

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

*Regular Joint Meetings*  
*1<sup>st</sup> and 3<sup>rd</sup> Tuesday*

**Date: May 16, 2017**  
**REGULAR MEETING**

**Time: 6:00 P.M.** (Closed Session)  
**6:30 P.M.** (Regular Meeting)

**CITY COUNCIL MEMBERS**

Paul Russ, Mayor

Russell Blewett, Mayor Pro Tem

Larry Bird, Council Member

Bill Holland, Council Member

Rebekah Swanson, Council Member

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Nils Bentsen, City Manager

Eric L. Dunn, City Attorney



*City of Hesperia*

Council Chambers  
9700 Seventh Avenue  
Hesperia, CA 92345

City Clerk's Office: (760) 947-1007

**Agendas and Staff Reports are  
available on the City Website  
[www.cityofhesperia.us](http://www.cityofhesperia.us)**

Documents produced by the City and distributed less than 72 hours prior to the meeting, regarding items on the agendas, will be made available in the City Clerk's Office located at 9700 Seventh Avenue during normal business hours.



**NOTE:** In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (760) 947-1007 or (760) 947-1056. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

**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**

**As a courtesy, please silence your cell phones and other electronic devices while the meeting is in session. Thank you.**

*Prior to action of the Council, any member of the audience will have the opportunity to address the legislative body on any item listed on the agenda, including those on the Consent Calendar.*

*Individuals wishing to speak during General Public Comments or on a particular numbered item must submit a speaker slip to the City Clerk with the agenda item noted. Speaker slips should be turned in prior to the public comment portion of the agenda or before an agenda item is discussed. Comments will be limited to three minutes for General Public Comments, Consent Calendar items and New Business items. Comments are limited to five minutes for Public Hearing items.*

*In compliance with the Brown Act, the City Council may not discuss or take action on non-agenda items or engage in question and answer sessions with the public. The City Council may ask brief questions for clarification; provide a reference to staff or other resources for factual information and direct staff to add an item to a subsequent meeting.*

**CLOSED SESSION - 6:00 PM**

**Roll Call**

*Mayor Paul Russ  
Mayor Pro Tem Russell Blewett  
Council Member Larry Bird  
Council Member Bill Holland  
Council Member Rebekah Swanson*

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

1. One (1) case

**CALL TO ORDER - 6:30 PM**

**A. Invocation**

**B. Pledge of Allegiance to the Flag**

**C. Roll Call**

*Mayor Paul Russ  
Mayor Pro Tem Russell Blewett  
Council Member Larry Bird  
Council Member Bill Holland  
Council Member Rebekah Swanson*

**D. Agenda Revisions and Announcements by City Clerk****E. Closed Session Reports by City Attorney****ANNOUNCEMENTS/PRESENTATIONS**

1. Community Events Calendar by Mayor Paul Russ

**GENERAL PUBLIC COMMENTS (For items and matters not listed on the agenda)**

*Individuals wishing to speak during General Public Comments or on a particular numbered item must submit a speaker slip to the City Clerk with the agenda item noted. Speaker slips should be turned in prior to the public comment portion of the agenda or before an agenda item is discussed. Comments will be limited to three minutes for General Public Comments, Consent Calendar items and New Business items. Comments are limited to five minutes for Public Hearing items.*

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- 1) City Council
- 2) Fire District
- 3) Water District

**JOINT CONSENT CALENDAR**

1. Page 9 Consideration of the Draft Minutes from the Regular Meeting and the Special Meeting held Tuesday, May 2, 2017

**Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting and Special Meeting held Tuesday, May 2, 2017.

**Staff Person:** City Clerk Melinda Sayre

**Attachments:** [Draft CC Min 2017-05-02](#)

2. Page 13 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.

**Staff Person:** Assistant City Manager/Management Services Brian Johnson

**Attachments:** [SR Warrant Run 5-16-2017](#)

[Attachment 1 - Warrant Runs](#)



3. Page 15 Treasurer's Cash Report for the unaudited period ended March 31, 2017

**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.

**Staff Person:** Assistant City Manager/Management Services Brian Johnson

**Attachments:** [SR Treasurer's Report 5-16-2017](#)

[Attachment 1 - Investment Reports](#)

4. Page 25 Warehouse Commodity- Hydrant, Brass and Pipe Materials

**Recommended Action:**

It is recommended that the Board of Directors of the Hesperia Water District authorize the City Manager to approve a contract with Inland Water Works Supply Co. for Fiscal Year 2017-18 to purchase Hydrant, Brass, and Pipe Materials in the not-to-exceed amount of \$171,858.

**Staff Person:** Public Works Manager Mark Faherty and Public Works Supervisor/Water Jeremy McDonald

**Attachments:** [SR Warehouse Commodity Materials 5-16-2017](#)

[Attachment 1 - Bid Comparison](#)

5. Page 31 Increase Purchase Order No.# 2017-00000062 with J&S Striping Inc.

**Recommended Action:**

It is recommended that the City Council, authorize the City Manager to execute the increase to Purchase Order Number 2017-00000062 with J&S Striping Inc. from the new not-to-exceed amount of \$130,000 to \$150,000, and increasing the contract authority by an additional \$20,000 with a new not-to-exceed amount of \$410,000.

**Staff Person:** Public Works Manager Mark Faherty and Maintenance Crew Supervisor/Traffic Scott Smith

**Attachments:** [SR Increase Purchase Order - JS Striping 5-16-2017](#)

6. Page 33 Amendment to Contract with J. Miller Electric

**Recommended Action:**

It is recommended that the City Council approve an amendment in the amount of \$10,000 to the contract with J. Miller Electric, Inc. (PSA 2016-17-029) for a total contract amount of \$60,000 for unanticipated emergency electrical repairs to City facilities.

**Staff Person:** Director of Development Services Michael Blay

**Attachments:** [SR J. Miller Electric Contract Amendment 5-16-2017](#)

7. Page 35 Amendment to contract with Siemens Industry, Inc.

**Recommended Action:**

It is recommended that the City Council, authorize the City Manager to increase the contract with Siemens Industry, Inc. by an additional \$20,000 with a new not-to-exceed amount of \$158,900 for traffic signal repairs.

**Staff Person:** Public Works Manager Mark Faherty and Maintenance Crew Supervisor/Traffic Scott Smith

**Attachments:** [SR Siemens Industry Inc. Contract Amendment 5-16-2017](#)

**8. Page 37**

Badger Meter, Inc. dba National Meter and Automation Contract for Fiscal Year 2017-18

**Recommended Action:**

It is recommended that the Chair and Board Members of the Hesperia Water District authorize the City Manager to approve a contract for Fiscal Year (FY) 2017-18 with Badger Meter, Inc. doing business as National Meter and Automation in the not-to exceed amount of \$250,000 for the purchase of Badger water meters and related Badger water meter parts.

**Staff Person:** Public Works Manager Mark Faherty and Public Works Supervisor/Water Jeremy McDonald

**Attachments:** [SR Badger Meter Contract 5-16-2017](#)

**9. Page 39**

Cancellation of July 4, 2017 City Council and Subsidiary District Meetings and Rescheduling

**Recommended Action:**

It is recommended that the City Council, the Board of Commissioners of the Hesperia Community Development Commission, and the Board of Directors of the Sucessor to the Hesperia Community Redevelopment Agency, Hesperia Housing Authority, Hesperia Fire Protection District, and the Hesperia Water District cancel the regularly scheduled July 4, 2017 meeting that falls on the Federal Independence Day Holiday (City Hall will be closed) and reschedule to a special meeting to be held later that week on Thursday, July 7, 2017 at 6:30 p.m.

**Staff Person:** City Clerk Melinda Sayre

**Attachments:** [SR City Council Meeting Cancellation 5-16-2017](#)

**10. Page 41**

Off-Highway Motor Vehicle Grant Application to the California Department of Parks and Recreation

**Recommended Action:**

It is recommended that the City Council approve and adopt Resolution No. 2017-025 authorizing the submission of a California Off-Highway Motor Vehicle (OHV) Grant Application to the California Department of Parks and Recreation for a total of \$55,474 and authorize the City Manager and the San Bernardino County Sheriff's Department to execute the Application and any amendments thereto on behalf of the City.

**Staff Person:** Captain Gregg Wielenga

**Attachments:** [SR OHV Grant Application 5-16-2017](#)  
[Attachment 1 - OHV Grant Application](#)  
[Resolution 2017-025](#)

### **PUBLIC HEARINGS**

*Individuals wishing to comment on public hearing items must submit a speaker slip to the City Clerk with the numbered agenda item noted. Speaker slips should be turned in prior to an agenda item being taken up. Comments will be limited to five minutes for Public Hearing items.*

#### **WAIVE READING OF ORDINANCES**

*Approve the reading by title of all ordinances and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.*

### **PUBLIC HEARING**

- 11.** Page 47 Consideration of General Plan Amendment GPA16-00003 Modifying the Circulation Element and Site Plan Review SPR16-00016 for a Yacht Manufacturing Facility (Caliente Industrial Park, LLC; APN: 3039-321-09)

#### **Recommended Action:**

The Planning Commission recommends that the City Council adopt Resolution Nos. 2017-019 and 2017-020, approving GPA16-00003 modifying the Circulation Element to eliminate that portion of Joshua Street west of Caliente Road, and Site Plan Review SPR16-00016, to construct a 75,000 square foot yacht and small residential building manufacturing facility in two phases on 6.1 gross acres of a 20.3-acre parcel within the Commercial Industrial Business Park (CIBP) Zone of the Main Street and Freeway Corridor Specific Plan located on the west side of Caliente Road, approximately 1,250 feet south of Muscatel Street.

**Staff Person:** Senior Planner Stan Liudahl

**Attachments:** [SR GPA16-00003 and SPR16-00016 5-16-2017](#)

[Attachment 1 - Site Plan](#)

[Attachment 2 - General Plan](#)

[Attachment 3 - Aerial Photo](#)

[Attachment 4 - PC Minutes](#)

[Attachment 5 - Color Building Elevations](#)

[Attachment 6 - Negative Declaration](#)

[Attachment 7 - Initial Study with Attachment A](#)

[Resolution 2017-019](#)

[Resolution 2017-020](#)

- 12.** Page 107 Development Code Amendment DCA17-00002 adopting the Commercial Community Enhancement Ordinance (CCEO); Applicant: City of Hesperia; Area affected: City-wide

#### **Recommended Action:**

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2017-10 approving DCA17-00002, the Commercial Community Enhancement Ordinance (CCEO).

**Staff Person:** Senior Planner Daniel Alcayaga

**Attachments:** [SR Development Code Amendment 5-16-2017](#)  
[Ordinance 2017-10](#)  
[Attachment 2 - Exhibit "A"](#)

**13.** Page 125

Public Hearing for Consideration of Introducing By-District Election Ordinance and Adoption of District Map

**Recommended Action:**

It is recommended that the City Council (1) consider selecting one of the proposed district maps and the sequence of elections; (2) hold a public hearing regarding proposed ordinance No. 2017-09 to establish a by-district election system in the City; and (3) consider introducing and conducting a first reading of Ordinance No. 2017-09.

**Staff Person:** City Attorney Eric Dunn

**Attachments:** [5-16-17 CVRA Ordinance Introduction Staff Report](#)  
[Ordinance 2017-09](#)  
[Attachment 2 - Proposed Map resident Anthony Rhoades](#)  
[Attachment 3 - Proposed Map resident Anthony Rhoades \(second map\)](#)  
[Attachment 4 - Proposed Map Ad Hoc Committee](#)  
[Attachment 5 - Proposed Map Council 1B](#)  
[Attachment 6 - Proposed Map resident James Blocker](#)  
[Attachment 7 - Proposed Map resident Eric Schmidt](#)

**NEW BUSINESS**

**14.** Page 145

Support of Victor Valley Bicycle Tour

**Recommended Action:**

It is recommended that the City Council provide direction to staff on supporting the 2017 Victor Valley Bicycle Tour and whether this level of support, or any level of support, should be added to future City Council division budgets.

**Staff Person:** Assistant to the City Manager Rachel Molina

**Attachments:** [SR Support of Victor Valley Bicycle Tour 5-16-2017](#)

**15.** Page 147

Fiscal Year 2017-18 Budget Planning Report Update

**Recommended Action:**

It is recommended that the City Council receive and file the limited update to the Fiscal Year (FY) 2017-18 Budget Planning Report, as well as provide direction to staff for planning the upcoming budget with development revenue

expectations and input on the road improvement program as it pertains to Main Street.

**Staff Person:** Assistant City Manager/Management Services Brian Johnson and Senior Financial Analyst Casey Brooksher

**Attachments:** [SR FY 17-18 Budget Planning Report Update 5-16-2017](#)

### **COUNCIL COMMITTEE REPORTS AND COMMENTS**

*The Council may report on their activities as appointed representatives of the City on various Boards and Committees and/or may make comments of general interest or report on their activities as a representative of the City.*

### **CITY MANAGER/CITY ATTORNEY/STAFF REPORTS**

*The City Manager, City Attorney or staff may make announcements or reports concerning items of interest to the Council and the public.*

### **ADJOURNMENT**

*I, Melinda Sayre, City Clerk of the City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Thursday, May 11, 2017 at 5:30 p.m. pursuant to California Government Code §54954.2.*

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Melinda Sayre,  
City Clerk

*Documents produced by the City and distributed less than 72 hours prior to the meeting regarding items on the agenda will be made available in the City Clerk's Office during normal business hours.*

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# City of Hesperia Meeting Minutes - Draft City Council

City Council Chambers  
9700 Seventh Ave.  
Hesperia CA, 92345

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Tuesday, May 2, 2017

6:30 PM

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**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  
HESPERIA PUBLIC FACILITIES CORPORATION - SPECIAL MEETING**

**CLOSED SESSION - 5:30 PM**

**Roll Call**

**Present:** 5 - Mayor Russ, Mayor Pro Tem Blewett, Council Member Bird, Council Member Holland and Council Member Swanson

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

1. One (1) case

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

**HESPERIA PUBLIC FACILITIES CORPORATION SPECIAL MEETING ITEM**

1. Negotiations Parties: Summit Leadership Academy and Hesperia Public Facilities Corporation  
Location: 15776 Main Street (Eagle Plaza)  
Under Negotiation: Price and Terms

Conference with Labor Negotiator  
Government Code Section 54957.6

1. Negotiations between the City of Hesperia and the Teamster Local 1932 and non-represented employees with the City's Negotiator. (Staff person: Brian D. Johnson, Assistant City Manager/ Management Services)

**CALL TO ORDER - 6:30 PM**

- A. Invocation by Pastor Joseph Penn of the Hesperia Church of the Nazarene**
- B. Pledge of Allegiance to the Flag**
- C. Roll Call**

**Present:** 5 - Mayor Russ, Mayor Pro Tem Blewett, Council Member Bird, Council

- D. **Agenda Revisions and Announcements by City Clerk** – *Item no. 7 was pulled from the agenda by staff*
- E. **Closed Session Reports by City Attorney** - *No reportable action was taken.*

### **ANNOUNCEMENTS/PRESENTATIONS**

- 1. Presentation to David McLaughlin, Hesperia Unified School District Superintendent by the City Council
- 2. Community Events Calendar by Mayor Paul Russ - *National Day of Prayer 5/4 @ noon in front of City Hall, Relay for Life event at Civic Plaza Park 5/7 & 5/8, Recreation and Park District Chalk for Art event at Civic Plaza Park 5/17.*

### **GENERAL PUBLIC COMMENTS (For items and matters not listed on the agenda)**

*Bob Nelson commented on speech at public meetings.*  
*Thurston Smith commented on Victor Valley Bicycle Tour.*  
*David Penn commented on the National Day of Prayer.*  
*Daniel Krist commented on various topics.*  
*Margaret (last name illegible) commented on burn permits.*  
*James (last name illegible) commented on code enforcement.*  
*Alex Wilvaton commented on medical cannabis.*  
*Tanner Pollock commented on medical cannabis.*

***Meeting went into recess at 6:41 pm and reconvened at 6:49 pm.***

### **JOINT CONSENT CALENDAR**

**A motion was made by Bird, seconded by Holland, that the Consent Calendar be approved. The motion carried by the following vote:**

**Aye:** 5 - Russ, Blewett, Bird, Holland and Swanson

**Noes:** 0

- 1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, April 18, 2017

#### **Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, April 18, 2017.

**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. Purchase Piping and Material

#### **Recommended Action:**

It is recommended that the Board of Directors of the Hesperia Water District authorize the City



Manager to approve a one-time purchase from HD Supply Waterworks for piping and materials needed for the Pipeline Water Line Replacement program Construction Order #3406 in the not-to-exceed amount of \$81,459.

**Sponsors:** Public Works Manager Mark Faherty and Public Works Supervisor/Water Jeremy McDonald

## **CONSENT ORDINANCES**

### 4. Deemed Approved Alcohol Sales Ordinance

**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance No. 2017-03, as amended, to establish deemed approved operating conditions to regulate off-sale alcoholic beverage establishments.

**Sponsors:** Principal Planner Dave Reno

*The following individuals commented on item no. 4:*

*Pastor David Penn  
Al Vogler*

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

**Aye:** 3 - Blewett, Bird and Holland

**Noes:** 2 - Russ and Swanson

## **PUBLIC HEARING**

### 5. By-District Election System Public Hearing and Proposed Map Review

**Recommended Action:**

It is recommended that the City Council (1) hold a public hearing to accept public testimony regarding the composition of districts to transition the City from an at-large election system to a by-district election system, and (2) review proposed district maps and proposed election sequencing. This is the second of at least two public hearings at which draft maps will be accepted and considered. No final action will be taken until the public hearing process is complete.

**Sponsors:** City Attorney Eric Dunn

*The public hearing was opened.*

*Anthony Rhoades commented on the districting process and presented a prepared PowerPoint presentation.*

*The public hearing was closed.*

## **NEW BUSINESS**

### 6. Consideration of Joint-agency Support of Victor Valley Museum

**Recommended Action:**

It is recommended that the City Council provide direction to staff on joint-agency support of the Victor Valley Museum, and take action to memorialize that direction if the City Council chooses to fund the request.

**Sponsors:** Assistant to the City Manager Rachel Molina

**A motion was made by Holland to find the Victor Valley Museum in the amount of \$15,000 for three**

years, seconded by Bird, that this item be approved. The motion carried by the following vote:

**Aye:** 5 - Russ, Blewett, Bird, Holland and Swanson

**Noes:** 0

7. Teamsters Local 1932 Appeal of the Employee Relations Officer's Decision to Modify the Teamsters General Unit

**Recommended Action:**

It is recommended that the City Council schedule a meeting on June 20, 2017 to consider the Teamsters Local 1932 (Teamsters) appeal of the Employee Relations Officer's (ERO) decision to transfer two classifications (Engineering Aide and Engineering Technician) from the Teamsters General Unit to the Non-Represented Unit.

It is further recommended that, in connection with that meeting, the City Council set June 7, 2017 as the date by which Teamsters and the ERO are to submit any written statements on the issue and indicate whether they will make an oral presentation at the June 20, 2017 Council meeting.

**Sponsors:** City Manager Nils Bentsen

*Item 7 was pulled from the agenda by staff.*

**COUNCIL COMMITTEE REPORTS AND COMMENTS**

*Council Member Swanson commented on her attendance at a seminar on Mobile Homes and manufactured housing; Relay for Life, and on pending information from other cities regarding the Deemed Approved Alcohol issue.*

*Council Member Bird commented on council's working together, welcomed back the Mayor, congratulated David McLaughlin on his recognition, encouraged attendance at the Relay for Life event, commented on various high schools and their achievements, and announced his appointment of Michelle Estrada from Hesperia High School to the Public Safety Advisory Committee.*

*Council Member Holland thanked and congratulated both Pastor David and Joseph Penn, and his attendance at the annual Washington, D.C. conference.*

*Mayor Pro Tem Blewett commented on the Relay for Life event, his attendance at Joseph Penn's 100<sup>th</sup> birthday party, the Deemed Approved Ordinance, and directed staff to look into an ordinance regarding all package liquor licenses coming to the City Council prior to approval.*

*Mayor Russ thanked Council Member Swanson for attending the MDAQMD meeting on his behalf and thanked Council Member Holland for attending Washington DC meetings on his behalf, announced that he will fulfill his council duties, and he encouraged attendance at the Relay for Life event.*

**CITY MANAGER/CITY ATTORNEY/STAFF REPORTS**

*No comments*

**ADJOURNMENT**

*7:50 p.m.*

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*Melinda Sayre, City Clerk*

# City of Hesperia STAFF REPORT



**DATE:** May 16, 2017

**TO:** Mayor and Council Members  
City Council, as Successor Agency to the Hesperia Community Redevelopment Agency  
Chair and Commissioners, Hesperia Housing Authority  
Chair and Commissioners, Community Development Commission  
Chair and Board Members, Hesperia Fire Protection District  
Chair and Board Members, Hesperia Water District

**FROM:** Nils Bentsen, City Manager

**BY:** Brian D. Johnson, Assistant City Manager/Management Services  
Anne Duke, Deputy Finance Director  
Virginia Villasenor, Senior Accountant

**SUBJECT:** Warrant Run Report (City – Successor Agency – Housing Authority – Community Development Commission – Fire – Water)

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## 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.

## BACKGROUND

The Warrant Run totals represented below are for the period April 15, 2017 through April 28, 2017.

<u>Agency/District</u>	<u>Accounts Payable</u>	<u>Payroll</u>	<u>Wires</u>	<u>Totals</u>
City of Hesperia	\$873,442.49	\$225,222.60	\$0.00	\$1,098,665.09
Successor Agency	0.00	0.00	0.00	0.00
Housing Authority	380.00	3,885.87	0.00	4,265.87
Community Development Commission	12,089.64	6,221.78	0.00	18,311.42
Fire	822,163.38	0.00	0.00	822,163.38
Water	296,716.61	92,274.32	0.00	388,990.93
<b>Totals</b>	<b>\$2,004,792.12</b>	<b>\$327,604.57</b>	<b>\$0.00</b>	<b>\$2,332,396.69</b>

## ATTACHMENT(S)

1. Warrant Runs

**City of Hesperia**  
**WARRANT RUNS**  
**04/15/2017 - 04/28/2017**

FUND #	FUND NAME	W/E 4/21/2017	W/E 4/28/2017	WARRANT TOTALS	Wires	YEAR-TO DATE TOTALS *	PRIOR FY YTD DATE TOTALS
<b>Accounts Payable</b>							
100	GENERAL	\$ 61,740.33	\$ 132,884.33	\$ 194,624.66	\$ -	\$ 18,305,781.62	\$ 16,645,723.73
204	MEASURE I - RENEWAL	\$ 9.33	\$ -	\$ 9.33	\$ -	\$ 1,380,870.43	\$ 2,586,402.04
205	GAS TAX	\$ -	\$ -	\$ -	\$ -	\$ 244,102.92	\$ 439.51
207	LOCAL TRANSPORT-SB 325	\$ -	\$ 782.50	\$ 782.50	\$ -	\$ 322,483.78	\$ 590,054.95
251	CDBG	\$ 24,168.17	\$ 416,716.27	\$ 440,884.44	\$ -	\$ 2,541,549.73	\$ 441,776.77
253	CDBG - RLF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 157,319.37
254	AB2766 - TRANSIT	\$ -	\$ -	\$ -	\$ -	\$ 76,528.00	\$ 345,717.00
256	ENVIRONMENTAL PROGRAMS GRANT	\$ 374.66	\$ -	\$ 374.66	\$ -	\$ 19,280.82	\$ 33,377.66
257	NEIGHBORHOOD STABILIZATION PROG	\$ 10.23	\$ 127.10	\$ 137.33	\$ -	\$ 20,126.74	\$ 30,469.33
260	DISASTER PREPARED GRANT	\$ 46.34	\$ -	\$ 46.34	\$ -	\$ 6,050.65	\$ 11,458.98
263	STREETS MAINTENANCE	\$ 14,738.39	\$ 62,216.66	\$ 76,955.05	\$ -	\$ 1,384,081.56	\$ 1,141,638.56
300	DEV. IMPACT FEES - STREET	\$ -	\$ 7,834.42	\$ 7,834.42	\$ -	\$ 60,375.35	\$ 144,446.39
301	DEV. IMPACT FEES - STORM DRAIN	\$ -	\$ -	\$ -	\$ -	\$ 67,267.81	\$ 8,500.00
400	2004 STREETS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,750,903.62
401	CITY DEBT SERVICES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
402	WATER RIGHTS ACQUISITION	\$ -	\$ -	\$ -	\$ -	\$ 1,437,715.42	\$ 1,445,471.55
403	2013 REFUNDING LEASE REV BONDS	\$ -	\$ -	\$ -	\$ -	\$ 781,300.07	\$ 772,431.66
504	CITY WIDE STREETS - CIP	\$ -	\$ -	\$ -	\$ -	\$ 15,158.85	\$ 12,541.35
800	EMPLOYEE BENEFITS	\$ 23,511.62	\$ 80,125.96	\$ 103,637.58	\$ -	\$ 5,520,734.42	\$ 5,626,536.37
801	TRUST/AGENCY	\$ (464.24)	\$ 48,620.42	\$ 48,156.18	\$ -	\$ 737,583.62	\$ 540,773.67
802	AD 91-1 AGENCY	\$ -	\$ -	\$ -	\$ -	\$ 278.46	\$ 819,976.51
804	TRUST-INTEREST BEARING	\$ -	\$ -	\$ -	\$ -	\$ 36,406.59	\$ 101,580.97
807	CFD 2005-1	\$ -	\$ -	\$ -	\$ -	\$ 1,160,127.77	\$ 1,671,809.85
815	PLAN REVIEW TRUST - FRONTIER	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	<b>CITY</b>	\$ 124,134.83	\$ 749,307.66	\$ 873,442.49	\$ -	\$ 34,117,804.61	\$ 36,879,349.84
200	HESPERIA FIRE DISTRICT	\$ 4,747.88	\$ 817,415.50	\$ 822,163.38	\$ -	\$ 8,833,466.76	\$ 8,423,519.44
502	FIRE STATION BUILDING	\$ -	\$ -	\$ -	\$ -	\$ 354,193.57	\$ 736,257.04
	<b>FIRE</b>	\$ 4,747.88	\$ 817,415.50	\$ 822,163.38	\$ -	\$ 9,187,660.33	\$ 9,159,776.48
160	REDEVELOP OBLIG RETIREMENT - PA1	\$ -	\$ -	\$ -	\$ -	\$ 7,612,576.41	\$ 7,643,078.57
161	REDEVELOP OBLIG RETIREMENT - PA2	\$ -	\$ -	\$ -	\$ -	\$ 598,479.29	\$ 789,453.85
162	REDEVELOP OBLIG RETIREMENT-HOUSING	\$ -	\$ -	\$ -	\$ -	\$ 3,307,598.97	\$ 3,063,433.83
173	SUCCESSOR AGENCY ADMINISTRATION	\$ -	\$ -	\$ -	\$ -	\$ 2,242.59	\$ 22.48
	<b>SUCCESSOR AGENCY</b>	\$ -	\$ -	\$ -	\$ -	\$ 11,520,897.26	\$ 11,495,988.73
370	HOUSING AUTHORITY	\$ 40.00	\$ 340.00	\$ 380.00	\$ -	\$ 3,952,200.15	\$ 129,271.91
	<b>HOUSING AUTHORITY</b>	\$ 40.00	\$ 340.00	\$ 380.00	\$ -	\$ 3,952,200.15	\$ 129,271.91
170	COMMUNITY DEVELOPMENT COMMISSION	\$ 9,834.64	\$ 2,255.00	\$ 12,089.64	\$ -	\$ 266,175.94	\$ 435,374.13
	<b>COMMUNITY DEVELOPMENT COMMISSION</b>	\$ 9,834.64	\$ 2,255.00	\$ 12,089.64	\$ -	\$ 266,175.94	\$ 435,374.13
700	WATER OPERATING	\$ 84,401.49	\$ 156,724.55	\$ 241,126.04	\$ -	\$ 5,388,006.80	\$ 5,209,274.06
701	WATER CAPITAL	\$ 1,332.79	\$ 46,322.50	\$ 47,655.29	\$ -	\$ 185,320.44	\$ 72,292.28
710	SEWER OPERATING	\$ 2,147.41	\$ 5,787.87	\$ 7,935.28	\$ -	\$ 1,680,582.24	\$ 2,287,559.03
711	SEWER CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ 432,760.00	\$ 6,199.60
	<b>WATER</b>	\$ 87,881.69	\$ 208,834.92	\$ 296,716.61	\$ -	\$ 7,686,669.48	\$ 7,575,324.97
	<b>ACCOUNTS PAYABLE TOTAL</b>	\$ 226,639.04	\$ 1,778,153.08	\$ 2,004,792.12	\$ -	\$ 66,731,407.77	\$ 65,675,086.06
<b>REG. PAYROLL</b>							
	City	\$ 225,222.60	\$ -	\$ 225,222.60	\$ -	\$ 4,499,297.67	\$ 4,861,996.80
	Housing Authority	\$ 3,885.87	\$ -	\$ 3,885.87	\$ -	\$ 83,274.82	\$ 67,556.35
	Community Development Commission	\$ 6,221.78	\$ -	\$ 6,221.78	\$ -	\$ 121,611.56	\$ 58,855.52
	Water	\$ 92,274.32	\$ -	\$ 92,274.32	\$ -	\$ 1,877,404.17	\$ 1,963,044.36
	<b>PAYROLL TOTAL</b>	\$ 327,604.57	\$ -	\$ 327,604.57	\$ -	\$ 6,581,588.22	\$ 6,951,453.03

\* The year to date totals for this Warrant Report are for the 2016-17 fiscal year starting July 1; however, the year to date totals do not include \$47,625.25 of wires issued on 07/01/16.

# City of Hesperia STAFF REPORT



**DATE:** May 16, 2017

**TO:** Mayor and Council Members  
City Council, as Successor Agency to the Hesperia Community Redevelopment Agency  
Chair and Commissioners, Hesperia Housing Authority  
Chair and Commissioners, Community Development Commission  
Chair and Board Members, Hesperia Fire Protection District  
Chair and Board Members, Hesperia Water District

**FROM:** Nils Bentsen, City Manager

**BY:** Brian D. Johnson, Assistant City Manager/Management Services  
Anne Duke, Deputy Finance Director  
Virginia Villasenor, Senior Accountant

**SUBJECT:** Treasurer's Cash Report for the unaudited period ended March 31, 2017

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## 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.

## BACKGROUND

This report is presented to the City Council pursuant to Government Code Section 53646 (b) setting forth the City's investment portfolio.

## ISSUES/ANALYSIS

The Treasurer's Cash Reports are presented on the following pages for each agency.

## FISCAL IMPACT

These reports reflect unaudited cash balances as of March 31, 2017.

## ALTERNATIVE(S)

Provide alternative direction to staff.

## ATTACHMENT(S)

1. City of Hesperia Investment Report
2. Successor Agency to the Hesperia Community Redevelopment Agency Investment Report
3. Hesperia Housing Authority Investment Report
4. Community Development Commission Investment Report
5. Hesperia Fire Protection District Investment Report
6. Hesperia Water District Investment Report

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**CITY OF HESPERIA**

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<u>FUND</u>	<u>VALUE</u>
General Fund (100 & 800)	\$ 2,041,482.16
AB27666 - Transit (254)	(182,910.56)
AB3229 Supplemental Law (255)	100,167.84
AD No. 91-1 (802)	352,131.74
Beverage Recycling Grant (256)	107,408.36
CFD 2005-1 (807)	697,160.13
City Wide-Capital Projects (504)	(119,237.79)
Community Dev Block Grant (251, 252, & 253)	352,928.73
Development Impact Fund (300-304)	5,713,403.68
Disaster (260)	69,086.25
Gas Tax Fund (205)	93,648.15
Gas Tax Swap (206)	172,200.48
Local Transportation SB325 (207)	39,181.70
Measure I - Renewal (204)	1,990,987.17
2004 Streets Debt Serv 1993A Ref(400)	134,544.47
Neighborhood Stabilization Prog (257)	1,768,215.86
Public Works Street Maint (263)	758,369.32
Trust Fund (801, 803-806, & 815)	1,407,618.43
2012 Water Rights Acquisition (402)	5,897.53
2013 Refunding Lease Rev Bonds (403)	(88,674.65)
<b>TOTAL CITY FUNDS</b>	<b>\$ 15,413,609.00</b>

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**SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**

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<u>FUND</u>	<u>VALUE</u>
Successor Agency Administration (173)	\$ (2,242.58)
Redevelop Oblig Retirement - PA1 (160)	3,275,255.59
Redevelop Oblig Retirement - PA2 (161)	120,656.47
Redevelop Oblig Retirement-Housing (162)	137,368.06
<b>TOTAL SUCCESSOR AGENCY FUNDS</b>	<b>\$ 3,531,037.54</b>

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**HESPERIA HOUSING AUTHORITY**

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<u>FUND</u>	<u>VALUE</u>
Hesperia Housing Authority Fund (370)	\$ 2,858,554.56
VVEDA Housing Authority (371)	1,712,615.76
<b>TOTAL HOUSING AUTHORITY FUNDS</b>	<b><u>\$ 4,571,170.32</u></b>

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**COMMUNITY DEVELOPMENT COMMISSION**

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<u>FUND</u>	<u>VALUE</u>
Community Development Commission Fund (170)	<b><u>\$ (716,293.77)</u></b>

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**FIRE**

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<u>FUND</u>	<u>VALUE</u>
Fire District Fund (200)	\$ (1,937,699.22)
Fire Station Building (502)	5,955,839.79
<b>TOTAL WATER FUNDS</b>	<b><u>\$ 4,018,140.57</u></b>

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**WATER**

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<u>FUND</u>	<u>VALUE</u>
Water Operating (700)	\$ 6,909,358.35
Water Capital (701)	(11,883,991.95)
Sewer Operating (710)	10,128,105.35
Sewer Capital (711)	3,625,768.05
<b>TOTAL WATER FUNDS</b>	<b><u>\$ 8,779,239.80</u></b>

*City of Hesperia*  
**Investment Report**  
**Unaudited**

ATTACHMENT 1

March 31, 2017

<u>Type of Investment</u>	<u>Institution/ Fiscal Agent</u>	<u>Interest Rate</u>	<u>Date of Purchase</u>	<u>Date of Maturity</u>	<u>Par Value at Maturity</u>	<u>Book Value</u>	<u>Market Value</u>	<u>Account Description</u>
<b>Investments under the direction of the City:</b>								
Local Agency Investment Funds	State of Calif.	0.821%	31-Mar-17	Demand	\$ 11,466,937.36	11,466,937.36	11,466,937.36	
Money Market	Bank of the West	0.300%	31-Mar-17	Demand	3,274,640.27	3,274,640.27	3,274,640.27	
Citizens Business Bank Checking	Citizens Bus Bank	n/a	31-Mar-17	Demand	672,031.37	672,031.37	672,031.37	
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ 15,413,609.00</b>	<b>\$ 15,413,609.00</b>	<b>\$ 15,413,609.00</b>	


**Investments under the direction of fiscal agents:**

2012 Lease Revenue Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2012 - Water Rights Revenue Fund
2012 Lease Revenue Bonds	Union	0.420%	31-Mar-17	Demand	423,224.35	423,224.35	423,224.35	2012 - Water Rights Interest Fund
2012 Lease Revenue Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2012 - Water Rights Principal Fund
2012 Lease Revenue Bonds	Union	0.420%	31-Mar-17	Demand	1,454,244.43	1,454,244.43	1,454,244.43	2012 - Water Rights Reserve Fund
2013 Refunding Lease Revenue Bonds	Union	0.000%	31-Mar-17	Demand	1.00	1.00	1.00	2005 Civic Plaza - Revenue Fund
2013 Refunding Lease Revenue Bonds	Union	0.420%	31-Mar-17	Demand	261,901.88	261,901.88	261,901.88	2005 Civic Plaza - Interest Fund
2013 Refunding Lease Revenue Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2005 Civic Plaza - Principal Fund
2013 Refunding Lease Revenue Bonds	Union	0.420%	31-Mar-17	Demand	1,151,423.12	1,151,423.12	1,151,423.12	2005 Civic Plaza - Reserve Fund
2014 CFD 2005-1 Refunding	Union	0.410%	18-Dec-14	Demand	21.69	21.69	21.69	2014 CFD 05-1 - Special Tax Fund
2014 CFD 2005-1 Refunding	Union	0.410%	18-Dec-14	Demand	31.45	31.45	31.45	2014 CFD 05-1 - Bond Fund
2014 CFD 2005-1 Refunding	Union	0.420%	18-Dec-14	Demand	1,429,116.20	1,429,116.20	1,429,116.20	2014 CFD 05-1 - Reserve Fund
2014 CFD 2005-1 Refunding	Union	0.420%	18-Dec-14	Demand	22,763.86	22,763.86	22,763.86	2014 CFD 05-1 Administrative Expense Bonds
Deposits W/Other Agencies	Various	n/a	31-Mar-17	n/a	-	-	-	GL 1350
Deposits - Workers' Comp	PERMA	n/a	31-Mar-17	n/a	834,968.13	834,968.13	834,968.13	GL 1352
<b>Total Unaudited Investments under the direction of fiscal agents</b>					<b>\$ 5,577,696.11</b>	<b>5,577,696.11</b>	<b>5,577,696.11</b>	

Please Note: All market value data is provided courtesy of the City's fiscal agents,  
Union Bank of California & Bank of New York (BNY) Trust Company.

***I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.***

\* Note: 2005 Certificates of Participation began in May 2005 for the financing of the Civic Plaza.

  
Virginia Villasenor, Senior Accountant



## Investment Report

## Unaudited

March 31, 2017

Type of Investment	Issuer/ Institution	Interest Rate	Date of Purchase	Date of Maturity	Par Value at Maturity	Book Value	Market Value	Account Description
<b>Investments under the direction of the City:</b>								
Local Agency Investment Funds	State of Calif.	0.821%	31-Mar-17	Demand	\$ 2,626,911.47	\$ 2,626,911.47	2,626,911.47	
Money Market	Bank of the West	0.300%	31-Mar-17	Demand	750,173.29	750,173.29	750,173.29	
Citizens Business Bank Checking	Citizens Bus Bank	n/a	31-Mar-17	Demand	153,952.78	153,952.78	153,952.78	
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ 3,531,037.54</b>	<b>\$ 3,531,037.54</b>	<b>\$ 3,531,037.54</b>	

## Investments under the direction of fiscal agents:

2005 Tax Allocation Bonds	Union	0.390%	31-Mar-17	Demand	18.04	18.04	18.04	2005A - Interest Account
2005 Tax Allocation Bonds	Union	0.420%	31-Mar-17	Demand	33.15	33.15	33.15	2005A - Principal Account
2005 Tax Allocation Bonds	Union	0.420%	31-Mar-17	Demand	2,283,617.60	2,283,617.60	2,283,617.60	2005A - Reserve Account
2005 Tax Allocation Bonds	Union	0.420%	31-Mar-17	Demand	253,737.21	253,737.21	253,737.21	2005A - Reserve Account
2005 Tax Allocation Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2005B - Housing Projects
2005 Tax Allocation Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2005B - Housing Principal Act
2005 Tax Allocation Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2005B - Reserve Account
2007 Revenue Bonds	Union	0.000%	31-Mar-17	Demand	1.00	1.00	1.00	2007A - Revenue Account
2007 Revenue Bonds	Union	0.420%	31-Mar-17	Demand	61.41	61.41	61.41	2007A - Interest Account
2007 Revenue Bonds	Union	0.420%	31-Mar-17	Demand	67.34	67.34	67.34	2007A - Principal Account
2007 Revenue Bonds	Union	0.420%	31-Mar-17	Demand	6,039,054.82	6,039,054.82	6,039,054.82	2007A - Proj. 1 - Reserve Account
2007 Revenue Bonds	Union	0.420%	31-Mar-17	Demand	488,312.49	488,312.49	488,312.49	2007A - Proj. 2 - Reserve Account
2007 Revenue Bonds	Union	0.420%	31-Mar-17	Demand	3,216,712.21	3,216,712.21	3,216,712.21	2007A - Housing - Reserve Account
2007 Revenue Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2007A - Proj. 1 - Sub-Acct.
2007 Revenue Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2007A - Proj. 2 - Sub-Acct.
2007 Revenue Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2007A - Housing Project Fund
2007 Revenue Bonds	Union	0.000%	31-Mar-17	Demand	1.00	1.00	1.00	2007B - Revenue Account
2007 Revenue Bonds	Union	0.410%	31-Mar-17	Demand	4.89	4.89	4.89	2007B - Interest Account
2007 Revenue Bonds	Union	0.420%	31-Mar-17	Demand	49.56	49.56	49.56	2007B - Principal Account
2007 Revenue Bonds	Union	0.330%	31-Mar-17	Demand	3.07	3.07	3.07	2007B - Proj. 1 - Reserve Account
2007 Revenue Bonds	Union	0.530%	31-Mar-17	Demand	3.76	3.76	3.76	2007B - Proj. 2 - Reserve Account
2007 Revenue Bonds	Union	0.420%	31-Mar-17	Demand	733,046.75	733,046.75	733,046.75	2007B - Housing - Reserve Account
2007 Revenue Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2007B - Proj. 2 - Sub-Acct.
2007 Revenue Bonds	Union	0.000%	31-Mar-17	Demand	-	-	-	2007B - Housing Projects Account
Deposits w/Other Agencies	Various	n/a	31-Mar-17	Demand	-	-	-	GL 1350
<b>Total Unaudited Investments under the direction of fiscal agents</b>					<b>\$ 13,014,724.30</b>	<b>\$ 13,014,724.30</b>	<b>\$ 13,014,724.30</b>	

Please Note: All market value data is provided courtesy of the City's fiscal agent  
Union Bank of California.

I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.

\* Note: The 1994 A, B & C Notes were refinanced to 2005 Series Bonds in May 2005.

  
Virginia Villaseñor, Senior Accountant

*Hesperia Housing Authority*

ATTACHMENT 3

**Investment Report**

**Unaudited**

March 31, 2017

<u>Type of Investment</u>	<u>Issuer/ Institution</u>	<u>Interest Rate</u>	<u>Date of Purchase</u>	<u>Date of Maturity</u>	<u>Par Value at Maturity</u>	<u>Book Value</u>	<u>Market Value</u>
<b>Investments under the direction of the City:</b>							
Local Agency Investment Funds	State of California	0.821%	31-Mar-17	Demand	\$ 3,400,717.10	3,400,717.10	3,400,717.10
Money Market	Bank of the West	0.300%	31-Mar-17	Demand	971,150.78	971,150.78	971,150.78
Citizens Business Bank Checking	Citizens Business Bank	n/a	31-Mar-17	Demand	199,302.44	199,302.44	199,302.44
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ 4,571,170.32</b>	<b>\$ 4,571,170.32</b>	<b>\$ 4,571,170.32</b>

*I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.*

  
Virginia Villasenor, Senior Accountant

**Investment Report****Unaudited**March 31, 2017

<u>Type of Investment</u>	<u>Issuer/ Institution</u>	<u>Interest Rate</u>	<u>Date of Purchase</u>	<u>Date of Maturity</u>	<u>Par Value at Maturity</u>	<u>Book Value</u>	<u>Market Value</u>
<b>Investments under the direction of the City:</b>							
Local Agency Investment Funds	State of California	0.821%	31-Mar-17	Demand	\$ (532,885.96)	(532,885.96)	(532,885.96)
Money Market	Bank of the West	0.300%	31-Mar-17	Demand	(152,177.50)	(152,177.50)	(152,177.50)
Citizens Business Bank Checking	Citizens Business Bank	n/a	31-Mar-17	Demand	(31,230.31)	(31,230.31)	(31,230.31)
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ (716,293.77)</b>	<b>\$ (716,293.77)</b>	<b>\$ (716,293.77)</b>

*I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.*

  
Virginia Villasenor, Senior Accountant

*Hesperia Fire District*  
**Investment Report**  
**Unaudited**  
March 31, 2017

ATTACHMENT 5

<u>Type of Investment</u>	<u>Issuer/ Institution</u>	<u>Interest Rate</u>	<u>Date of Purchase</u>	<u>Date of Maturity</u>	<u>Par Value at Maturity</u>	<u>Book Value</u>	<u>Market Value</u>
<b>Investments under the direction of the City:</b>							
Local Agency Investment Funds	State of California	0.821%	31-Mar-17	Demand	\$ 2,989,291.23	2,989,291.23	2,989,291.23
Money Market	Bank of the West	0.300%	31-Mar-17	Demand	853,658.93	853,658.93	853,658.93
Citizens Business Bank Checking	Citizens Business Bank	n/a	31-Mar-17	Demand	175,190.41	175,190.41	175,190.41
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ 4,018,140.57</b>	<b>\$ 4,018,140.57</b>	<b>\$ 4,018,140.57</b>

*I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.*

  
 Virginia Villasenor, Senior Accountant

*Hesperia Water District*  
**Investment Report**  
**Unaudited**  
March 31, 2017

ATTACHMENT 6

<u>Type of Investment</u>	<u>Issuer/ Institution</u>	<u>Interest Rate</u>	<u>Date of Purchase</u>	<u>Date of Maturity</u>	<u>Par Value at Maturity</u>	<u>Book Value</u>	<u>Market Value</u>	<u>Account Description</u>
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**Investments under the direction of the City:**

Local Agency Investment Funds	State of California	0.821%	31-Mar-17	Demand	\$ 6,531,305.73	6,531,305.73	6,531,305.73	
Money Market	Bank of the West	0.300%	31-Mar-17	Demand	1,865,160.34	1,865,160.34	1,865,160.34	
Citizens Business Bank Checking	Citizens Business Bank	n/a	31-Mar-17	Demand	382,773.73	382,773.73	382,773.73	
<b>Total Unaudited Investments under the direction of the City</b>					<b>\$ 8,779,239.80</b>	<b>\$ 8,779,239.80</b>	<b>\$ 8,779,239.80</b>	

**Investments under the direction of fiscal agents:**

1992 Certificates of Participation	BNY	0.000%	31-Mar-17	Demand	1.42	1.42	1.42	1992B - 421053
1992 Certificates of Participation	BNY	0.000%	31-Mar-17	Demand	-	-	-	1992B - 421056
1992 Certificates of Participation	BNY	0.000%	31-Mar-17	Demand	1.00	1.00	1.00	1992B - 421059
First American Treas - Money Market	US Bank	0.000%	31-Mar-17	Demand	8,854.60	8,854.60	8,854.60	98 A&B - 95453340
First American Treas - Money Market	US Bank	0.000%	31-Mar-17	Demand	30.95	31.95	30.95	98 A&B - 95453341
98 A & B Dep w/Trustee - Collateral	Bank of America	n/a	31-Mar-17	Demand	1,880,000.00	1,880,000.00	1,880,000.00	GL 1319
Deposits - Workers' Comp	PERMA	n/a	31-Mar-17	n/a	422,863.80	422,863.80	422,863.80	GL 1352
Deposits w/SB Co Central Store	SB Co.	n/a	31-Mar-17	n/a	0.00	0.00	0.00	GL 1351
Deposits w/Other Agencies	Various	n/a	31-Mar-17	n/a	0.00	0.00	0.00	GL 1350
<b>Total Unaudited Investments under the direction of fiscal agents</b>					<b>\$ 2,311,751.77</b>	<b>\$ 2,311,752.77</b>	<b>\$ 2,311,751.77</b>	

Please Note: All market value data is provided courtesy of the City's fiscal agents  
Bank of New York (BNY) Trust Company and US Bank.

*I certify that this investment portfolio is in compliance with the statement of investment policy of the City of Hesperia and the investment program provides sufficient liquidity to meet expenditure requirements for the next six months, as required by the California Government Code sections 53646(b)(2) and (3), respectively.*

  
Virginia Villaseñor, Senior Accountant

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# City of Hesperia STAFF REPORT



**DATE:** May 16, 2017

**TO:** Chair and Board Members, Hesperia Water District

**FROM:** Nils Bentsen, City Manager

**BY:** Mark Faherty, Public Works Manager  
Jeremy McDonald, Public Works Supervisor/Water

**SUBJECT:** Warehouse Commodity- Hydrant, Brass and Pipe Materials

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## RECOMMENDED ACTION

It is recommended that the Board of Directors of the Hesperia Water District authorize the City Manager to approve a contract with Inland Water Works Supply Co. for Fiscal Year 2017-18 to purchase Hydrant, Brass, and Pipe Materials in the not-to-exceed amount of \$171,858.

## BACKGROUND

The Hesperia Water District, along with the Finance Department established a Formal Request for Bids under Warehouse Commodity, Hydrants, Brass, and Pipe Material. Two material service providers responded: Inland Water Works Supply Co. and Ferguson Waterworks. Through review and verification of the submitted bids, Inland Water Works Supply Co. has been deemed to be the lowest responsive/responsible bidder. These products are needed for maintenance and replacement of the water system infrastructure.

## ISSUES/ANALYSIS

The intention of this program is to obtain optimum water material pricing by using the formal bidding process and awarding an annual purchase agreement to the lowest responsible material service provider, which is Inland Water Works Supply Co.

## FISCAL IMPACT

The fiscal impact of this commodity will be serviced out of the Warehouse for Pipeline and Distribution divisions.

## ALTERNATIVE(S)

1. Provide alternative direction to staff.

## ATTACHMENT(S)

1. Bid Comparison.

# ATTACHMENT 1

Commodity Code 123.025 - Hydrants, Brass, Piping Materials RFB 2016-17-011

		Inland Water Works				Ferguson Waterworks			
Item	Item Description	Unit of Measure	Unit Price Without Tax	Expected Quantities	Extended Prices	Unit of Measure	Unit Price Without Tax	Expected Quantities	Extended Prices
11103	11103 - 3 1/2"OD x 1"lpt Saddle Single Strap,IB	EA	14.00	1.0000	14.0000	EA	17.91	1.0000	17.9100
11115	11115 - 4"OD x 1"lpt Saddle Sgl Strap,IB	EA	17.00	11.0000	187.0000	EA	17.91	11.0000	197.0100
11117	11117 - 4"OD x 1.5"lpt Saddle Dbl Strap,IB	EA	15.00	1.0000	15.0000	EA	37.41	1.0000	37.4100
11119	11119 - 4"OD x 2"lpt Saddle Dbl Strap,IB	EA	15.00	1.0000	15.0000	EA	37.41	1.0000	37.4100
11121	11121 - 6"OD x 1"lpt Saddle Sgl Strap,IB	EA	21.00	1.0000	21.0000	EA	22.41	1.0000	22.4100
11123	11123 - 6"OD x 1.5"lpt Saddle Dbl Strap,IB	EA	15.00	1.0000	15.0000	EA	41.57	1.0000	41.5700
11125	11125 - 6"OD x 2"lpt Saddle Dbl Strap,IB	EA	15.00	1.0000	15.0000	EA	41.57	1.0000	41.5700
11127	11127 - 8"OD x 1"lpt Saddle Sgl Strap,IB	EA	19.00	1.0000	19.0000	EA	26.50	1.0000	26.5000
11129	11129 - 8" OD X 1 1/2" IPT SDDL STRAP, IRON BODY	EA	15.00	1.0000	15.0000	EA	51.51	1.0000	51.5100
11131	11131 - 8" OD X 2" IPT SADDLDBL STRAP, IRON BODY	EA	15.00	1.0000	15.0000	EA	51.51	1.0000	51.5100
11165	11165 - 4"OD x 7.5"x 1"lpt,Rep Clamp/Tap	EA	53.00	1.0000	53.0000	EA	56.69	1.0000	56.6900
11171	11171 - 6"OD x 7.5"x 1"lpt,Rep Clamp W/Tap	EA	60.00	1.0000	60.0000	EA	65.41	1.0000	65.4100
11177	11177 - 8"OD x 7.5" x 1"lpt,Rep Clamp W/Tap	EA	69.00	1.0000	69.0000	EA	73.54	1.0000	73.5400
11188	11188 - 4"OD x 12"x 1"lpt,Rep Clamp/W/Tap	EA	78.00	1.0000	78.0000	EA	83.30	1.0000	83.3000
11191	11191 - 6"OD x 12"x 1"lpt,Rep Clamp W/Tap	EA	85.00	1.0000	85.0000	EA	93.43	1.0000	93.4300
11194	11194 - 8"OD x 12"x 1"lpt,Rep Clamp W/Tap	EA	100.00	1.0000	100.0000	EA	106.56	1.0000	106.5600
11211	11211 - 3"STD/PVC x 2"lpt,F/3.30 PIPE-DBL ST Saddle	EA	21.00	1.0000	21.0000	EA	37.41	1.0000	37.4100
11213	11213 - 4"STD/PVC x 1"lpt,Sgl Strap,IB	EA	18.00	1.0000	18.0000	EA	23.98	1.0000	23.9800
11229	11229 - 6" STD/PVC X 2 IPT DBL STRAP, IRON BODY	EA	40.00	1.0000	40.0000	EA	41.57	1.0000	41.5700
11231	11231 - 8" STD/PVC X 1 IPT SGL STRAP, IRON BODY	EA	26.00	1.0000	26.0000	EA	26.50	1.0000	26.5000
11243	11243 - 12" STD/PVC X 1" IPT DBL STRAP, IRON BODY	EA	91.00	1.0000	91.0000	EA	63.04	1.0000	63.0400
11313	11313 - 4"C900 PVC x 1" Saddle S.S. Strap Bronze Body (DBL)	EA	63.00	1.0000	63.0000	EA	82.53	1.0000	82.5300
11441	11441 - 12" DUC IRON X 2" IPT (DBL STRAP), IRON BODY	EA	47.00	1.0000	47.0000	EA	72.04	1.0000	72.0400
11459	11459 - 18" DUC IRON X 2" IPT (DBL STRAP), IRON BODY	EA	111.00	1.0000	111.0000	EA	125.27	1.0000	125.2700
11471	11471 - 24" DUC IRON X 2" IPT (DBL STRAP), IRON BODY	EA	148.00	1.0000	148.0000	EA	164.98	1.0000	164.9800
11610	11610 - 3" DUC IRON X 1 1/2" IPT (DBL STRAP), ALL BRONZ	EA	15.00	1.0000	15.0000	EA	82.56	1.0000	82.5600
11613	11613 - 4" DUC IRON X 1" IPT (SGL STRAP), ALL BRONZ	EA	38.00	1.0000	38.0000	EA	38.53	1.0000	38.5300
11617	11617 - 4" DUC IRON X 2" IPT (DBL STRAP), ALL BRONZ	EA	90.00	1.0000	90.0000	EA	88.72	1.0000	88.7200
11619	11619 - 6" DUC IRON X 1" IPT (SGL STRAP), ALL BRONZ	EA	46.00	1.0000	46.0000	EA	46.87	1.0000	46.8700
11623	11623 - 6" DUC IRON X 2" IPT (DBL STRAP), ALL BRONZ	EA	102.00	1.0000	102.0000	EA	103.41	1.0000	103.4100
11625	11625 - 8"Di x 1"lpt. (Sgl/Strap), All Bronze	EA	59.00	1.0000	59.0000	EA	59.75	1.0000	59.7500
11629	11629 - 8"Di x 2"lpt. (Dbl Strap), All Bronze	EA	115.00	1.0000	115.0000	EA	116.76	1.0000	116.7600
11719	11719 - 6" AC X 1" IPT SADDL (DBL STRAP), ALL BRONZ	EA	81.00	3.0000	243.0000	EA	82.32	3.0000	246.9600
11723	11723 - 6" AC X 2" IPT SADDL (DBL STRAP), IRON BODY	EA	25.00	1.0000	25.0000	EA	41.57	1.0000	41.5700
11725	11725 - 8" AC X 1" IPT Saddle,Dbl Strap Bronze	EA	100.00	18.0000	1,800.0000	EA	101.88	18.0000	1,833.8400
11731	11731 - 10"AC x 1"lpt. (Dbl Strap), All Bronze	EA	50.00	1.0000	50.0000	EA	126.21	1.0000	126.2100
11737	11737 - 12"AC X 1"lpt,Dbl Strap All Bronze	EA	149.00	2.0000	298.0000	EA	147.71	2.0000	295.4200
11739	11739 - 12"AC x 1.5"lpt. (Dbl Strap), All Bronze	EA	150.00	1.0000	150.0000	EA	166.60	1.0000	166.6000
11741	11741 - 12"AC x 2"lpt. (Dbl Strap), All Bronze	EA	165.00	1.0000	165.0000	EA	169.61	1.0000	169.6100
11749	11749 - 16"AC x 1"lpt. (Dbl Strap),All Bronze	EA	369.00	1.0000	369.0000	EA	361.71	1.0000	361.7100
11753	11753 - 16"AC x 2"lpt. (Dbl Strap),All Bronze	EA	424.00	1.0000	424.0000	EA	424.12	1.0000	424.1200
11755	11755 - 18"AC x 1"lpt. (Dbl Strap),All Bronze	EA	450.00	1.0000	450.0000	EA	503.14	1.0000	503.1400
11759	11759 - 18"AC x 2"lpt. (Dbl Strap),All Bronze	EA	450.00	1.0000	450.0000	EA	503.14	1.0000	503.1400
12320	12320 - 1 1/2" Angle Meter Stop FIP B24286, Low Lead	EA	160.00	1.0000	160.0000	EA	183.70	1.0000	183.7000
12322	12322 - 2" Angle Meter Stop FIP B24286, Low Lead	EA	202.00	1.0000	202.0000	EA	216.76	1.0000	216.7600
12360	12360 - 1 1/2" Ball Valve Curb Stop FIP x FIP Lockwing B20200	EA	125.00	1.0000	125.0000	EA	135.17	1.0000	135.1700
12365	12365 - 2" Ball Valve Curb Stop FIP x FIP Lockwing B20200	EA	180.00	1.0000	180.0000	EA	196.81	1.0000	196.8100
12406	12406 - A23 Meter Adapter,5/8"x 3/4"x 3/4" Ford, Low Lead	EA	9.80	26.0000	254.8000	EA	8.23	26.0000	213.9800
12408	12408 - A24 Meter Adapter,5/8"x 3/4"x 1" Ford, Low Lead	EA	12.00	43.0000	516.0000	EA	19.77	43.0000	850.1100
12413	12413 - A34 Meter Bushing,1.25"x 1" Ford, Low Lead	EA	8.85	891.0000	7,885.3500	EA	14.02	891.0000	12,491.8200
12414	12414 - 1 1/4"x 1"x 15/16" Meter Bushing, Low Lead NH10889-00	EA	8.80	104.0000	915.2000	EA	10.00	104.0000	1,040.0000
12415	12415 - 1 1/4"x 1"x 1 1/4" Meter Bushing, Low Lead NH10889	EA	7.50	33.0000	247.5000	EA	8.58	33.0000	283.1400
12421	12421 - 3/4"x 1 1/2" Meter Coupling (Spuds), Low Lead E-130	EA	15.00	10.0000	150.0000	EA	16.00	10.0000	160.0000
12424	12424 - 3/4"x 2" Meter Coupling (Spuds), Low Lead E-130	EA	9.50	10.0000	95.0000	EA	9.72	10.0000	97.2000
12427	12427 - 3/4"x 2 1/2" Meter Coupling (Spuds), Low Lead E-130	EA	7.00	2.0000	14.0000	EA	7.27	2.0000	14.5400
12430	12430 - 1" x 2" Meter Coupling(Spuds), Low Lead E-130	EA	25.00	1.0000	25.0000	EA	26.23	1.0000	26.2300
12436	12436 - 1"x 2 1/2" Meter Coupler (Spuds), Low Lead E-130	EA	28.00	1.0000	28.0000	EA	29.57	1.0000	29.5700
12442	12442 - 1 1/2" Meter Flange Gasket	EA	1.00	6.0000	6.0000	EA	1.00	6.0000	6.0000
12445	12445 - 2"Meter Flange Gasket	EA	1.00	11.0000	11.0000	EA	1.14	11.0000	12.5400
12451	12451 - 1 1/2" Meter Nuts - Bolts Bronze	ST	9.00	6.0000	54.0000	ST	10.67	6.0000	64.0200
12455	12455 - 2" Meter Nuts - Bolts Bronze	ST	28.00	9.0000	252.0000	ST	20.00	9.0000	180.0000
12473	12473 - Meter Yoke 12"x 1"x 1", Low Lead	EA	133.00	1.0000	133.0000	EA	198.00	1.0000	198.0000
12486	12486 - 1"x 1/4" Bushing,Brass, Low Lead	EA	7.00	1.0000	7.0000	EA	3.74	1.0000	3.7400
12492	12492 - 1"x.3/4" Bushing, Brass, Low Lead	EA	6.00	10.0000	60.0000	EA	3.31	10.0000	33.1000
12493	12493 - 1 1/2" MIP X 3/4" FIP BRASS Bushing,	EA	15.00	1.0000	15.0000	EA	8.29	1.0000	8.2900
12494	12494 - 1 1/2" MIP x 1" FIP Brass Bushing,	EA	15.00	1.0000	15.0000	EA	6.78	1.0000	6.7800
12496	12496 - 2" MIP x 1" FIP Brass Bushing, Low Lead	EA	20.00	2.0000	40.0000	EA	12.09	2.0000	24.1800
12497	12497 - 2"x 1 1/2" Brass Bushing MIP x FIP, Low Lead	EA	20.00	2.0000	40.0000	EA	10.05	2.0000	20.1000
12511	12511 - 3/4"Check Valve Combo Ford HS38-323, Low Lead	EA	34.00	403.0000	13,702.0000	EA	25.93	403.0000	10,449.7900
12526	12526 - 1" Check Valve Combo Ford HS38444 , Low Lead	EA	35.50	29.0000	1,029.5000	EA	29.46	29.0000	854.3400
12531	12531 - 3/4" Swing Check Valve, Low Lead	EA	62.00	1.0000	62.0000	EA	85.22	1.0000	85.2200
12536	12536 - 1" Swing Check Valve, Low Lead	EA	76.00	3.0000	228.0000	EA	114.10	3.0000	342.3000
12561	12561 - 1 1/2" Gate Valve, Std FIP x FIP, 200 PSI, Low Lead, Milwaukee	EA	95.00	1.0000	95.0000	EA	98.10	1.0000	98.1000
12580	12580 - 3/4" Hose Bibb FIP, Low Lead (US MADE)	EA	15.00	3.0000	45.0000	EA	7.69	3.0000	23.0700
12582	12582 - 1" FIP Hose Bibb, Low Lead (US MADE)	EA	15.00	1.0000	15.0000	EA	11.47	1.0000	11.4700
12654	12654 - 1" 90 Deg Street Ell.Galvanized	EA	5.00	37.0000	185.0000	EA	4.80	37.0000	177.6000
12764	12764 - 1 1/2"COMP X COMP NH15403 110 CTS with inserts	EA	50.00	1.0000	50.0000	EA	56.17	1.0000	56.1700
12766	12766 - 2" COMP X COMP Adapter,NH15403 110 CTS with inserts	EA	70.00	1.0000	70.0000	EA	75.86	1.0000	75.8600
12810	12810 - 3/4" FIP Brass Tee, Low Lead (US MADE)	EA	9.00	1.0000	9.0000	EA	9.69	1.0000	9.6900
12815	12815 - 1" FIP Brass Tee, Low Lead (US MADE)	EA	15.00	1.0000	15.0000	EA	17.48	1.0000	17.4800



12820	12820 - 1 1/2" FIP x 1 1/2" FIP x 3/4" FIP Brass Tee, Low Lead (US MADE)	EA	45.00	1.0000	45.0000	EA	61.44	1.0000	61.4400
12821	12821 - 1 1/2" x 1 1/2" x 1" Brass Tee, Low Lead (US MADE)	EA	45.00	1.0000	45.0000	EA	61.44	1.0000	61.4400
12825	12825 - 1 1/2" Brass Tee, Low Lead (US MADE)	EA	35.00	1.0000	35.0000	EA	34.00	1.0000	34.0000
12830	12830 - 2" x 2" x 1" Brass Tee, Low Lead (US MADE)	EA	70.00	2.0000	140.0000	EA	87.96	2.0000	175.9200
12835	12835 - 2" Brass Tee, Low Lead (US MADE)	EA	47.00	1.0000	47.0000	EA	56.36	1.0000	56.3600
12912	12912 - 3/4" Brass Plug (Cored), Low Lead (US MADE)	EA	5.00	5.0000	25.0000	EA	4.05	5.0000	20.2500
12914	12914 - 1" Brass Plug, Low Lead (US MADE)	EA	7.00	9.0000	63.0000	EA	6.47	9.0000	58.2300
12916	12916 - 1 1/2" Brass Plug, Low Lead (US MADE)	EA	17.00	1.0000	17.0000	EA	13.60	1.0000	13.6000
12918	12918 - 2" Brass Plug, Low Lead (US MADE)	EA	25.00	1.0000	25.0000	EA	22.32	1.0000	22.3200
12932	12932 - 3/4" 90 Deg.Elbow,Brass, Low Lead (US MADE)	EA	7.00	1.0000	7.0000	EA	7.76	1.0000	7.7600
12934	12934 - 1" 90 Deg Elbow,Brass, Low Lead (US MADE)	EA	11.00	2.0000	22.0000	EA	12.62	2.0000	25.2400
12936	12936 - 1 1/2" 90 Deg Elbow,Brass, Low Lead (US MADE)	EA	23.00	1.0000	23.0000	EA	25.26	1.0000	25.2600
12938	12938 - 2" 90 Deg Elbow,Brass, Low Lead (US MADE)	EA	34.00	1.0000	34.0000	EA	40.76	1.0000	40.7600
12940	12940 - 2" Brass 45 deg. Elbow, Low Lead (US MADE)	EA	47.00	1.0000	47.0000	EA	55.88	1.0000	55.8800
12944	12944 - 1" 45 Deg Street Elbow, Low Lead (US MADE)	EA	18.00	35.0000	630.0000	EA	19.75	35.0000	691.2500
12952	12952 - 3/4" 90 Deg Street Elbow, Low Lead (US MADE)	EA	9.00	1.0000	9.0000	EA	10.68	1.0000	10.6800
12954	12954 - 1" 90 Deg Street Elbow, Low Lead (US MADE)	EA	14.50	35.0000	507.5000	EA	13.62	35.0000	476.7000
12956	12956 - 1 1/2" 90 Deg Street Elbow, Low Lead (US MADE)	EA	30.00	1.0000	30.0000	EA	34.95	1.0000	34.9500
12958	12958 - 2" 90 Deg Street Elbow, Low Lead (US MADE)	EA	49.00	4.0000	196.0000	EA	59.23	4.0000	236.9200
12972	12972 - 3/4" Union,Brass, Low Lead (US MADE)	EA	20.00	2.0000	40.0000	EA	23.69	2.0000	47.3800
12974	12974 - 1" Union,Brass, Low Lead (US MADE)	EA	32.00	1.0000	32.0000	EA	35.72	1.0000	35.7200
12976	12976 - 1 1/2" Union,Brass, Low Lead (US MADE)	EA	51.00	1.0000	51.0000	EA	61.55	1.0000	61.5500
12978	12978 - 2" Union,Brass, Low Lead (US MADE)	EA	69.00	1.0000	69.0000	EA	82.94	1.0000	82.9400
12982	12982 - 3/4" Coupling,Brass, Low Lead (US MADE)	EA	6.00	8.0000	48.0000	EA	6.82	8.0000	54.5600
12984	12984 - 1" Coupling,Brass, Low Lead (US MADE)	EA	10.00	6.0000	60.0000	EA	11.63	6.0000	69.7800
12986	12986 - 1 1/2" Coupling,Brass, Low Lead (US MADE)	EA	21.00	1.0000	21.0000	EA	25.26	1.0000	25.2600
12988	12988 - 2" Coupling,Brass, Low Lead (US MADE)	EA	36.00	1.0000	36.0000	EA	41.75	1.0000	41.7500
13246	13246 - 3/4"x Close (1 3/8")Brass Nipple, Low Lead (US MADE)	EA	3.00	36.0000	108.0000	EA	1.80	36.0000	64.8000
13254	13254 - 3/4"x 3" Brass Nipple, Low Lead	EA	4.40	3.0000	13.2000	EA	3.03	3.0000	9.0900
13258	13258 - 3/4"x 4" Brass Nipple, Low Lead	EA	5.40	2.0000	10.8000	EA	3.96	2.0000	7.9200
13262	13262 - 3/4"x 5" Brass Nipple, Low Lead	EA	6.50	2.0000	13.0000	EA	4.75	2.0000	9.5000
13266	13266 - 3/4"x 6" Brass Nipple, Low Lead	EA	7.90	1.0000	7.9000	EA	5.79	1.0000	5.7900
13270	13270 - 3/4"x 8" Brass Nipple, Low Lead	EA	10.40	1.0000	10.4000	EA	7.64	1.0000	7.6400
13302	13302 - 1"x Close Brass Nipple, Low Lead	EA	3.60	20.0000	72.0000	EA	2.65	20.0000	53.0000
13304	13304 - 1"x 2" Brass Nipple, Low Lead	EA	4.20	1.0000	4.2000	EA	3.28	1.0000	3.2800
13308	13308 - 1"x 3" Brass Nipple, Low Lead	EA	6.00	8.0000	48.0000	EA	4.40	8.0000	35.2000
13312	13312 - 1"x 4" Brass Nipple, Low Lead	EA	8.70	2.0000	17.4000	EA	5.74	2.0000	11.4800
13320	13320 - 1"x 6" Brass Nipple, Low Lead	EA	11.50	2.0000	23.0000	EA	8.44	2.0000	16.8800
13324	13324 - 1"x 8" Brass Nipple, Low Lead	EA	15.40	1.0000	15.4000	EA	11.26	1.0000	11.2600
13332	13332 - 1" x 12" Brass Nipple, Low Lead	EA	22.65	1.0000	22.6500	EA	16.62	1.0000	16.6200
13338	13338 - 1" x 18" Brass Nipple, Low Lead	EA	32.00	7.0000	224.0000	EA	18.84	7.0000	131.8800
13350	13350 - 1 1/2"x Close Brass Nipple, Low Lead	EA	7.00	3.0000	21.0000	EA	5.21	3.0000	15.6300
13352	13352 - 1.5"x 2" Brass Nipple, Low Lead	EA	7.20	1.0000	7.2000	EA	5.61	1.0000	5.6100
13356	13356 - 1 1/2"x 3" Brass Nipple, Low Lead	EA	9.90	1.0000	9.9000	EA	7.73	1.0000	7.7300
13368	13368 - 1 1/2"x 6" Brass Nipple, Low Lead	EA	18.50	1.0000	18.5000	EA	14.86	1.0000	14.8600
13376	13376 - 1 1/2"x 10" Brass Nipple, Low Lead	EA	30.00	1.0000	30.0000	EA	24.45	1.0000	24.4500
13402	13402 - 2"x Close Brass Nipple, Low Lead	EA	11.00	1.0000	11.0000	EA	7.94	1.0000	7.9400
13406	13406 - 2"x 3" Brass Nipple, Low Lead	EA	11.00	2.0000	22.0000	EA	9.89	2.0000	19.7800
13410	13410 - 2"x 4" Brass Nipple, Low Lead	EA	15.00	3.0000	45.0000	EA	12.94	3.0000	38.8200
13418	13418 - 2"x 6" Brass Nipple, Low Lead	EA	23.00	2.0000	46.0000	EA	19.10	2.0000	38.2000
13426	13426 - 2"x 10" Brass Nipple, Low Lead	EA	35.00	1.0000	35.0000	EA	31.56	1.0000	31.5600
13436	13436 - 2"x 18" Brass Nipple, Low Lead	EA	57.00	1.0000	57.0000	EA	62.75	1.0000	62.7500
14110	14110 - #3 Meter Box, Black Plastic with Plastic Meter Lid & Pick Holes	EA	21.00	482.0000	10,122.0000	EA	24.76	482.0000	11,934.3200
14122	14122 - Black Plastic #3 Lid Only, W/pick holes	EA	9.00	21.0000	189.0000	EA	9.54	21.0000	200.3400
15102	15102 - Brooks Barrel Lock W/Cap	EA	3.00	161.0000	483.0000	EA	9.56	161.0000	1,539.1600
15207	15207 - 3/4"x 1/8" Rubber Gasket	EA	0.25	1,500.0000	375.0000	EA	0.13	1,500.0000	195.0000
15307	15307 - 1"x1/8" Rubber Gasket	EA	0.32	1,261.0000	403.5200	EA	0.15	1,261.0000	189.1500
20101	20101 - 4"x 24" Flange Spool Epoxy Coating DI	EA	75.00	1.0000	75.0000	EA	251.45	1.0000	251.4500
20104	20104 - 3"x 4"x 24" Flange Spool Epoxy Coating	EA	75.00	1.0000	75.0000	EA	281.88	1.0000	281.8800
20105	20105 - 3"x 4"x 24" Flanged Spool w/2" Tap Epoxy Coated	EA	75.00	1.0000	75.0000	EA	349.27	1.0000	349.2700
20106	20106 - 4" x 24" flanged spool with 2" TOL tap epoxy coated	EA	75.00	1.0000	75.0000	EA	305.79	1.0000	305.7900
20112	20112 - 4" x 12" DI Spool Flanged DI Domestic	EA	100.00	1.0000	100.0000	EA	200.13	1.0000	200.1300
20232	20232 - 6 X 12 DI Flange Spool Domestic	EA	124.00	2.0000	248.0000	EA	248.96	2.0000	497.9200
20238	20238 - 6" X 18" DUC IRON FLANGED SPOOL (Domestic)	EA	115.00	1.0000	115.0000	EA	269.16	1.0000	269.1600
33304	33304 - 4" OD x 3" Full Circle Repair Clamp	EA	10.00	59.0000	590.0000	EA	13.87	59.0000	818.3300
33306	33306 - 6" OD x 3" Full Circle Repair Clamp	EA	12.00	9.0000	108.0000	EA	19.32	9.0000	173.8800
33308	33308 - 8"OD x 3" Full Circle Repair Clamp	EA	14.00	2.0000	28.0000	EA	23.75	2.0000	47.5000
34310	34310 - 3/4"Std x 3" Full Circle Repair Clamp Smith-Blair 244	EA	26.00	47.0000	1,222.0000	EA	18.83	47.0000	885.0100
34311	34311 - 1"Std x 3" Full Circle Repair Clamp Smith-Blair 244	EA	27.00	175.0000	4,725.0000	EA	18.26	175.0000	3,195.5000
34312	34312 - 2" Std x 3" Full Circle Repair Clamp Smith Blair 244	EA	30.00	1.0000	30.0000	EA	25.42	1.0000	25.4200
34313	34313 - 2.5"Std x 3" Repair Clamp	EA	8.00	2.0000	16.0000	EA	14.35	2.0000	28.7000
34610	34610 - 3/4" STD x 6" Full Circle Repair Clamp Smith-Blair 244	EA	53.00	7.0000	371.0000	EA	37.79	7.0000	264.5300
34611	34611 - 1" STD x 6" Full Circle Repair Clamp Smith-Blair 244	EA	54.00	40.0000	2,160.0000	EA	37.62	40.0000	1,504.8000
35203	35203 - 3"OD x 7.5" Full Circle Repair Clamp	EA	30.00	1.0000	30.0000	EA	35.98	1.0000	35.9800
35204	35204 - 4"OD x 7.5" Full Circle Repair Clamp 4.20	EA	35.00	27.0000	945.0000	EA	37.43	27.0000	1,010.6100
35206	35206 - 6"OD x 7.5" Full Circle Repair Clamp 6.35	EA	44.00	5.0000	220.0000	EA	47.52	5.0000	237.6000
35208	35208 - 8"OD x 7.5" Full Circle Repair Clamp 8.35	EA	50.00	4.0000	200.0000	EA	55.78	4.0000	223.1200
35210	35210 - 10"OD x 7.5" Full Circle Repair Clamp 10.35	EA	60.00	1.0000	60.0000	EA	76.83	1.0000	76.8300
35403	35403 - 3"OD x 12" FCRC,SZ (2.97-3.25)	EA	52.00	1.0000	52.0000	EA	59.98	1.0000	59.9800
35404	35404 - 4"OD x 12" Full Circle Repair Clamp	EA	60.00	3.0000	180.0000	EA	66.74	3.0000	200.2200
35406	35406 - 6"OD x 12" Full Circle Repair Clamp	EA	70.00	3.0000	210.0000	EA	77.20	3.0000	231.6000
35408	35408 - 8"OD x 12" Full Circle Repair Clamp	EA	83.00	6.0000	498.0000	EA	87.91	6.0000	527.4600
35410	35410 - 10"OD x 12" Full Circle Repair Clamp	EA	100.00	1.0000	100.0000	EA	115.72	1.0000	115.7200
35704	35704 - 4"OD X 20" Full Circle Repair Clamp	EA	100.00	1.0000	100.0000	EA	102.97	1.0000	102.9700

35706	35706 - 6"OD X 20" Full Circle Repair Clamp	EA	125.00	1.0000	125.0000	EA	125.92	1.0000	125.9200
35708	35708 - 8"OD X 20" Full Circle Repair Clamp	EA	141.00	2.0000	282.0000	EA	145.10	2.0000	290.2000
35710	35710 - 10"OD X 20" Full Circle Repair Clamp	EA	180.00	1.0000	180.0000	EA	188.87	1.0000	188.8700
35904	35904 - 4"OD x 30" Full Circle Repair Clamp	EA	154.00	1.0000	154.0000	EA	439.38	1.0000	439.3800
35906	35906 - 6" OD x 30" Full Circle Repair Clamp	EA	175.00	1.0000	175.0000	EA	180.11	1.0000	180.1100
35908	35908 - 8" OD x 30" Repair Clamp	EA	190.00	1.0000	190.0000	EA	200.94	1.0000	200.9400
36203	36203 - 3"Std x 7.5" FCRC,(3.46-3.72) Range	EA	34.00	1.0000	34.0000	EA	39.11	1.0000	39.1100
36204	36204 - 4" STD X 7 1/2" FULL CIRCLE Repair Clamp 4.40 - 4.85	EA	35.00	1.0000	35.0000	EA	40.89	1.0000	40.8900
36206	36206 - 6" STD X 7 1/2" FULL CIRCLE Repair Clamp 6.50 - 7.00	EA	44.00	1.0000	44.0000	EA	48.28	1.0000	48.2800
36208	36208 - 8" STD X 7 1/2" FULL CIRCLE Repair Clamp 8.50 - 8.95	EA	53.00	1.0000	53.0000	EA	56.67	1.0000	56.6700
36212	36212 - 12" STD X 7 1/2" FULL CIRCLE Repair Clamp	EA	80.00	1.0000	80.0000	EA	84.01	1.0000	84.0100
36403	36403 - 3"STD X 12" (3.46-3.72) Range FULL CIRCLE Repair Clamp	EA	59.00	1.0000	59.0000	EA	63.21	1.0000	63.2100
36404	36404 - 4" STD X 12" FULL CIRCLE Repair Clamp	EA	64.00	1.0000	64.0000	EA	68.95	1.0000	68.9500
36406	36406 - 6" STD X 12" FULL CIRCLE Repair Clamp	EA	70.00	1.0000	70.0000	EA	77.20	1.0000	77.2000
36408	36408 - 8" STD X 12" FULL CIRCLE Repair Clamp	EA	85.00	1.0000	85.0000	EA	90.75	1.0000	90.7500
36412	36412 - 12" STD X 12" FULL CIRCLE Repair Clamp	EA	125.00	1.0000	125.0000	EA	134.75	1.0000	134.7500
37206	37206 - 6" AC X 7 1/2" FULL CIRCLE Repair Clamp	EA	45.00	1.0000	45.0000	EA	48.28	1.0000	48.2800
37208	37208 - 8" AC X 7 1/2" FULL Repair Clamp (3 bolt)	EA	54.00	1.0000	54.0000	EA	56.67	1.0000	56.6700
37210	37210 - 10" AC X 7 1/2" FULL CIRCLE Repair Clamp	EA	70.00	1.0000	70.0000	EA	74.50	1.0000	74.5000
37212	37212 - 12" AC X 7 1/2" FULL CIRCLE Repair Clamp	EA	79.00	1.0000	79.0000	EA	84.01	1.0000	84.0100
37406	37406 - 6" AC X 12" FULL CIRCLE Repair Clamp	EA	70.00	1.0000	70.0000	EA	77.20	1.0000	77.2000
37408	37408 - 8" AC X 12" FULL CIRCLE Repair Clamp	EA	85.00	1.0000	85.0000	EA	90.75	1.0000	90.7500
37412	37412 - 12" AC X 12" FULL CIRCLE Repair Clamp	EA	125.00	1.0000	125.0000	EA	134.75	1.0000	134.7500
37706	37706 - 6" AC X 20" FULL CIRCLE Repair Clamp	EA	125.00	1.0000	125.0000	EA	129.98	1.0000	129.9800
37708	37708 - 8" AC X 20" FULL CIRCLE Repair Clamp	EA	140.00	1.0000	140.0000	EA	149.78	1.0000	149.7800
37712	37712 - 12" AC X 20" FULL CIRCLE Repair Clamp	EA	200.00	1.0000	200.0000	EA	221.92	1.0000	221.9200
37716	37716 - 16" AC X 20" FULL CIRCLE Repair Clamp	EA	75.00	1.0000	75.0000	EA	424.69	1.0000	424.6900
37718	37718 - 18" AC X 20" FULL CIRCLE Repair Clamp	EA	100.00	1.0000	100.0000	EA	454.77	1.0000	454.7700
39512	39512 - 12" C900 PVC X 30 FULL CIRCLE Repair Clamp	EA	335.00	1.0000	335.0000	EA	325.55	1.0000	325.5500
42211	42211 - 4" AC RINGS, CL 150	EA	4.00	1.0000	4.0000	EA	99.72	1.0000	99.7200
42223	42223 - 6" AC RING, CL 150	EA	15.00	1.0000	15.0000	EA	100.10	1.0000	100.1000
42234	42234 - 8" AC RINGS, CL 150	EA	15.00	9.0000	135.0000	EA	100.37	9.0000	903.3300
42247	42247 - 10" AC RINGS, CL 15	EA	20.00	1.0000	20.0000	EA	101.44	1.0000	101.4400
42259	42259 - 12" AC RINGS, CL 15	EA	20.00	1.0000	20.0000	EA	101.84	1.0000	101.8400
42283	42283 - 16" AC RINGS, CL 15	EA	10.00	1.0000	10.0000	EA	58.78	1.0000	58.7800
42295	42295 - 18" AC RINGS, CL 15	EA	5.00	1.0000	5.0000	EA	59.65	1.0000	59.6500
45206	45206 - 6" C900 PVC Repair Coupling, CL150	EA	26.00	1.0000	26.0000	EA	28.01	1.0000	28.0100
45208	45208 - 8" C900 PVC Repair Coupling,CL150	EA	105.00	15.0000	1,575.0000	EA	66.07	15.0000	991.0500
45210	45210 - 10"C900 PVC Repair Coupling	EA	100.00	1.0000	100.0000	EA	139.04	1.0000	139.0400
45212	45212 - 12"C900 PVC Repair Coupling,CL150	EA	200.00	1.0000	200.0000	EA	203.08	1.0000	203.0800
49525	49525 - WIRE Connector,3M #DBR-6	EA	1.00	3,500.0000	3,500.0000	EA	1.34	3,500.0000	4,690.0000
49540	49540 - 4" Push On (Tyton Joint) Gasket	EA	1.00	1.0000	1.0000	EA	1.72	1.0000	1.7200
49542	49542 - 6" Push on (Tyton Joint) Gasket	EA	1.00	60.0000	60.0000	EA	2.15	60.0000	129.0000
49544	49544 - 8" Push on (Tyton Joint) Gasket	EA	2.00	1.0000	2.0000	EA	4.75	1.0000	4.7500
49546	49546 - 10" Push On Rubber Gasket	EA	2.00	1.0000	2.0000	EA	6.81	1.0000	6.8100
49548	49548 - 12" Push on (Tyton Joint) Gasket	EA	3.00	1.0000	3.0000	EA	7.76	1.0000	7.7600
49552	49552 - 16" Push On (Tyton Joint) Gasket	EA	12.00	1.0000	12.0000	EA	16.48	1.0000	16.4800
49554	49554 - 18" Push on (Tyton Joint) Gasket	EA	12.00	1.0000	12.0000	EA	23.35	1.0000	23.3500
49587	49587 - 6" AC x DIP/C900 Transition Gasket	EA	6.00	7.0000	42.0000	EA	7.55	7.0000	52.8500
49589	49589 - 8" AC x DIP/C900 Transition Gasket	EA	8.00	19.0000	152.0000	EA	8.51	19.0000	161.6900
49590	49590 - 10" AC x DI/C900 Transition Gasket	EA	9.00	1.0000	9.0000	EA	11.87	1.0000	11.8700
49591	49591 - 12" AC x DI/C900 Transition Gasket	EA	10.00	1.0000	10.0000	EA	14.60	1.0000	14.6000
51204	51204 - 4" Flanged RW.Gate Valve Hand	EA	441.00	1.0000	441.0000	EA	460.00	1.0000	460.0000
51206	51206 - 6" Fanged RW.Gate Valve Hand	EA	590.00	1.0000	590.0000	EA	617.17	1.0000	617.1700
51208	51208 - 8" Flanged RW.Gate Valve Hand	EA	920.00	1.0000	920.0000	EA	964.44	1.0000	964.4400
51212	51212 - 12" Flanged RW.Gate Valve	EA	1,600.00	1.0000	1,600.0000	EA	1,850.39	1.0000	1,850.3900
51506	51506 - 6" MJ x FLG RW Gate Valve,W/ACC Hand	EA	66.00	1.0000	66.0000	EA	594.32	1.0000	594.3200
51906	51906 - 6" PO x Flg RW Gate Valve Push On Hand	EA	600.00	9.0000	5,400.0000	EA	619.04	9.0000	5,571.3600
51908	51908 - 8" PO x Flg RW Gate Valve Push On Hand	EA	940.00	10.0000	9,400.0000	EA	978.32	10.0000	9,783.2000
52208	52208 - 8" FLG Butterfly Valve Push On Hand	EA	600.00	1.0000	600.0000	EA	736.05	1.0000	736.0500
52212	52212 - 12" Flg Butterfly Valve Push On Hand	EA	997.00	1.0000	997.0000	EA	1,213.95	1.0000	1,213.9500
54115	54115 - ¾" Air Release Valve, APCO 65.1 or Crispin	EA	72.00	1.0000	72.0000	EA	258.54	1.0000	258.5400
54118	54118 - Air Vac Screen 1" MIP	EA	10.00	47.0000	470.0000	EA	12.40	47.0000	582.8000
54219	54219 - 1" Combo Air Vac, APCO143C.1 or Crispin 1" Universal ARV	EA	142.00	13.0000	1,846.0000	EA	342.11	13.0000	4,447.4300
54223	54223 - 2" Combo Air Vac/Rel.Valve,APCO145C or Crispin 2" Universal ARV	EA	335.00	4.0000	1,340.0000	EA	540.66	4.0000	2,162.6400
61204	61204 - 4" Flanged Cross	EA	280.00	1.0000	280.0000	EA	350.52	1.0000	350.5200
61206	61206 - 6"x 4" Flanged Cross DI Domestic	EA	360.00	1.0000	360.0000	EA	453.33	1.0000	453.3300
61207	61207 - 6" Flanged Cross	EA	450.00	1.0000	450.0000	EA	505.77	1.0000	505.7700
61211	61211 - 8" Flanged Cross	EA	796.00	3.0000	2,388.0000	EA	820.41	3.0000	2,461.2300
61217	61217 - 12"x 6" Flanged Cross	EA	850.00	1.0000	850.0000	EA	934.95	1.0000	934.9500
61218	61218 - 12"x 8" Flanged Cross	EA	1,334.00	1.0000	1,334.0000	EA	1,417.26	1.0000	1,417.2600
61219	61219 - 12"x12"x10"x10" Flanged Cross DI	EA	1,100.00	1.0000	1,100.0000	EA	1,303.41	1.0000	1,303.4100
61220	61220 - 12" Flanged Cross	EA	1,150.00	1.0000	1,150.0000	EA	1,337.91	1.0000	1,337.9100
61231	61231 - 16"x 12" Flanged Cross	EA	3,000.00	1.0000	3,000.0000	EA	3,135.84	1.0000	3,135.8400
61233	61233 - 16" Flanged Crosses	EA	4,000.00	1.0000	4,000.0000	EA	3,879.25	1.0000	3,879.2500
62204	62204 - 4" Flanged Tee,	EA	160.00	1.0000	160.0000	EA	189.06	1.0000	189.0600
62206	62206 - 6"x 4" Flanged Tee DI Domestic	EA	175.00	1.0000	175.0000	EA	267.03	1.0000	267.0300
62207	62207 - 6" Flanged Tee	EA	270.00	1.0000	270.0000	EA	284.28	1.0000	284.2800
62209	62209 - 8"x 4" Flanged Tee	EA	544.00	2.0000	1,088.0000	EA	578.22	2.0000	1,156.4400
62210	62210 - 8"x 6" Flanged Tee	EA	643.00	1.0000	643.0000	EA	683.10	1.0000	683.1000
62211	62211 - 8" Flanged Tee	EA	660.00	14.0000	9,240.0000	EA	689.50	14.0000	9,653.0000
62218	62218 - 12"x 8" Flanged Tee	EA	1,278.00	2.0000	2,556.0000	EA	1,336.53	2.0000	2,673.0600
62220	62220 - 12" Flanged Tee	EA	1,400.00	1.0000	1,400.0000	EA	1,491.78	1.0000	1,491.7800
62909	62909 - 8"x 8"x 4" Push On x Push on FLG Tee DI Domestic	EA	269.00	2.0000	538.0000	EA	280.83	2.0000	561.6600

62910	62910 - 8"x 6" PO x Flg Tee, S/B DI	EA	290.00	8.0000	2,320.0000	EA	306.60	8.0000	2,452.8000
62911	62911 - 8" push on x 8" Push on x 8" FLG Tee DI Domestic	EA	390.00	1.0000	390.0000	EA	403.65	1.0000	403.6500
62918	62918 - 12" x 12" x 8" PO x PO x Flg Short Body Tee	EA	480.00	1.0000	480.0000	EA	530.61	1.0000	530.6100
63214	63214 - 6 X 4 FLG REDUCER DI Domestic	EA	180.00	1.0000	180.0000	EA	192.51	1.0000	192.5100
63218	63218 - 8 X 4 FLG REDUCER DI Domestic	EA	189.00	1.0000	189.0000	EA	196.65	1.0000	196.6500
63220	63220 - 8 X 6 FLG REDUCER DI Domestic	EA	220.00	1.0000	220.0000	EA	229.08	1.0000	229.0800
63228	63228 - 12" X 4" FLG REDUCER DI Domestic	EA	450.00	1.0000	450.0000	EA	480.24	1.0000	480.2400
63230	63230 - 12" X 6" FLG REDUCER DI Domestic	EA	500.00	1.0000	500.0000	EA	525.09	1.0000	525.0900
63232	63232 - 12" X 8" FLG REDUCER DI Domestic	EA	580.00	1.0000	580.0000	EA	614.79	1.0000	614.7900
63326	63326 - 10" X 8" Push On x Flange Reducer DI Domestic	EA	185.00	1.0000	185.0000	EA	207.00	1.0000	207.0000
63328	63328 - 12"x 4" Push On x Flg Reducer Domestic	EA	230.00	1.0000	230.0000	EA	244.95	1.0000	244.9500
63607	63607 - 4" X 3" WELD REDUCER Butt Weld Domestic	EA	20.00	1.0000	20.0000	EA	23.36	1.0000	23.3600
63614	63614 - 6" X 4" WELD REDUCER Butt Weld Domestic	EA	50.00	4.0000	200.0000	EA	44.06	4.0000	176.2400
63618	63618 - 8" X 4" WELD REDUCER Butt Weld Domestic	EA	65.00	1.0000	65.0000	EA	82.65	1.0000	82.6500
63620	63620 - 8" X 6" WELD REDUCER Butt Weld Domestic	EA	25.00	1.0000	25.0000	EA	64.23	1.0000	64.2300
63626	63626 - 10" X 8" WELD REDUCE Butt Weld Domestic	EA	50.00	1.0000	50.0000	EA	124.64	1.0000	124.6400
63918	63918 - 8"x 4" Push On/Flg Reducer DI Domestic	EA	140.00	1.0000	140.0000	EA	145.59	1.0000	145.5900
63920	63920 - 8" X 6" (PUSH ON X FLG) SSB Reducer DI Domestic	EA	156.00	1.0000	156.0000	EA	161.46	1.0000	161.4600
63930	63930 - 12" X 6" PUSH ON X (FL)SSB Flg Bell x Reducer Bell	EA	175.00	1.0000	175.0000	EA	237.36	1.0000	237.3600
63932	63932 - 12"x 8" Push On x Flg Reducer (Domestic)	EA	226.00	1.0000	226.0000	EA	233.22	1.0000	233.2200
64103	64103 - 8" 11 1/4" DEG Bend Push On Domestic	EA	180.00	1.0000	180.0000	EA	195.27	1.0000	195.2700
64113	64113 - 8" 22 1/2" DEG Bend Push On Domestic	EA	198.00	1.0000	198.0000	EA	204.93	1.0000	204.9300
64135	64135 - 12" 90 DEG Bend Push On Domestic	EA	480.00	1.0000	480.0000	EA	495.42	1.0000	495.4200
64205	64205 - 12 Flanged 11 1/4 Bend DI Domestic	EA	700.00	1.0000	700.0000	EA	779.70	1.0000	779.7000
64221	64221 - 4" - 45 DEG Flange Elbow DI Domestic	EA	110.00	1.0000	110.0000	EA	117.30	1.0000	117.3000
64222	64222 - 6" - 45 DEG Flange Elbow DI Domestic	EA	165.00	1.0000	165.0000	EA	170.43	1.0000	170.4300
64223	64223 - 8" - 45 DEG Flange Elbow DI Domestic	EA	265.00	1.0000	265.0000	EA	282.90	1.0000	282.9000
64225	64225 - 12" - 45 DEG Flange Elbow DI Domestic	EA	747.00	1.0000	747.0000	EA	793.50	1.0000	793.5000
64231	64231 - 4" - 90 DEG Flange Elbow DI Domestic	EA	125.00	1.0000	125.0000	EA	131.10	1.0000	131.1000
64232	64232 - 6" - 90 DEG Flange Elbow DI Domestic	EA	187.00	2.0000	374.0000	EA	196.00	2.0000	392.0000
64233	64233 - 8" - 90 DEG Flange Elbow DI Domestic	EA	340.00	1.0000	340.0000	EA	351.90	1.0000	351.9000
64235	64235 - 12" - 90 DEG Flange Elbow DI Domestic	EA	900.00	1.0000	900.0000	EA	952.20	1.0000	952.2000
64242	64242 - 6" X 4" FLANGED 90 DEG Elbow REDUCER DI Domestic	EA	140.00	1.0000	140.0000	EA	174.57	1.0000	174.5700
64635	64635 - 4" 45 DEG WELD ELL, Butt Weld Domestic	EA	30.00	1.0000	30.0000	EA	25.28	1.0000	25.2800
64637	64637 - 6" 45 DEG WELD ELL, Butt Weld Domestic	EA	50.00	1.0000	50.0000	EA	49.74	1.0000	49.7400
64638	64638 - 8" 45 DEG WELD ELL, Butt Weld Domestic	EA	60.00	1.0000	60.0000	EA	82.84	1.0000	82.8400
64643	64643 - 18" 45 DEG WELD ELL Butt Weld Domestic	EA	350.00	1.0000	350.0000	EA	669.23	1.0000	669.2300
64647	64647 - 2-1/2" 90 DEG ELBOW WELD Butt Weld Domestic	EA	12.00	1.0000	12.0000	EA	14.03	1.0000	14.0300
64648	64648 - 3" 90 DEG WELD ELL, Butt Weld Domestic	EA	21.00	1.0000	21.0000	EA	17.12	1.0000	17.1200
64650	64650 - 4" 90 Deg.Weld Ell	EA	25.00	1.0000	25.0000	EA	28.21	1.0000	28.2100
64652	64652 - 6" 90 DEG WELD ELL, Butt Weld Sch 40 Domestic	EA	50.00	1.0000	50.0000	EA	62.21	1.0000	62.2100
64653	64653 - 8" 90 DEG WELD ELL, Butt Weld Sch 40 Domestic	EA	100.00	1.0000	100.0000	EA	112.78	1.0000	112.7800
64654	64654 - 10" 90 DEG WELD ELL Butt Weld Sch 40 Domestic	EA	120.00	1.0000	120.0000	EA	215.12	1.0000	215.1200
64655	64655 - 12" 90 DEG WELD ELL Butt Weld Sch 40 Domestic	EA	150.00	1.0000	150.0000	EA	304.78	1.0000	304.7800
64822	64822 - 6" 45 Deg. Push On Elbow DI Domestic	EA	129.00	1.0000	129.0000	EA	133.86	1.0000	133.8600
64823	64823 - 8" P/O x P/O 45 Deg.Ell (Domestic)	EA	216.00	10.0000	2,160.0000	EA	220.10	10.0000	2,201.0000
64825	64825 - 12" P/O 45 Deg Ell. DI Domestic	EA	415.00	1.0000	415.0000	EA	402.96	1.0000	402.9600
64832	64832 - 6" P/O 90 Deg.Elbow DI Domestic	EA	155.00	1.0000	155.0000	EA	164.22	1.0000	164.2200
64923	64923 - 8" Flg x P/O 45 Deg.Ell (Domestic)	EA	188.00	1.0000	188.0000	EA	195.27	1.0000	195.2700
64947	64947 - 2.5" 90 Deg THD Elbow Malleable Iron	EA	23.00	4.0000	92.0000	EA	32.83	4.0000	131.3200
64950	64950 - 4" 90 Deg THD Elbow, Malleable Iron	EA	35.00	1.0000	35.0000	EA	78.62	1.0000	78.6200
64965	64965 - 4"x 2.5" 90 Deg Reducing Elbow THD Malleable Iron	EA	35.00	1.0000	35.0000	EA	42.61	1.0000	42.6100
65534	65534 - 6" X 12" MJ SLEEVE, DW/ACC Domestic	EA	50.00	1.0000	50.0000	EA	87.63	1.0000	87.6300
65536	65536 - 8" X 12" MJ SLEEVE, DW/ACC Domestic	EA	65.00	1.0000	65.0000	EA	114.54	1.0000	114.5400
65540	65540 - 12 X 12 MJ SLEEVE, W/ACC Domestic	EA	75.00	1.0000	75.0000	EA	231.84	1.0000	231.8400
65544	65544 - 16" X 15" MJ SLEEVE, W/ACC Domestic	EA	125.00	1.0000	125.0000	EA	583.05	1.0000	583.0500
71116	71116 - 3" Slip On Weld Flange Raised Face	EA	15.00	1.0000	15.0000	EA	13.99	1.0000	13.9900
71120	71120 - 4" Slip On Weld Flange Raised Face	EA	20.00	2.0000	40.0000	EA	17.53	2.0000	35.0600
71124	71124 - 6" Slip On Weld Flange Raised Face	EA	35.00	1.0000	35.0000	EA	19.21	1.0000	19.2100
71126	71126 - 8" Slip On Weld Flange Raised Face	EA	45.00	1.0000	45.0000	EA	29.17	1.0000	29.1700
71128	71128 - 10" Slip On Weld Flange Raised Face	EA	65.00	1.0000	65.0000	EA	50.34	1.0000	50.3400
71130	71130 - 12" Slip On Weld Flange Raised Face	EA	110.00	1.0000	110.0000	EA	74.67	1.0000	74.6700
71134	71134 - 16" Slip On Weld Flange	EA	200.00	1.0000	200.0000	EA	141.85	1.0000	141.8500
71320	71320 - 4" Flg & 4" THD Companion Flange	EA	40.00	1.0000	40.0000	EA	42.18	1.0000	42.1800
71324	71324 - 6" Flg & 4" THD Companion Flange	EA	150.00	1.0000	150.0000	EA	169.46	1.0000	169.4600
71416	71416 - 3" Blind Flange STL 150	EA	15.00	1.0000	15.0000	EA	37.45	1.0000	37.4500
71420	71420 - 4" Blind Flange STL	EA	25.00	1.0000	25.0000	EA	23.57	1.0000	23.5700
71424	71424 - 6" Blind Flange STL	EA	40.00	1.0000	40.0000	EA	26.26	1.0000	26.2600
71426	71426 - 8" Blind Flange STL	EA	60.00	1.0000	60.0000	EA	43.09	1.0000	43.0900
71428	71428 - 10" Blind Flange STL	EA	100.00	1.0000	100.0000	EA	82.99	1.0000	82.9900
71430	71430 - 12" Blind Flange STL	EA	175.00	1.0000	175.0000	EA	124.99	1.0000	124.9900
71432	71432 - 14" Blind Flange STL	EA	200.00	1.0000	200.0000	EA	206.98	1.0000	206.9800
71434	71434 - 16" Blind Flange STL	EA	300.00	1.0000	300.0000	EA	288.03	1.0000	288.0300
71436	71436 - 18" Blind Flange STL	EA	500.00	1.0000	500.0000	EA	378.65	1.0000	378.6500
72462	72462 - 2.5"x 6" Black Nipple,TBE Std Sch 40 B	EA	9.00	1.0000	9.0000	EA	14.31	1.0000	14.3100
72466	72466 - 2.5"x 8" Black Nipple,TBE Std Sch 40 B	EA	15.00	1.0000	15.0000	EA	18.20	1.0000	18.2000
72474	72474 - 2.5"x 12" Black Nipple,TBE Std Sch 40 B	EA	16.00	1.0000	16.0000	EA	22.74	1.0000	22.7400
72476	72476 - 2.5"x 18" Black Nipple,TBE Std Sch 40 (Domestic)	EA	26.00	1.0000	26.0000	EA	29.24	1.0000	29.2400
72482	72482 - 2.5"x 36" Black Nipple,TBE Std Sch 40 (Domestic)	EA	42.00	1.0000	42.0000	EA	28.56	1.0000	28.5600
72486	72486 - 2.5"x 48" Black Nipple,TBE Std Sch 40 (Domestic)	EA	50.00	1.0000	50.0000	EA	39.10	1.0000	39.1000
72490	72490 - 2.5"x 60" Black Nipple,TBE Std Sch 40 (Domestic)	EA	52.00	1.0000	52.0000	EA	48.87	1.0000	48.8700
72612	72612 - 4"x 6" Black Nipple,TBE Std Sch 40 B	EA	15.00	1.0000	15.0000	EA	23.78	1.0000	23.7800
72616	72616 - 4"x 8" Black Nipple,TBE Std Sch 40 B	EA	16.00	1.0000	16.0000	EA	27.45	1.0000	27.4500
72624	72624 - 4"x 12" Black Nipple,TBE Std Sch 40 B	EA	30.00	1.0000	30.0000	EA	36.63	1.0000	36.6300
72630	72630 - 4"x 18" Black Nipple,TBE Std Sch 40 B	EA	48.00	1.0000	48.0000	EA	45.80	1.0000	45.8000

72636	72636 - 4"x 36" Black Nipple,TBE Std Sch 40 B	EA	60.00	1.0000	60.0000	EA	91.58	1.0000	91.5800
72640	72640 - 4"x 48" Black Nipple,TBE Std Sch 40 B	EA	75.00	1.0000	75.0000	EA	122.10	1.0000	122.1000
72644	72644 - 4"x 60" Black Nipple,TBE Std Sch 40 B	EA	80.00	1.0000	80.0000	EA	256.00	1.0000	256.0000
73320	73320 - 4" Black Threaded Cap Malleable Iron	EA	36.00	1.0000	36.0000	EA	28.73	1.0000	28.7300
73528	73528 - 6" PUSH ON CAP FOR CSSB DUC IRON Domestic	EA	57.00	1.0000	57.0000	EA	67.45	1.0000	67.4500
73536	73536 - 8" PUSH ON CAP FOR CSSB DUC IRON Domestic	EA	100.00	1.0000	100.0000	EA	115.73	1.0000	115.7300
73630	73630 - 6" P/O Cap W/2"Tap Domestic	EA	79.00	1.0000	79.0000	EA	93.01	1.0000	93.0100
73632	73632 - 8" P/O Cap W/2"Tap F/C900 DI Domestic	EA	100.00	1.0000	100.0000	EA	142.00	1.0000	142.0000
73648	73648 - 12" P/O Cap W/2" Tap F/C900 DI Domestic	EA	200.00	1.0000	200.0000	EA	268.38	1.0000	268.3800
74304	74304 - 2.5" Square Head Solid Plug,Black	EA	12.00	1.0000	12.0000	EA	10.00	1.0000	10.0000
74320	74320 - 4" Black Threaded Plug	EA	22.00	1.0000	22.0000	EA	16.13	1.0000	16.1300
75106	75106 - 6"OD Valve Can Lid (Tapered) DI Domestic	EA	65.00	84.0000	5,460.0000	EA	74.06	84.0000	6,221.0400
75112	75112 - 12" Valve Can Lid	EA	20.00	1.0000	20.0000	EA	196.60	1.0000	196.6000
75212	75212 - 6"X 12" Valve Can Top,20 GA,Slip W/Lip	EA	7.00	36.0000	252.0000	EA	6.75	36.0000	243.0000
75218	75218 - 6"X 18" Valve Can Top,20 GA,Slip W/Lip	EA	8.00	98.0000	784.0000	EA	7.98	98.0000	782.0400
75220	75220 - 12"x 18" Valve Can Top /Slip w/Lip 20ga	EA	16.00	1.0000	16.0000	EA	20.69	1.0000	20.6900
76211	76211 - 1" AirVac Enclosure/yellow coated/Steel/VCDD 1624 yellow	EA	400.00	9.0000	3,600.0000	EA	439.29	9.0000	3,953.6100
76221	76221 - 2" Air Vac Enclosure, yellow coated/Steel/VCDD 2436 yellow	EA	615.00	2.0000	1,230.0000	EA	694.62	2.0000	1,389.2400
81616	81616 - 2 1/2" STD BLK STEELTHREADED Coupling threaded	EA	7.00	1.0000	7.0000	EA	20.80	1.0000	20.8000
81622	81622 - 4"Std Threaded Black Coupling	EA	35.00	1.0000	35.0000	EA	56.67	1.0000	56.6700
81650	81650 - 1 1/2" HVY Steel COUPLING THREADED 250 lb	EA	8.00	3.0000	24.0000	EA	6.04	3.0000	18.1200
82320	82320 - 4" PO x Flg Adapter DI Domestic	EA	86.00	1.0000	86.0000	EA	91.59	1.0000	91.5900
82322	82322 - 6" PO x Flg Adapter DI Domestic	EA	142.00	4.0000	568.0000	EA	145.55	4.0000	582.2000
82330	82330 - 8" PO x Flg Adapter,8"C900 x Flg DI Domestic	EA	207.00	1.0000	207.0000	EA	213.00	1.0000	213.0000
82346	82346 - 12" PO x Flg Adapter	EA	350.00	1.0000	350.0000	EA	420.32	1.0000	420.3200
84108	84108 - 3" Nut & Bolt Set, Plated Grade 5	EA	7.00	1.0000	7.0000	EA	4.15	1.0000	4.1500
84116	84116 - 4" Nut & Bolt Set, Plated Grade 5	EA	8.00	7.0000	56.0000	EA	8.90	7.0000	62.3000
84124	84124 - 6" Nut & Bolt Set, Plated Grade 5	EA	12.00	12.0000	144.0000	EA	15.24	12.0000	182.8800
84132	84132 - 8" Nut and Bolt Set kit Cad-plated Grade 5	EA	12.00	12.0000	144.0000	EA	15.24	12.0000	182.8800
84148	84148 - 12" Nut & Bolt Set, Plated Grade 5	EA	20.00	1.0000	20.0000	EA	42.17	1.0000	42.1700
84164	84164 - 16"Cad Plated Nut and Bolt Set, Plated Grade 5	EA	67.00	1.0000	67.0000	EA	73.84	1.0000	73.8400
84174	84174 - 18"Cad Plated Nut and Bolt Set, Plated Grade 5	EA	85.00	1.0000	85.0000	EA	121.52	1.0000	121.5200
84214	84214 - 4"Nut and Bolt W/Breakaway Style, Hollow Plated	EA	10.00	1.0000	10.0000	EA	26.71	1.0000	26.7100
84374	84374 - 18" NBG FOR BUTTERFLY & RING FL, Plated Grade 5	EA	91.00	1.0000	91.0000	EA	138.79	1.0000	138.7900
84603	84603 - 3"Ring Gasket, Non-Asbestos Garlock	EA	1.00	3.0000	3.0000	EA	1.00	3.0000	3.0000
84604	84604 - 4" Ring Gasket, Non-Asbestos Garlock	EA	2.00	7.0000	14.0000	EA	1.56	7.0000	10.9200
84606	84606 - 6" Ring Gasket, Non-Asbestos Garlock	EA	2.00	6.0000	12.0000	EA	1.97	6.0000	11.8200
84608	84608 - 8" Ring Gasket, Non-Asbestos Garlock	EA	2.50	4.0000	10.0000	EA	3.17	4.0000	12.6800
84610	84610 - 10"Ring Gasket, Non-Asbestos Garlock	EA	3.00	1.0000	3.0000	EA	4.24	1.0000	4.2400
84612	84612 - 12" Ring Gasket, Non-Asbestos Garlock	EA	5.00	1.0000	5.0000	EA	5.80	1.0000	5.8000
84614	84614 - 14"Ring Gasket, Non-Asbestos Garlock	EA	10.00	1.0000	10.0000	EA	11.51	1.0000	11.5100
84616	84616 - 16"Ring Gasket, Non-Asbestos Garlock	EA	10.00	1.0000	10.0000	EA	13.98	1.0000	13.9800
84618	84618 - 18"Ring Gasket, Non-Asbestos Garlock	EA	16.00	1.0000	16.0000	EA	17.27	1.0000	17.2700
84624	84624 - 24"Ring Gasket, Non-Asbestos Garlock	EA	15.00	1.0000	15.0000	EA	29.73	1.0000	29.7300
84708	84708 - 8" Full Face Gasket,300#	EA	13.00	1.0000	13.0000	EA	7.41	1.0000	7.4100
94230	94230 - 2.5"MIPTx2"MNST Nip,F/Dry Barrel	EA	43.00	1.0000	43.0000	EA	15.87	1.0000	15.8700
412152	412152 - Clear food grade grease, Food Grade White	EA	18.00	2.0000	36.0000	EA	87.58	2.0000	175.1600
413117	413117 - 1"Blue Reflective Hydrant Tape	EA	35.00	1.0000	35.0000	EA	292.28	1.0000	292.2800
413118	413118 - 2" Blue Reflective Hydrant Tape	EA	80.00	1.0000	80.0000	EA	292.28	1.0000	292.2800
414182	414182 - Blue Reflector 2 way marker (Bot Dot)	EA	3.00	100.0000	300.0000	EA	2.39	100.0000	239.0000
414183	414183 - Caulking F/Street Markers Road adhesive for markers	TU	18.00	20.0000	360.0000	TU	17.79	20.0000	355.8000
414184	414184 - PVC Glue,Red Hot Blue Glue (Pint)	PT	9.60	15.0000	144.0000	PT	10.97	15.0000	164.5500
414404	414404 - Pipe Dope, Christy's	PT	16.00	7.0000	112.0000	PT	19.77	7.0000	138.3900
414406	414406 - Purple PVC Primer (Pint)	PT	12.00	15.0000	180.0000	PT	10.76	15.0000	161.4000
415116	415116 - Adj,Fire Hyd.Wrench	EA	10.00	4.0000	40.0000	EA	65.80	4.0000	263.2000
415118	415118 - 1" Crimping Tool,F/PE Pipe	EA	85.00	1.0000	85.0000	EA	228.21	1.0000	228.2100
415174	415174 - 7/8" Mueller Pvc Shellcutter	EA	100.00	5.0000	500.0000	EA	81.47	5.0000	407.3500
415193	415193 - Hydrant to Hose Adapter with gasket	EA	48.00	2.0000	96.0000	EA	57.67	2.0000	115.3400
415195	415195 - 200 Psi Liquid Filled Steel Body	EA	17.00	2.0000	34.0000	EA	23.64	2.0000	47.2800
415201	415201 - Tape,Teflon 3/4"	EA	0.95	32.0000	30.4000	EA	1.25	32.0000	40.0000
415245	415245 - Redwood Plug 1/2"	EA	2.50	4.0000	10.0000	EA	4.40	4.0000	17.6000
415246	415246 - Redwood Plug 1"	EA	2.80	17.0000	47.6000	EA	5.60	17.0000	95.2000
415248	415248 - Redwood Plug 4"	EA	9.00	1.0000	9.0000	EA	20.00	1.0000	20.0000
REED04280	REED04280 - Standing PE Shut Off Tool Reed	EA	250.00	1.0000	250.0000	EA	227.86	1.0000	227.8600
WH981	WH981 - 1 1/16 Deep Socket,Wheeler	EA	38.00	1.0000	38.0000	EA	49.35	1.0000	49.3500
<b>Written Bids</b>					159,589.37				179,409.18
<b>Actual Bids With Corrected Minor Math Errors</b>					159,496.92				179,163.90
<b>Variance</b>					-92.45				-245.28
<b>Tax</b>					12,361.01				13,885.20
<b>Complete Correct Bid Including Sales Tax</b>					171,857.93				193,049.10



# City of Hesperia STAFF REPORT



**DATE:** May 16, 2017  
**TO:** Mayor and Council Members  
**FROM:** Nils Bentsen, City Manager  
**BY:** Mark Faherty, Public Works Manager  
Scott Smith, Maintenance Crew Supervisor  
**SUBJECT:** Increase Purchase Order No.# 2017-00000062 with J&S Striping Inc.

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## RECOMMENDED ACTION

It is recommended that the City Council, authorize the City Manager to execute the increase to Purchase Order Number 2017-00000062 with J&S Striping Inc. from the new not-to-exceed amount of \$130,000 to \$150,000, and increasing the contract authority by an additional \$20,000 with a new not-to-exceed amount of \$410,000.

## BACKGROUND

Each year the City includes funding for the purpose of maintaining and installation of new roadway legends and striping. During this Fiscal Year, Public Works has received a number of Engineering Orders, requiring the installation of additional striping and legends. J&S Striping Inc. is our current contractor for these services; staff is making this request in order continue the current striping and legend program for the remainder of the fiscal year (2016-2017).

## ISSUES/ANALYSIS

Council Authority of the not-to-exceed amount of \$390,000 will need to be increased by \$20,000, for a new not-to-exceed amount of \$410,000. The increase is necessary in order to continue with the current established maintenance program and additional Engineering Department requests.

## FISCAL IMPACT

Funding for the increase has been identified within the FY 2016-17 Mid-Year Budget adjustment, in account 263-29-310-3150-7610.

## ALTERNATIVE(S)

1. Provide alternative direction to staff.

## ATTACHMENT(S)

None

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# City of Hesperia

## STAFF REPORT



**DATE:** May 16, 2017

**TO:** Mayor and Council Members  
Chair and Board Members, Hesperia Water District

**FROM:** Nils Bentsen, City Manager

**BY:** Mike Blay, Director of Development Services  
Scott Saude, Facility Supervisor

**SUBJECT:** Amendment to Contract with J. Miller Electric

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### RECOMMENDED ACTION

It is recommended that the City Council approve an amendment in the amount of \$10,000 to the contract with J. Miller Electric, Inc. (PSA 2016-17-029) for a total contract amount of \$60,000 for unanticipated emergency electrical repairs to City facilities.

### BACKGROUND

In 2016, the City contracted with J. Miller Electric, Inc. to provide maintenance of existing City electrical systems, routine repair and replacement of associated electrical equipment and urgent or emergency repair to those systems as required.

### ISSUES/ANALYSIS

New electrical maintenance and repair work is identified on a daily basis within City facilities. During the course of the current fiscal year, there have been several unanticipated emergency repairs that required labor beyond what was estimated at the time of the original contract. In addition to those unforeseen circumstances, new prevailing wage requirements have also increased labor costs on scheduled work. Additional interior and exterior maintenance is being deferred at this time.

### FISCAL IMPACT

The necessary funds for contract facility maintenance in Fiscal Year 2016-17 were approved by the City Council under the annual Budget adoption.

### ALTERNATIVE(S)

1. Provide alternate direction to staff.

### ATTACHMENT(S)

None

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# City of Hesperia STAFF REPORT



**DATE:** May 16, 2017  
**TO:** Mayor and Council Members  
**FROM:** Nils Bentsen, City Manager  
**BY:** Mark Faherty, Public Works Manager  
Scott Smith, Maintenance Crew Supervisor  
**SUBJECT:** Amendment to contract with Siemens Industry, Inc.

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## RECOMMENDED ACTION

It is recommended that the City Council, authorize the City Manager to increase the contract with Siemens Industry, Inc. by an additional \$20,000 with a new not-to-exceed amount of \$158,900 for traffic signal repairs.

## BACKGROUND

Each year the City includes funding for the purpose of maintaining the City of Hesperia, traffic signal infrastructure. These funds are used for both preventative and corrective maintenance. During this Fiscal Year, Public Works has experienced an increase in traffic signal corrective repairs. Siemens Industry, Inc. is the current contractor for these services; staff is making this request in order continue with the current traffic signal program for the remainder of the fiscal year (2016-2017).

## ISSUES/ANALYSIS

Council Authority of the not-to-exceed amount of \$138,900 will need to be increased by \$20,000, for a new not-to-exceed amount of \$158,900. The increase is necessary in order to continue with the current established maintenance program and additional Engineering Department requests.

## FISCAL IMPACT

Funding for the increase has been identified within the FY 2016-17 Mid-Year Budget adjustments, in account 263-29-310-3150-7605.

## ALTERNATIVE(S)

1. Provide alternative direction to staff.

## ATTACHMENT(S)

None

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# City of Hesperia

## STAFF REPORT



**DATE:** May 16, 2017

**TO:** Chair and Board Members, Hesperia Water District

**FROM:** Nils Bentsen, City Manager

**BY:** Mark Faherty, Public Works Manager  
Jeremy McDonald, Public Works Supervisor/Water  
Joni Latimer, Maintenance Crew Supervisor/ Meters

**SUBJECT:** Badger Meter, Inc. dba National Meter and Automation Contract for Fiscal Year 2017-18

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### RECOMMENDED ACTION

It is recommended that the Chair and Board Members of the Hesperia Water District authorize the City Manager to approve a contract for Fiscal Year (FY) 2017-18 with Badger Meter, Inc. doing business as National Meter and Automation in the not-to exceed amount of \$250,000 for the purchase of Badger water meters and related Badger water meter parts.

### BACKGROUND

The Hesperia Water District has standardized various services and repair products in order to minimize the need to stock multiple products and to simplify installation processes. Badger water meters are one of the products the District has standardized. National Meter and Automation was acquired by Badger Meter Inc. in 2014, and is now the direct distributor in Southern California for Badger water meters.

### ISSUES/ANALYSIS

Badger water meters interface with the cellular end points that will be deployed over the next five years for the automated metering infrastructure, and with Badger's Beacon automated metering analytics software. This contract to purchase Badger water meters will allow the Customer Service/Meter division to continue with the meter rotation program, with an estimated 1,000 meters to be replaced in FY 17-18, and assist with the conversion of the remaining drive-by automated meter reading system and manual read meters to the advanced automated metering system. It will also allow for the purchase of Badger water meters and miscellaneous replacement Badger meter parts for the purpose of new service installs and the maintenance of existing services.

### FISCAL IMPACT

Badger water meters are currently stocked as a warehouse item and purchased under the warehouse receivable account number 700-1700. Funding has been identified within FY17-18 budgets for Water District divisions, Customer Service/Meters and Distribution under account numbers 700-29-400-4050-7400 and 700-29-400-4030-7400 respectively.

**ALTERNATIVE(S)**

1. Provide alternative direction to staff.

**ATTACHMENT(S)**

None

# City of Hesperia STAFF REPORT



**DATE:** May 16, 2017

**TO:** Mayor and Council Members  
Chair and Commissioners, Hesperia Community Development Commission  
Chair and Board Members, Successor Agency to the Hesperia Community Redevelopment Agency  
Chair and Board Members, Hesperia Housing Authority  
Chair and Board Members, Hesperia Fire Protection District  
Chair and Board Members, Hesperia Water District

**FROM:** Nils Bentsen, City Manager

**BY:** Melinda Sayre, City Clerk

**SUBJECT:** Cancellation of July 4, 2017 City Council and Subsidiary District Meetings and Rescheduling

---

## RECOMMENDED ACTION

It is recommended that the City Council, the Board of Commissioners of the Hesperia Community Development Commission, and the Board of Directors of the Successor to the Hesperia Community Redevelopment Agency, Hesperia Housing Authority, Hesperia Fire Protection District, and the Hesperia Water District cancel the regularly scheduled July 4, 2017 meeting that falls on the Federal Independence Day Holiday (City Hall will be closed) and reschedule to a special meeting to be held later that week on Thursday, July 7, 2017 at 6:30 p.m.

## ALTERNATIVE(S)

1. Provide alternative direction to staff.

## ATTACHMENT(S)

None

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# City of Hesperia STAFF REPORT



**DATE:** May 16, 2017

**TO:** Mayor and Council Members

**FROM:** Nils Bentsen, City Manager

**BY:** Gregg Wielenga, Captain  
Doug Hubbard, Detective / Traffic Sergeant

**SUBJECT:** Off-Highway Motor Vehicle Grant Application to the California Department of Parks and Recreation

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## **RECOMMENDED ACTION**

It is recommended that the City Council approve and adopt Resolution No. 2017-025 authorizing the submission of a California Off-Highway Motor Vehicle (OHV) Grant Application to the California Department of Parks and Recreation for a total of \$55,474 and authorize the City Manager and the San Bernardino County Sheriff's Department to execute the Application and any amendments thereto on behalf of the City.

## **BACKGROUND**

For many years, California State Parks has offered grant funds to support law enforcement operations in communities throughout the state. These funds are available on an annual basis through a competitive grant request process. Several hundred local, state and federal agencies apply for these grant funds through an application process and final awards are based on needs of the particular jurisdiction. The City of Hesperia has applied and received funds from this program in the past and has developed a very effective OHV program. The City currently provides enforcement with funds provided in the 2016 grant cycle.

## **ISSUES/ANALYSIS**

The City of Hesperia continues to grow and with the increasing population and development, so do the complaints and other issues associated with motorcycle disturbance calls, accidents etc. Several hundred calls for service a year are generated by citizens complaining of noise, dust and general issues associated with illegal riding on public roads and private property. The Hesperia Station is in need of a funding source to purchase equipment, provide training to staff, and pay salaries to deputies who can patrol problem areas issuing citations, educate youth at local schools and events and network with OHV enthusiasts providing direction to legal riding areas therefore reducing complaints, accidents and overall increasing the quality of life for residents in the community. The 2016/2017 California State Parks grant program has grant funds available for various projects including law enforcement. With approval, Hesperia will apply for \$55,474 for the 2017 / 2018 grant project, to purchase new equipment and provide enforcement for OHV areas within City limits.

The project would be managed by a Sheriff's Sergeant and utilize several trained deputies who would be assigned to the team as a collateral duty. The OHV team would conduct regular patrols in problem areas, conduct safety programs at schools and local community events and provide education to citizens through public outlets and the media.

## **FISCAL IMPACT**

Per the grant regulations, the City would be responsible for a 25% match of the awarded funds. Funding for the 2017 / 2018 project would require the City to commit to a \$20,434 match. Per the regulations, much of this match can be accommodated through fuel and maintenance costs of OHV enforcement used equipment, patrol assignments associated with OHV contacts, calculated salary costs for the use of volunteers at events or on operations and the use of any currently owned city equipment and staff. This match requirement could be in large part satisfied by a detailed fiscal management of resources and equipment use on a daily basis by the OHV sergeant and the City finance department.

Also, per the grant regulations, the City would periodically submit payment requests to State Parks for reimbursement for funds spent during a specific time period. There is also an option of advance requests that can be submitted for funds needed to purchase large equipment items such as a vehicle, minimizing the cities out of pocket expense for such purchases.

## **ALTERNATIVE(S)**

1. Provide alternative direction to staff

## **ATTACHMENT(S)**

1. 2016/2017 Off-Highway Motor Vehicle Grant Application (available at Police Department)
2. Resolution 2017-025



ATTACHMENT AVAILABLE FOR REVIEW AT THE POLICE DEPARTMENT

## **RESOLUTION NO. 2017-025**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING THE SUBMISSION OF AN APPLICATION FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS AND MAKING CERTAIN FINDINGS RELATED THERETO**

**WHEREAS**, the City of Hesperia (City), is a public body, corporate and politic, duly organized under the laws and Constitution of the State of California; and

**WHEREAS**, the San Bernardino County Sheriff's Department contracts law enforcement services to the City; and

**WHEREAS**, the City desires to apply for funding from the State of California' s Off-Highway Vehicle Grant Program (OHVGP) in support of OHV enforcement and education to the community by the San Bernardino County Sheriff's Department; and

**WHEREAS**, the people of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides to the State of California and its political subdivisions for Operations and Maintenance, Restoration, Law Enforcement, and Education and Safety for off - highway vehicle recreation; and

**WHEREAS**, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

**WHEREAS**, procedures established by the California Department of Parks and Recreation require the Agency Board to certify by resolution of the approval of the Application to apply for Off-Highway Motor Vehicle Grant funds; and

**WHEREAS**, this Project in conformance with Hesperia's adopted General Plan and is compatible with the land use designations immediately adjacent to the Project.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY OF HESERIA CITY COUNCIL AS FOLLOWS:

- Section 1. In all respects, the facts as set forth in this resolution are true and correct.
- Section 2. Approves the filing of an Application for 2016 and 2017 Off-Highway Vehicle Grants or Cooperative Agreements.
- Section 3. Certifies that the City understands its legal obligations to the State upon approval of the Grant.
- Section 4. That City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.
- Section 5. Certifies that the Project will be well maintained during its useful life.

- Section 6. Certifies that the City will implement the Project with diligence once the funds are available and that the Applicant has reviewed, understands, and agrees with the Project Agreement.
- Section 7. Certifies that the City will provide the required matching funds.
- Section 8. Certifies that the public and adjacent property owners have been notified of this Project (as applicable).
- Section 9. That the San Bernardino designated as the Project Administrator application and all accompany submittals, through the City's Finance Department. County Sheriff's Department is hereby or all aspects of the Grant, including the and all Grant funding shall be administered
- Section 10. The City Manager and San Bernardino County Sheriff's Department or their designee(s), are hereby authorized and directed to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the Project.
- Section 11. This Resolution shall go into effect immediately upon its adoption.
- Section 12. The City Clerk shall certify to the passage and adoption hereof and enter it into the book of original resolutions for the City.

**ADOPTED AND APPROVED** this 16<sup>th</sup> day of May 2017.

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Paul Russ, Mayor

ATTEST:

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Melinda Sayre, City Clerk

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**DATE:** May 16, 2017

**TO:** Mayor and Council Members

**FROM:** Nils Bentsen, City Manager

**BY:** Dave Reno, Principal Planner  
Stan Liudahl, Senior Planner

**SUBJECT:** General Plan Amendment GPA16-00003 Modifying the Circulation Element and Site Plan Review SPR16-00016 for a Yacht Manufacturing Facility (Caliente Industrial Park, LLC; APN: 3039-321-09)

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## RECOMMENDED ACTION

The Planning Commission recommends that the City Council adopt Resolution Nos. 2017-019 and 2017-020, approving GPA16-00003 modifying the Circulation Element to eliminate that portion of Joshua Street west of Caliente Road, and Site Plan Review SPR16-00016, to construct a 75,000 square foot yacht and small residential building manufacturing facility in two phases on 6.1 gross acres of a 20.3-acre parcel within the Commercial Industrial Business Park (CIBP) Zone of the Main Street and Freeway Corridor Specific Plan located on the west side of Caliente Road, approximately 1,250 feet south of Muscatel Street.

## BACKGROUND

**Proposal:** The applicant (Mag Bay Yachts) proposes to relocate its current facilities from the City of Adelanto to this vacant parcel. Therefore, a Site Plan Review (SPR) has been filed to construct three metal buildings totaling 75,000 square feet on the eastern 6.1 of the 20.3 gross acre parcel (Attachment 1). The western 14-acre portion of the site is not to be developed. The buildings will be used for manufacturing yachts and small residential buildings. A General Plan Amendment (GPA) has also been filed, which will eliminate that portion of Joshua Street west of Caliente Road. The Traffic Circulation Plan designates Joshua Street as a Secondary Arterial roadway, terminating at the west property line of the subject property. The alignment of Joshua Street would roughly split the subject property in half. Therefore, approval of this GPA is essential to allow the proposed project.

**Location:** On the west side of Caliente Road, approximately 1,250 feet south of Muscatel Street.

**Current General Plan, Zoning and Land Uses:** The site is within the Commercial Industrial Business Park (CIBP) Zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan). The area along the Oro Grande Wash is within the Wash Protection Overlay and the western portion of the subject property is affected. The proposed development avoids this portion of the property. The surrounding land is designated as noted on Attachment 2. The subject property and all surrounding properties are vacant. The nearest developed properties are approximately 660 feet to the north and contains an industrial use and a single-family residence, which is beyond the City Limits (Attachment 3).

On April 13, 2017, the Planning Commission unanimously forwarded this item to the City Council with a recommendation for approval by a 4-0 vote (Attachment 4). No one spoke during the public hearing nor was there any letters submitted.

## **ISSUES/ANALYSIS**

### **General Plan Amendment**

The project site is bisected by the logical extension of Joshua Street, which is designated as a Secondary Arterial roadway. This street segment would extend approximately 1,320 feet west of Caliente Road through the subject property. The western 14.2-acre of the property is part of the Oro Grande Wash and is not proposed to be developed, due to slope and drainage considerations. The nearest roadways which cross the wash are Cedar Street and Muscatel Street. These streets are not paved and regularly wash out during storm events. In addition, the alignment of Joshua Street would conflict with the alignment of Elm Street, which is located on the west side of the wash within the County. The two streets are offset 330 feet. Since the western boundary of the subject property coincides with the City boundary, coordination between the City and the County would be necessary to extend Joshua Street west. Otherwise, extension of Joshua Street would result in a 1,320-foot cul-de-sac street. Further, the Engineering Division has determined that not extending Joshua Street west of Caliente Road will not cause a significant increase in traffic congestion in the area, provided Caliente Road is constructed as a Major Arterial roadway south to Mesquite Street on or after 2035, consistent with the Traffic Circulation Plan.

### **Site Plan Review**

The proposed Site Plan Review (SPR) consists of development of a 26,400 (Building B) and a 22,200 (Building A) square foot metal building to be constructed during the first phase. This first phase will provide jobs for around 60 persons. All street improvements and on-site improvements, including parking and landscaping will be constructed in phase 1. Phase 2 will comprise development of another 26,400 square foot metal building to also be used for industrial purposes. The applicant reduced the size of Building A from 28,200 to 22,200 square feet. A traffic study was submitted prior to the reduction in building floor area. In as much as this study analyzes 107,400 square feet of total floor area for all three buildings, its conclusions are still valid.

The proposed development complies with nearly all site development regulations, including the minimum building setback, building height, and parking requirements. The project requires a minimum of 46 parking spaces, based upon 20 spaces for the first 10,000 square feet of gross building area and 0.4 spaces per 1,000 square feet of building area exceeding 10,000 square feet of building area. The site design will provide 55 spaces, affording 9 surplus spaces. The proposed handicapped accessible path of travel from Caliente Road to Building B shall be shifted north approximately 10 feet. This will eliminate the portion of the path of travel parallel to the drive aisle and will provide one additional parking space. In addition, the Specific Plan requires that a minimum of 10 percent of the net parcel area be landscaped. The proposed site plan provides 9 percent. While the Development Code does not enable this minor deviation in landscaped area, the reviewing authority can consider other exceptions when it believes that the proposed deviation does not have a cumulative effect greater than the exceptions listed within the Development Code.

The architecture of both buildings complies with the architectural requirements of the Specific Plan (Attachment 5). Building A incorporates changes in roof planes and includes a sloped tile roof over the front elevation facing Caliente Road. The front elevation also includes stucco walls and storefront windows. The base of this wall also contains split-face masonry veneer

with a decorative cap and decorative light fixtures. These decorative elements wrap around the side of the building approximately 35 feet. The areas beyond the 35 feet will contain exterior metal columns to break up the repetitiveness of the metal walls and bay doors along the side and rear sides of the building. Building B integrates changes in roof planes but does not include a sloped tile roof, as it does not contain offices. The front of the building provides two storefront doors with metal awnings, decorative light fixtures, and split-face masonry veneer with a decorative cap along the base of the wall and as columns around each storefront door. The sides and rear of Building B will provide metal columns.

**Drainage:** On-site drainage sized to retain stormwater from a 100-year storm will be retained in underground retention systems. The Oro Grande Wash impacts the western portion of the subject property, which is not being developed. Therefore, the project will not be impacted by or have an impact upon the wash.

**Water and Sewer:** The development will be connected to the existing eight-inch water and sewer line in Caliente Road within the City's water system.

**Traffic Impact:** A Traffic Impact Analysis (TIA) was submitted as part of the original application. Inasmuch as the TIA analyzes 107,400 square feet of building floor area, it addresses the impact of a larger development than the proposed project. The TIA determined that the proposed project in and of itself will not cause a cumulatively significant impact upon the area roads until 2035. At that time, a traffic signal is warranted at the intersection of Caliente Road and Joshua Street. This project's contribution to traffic congestion is miniscule compared to the Hesperia Commerce Center, which entails development of 3.5 million square feet of building area south of the subject property. Consequently, staff recommends that the applicant not be subject to payment of its "Fair Share Contribution" towards installation of the signal.

**Environmental:** Approval of this development requires adoption of a mitigated negative declaration pursuant to the California Environmental Quality Act (CEQA). The mitigated negative declaration and initial study prepared for the development (Attachment 6) conclude that there are no significant adverse impacts resulting from the project. A biological assessment, protected plant plan, and cultural resource survey were required. The biological report shows that the site does not contain habitat for the desert tortoise nor any other threatened or endangered species. However, a pre-construction survey for the burrowing owl will be conducted prior to issuance of a grading permit. A protected plant plan was also submitted, which ensures that all transplantable plants protected by the City's Ordinance will be handled in accordance with the City's Protected Plant Ordinance. A cultural resource survey was also conducted. The report indicates that no significant archaeologic or paleontologic resources exist and does not recommend any further studies. However, if cultural resources are found during grading, then grading activities shall cease and the applicant shall contract with a City approved archaeologist or paleontologist to monitor grading prior to resuming grading. All cultural resources discovered shall be handled in accordance with state and federal law.

**Conclusion:** The project conforms to the policies of the Specific Plan and is consistent with the General Plan with adoption of this General Plan Amendment.

## **FISCAL IMPACT**

Development will be subject to payment of all development impact fees adopted by the City.



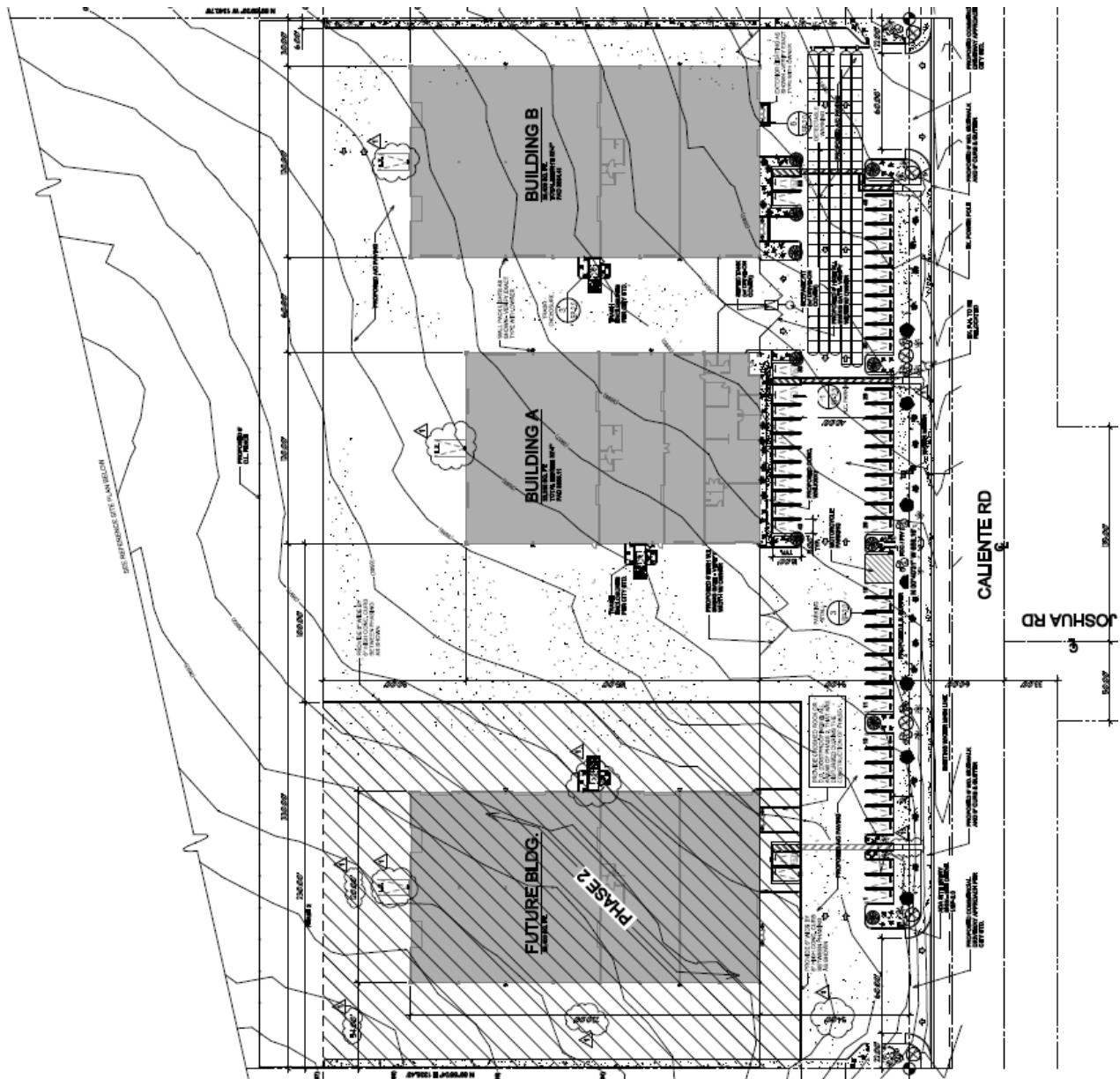
## **ALTERNATIVE(S)**

1. The City Council could require that the applicant pay the project's "Fair Share Contribution," due to cumulative traffic impacts in 2035. The TIA analyzed the impact of an industrial development with 107,400 square feet of building area. In addition, the first phase of this development will only employ about 60 persons. The total building floor area of this project has been reduced to 75,000 square feet and the proposed project's traffic impact is miniscule in comparison to the Hesperia Commerce Center's traffic impact. Due to this minor traffic impact, staff does not recommend that the developer pay the "Fair Share Contribution" for this development.
2. Provide alternative direction to staff.

## **ATTACHMENT(S)**

1. Site Plan
2. General Plan
3. Aerial photo
4. Draft minutes from the April 13, 2017 Planning Commission meeting
5. Color exterior building elevations
6. Negative Declaration ND-2016-12
7. Initial Study with Attachment A
8. Resolution No. 2017-019 (GPA16-00003)
9. Resolution No. 2017-020, with list of conditions (SPR16-00016)

# ATTACHMENT 1



**APPLICANT(S):** CALIENTE INDUSTRIAL PARK, LLC

**FILE NO(S):** GPA16-00003 & SPR16-00016

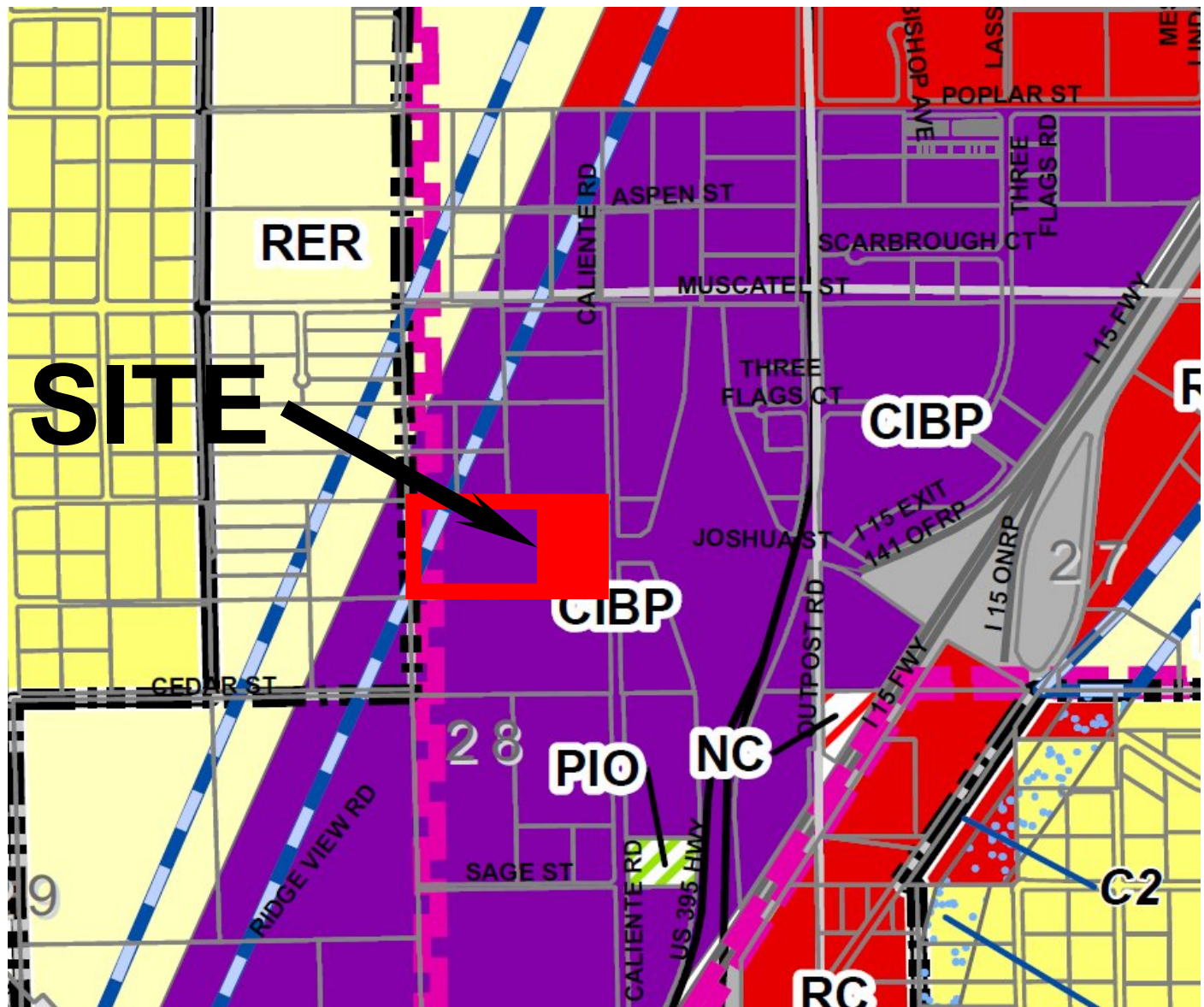
**LOCATION:** ON THE WEST SIDE OF CALIENTE ROAD, APPROXIMATELY 1,250 FEET SOUTH OF MUSCATEL STREET

**APN(S):** 3039-321-09

**PROPOSAL:** CONSIDERATION OF GENERAL PLAN AMENDMENT GPA16-00003, MODIFYING THE CIRCULATION ELEMENT TO ELIMINATE THAT PORTION OF JOSHUA STREET WEST OF CALIENTE ROAD AND SITE PLAN REVIEW SPR16-00016, TO CONSTRUCT A 75,000 SQUARE FOOT YACHT AND SMALL RESIDENTIAL BUILDING MANUFACTURING FACILITY IN TWO PHASES ON 6.1 GROSS ACRES OF A 20.3-ACRE PARCEL WITHIN THE COMMERCIAL INDUSTRIAL BUSINESS PARK (CIBP) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN



# ATTACHMENT 2



**APPLICANT(S):** CALIENTE INDUSTRIAL PARK, LLC

**FILE NO(S):** GPA16-00003 & SPR16-00016

**LOCATION:** ON THE WEST SIDE OF CALIENTE ROAD, APPROXIMATELY 1,250 FEET SOUTH OF MUSCATEL STREET

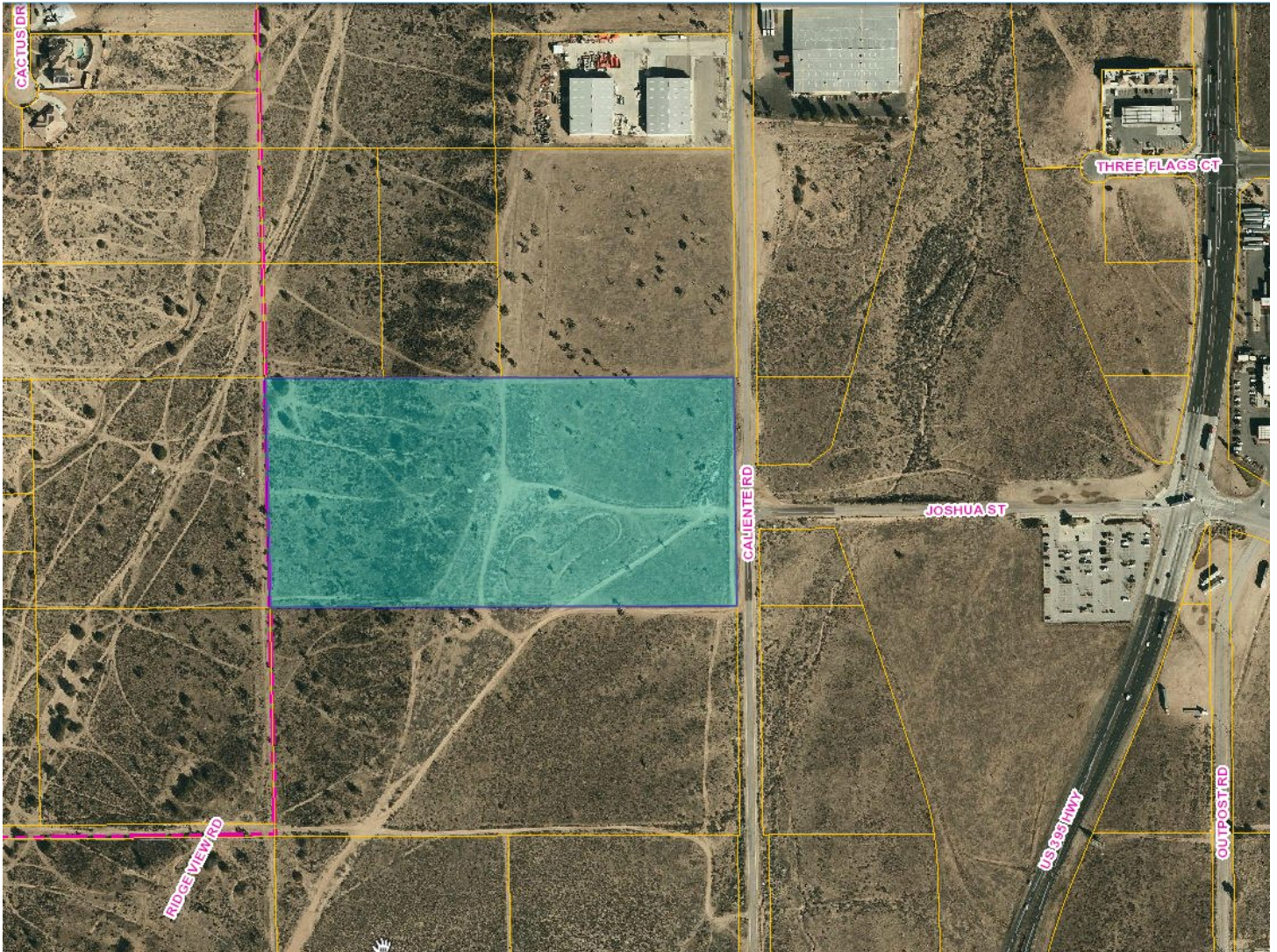
**APN(S):** 3039-321-09

**PROPOSAL:** CONSIDERATION OF GENERAL PLAN AMENDMENT GPA16-00003, MODIFYING THE CIRCULATION ELEMENT TO ELIMINATE THAT PORTION OF JOSHUA STREET WEST OF CALIENTE ROAD AND SITE PLAN REVIEW SPR16-00016, TO CONSTRUCT A 75,000 SQUARE FOOT YACHT AND SMALL RESIDENTIAL BUILDING MANUFACTURING FACILITY IN TWO PHASES ON 6.1 GROSS ACRES OF A 20.3-ACRE PARCEL WITHIN THE COMMERCIAL INDUSTRIAL BUSINESS PARK (CIBP) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN





# ATTACHMENT 3



**APPLICANT(S):** CALIENTE INDUSTRIAL PARK, LLC

**FILE NO(S):** GPA16-00003 & SPR16-00016

**LOCATION:** ON THE WEST SIDE OF CALIENTE ROAD, APPROXIMATELY 1,250 FEET SOUTH OF MUSCATEL STREET

**APN(S):** 3039-321-09

**PROPOSAL:** CONSIDERATION OF GENERAL PLAN AMENDMENT GPA16-00003, MODIFYING THE CIRCULATION ELEMENT TO ELIMINATE THAT PORTION OF JOSHUA STREET WEST OF CALIENTE ROAD AND SITE PLAN REVIEW SPR16-00016, TO CONSTRUCT A 75,000 SQUARE FOOT YACHT AND SMALL RESIDENTIAL BUILDING MANUFACTURING FACILITY IN TWO PHASES ON 6.1 GROSS ACRES OF A 20.3-ACRE PARCEL WITHIN THE COMMERCIAL INDUSTRIAL BUSINESS PARK (CIBP) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN



**AERIAL PHOTO**

# ATTACHMENT 4

## HESPERIA PLANNING COMMISSION MEETING REGULAR MEETING April 13, 2017 MINUTES

The Regular Meeting of the Planning Commission was called to order at 6:30 p.m. by Chair Murphy in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

### CALL TO ORDER 6:30 p.m.

### Pledge of Allegiance to the Flag

### Invocation

### Roll Call:

**Present:** Chair Tom Murphy  
Vice Chair William Muller  
Commissioner James Heywood  
Commissioner Joline Bell-Hahn  
Commissioner Cody Leis

### Reorganization of the Planning Commission

#### 1. Election of Chair

Motion by Joline Bell-Hahn to approve Tom Murphy as Planning Commission Chair, Seconded by William Muller, passed with the following roll call vote:

**AYES:** Tom Murphy, William Muller, James Heywood, Joline Bell-Hahn, and Cody Leis  
**NOES:** None

#### 2. Election of Vice Chair

Motion by Joline Bell-Hahn to approve William Muller as Planning Commission Vice Chair, Seconded by James Heywood, passed with the following roll call vote:

**AYES:** Tom Murphy, William Muller, James Heywood, Joline Bell-Hahn, and Cody Leis  
**NOES:** None

### JOINT PUBLIC COMMENTS

Chair Murphy opened Public Comments at 6:43 pm.

Chair Murphy closed Public Comments at 6:44 pm.

### CONSENT CALENDAR

#### Approval of Minutes: January 14, 2016, Planning Commission Meeting Draft Minutes.

Motion by Joline Bell-Hahn to approve January 14, 2016, Planning Commission Meeting Draft Minutes, Seconded by William Muller, passed with the following roll call vote:

**AYES:** Tom Murphy, William Muller, James Heywood, and Joline Bell-Hahn, and Cody Leis  
**NOES:** None



# ATTACHMENT 4

## HESPERIA PLANNING COMMISSION MEETING REGULAR MEETING April 13, 2017 MINUTES

### PUBLIC HEARING

- 1. Consideration of General Plan Amendment GPA15-00002, to amend the land use designation from Rural Residential with a minimum lot size of 2 1/2 acres (RR-2 1/2) to Rural Residential with a minimum lot size of one-acre (RR-1) in conjunction with Tentative Parcel Map TPM15-00006 (PM-19703), to create four parcels and a remainder on 5.0 gross acres. General Plan Amendment GPA15-00002 is expanded to include an additional parcel of 17.6 gross acres to the north.

Senior Planner Stan Liudahl presented Item 1, Consideration of General Plan Amendment, GPA15-00002.

The Commission asked questions of staff with staff answering and discussions ensuing.

The Public Hearing opened at 6:53 pm.

Resident Marcus Walls spoke.

Mark Rowling of Toberet, LLC spoke.

The Commission asked questions of Mr. Rowling with Mr. Rowling responding and discussions ensuing between the Commission, staff, and Mr. Rowling.

Harry Mayo of Cubit Engineering spoke.

The Public Hearing closed at 7:08 pm.

Discussions ensued between the Commission, staff, and City Attorney, Jeff Malawy.

**Motion by Cody Leis to adopt Resolution Nos. PC-2016-04, approving General Plan Amendment, GPA15-00002 and Tentative Parcel Map, TPM15-00006, Seconded by Tom Murphy, passed with the following roll call vote:**

<b>AYES:</b>	<b>Tom Murphy, William Muller, James Heywood, Joline Bell-Hahn, and Cody Leis</b>
<b>NOES:</b>	<b>None</b>

### PRINCIPAL PLANNER'S REPORT

#### **Annual Report on Status and Implementation of the General Plan**

Principal Planner Dave Reno reported on the "Annual Report on Status and Implementation of the General Plan." Questions from the Commission were asked with Mr. Reno responding and discussions ensuing.

Principal Planner Dave Reno reported on the City Council's Development Impact Fee (DIF) vote. Questions from the Commission were asked with Mr. Reno responding and discussions ensuing.

**Motion by Chair Murphy to send the report to the State of California, Seconded by Bill Muller, passed with the following verbal vote:**

<b>AYES:</b>	<b>Tom Murphy, William Muller, James Heywood, Joline Bell-Hahn, and Cody Leis</b>
<b>NOES:</b>	<b>None</b>

# ATTACHMENT 4

## HESPERIA PLANNING COMMISSION MEETING REGULAR MEETING April 13, 2017 MINUTES

### **DRC Comments**

No comments provided.

### **Major Project Update**

Principal Planner Dave Reno reported that there will be a Planning Commission Meeting April 14<sup>th</sup> and staff will be bringing forward a Conditional Use Permit for the Gallagher project as well as a Site Plan Review for the Eagle project.

Principal Planner Dave Reno reported that there will be a Planning Commission Meeting on May 12th and staff will be bringing forward code amendments.

### **PLANNING COMMISSION BUSINESS OR REPORTS**

No business or reports provided.

### **ADJOURNMENT**

Meeting adjourned at 7:42 pm until April 14, 2016.

William Muller,  
Vice Chair

By: Denise Bossard  
Commission Secretary

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# ATTACHMENT 5

## BUILDING A

EAST ELEVATION



## BUILDING B

EAST ELEVATION



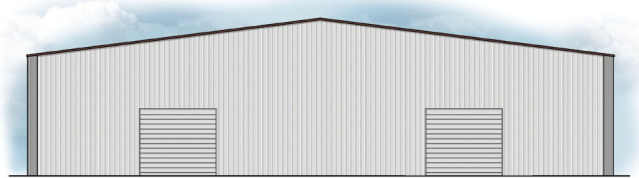
NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION FOR BOTH BUILDINGS



**APPLICANT(S):** CALIENTE INDUSTRIAL PARK, LLC

**FILE NO(S):** GPA16-00003 & SPR16-00016

**LOCATION:** ON THE WEST SIDE OF CALIENTE ROAD, APPROXIMATELY 1,250 FEET SOUTH OF MUSCATEL STREET

**APN(S):** 3039-321-09

**PROPOSAL:** CONSIDERATION OF GENERAL PLAN AMENDMENT GPA16-00003, MODIFYING THE CIRCULATION ELEMENT TO ELIMINATE THAT PORTION OF JOSHUA STREET WEST OF CALIENTE ROAD AND SITE PLAN REVIEW SPR16-00016, TO CONSTRUCT A 75,000 SQUARE FOOT YACHT AND SMALL RESIDENTIAL BUILDING MANUFACTURING FACILITY IN TWO PHASES ON 6.1 GROSS ACRES OF A 20.3-ACRE PARCEL WITHIN THE COMMERCIAL INDUSTRIAL BUSINESS PARK (CIBP) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN



## COLOR EXTERIOR BUILDING ELEVATIONS



# ATTACHMENT 6

PLANNING DIVISION  
9700 Seventh Avenue, Hesperia, California 92345  
(760) 947-1224 FAX (760) 947-1221  
NEGATIVE DECLARATION ND-2016-12  
Preparation Date: March 22, 2017

Name or Title of Project: General Plan Amendment GPA16-00003 and Site Plan Review SPR16-00016.

Location: On the west side of Caliente Road, approximately 1,250 feet south of Muscatel Street (APN: 3039-321-09).

Entity or Person Undertaking Project: Caliente Industrial Park, LLC.

Description of Project: A General Plan Amendment modifying the Circulation Element to eliminate that portion of Joshua Street west of Caliente Road and Site Plan Review SPR16-00016, to construct a 75,000 square foot yacht and small residential building manufacturing facility in two phases on 6.1 gross acres of a 20.3-acre parcel within the Commercial Industrial Business Park (CIBP) Zone of the Main Street and Freeway Corridor Specific Plan.

Statement of Findings: The City Council has reviewed the Initial Study for this proposed project and has found that there are no significant adverse environmental impacts to either the man-made or physical environmental setting with inclusion of the following mitigation measures and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

Mitigation Measures:

1. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.
2. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.
3. If cultural resources are found during grading, then grading activities shall cease and the applicant shall contract with a City approved archaeologist or paleontologist to monitor grading prior to resuming grading. All cultural resources discovered shall be handled in accordance with state and federal law. A report of all resources discovered as well as the actions taken shall be provided to the City prior to issuance of a Certificate of Occupancy.

A copy of the Initial Study and other applicable documents used to support the proposed Mitigated Negative Declaration is available for review at the City of Hesperia Planning Department.

Public Review Period: April 4, 2017 through May 3, 2017.

Adopted by the City Council: May 16, 2017.

Attest:

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DAVE RENO, AICP, PRINCIPAL PLANNER

# ATTACHMENT 7

## CITY OF HESPERIA INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

### PROJECT DESCRIPTION

1. **Project Title:** General Plan Amendment GPA16-00003 and Site Plan Review SPR16-00016.
2. **Lead Agency Name:** City of Hesperia Planning Division  
**Address:** 9700 Seventh Avenue, Hesperia, CA 92345.
3. **Contact Person:** Stan Liudahl, AICP, Senior Planner  
**Phone number:** (760) 947-1231.
4. **Project Location:** On the west side of Caliente Road, approximately 1,250 feet south of Muscatel Street (APN: 3039-321-09).
5. **Project Sponsor:** Caliente Industrial Park, LLC  
**Address:** 9424 Cassia Road  
Adelanto, CA 92301
6. **General Plan & zoning:** Commercial Industrial Business Park (CIBP) Zone of the Main Street and Freeway Corridor Specific Plan.
7. **Description of project:**

Consideration of General Plan Amendment GPA16-00003, modifying the Circulation Element to eliminate that portion of Joshua Street west of Caliente Road and Site Plan Review SPR16-00016, to construct a manufacturing facility in two phases on the eastern portion of a 20.3 gross acre parcel located on the west side of Caliente Road, approximately 1,250 feet south of Muscatel Street. The Circulation Element of the General Plan identifies Joshua Street as an 80-foot wide Secondary Arterial roadway between Interstate 15 and the City boundary on Los Banos Avenue. Based upon the constraints of extending the road across the wash and the low residential density of the area west of the wash, the City's Engineering Division has determined that Joshua Street is not needed west of Caliente Road. Otherwise, the proposed development would require significant changes, due to the alignment of Joshua Street. Consequently, adoption of General Plan Amendment GPA16-00003 is necessary to allow the proposed site design.

Site Plan Review SPR16-00016 will allow construction of a 75,000 square foot yacht and small residential building manufacturing facility in two phases on the eastern 6.1 gross acres of the 20.3 gross acre property. Phase 1 incorporates a 22,200 and a 26,400 square foot building on the northern half of the 6.1-acre portion of the property along with paved parking spaces, driveways, drive aisles, landscaping, and fencing, across the entire project width along Caliente Road. The sewer and water line connections for all three buildings will also be installed within the first phase. The required on-site retention facilities for both phases as well as all off-site improvements, including curb, gutter and sidewalk, will be constructed in phase 1. Phase 2 will allow construction of a third building, 26,400 square feet in area as well as its own trash enclosure, handicapped parking space and landscaping located in front of the building. The tenant for this future phase is unknown as of the date of preparation of this report.

8. **Surrounding land uses and setting:** (Briefly describe the project's surroundings.) The site is within the Commercial Industrial Business Park (CIBP) District of the Main Street and Freeway Corridor Specific Plan and is undeveloped as shown on Attachment "A."

9. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement.) Review and approval is required from the City.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture & Forestry Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology / Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials	<input type="checkbox"/>	Hydrology / Water Quality
<input type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population / Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation / Traffic	<input type="checkbox"/>	Utilities / Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

**DETERMINATION:** (Completed by the Lead Agency)

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.		"De minimis"
X	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.		
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.		
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.		
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.		

Signature

Date

Stan Liudahl, AICP, Senior Planner, Hesperia Planning Division

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting information sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

<b>I. AESTHETICS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista <b>(1)</b> ?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway <b>(1 &amp; 2)</b> ?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings <b>(1, 2, 3 &amp; 4)</b> ?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area <b>(6)</b> ?			X	

### Comments.

The eastern portion of the site has been previously disturbed by past off-road vehicle and grading activities **(1)**. In addition, the site is within 660 feet of an existing manufacturing facility to the north. Therefore, the existing visual quality of the site has been compromised to a degree. Approval of the proposed General Plan Amendment and site plan review will result in development of approximately 6.1 gross acres of the eastern portion of the 20.3 gross acre property. Consequently, only a slight change in the visual character of the area would occur with project development. The wash on the western portion of the property, which appears mostly pristine, will not be developed. Further, approval of General Plan Amendment GPA16-00003 will eliminate Joshua Street west of Caliente Avenue. The Circulation Element currently requires that the street be constructed to the Secondary Arterial standard, which would result in an 80-foot wide street bisecting the subject property. This elimination will result in no impact upon the wash. Inasmuch as the City's Engineering Division has determined that this segment of Joshua Street is not needed to maintain service levels, it is recommended that this street segment be removed from the Circulation Element.

An additional environmental impact beyond that identified under the General Plan Update Environmental Impact Report (GPUEIR) is not proposed, as the site is currently designated for commercial/industrial development with a maximum Floor Area Ratio (FAR) of 0.35. The proposed development exhibits only a 0.28 FAR based upon development of just the 6.1-acre portion of the site **(7)**. Although semi-trucks with trailers and other large vehicles associated with manufacturing yachts and small residential buildings will come and go to the site, semi-trucks and trailers already frequent this area. Therefore, the impact of these vehicles is not significant.

The City contains many scenic views of the Mojave Desert, the Mojave River, the San Bernardino and San Gabriel mountains, as well as of the Summit Valley area. The GPUEIR addressed the scenic vistas and focuses on preservation of natural open space to protect sensitive environments and specific amenities like washes, bluffs, Joshua tree forests and juniper woodlands **(3)**. The proposed project is designed such that no portion of the Oro Grande wash will be developed. Given the existing land uses nearby and the site's proximity to Joshua Street and U. S. Highway 395, its development will not substantially degrade the existing visual character or quality of the site and its surroundings. Further, a state scenic highway does not traverse the City **(2)**. State Highways 138 and 173 are eligible for being designated scenic highways within the southern portion of the City. The project site is not in proximity to this area. In addition, the City does not contain any registered historic buildings.

Due to the potential impact of additional truck and automobile traffic, a Traffic Impact Analysis (TIA) (4) was submitted for review and approval. The TIA outlines the impact of the proposed 75,000 square foot yacht and small residential building manufacturing business on the roadways in its vicinity. The TIA analyzes 107,400 square feet of building floor area, as the proposed development was originally larger before it was filed. Consequently, the TIA addresses the traffic impact of a larger development than the proposed project. The TIA determined that the proposed project in and of itself will not cause a cumulatively significant impact upon the area roads until 2035. At that time, a traffic signal is warranted at the intersection of Caliente Road and Joshua Street. This project's contribution to traffic congestion is miniscule compared to the Hesperia Commerce Center, which entails development of 3.5 million square feet of building area south of the subject property. In addition, the 12,271 square foot Love's Travel Center on 10.6 gross acres on the southeast corner of Joshua Street and Outpost Road will also pose a more significant impact than this 75,000 square foot manufacturing facility. Consequently, the applicant should not be subject to payment of its "Fair Share Contribution" towards installation of the signal.

The development meets the development standards of the Specific Plan (5), which limit building height and provide for minimum yard, maximum floor area ratio and architectural standards implemented through the site plan review process except the 10 percent landscaping area requirement. The development will provide 9 percent of the net lot area as landscaping. Inasmuch as the landscaping is concentrated along Caliente Road and exceeds the minimum landscaping depth along the street, staff supports this minor deficiency. Further, the proposed exterior building elevations meet the minimum architectural requirements of the Specific Plan. The project is not adjacent to sensitive land uses. The Development Code requires that any light created by the development not exceed 0.5 foot-candle illumination at the site boundary abutting a street (6). Further, all lights shall be hooded and directed downward to reduce the impact upon the nighttime sky in accordance with the General Plan Update, which identifies the impact of development in accordance with the General Plan as less than significant (8). Based upon these regulations, the use will not significantly adversely affect day or nighttime views in the area. Therefore, approval of the proposed site plan review and Specific Plan Amendment will not have a significant negative impact upon aesthetics.

<b>II. AGRICULTURE AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and State Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use (9)?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract (10 & 11)?				X

c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220(g)), 569V timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) <b>(12)</b> ?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use <b>(12)</b> ?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use <b>(11 &amp; 12)</b> ?				X

**Comments.**

As part of the development approval process, any vacant site other than for a single-family residence permitted as a use by right shall require approval of a land use entitlement. As part of every land use entitlement, the potential impact upon prime farmland, unique farmland, or farmland of statewide importance is evaluated. Prior to development, staff reviews the General Plan and the United States Soil Conservation Service Soil Survey of San Bernardino County, which identifies soils which are suitable for prime farmland, unique farmland, or farmland of statewide importance. The soil at this location is identified as Hesperia loamy fine sand, two to five percent slopes **(13)**. These soils are limited by high soil blowing hazard, high water intake rate, low available water capacity, and low fertility. Further, the proximity of commercial and industrial uses does not make this site viable for agriculture. The U.S. Department of Agriculture, Soil Conservation Service (SCS) Soil Survey of San Bernardino County California Mojave River Area states that "Urban and built-up land and water areas cannot be considered prime farmland..." The City contains few sites currently in agricultural use and only two properties within a Williamson Act contract. This action will not change the zoning of any properties designated as prime or unique farmland and will not negate any Williamson Act contract, as the site is currently within the Commercial Industrial Business Park District of the Main Street and Freeway Corridor Specific Plan **(10)**. The site was also evaluated for past agricultural uses. There is no record of past agricultural activities on the site. Therefore, this project will not have an impact upon agricultural resources.

The City and its Sphere Of Influence (SOI) is located within the Mojave bioregion, primarily within the urban and desert land use classes **(14)**. The southernmost portions of the City and SOI contain a narrow distribution of land within the shrub and conifer woodland bioregions. These bioregions do not contain sufficient forest land for viable timber production and are ranked as low priority landscapes **(15)**. The project site is located in the western portion of the City's urban area within the U.S. Highway 395/Interstate 15 corridor and is adjacent to existing urban development **(1)**. During the nineteenth century, juniper wood from Hesperia was harvested for use in fueling bakery kilns. Use of juniper wood was discontinued when oil replaced wood in the early twentieth century **(12)**. Local timber production has not occurred since that time. Therefore, this project will not have an impact upon forest land or timberland.

<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan <b>(16, 17 &amp; 18)</b> ?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation <b>(16, 17 &amp; 18)</b> ?			X	



c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors) <b>(16, 17 &amp; 18)?</b>			X	
d) Expose sensitive receptors to substandard pollutant concentrations <b>(7, 16 &amp; 17)?</b>			X	
e) Create objectionable odors affecting a substantial number of people <b>(1, 7, 16 &amp; 17)?</b>			X	

#### Comments.

The Mojave Desert Air Quality Management District (MDAQMD) has published a number of studies that demonstrate that the Mojave Desert Air Basin (MDAB) can be brought into attainment for particulate matter and ozone, if the South Coast Air Basin (SCAB) achieves attainment under its adopted Air Quality Management Plan. The High Desert and most of the remainder of the desert has been in compliance with the federal particulate standards for the past 15 years **(16)**. The ability of MDAQMD to comply with ozone ambient air quality standards will depend upon the ability of SCAQMD to bring the ozone concentrations and precursor emissions into compliance with ambient air quality standards, since these pollutants are entering the High Desert region through the Cajon Pass **(16 & 17)**.

The General Plan Update and its Environmental Impact Report (EIR) addresses the impact of build-out in accordance with the Land Use Plan, with emphasis upon the impact upon sensitive receptors **(16 & 17)**. Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are generally more sensitive to poor air quality. The closest sensitive receptors are the occupants of the single-family residential area approximately 660 feet to the northwest.

The proposed General Plan Amendment will eliminate the segment of Joshua Street west of Caliente Road. The Traffic Circulation Plan designates Joshua Street as a Secondary Arterial roadway, terminating at the west property line of the subject property (this is also the boundary of the City Limits). The alignment of Joshua Street would roughly split the subject property in half. Therefore, approval of this GPA is essential to allow the proposed project **(67)**. The alignment of Joshua Street conflicts with the alignment of Elm Street, which is located on the west side of the wash within the County, as the two streets are offset 330 feet. Since the western boundary of the subject property coincides with the City boundary, coordination between the City and the County would be necessary to extend Joshua Street west. Unless this street is connected to a street within the County, the extension of Joshua Street to the City Limit would result in a 1,320-foot cul-de-sac street. Further, the Engineering Division has determined that not extending Joshua Street west of Caliente Road will not cause a significant increase in traffic congestion in the area, provided Caliente Road is constructed as a Major Arterial roadway south to Ranchero Road on or after 2035, consistent with the Traffic Circulation Plan.

All uses identified within the Hesperia General Plan are classified as area sources by the MDAQMD **(18)**. Programs have been established in the Air Quality Attainment Plan which address emissions caused by area sources. Both short-term (construction) emissions and the long-term (operational) emissions associated with the development were considered. Short-term airborne emissions will occur during the construction phase related to demolition, site preparation, land clearance, grading, excavation, and building construction; which will result in fugitive dust emissions. Also, equipment emissions, associated with the use of construction equipment during site preparation and construction activities, will generate emissions. Construction activities generally do not have the potential to generate a substantial amount of odors. The primary source of odors associated with construction activities are generated from the combustion petroleum products by equipment. However, such odors

are part of the ambient odor environment of urban areas. In addition, the contractor will be required to obtain all pertinent operating permits from the Mojave Desert Air Quality Management District (MDAQMD) for any equipment requiring AQMD permits.

The General Plan Update identifies large areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact to air quality upon build-out of the General Plan. Based upon this analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with air quality impacts **(19)**. As part of the General Plan Update Environmental Impact Report (GPUEIR), the impact of industrial development to the maximum allowable density permitted by the Land Use Plan was analyzed. The impact of a 75,000 square foot manufacturing facility on 6.1 gross acres does not meet any threshold which requires air quality analysis or mitigation under the Air Quality Attainment Plan **(18)**.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service <b>(20 &amp; 24)</b> ?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service <b>(1 &amp; 20)</b> ?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means <b>(1 &amp; 20)</b> ?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites <b>(1, 20 &amp; 24)</b> ?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance <b>(20 &amp; 21)</b> ?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan <b>(22)</b> ?				X

#### Comments.

The site is not expected to support the Mohave ground squirrel, given the very low population levels of the species in the region and proximity to existing development. Further, the project site is outside the area considered suitable habitat for the species **(23)**. The desert tortoise is also not expected to inhabit the site, given its proximity to Interstate 15 and U. S. Highway 395 **(1)**. The site is also outside the range of the arroyo toad, which has been documented to inhabit a portion of the Tapestry Specific Plan and adjacent areas **(24)**.

Since the site contains native plant species, a biological survey was conducted by RCA Associates, LLC to determine the presence of the desert tortoise, Mohave ground squirrel, burrowing owl, loggerhead shrike, sharp-skinned hawk, and other threatened/endangered species **(20)**. The biological

report states that none of these nor any other threatened or endangered species inhabit the site. Since the burrowing owl is not sensitive to development and may occupy the site at any time, a mitigation measure requiring another biological survey to determine their presence shall be submitted no more than 30 days prior commencement of grading activities.

A protected plant plan was prepared as part of the biological report. This protected plant plan will ensure that 7 of the site's 18 Joshua Trees which are protected under the City's Native Plant Protection Ordinance, will be relocated or protected in place **(20)**. The 11 which will not be protected are unsuitable for transplanting and/or are unhealthy. The grading plan for the project shall stipulate that all protected plants identified within the report will be relocated or protected in place. The mitigation measure is listed on page 24.

The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest communities, exist within the Tapestry Specific Plan and vicinity **(25)**. The project site is located approximately six miles to the northwest within a developed portion of the City. Consequently, approval of the site plan review and Specific Plan Amendment will not have an impact upon biological resources, subject to the recommended mitigation measures.

<b>V. CULTURAL RESOURCES.</b> Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 <b>(26)</b> ?					X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 <b>(26)</b> ?					X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature <b>(27)</b> ?				X	
d) Disturb any human remains, including those interred outside of formal cemeteries <b>(28)</b> ?				X	

#### Comments.

Based upon a site visit and review of the aerial photos **(1)**, there is no evidence that cultural resources exist within the project site. In addition, the site is not on the list of previously recorded cultural resources **(26)**. This list, which was compiled as part of the 2010 General Plan Update; was compiled from the inventory of the National Register of Historic Properties, the California Historic Landmarks list, the California Points of Historic Interest list, and the California State Resources Inventory for San Bernardino County. Past records of paleontological resources were also evaluated as part of the General Plan. This research was compiled from records at the Archaeological Information Center currently located at the University of California in Fullerton. Based upon this review, paleontological resources are not expected to exist on the project site. Further, the Cultural Resources Sensitivity Map indicates that the site has a low sensitivity potential for containing cultural resources, except within the Oro Grande wash, which has a high potential to contain cultural resources. Inasmuch as the project is avoiding the wash, cultural resources are not expected to exist on the eastern portion of the subject property **(27)**.

Since this project requires approval of a General Plan Amendment and is not exempt from the California Environmental Quality Act (CEQA), the City sent a letter dated November 4, 2016 giving all interested Native American tribes the opportunity to consult pursuant to the California Public Resources Code (AB 52 and SB-18). The City will also notify the tribes in writing of the Planning Commission and City Council meeting dates. As of the date of preparation of this document, staff has not received a consultation request.

The site was investigated by CRM Tech in October of 2016 **(77)**. After a thorough field investigation, CRM Tech did not find evidence of archaeological or paleontological resources on-site. However, there is a possibility that resources may exist below the surface. Therefore, a mitigation measure is listed on page 24, which will be imposed should any cultural resources be unearthed during construction.

In the event that human remains are discovered during grading activities, grading shall cease until the County Coroner has made the necessary findings in accordance with the California Environmental Quality Act (CEQA) **(28)**. Should the Coroner determine that the remains are Native American, the Native American Heritage Commission (NAHC) shall be contacted and the remains shall be handled in accordance with Public Resources Code Section 5097.98. The NAHC has indicated that the City and Sphere of Influence does not contain any sacred lands **(29)**. Consequently, approval of the site plan review and Specific Plan Amendment is not expected to have an impact upon cultural resources.

<b>VI. GEOLOGY AND SOILS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 <b>(31, 32 &amp; 33)</b> .				X
ii) Strong seismic ground shaking <b>(30 &amp; 34)</b> ?			X	
iii) Seismic-related ground failure, including liquefaction <b>(13 &amp; 30)</b> ?				X
iv) Landslides <b>(30)</b> ?			X	
b) Result in substantial soil erosion or the loss of topsoil <b>(13)</b> ?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse <b>(13 &amp; 30)</b> ?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property <b>(13)</b> ?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater <b>(13)</b> ?				X

#### Comments.

The project site contains generally flat topography with slopes of between two and five percent. Although the western portion of the site contains the Oro Grande Wash, the project is not being developed on that area of the site. According to Exhibit SF-1 of the General Plan Safety Element, no

active faults are known or suspected to occur near or within the project site and the site is not within an Alquist-Priolo Special Studies Zone or Earthquake Fault Zone **(31)**. The City and Sphere of Influence (SOI) is near several major faults, including the San Andreas, North Frontal, Cleghorn, Cucamonga, Helendale, and San Jacinto faults **(31 & 32)**. The nearest fault to the site is the North Frontal fault, located approximately five miles to the east of the City.

The Alquist-Priolo Earthquake Fault Zoning Act prohibits structures designed for human occupancy within 500 feet of a major active fault and 200 to 300 feet from minor active faults **(33)**. The project site is not located in an Alquist-Priolo Earthquake Fault Zone or within 500 feet of a fault **(31 & 32)**. Further, the soil at this site does not have the potential for landslides, lateral spreading, subsidence, liquefaction, or collapse **(13)**.

The soil at this location is identified as Hesperia loamy fine sand, two to five percent slopes **(13)**. This soil is limited by high soil blowing hazard, high water intake rate, and moderate to high available water capacity. The site's shallow slope and moderately rapid permeability negates the potential for soil instability. During construction, soil erosion will be limited through compliance with an approved erosion control plan in accordance with National Pollution Discharge Elimination System (NPDES) and Storm Water Prevention Plan (SWPP) regulations. Although disturbance of the soil will result in significant soil loss due to wind erosion, the site will be fully developed with a building, paved parking, and landscaping **(7)**. These improvements will ensure that soil disturbance will not result in significant soil erosion.

As a function of obtaining a building final, the proposed development will be built in compliance with the Hesperia Municipal Code and the Building Code **(35)**, which ensures that the buildings will adequately resist the forces of an earthquake. In addition, prior to issuance of a grading permit, a soil study is required, which shall be used to determine the load bearing capacity of the native soil. Should the load bearing capacity be determined to be inadequate, compaction or other means of improving the load bearing capacity shall be performed in accordance with all development codes to assure that all structures will not be negatively affected by the soil. Consequently, the impact upon geology and soils associated with the proposed site plan review and Specific Plan Amendment is considered less than significant.

<b>VII. GREENHOUSE GAS EMISSIONS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment <b>(36)</b> ?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases <b>(36, 37 &amp; 38)</b> ?			X	

#### **Comments.**

Assembly Bill 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions to 1990 levels by 2020. In addition, Senate Bill 97 requires that all local agencies analyze the impact of greenhouse gases under CEQA and task the Office of Planning and Research (OPR) to develop CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions..."

On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The Natural Resources Agency forwarded the adopted amendments and the entire rulemaking

file to the Office of Administrative Law (OAL) on December 31, 2009. On February 16, 2010, OAL approved the Amendments, which became effective on March 18, 2010 **(39)**. This initial study has incorporated these March 18, 2010 Amendments.

Lead agencies may use the environmental documentation of a previously adopted Plan to determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements of the Plan or mitigation program under specified circumstances. As part of the General Plan Update, the City adopted a Climate Action Plan (CAP)**(36)**. The CAP provides policies along with implementation and monitoring which will enable the City of Hesperia to reduce greenhouse emissions 28 percent below business as usual by 2020, consistent with AB 32 **(37)**.

Development of the proposed 75,000 square foot manufacturing facility will not increase the greenhouse gas (GHG) emissions beyond that analyzed within the General Plan Update Environmental Impact Report (GPUEIR). In addition, the site is situated near the intersection of Interstate 15 and U. S. Highway 395 and is in an area that has trucking related uses **(1)**. This project will provide around 60 jobs, which will reduce the number of residents commuting to other communities for work, reducing vehicle miles traveled and resulting in additional GHG reductions. The buildings will be equipped with energy efficient mechanical systems for heating and cooling. That, in combination with use of dual pane glass and insulation meeting current Building Code regulations **(35)** will cause a reduction in GHG emissions from use of less efficient systems, resulting in additional community emission reduction credits.

Although the proposed use will result in an additional number of vehicle trips, it will not exceed the maximum allowable Floor Area Ratio allowed by the Commercial Industrial Business Park (CIBP) District of the Specific Plan. The GPUEIR analyzed the impact to air quality upon build-out of the General Plan at this intensity. Based upon this analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with air quality impacts **(19)**. As part of the General Plan Update Environmental Impact Report (GPUEIR), the impact of industrial development to the maximum allowable density permitted by the Land Use Plan was analyzed. The intensity of the proposed project is 0.28 and the CIBP Zone allows a maximum FAR of 0.35. In addition, this project does not meet any threshold which requires air quality analysis or mitigation under the Air Quality Attainment Plan **(18)**. Therefore, the proposed development does not exceed the level of development anticipated by the GPUEIR. Consequently, the impact upon GHG emissions associated with the proposed site plan review and Specific Plan Amendment is less than significant.

<b>VIII. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials <b>(4 &amp; 39)</b> ?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment <b>(4 &amp; 39)</b> ?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school <b>(4)</b> ?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment <b>(4)</b> ?				X

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area <b>(10)</b> ?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area <b>(40)</b> ?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan <b>(41)</b> ?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands <b>(1 &amp; 7)</b> ?				X

### Comments.

The project includes the routine transport and storage of a few hazardous wastes, comprising mainly materials used in manufacturing of boats and small modular residential buildings. All flammables will be transported on trucks with placards identifying the type of hazardous materials being shipped and the drivers are required to carry “detailed material data sheets,” allowing emergency responders the ability to quickly assess the hazard in the event of an incident **(42)**. These regulations have reduced the potential for release of hazardous substances to a significant level.

Prior to storing batteries or any other hazardous materials, a Hazardous Materials Business Plan (HMBP) shall be approved **(42)**, which shall be subject to review and approval by the San Bernardino County Fire Department. These materials shall be stored and transported/disposed of in accordance with the HMBP and shall be included as a mitigation measure for the project. Although these issues pose a potential health risk, compliance with the HMBP will reduce the possibility of an accidental release to an acceptable level.

The project site is not listed in any of the following hazardous sites database systems, so it is unlikely that hazardous materials exist on-site:

- National Priorities List [www.epa.gov/superfund/sites/query/basic.htm](http://www.epa.gov/superfund/sites/query/basic.htm). List of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. There are no known National Priorities List sites in the City of Hesperia.
- Site Mitigation and Brownfields Reuse Program Database [www.dtsc.ca.gov/database/Calsites/Index.cfm](http://www.dtsc.ca.gov/database/Calsites/Index.cfm). This database (also known as CalSites) identifies sites that have known contamination or sites that may have reason for further investigation. There are no known Site Mitigation and Brownfields Reuse Program sites in the City of Hesperia.
- Resource Conservation and Recovery Information System [www.epa.gov/enviro/html/rcris/rcris\\_query\\_java.html](http://www.epa.gov/enviro/html/rcris/rcris_query_java.html). Resource Conservation and Recovery Information System is a national program management and inventory system of hazardous waste handlers. There are 53 Resource Conservation and Recovery Act facilities in the City of Hesperia, however, the project site is not a listed site.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) (<http://cfpub.epa.gov/supercpad/cursites/srchsites.cfm>). This database contains information on hazardous waste sites, potentially hazardous waste sites, and remedial activities across the nation. There is one Superfund site in the City of Hesperia, however, the project site is not located within or adjacent to the Superfund site.
- Solid Waste Information System (SWIS) (<http://www.ciwmb.ca.gov/SWIS/Search.asp>). The SWIS database contains information on solid waste facilities, operations, and disposal sites throughout

the State of California. There are three solid waste facilities in the City of Hesperia, however the project site is not listed.

- Leaking Underground Fuel Tanks (LUFT)/ Spills, Leaks, Investigations and Cleanups (SLIC) (<http://geotracker.waterboards.ca.gov/search/>). This site tracks regulatory data about underground fuel tanks, fuel pipelines, and public drinking water supplies. There are fourteen LUFT sites in the City of Hesperia, six of which are closed cases. The project site is not listed as a LUFT site and there are no SLIC sites in the City of Hesperia.
- There are no known Formerly Used Defense Sites within the limits of the City of Hesperia. Formerly Used Defense Sites  
<http://hq.environmental.usace.army.mil/programs/fuds/fudsinv/fudsinv.html>.

Any use which includes hazardous waste as part of its operations is prohibited within 500 feet of a school **(43)**. The site is one-mile from the nearest school (Summit Leadership Academy and Elementary School) at 12850 Muscatel Street. **(1)**. Consequently, HMBP compliance will provide sufficient safeguards to prevent health effects.

The proposed development will not conflict with air traffic nor emergency evacuation plans. The site is approximately five miles from the Hesperia Airport to the southeast and is therefore not within a restricted use zone associated with air operations **(44)**. Consequently, implementation of the project will not cause safety hazards to air operations. The site is also not along an emergency evacuation route or near a potential emergency shelter **(41)** and will not interfere with emergency evacuation plans.

The project's potential for exposing people and property to fire and other hazards was also examined. The site is located within an urbanized area and is not in an area susceptible to wildland fires. The southernmost and westernmost portions of the City are at risk, due primarily to proximity of the San Bernardino National Forest **(45 & 46)**. All new structures associated with this project will be constructed to the latest building standards, including applicable fire codes. In addition, all hazardous materials will be stored and transported in accordance with an approved Hazardous Materials Business Plan (HMBP) **(42)**. Consequently, approval of the site plan review and Specific Plan Amendment will not have any impact upon or be affected by hazards and hazardous materials with compliance with an approved HMBP and fuel storage tank regulations.

IX. HYDROLOGY AND WATER QUALITY. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements <b>(47 &amp; 48)</b> ?					X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted) <b>(49 &amp; 50)</b> ?				X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site <b>(45)</b> ?					X



d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site <b>(7 &amp; 45)</b> ?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff <b>(52)</b> ?			X	
f) Otherwise substantially degrade water quality <b>(52)</b> ?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map <b>(7, 53 &amp; 61)</b> ?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows <b>(7, 45 &amp; 61)</b> ?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam <b>(10 &amp; 45)</b> ?				X
j) Inundation by seiche, tsunami, or mudflow <b>(31)</b> ?				X

### Comments.

Development of the site will disturb more than one-acre of land area. Consequently, the project will be required to file a Notice of Intent (NOI) and obtain a general construction National Pollution Discharge Elimination System (NPDES) permit prior to land disturbance **(54)**. Issuance of a Storm Water Pollution Prevention Plan (SWPPP) will also be required, which specifies the Best Management Practices (BMP) that will be implemented to prevent construction pollutants from contacting storm water **(54)**. Obtaining the NPDES and implementing the SWPPP is required by the State Water Resources Control Board (WRCB) and the California Regional Water Quality Control Board (RWQCB). These are mandatory and NPDES and SWPPP have been deemed adequate by these agencies to mitigate potential impacts to water quality during project construction.

The development may change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff **(7)**. Therefore, each phase of the project shall retain the drainage created on-site beyond that which has occurred historically within an approved drainage system in accordance with City of Hesperia Resolution 89-16 **(51)**. While the site is adjacent to and contains a slope of the Oro Grande wash, the development will avoid that portion of the site impacted by the wash. The site is not within a Flood Zone, based upon the latest Flood Insurance Rate Maps **(61)**. The retention facilities required by the City will ensure that no additional storm water runoff impacts the area and that any contaminants will be filtered from storm water runoff prior to any release into a street.

The City is downstream of three dams. These are the Mojave Forks, Cedar Springs, and Lake Arrowhead Dams. In the event of a catastrophic failure of one or more of the dams, the project site would not be inundated by floodwater **(10)**. The areas most affected by a dam failure are located in the low lying areas within the Tapestry Specific Plan, most of the Antelope Valley Wash, and properties near the Mojave River.

The City of Hesperia is located just north of the Cajon Pass at an elevation of over 2,500 feet above sea level, which is over 60 miles from the Pacific Ocean. As such, the City is not under threat of a tsunami, otherwise known as a seismic sea wave **(30)**. Similarly, the potential for a seiche to occur is remote, given the limited number of large water bodies within the City and its sphere. A seiche would potentially occur only in proximity to Silverwood Lake, Hesperia Lake and at recharge basins **(30)**. The subject property exhibits between a two and five percent slope. The area north of Summit Valley contains steep slopes

which have the potential to become unstable during storm events **(55)**. In addition, the water table is significantly more than 50 feet from the surface. The project avoids the eastern slopes of the Oro Grande Wash. Therefore, the mechanisms necessary to create a mudflow; a steep hillside with groundwater near the surface, does not exist at this location.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment “to secure supplemental water as necessary to fully implement the provisions of this Judgment.” Based upon this information, the project will not have a significant impact on water resources not already addressed in the Judgment or the City’s Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, a letter dated May 21, 1997 from the MWA’s legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(49)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere Of Influence (SOI). The UWMP indicates that the City is currently using less than half of its available water supply and that supply is projected to exceed demand beyond the year 2030 **(50)**. The HWD has maintained a water surplus through purchase of water transfers, allocations carried over from previous years, and recharge efforts. Therefore, the impact upon hydrology and water quality associated with the site plan review and Specific Plan Amendment is considered less than significant.

<b>X. LAND USE AND PLANNING.</b> Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community <b>(1)</b> ?					X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect <b>(10)</b> ?				X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan <b>(25)</b> ?					X

#### **Comments.**

The site is currently vacant and within an existing area with truck related uses consistent with the proposed Commercial Industrial Business Park (CIBP) zoning **(1)**. This project is in conformity with the existing zoning as well as the adjacent area and will therefore not physically divide an established community. The proposed manufacturing facility requires approval of a Specific Plan Amendment **(7)** due to the alignment of Joshua Street, which would divide the site.

The project site is not within the boundary of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The General Plan Background Technical Report identifies two sensitive vegetation communities. These vegetation communities, the Southern Sycamore Alder Woodland and Mojave Riparian Forest community, exist within the Rancho Las Flores Specific Plan and vicinity **(25)**. The project site is located approximately five miles northwest of this specific plan within the developed portion of the City. Therefore, the site

plan review and Specific Plan Amendment would have a less than significant impact upon land use and planning.

<b>XI. MINERAL RESOURCES.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state <b>(57)</b> ?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan <b>(57)</b> ?				X

#### Comments.

According to data in the Conservation Element of the City's General Plan, no naturally occurring important mineral resources occur within the project site **(57)**. Known mineral resources within the City and sphere include sand and gravel, which are prevalent within wash areas and active stream channels. Sand and gravel is common within the Victor Valley. Although the subject property contains a portion of the Oro Grande wash, the mineral resources within the property are not unique locally or regionally and need not be preserved. Consequently, the proposed site plan review and Specific Plan Amendment would not have an impact upon mineral resources.

<b>XII. NOISE.</b> Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies <b>(1, 7 &amp; 58)</b> ?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels <b>(58 &amp; 59)</b> ?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project <b>(60)</b> ?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project <b>(60)</b> ?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels <b>(10 &amp; 44)</b> ?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels <b>(44)</b> ?				X

#### Comments.

Approval of the proposed site plan review will result in both construction noise and operational noise, mostly associated with trucks and vehicular traffic to and from the site. According to the General Plan, the majority of noise sources within the City are mobile sources, which include motor vehicles and aircraft **(58)**. Freeways, major arterials, railroads, airports, industrial, commercial, and other human activities contribute to noise levels. Noises associated with this type of project will be mostly from traffic

caused by arriving and departing vehicles, especially semi-trucks (employees, customers, vehicle service, and deliveries).

Construction noise levels associated with any future construction activities will be slightly higher than the existing ambient noise levels in the vicinity of the project site. Noise generated by construction equipment, including trucks, graders, backhoes, well drilling equipment, bull-dozer, concrete mixers and portable generators can reach high levels and is typically one of the sources for the highest potential noise impact of a project. However, the construction noise would subside once construction is completed. The proposed project must adhere to the requirements of the City of Hesperia Noise Ordinance **(58)**. The Noise Ordinance contains an exemption from the noise level regulations during grading and construction activities occurring between 7:00 A.M. and 7:00 P.M., Monday through Saturday, except federal holidays.

The project site will be subjected to higher levels of noise, due to its proximity to Joshua Street and U.S. Highway 395. However, industrial uses are not sensitive to noise and may be subjected to up to 70 dB (A) all day and night **(58 & 59)**. The project site currently receives 60 dB (A) from Caliente Road. A noise level of 69 dB (A) is expected upon build-out in accordance with the General Plan, based upon a 50-foot distance from Caliente Road **(60)**. Since industrial activities are not sensitive to excessive noise and vibration and U.S. Highway 395 is exempt from noise and vibration standards, the impact of noise and vibration upon the proposed use is not significant. In addition, approval of the General Plan Amendment, eliminating the segment of Joshua Street west of Caliente Road, will reduce the impact of nonresidential uses upon the residences west of the project site.

Certain activities particularly sensitive to noise include sleeping, studying, reading, leisure, and other activities requiring relaxation or concentration, which will not be impacted. Hospitals and convalescent homes, churches, libraries, and childcare facilities are also considered noise-sensitive uses as are residential and school uses. The nearest sensitive uses to the site are the single-family residences 660 feet to the west **(1)**. At this distance, the proposed manufacturing facility will not pose any increase in the noise level in proximity to the residences.

Operation of the manufacturing facilities will create additional noise associated with operations as well as due to truck and passenger vehicle traffic. The General Plan Update Environmental Impact Report (GPUEIR) accounts for the usual truck traffic in this area caused by industrial activities. Joshua Street is a Secondary Arterial roadway, which is designed to link Collector roadways with Arterial and Major Arterials **(67)**. Although the use will generate an increase in vehicular traffic, the impact of noise from U.S. Highway 395 will have a greater impact than the proposed use. Therefore, noise mitigation is unnecessary.

The project site is approximately five miles north of the Hesperia Airport. At this distance, the project is not impacted by any safety zones associated with this private airport **(44)**. The project site is even farther from the Southern California Logistics Airport (SCLA) and the Apple Valley Airport and will not be affected by any safety zones for these airports.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the noise impact upon build-out of the General Plan to the maximum allowable density permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with noise impacts **(19)**. Inasmuch as this project is consistent with the adjacent land uses and the Commercial Industrial Business Park (CIBP) District, the difference in noise impact is not significant.

<b>XIII. POPULATION AND HOUSING.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) <b>(7)</b> ?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere <b>(1)</b> ?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere <b>(1)</b> ?				X

**Comments.**

The proposed project is consistent with the General Plan Land Use designation of the adjacent properties, with approval of a site plan review **(10)**. Establishment of the proposed manufacturing facilities will not create a direct increase in the demand for housing. Since the manufacturing business will employ approximately 60 persons, its indirect impact upon population growth is very small. As per the Transportation/Traffic Section, this project does not exceed the level of traffic which was analyzed as part of the General Plan Update Environmental Impact Report (GPUEIR) **(62)**. Further, the site is in close proximity to water and other utility systems **(63)**. As a result, development of the project would not require significant extension of major improvements. The site is vacant and is zoned to allow for development of industrial land uses **(1 & 10)**. Therefore, the project will not displace any existing housing, necessitating the construction of replacement housing elsewhere.

The population in Hesperia has increased mainly because of the availability of affordable housing in the High Desert and its proximity to the job-rich areas of the Inland Empire. There is currently more demand for industrial uses and jobs than there are jobs available in Hesperia. As a result, the proposed development will not induce substantial population growth, as the development will provide much needed higher paying jobs for the current population in the High Desert. Based upon the limited size and specialization of the use proposed, development of the site plan review and adoption of the Specific Plan Amendment would have a less than significant impact upon population and housing.

<b>XIV. PUBLIC SERVICES.</b>	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services <b>(64)</b> :			X	
Fire protection? <b>(64)</b>			X	
Police protection? <b>(64)</b>			X	
Schools? <b>(64)</b>			X	
Parks? <b>(64)</b>			X	

Other public facilities? (64)			X	
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**Comments.**

Although the proposed project will create an increase in demand for public services (7), that increase is consistent with that anticipated as part of the General Plan Update Environmental Impact Report (GPUEIR). The site is adjacent to both sewer and water lines adequate to serve the development (63). Full street improvements comprised of curb, gutter, and sidewalk will be constructed along the project frontage as part of development of the use (65). Additionally, development impact fees will be assessed at the time that building permits are issued for construction of the site (66). These fees are designed to ensure that appropriate levels of capital resources will be available to serve future development. Therefore, the impact of the site plan review and Specific Plan Amendment upon public services is less than significant.

<b>XV. RECREATION.</b>	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated (7)?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment (7)?				X

**Comments.**

As evaluated previously, approval of the site plan review will induce population growth indirectly, as the facility will employ about 60 persons, most of whom reside within the High Desert. A modest demand for new employees will result from its development and the proposed use will not include any recreational facilities (7). Therefore, the proposed site plan review and Specific Plan Amendment will have a small indirect impact upon recreation.

<b>XVI. TRANSPORTATION / TRAFFIC.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit (68)?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways (69 & 70)?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks (40)?				X

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) <b>(1 &amp; 65)?</b>				X
e) Result in inadequate emergency access <b>(7)?</b>				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities <b>(71)?</b>				X

#### Comments.

The General Plan Traffic Circulation Plan identifies the arterial road network **(67)**. The proposed project fronts Caliente Road and is divided by the alignment of Joshua Street shown on the current Traffic Circulation Plan. The proposed General Plan Amendment will eliminate the segment of Joshua Street west of Caliente Road. Denial of the amendment would necessitate that the project be redesigned. Caliente Road is designated a 120-foot wide Major Arterial south of Joshua Street. As part of development of this project, Caliente Road will be constructed to City standards, including curb, gutter, and sidewalk across the project frontage and pavement tapers will be constructed beyond the frontage **(65)**. These improvements will not conflict with the Traffic Circulation Plan with approval of the amendment, nor will they be inconsistent with an ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The City's General Plan includes a non-motorized transportation network **(72)**. Neither Caliente Road nor Joshua Street is part of the Bikeway System Plan. The site is not adjacent to a bus route either. Therefore, a bus stop is not warranted at this location. Access to and within the site has been evaluated by both the City and the San Bernardino County Fire Department. The project provides two driveways accessing Caliente Road, which is sufficient for the development.

The City's Circulation Plan is consistent with the Congestion Management Program (CMP) for San Bernardino County **(73)**. The CMP requires a minimum Level Of Service (LOS) standard of "E." When a jurisdiction requires mitigation to a higher LOS, then the jurisdiction's standard takes precedence. The Circulation Element requires a minimum LOS of D for street segments instead of LOS E. The Element also strives to maintain a LOS of C or better on roadways which exhibit an LOS better than D. The intersection of Caliente Road and Joshua Street is currently operating at LOS A **(69)**. The LOS of Caliente Road will meet or exceed LOS D at build-out of the City consistent with the General Plan **(68)**.

The project site is located approximately five miles from the Hesperia Airport and is not within an airport safety zone **(44)**. Consequently, the project will not cause a change in air traffic patterns nor an increase in traffic levels or location. The project site will also not impact the air traffic patterns for the Southern California Logistics Airport nor the Apple Valley Airport.

The General Plan Update identifies areas where future residential, commercial, industrial, and institutional development will occur. The GPUEIR analyzed the impact upon transportation at build-out of the General Plan to the maximum allowable density permitted by the Land Use Plan. Based upon the analysis, the City Council adopted a finding of a Statement of Overriding Considerations dealing with transportation impacts **(19)**.

Due to the potential impact of additional truck and automobile traffic, a Traffic Impact Analysis (TIA) **(4)** has been submitted for review and approval. The TIA outlines the impact of a 107,400 square foot yacht and small residential building manufacturing business. Inasmuch as the TIA analyzes 107,400 square feet of building floor area, it addresses the impact of a larger development than the proposed 75,000 square foot project. The TIA determined that the proposed project in and of itself will not cause a cumulatively significant impact upon the area roads until 2035. At that time, a traffic signal is warranted at the intersection of Caliente Road and Joshua Street. This project's contribution to traffic congestion is miniscule compared to the Hesperia Commerce Center, which entails development of 3.5

million square feet of building area south of the subject property. In addition, the Love's Travel Center will also pose a greater impact than the 75,000 square foot manufacturing facility. Consequently, staff does not recommend payment of its "Fair Share Contribution" towards installation of the signal. Therefore, approval of the site plan review and adoption of the Specific Plan Amendment will maintain satisfactory levels of service for Caliente Road and Joshua Street and will not have a significant impact upon transportation/traffic.

<b>XVII. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board <b>(78)</b> ?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects <b>(78)</b> ?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects <b>(78)</b> ?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed <b>(49 &amp; 50)</b> ?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments <b>(78)</b> ?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs <b>(56 &amp; 62)</b> ?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste <b>(76)</b> ?			X	

#### Comments.

The proposed manufacturing facility will increase the amount of wastewater. However, the additional wastewater is consistent with the amount that was considered as part of the GPUEIR. The development will be connected to the existing eight-inch sewer and water lines in Caliente Road **(63)**. Therefore, the existing water and sewer capacity will be sufficient for the use.

As part of construction of the project, the City requires installation of an on-site retention facility which will retain any additional storm water created by the impervious surfaces developed as part of the project **(65)**. Incorporation of filters as part of the on-site retention facility will ensure that the use will not have a negative impact upon adjacent properties. Development of this project will not increase the amount of drainage impacting downstream properties beyond that which would occur prior to its development, based upon a 100-year storm event. Additionally, the retention facility will contain a filtration system preventing contamination of the environment.

The Mojave Water Agency (MWA) has adopted a regional water management plan for the Mojave River basin. The Plan references a physical solution that forms part of the Judgment in City of Barstow, et. al. vs. City of Adelanto, et. al., Riverside Superior Court Case No. 208548, an adjudication of water rights in the Mojave River Basin Area (Judgment). Pursuant to the Judgment and its physical solution, the overdraft in the Mojave River Basin is addressed, in part, by creating financial mechanisms to import necessary supplemental water supplies. The MWA has obligated itself under the Judgment "to secure



supplemental water as necessary to fully implement the provisions of this Judgment.” Based upon this information the project will not have a significant impact on water resources not already addressed in the Judgment or the City’s Urban Water Management Plan (UWMP) adopted in 1998. Furthermore, a letter dated May 21, 1997 from the MWA’s legal counsel confirmed for the City that the physical solution stipulated to by the Hesperia Water District provides the mechanism to import additional water supplies into the basin **(49)**.

The Hesperia Water District (HWD) is the water purveyor for the City and much of its Sphere Of Influence (SOI). The UWMP evidences that the City is currently using less than half of its available water supply and that supply is projected to exceed demand beyond the year 2030 **(50)**. The HWD has maintained a surplus water supply through purchase of water transfers, allocations carried over from previous years, and recharge efforts.

The City is in compliance with the California Integrated Waste Management Act of 1989, which requires that 50 percent of the solid waste within the City be recycled **(76)**. Currently, approximately 69 percent of the solid waste within the City is being recycled **(56 & 62)**. About 168 tons of solid waste is disposed at the landfill and 243 tons are recycled of the total solid waste produced by the City per day. The waste disposal hauler for the City has increased the capacity of its Materials Recovery Facility (MRF) to 600 tons per day in order to accommodate future development. Therefore, the site plan review and Specific Plan Amendment will not cause a significant negative impact upon utilities and service systems.

<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
c) Does the project have environmental effects which will cause substantial adverse affects on human beings, either directly or indirectly?			X	

#### **Comments.**

Based upon the analysis in this initial study, a Negative Declaration may be adopted. Development of this project will have a minor effect upon the environment. These impacts are only significant to the degree that mitigation measures are necessary.

**XIV. EARLIER ANALYSES.**

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case a discussion identifies the following:

The Certified General Plan Environmental Impact Report.

a) **Earlier analyses used.** Earlier analyses are identified and stated where they are available for review.

b) **Impacts adequately addressed.** Effects from the above checklist that were identified to be within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards are noted with a statement whether such effects were addressed by mitigation measures based on the earlier analysis.

a) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project are described.

**The following mitigation measures are recommended as a function of this project.**

1. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.
2. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavaceae family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.
3. If cultural resources are found during grading, then grading activities shall cease and the applicant shall contract with a City approved archaeologist or paleontologist to monitor grading prior to resuming grading. All cultural resources discovered shall be handled in accordance with state and federal law. A report of all resources discovered as well as the actions taken shall be provided to the City prior to issuance of a Certificate of Occupancy.

**Authority:** Public Resources Code Sections 21103 and 21107.

**REFERENCES**

- (1) Aerial photos of the City of Hesperia taken February, 2016.
- (2) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-7.
- (3) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-8.
- (4) Traffic Impact Study for Mag Bay Yachts prepared by Minagar & Associates, Inc.. dated June 7, 2016.
- (5) Section H of Chapter 9 of the Main Street and Freeway Corridor Specific Plan, pages 204 thru 209.

- 
- (6) Section 16.20.135 of the Hesperia Municipal Code.
- 
- (7) General Plan Amendment GPA16-00003 and Site Plan Review SPR16-00016 application and related materials.
- 
- (8) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Page 3.1-9.
- 
- (9) Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-1
- 
- (10) Official Maps showing the General Plan Land Use and zoning of the City of Hesperia and its sphere of influence.
- 
- (11) Williamson Act map within Section 3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), Exhibit 3.2-2
- 
- (12) Conservation Element of the 2010 City of Hesperia General Plan Update, Page CN-34.
- 
- (13) United States Soil Conservation Service Soil Survey of San Bernardino County, California, Mojave River Area Map 30 and Page 44.
- 
- (14) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.5.
- 
- (15) 2010 Fire and Resource Assessment Program (FRAP), prepared by the California Department of Forestry and Fire Protection, Figure 1.1.4.
- 
- (16) Air Quality Section of the 2010 City of Hesperia General Plan Update, pages CN-47 thru CN-50.
- 
- (17) Section 3.3 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.3-1 thru 3.3-30.
- 
- (18) Mojave Desert Air Quality Management District, Federal Particulate Matter (PM10) Attainment Plan, July 31, 1995.
- 
- (19) Statement of overriding considerations for the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR).
- 
- (20) General Biological Resource Assessment and Protected Plant Preservation Plan for the site prepared by RCA Associates, LLC, on September 7, 2016.
- 
- (21) Chapter 16.24 of the City of Hesperia Municipal Code, Article II. Desert Native Plant Protection.
- 
- (22) Section 3.4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.4-30.
- 
- (23) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-5.
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- (24) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-7.
- 
- (25) Section 3 of the 2010 City of Hesperia General Plan Conservation Element, Exhibit CN-3.
- 
- (26) Appendix C of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, C-1 thru C-34.
- 
- (27) Section 5 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, Exhibit 5d.
- 
- (28) Section 7 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, pages 61 and 62.
- 
- (29) Section 8 of the 2010 City of Hesperia General Plan Update Cultural Resource Element background technical report, page 64.
- 
- (30) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, pages SF-5 thru SF-11.
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- (31) Section 3.0 of the 2010 City of Hesperia General Plan Safety Element, Exhibit SF-1.
- 
- (32) Section 1.2.2 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, Figure 1-2.
- 
- (33) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, page 1-12.
- 
- (34) Chapter 1 of the 2010 City of Hesperia General Plan Update Safety Element background technical report, pages 1-23 thru 1-36.
- 
- (35) 2010 California Building Code.
- 
- (36) Section 1 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 1.
- 
- (37) Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, page 18.
- 
- (38) Table 5 of Section 3 of the 2010 City of Hesperia General Plan Update Climate Action Plan, pages 20 and 21.
- 
- (39) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-31 thru SF-33.
- 
- (40) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, pages LU-60 and LU-61.
- 
- (41) Potential Emergency Shelters and Evacuation Routes shown within the 2010 Hesperia General Plan Safety Element, Exhibit SF-4.
- 
- (42) Hazardous Materials Section of the 2010 Hesperia General Plan Safety Element, pages SF-32 and SF-33.
- 
- (43) California Health and Safety Code Section 25232 (b) (1) (A-E).
- 
- (44) Section 3 of the 2010 City of Hesperia General Plan Update Land Use Element, Exhibit LU-3.
- 
- (45) Map showing very high fire hazard areas, flood zones, and significant hazardous materials sites of the 2010 City of Hesperia General Plan Update Safety Element, Exhibit SF-2.
- 
- (46) Fire Hazard Section of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.7-9.
- 
- (47) Section 3.8.2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-13.
- 
- (48) Section 3.8.5 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-20 thru 3.8-22.
- 
- (49) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, pages CN-7 thru CN-10.
- 
- (50) Mojave Water Agency letter dated March 27, 1996.
- 
- (51) Flooding Hazards Section of the 2010 City of Hesperia General Plan Update Safety Element, pages SF-16 thru SF-18.
- 
- (52) Section 4.3.8 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 4-9.
- 
- (53) 1992 Victorville Master Plan of Drainage Volume II, identifying future drainage improvements for the area.
- 
- (54) Section 3.8.3 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.8-15.
- 
- (55) Table 3.6-2 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.6-24.
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- (56) Quarterly data of the San Bernardino County Disposal Reporting System for the 2<sup>nd</sup> quarter 2010.
- 
- (57) Section 3.0 of the 2010 City of Hesperia General Plan Update Conservation Element, page CN-20.
- 
- (58) Section 2.0 of the 2010 City of Hesperia General Plan Update Noise Element, page NS-4 thru NS-12.
- 
- (59) Section 16.20.125 of the Hesperia Municipal Code, pages 464 thru 467.
- 
- (60) Table 3.11-10 of the 2010 Hesperia General Plan Update Environmental Impact Report (GPUEIR), page 3.11-45.
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- (61) FEMA flood map, City of Hesperia General Plan Update Safety Element background technical report, page 3-9.
- 
- (62) 2009 California Department of Resources, Recycling and Recovery Annual AB939 Report.
- 
- (63) Current Hesperia water and sewer line atlas, page L4.
- 
- (64) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-13 thru 4-18.
- 
- (65) Conditions of approval for SPR16-00016.
- 
- (66) 1991 City of Hesperia Ordinance 180 entitled "An Ordinance of the City Council of the City of Hesperia, California, Establishing a Development Impact Fee for all New Residential, Commercial, and Industrial Structures" and Resolution No. 2007-110 on November 20, 2007.
- 
- (67) Traffic Circulation Plan within Section 3.0 of the 2010 City of Hesperia General Plan Update Circulation Element, page CI-9.
- 
- (68) Table 4-4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, page 40.
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- (69) Section 2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 2-19.
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- (70) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.
- 
- (71) Sections 6.3 and 6.4 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 74 thru 76.
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- (72) Exhibit CI-22 showing the Urban Design Framework within the 2010 City of Hesperia General Plan Update Circulation Element, page CI-55.
- 
- (73) Section 2.2 of the 2010 City of Hesperia General Plan Update Circulation Element background technical report, pages 4 thru 6.
- 
- (74) Section 3.8 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 3.8-8 thru 3.8-14.
- 
- (75) 2010 California Plumbing Code.
- 
- (76) California Integrated Waste Management Act (AB 939).
- 
- (77) Historical/archaeological resources survey report for the site prepared by CRM Tech on October 5, 2016.
- 
- (78) Section 4 of the 2010 City of Hesperia General Plan Update Environmental Impact Report (GPUEIR), pages 4-8 thru 4-9.
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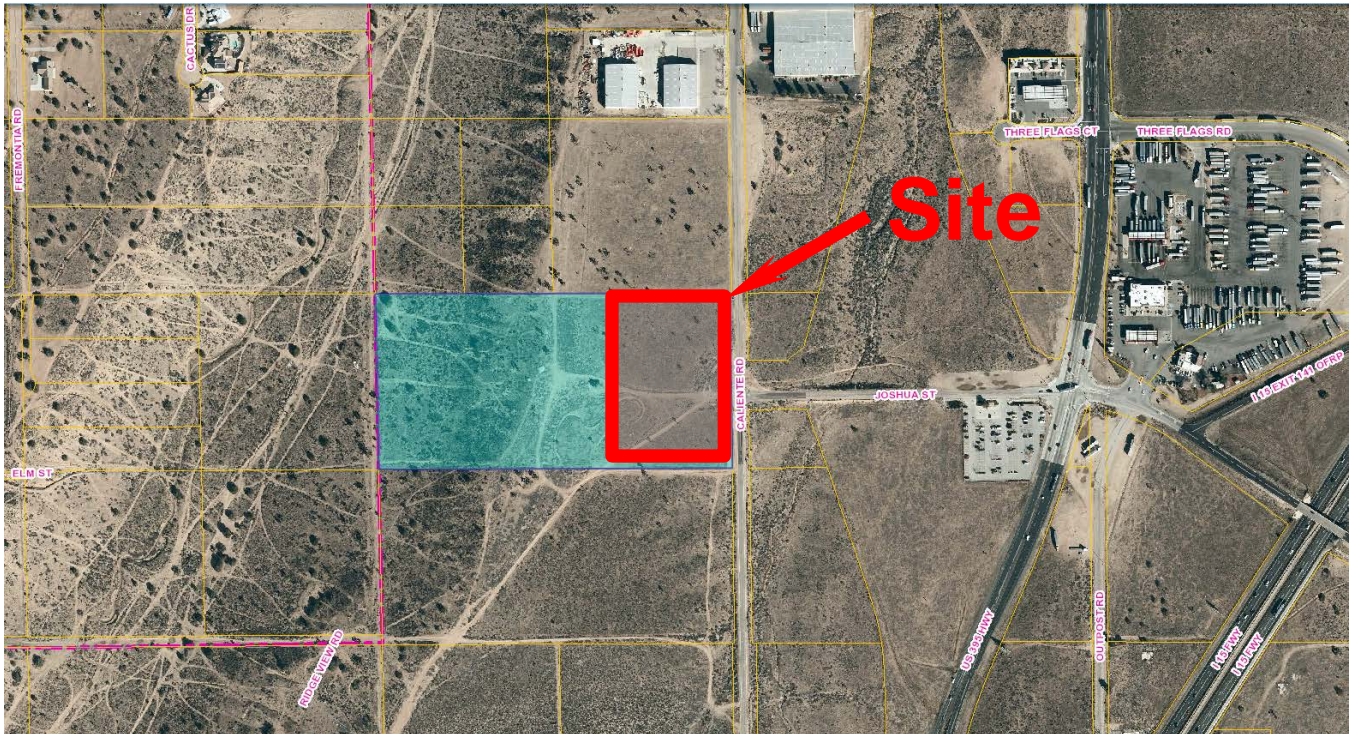


# Attachment “A”

GPA16-00003 & SPR16-00016

initial study

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## **RESOLUTION NO. 2017-019**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, AMENDING THE TRAFFIC CIRCULATION PLAN OF THE GENERAL PLAN CIRCULATION ELEMENT TO ELIMINATE THAT PORTION OF JOSHUA STREET WEST OF CALIENTE ROAD (GPA16-00003)**

**WHEREAS**, on May 15, 1991, the City Council of the City of Hesperia adopted the City's General Plan, currently applicable in regards to development within the City; and

**WHEREAS**, Caliente Industrial Park, LLC has filed an application requesting approval of GPA16-00003 described herein (hereinafter referred to as "Application"); and

**WHEREAS**, the Application applies to Joshua Street west of Caliente Road, which is shown on the Traffic Circulation Plan as a Secondary Arterial roadway. The alignment of this street would divide the 20.3 gross acre parcel identified as Assessor's Parcel Number 3039-321-09; and

**WHEREAS**, the Application, as contemplated, proposes to eliminate that portion of Joshua Street west of Caliente Road; and

**WHEREAS**, Caliente Industrial Park, LLC has also filed an application requesting approval of Site Plan Review SPR16-00016, to construct a 75,000 square foot yacht and small residential building manufacturing facility on the eastern portion of the 20.3 gross acre parcel located west of the intersection of Joshua Street and Caliente Road; and

**WHEREAS**, the subject property and all surrounding properties are vacant; and

**WHEREAS**, the subject property as well as all surrounding properties are currently within the Commercial Industrial Business Park (CIBP) Zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan); and

**WHEREAS**, an environmental Initial Study for the proposed project was completed on March 24, 2017, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND16-00012 was subsequently prepared; and

**WHEREAS**, on April 13, 2017, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

**WHEREAS**, on May 16, 2017, the City Council of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY OF HESPERIA CITY COUNCIL AS FOLLOWS:

Section 1. The City Council hereby specifically finds that all of the facts set forth in this Resolution are true and correct.



Section 2. Based upon substantial evidence presented to the City Council during the above-referenced May 16, 2017 hearing, including public testimony and written and oral staff reports, this Council specifically finds as follows:

- (a) Based upon Negative Declaration ND16-00012 and the initial study which supports the Mitigated Negative Declaration, the City Council finds that there is no substantial evidence that the proposed General Plan Amendment will have a significant effect on the environment;
- (b) The City Council has independently reviewed and analyzed the Negative Declaration, and finds that it reflects the independent judgement of the Council, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.
- (c) The proposed General Plan Amendment, which would eliminate Joshua Street west of Caliente Road, will not cause a significant increase in traffic congestion in the area provided Caliente Road is constructed as a Major Arterial roadway south to Mesquite Street consistent with the Traffic Circulation Plan.
- (d) The proposed General Plan Amendment is consistent with the goals, policies, standards and maps of the adopted Zoning, Development Code and all applicable codes and ordinances adopted by the City of Hesperia.
- (e) Maintaining Joshua Street west of Caliente Road will create a 1,320-foot cul-de-sac street which is offset 330 feet from Elm Street to the west. Since the western boundary of the subject property coincides with the City boundary, coordination between the City and the County would be necessary to extend Joshua Street west. Consequently, the proposed General Plan Amendment is capable of utilizing existing supporting infrastructure and municipal services, as directed by the City's adopted General Plan.
- (f) The proposed General Plan Amendment is consistent with the goals and policies of the General Plan, specifically Implementation Policy CI-4.2. This policy discourages access points for new development to utilize local residential streets for access to the development and parking. Extending Joshua Street west into Oak Hills would encourage use of the local streets to gain access to the development.

Section 3. Based on the findings and conclusions set forth in this Resolution, the City Council hereby adopts General Plan Amendment GPA16-00003, amending the Traffic Circulation Plan of the City of Hesperia as shown on Exhibit "A," and Negative Declaration ND16-00012, which is attached to the staff report for this item.

Section 4. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

**ADOPTED AND APPROVED** on this 16<sup>th</sup> day of May 2016.

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Paul Russ, Mayor

ATTEST:

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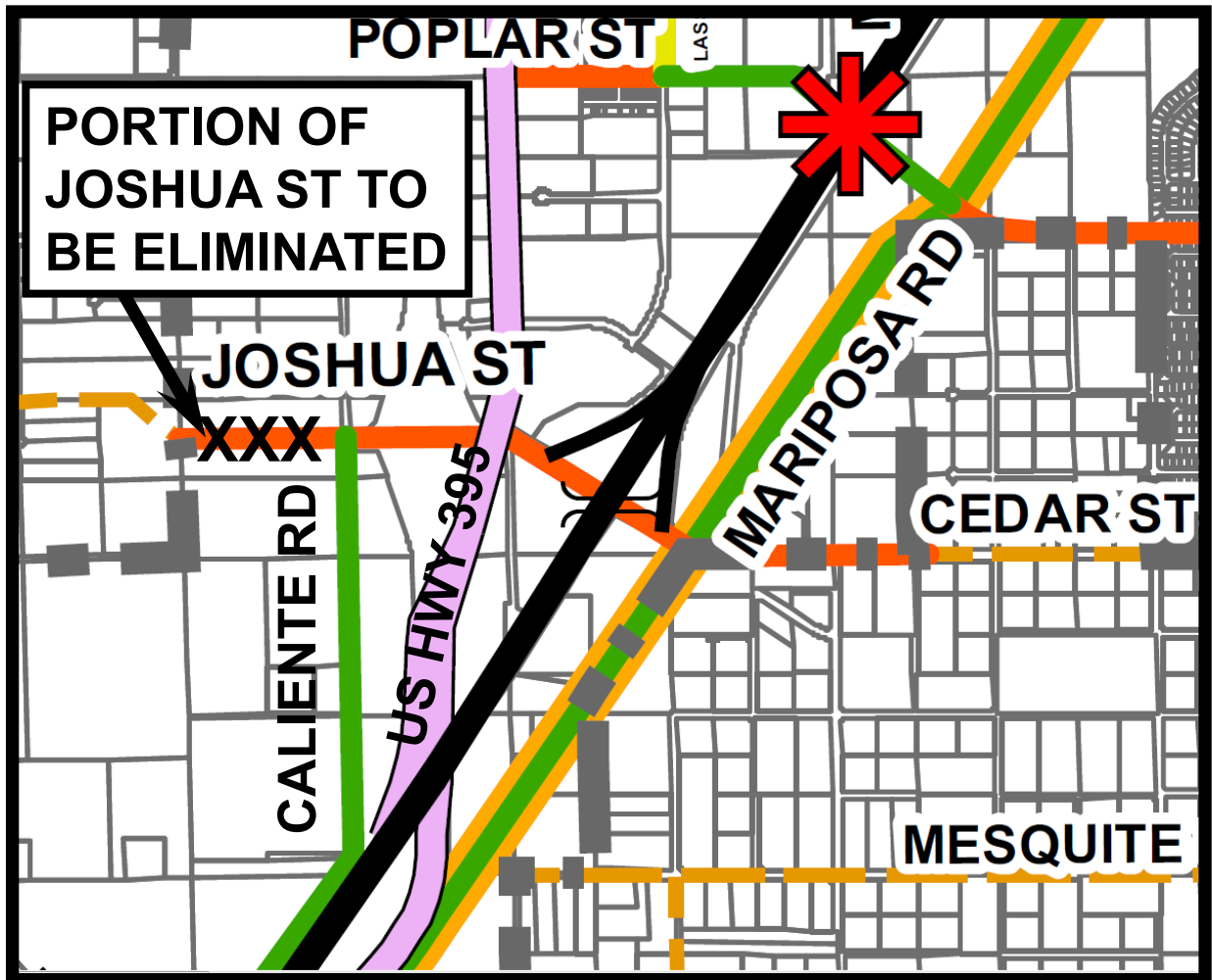
Melinda Sayre, City Clerk



# EXHIBIT “A”

GPA16-00003

Applicant: Caliente Industrial Park, LLC



## **RESOLUTION NO. 2017-020**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A SITE PLAN REVIEW TO CONSTRUCT A 75,000 SQUARE FOOT YACHT AND SMALL RESIDENTIAL BUILDING MANUFACTURING FACILITY IN TWO PHASES ON 6.1 GROSS ACRES OF A 20.3-ACRE PARCEL LOCATED ON THE WEST SIDE OF CALIENTE ROAD, APPROXIMATELY 1,250 FEET SOUTH OF MUSCATEL STREET (SPR16-00016)**

**WHEREAS**, Caliente Industrial Park, LLC has filed an application requesting approval of SPR16-00016 described herein (hereinafter referred to as "Application"); and

**WHEREAS**, the Application applies to the eastern 6.1 acres of an existing 20.3 gross acre parcel located west of the intersection of Joshua Street and Caliente Road and consists of Assessor's Parcel Number 3039-321-09; and

**WHEREAS**, the Application, as contemplated, proposes to construct three metal buildings totaling 75,000 square feet on the eastern portion of the 20.3 gross acre parcel located west of the intersection of Joshua Street and Caliente Road; and

**WHEREAS**, Caliente Industrial Park, LLC has also filed an application requesting approval of General Plan Amendment GPA16-00003 which is needed to eliminate the extension of Joshua Street through the subject property; and

**WHEREAS**, the subject property and all surrounding properties are vacant; and

**WHEREAS**, the subject property as well as all surrounding properties are currently within the Commercial Industrial Business Park (CIBP) Zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan); and

**WHEREAS**, an environmental Initial Study for the proposed project was completed on March 24, 2017, which determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND16-00012 was subsequently prepared; and

**WHEREAS**, on April 13, 2017, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

**WHEREAS**, on May 16, 2017, the City Council of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY OF HESPERIA PLANNING CITY COUNCIL AS FOLLOWS:

Section 1. The City Council hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to the City Council during the above-referenced May 16, 2017 hearing, including public testimony and written and oral staff reports, this Council specifically finds as follows:

- (a) The site for the proposed use is adequate in size and shape to accommodate the proposed use. The site is approximately six gross acres and can accommodate 55 parking spaces, including four accessible (handicap) parking spaces. On-site improvements required by the Hesperia Development Code can be constructed on the property including, minimum 26-foot wide drive aisles, landscaping, trash enclosures, and loading areas. The parking lot also meets all of the San Bernardino County Fire Prevention Department standards including fire lanes, two-points of access, fire truck turn-around, fire department connections/post indicator valves (FDC/PIV) and fire hydrants. The proposed development also complies with all state and federal regulations, including the Americans with Disabilities Act (ADA). The project is designed with an on-site underground retention/detention to accommodate the required capacity of a 100-year storm.
- (b) The proposed use will not have a substantial adverse effect on abutting property, or the permitted use thereof because the proposed project is consistent with the Commercial Industrial Business Park (CIBP) Zone of the Main Street and Freeway Corridor Specific Plan. The proposed manufacturing of yachts and small residential buildings is a permitted use in the CIBP zone. The project is designed with an on-site underground retention/detention to accommodate the required capacity of a 100-year storm. The project also meets the development standards of the CIBP Zone except the minimum 10 percent landscaping area regulation. The project proposes that 9 percent of the 6.1 gross acre parcel be landscaped. While the Development Code does not enable this minor deviation in landscaped area, the reviewing authority believes that the proposed deviation does not have a cumulative effect greater than the exceptions listed within the Development Code.
- (c) The proposed project is consistent with the goals, policies, standards and maps of the adopted Zoning, Development Code and all applicable codes and ordinances adopted by the City of Hesperia because the uses envisioned under the proposed project are permitted in the CIBP zone. The development complies with standards for driveway aisles, parking stall dimensions, fire lanes and turn-arounds, trash enclosures, and loading areas. The development complies with ADA by providing four handicap parking spaces with loading areas and a four-foot-wide path of travel to the street, parking spaces, and any future building. The development will be constructed pursuant to the California Building and Fire Codes and adopted amendments. The development must comply with the project's condition of approval for off-site and on-site improvements required prior to grading.
- (d) The site for the proposed use will have adequate access based upon the site's access from Caliente Road, which will be constructed to City standards.

- (e) The proposed project is consistent with the adopted General Plan of the City of Hesperia with adoption of General Plan Amendment GPA16-00003, which will eliminate the extension of Joshua Street west of Caliente Road. The project site is within the CIBP Zone, which allows the proposed use.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Council hereby approves Site Plan Review SPR16-00016 subject to the conditions of approval as shown in Attachment "A".

Section 4. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

**ADOPTED AND APPROVED** on this 16<sup>th</sup> day of May 2016.

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Paul Russ, Mayor

ATTEST:

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Melinda Sayre-Castro  
Assistant City Clerk

**ATTACHMENT "A"**  
**List of Conditions for SPR16-00016**

Approval Date: May 16, 2017  
Effective Date: May 16, 2017  
Expiration Date: May 16, 2020

This list of conditions applies to: Consideration of General Plan Amendment GPA16-00003, modifying the Circulation Element to eliminate that portion of Joshua Street west of Caliente Road and Site Plan Review SPR16-00016, to construct an 75,000 square foot yacht and small residential building manufacturing facility in two phases on 6.1 gross acres of a 20.3-acre parcel within the Commercial Industrial Business Park (CIBP) Zone of the Main Street and Freeway Corridor Specific Plan located on the west side of Caliente Road, approximately 1,250 feet south of Muscatel Street (Caliente Industrial Park, LLC; APN: 3039-321-09)

The use shall not be established until all conditions of this land use approval application have been met. This approved land use shall become null and void if all conditions have not been completed by the expiration date noted above. Extensions of time may be granted upon submittal of the required application and fee prior to the expiration date.

(Note: the "COMPLETED" and "COMPLIED BY" spaces are for internal City use only).

**ADDITIONAL CONDITIONS**

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

EXECUTED AND RECORDED WQMP MAINTENANCE AGREEMENT. The WQMP Maintenance Agreement: Covenant and Agreement Regarding Water Quality Management Plan and Stormwater Best Management Practices Transfer, Access, and Maintenance, must be (1) prepared using the WQMP Maintenance Agreement Template provided as Attachment A to the City of Hesperia WQMP Templates and (2) fully executed and recorded with the San Bernardino County Assessor-Recorder-County Clerk's office. A copy of the recorded WQMP Maintenance Agreement must be received before the City will issue a Certificate of Occupancy.

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FINAL WQMP SUBMITTAL. Submit a final WQMP, prepared using the applicable City of Hesperia WQMP Template, which includes all required or proposed revisions, addresses any comments provided on the draft WQMP, provides final designs for best management practices (BMP's), and includes calculations for BMP sizing. The WQMP must include a final Maintenance Agreement and must be signed and certified by the owner and preparer.

**CONDITIONS REQUIRED AS PART OF SUBMITTAL OF PUBLIC IMPROVEMENT PLANS**

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

CONSTRUCTION PLANS. Five complete sets of construction plans prepared and wet stamped by a California licensed Civil or Structural Engineer or Architect shall be submitted to the Building Division with the required application fees for review.  
(B)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

DRAINAGE STUDY. The Developer shall submit a Final Hydrology Hydraulic study identifying the method of collection

and conveyance of any tributary flows from off-site as well as the method of control for increased run-off generated on-site. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

GEOTECHNICAL REPORT. The Developer shall provide two copies of the soils report to substantiate all grading building and public improvement plans. Include R value testing and pavement recommendations for public streets. (E B)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

TITLE REPORT. The Developer shall provide a complete title report 90 days or newer from the date of submittal. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

N.P.D.E.S. The Developer shall apply for the required NPDES (National Pollutant Discharge Elimination System) permit with the Regional Water Quality Control Board and pay applicable fees. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

STORM WATER POLLUTION PREVENTION PLAN. The Developer shall provide a Storm Water Pollution Prevention Plan (SWPPP), which addresses the method of storm water run-off control during construction. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

PLAN CHECK FEES. Plan checking fees must be paid in conjunction with the improvement plan submittal. All required plans, maps, requested studies, CFD annexations, etc. must be submitted as a package. The Developer shall coordinate with the Citys Engineering Analyst, Jamie Carone at (760)947-1149 or jcarone@cityofhesperia.us, to obtain the fee calculation form which shall be completed and submitted, along with fee payment, at time of plan submittal. Any outstanding fees must be paid before final inspection and the release of bonds. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

IRREVOCABLE OFFERS OF DEDICATION. The Developer shall submit an Offer of Dedication to the Citys Engineering Department for review and approval. At time of submittal the developer shall complete the Citys application for document review and pay all applicable fees. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

GENERAL PLAN AMENDMENT. These conditions are concurrent with General Plan Amendment GPA16-00003 becoming effective. (P)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

INDEMNIFICATION. As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on



Applicants project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the City. The Citys election to defend itself, whether at the cost of the Applicant or at the Citys own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

## CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY

<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	PRE-CONSTRUCTION MEETING. Pre-construction meetings shall be held between the City the Developer grading contractors and special inspectors to discuss permit requirements monitoring and other applicable environmental mitigation measures required prior to ground disturbance and prior to development of improvements within the public right-of-way. (B)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	SURVEY. The Developer shall provide a legal survey of the property. All property corners shall be staked and the property address posted. (B)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	APPROVAL OF IMPROVEMENT PLANS. All required improvement plans shall be prepared by a registered Civil Engineer per City standards and per the Citys improvement plan checklist to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review with the required plan checking fees. All Public Works plans shall be submitted as a complete set. (E)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	DEDICATION(S). The Developer shall grant to the City an Irrevocable Offer of Dedication for Caliente Road. The right of way full width for Caliente Road shall be one-hundred-twenty (120') feet. The Developer shall also grant to the City an Irrevocable Offer of Dedication for any part of the Path of Travel located behind any commercial drive approaches that encroach onto private property. (E)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	N.P.D.E.S. The Developer shall provide a copy of the approved original NPDES (National Pollutant Discharge Elimination System) permit from the Regional Water Quality Control Board and provide a copy of fees paid. The copies shall be provided to the City's Engineering Department. (E)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	STORM WATER POLLUTION PREVENTION PLAN. All of the requirements of the Storm Water Pollution Prevention Plan shall be incorporated and be in place prior to issuance of a grading permit. (E)
<b><u>COMPLETED</u></b> NOT IN COMPLIANCE	<b><u>COMPLIED BY</u></b>	GRADING PLAN. The Developer shall submit a Grading Plan with existing contours tied to an acceptable City of Hesperia benchmark. The grading plan shall indicate building footprints and proposed development of the retention basin(s) as a minimum. Site grading and building pad preparation shall

include recommendations provided per the Preliminary Soils Investigation. All proposed walls shall be indicated on the grading plans showing top of wall (tw) and top of footing (tf) elevations along with finish grade (fg) elevations. Wall height from finish grade (fg) to top of wall (tw) shall not exceed 6.0 feet in height. Grading Plans are subject to a full review by the City of Hesperia and the City Engineer upon submittal of the Improvement Plans. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

ON SITE RETENTION. The Developer shall design / construct on site retention facilities, which have minimum impact to ground water quality. This shall include maximizing the use of horizontal retention systems and minimizing the application of dry wells / injection wells. All dry wells / injection wells shall be 2 phase systems with debris shields and filter elements. All dry wells / injection wells shall have a minimum depth of 30 with a max depth to be determined by soils engineer at time of boring test. Per Resolution 89 16 the Developer shall provide on site retention at a rate of 13.5 Cu. Ft per every 100 Sq. Ft. of impervious materials. Any proposed facilities, other than a City approved facility that is designed for underground storage for on site retention will need to be reviewed by the City Engineer. The proposed design shall meet City Standards and design criteria established by the City Engineer. A soils percolation test will be required for alternate underground storage retention systems. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

STREET IMPROVEMENTS. The Developer shall design street improvements in accordance with City standards and these conditions. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

CALIENTE ROAD. Construct half-width paving on Caliente Road across the project frontage, based on City's 120-foot Arterial Roadway Standard. The curb face is to be located at 46' from the approved centerline. The design shall be based upon an acceptable centerline profile extending a minimum of three hundred (300) feet beyond the project boundaries where applicable. These improvements shall consist of:

- A. 8" Curb and Gutter per City standards.
- B. Sidewalk (width = 6 feet) per City standards.
- C. Roadway drainage device(s).
- D. Streetlights per City standards.
- E. Commercial driveway approaches per City standards.
- F. Pavement transitions per City Standards.
- G. Design roadway sections per existing, approved street sections and per "R" value testing with a traffic index of 12 and per the soils report.
- H. Cross sections every 50-feet per City standards.
- I. Traffic control signs and devices as required by the traffic study and/or the City Engineer.
- J. Provide a signage and striping plan per City standards.
- K. It is the Developer's responsibility to obtain any off-site dedications for transition tapers including acceleration / deceleration tapers per City standards.
- L. Relocate existing utilities as required. The Developer shall coordinate with affected utility companies.

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

UTILITY PLAN. The Developer shall design a Utility Plan for service connections and / or private hydrant and sewer connections. Any existing water, sewer, or storm drain infrastructures that are affected by the proposed development shall be removed / replaced or relocated and shall be constructed per City standards at the Developer's expense. (E)

A. A remote read automatic meter reader shall be added on all meter connections as approved by the City Engineer.

B. The Developer shall design a Utility Plan for service connections and / or private water and sewer connections. Domestic and fire connections shall be made from the existing 8" ACP water line in Caliente Road per City Standards.

C. It is the Developer's responsibility to connect to sewer and pay the appropriate fees. The Developer will be required to connect to the existing 8" PVC sewer main in Caliente Road, south of Joshua Street, per City standards.

D. Complete V.V.W.R.A.'s "Wastewater Questionnaire for Commercial / Industrial Establishments" and submit to the Engineering Department. Complete the "Certification Statement for Photographic and X-ray Processing Facilities" as required.

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

CFD ANNEXATION. The applicant shall annex the property into Community Facilities District CFD 94-01 prior to issuance of a grading permit. (F)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FISH AND GAME FEE. The applicant shall submit a check to the City in the amount of \$2,260.25 payable to the Clerk of the Board of Supervisors of San Bernardino County to enable the filing of a Notice of Determination. (P)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

CULTURAL RESOURCES 2. If cultural resources are found during grading then grading activities shall cease and the applicant shall contract with a City approved archaeologist or paleontologist to monitor grading prior to resuming grading. All cultural resources discovered shall be handled in accordance with state and federal law. A report of all resources discovered as well as the actions taken shall be provided to the City prior to issuance of a Certificate of Occupancy. (P)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

PRE-CONSTRUCTION SURVEY. A pre-construction survey for the burrowing owl shall be conducted by a City approved and licensed biologist, no more than 30 days prior to ground disturbance. (P)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

PROTECTED PLANTS. Three copies of a protected plant plan shall be submitted to the Building Division showing the present location and proposed treatment of all smoke tree, species in the Agavacea family, mesquite, large creosote bushes, Joshua Trees, and other plants protected by the State Desert Native Plant Act. The grading plan shall be consistent with the approved protected plant plan. No clearing or grading shall commence until the protected plant plan is approved and the site is inspected and approved for clearing. (P)

**COMPLETED**

**COMPLIED BY**

CONSISTENCY WITH APPROVED GRAPHICS.

NOT IN COMPLIANCE

Improvement plans for off site and on site improvements shall be consistent with the graphics approved as part of this conditional use permit application and shall also comply with all applicable Title 16 and Engineering Division requirements with the following revisions made to the improvement plans:

A. A four-foot wide handicapped accessible route of travel shall be provided from the public sidewalk within Caliente Road and the main entrance to Building B as approved by Planning staff;

B. A minimum four-foot wide landscaped area and a one-foot sidewalk in addition to the six-inch concrete curb shall be installed at the end of all parking space rows as approved by Planning staff.

C. All on-site and off-site improvements shall be constructed as part of Phase I. (P)

### CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

CONSTRUCTION WASTE. The developer or builder shall contract with the City's franchised solid waste hauler to provide bins and haul waste from the proposed development. At any time during construction, should services be discontinued, the franchise will notify the City and all building permits will be suspended until service is reestablished. The construction site shall be maintained and all trash and debris contained in a method consistent with the requirements specified in Hesperia Municipal Code Chapter 15.12. All construction debris, including green waste, shall be recycled at Advance Disposal and receipts for solid waste disposal shall be provided prior to final approval of any permit. (B)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

DEVELOPMENT FEES. The Developer shall pay required development fees as follows:

A. School Fees (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

AQMD APPROVAL. The Developer shall provide evidence of acceptance by the Mojave Desert Air Quality Management District. (B)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FIRE ACCESS 150+ FT. Dead End roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. [F 45]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FIRE ACCESS-MULTI STORY ROAD ACCESS. Multi Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. [F 41]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FIRE ACCESS-POINTS OF VEH. ACCESS. The development shall have a minimum of two points of vehicular access. These are for fire/emergency equipment access and for evacuation routes.

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FIRE ACCESS-SINGLE STORY ROAD ACCESS. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FIRE FLOW TEST. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety. [F 5b]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FIRE SURFACE-MINIMUM 80K POUNDS. All roads shall be designed to 85 compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds. [F 42]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FIRE TURNAROUND. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul de sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty (40) foot radius for residential turns and forty five (45) for non residential turns. [F 43]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

WATER SYSTEM. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 2,250 GPM for a 4 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 26,400 sq.ft. structure. [F 5]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

WATER SYSTEM COMMERCIAL. A water system approved by the Fire Department is required. The system shall be operational prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel ways) and no more than three hundred (300) feet from any portion of a structure. [F 54]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

(RPD) LANDSCAPE AND IRRIGATION PLANS. The Developer shall submit three sets of landscape and irrigation plans including water budget calculations required application fees and completed landscape packet to the Building Division with the required application fees. Plans shall utilize xeriscape landscaping techniques in conformance with the Landscaping Ordinance. The number size type and configuration of plants approved by the City shall be maintained in accordance with the Development Code. (P RPD)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FENCING. The Developer shall submit four sets of wrought iron fencing plans to the Building Division with the required application fees for all proposed fencing. (P)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

LIGHT AND LANDSCAPE DISTRICT ANNEXATION. Developer shall annex property into the lighting and landscape district administered by the Hesperia Recreation and Parks District. The required forms are available from the Building Division and once completed, shall be submitted to the Building Division. (RPD)

#### CONDITIONS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

DEVELOPMENT FEES. The Developer shall pay required development fees as follows:

- A. Development Impact Fees (B)
- B. Utility Fees (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

UTILITY CLEARANCE AND C OF O. The Building Division will provide utility clearances on individual buildings after required permits and inspections and after the issuance of a Certificate of Occupancy on each building. Utility meters shall be permanently labeled. Uses in existing buildings currently served by utilities shall require issuance of a Certificate of Occupancy prior to establishment of the use. (B)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

AS BUILT PLANS. The Developer shall provide as built plans. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

ELECTRONIC COPIES. The Developer shall provide electronic copies of the approved project in AutoCAD format Version 2007 to the City's Engineering Department. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

PUBLIC IMPROVEMENTS. All public improvements shall be completed by the Developer and approved by the Engineering Department. Existing public improvements determined to be unsuitable by the City Engineer shall be removed and replaced. (E)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FIRE ALARM-AUTO OR MANUAL. A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. [F 62a]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FIRE EXTINGUISHERS. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. [F88]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FIRE SPRINKLER NFPA#13. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three (3) sets of (minimum 1/8 scale) shall include hydraulic calculations and

manufacturers specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. [F 59]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

GATE OVERRIDE SWITCH. Where an automatic electric security gate is used, an approved Fire Department override switch (Knox ) is required. [F86]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

HIGH PILED STORAGE. The applicant shall submit an application for high piled storage (internal storage over 12 ft. in height), three (3) sets of detailed plans and a commodity analysis report to the Fire Department for review and approval. The applicant shall submit the approved plan to Building and Safety for review with building plans. If the occupancy classification is designated as S 2, commodities to be stored will be limited to products of light hazard classification only. The required fees shall be paid at the time of plan submittal. [F 66]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

HYDRANT MARKING. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road. [F80]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

KNOX BOX. An approved Fire Department key box is required. [F85]

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

Landscaping/irrigation. The Developer shall install the landscaping and irrigation as required by the Planning Division. (P)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

FENCING. The 6-foot high wrought iron fencing and gates located 94 feet behind the front property line shall be completed in accordance with City standards. The balance of the fencing may be 6-foot high chain link. (P)

**COMPLETED**  
NOT IN COMPLIANCE

**COMPLIED BY**

ON SITE IMPROVEMENTS. All on site improvements as recorded in these conditions, and as shown on the approved site plan shall be completed in accordance with all applicable Main Street and Freeway Corridor Specific Plan and Title 16 requirements. The building shall be designed consistent with the design shown upon the approved materials board and color exterior building elevations identified as Exhibit A. Any exceptions shall be approved by the Director of Development Services. (P)

**NOTICE TO DEVELOPER: IF YOU NEED ADDITIONAL INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CONTACT THE APPROPRIATE DIVISION LISTED BELOW:**

<b>(B) Building Division</b>	<b>947-1300</b>
<b>(E) Engineering Division</b>	<b>947-1476</b>
<b>(F) Fire Prevention Division</b>	<b>947-1603</b>
<b>(P) Planning Division</b>	<b>947-1200</b>
<b>(RPD) Hesperia Recreation and Park District</b>	<b>244-5488</b>





**DATE:** May 16, 2017

**TO:** Mayor and Council Members

**FROM:** Nils Bentsen , City Manager

**BY:** Mike Blay, Director of Development Services  
Dave Reno, Principal Planner  
Daniel Alcayaga, Senior Planner

**SUBJECT:** Development Code Amendment DCA17-00002 adopting the Commercial Community Enhancement Ordinance (CCEO); Applicant: City of Hesperia; Area affected: City-wide

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## **RECOMMENDED ACTION**

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2017-10 approving DCA17-00002, the Commercial Community Enhancement Ordinance (CCEO).

## **BACKGROUND**

In recent years, the City of Hesperia has experienced deteriorating commercial neighborhoods, as well as increased public safety costs, which negatively impact the quality of life within the City and compromises the City's ability to provide services and attract new businesses. On March 7, 2017, the City Council adopted an urgency interim ordinance imposing a 45 day moratorium on certain type of businesses including: 1. gold exchange and pawnshop businesses; 2. hydroponic stores; 3. hookah lounges, vape shops and smoke shops; and 4. businesses that allow for the sale of drug paraphernalia; and 5. money service businesses. Money services businesses include, but are not limited to, payday loan, check cashing and car title loan businesses. Staff will be requesting that the City Council adopt a 10 month and 15 day extension at the April 18, 2017 meeting.

In 2015, the City of Victorville adopted an ordinance prohibiting new establishments of these types of businesses largely based on testimony by public safety officials and calls for service. Victorville's analysis showed that although permitted in many parts of the high desert, they are considered problematic around the country, especially when concentrated along commercial corridors. A number of problematic businesses operate in the High Desert, and the analysis showed that cities outside of the area already prohibit and/or limit these businesses. Since Victorville adopted their Ordinance, Hesperia has experienced additional requests to locate these businesses in the City.

## **ISSUES/ANALYSIS**

On April 13, 2017, the Planning Commission voted 4-0 (with one Commissioner absent) recommending that City Council approve the Commercial Community Enhancement Ordinance. The Commission questioned if there was a target number of certain problematic businesses that the City would like to have. Staff stated that there is no right number and that the

recommendation to prohibit was related to their propensity to cause crime and other problems. The Commission questioned if the City could cap the number of problematic businesses, and if a good operator of an existing store could open a new store. The City Attorney clarified that they Commission can recommend a cap on the number of businesses. As written, no new businesses could be allowed, even if the existing businesses wanted to open a similar store or move to a different location. Commissioner questioned if the Ordinance was creating a new standard for existing businesses and a standard for new businesses. In most cases, no new stores would be allowed; therefore, there would not be a new standard for new businesses, as they would be prohibited. Only new massage facilities and stores selling tobacco or tobacco paraphernalia would be subject to new standards. If a store wishes to sell tobacco and related products, they could do so only with a limited display area. Under state law the City is unable to prohibit massage facilities or personnel that are state certified. Commissioners questioned if the Ordinance was on solid ground by prohibiting certain businesses. The City Attorney stated that cities are able to ban certain types of businesses, as has been the case with medical marijuana dispensaries. The Commission questioned how the City is able to distinguish between drug paraphernalia and tobacco paraphernalia when they are legal products and can be sold at regular stores. Staff clarified that the City is not prohibiting tobacco paraphernalia, the regulations are only limiting where they can be sold and the display size area.

The negative impacts of certain problematic businesses are adversely affecting the commercial lease rates and therefore are attracting less desirable and more problematic businesses in the City. The City finds that based on the reasons listed below, these uses pose a threat to the general health, safety and welfare of Hesperia and its residents and recommended that the City Council amend the Hesperia Municipal Code to regulate and/or prohibit such uses.

**Gold Exchange and Pawnshop Businesses:** Gold exchange and pawnshop businesses are associated with a higher volume of police calls than other businesses in Hesperia and are indirectly linked to other crimes by being in the business of exchanging goods for money and/or their tendency to keep large amounts of cash on-site. Gold exchange and pawnshop businesses enhance and expedite the ability of criminals to receive cash in exchange for stolen goods because they provide a location and a means to dispose of stolen property.

**Hydroponic Stores:** Hydroponic stores are directly linked to crime and illegal activity by being in the business of supporting the use and cultivation of marijuana, a Schedule 1 narcotic as defined by the United States Controlled Substances Act. These stores typically provide all the necessary supplies and general information used to cultivate marijuana. Stand-alone hydroponic stores became prevalent in urbanized areas only after California medical marijuana laws were passed. As hydroponic stores are typically associated with marijuana cultivation, they contribute to an increased amount of illegal narcotics within Hesperia. The proposed Amendments prohibit hydroponic stores, unless accessory to a home improvement store.

**Hookah Lounges, Vape Shops and Smoke Shops:** Hesperia has a larger population percentage of minors (30%-36%) as compared to the state average (25%) and therefore has a higher number of minors at risk of exposure to tobacco products and services. The U.S. Food and Drug Administration (FDA) does not currently regulate electronic smoking devices and the potential health risks of vaping are not yet fully understood by the general population, especially youth.

Under California law, it is currently illegal to sell an electronic cigarette device to a minor; however, this law does not prohibit minors from purchasing e-liquids that are sold separately from the electronic smoking device, including both nicotine-based liquids and non-nicotine liquids. Since vape shops increasingly sell e-liquids (including candy and fruit varieties) separately from the electronic smoking devices, it is necessary for the City to regulate or prohibit these establishments. Hookah lounges, vape shops and smoke shops create a social environment where people can gather to vape and smoke; sometimes, these businesses will also have TVs, a DJ, or provide food and drink. The use of electronic smoking devices and other smoking devices indoors undermines existing clean indoor air laws and exposes customers and employees to potentially hazardous chemicals, such as formaldehyde, acetaldehyde, lead, nickel, and chromium.

In addition, over eight percent of all tobacco retailers statewide were witnessed unlawfully selling to minors in 2012, and tobacco stores (defined as businesses in which at least 80 percent of merchandise was tobacco products) sold to minors at a much higher rate than the statewide average, as high as 20.5 percent according to the 2012 report by the State Health Officer's Report on Tobacco Use and Promotion in California by the California Department of Public Health. Finally, many cigarette, tobacco, vape and smoke shops sell items that are commonly known to be drug paraphernalia, including bongs and pipes used to smoke methamphetamine and other illicit drugs, and claim that such items are intended for tobacco use.

**Drug Paraphernalia:** California law prohibits the sale of "drug paraphernalia," nevertheless many retailers sell items that are commonly known to be "drug paraphernalia," including bongs and pipes used to smoke methamphetamine and other illicit drugs, claiming that such items are intended for tobacco use. The City has seen a proliferation and concentration of retailers who sell drug paraphernalia in recent years.

**Negative Effects of Money Service Businesses:** Allowing money service businesses in certain zoning areas may create or exacerbate undue concentrations of businesses in the City offering short-term, high interest loans near or adjacent to residential areas. This is a concern because these businesses generally make a profit by taking advantage of residents who are low income and in need of money quickly. A borrower will agree to a short-term loan with a high interest rate, using his/her car title, or other personal asset, as collateral. Oftentimes, because the interest rate on the loans is so high, the borrower is not able to make timely loan payments. Once the borrower defaults, he/she is then forced to surrender the car or other personal asset to repay the loan.

The number of check cashing businesses has increased sharply in the past years throughout the State of California and in the City of Hesperia. Such increases have had a negative impact on low-income minority communities which appear to be the targets of check cashing or cashier businesses. A study by the Urban Law and Public Policy Institute revealed that 57% of African-Americans and 49% of Hispanics live within one (1) mile of a check cashing business. In addition 42% of households with incomes of less than \$25,000 live within one (1) mile of check cashing business in California. A study by the Progressive Policy Institute revealed that a traditional bank account is the first step toward giving low-income Americans access to mainstream tools for wealth creation now taken for granted by the middle-class. A statewide survey in California indicated that 28% of consumers without a traditional checking account cash their checks primarily at a check cashing institutions. According to the Federal Trade Commission and Consumer Reports, because of the high fees paid for these short-term loans

and check cashing services, borrowers can become locked in a cycle of borrowing in which they may pay the equivalent of more than 900% annual percentage rate interest on their loan. In California, the fee for a payday loan can be up to \$17.50 for every \$100 borrowed, up to the maximum of \$300. The annual percentage rate for such a transaction is: 911% for a one-week loan; 456% for a two-week loan and 212% for a one-month loan.

The City, like many other cities in California, has found that limiting the establishment of money service businesses has helped prevent residents from impulsively committing to these loans by decreasing accessibility to these businesses. The City has found that the money service businesses constitute a threat to public safety and increase the economic and financial vulnerability of Hesperia residents.

**Commercial Community Enhancement Ordinance (CCEO):** The proposed Ordinance prohibits the establishment of new gold exchange businesses (unless accessory to a jewelry store); hydroponic shops (unless accessory to a home improvement store); money service businesses; pawn shops; smoking lounges; and smoke shops. The sale of tobacco products and paraphernalia must be associated with a business that sells alcohol. Display areas for tobacco products are limited to 10% of the floor area for per business, and display areas for paraphernalia shall not exceed a 2 foot in depth by 4 foot in length section of a single shelf space.

**Massage Facilities:** The CCEO amends Chapter 5.20 pertaining to massage facilities. The City has been experiencing illegal activity as it pertains to prostitution and unlicensed massage services. Therefore, every person performing massage services for compensation shall obtain and maintain a valid state massage certification from the State Massage Therapy Council. In addition, no new massage establishment may be located within three thousand (3,000) feet of another massage establishment or within six hundred (600) feet of an elementary, secondary or high school. In 2008, the California Massage Therapy Council (CAMTC) was established to administer a certification process for massage professional. CAMTC is responsible for verifying the authenticity of a massage professional by verifying educational requirements and conducting background checks. CAMTC takes certain disciplinary action, including suspending or revoking a certificate, if the certificate holder has been arrested, charged with crimes or falsifies information. The Amendments will no longer provide massage professionals the option of undergoing the background check process and meeting the education criteria established by the City's Municipal Code, instead all massage professionals must possess CAMTC certification in Hesperia.

**Environmental:** Approval of the Development Code Amendment is exempt from the requirements of the California Environmental Quality Act per Section 15061(b)(3), where it can be seen with certainty that there is no significant effect on the environment. The proposed Development Code Amendment is also exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Development Code Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan.

**Conclusion:** Staff supports the Commercial Community Enhancement Ordinance, as it aids in improving the quality of life of residents of Hesperia by creating an attractive, cleaner and safer community. The Ordinance will improve Hesperia's ability to provide services by reducing service calls to problematic businesses and attract quality new businesses with higher volume sales and higher business success rates. The Ordinance is consistent with the Land Use and Safety

Elements of the General Plan, and is necessary to protect the general health, safety and/or welfare of the community.

**FISCAL IMPACT**

None.

**ALTERNATIVE(S)**

1. Provide alternative direction to staff.

**ATTACHMENT(S)**

1. Ordinance No. 2017-10
2. Ordinance Exhibit 'A'

## **ORDINANCE NO. 2017-10**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, ADOPTING A DEVELOPMENT CODE AMENDMENT PROHIBITING AND REGULATING CERTAIN LAND USES, ALSO KNOWN AS THE COMMERCIAL COMMUNITY ENHANCEMENT ORDINANCE (DCA17-00002)**

**WHEREAS**, on January 5, 1998, the City Council of the City of Hesperia adopted Ordinance No. 250, thereby adopting the Hesperia Municipal Code; and

**WHEREAS**, on September 2, 2008, the City Council of the City of Hesperia adopted Ordinance No. 2008-12, thereby adopting the Main Street and Freeway Corridor Specific Plan; and

**WHEREAS**, the Commercial Community Enhancement Ordinance (CCEO) applies City-wide, including areas of the Main Street and Freeway Corridor Specific Plan;

**WHEREAS**, in recent years the City of Hesperia has experienced deteriorating commercial neighborhoods and increased public safety costs, which negatively impact the quality of life within Hesperia and compromises Hesperia's ability to provide services and attract new businesses; and

**WHEREAS**, the City Council finds that prohibiting and regulating certain land uses will assist in creating a safer community by eliminating the ability of certain harmful businesses to locate in Hesperia, thus deterring the patrons of these businesses from loitering in retail areas which may occur due to the nature and operations of certain land uses; and

**WHEREAS**, the City Council finds that prohibiting and regulating certain businesses in commercial neighborhoods will create a safer community by improving the perception people and business owners have about Hesperia; and

**WHEREAS**, the City Council finds that prohibiting and regulating certain uses in commercial neighborhoods will create a safer community by attracting quality businesses to Hesperia, therefore improving the strength and vitality of retail neighborhoods; and

**WHEREAS**, the City Council finds that prohibiting and regulating certain uses will create an attractive, cleaner community by keeping undesirable businesses out of commercial areas and attracting desirable businesses and owners to commercial neighborhoods; and

**WHEREAS**, the City Council finds that prohibiting and regulating certain businesses in commercial neighborhoods will increase lease rates and increase per capita sales revenue by attracting quality new businesses with higher volume sales and higher business success rates; and

**WHEREAS**, with respect to Gold Exchange, Money Service Business and Pawn Shops, the City Council hereby finds and declares that:

- The pawn shop definition is derived from definitions provided by the California Financial Code Section 21000 and the California Business and Professions Code Section 21626 as applicable; and
- Gold exchange, money service businesses, and pawnshop businesses are associated with a higher volume of police calls than other businesses in Hesperia and are indirectly

linked to other crimes by being in the business of exchanging goods for money and/or their tendency to keep large amounts of cash on-site; and

- Money service, gold exchange, and pawnshop businesses take advantage of lower income individuals with less options for banking and/or loan services; and
- Money service, gold exchange, and pawnshop businesses are indirectly associated with crime due to the nature of the business in which an exchange of goods and/or checks for cash occurs on-site; and
- Gold exchange and pawnshop businesses enhance and expedite the ability of criminals to receive cash in exchange for stolen goods because they provide a location and a means to dispose of stolen property; and
- Hesperia currently has eight money service businesses to serve a population of approximately 93,226; and
- prohibiting money service, gold exchange, and pawnshop businesses from operating in Hesperia will protect the general health, safety and welfare of the residents; and

**WHEREAS**, with respect to Hydroponics Stores, the City Council hereby finds and declares that:

- Hydroponic stores are directly linked to crime and illegal activity by being in the business of supporting the use and cultivation of a Schedule 1 narcotic as defined by the United States Controlled Substances Act; and
- Hydroponic stores typically provide all mediums, supplies, and general information used to cultivate marijuana; and
- stand-alone hydroponic stores became prevalent in urbanized areas only after California Medical marijuana laws were passed; and
- Hydroponic stores are typically associated with marijuana cultivation and may contribute to an increased amount of illegal narcotics within Hesperia; and
- Prohibiting hydroponic stores from operating in Hesperia will protect the general health, safety and welfare of the residents; and

**WHEREAS**, with respect to Tobacco Uses, the City Council hereby finds and declares that:

- Based in part on the information contained in this section, the failure of tobacco retailers to comply with all tobacco control laws, particularly laws prohibiting the sale of tobacco products to minors, presents an imminent threat to the public health, safety, and welfare of the residents of the Hesperia; and
- Approximately 480,000 people die in the United States from tobacco-related diseases every year, making tobacco use the nation's leading cause of preventable death according to the U.S. Department of Health and Human Services; and
- 5.6 million of today's Americans who are younger than 18 are projected to die prematurely from a smoking-related illness according to the U.S. Department of Health and Human Services; and
- A November 2011 Policy Brief by Healthy High Desert mentioned that tobacco use continues to be a significant health risk factor in the High Desert with 20% of adults and 15% of high school seniors smoking cigarettes. In addition, one in five high school students uses marijuana; and
- The California Legislature has recognized the danger of tobacco use and has made reducing youth access to tobacco products a high priority, as evidenced by the facts that:

- The Legislature has declared that smoking is the single most important source of preventable disease and premature death in California (Cal. Health & Safety Code§ 118950); and
- State law prohibits the sale or furnishing of cigarettes, tobacco products, and tobacco paraphernalia to minors, as well as the purchase, receipt, or possession of tobacco products by minors (Cal. Pen. Code§ 308); and
- State law prohibits the manufacture, distribution, or sale of cigarettes in packages of less than 20 and prohibits the manufacture, distribution, or sale of "roll-your-own" tobacco in packages containing less than 0.60 ounces of tobacco (Cal. Pen. Code § 308.3); and
- State law prohibits the sale or furnishing of electronic cigarettes to minors (Cal. Health & Safety Code§ 119405); and
- State law explicitly permits cities and counties to enact local tobacco retail ordinances, and allows for the suspension or revocation of a local license for a violation of any state tobacco control law (Cal. Bus. & Prof. Code § 22971.3); and
- California courts have affirmed the power of Hesperia to regulate business activity to discourage violations of law. (See, e.g., Cohen v. Board of Supervisors, 40 Cal. 3d 277 (1985); Bravo Vending v. City of Rancho Mirage, 16 Cal. App. 4th 383 (1993); Prime Gas, Inc. v. City of Sacramento, 184 Cal. App. 4th 697 (2010)); and
- despite the State's efforts to limit youth access to tobacco, minors are still able to access cigarettes, as evidenced by the facts that:
- In California, 36.8 percent of high school students have smoked a whole cigarette by 14 years of age according to a 2012 report from the California Department of Public Health; and
- In California, 64 percent of adult smokers started by the age of 18 according to a 2012 report from the California Department of Public Health; and
- Among middle school students who were current cigarette users in 2004, 70.6 percent were not asked to show proof of age when they purchased or attempted to purchase cigarettes from a store, and 66.4 percent were not refused purchase because of their age based on a study published by the U.S. Department of Health and Human Services in 2005; and
- California retailers continue to sell tobacco to underage consumers, evidenced by the following:
- 7.6 percent of all tobacco retailers were witnessed unlawfully selling to minors in 2013 according to the California Department of Public Health; and
- Hesperia has a larger population percentage of minors (36%) as compared to the state average (25%) and therefore has a higher number at risk of exposure to tobacco products and services; and
- The Institute of Medicine recommends restricting the number and location of tobacco outlets to discourage tobacco use and to reduce tobacco-related disease; and
- Retailers that have state licenses to sell alcohol are accustomed to complying with state law licensing requirements and laws requiring age verification because they face fines, license suspension, and license revocation if they sell alcohol to persons under age 21; and
- Retailers that have a state license to sell alcohol for consumption off the premises must be approved through a state application process. Factors examined upon such applications, including whether there is an overconcentration of retailers in an area and whether a retailer is too close to residences or areas frequented by youth are also relevant to whether a retailer should be granted the right to sell tobacco; and



- Efforts to decrease perceptions of smoking as a socially acceptable behavior in bars, nightclubs and other establishments where smoking is permitted may help reduce smoking among young adults according to the American Journal of Public Health; and
- Exemptions from smoke free air laws have facilitated the emergence of niche tobacco markets, such as hookah bars and tobacco shops; and
- Separating places where smoking is permitted from places where tobacco is sold is necessary to promote the health of our residents by reducing impulsive smoking and social pressure to smoke; and

**WHEREAS**, with respect to Smoke/Vape Shops and Smoking/Hookah Lounges, the City Council incorporates the tobacco recitals hereinabove and further finds and determines that:

- The need to prohibit new smoke/vape shops and smoking/hookah lounges based on those recitals and the recitals within this Section in order to protect for the health, safety and welfare of the residents of Hesperia; and
- There exists a lack of state and federal control on E-cigarettes and other tobacco and tobacco related products; and
- The U.S. Food and Drug Administration (FDA) does not currently regulate electronic smoking devices and the potential health risks of vaping are not yet fully understood by the general population, especially youth; and
- Under California law it is currently illegal to sell an electronic cigarette device to a minor, however, this law does not prohibit minors from purchasing e-liquids that are sold separately from the electronic smoking device, including both nicotine-based liquids and non-nicotine liquids; and since vape shops increasingly sell e-liquids (including candy and fruit varieties) separately from the electronic smoking devices, the City Council wishes to prohibit these establishments; and
- Hookah lounges, vape shops and smoke shops create a social environment where people can comfortably gather to vape and smoke; sometimes, these businesses will also have TVs, a DJ, or food and drink. The use of electronic smoking devices and other smoking devices indoors undermines existing clean indoor air laws and exposes customers and employees to potentially hazardous chemicals, such as formaldehyde, acetaldehyde, lead, nickel, and chromium, and negatively impacts neighboring businesses; and
- Numerous California cities have adopted moratorium ordinances to prevent new vape shops from entering the market and more than 70 cities and counties in California have regulations pertaining specifically to the sale of electronic smoking devices; and
- Over 8 percent of all tobacco retailers statewide were witnessed unlawfully selling to minors in 2012, and tobacco stores (defined as businesses in which at least 80 percent of merchandise was tobacco products) sold to minors at a much higher rate than the statewide average, as high as 20.5 percent according to the 2012 report by the State Health Officer's Report on Tobacco Use and Promotion in California by the California Department of Public Health; and
- Many cigarette, tobacco, vape and smoke shops sell items that are commonly known to be drug paraphernalia, including bongs and pipes used to smoke methamphetamine and other illicit drugs, and claim that such items are intended for tobacco use; and

**WHEREAS**, with respect to Drug Paraphernalia, the City Council hereby finds and declares that:

- State law prohibits sales of "drug paraphernalia"; and
- Many retailers nevertheless sell items that are commonly known to be "drug paraphernalia," including bongs and pipes used to smoke methamphetamine and other illicit drugs, claiming that such items are intended for tobacco use; and
- Several California cities require compliance with state drug paraphernalia laws as a condition of obtaining and maintaining a local business license; and

**WHEREAS**, with respect to Massage Establishments, the City Council hereby finds and declares that adopting a distance limitation and requiring all massage technicians to carry CAMTC certification is necessary due to the potential for illegal activity associated with those uses and for the protection of the health, safety and welfare of the citizens of Hesperia; and

**WHEREAS**, this Commercial Community Enhancement Ordinance will assist in implementing the Goals and Policies of the Land Use and Safety Elements of the General Plan by protecting existing development from incompatible land uses, ensuring the integrity of each land use district, enhancing the appearance of the Hesperia community; and ensure adequate police protection capabilities by reducing the impacts on law enforcement personnel; and

**WHEREAS**, the proposed Development Code amendment is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3), where it can be seen with certainty that there is no significant effect on the environment. The proposed Development Code Amendment is also exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Development Code Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan; and

**WHEREAS**, on April 13, 2017, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on that date; and

**WHEREAS**, on May 16, 2017, the City Council of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed Development Code Amendment and concluded said hearing on that date; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW THEREFORE**, THE CITY COUNCIL OF THE CITY OF HESPERIA DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to the Commission, including written and oral staff reports, the Commission specifically finds that the proposed Resolution is consistent with the goals and objectives of the adopted General Plan.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of Development Code Amendment DCA17-00002, adopting the Commercial Community Enhancement Ordinance as shown on Exhibit "A."

Section 4. This Ordinance shall take effect thirty (30) days from the date of adoption.

Section 5. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Resolution No. 2007-101.

**ADOPTED AND APPROVED** on this 16<sup>th</sup> day of May 2017.

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Paul Russ, Mayor

ATTEST:

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Melinda Sayre, City Clerk

# EXHIBIT “A”

The following definitions in Chapter 16.08 shall be renumbered as follows:

Electrical generating stations shall be moved to Section 16.08.207

Electrical substation shall be moved to Section 16.08.208

The following definitions shall be added to Chapter 16.08 (additions are in underlined red text and deletions are shown with ~~red and strikethrough~~):

16.08.187 "Drug Paraphernalia" has the meaning set forth in California Health & Safety Code Section 11014.5, as that Section may be amended from time to time.

16.08.209 "Electronic smoking product and/or device" (also known as "electronic cigarette," "e-cigarette," "electronic nicotine delivery system," "e-cigar," "e-cigarillo," "e-pipe," "e-hookah," "hookah pen," "vape pen" etc.) shall mean a battery operated device used to inhale a vaporized liquid solution that frequently, though not always, contains nicotine.

16.08.227 "Financial Institution" consists of an establishment, facility or institution, such as a bank and credit union, involved in financial transactions, including the custody, deposit, investment, loan, exchange, or issuance of money. A financial institution is also registered with and regulated by the Securities and Exchange Commission or the Commodity Futures Trading Commission

16.08.334 "Hydroponic store" shall mean any business whose primary sales consist of product and apparatus used for growing plants without soil or in a non-soil medium such as water or other nutrient rich solutions; with or without an inert medium (i.e. gravel, perlite, etc.), and/or controlled conditions of light, temperature, and humidity. For the purpose of this Title, hydroponic stores also include businesses whose sales include grow lights (i.e. plant lights), artificial light sources, and other supplies typically used for hydroponics as the primary use. Hydroponics stores are also synonymous with aeroponics, aquaculture, fogponics, etc.

16.08.537 "Money service business" consists of a business whose primary function is to provide cash to patrons in exchange for personal and business checks and money orders and to perform similar financial transactions for a service fee or commission. This term also applies to a business that offers a short-term loan in which the borrower's car title, or other personal asset, is used as collateral. Money service businesses include, but are not limited to, payday loan, check cashing and car title loan businesses. "Money service business" does not include a state or federally chartered bank, savings association, credit union or industrial loan company. This term also does not apply to a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cash checks or issues money orders for a minimum flat fee not exceeding two dollars (\$2.00) per transaction as a service to its customer that is incidental to its main purpose or business.

16.08.642 "Pawnshop" any business whose primary operations include lending money on the security of pledged goods left in pawn, or in the business of purchasing tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time. This definition shall also include businesses that purchase tangible personal property such as precious metals with the intent to resell items

in bulk and/or deconstructed, establishments known variously as gold buying, gold exchange, etc., as determined by Planning Department.

16.08.763 "Smoking lounge" a business establishment that is dedicated, in whole or in part, to the smoking of tobacco or other legal substances and vaporizing, including, but not limited to, establishments known variously as cigar lounges, hookah cafes, hookah lounges, tobacco clubs, tobacco bars, vape, vapor cafes, vapor lounges, etc. (collectively referred to as "smoking lounge(s)).

16.08.764 "Smoke shop" shall mean an establishment that either devotes more than 10 percent of its total floor area to tobacco products, including paraphernalia, or devotes more than a 2 foot depth by 4 foot length section of a single shelf space for display for sale of tobacco paraphernalia.

16.08.843 "Tobacco paraphernalia" shall mean any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco, tobacco products, or other controlled substances as defined in California Health and Safety Code Section 11054 et seq. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

16.08.844 "Tobacco product" product shall mean any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this chapter, the term "tobacco product" excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as a tobacco/smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

**Section 16.16.074 shall be amended as follows (additions are in underlined red text and deletions are shown with ~~red and strikethrough~~):**

16.16.074 – Commercial Community Enhancement Ordinance ~~Internet sweepstakes café prohibited.~~

The following uses are prohibited because it has been determined that such uses contribute to the decline of the health, safety and welfare of City residents and create blight, deter quality businesses from operating or otherwise create a sense of economic decline in commercial neighborhoods. This Ordinance is applies City-wide, including areas within the Main Street and Freeway Corridor Specific Plan.

The uses listed below are not a comprehensive list of all prohibited uses. Other uses not listed as either permitted and conditional permitted or within this prohibited use section, may be determined permitted or prohibited by the Director Development Services or designee based upon the similarity of other uses. Any use which violates local, state or federal laws is also prohibited.

**(a) Prohibited uses**

- (1) Gold exchange businesses (unless accessory to a jewelry store).
- (2) Hydroponic shops (unless accessory to a home improvement store).
- (3) Money service businesses.
- (4) Pawn shops.
- (5) Smoking lounges.
- (6) Smoke shops.
- (7) An internet sweepstakes café, as defined in Section 16.08.347, is prohibited within the City of Hesperia.

**C. Tobacco product and paraphernalia sales requirements**

- (1) No license may be issued to authorize retail tobacco product and paraphernalia sales at any location that is not licensed under state law to sell alcoholic beverages for consumption off the premises (e.g. an "off-sale" license issued by the California Department of Alcoholic Beverage Control).
- (2) The display area of tobacco products, including paraphernalia, shall not exceed 10 percent of the total floor area of a business establishment.
- (3) The display area devoted to tobacco paraphernalia shall not exceed a 2 foot in depth by 4 foot in length section of a single shelf space.
- (4) The display of tobacco products and paraphernalia shall be located behind a service counter in a manner that prohibits self-service by the customer.
- (5) It shall be a violation of this municipal code for any licensee or any of the licensee's agents or employees to violate any local, state, or federal law regulating controlled substances or Drug Paraphernalia, such as, for example, California Health and Safety Code section 11364.7.
- (6) No smoking or vaping shall be permitted on the premises at any time.
- (7) The sale of tobacco products and paraphernalia to a minor is prohibited.
- (8) No sales may be solicited or conducted on the premises by minors.
- (9) No distribution of free or low-cost tobacco, tobacco products or tobacco paraphernalia, as well as coupons for said items, shall be permitted.

**Editor's note shall be deleted from Section 16.16.074 as follows:**

- ~~• Editor's note — It should be noted that Ord. No. 2013-04 and Ord. No. 2013-05 both provide,  
"A. The City Council further finds as follows: xin ql  
(1) The City of Hesperia is presently developing regulations for internet sweepstakes cafés to establish reasonable, prudent and thorough regulations concerning the location and design of these facilities in the community that are least likely to injure the general welfare of persons and property in the City of Hesperia. xin qa  
(2) Without such internet sweepstakes café regulations, the establishment of any internet sweepstakes cafés, based on current regulations, would frustrate and contradict the ultimate goal of such regulations. Pending completion of the internet sweepstakes café regulations, it is foreseeable that additional internet sweepstakes cafés will be established which would contradict such goals and objectives of such regulations; and, xin ql~~

~~(3) Pending approval of the internet sweepstakes café regulations, the establishment of any additional internet sweepstakes cafés will result in an immediate threat to the public health, safety or welfare of persons and properties within the City of Hesperia.~~

~~B. "Computerized sweepstakes device" shall mean any computer, machine, game or apparatus which, upon insertion of a coin, token, access number, magnetic card or similar object, or upon payment of anything of value, may be operated by the public generally for use in a contest of skill, entertainment, amusement or chance whether or not registering a score, and which provides the user with a chance to win anything of value or any cash payout or anything that could be redeemed, directly or indirectly, for any cash payout and which is not otherwise permitted as gambling, a lottery or as a gaming device under state law.~~

~~C. "Internet sweepstakes café" shall mean any premises upon which a computerized sweepstakes device is located for the use or entertainment of the public, whether or not such premises has other business purposes of any nature whatsoever.~~

~~D. Pending the completion and implementation of the internet sweepstakes café regulations for the Zoning Ordinance, the establishment of any new internet sweepstakes cafés is hereby prohibited and no application for any applicable permits shall be accepted, acted upon or approved.~~

~~E. If any section, subsection, sentence, clause, phrase or any portion of this section is for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction or pre-emptive legislation, such decision or legislation shall not affect the validity of the remaining portions of this section. The city council of the City of Hesperia hereby declares that it would have adopted this section and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional or preempted by legislation.~~

~~F. This section is enacted under the authority of California Government Code Section 65858(b) and shall be of no further force and effect as of April 2, 2015, unless extended pursuant to the provisions of California Government Code Section 65858.~~

~~G. This section is hereby declared to be an urgency measure pursuant to the terms of California Government Code Section 65858 and 36937(b) and this section shall take effect immediately upon its adoption.~~

~~H. The city clerk shall certify to the adoption of this section and shall cause the same to be posted in three public places within the City of Hesperia pursuant to the provisions of Resolution 93-78.~~

**The following shall be added to Chapter 5.20 - Massage Facilities And Massage Technicians (additions are in underlined red text and deletions are shown with ~~red and strikethrough~~):**

#### Section 5.20.028 Distance Limitation Requirements

No massage establishment may be located within three thousand (3,000) feet of another massage establishment or within six hundred (600) feet of an elementary, secondary or high school.

5.20.020 - License application.

A. Any person, firm, corporation or partnership desiring to obtain a permit to operate a massage facility establishment shall file a complete application with all required documentation under penalty of perjury of the laws of the state.

B. Each application for a massage facility license ~~or a massage technician license~~, shall be accompanied by a nonrefundable investigative fee, as specified in Section 5.04.070.

C. An applicant for a license under this chapter shall submit the following information:

1. The full name, driver's license number and aliases, and any aliases heretofore or currently used, for each individual, partner, corporate officer, director or stockholder of applicant;

2. All previous residence addresses for the five years immediately preceding the application for each individual, partner, corporate officer, director or stockholder of applicant;

3. The height, weight, eye color, and hair color of each individual, partner, corporate officer, director or stockholder of the applicant;

4. The business, occupation or employment history of each individual, partner, corporate officer, director or stockholder of each applicant for five years immediately preceding the date of the application;

5. The street address where the licensed activities will be conducted. ~~In the case of a massage technician application, the employer must be a licensed massage facility or licensed massage facilities;~~

6. Disclosure of any prior revocation or suspension of any prior massage facility business license at any location, the reason therefor, and a statement setting forth all massage business activities subsequent to such suspension or revocation. This duty of disclosure shall apply to each individual, partner, corporate officer, director or stockholder of applicant;

7. Disclosure of whether any individual, partner, corporate officer, director, stockholder or other massage personnel of applicant have ever been convicted of an offense involving conduct which requires registration under California Penal Code, Section 290, or of conduct which is a violation of the provisions of California Penal Code, Sections 266i, 315, 316, 318 or 647(b), or for any felony involving the sale of a controlled substance pursuant to Sections 11054 through 11058 of the California Health and Safety Code, or who have been convicted in any other state of an offense which, if committed or attempted in California, would have been punishable as one or more of the laws enumerated in this subsection;

8. ~~Written proof or identification which is acceptable to the city that the applicant for a massage technician license is at least eighteen (18) years of age;~~

9. ~~Two current photographs at least, two inches by two inches in size, for each applicant for a massage technician license;~~

10. Every person performing massage services for compensation shall obtain and maintain a valid state massage certification from the State Massage Therapy Council. ~~In the case of a massage technician application or massage practitioner and massage therapist a written statement from the county health officer stating that the applicant has, within thirty (30) days immediately prior thereto, been examined by a duly licensed physician and found to be free of infectious or communicable disease. Such examination shall include those laboratory tests reasonably related to the license sought and published by the health officer and performed by a laboratory approved or licensed by the state of California, Department of Health Services. Applicants for massage technician licenses shall submit a written report from their private physician and the laboratory reports to the health officer; except that the health officer may require payment of a fee consistent with the fee schedule for the department of public health to cover the cost of the examination and laboratory services if the applicant elects to have the examination and testing conducted by the health officer. An additional fee consistent with the fee schedule for the department of public health shall be required if a chest x-ray is deemed necessary and is conducted by the health officer. Each massage technician shall biannually submit a certificate from a medical doctor designating that the massage technician has, within~~



~~thirty (30) days immediately thereto, been examined and found to be free of communicable disease.~~

~~11. In the case of a massage technician application, proof of passage of the independently prepared and administered national examination through the National Certification Board for Therapeutic Massage and Bodywork (NCTMB).~~

~~12. In the case of a massage technician application, a diploma or certificate of graduation from five hundred (500) hours of cumulative education in the theory, ethics, practice, profession and work of massage, and setting forth the beginning and ending dates of the course from a recognized school of massage as defined in this chapter.~~

~~a. An existing school or institution of learning outside of the state of California may be used if submitted with certified transcripts of the applicant's school records showing date of enrollment, hours of instruction and graduation from a course having at least the minimum requirements prescribed by Article 3 of subchapter 3 of Chapter 21 of Division 1 of Title 5 of the California Code of Regulations, wherein the theory, method, profession and work of massage is taught, and a copy of the school's approval by the state board of education.~~

~~13. A massage practitioner or massage therapist certified by the California Massage Therapy Council (CAMTC) is not subject to undergo the criminal background checks and education requirements of this chapter. A massage facility where the owner is the only person employed by that business and certified by the CAMTC is not required to undergo criminal background checks. Any person performing massage, as defined in this chapter, and not certified by the CAMTC is subject to all the requirements in this chapter.~~

A massage practitioner or massage therapist shall maintain on the premises at all times evidence of their certification for review by local municipal officials.

b. A massage practitioner or massage therapist shall file a copy of the certificate by the CAMTC with the city.

c. A massage practitioner or massage therapist shall maintain their certification while performing massage, as defined in this chapter, in the city.

d. The city shall revoke a license or permit issued to a massage facility if violations of California Business and Professions Code Sections 4600 thru 4620 or the local ordinance, occur on the business premises.

e. The city shall deny or restrict a business license if a massage facility, massage practitioner or massage therapist has provided materially false information.

f. An owner or operator of a massage facility certified by the CAMTC shall be responsible for the conduct of all employees or independent contractors working on the premises of the business.

g. An owner or operator of a massage facility certified by the CAMTC shall notify the city of any rename, management change, or exchange the business to another person occurs.

14. All documents, including a site plan and floor plan, demonstrating compliance with Section 5.04.050, Required Facilities, shall be submitted with any application for a license under this section.

D. The city shall promptly reject as incomplete any application which does not meet all the requirements of this section, and upon written request of the applicant, shall notify the applicant in writing, by first class mail, postage prepaid, to the address supplied to the city by the applicant, of the deficiencies in the application.

E. No application for renewal of a license shall be accepted earlier than ninety (90) days prior to expiration of the license.

#### 5.20.050 - License procedures.

A. Upon payment of all fees and successful verifications of the qualifications of the applicant, a ~~massage technician~~, massage practitioner, and massage therapist license shall be issued to the applicant by the city, except as provided in this chapter. A ~~massage technician~~,

massage practitioner, massage therapist or massage facility license shall be denied if the applicant has not met the requirements of this chapter and applicable laws. A ~~massage technician~~, massage practitioner, massage therapist, or massage facility license shall also be denied if the police reports that the applicant, if the application is for a ~~massage technician license~~, or the applicant, massage personnel, owners, operators, partners (if a partnership), or officers, directors or persons holding more than five percent of the stock, if a corporation, or any of them, of the massage business in the case of application for a massage facility license, has, within ten years immediately preceding the date of the application, been convicted of any of the offenses set forth in this chapter or has, within the same time frame, been convicted of any offense in another state which, if committed, or attempted in this state, would have been punishable as one or more of the offenses enumerated in this chapter, or is required to register under Section 290 of the Penal Code, or that a massage facility ~~or massage technician~~ license or similar license or permit held by the applicant or any of the persons referenced in this chapter, has been revoked or suspended for cause within five years prior to the application, or that there were inaccurate statements or misrepresentations or an omission of a material fact in the application or in any document or statement submitted in support thereof. The city shall give notice of denial of a license application by first class mail, return receipt requested, to the applicant at the applicant's address listed in the application.

B. Any person denied a license pursuant to this chapter may appeal the denial to the city council in writing, under the provisions specified in Section 5.04.200.

C. All massage facility licenses issued under this chapter are nontransferable, both as to location and as to the person holding a license. All massage technician licenses issued under this chapter are nontransferable as to the person holding the license.

D. Any massage technician or massage establishment with a valid business license issued prior to the effective date of this chapter may continue to operate under the previous regulations indefinitely, provided that:

1. Their license remains continuously in effect with fees paid;
2. That the licensee is not convicted of a crime of moral turpitude, including the offences listed in Section 5.20.030(C)(7).

**The following definitions in Section 1.04.050 shall be amendment as follows:**

"Massage technician" means and includes any person licensed by the City prior to July 1, 2017 who gives, performs or administers to another person a massage as defined in this section as a matter of business and for consideration whether or not actually received. If the license for a massage technician lapses as described in Section 5.20.052(D), then the massage professional shall become CAMTC certified to resume performing massage services in the City.

~~National certification. The term "national certification" means an independently prepared and administered national certification exam, which has been recognized by objective standards to fairly evaluate professional levels of skill, safety and competence, as determined by the National Commission for Certifying Agencies (NCCA).~~

# City of Hesperia STAFF REPORT



**DATE:** May 16, 2017

**TO:** Mayor and City Council Members

**FROM:** Nils Bentsen, City Manager

**BY:** Eric Dunn, City Attorney  
Melinda Sayre, City Clerk

**SUBJECT:** Public Hearing for Consideration of Introducing By-District Election Ordinance and Adoption of District Map

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## **RECOMMENDED ACTION**

It is recommended that the City Council (1) consider selecting one of the proposed district maps and the sequence of elections; (2) hold a public hearing regarding proposed ordinance No. 2017-09 to establish a by-district election system in the City; and (3) consider introducing and conducting a first reading of Ordinance No. 2017-09.

## **BACKGROUND**

The City engaged with National Demographics Corporation (NDC) in May of 2016 to facilitate the process of transitioning from an at-large election system to a by-district election system in response to alleged California Voting Rights Act violation claims and threat of litigation received by two separate law firms in late 2015 and early 2016.

Under the requirements of AB 350, which became effective January 1, 2017, the City held two public hearings in which the public was invited to participate and provide input regarding the composition of districts prior to drafting or reviewing any district maps. The City held the duly noticed AB 350 public hearings on March 7, 2017 and March 21, 2017.

The City Council also held public hearings on April 18, 2017 and May 2, 2017 to consider the proposed district maps and sequencing of elections.

The City Council is now at the step where it may consider adopting one of the proposed City Council district maps and consider introducing an ordinance for first reading to establish by-district elections in the City. The City Council must also determine when the first election for the City under a by-district system will be held and when each seat on the City Council would be subject to the new by-district requirements.

## **ISSUES AND ANALYSIS**

### **Public Noticing and Outreach**

Notice of the districting process and public hearing schedule has been advertised in the local Resorter newspaper, the City's social media sites, and a webpage dedicated to the districting process on the City's website.

NDC developed and provided the City with public participation kits to assist members of the public to draw and propose district maps which have been available on the City's website, all City facilities, and the Hesperia Branch Library beginning March 7, 2017.

On April 18, 2017 NDC provided an interactive map drawing tool for the public that was added to the website to encourage public participation.

### **Public Hearing Public Input**

Three public comments were received during the public hearing on March 21, 2017. One commenter asked what "NH" stands for and where it comes from in reference to the public participation kits. The NDC Consultant explained that "NH" was short for "Non-Hispanic" and that race was determined by the Department of Justice's guidance on the Federal Voting Rights Act.

Additionally, there was some concern about being asked to provide maps prior to the preparation of any draft maps. The Consultant explained that this was a requirement of AB 350; however, maps could continue to be submitted throughout the entire process. Any maps submitted must be received at least a week prior to the City Council meeting at which they may be discussed for Council to consider.

At the April 18, 2017 hearing, the City Council reviewed a third map submitted by NDC. One comment was received regarding the proposed sequencing of elections and how the sequencing will affect current City Council Member terms.

At the May 2, 2017 hearing, the City Council received testimony from resident Anthony Rhoades regarding a second map he had proposed.

### **Draft Maps Submitted for Review by the City Council**

The three proposed maps that the City Council considered at the May 2, 2017 hearing are attached for review. Below is a brief description of each of the three maps:

1. A proposed districting map from resident Anthony Rhoades (attached along with a statistical report of demographic information within proposed district boundaries);
2. A proposed districting map (attached along with a statistical report of demographic information within proposed district boundaries) from the City's Ad-Hoc Committee established at the March 21, 2017 City Council Meeting consisting of Mayor Paul Russ and Mayor Pro Tem Blewett, along with a proposed district election sequence where in 2018 Districts 2, 3, and 4 would hold elections, and in 2020 Districts 1 and 5 would hold elections; and
3. A proposed districting map from NDC (attached as the "Council 1B" map along with a statistical report of demographic information within proposed district boundaries) along with a proposed district election sequence where in 2018 District 2, 3, and 4 would hold elections, and in 2020 District 1 and 5 would hold elections.

Since the May 2, 2017 hearing, the City has received three additional proposed maps:

1. A second proposed map from resident Anthony Rhoades;

2. A proposed map from resident James Blocker; and
3. A proposed map from resident Eric Schmidt

These proposed maps, along with statistical reports of demographic information within proposed district boundaries, are also attached for City Council review.

Each of the six proposed maps was available on the City's website seven days prior to this meeting.

### **Proposed Ordinance No. 2017-09**

The proposed ordinance will establish a system of by-district elections in the City. The proposed ordinance establishes five districts in the City, and will include as an exhibit the map of the City Council districts selected by the City Council. Once the City Council selects a district map and sequencing of elections, those details will be added to the proposed ordinance.

Elections Code section 10010 requires the City Council to hold a public hearing prior to voting on the ordinance establishing by-district elections.

### **ALTERNATIVES**

Provide Alternative Direction to Staff

### **ATTACHMENTS**

1. Proposed Ordinance No. 2017-09
2. Proposed districting map and statistical demographic analysis by resident Anthony Rhoades – Rhoades1 Map
3. Proposed districting map and statistical demographic analysis by resident Anthony Rhoades – Rhoades2 Map
4. Proposed districting map and statistical demographic analysis by City Council appointed Ad-Hoc Committee
5. Proposed districting map and statistical demographic analysis by National Demographics Corporation—Council 1B Map
6. Proposed districting map and statistical demographic analysis by resident James Blocker
7. Proposed districting map and statistical demographic analysis by resident Eric Schmidt

## ORDINANCE NO. 2017-09

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, ADDING A NEW CHAPTER 1.09 TO THE HESPERIA MUNICIPAL CODE TO CHANGE THE SYSTEM OF ELECTIONS FOR MEMBERS OF THE CITY COUNCIL FROM AN AT-LARGE SYSTEM TO A BY-DISTRICT SYSTEM AND ADOPT A MAP DESCRIBING THE BOUNDARIES AND IDENTIFYING NUMBER FOR EACH ELECTORAL DISTRICT

**WHEREAS**, the City of Hesperia ("City") currently elects the members of the City Council using an at-large system of elections; and

**WHEREAS**, pursuant to Government Code section 34886, the City Council has the authority to adopt an ordinance changing the system of elections in the City from an at-large elections system to a by-district elections system; and

**WHEREAS**, the City Council of the City now desires to adopt an ordinance changing the system of elections in the City from an at-large system of elections to a by-district elections system; and

**WHEREAS**, the change in method for electing members of the City Council is made in furtherance of the purposes of the California Voting Rights Act of 2001 (Elections Code section 14025, *et seq.*); and

**WHEREAS**, pursuant to the requirements of Elections Code section 10010, the City Council held public hearings on March 7, 2017 and March 21, 2017 in order to receive testimony regarding the potential composition of City Council districts; and

**WHEREAS**, also pursuant to the requirements of Elections Code section 10010, the City Council held public hearings regarding proposed draft maps on April 18, 2017 and May 2, 2017, and received proposed draft maps from members of the public; and

**WHEREAS**, on May 16, 2017 the City Council selected one of the proposed district maps to establish the City Council electoral districts in the City, which is attached hereto as Exhibit "A"; and

**WHEREAS**, also on May 16, 2017 the City Council held a duly noticed public hearing after which the City Council voted to introduce this Ordinance for a first reading; and

**WHEREAS**, the City Council now desires to adopt this Ordinance to establish by-district elections in five single-member districts in the City, and to adopt the map describing the boundaries and identifying number of the five City Council districts in the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HESPERIA DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct and incorporated herein by this reference.

**SECTION 2.** A new Chapter 1.09 “City Council Elections By-District” is hereby added to the Hesperia Municipal Code to read in its entirety as follows:

**“CHAPTER 1.09 CITY COUNCIL ELECTIONS BY-DISTRICT**

- 1.09.010 Declaration of Purpose
- 1.09.020 By-District Elections for City Council
- 1.09.030 City Council Districts Established
- 1.09.040 Commencement of By-District Elections

**1.09.010 Declaration of Purpose**

The city council of the city hereby declares the purpose of this Chapter is to further the purposes of the California Voting Rights Act of 2001 (Elections Code section 14025, *et seq.*), as amended.

**1.09.020 By-District Elections for City Council**

A. Pursuant to Government Code section 34886, members of the city council shall be elected by-district in five single-member districts. Members of the city council shall be elected by-district, as that term is defined in Government Code section 34871(a), as amended, meaning one member of the city council shall be elected from each district by the voters of that district alone. Each member of the city council shall serve a four-year term until his or her successor is qualified.

B. Pursuant to Government Code section 34882, the city council member elected to represent a district must reside in that district and be a registered voter in that district, and any candidate for city council must reside in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued, pursuant to Elections Code section 10227.

**1.09.030 City Council Districts Established**

A. The boundaries and identifying number of each of the five city council districts shall be as described on the City Council District Map attached hereto as Exhibit “A”, and incorporated by this reference.

B. The city council districts described in subsection A, above, shall continue in effect until they are amended or repealed in accordance with law. The boundaries of the

city council districts shall be reapportioned from time to time as required by the Elections Code, or any other applicable law.

#### **1.09.040 Implementation of By-District Elections**

A. The by-district system of elections shall be implemented, beginning at the general municipal election held in November 2018, as follows:

1. Members of the city council shall be elected in districts \_\_\_\_\_ beginning at the general municipal election in November 2018, and every four years thereafter; and

2. Members of the city council shall be elected in districts \_\_\_\_\_ beginning at the general municipal election in November 2020, and every four years thereafter.

B. No term of any member of the city council that commenced prior to the effective date of this Chapter shall be affected by the adoption of this Chapter."

**SECTION 3.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses, phrase, or portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

**SECTION 4.** This Ordinance shall be effective commencing on the thirtieth (30th) day after its adoption.

**SECTION 5.** The City Clerk shall certify to the adoption of this Ordinance and shall cause a copy of the same to be published in a manner prescribed by law.

**PASSED, APPROVED AND ADOPTED by the City Council of the City of Hesperia, California, at a regular meeting held on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.**

\_\_\_\_\_  
Paul Russ, Mayor

ATTEST:

\_\_\_\_\_  
Melinda Sayre, City Clerk



APPROVED AS TO FORM

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Eric L. Dunn, City Attorney

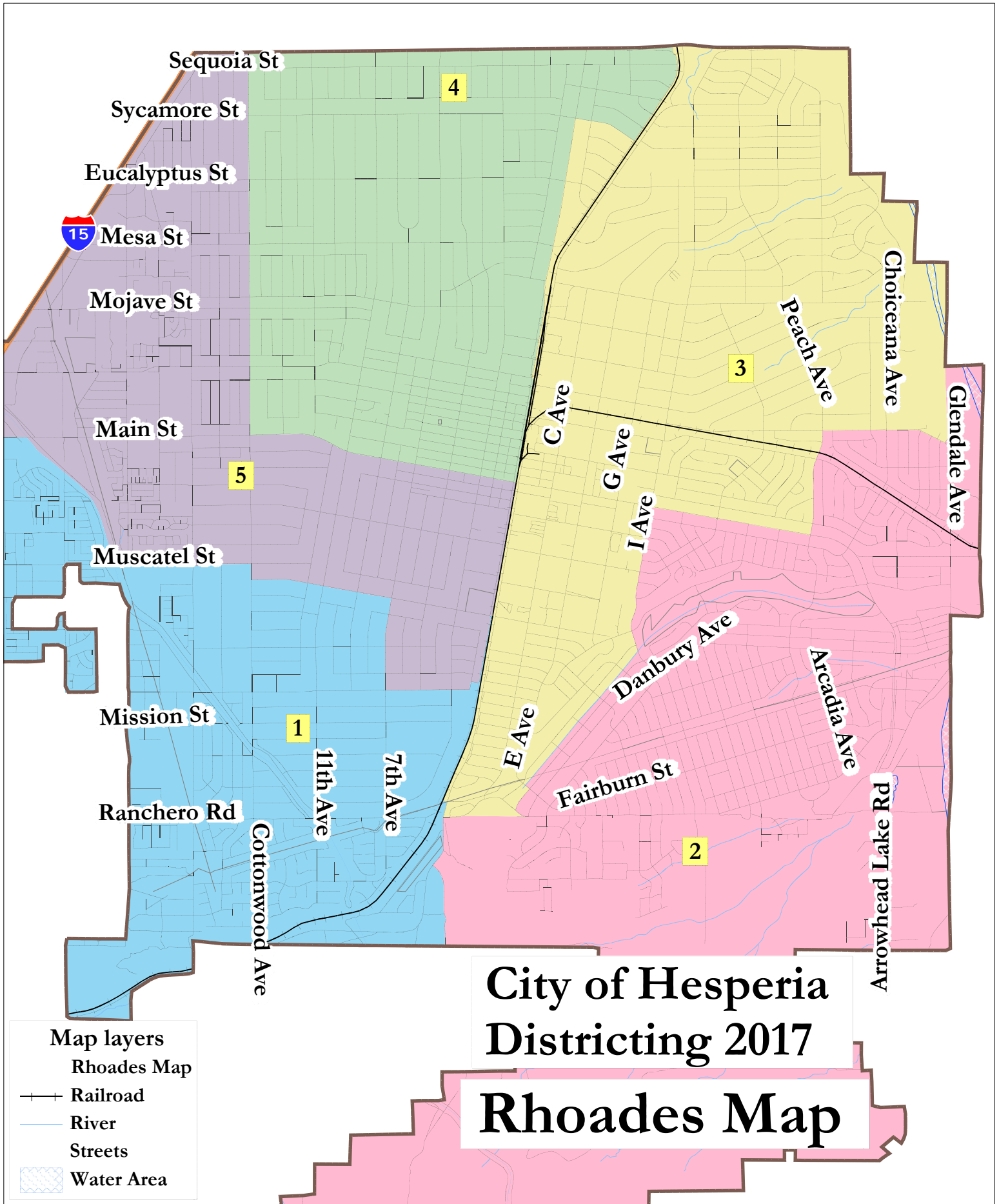
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EXHIBIT “A”

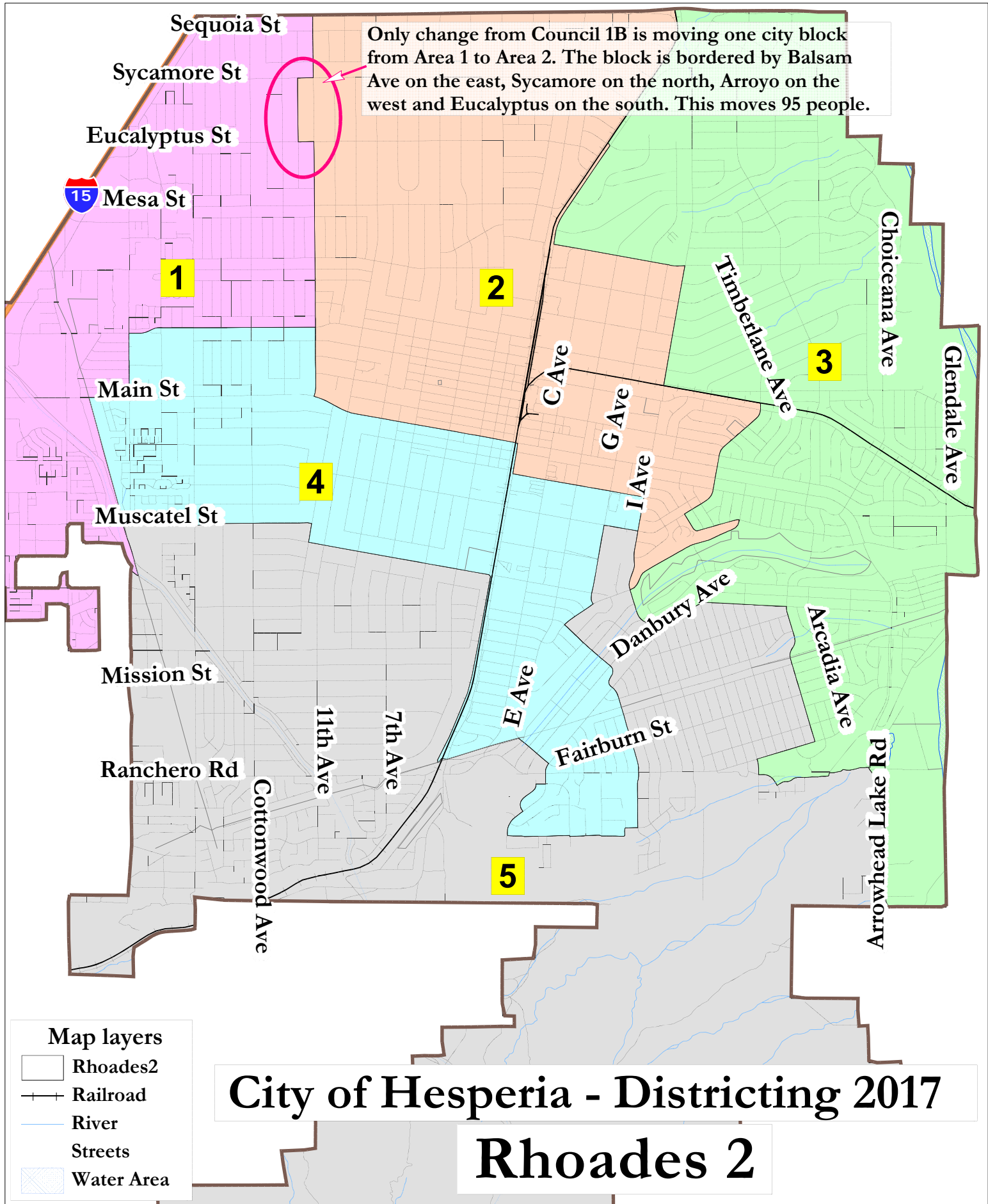
**DISTRICT MAP**

**[Attached behind this page]**

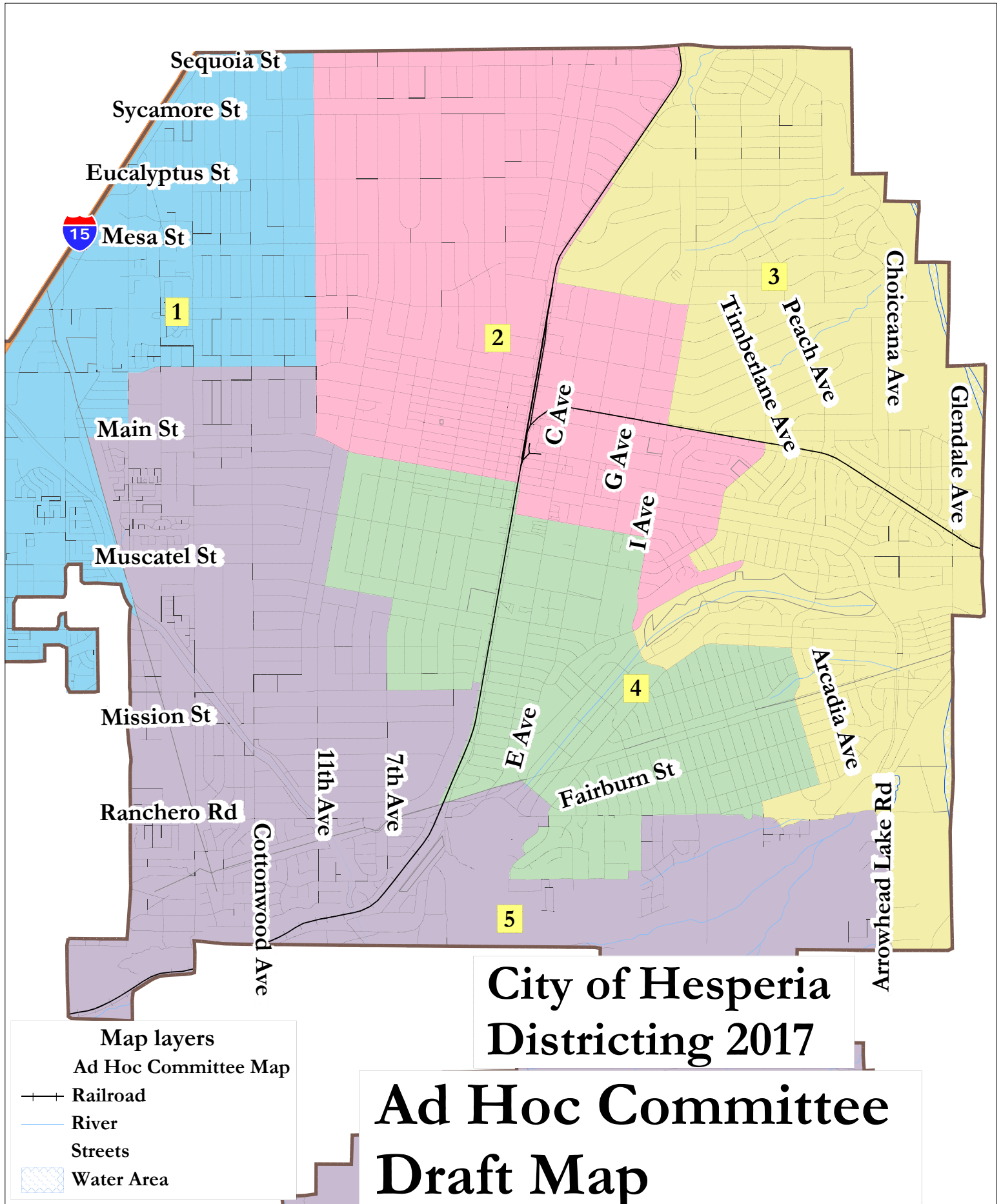
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City of Hesperia - Rhoades Map							
District		1	2	3	4	5	Total
	Total Pop	17,627	18,599	17,710	18,839	17,398	90,173
	Deviation from ideal	-408	564	-325	804	-637	1,441
	% Deviation	-2.26%	3.13%	-1.80%	4.46%	-3.53%	7.99%
Total Pop	% Hisp	49%	37%	46%	59%	53%	49%
	% NH White	39%	56%	44%	31%	35%	41%
	% NH Black	6%	3%	7%	7%	6%	6%
	% Asian-American	4%	2%	2%	2%	3%	2%
Voting Age Pop	Total	11,548	13,284	12,068	12,504	11,613	61,017
	% Hisp	44%	31%	40%	53%	48%	43%
	% NH White	45%	62%	50%	37%	41%	47%
	% NH Black	6%	3%	6%	6%	6%	5%
	% Asian-American	4%	2%	2%	2%	4%	2%
	Total	11,179	12,353	11,389	11,440	10,612	56,973
	% Hisp	45%	31%	38%	51%	45%	42%
	% NH White	42%	64%	47%	38%	44%	48%
Citizen Voting Age Pop	% NH Black	7%	1%	12%	7%	7%	7%
	% Asian/Pac.Isl.	3%	3%	4%	4%	2%	2%
	Total	7,458	9,095	7,386	6,469	6,623	37,031
	% Latino	38%	26%	33%	46%	39%	35%
Voter Registration (Nov 2014)	% Asian-Surnamed	2%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%
	Total	2,230	3,500	2,321	1,777	1,881	11,709
	% Latino	26%	17%	22%	31%	25%	23%
Voter Turnout (Nov 2014)	% Asian-Surnamed	2%	1%	1%	0%	1%	1%
	% Filipino-Surnamed	1%	1%	0%	1%	1%	1%
	Total	4,718	6,243	4,684	3,670	4,112	23,428
	% Latino	31%	21%	25%	38%	33%	29%
Voter Turnout (Nov 2012)	% Asian-Surnamed	1%	1%	1%	0%	1%	1%
	% Filipino-Surnamed	1%	1%	0%	1%	1%	1%
	ACS Pop. Est.	Total	17,955	18,499	17,445	20,155	18,241
	Total	17,955	18,499	17,445	20,155	18,241	92,296
Age	age0-19	32%	30%	33%	36%	36%	34%
	age20-60	54%	51%	52%	51%	49%	51%
	age60plus	14%	19%	15%	13%	15%	15%
Immigration	immigrants	15%	9%	12%	21%	17%	15%
	naturalized	53%	51%	42%	45%	45%	47%
Language spoken at home	english	71%	81%	73%	57%	64%	69%
	spanish	27%	17%	25%	41%	34%	29%
	asian-lang	1%	1%	1%	1%	2%	1%
	other lang	1%	1%	1%	2%	0%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	5%	10%	16%	15%	11%
Education (among those age 25+)	hs-grad	67%	72%	70%	63%	65%	67%
	bachelor	7%	6%	5%	5%	7%	6%
	graduatedegree	5%	5%	2%	2%	3%	3%
Child in Household	child-under18	39%	33%	33%	43%	44%	38%
Work (percent of pop age 16+)	employed	52%	46%	45%	45%	44%	46%
	Commute on Public Transit	0%	0%	0%	1%	2%	1%
Household Income	income 0-25k	16%	25%	37%	32%	26%	27%
	income 25-50k	24%	26%	29%	32%	26%	27%
	income 50-75k	21%	19%	16%	17%	24%	19%
	income 75-200k	36%	27%	17%	18%	24%	24%
	income 200k-plus	3%	2%	1%	1%	1%	2%
Housing Stats	single family	98%	98%	72%	78%	89%	87%
	multi-family	2%	2%	28%	22%	11%	13%
	vacant	9%	6%	12%	7%	9%	9%
	occupied	91%	94%	88%	93%	91%	91%
	rented	27%	24%	50%	46%	41%	38%
	owned	73%	76%	50%	54%	59%	62%
Total and Voting Age population data from the 2010 Decennial Census.							
Voter Registration and Turnout data from the California Statewide Database.							
Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey 5-year data.							

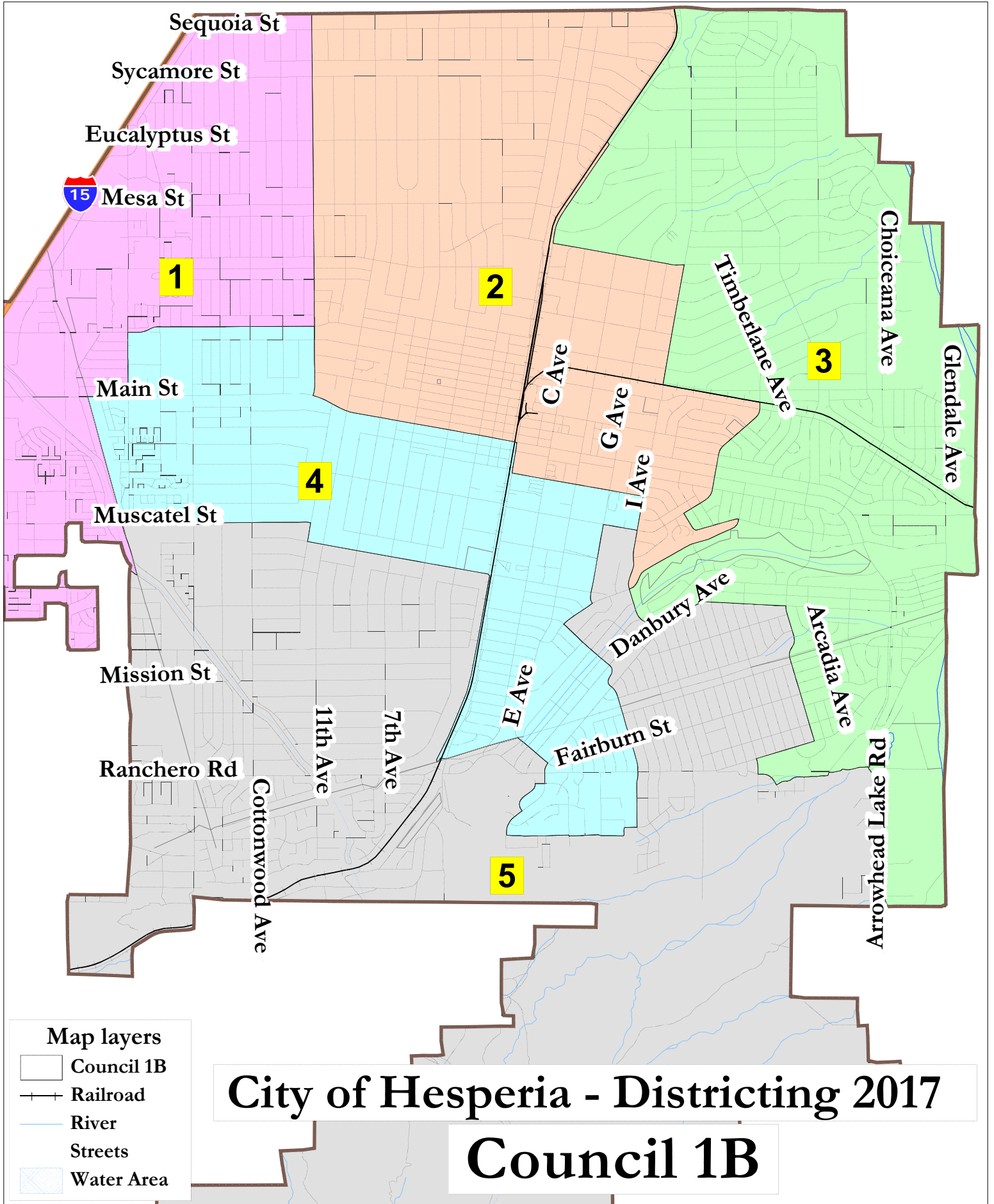


City of Hesperia - Rhoades 2							
District		1	2	3	4	5	Total
	Total Pop	18,130	18,141	18,006	18,239	17,657	90,173
	Deviation from ideal	95	106	-29	204	-378	582
	% Deviation	0.53%	0.59%	-0.16%	1.13%	-2.10%	3.23%
Total Pop	% Hisp	56%	58%	41%	48%	41%	49%
	% NH White	31%	32%	51%	40%	52%	41%
	% NH Black	7%	7%	4%	8%	3%	6%
	% Asian-American	4%	2%	2%	3%	2%	2%
Voting Age Pop	Total	11,722	12,103	12,748	12,052	12,392	61,017
	% Hisp	52%	52%	35%	43%	36%	43%
	% NH White	36%	38%	56%	45%	58%	47%
	% NH Black	7%	6%	4%	6%	3%	5%
	% Asian-American	4%	2%	2%	3%	2%	2%
Citizen Voting Age Pop	Total	11,243	11,213	11,524	11,173	11,819	56,973
	% Hisp	53%	50%	33%	37%	38%	42%
	% NH White	34%	38%	60%	48%	57%	48%
	% NH Black	10%	7%	4%	10%	3%	7%
	% Asian/Pac.Isl.	3%	4%	3%	3%	2%	2%
Voter Registration (Nov 2014)	Total	6,881	6,304	8,340	7,042	8,464	37,031
	% Latino	43%	44%	29%	34%	30%	35%
	% Asian-Surnamed	2%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	1%	0%	1%
Voter Turnout (Nov 2014)	Total	1,770	1,786	3,022	2,040	3,092	11,709
	% Latino	30%	28%	20%	22%	20%	23%
	% Asian-Surnamed	2%	0%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	0%	0%	1%
Voter Turnout (Nov 2012)	Total	4,047	3,642	5,560	4,402	5,777	23,428
	% Latino	37%	36%	24%	28%	25%	29%
	% Asian-Surnamed	1%	0%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	0%	0%	1%
ACS Pop. Est.	Total	18,995	19,000	17,436	18,944	17,921	92,296
Age	age0-19	34%	36%	30%	36%	32%	34%
	age20-60	52%	51%	52%	49%	52%	51%
	age60plus	14%	13%	18%	15%	16%	15%
Immigration	immigrants	18%	19%	11%	14%	13%	15%
	naturalized	50%	44%	43%	46%	50%	47%
Language spoken at home	english	64%	59%	77%	71%	75%	69%
	spanish	35%	39%	22%	26%	23%	29%
	asian-lang	1%	1%	0%	2%	1%	1%
	other lang	1%	1%	1%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	13%	14%	8%	12%	8%	11%
Education (among those age 25+)	hs-grad	66%	64%	70%	67%	70%	67%
	bachelor	8%	4%	5%	7%	6%	6%
	graduatedegree	4%	2%	3%	4%	5%	3%
Child in Household	child-under18	38%	42%	31%	40%	40%	38%
Work (percent of pop age 16+)	employed	48%	45%	45%	45%	49%	46%
	Commute on Public Transit	1%	1%	1%	1%	0%	1%
Household Income	income 0-25k	21%	32%	28%	34%	20%	27%
	income 25-50k	23%	32%	26%	29%	27%	27%
	income 50-75k	22%	18%	19%	17%	20%	19%
	income 75-200k	31%	17%	25%	19%	30%	24%
	income 200k-plus	2%	1%	1%	1%	2%	2%
Housing Stats	single family	91%	78%	98%	73%	95%	87%
	multi-family	9%	22%	2%	27%	5%	13%
	vacant	9%	8%	8%	10%	8%	9%
	occupied	91%	92%	92%	90%	92%	91%
	rented	35%	46%	30%	49%	28%	38%
	owned	65%	54%	70%	51%	72%	62%
Total and Voting Age population data from the 2010 Decennial Census.							
Voter Registration and Turnout data from the California Statewide Database.							
Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey 5-year data.							

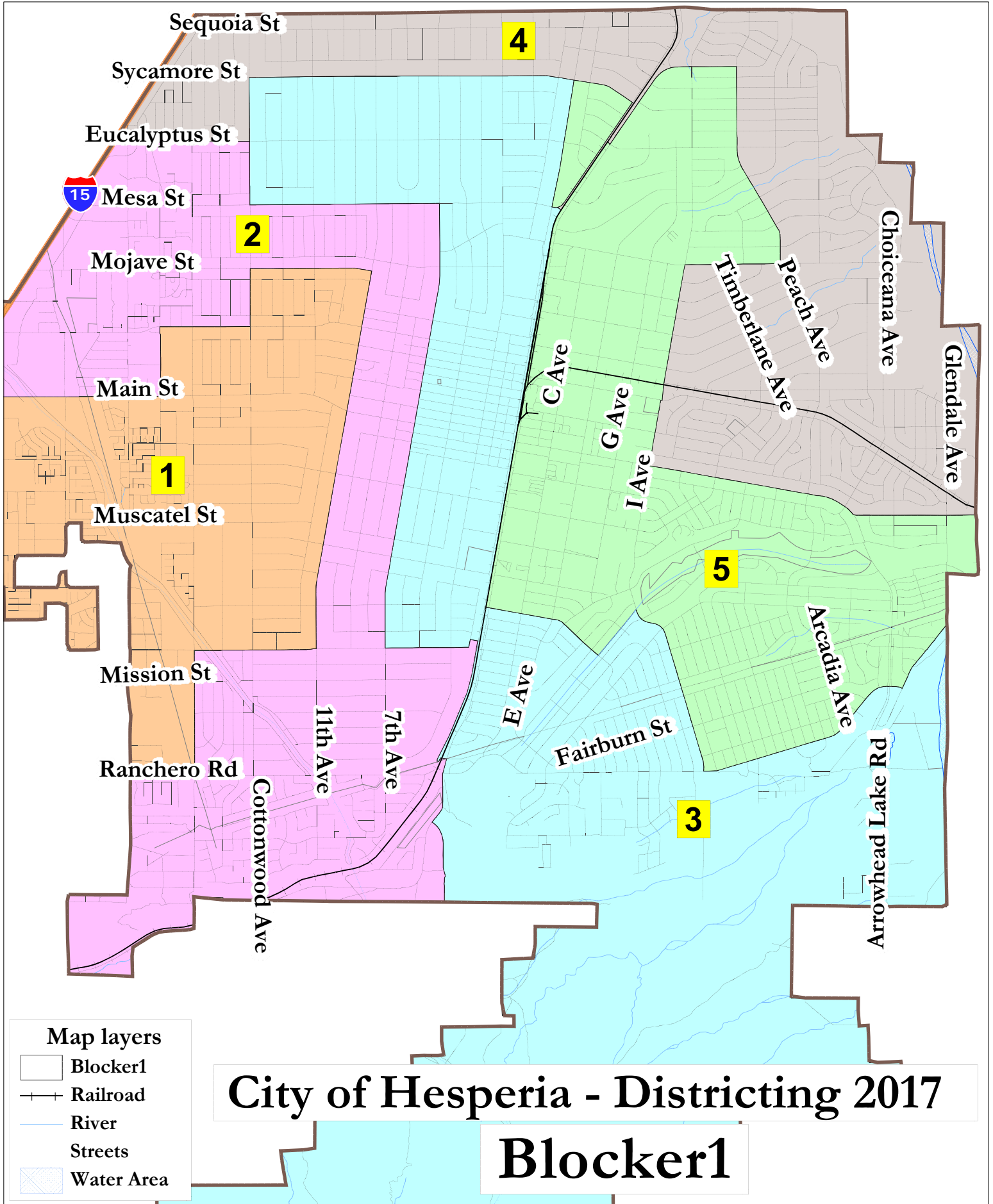


City of Hesperia - Ad Hoc Committee Draft Map							
District		1	2	3	4	5	Total
	Total Pop	18,225	18,046	18,006	17,730	18,166	90,173
	Deviation from ideal	190	11	-29	-305	131	495
	% Deviation	1.05%	0.06%	-0.16%	-1.69%	0.73%	2.74%
Total Pop	% Hisp	56%	58%	41%	43%	46%	49%
	% NH White	31%	32%	51%	48%	44%	41%
	% NH Black	7%	7%	4%	6%	5%	6%
	% Asian-American	4%	2%	2%	2%	3%	2%
Voting Age Pop	Total	11,780	12,045	12,748	11,981	12,463	61,017
	% Hisp	52%	52%	35%	38%	41%	43%
	% NH White	36%	38%	56%	54%	50%	47%
	% NH Black	7%	6%	4%	5%	4%	5%
	% Asian-American	4%	2%	2%	2%	3%	2%
Citizen Voting Age Pop	Total	11,288	11,169	11,524	11,186	11,806	56,973
	% Hisp	53%	50%	33%	36%	39%	42%
	% NH White	34%	38%	60%	53%	52%	48%
	% NH Black	10%	7%	4%	8%	5%	7%
	% Asian/Pac.Isl.	3%	4%	3%	3%	2%	2%
Voter Registration (Nov 2014)	Total	6,915	6,270	8,340	7,624	7,882	37,031
	% Latino	43%	44%	29%	30%	35%	35%
	% Asian-Surnamed	2%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%
Voter Turnout (Nov 2014)	Total	1,780	1,776	3,022	2,552	2,579	11,709
	% Latino	30%	28%	20%	19%	23%	23%
	% Asian-Surnamed	2%	0%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	0%	0%	1%
Voter Turnout (Nov 2012)	Total	4,069	3,620	5,560	4,965	5,214	23,428
	% Latino	37%	36%	24%	23%	29%	29%
	% Asian-Surnamed	1%	0%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	1%	0%	1%
ACS Pop. Est.	Total	19,097	18,898	17,436	18,041	18,824	92,296
Age	age0-19	34%	36%	30%	34%	34%	34%
	age20-60	52%	51%	52%	50%	51%	51%
	age60plus	14%	13%	18%	16%	14%	15%
Immigration	immigrants	18%	19%	11%	12%	15%	15%
	naturalized	50%	44%	43%	48%	48%	47%
Language spoken at home	english	64%	59%	77%	75%	70%	69%
	spanish	35%	39%	22%	22%	27%	29%
	asian-lang	1%	1%	0%	1%	2%	1%
	other lang	1%	1%	1%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	13%	14%	8%	9%	11%	11%
Education (among those age 25+)	hs-grad	66%	64%	70%	71%	66%	67%
	bachelor	8%	4%	5%	6%	7%	6%
	graduatedegree	4%	2%	3%	4%	4%	3%
Child in Household	child-under18	38%	42%	31%	36%	44%	38%
Work (percent of pop age 16+)	employed	48%	45%	45%	46%	48%	46%
	Commute on Public Transit	1%	1%	1%	0%	1%	1%
Household Income	income 0-25k	21%	32%	28%	34%	20%	27%
	income 25-50k	23%	32%	26%	31%	25%	27%
	income 50-75k	22%	18%	19%	15%	23%	19%
	income 75-200k	31%	17%	25%	19%	30%	24%
	income 200k-plus	2%	1%	1%	2%	2%	2%
Housing Stats	single family	91%	78%	98%	72%	96%	87%
	multi-family	9%	22%	2%	28%	4%	13%
	vacant	9%	8%	8%	10%	8%	9%
	occupied	91%	92%	92%	90%	92%	91%
	rented	35%	47%	30%	45%	32%	38%
	owned	65%	53%	70%	55%	68%	62%
Total and Voting Age population data from the 2010 Decennial Census.							
Voter Registration and Turnout data from the California Statewide Database.							
Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey 5-year data.							

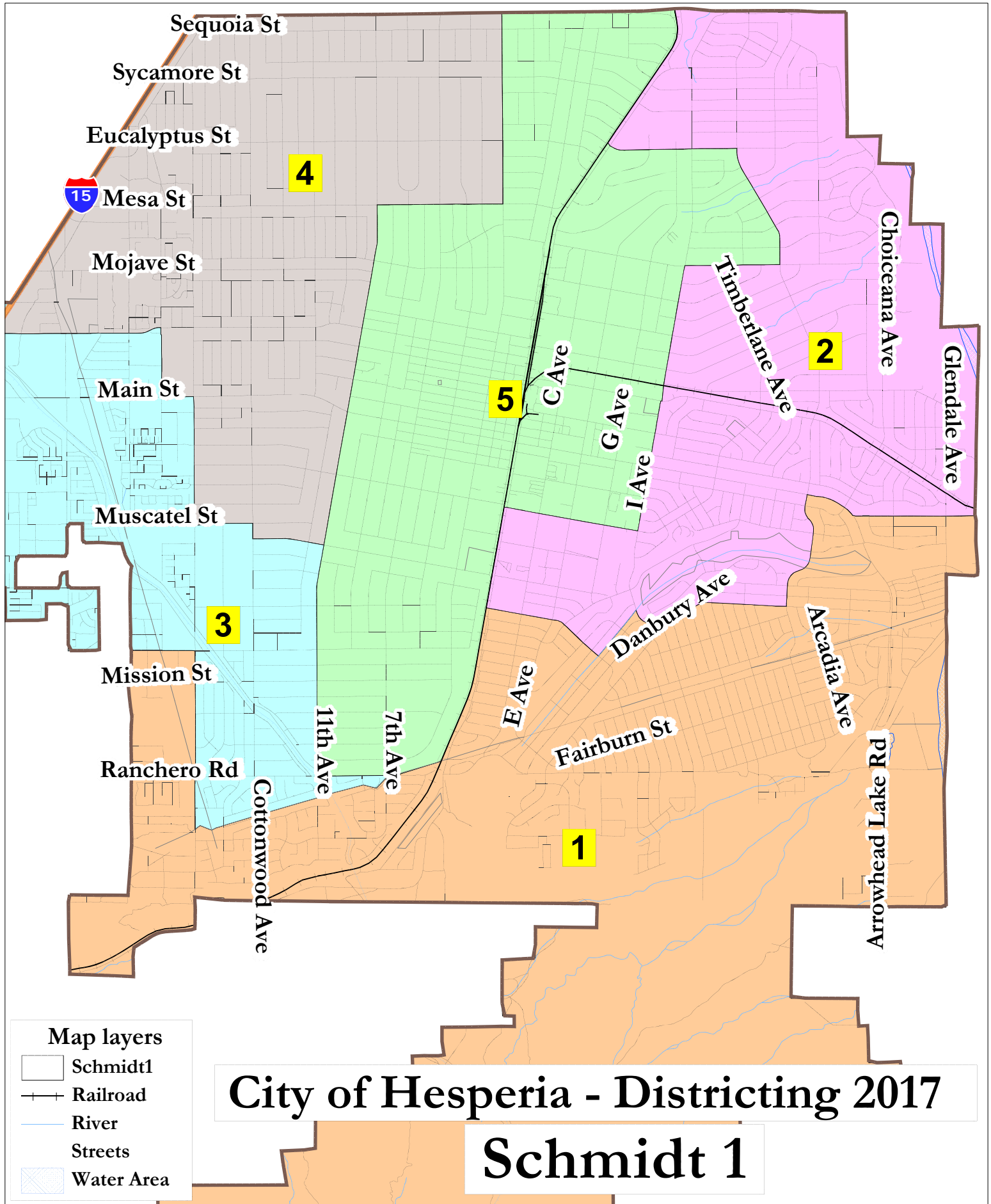




City of Hesperia - Council 1B							
District		1	2	3	4	5	Total
	Total Pop	18,225	18,046	18,006	18,239	17,657	90,173
	Deviation from ideal	190	11	-29	204	-378	582
	% Deviation	1.05%	0.06%	-0.16%	1.13%	-2.10%	3.23%
Total Pop	% Hisp	56%	58%	41%	48%	41%	49%
	% NH White	31%	32%	51%	40%	52%	41%
	% NH Black	7%	7%	4%	8%	3%	6%
	% Asian-American	4%	2%	2%	3%	2%	2%
Voting Age Pop	Total	11,780	12,045	12,748	12,052	12,392	61,017
	% Hisp	52%	52%	35%	43%	36%	43%
	% NH White	36%	38%	56%	45%	58%	47%
	% NH Black	7%	6%	4%	6%	3%	5%
	% Asian-American	4%	2%	2%	3%	2%	2%
Citizen Voting Age Pop	Total	11,288	11,169	11,524	11,173	11,819	56,973
	% Hisp	53%	50%	33%	37%	38%	42%
	% NH White	34%	38%	60%	48%	57%	48%
	% NH Black	10%	7%	4%	10%	3%	7%
	% Asian/Pac.Isl.	3%	4%	3%	3%	2%	2%
Voter Registration (Nov 2014)	Total	6,915	6,270	8,340	7,042	8,464	37,031
	% Latino	43%	44%	29%	34%	30%	35%
	% Asian-Surnamed	2%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	1%	0%	1%
Voter Turnout (Nov 2014)	Total	1,780	1,776	3,022	2,040	3,092	11,709
	% Latino	30%	28%	20%	22%	20%	23%
	% Asian-Surnamed	2%	0%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	0%	0%	1%
Voter Turnout (Nov 2012)	Total	4,069	3,620	5,560	4,402	5,777	23,428
	% Latino	37%	36%	24%	28%	25%	29%
	% Asian-Surnamed	1%	0%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	0%	0%	1%
ACS Pop. Est.	Total	19,097	18,898	17,436	18,944	17,921	92,296
Age	age0-19	34%	36%	30%	36%	32%	34%
	age20-60	52%	51%	52%	49%	52%	51%
	age60plus	14%	13%	18%	15%	16%	15%
Immigration	immigrants	18%	19%	11%	14%	13%	15%
	naturalized	50%	44%	43%	46%	50%	47%
Language spoken at home	english	64%	59%	77%	71%	75%	69%
	spanish	35%	39%	22%	26%	23%	29%
	asian-lang	1%	1%	0%	2%	1%	1%
	other lang	1%	1%	1%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	13%	14%	8%	12%	8%	11%
Education (among those age 25+)	hs-grad	66%	64%	70%	67%	70%	67%
	bachelor	8%	4%	5%	7%	6%	6%
	graduatedegree	4%	2%	3%	4%	5%	3%
Child in Household	child-under18	38%	42%	31%	40%	40%	38%
Work (percent of pop age 16+)	employed	48%	45%	45%	45%	49%	46%
	Commute on Public Transit	1%	1%	1%	1%	0%	1%
Household Income	income 0-25k	21%	32%	28%	34%	20%	27%
	income 25-50k	23%	32%	26%	29%	27%	27%
	income 50-75k	22%	18%	19%	17%	20%	19%
	income 75-200k	31%	17%	25%	19%	30%	24%
	income 200k-plus	2%	1%	1%	1%	2%	2%
Housing Stats	single family	91%	78%	98%	73%	95%	87%
	multi-family	9%	22%	2%	27%	5%	13%
	vacant	9%	8%	8%	10%	8%	9%
	occupied	91%	92%	92%	90%	92%	91%
	rented	35%	47%	30%	49%	28%	38%
	owned	65%	53%	70%	51%	72%	62%
Total and Voting Age population data from the 2010 Decennial Census.							
Voter Registration and Turnout data from the California Statewide Database.							
Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey 5-year data.							



City of Hesperia - Blocker 1							
District		1	2	3	4	5	Total
	Total Pop	18,349	18,173	18,253	17,508	17,890	90,173
	Deviation from ideal	314	138	218	-527	-145	841
	% Deviation	1.74%	0.77%	1.21%	-2.92%	-0.80%	4.66%
Total Pop	% Hisp	53%	50%	52%	49%	40%	49%
	% NH White	33%	42%	40%	40%	50%	41%
	% NH Black	7%	4%	5%	7%	6%	6%
	% Asian-American	5%	2%	2%	2%	2%	2%
Voting Age Pop	Total	11,872	12,466	12,326	11,907	12,446	61,017
	% Hisp	48%	44%	46%	44%	35%	43%
	% NH White	38%	48%	47%	46%	56%	47%
	% NH Black	7%	4%	4%	6%	5%	5%
	% Asian-American	5%	2%	2%	2%	2%	2%
Citizen Voting Age Pop	Total	11,283	11,729	11,189	10,948	11,824	56,973
	% Hisp	46%	44%	43%	44%	33%	42%
	% NH White	40%	48%	50%	45%	55%	48%
	% NH Black	9%	5%	4%	9%	8%	7%
	% Asian/Pac.Isl.	3%	2%	3%	4%	4%	2%
Voter Registration (Nov 2014)	Total	7,083	7,719	7,191	7,022	8,016	37,031
	% Latino	42%	37%	35%	37%	28%	35%
	% Asian-Surnamed	2%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%
Voter Turnout (Nov 2014)	Total	1,864	2,451	2,317	2,243	2,835	11,709
	% Latino	28%	24%	22%	25%	18%	23%
	% Asian-Surnamed	2%	1%	0%	0%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%
Voter Turnout (Nov 2012)	Total	4,265	4,977	4,516	4,270	5,399	23,428
	% Latino	35%	31%	29%	30%	22%	29%
	% Asian-Surnamed	2%	1%	0%	0%	1%	1%
	% Filipino-Surnamed	1%	0%	1%	1%	1%	1%
ACS Pop. Est.	Total	18,955	19,184	19,126	17,037	17,993	92,296
Age	age0-19	33%	35%	36%	32%	32%	34%
	age20-60	53%	50%	50%	52%	51%	51%
	age60plus	14%	14%	14%	16%	17%	15%
Immigration	immigrants	16%	18%	15%	15%	11%	15%
	naturalized	52%	45%	46%	42%	49%	47%
Language spoken at home	english	68%	64%	67%	67%	79%	69%
	spanish	29%	34%	31%	32%	18%	29%
	asian-lang	2%	1%	1%	0%	1%	1%
	other lang	1%	1%	1%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	12%	13%	11%	12%	7%	11%
Education (among those age 25+)	hs-grad	63%	67%	67%	68%	72%	67%
	bachelor	9%	7%	5%	4%	6%	6%
	graduatedegree	5%	4%	4%	2%	3%	3%
Child in Household	child-under18	40%	44%	40%	33%	33%	38%
Work (percent of pop age 16+)	employed	49%	48%	46%	45%	44%	46%
	Commute on Public Transit	1%	1%	1%	1%	0%	1%
Household Income	income 0-25k	19%	25%	29%	29%	34%	27%
	income 25-50k	23%	25%	33%	29%	27%	27%
	income 50-75k	22%	22%	15%	20%	18%	19%
	income 75-200k	32%	28%	20%	21%	22%	24%
	income 200k-plus	3%	1%	2%	1%	0%	2%
Housing Stats	single family	98%	90%	79%	90%	79%	87%
	multi-family	2%	10%	21%	10%	21%	13%
	vacant	9%	7%	8%	9%	9%	9%
	occupied	91%	93%	92%	91%	91%	91%
	rented	30%	37%	44%	37%	39%	38%
	owned	70%	63%	56%	63%	61%	62%
Total and Voting Age population data from the 2010 Decennial Census.							
Voter Registration and Turnout data from the California Statewide Database.							
Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey 5-year data.							



City of Hesperia - Schmidt 1							
District		1	2	3	4	5	Total
	Total Pop	17,936	18,061	17,871	18,098	18,207	90,173
	Deviation from ideal	-99	26	-164	63	172	336
	% Deviation	-0.55%	0.14%	-0.91%	0.35%	0.95%	1.86%
Total Pop	% Hisp	37%	44%	52%	57%	54%	49%
	% NH White	56%	46%	34%	34%	35%	41%
	% NH Black	3%	6%	8%	5%	7%	6%
	% Asian-American	2%	2%	5%	2%	2%	2%
Voting Age Pop	Total	12,723	12,489	11,507	12,306	11,992	61,017
	% Hisp	32%	39%	47%	52%	48%	43%
	% NH White	61%	52%	39%	39%	42%	47%
	% NH Black	3%	5%	7%	5%	6%	5%
	% Asian-American	2%	2%	5%	2%	2%	2%
Citizen Voting Age Pop	Total	11,785	11,368	11,095	11,394	11,331	56,973
	% Hisp	33%	37%	45%	50%	46%	42%
	% NH White	63%	49%	40%	41%	44%	48%
	% NH Black	2%	10%	10%	7%	7%	7%
	% Asian/Pac.Isl.	2%	4%	3%	3%	3%	2%
Voter Registration (Nov 2014)	Total	8,845	7,865	6,896	7,112	6,313	37,031
	% Latino	26%	32%	40%	43%	39%	35%
	% Asian-Surnamed	1%	1%	2%	1%	1%	1%
	% Filipino-Surnamed	1%	1%	1%	1%	1%	1%
Voter Turnout (Nov 2014)	Total	3,312	2,683	1,852	2,022	1,841	11,709
	% Latino	18%	21%	27%	29%	25%	23%
	% Asian-Surnamed	1%	1%	2%	1%	0%	1%
	% Filipino-Surnamed	0%	1%	1%	1%	1%	1%
Voter Turnout (Nov 2012)	Total	6,099	5,078	4,193	4,221	3,837	23,428
	% Latino	21%	25%	34%	36%	32%	29%
	% Asian-Surnamed	1%	1%	2%	1%	0%	1%
	% Filipino-Surnamed	0%	1%	1%	1%	1%	1%
ACS Pop. Est.	Total	18,273	17,425	18,309	19,381	18,909	92,296
Age	age0-19	32%	31%	33%	36%	37%	34%
	age20-60	51%	53%	54%	50%	50%	51%
	age60plus	17%	17%	14%	14%	13%	15%
Immigration	immigrants	10%	12%	15%	20%	18%	15%
	naturalized	55%	40%	52%	46%	43%	47%
Language spoken at home	english	81%	73%	70%	59%	61%	69%
	spanish	17%	25%	27%	39%	37%	29%
	asian-lang	1%	1%	2%	1%	1%	1%
	other lang	1%	1%	1%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	6%	9%	10%	16%	14%	11%
Education (among those age 25+)	hs-grad	72%	70%	66%	65%	64%	67%
	bachelor	7%	5%	8%	7%	5%	6%
	graduatedegree	5%	2%	5%	3%	2%	3%
Child in Household	child-under18	34%	32%	40%	41%	43%	38%
Work (percent of pop age 16+)	employed	48%	45%	51%	44%	45%	46%
	Commute on Public Transit	0%	1%	1%	2%	1%	1%
Household Income	income 0-25k	25%	32%	17%	28%	34%	27%
	income 25-50k	25%	28%	22%	26%	35%	27%
	income 50-75k	18%	19%	23%	22%	15%	19%
	income 75-200k	29%	20%	35%	23%	16%	24%
	income 200k-plus	2%	1%	3%	1%	1%	2%
Housing Stats	single family	92%	87%	98%	84%	73%	87%
	multi-family	8%	13%	2%	16%	27%	13%
	vacant	6%	10%	9%	7%	10%	9%
	occupied	94%	90%	91%	93%	90%	91%
	rented	28%	37%	29%	41%	52%	38%
	owned	72%	63%	71%	59%	48%	62%
Total and Voting Age population data from the 2010 Decennial Census.							
Voter Registration and Turnout data from the California Statewide Database.							
Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey 5-year data.							

# City of Hesperia

## STAFF REPORT



**DATE:** May 16, 2017  
**TO:** Mayor and Council Members  
**FROM:** Nils Bentsen, City Manager  
**BY:** Rachel Molina, Assistant to the City Manager  
**SUBJECT:** Support of Victor Valley Bicycle Tour

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### RECOMMENDED ACTION

It is recommended that the City Council provide direction to staff on supporting the 2017 Victor Valley Bicycle Tour and whether this level of support, or any level of support, should be added to future City Council division budgets.

### BACKGROUND

In 2015 and 2016, the City partnered with the Victor Valley Bicycle Tour (VVBT) by providing assistance with road closures and traffic control. In addition, in 2016 the City Council approved event sponsorship in the amount of \$1,250. The VVBT operates under a 501(c)(3) organization with the goal of raising awareness of the importance of bicycle safety in the community while promoting cycling as a healthy lifestyle for both recreation and transportation.

### ISSUES/ANALYSIS

This year, event organizers have requested that the City again sponsor the event in the amount of \$1,250. Their third annual cycling event is scheduled for Saturday, October 28, 2017. This year, the event will begin in Apple Valley rather than Hesperia. As a result, the City will not be required to commit to the same level of public safety and traffic control support as the two previous years.

### FISCAL IMPACT

The VVBT requested sponsorship in the amount of \$1,250. Should this be approved by the City Council, funding will be allocated from FY 2017-18 General Fund account 100.01.100.0000.7500.

### ALTERNATIVE(S)

1. Provide alternative direction to staff.

### ATTACHMENT(S)

None

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# City of Hesperia STAFF REPORT



**DATE:** May 16, 2017  
**TO:** Mayor and Council Members  
**FROM:** Nils Bentsen, City Manager  
**BY:** Brian D. Johnson, Assistant City Manager/Management Services  
Casey Brooksher, Budget/Finance Manager  
**SUBJECT:** Fiscal Year 2017-18 Budget Planning Report Update

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## RECOMMENDED ACTION

It is recommended that the City Council receive and file the limited update to the Fiscal Year (FY) 2017-18 Budget Planning Report, as well as provide direction to staff for planning the upcoming budget with development revenue expectations and input on the road improvement program as it pertains to Main Street.

## BACKGROUND

During the December 20, 2016 City Council meeting, staff presented the Fiscal Year 2017-18 Budget Planning Report (Report) which focused on forecasting the fund balance for the General Fund. An update to the report was presented on February 21, 2017, which included figures from the recently completed FY 2015-16 Audit for the General Fund, as well as the Water Operating Fund. Finally, during the April 18, 2017 City Council meeting, the preliminary General Fund and Water Operating budget was presented.

## ISSUES/ANALYSIS

As refinements continue with the FY 2017-18 Budget, there are two issues staff is seeking guidance on in this budget planning report update. The first issue deals with development revenue, while the second issue pertains to the streets improvement program.

Starting with issue one, the FY 2017-18 Budget assumes 215 single family residential (SFR) building permits. The basis for this assumption is due to the anticipation that most infill lots have been developed and those remaining are not economically viable for constructing a home. In addition, it is assumed that any large housing tract development will not occur until the end of FY 2017-18. The following table indicates the potential revenue increase should development occur faster than anticipated.

	215 SFR Permits	250 SFR Permits	300 SFR Permits
General Fund	\$ 549,162	\$ 638,560	\$ 766,272
DIF Streets	2,102,915	2,445,250	2,934,300
DIF Storm Drains	276,060	321,000	385,200
Total	\$ 2,928,137	\$ 3,404,810	\$ 4,085,772
Total Difference		\$ 476,673	\$ 680,962
General Fund Difference		\$ 89,398	\$ 127,712

The second issue pertains to the street pavement program. The FY 2017-18 Budget currently includes \$2,500,000 of funds dedicated for street improvement, which is an increase of \$300,000 over the FY 2016-17 Street Improvement Program. For the FY 2017-18 Pavement Rehabilitation Program staff is seeking Council's direction regarding pavement rehabilitation strategies to be implemented.

#### **FISCAL IMPACT**

There is no fiscal impact, as this is part of the planning phase of the budget. The Proposed FY 2017-18 Budget will be presented to Council during a workshop in June 2017.

#### **ALTERNATIVE(S)**

1. Provide alternative direction to staff.

#### **ATTACHMENT(S)**

None