Protection District; Chair and Board Members, Hesperia Housing Authority; Chair and Board Members, Successor Agency to the Hesperia Community Redevelopment Agency; and Chair and Commissioners, Hesperia Community Development Commission adopt Joint Resolution No. 2015-55, Resolution No. HWD-2015-14, Resolution No. HFPD-2015-19, Resolution No. HHA 2015-09, Resolution No. HCDC 2015-11 and approve fees for non-compliance of the Crime Free Rental Housing (CFRH) Program.

Sponsors: Captain Nils Bentsen

A motion was made by Blewett, seconded by Holland, that this item be approved. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

18. California Minerals, Off-Road Recreation, and Conservation Act

Recommended Action:

It is recommended that the City Council approve Resolution 2015-061, supporting Congressman Cook's California Minerals, Off-Road Recreation, and Conservation Act.

Sponsors: Management Analyst Julie Ryan

A motion was made by Blewett, seconded by Russ, that this item be approved. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

19. California Statewide Communities Development Authority's (CSCDA) Open PACE, Ygrene PACE and Joint Powers Authorities

Recommended Action:

It is recommended that the City Council adopt Resolutions 2015-062, 2015-063 and 2015-064 consenting to the inclusion of properties within the City's incorporated area in the California Statewide Communities Development Authority's (CSCDA) Open PACE program, the California Home Finance Authority (CHFA) Property-Assessed Clean Energy and Community Facilities District No. 2014-1 (Clean Energy) programs and approve associate membership in the CHFA Joint Exercise of Powers Authority ("Authority JPA").

Sponsors: Management Analyst Julie Ryan and Environmental Programs Coordinator Dan Sousa

A motion was made by Holland, seconded by Schmidt that this item be approved. The motion carried by the following vote:

Aye: 4 - Schmidt, Holland, Blewett and Russ

Absent: 1 - Leonard

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Russ, requested information to support an Obernolte Bill and commented on the terrorist attack on Paris and the potential impacts of accepting Syrian refugees and requested that the City Council take action opposing such.

Council Member Blewett, commented on robbery at Stater Bros and cautioned merchants against crime.


Mayor Pro Tem Holland, attended various Veterans Day ceremonies, announced 12/15 march from Fort Irwin to the Veterans Home in Barstow, and commented on appointment to the Environmental and Public Safety Policy Committees with the League of California Cities.

Mayor Schmidt, commented on the Victor Valley Bike Tour, Hesperia Police Activities League Program, Mayor's Challenge final weigh in, Boy Scouts, MDAQMD conference, League of California Policy Committee on Revenue and Taxation, Kingston Elementary School visit, Principal for a day at Cottonwood Elementary the judicial process and Barstow Courts, Hesperia 2034, Veterans Day ceremonies and the terrorist attacks in Paris.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

City Manager Mike Podegracz introduced Joseph Lim serving as acting Director Development Services.

ADJOURNMENT

 9:08 p.m.
By: _____
Melinda Sayre, City Clerk