



City of Hesperia Meeting Minutes - Final City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, March 7, 2017

6:30 PM

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

CLOSED SESSION - 5:30 PM

Roll Call

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

Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(d)1

1. Victor Valley Family Resource Center, et al. v. City of Hesperia et al.
2. Settlement of Workers' Compensation Claim - Johnny Alloway, CHPB-0039 and CHPC-0072

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 Travis Biglow of Victory Empowerment Center Church
- B. Pledge of Allegiance to the Flag
- C. Roll Call

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

- D. **Agenda Revisions and Announcements by City Clerk** – *An urgency ordinance item requiring immediate action arose after the posting of the agenda. Staff requested that the City Council add the item to the agenda. The item was added as 6b. to the agenda by a unanimous vote (5-0).*
- E. **Closed Session Reports by City Attorney** – *Existing Litigation item 2 was not discussed. Council was given direction on the remaining items in closed session, no reportable action was taken.*

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation to Employee of the Month for February to Osby Montes, Animal Control Officer by Michael Blay Director of Development Services
2. Presentation to Sultana High School Wrestling Team by Council Member Bird
3. Community Events Calendar by Mayor Paul Russ - *Community Clean up 4/8 8am-noon, High Desert Pirate Renaissance Fair at Hesperia Lakes 3/18-3/19, Daylight savings time reminder for Sunday 3/12.*

PUBLIC COMMENTS

Daniel Krist commented on missing persons.

Al Vogler commented on agreement on the addition of the urgency ordinance, districting process, and water purchase item.

Alexander Wolverton commented on safe access to medical cannabis.

Brad Letner commented on the City's support of the Hesperia Chamber of Commerce and procedures related to the urgency ordinance added to the agenda and item 7 and its impact on the community.

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

Nay: 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, February 21, 2017

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, February 21, 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. Parcel Map No. 19555

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2017-009 approving Parcel Map No. 19555 to create four parcels and a remainder from 21 gross acres and a site plan review to construct 19,548 square feet of retail/commercial on 4.36 acres within the Regional Commercial (RC) zone of the Main Street and Freeway Corridor Specific Plan located on the southwest corner of Main Street and Cataba Road (Applicant: Lewis Retail Centers; APN: 3064-601-06).

Sponsors: Director of Development Services Michael Blay

CONSENT ORDINANCES

4. Consideration of Revision to Freeway Sign Regulations

Recommended Action:

Place on second reading and adopt by title waiving the text of Ordinance No. 2017-01, revising the City's freeway sign regulations.

Sponsors: Principal Planner Dave Reno

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

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

Nay: 0

PUBLIC HEARING

5. Consideration of Development Code Amendment DCA17-00001, amending the special event and temporary use regulations; 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. 2017-04 approving DCA17-00001, amending the special event and temporary use regulations.

Sponsors: Senior Planner Stan Liudahl

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

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

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

Nay: 0

6. By-District Election System and District Composition AB 350 Public Hearings

Recommended Action:

It is recommended that the City Council receive and file the presentation provided by National Demographics Corporation Election Districting Consultant Douglas Johnson, hold a public hearing and accept public testimony regarding a series of public hearings at which the public is invited to provide input regarding the composition of districts to transition the City from an at-large election system to a by-district election system and provide direction to staff regarding the process of the transition.

Sponsors: City Clerk Melinda Sayre

The public hearing was opened. There being no public comment the hearing was closed. Item received and filed by the City Council.

6b. Consideration of Ordinance No. 2017-05 adopting an Urgency Interim Ordinance Pursuant to California Government Code Section 65858 imposing a moratorium on certain problematic uses

Recommended Action:

That the City Council adopt the interim urgency ordinance, as an urgency measure pursuant to California Government Code Section 65858, imposing a forty-five (45) day moratorium, to take effect immediately upon adoption, on the installation and establishment of the following problematic uses:

1. Gold exchange and pawnshop businesses;
2. Hydroponic stores;
3. Hookah lounges, smoking lounges, vape shops and smoke shops; and
4. Businesses that allow for the sale of drug paraphernalia.
5. Money service businesses.

Sponsors: Senior Planner Daniel Alcayaga

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

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

Nay: 0

NEW BUSINESS

7. Permanent Water Rights Purchase from Lounsbury/JPMorgan Chase

Recommended Action:

It is recommended that the Board of Directors of the Hesperia Water District 1) authorize the purchase of 181 acre-feet of permanent Base Annual Production water rights in the Alto Subarea from Carolyn Lounsbury and JPMorgan Chase BK, National Association Co on behalf of Bank of America for \$4,200 per acre-foot; 2) authorize the lease of 145 acre-feet carryover rights for \$276 per acre-foot, for a combined total amount of \$800,220; and 3) authorize the City Manager to execute all documents related to the purchase and lease transactions.

Sponsors: Director of Development Services Michael Blay

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

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

Nay: 0

8. Consideration of Annual Update of the City Council Procedures Manual and Adoption of Resolution No. 2017-007 amending the Public Safety Committee Schedule

Recommended Action:

It is recommended that the City Council review the information provided herein and adopt the annual update of the City Council Procedures Manual, and adopt Resolution No. 2017-007 amending the Public Safety Committee (PSAC) meeting schedule.

Sponsors: City Clerk Melinda Sayre

Bob Nelson commented on item 8 and his correspondence, and request that the City Council modify the Procedures Manual as he requested.

Eric Schmidt commented on item no 8.

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

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

Nay: 0

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Bird thanked the Mayor for honoring the Sultana High School wrestling team. Council Member Bird also acknowledged and thanked Eric Schmidt, the President of Victor Valley College Foundation Board for the recognition event he attended. He also commented on his attendance at other school events throughout the City of Hesperia.

Council Member Holland commented on his attendance at three SANBAG meetings, and clarified SANBAG's HERO program, stating that the program should continue. Council Member Holland thanked and recognized the efforts of Detective Mark Rios regarding the recent aqueduct incident.

Council Member Swanson commented on the State of the County event and the upcoming Tri Agency meeting. Council Member Swanson commented on her attendance at the I Can Film Festival. Council Member Swanson announced her concerns with regard to the aqueduct crossing and asked if staff could direct the Public Safety Advisory Committee to look at it.

Mayor Pro Tem Blewett commented on his attendance at the ground breaking of the apartments. Mayor Pro Tem Blewett announced he would be attending the Citizens Advisory Committee in lieu of attending the State of the County. Mayor Pro Tem Blewett commented on his views with regard to open public talking issues currently taking place.

Mayor Russ commented on his attendance at the groundbreaking for the apartment buildings. Mayor Russ stated that he had nothing to report on his attendance at the Desert Mountain League of Cities, and the MDAQMD meetings. Mayor Russ commented on his attendance at the BIA luncheon regarding an upcoming Assembly Bill AB199. He asked the City Manager to prepare letters opposing the bill to the State and an emergency Resolution. Mayor Russ commented on his final speaking with the City's Public Works Department, thanking the staff for their hard work and dedication. Mayor Russ commented on his attendance at the Read Across America event, and announced the upcoming Relay for Life event taking place on May 6th and May 7th, 2017.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

The City Manager advised the City Council that the task of reviewing the aqueduct has been assigned to the City Engineer and he will be providing them with an update.

ADJOURNMENT

In honor of the Estrada and Abbott families at 8:24 p.m.

Melinda Sayre, City Clerk