

HESPERIA JOINT HESPERIA CITY COUNCIL, SUCCESSOR AGENCY, HHA, AND HCDC
REGULAR MEETING
June 19, 2012
DRAFT MINUTES

The Regular Meeting of the City Council was called to order at 6:30 p.m. by Mayor Blewett in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

CLOSED SESSION 5:00 p.m.

Roll Call: All Members Present

Mayor Russell Blewett
Mayor Pro Tem Bill Holland
Council Member Paul Bosacki
Council Member Mike Leonard
Council Member Thurston "Smitty" Smith

Conference with Legal Counsel - Potential Litigation; Government Code Section 54956.9(b) :

1. Two (2) Cases

Conference with Legal Counsel - Existing Litigation; Government Code Section 54956.9(a):

1. Desert Gem Health & Wellness; Younesco Properties v. City of Hesperia, SB County Case No. CIVVS 1103899.
2. John Klapp v. City of Hesperia Fire District
3. Melinda Jo Tipton-Acosta v. City of Hesperia
4. Michael Turner v. City of Hesperia

Conference with Labor Negotiator; Government Code Section 54957.6:

Brian D. Johnson, Assistant City Manager/Management Services - Negotiations between the City of Hesperia and the San Bernardino Public Employees Association (SBPEA) and non-represented employees.

CALL TO ORDER 6:30 p.m.

- A. Invocation by Pastor Bill Burnett, New Life Chapel.
- B. Pledge of Allegiance to the Flag led by Council Member Leonard.
- C. Roll Call: **All Members Present**
Mayor Russell Blewett
Mayor Pro Tem Bill Holland
Council Member Paul Bosacki
Council Member Mike Leonard
Council Member Thurston "Smitty" Smith
- D. Agenda Revisions and Announcements – Attachments "A" in item 23 revised.
- E. Closed Session Reports – No reportable action taken.

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation of Employee of the Month of June to Roland Dominguez, Custodian by Dale Burke, Public Works Manager.
2. Presentation of Plaque of Appreciation to Berta Barocio-Sullivan in honor of her retirement by Brian Johnson, Assistant City Manager.

3. Presentation of Plaque of Appreciation to Captain Steve Higgins by Mayor Russ Blewett.
4. Community Events Calendar, Employee of the Month for June – Roland Dominguez, Custodian.
5. Presentation of National Parks Month Proclamation to Lindsay Woods, General Manager for Hesperia Recreation and Park District by Mayor Russ Blewett.
6. Community Events Calendar, Melinda Sayre-Castro, Assistant City Clerk - Enterprise Zone Workshop 6/20, E-Waste event 6/23 behind Eagle Plaza, City Council Candidate papers can be filed 7/16 – 8/10, optional candidate workshop 7/10, on-site vet low-cost vaccinations Wednesdays, No 7/3 Council meeting, City Hall closed 7/4, National Night Out at Target/High Desert Gateway Center 8/7, and 8/7 Council meeting will start at 3pm.

PUBLIC COMMENTS

Marjita Patel, Hesperia, commented on Patel and Associates services.
 Al Vogler, Hesperia, commented on the budget workshop.
 Daniel Krist, Hesperia, commented on graffiti.
 Peggy Getts, Hesperia, commented on care and treatment of horses.
 Sally Austin, Hesperia, commented on blighted yards.
 Ida Atteraury, Hesperia, commented on blighted yards in her neighborhood.
 Al Vogler, Hesperia spoke on item 11 water purchase.

CONSENT CALENDAR

Motion by Council Member Leonard to adopt Consent Calendar, Seconded by Mayor Pro Tem Holland, passed with the following roll call vote:

AYES: Smith, Leonard, Blewett, Bosacki, and Holland
NOES: None

1. Approve minutes of the regular Joint City Council, Successor Agency, HHA, and HCDC meeting held on June 5, 2012. (Staff person: Melinda Sayre-Castro, Assistant City Clerk)
2. Ratify the warrant run and payroll report for the City, Successor Agency to the Hesperia Community Redevelopment Agency, Housing Authority, and Community Development Commission for the period May 12, 2012 through June 1, 2012. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
3. Accept the City of Hesperia Treasurers Cash Report for the period ended April 30, 2012. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
4. Accept the Cash Report for the Successor Agency for the period ended April 30, 2012. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
5. Accept the Cash Report for the Hesperia Housing Authority for the period ended April 30, 2012. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
6. Accept the Cash Report for the Hesperia Community Development Commission for the period ended April 30, 2012. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)

7. Adopt Fiscal Year 2011-12 Fourth Quarter Budget Amendments. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
8. Adopt Resolution No. 2012-057 Amending the Measure I Five Year Capital Improvement Plan 2011-2016. (Staff person: John Leveillee, City Engineer)
9. Accept the work constructed under the G Avenue Rail Lead Track & Channel Project: Phase II - Lead Track Construction and Drainage Channel Construction (C.O. 7108), authorize staff to record a Notice of Completion, and release retention amounts withheld 35 calendar days after the date of recordation. (Staff person: Scott Priester, Director of Development Services)
10. Award Contracts - Cinema West Parking Lot Improvements (C.O. No. 7126). (Staff person: Scott Priester, Director of Development Services)
11. Approve Alto Subarea Permanent Water Purchase from Summit Valley Ranch, LLC. (Staff person: Scott Priester, Director of Development Services)
12. Authorize the City Manager to execute a three (3) year contract with Republic ITS of Novato, Ca for Traffic Signal Maintenance Services, for the not-to-exceed amount of \$138,900. (Staff person: Scott Priester, Director of Development Services)
13. Authorize the City Manager to execute an amendment to contract number 2009-10-026 with J & S Striping Inc., thereby extending the contract for an additional year and increasing the contract authority and purchase order an additional \$94,000 with a new not-to-exceed amount of \$342,312. (Staff person: Scott Priester, Director of Development Services)
14. Adopt Resolution No. 2012-55 approving Parcel Map 17038 to create four parcels from 8.2 gross acres zoned RR-1, located on the southeast corner of Musgrave Street and Maple Avenue. (Applicant: Andrew and Megan Zasadny) (Staff person: John Leveillee, City Engineer)
15. Adopt Joint Resolution No. 2012-049 & HHA 2012-007 thereby approving a Cooperative Administrative, & Service Agreement by and between the City and HHA; and that the City Council and Hesperia Community Development Commission (HCDC) adopt Joint Resolution No. 2012-050 & HCDC 2012-007 thereby approving a Cooperative Administrative, & Service Agreement by and between the City and HCDC. (Staff person: Steven J. Lantsberger, Deputy Director of Economic Development)
16. Adopt Resolution Nos. 2012-051 calling for the holding of the General Municipal Election; 2012-052 requesting consolidation with the statewide General Election; and 2012-053 adopting a charge for preparation of candidate's statements. (Staff person: Melinda Sayre-Castro, Assistant City Clerk)
17. Adopt Resolution No. HHA 2012-009 approving and authorizing an unsecured forgivable loan (Loan) not to exceed two million dollars (\$2,000,000) to the Hesperia Community Development Commission (HCDC) for the purpose of implementing initiatives, programs, activities, and services in furtherance of the mission of the HHA and authorizing the Mayor and City Manager to execute all associated loan documents. (Staff person: Steven J. Lantsberger, Deputy Director of Economic Development)

CONSENT ORDINANCE

18. Place on second reading and adopt by title waiving Ordinance No. 2012-07, approving Development Code Amendment DCA12-10107 pertaining to the Additional Uses Ordinance and related Ordinances. (Applicant: City of Hesperia; Affected Area: Citywide). (Staff person: Stan Liudahl, Senior Planner)
19. Place on second reading and adopt by title waiving Ordinance No. 2012-08, approving Development Code Amendment DCA12-10123 making minor revisions to the existing animal regulations (Applicant: City of Hesperia; Affected area: Citywide). (Staff person: Stan Liudahl, Senior Planner)
20. Place on second reading and adopt by title waiving Ordinance No. 2012-09, approving an amendment to Chapter 5.40 of the Municipal Code to modify the business license regulations for theaters to allow the sale and consumption of alcoholic beverages (Applicant: City of Hesperia; Affected area: Citywide). (Staff person: Stan Liudahl, Senior Planner)

PUBLIC HEARING

21. Consideration of Ordinance No. 2012-11, repealing Chapter 5.06 of the Hesperia Municipal Code regarding the Rental Housing Certification Program. (Staff person: Scott Priester, Director of Development Services)

Recommended Action: It is recommended that the City Council introduce and place on first reading Ordinance No. 2012-11, repealing Chapter 5.06 of the Hesperia Municipal Code regarding the Rental Housing Certification Program.

Public Hearing was declared open.

Benton Lamson, Blue Star Properties, Hesperia, commented on item no. 21.

The Public Hearing was closed.

Motion by Council Member Smith to introduce Ordinance no. 2012-11 and place on first reading, Seconded by Mayor Pro Tem Holland, passed with the following roll call vote:

AYES: Smith, Bosacki, and Holland

NOES: Leonard, and Blewett

22. Consideration to rescind CUP11-10197 and SPL11-10206 including the mitigated negative declaration, regarding an 11,805 square foot travel center on 10.6 gross acres located on the southeast corner of Outpost Road and Joshua Street (Applicant: Love's Travel Stops and Country Stores, Inc.; APNs: 3039-361-01 & 3039-371-01). (Staff person: Stan Liudahl, Senior Planner)

Recommended Action: It is recommended that the City Council introduce and place on first reading Ordinance No. 2012-10, rescinding the approval of SPL11-10206 and adopt Resolution No. 2012-046, rescinding the approval of CUP11-10197.

Motion by Council Member Smith to Council introduce and place on first reading Ordinance No. 2012-10, Seconded by Council Member Leonard, passed with the following roll call vote:

AYES: Smith, Leonard, Blewett, Bosacki, and Holland
NOES: None

23. Consideration of Development Code Amendment DCA12-10133, revising Chapter 16.20 of the Hesperia Municipal Code regarding Commercial Vehicle Parking (Applicant: City of Hesperia; Affected area: Citywide). (Staff person: Stan Liudahl, Senior Planner)

Recommended Action: The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2012-12, approving DCA12-10133, revising Chapter 16.20 of the Hesperia Municipal Code regarding Commercial Vehicle Parking.

The public hearing was opened.
Peggy Getts, commented on item no. 23.
The public hearing was closed.

Motion by Mayor Pro Tem Holland to introduce and place on first reading Ordinance No. 2012-12, Seconded by Council Member Leonard, passed with the following roll call vote:

AYES: Smith, Leonard, Blewett, Bosacki, and Holland
NOES: None

24. Consideration of a Proposed Amendment to Title 6 of the Hesperia Municipal Code entitled, "Animal Care and Control," to make changes to the spay/neuter requirements. (Staff person: Scott Priester, Director of Development Services)

Recommended Action: It is recommended that the City Council introduce and place on first reading Ordinance No. 2012-13, making changes to the spay/neuter requirements.

The public hearing was opened.
Kim Jones, Hesperia, commented in support of item no. 24.
Julie Jensen, Hesperia, commented in support of item 24.
The public hearing was closed.

Motion by Mayor Pro Tem Holland to introduce Ordinance no. 2012-13 and place on first reading, Seconded by Council Member Bosacki, passed with the following roll call vote:

AYES: Smith, Leonard, Blewett, Bosacki, and Holland
NOES: None

The City Council held a joint meeting with the Hesperia Fire Protection District, Hesperia Water District, Hesperia Housing Authority and the Successor Agency to Hesperia Community Redevelopment Agency.

NEW BUSINESS - City Council

- 25. Consideration of Fiscal Year 2012-13 Budget Adoption. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)

Recommended Action: It is recommended that the City Council/Agency/Boards adopt the following Resolutions approving the Fiscal Year 2012-13 Budget for the City of Hesperia, Successor Agency, Hesperia Fire Protection District, and Hesperia Water District:

CC No 2012-47, CC No 2012-48, SA 2012-04, HHA 2012-06, CDC 2012-06, HFPD 2012-03, 2012-04, HWD 2012-03.

The Hesperia Fire Protection District and Hesperia Water District recessed

- 26. Adopt Resolution No. 2012-054 Authorizing a Sole Source Purchase of Emergency Communications Consoles for the New San Bernardino County High Desert Public Safety Operations Center (PSOC). (Staff person: Scott Priester, Director of Development Services)

Recommended Action: It is recommended that the Mayor and Council Members adopt Resolution No. 2012-054 authorizing a sole source purchase of emergency communications consoles for the new San Bernardino County High Desert Public Safety Operations Center (PSOC), C.O. No. 6520.

Motion by Council Member Leonard to approve Resolution No. 2012-054 as recommended, Seconded by Mayor Pro Tem Holland, passed with the following roll call vote:

AYES: Smith, Leonard, Blewett, Bosacki, and Holland
NOES: None

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Bosacki- Requested that staff request more information on Police services contract increase during item no. 24.

Mayor Pro Tem Holland- Thanked Captain Higgins for his service, City Manager and staff for budget, as well as government center concept for City.

Council Member Leonard- Gave an update on Rancho Interchange, and congratulated Kim Summers on promotion to Deputy City Manager.

Council Member Smith – Thanked Captain Higgins, thanked Finance staff for Budget work.

Mayor Blewett – Thanked Captain Higgins, welcomed Captain Benson, and asked that the Commercial truck parking Ordinance be referred to the City Council Advisory Committee.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

City Manager Mike Podegracz - Announced Council Member Leonard’s election as Vice-President of the SANBAG Board.

ADJOURNMENT

8:15 p.m.

By, Melinda Sayre-Castro
Assistant City Clerk