



City of Hesperia Meeting Minutes - Final City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, August 15, 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
HESPERIA PUBLIC FACILITIES CORPORATION - ANNUAL MEETING
HESPERIA JOINT PUBLIC FINANCE AUTHORITY - ANNUAL 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 – Existing Litigation
Government Code Section 54956.9(d)1

1. Victor Valley Family Resource Center, et al. v. City of Hesperia et al.

Personnel Matters - Performance Evaluations
Government Code Section 54957

1. City Manager Evaluation

CALL TO ORDER - 6:30 PM

A. Invocation by Jermaine Wright, Sr., Mayor Pro Tem, City of Adelanto

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 – *Three green sheet correspondence letters were received after the posting of the agenda for item no. 11 and a staff requested revision to the language in the staff report for item no. 12 attachment 5 would be described in the presentation.*

E. Closed Session Reports by City Attorney - No reportable action was taken.

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation to the City Council by Mayor Rich Kerr from the City of Adelanto
2. Community Events Calendar by Mayor Paul Russ

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

Bob Nelson commented on speech in public meetings.

Daniel Krist commented on community issues.

Kim Jones commented on waste disposal rates.

JOINT CONSENT CALENDAR

Bob Nelson commented on items 5 and 7.

A motion was made by Bird, seconded by Blewett, that Consent Calendar item 1-3 and 5-10 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 Special Meeting held Tuesday, August 1, 2017

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Special Meeting held Tuesday, August 1, 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. Treasurer's Cash Report for the unaudited period ended June 30, 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.

Sponsors: Assistant City Manager/Management Services Brian Johnson

4. **ITEM 4 WAS PULLED BY MAYOR RUSS FOR DISCUSSION.** Award a contract to American Asphalt South, Inc. for the Construction of the FY 2016-17 Annual Street Improvement Project (CO #7135)

Recommended Action:

It is recommended that the City Council award a construction contract to the lowest responsive/responsible bidder, American Asphalt South, Inc., for the FY 2016-17 Annual Street Improvement Project in the amount of \$216,991.66; award Add Alternate Item 1, Hickory Avenue, in the amount of \$6,414.09; award Add Alternate Item 2, Walnut Street, in the amount of \$13,755.01; award Add Alternate Item 3, Cottonwood Avenue, in the amount of \$58,140.60; approve a 10% contingency in the amount of \$29,530.14 for a total authorized contract amount of \$324,831.36; approve the design of the project represented by the plans and specifications; and authorize the City Manager to execute the contract.

Sponsors: Director of Development Services Michael Blay

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

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

Nay: 0

5. Amendment of Professional Services Agreement with the Buxton Company

Recommended Action:

It is recommended that the City Council and Commissioners of the Hesperia Community Development Commission (HCDC) approve and authorize an amendment to Professional Services Agreement (PSA) 2015-16-049 with The Buxton Company (Buxton), increasing the contract amount from \$150,000 to \$157,500 for enhanced consumer spending data services.

Sponsors: Economic Development Manager Rod Yahnke and Management Analyst Lisa LaMere

6. Local Transportation Fund - Article 8a Claim

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2017-39, authorizing the City Manager to file the FY 2016-17 Local Transportation Fund - Article 8a claim in the amount of \$2,209,696 with San Bernardino County Transportation Authority (SBCTA).

Sponsors: Assistant City Manager/Management Services Brian Johnson

7. Amendment to PSA 2017-18-016 with White Nelson Diehl Evans LLP

Recommended Action:

It is recommended that the City Council authorize the City Manager to approve a contract amendment with White Nelson Diehl Evans LLP (WNDE) in the amount of \$30,000 to perform an audit of the Transient Occupancy Tax (TOT) operators within the City. Upon approval of the contract amendment, the revised contract will total a not-to-exceed amount of \$119,450.

Sponsors: Budget/Finance Manager Casey Brooksher and Assistant City Manager/Management Services Brian Johnson

8. 2017 Edward Byrne Justice Assistance Grant (JAG)

Recommended Action:

It is recommended that the Council adopt Resolution No. 2017-033, accepting the appropriation of \$23,528.00 from the US Department of Justice, for the purpose of partially funding operational overtime and training.

Sponsors: Captain Gregg Wielenga

9. HESPERIA JOINT PUBLIC FINANCE AUTHORITY ANNUAL MEETING ITEM

Consideration of the Draft Minutes from the Authority Annual Meeting held September 6, 2016

Recommended Action:

It is recommended that the Board of Directors approve the Draft Minutes of the Authority Annual Meeting held September 6, 2016.

Sponsors: City Clerk Melinda Sayre

10. HESPERIA PUBLIC FACILITIES CORPORATION ANNUAL MEETING ITEM

Consideration of the Draft Minutes of the Corporation Annual Meeting held September 6, 2016

Recommended Action:

It is recommended that the Board of Directors approve the Draft Minutes from the Annual Meeting held September 6, 2016.

Sponsors: City Clerk Melinda Sayre

PUBLIC HEARING

11. General Plan Amendment GPA16-00002 and Conditional Use Permit CUP16-00009 to Construct a Gas Station; Applicant: Harp Verma; APN: 0412-172-01

Recommended Action:

The Planning Commission recommends that the City Council adopt Resolution Nos. 2017-37 and 2017-38, approving GPA16-00002 and CUP16-00009 to change the designation of the subject property from Limited Agricultural with a minimum lot size of 2.5 acres (A1-2 ½) to General Commercial (C2) to construct a gas station with six fuel islands, a 5,784 square foot convenience store that includes the sale of beer, wine and liquor for off-site consumption, a 1,560 square foot automated car wash tunnel, a 3,300 square foot drive-thru restaurant and a 19,000 square foot multi-tenant commercial building located on 3.46 acres at the northeast corner of Ranchero Road and Seventh Avenue.

Sponsors: Associate Planner Ryan Leonard

The public hearing was opened. The Following individuals commented on item no. 11-Bob Nelson, Joline Hahn, Debbie Seville, Daniel Krist, Eduardo Melendez, Martin Hair, Frank Seville, William Sunaci, Kim Jones and Perla Garcia. Tom Steeno commented as representative to the applicant. There being no further public comment the public hearing was closed.

Motion by Russ to approve phase 1, subject to satisfactory supplemental traffic report signed by the City Engineer that meets all City specification (current conditions sufficing) to include rezoning the entire site, seconded by Swanson.

Substitute motion by Council Member Holland, to approve with requirement for a traffic signal and only one half of the property to be rezoned property zoning be split and only half be commercial and half be agriculture and require an immediate traffic signal. Failed. Bill, Larry yes, remaining no.

Aye: 2 - Bird and Holland

Nay: 3 - Russ, Blewett and Swanson

(Original Motion) Motion by Russ to approve phase 1, subject to satisfactory supplemental traffic report signed by the City Engineer that meets all City specification (current conditions sufficing) to include rezoning the entire site, seconded by Swanson.

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

Aye: 3 - Russ, Blewett and Swanson

Nay: 2 - Bird and Holland

12. Specific Plan Amendment SPLA16-00004 & Site Plan Review SPR16-00006 to Construct a Multiple Family Residential Development; Applicant: FH II, LLC (Frontier Communities); APN: 0405-072-59

Recommended Action:

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2017-14 approving Specific Plan Amendment SPLA16-00004 from Regional Commercial (RC) to High Density Residential (HDR) and adopt Resolution No. 2017-040 approving Site Plan Review SPR16-00006, to construct a two-story, 160-unit multiple family residential development located 1,650 feet east of Mariposa Road on the north side of Live Oak Street (Applicant: FH II, LLC; APN: 0405-072-59).

Sponsors: Senior Planner Daniel Alcayaga

The public hearing was opened. The following individuals commented on item no 12- Farlan Clutters and Brad Letner. There being no further testimony the public hearing was closed.

A motion was made by Blewett, 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

COUNCIL COMMITTEE REPORTS AND COMMENTS

Mayor Pro Tem Blewett had no comments.

Council Member Swanson commented on National Night Out event held 8/1, solar shade structures being constructed at Hesperia schools.

Council Member Bird commented on Fire service and the widening of Ranchero Road.

Council Member Holland commented on the widening of Ranchero Road, League of Cities Desert/Mountain Division Meeting held 8/11, meeting with School District representatives to discuss traffic issues and dust mitigation, walking pathways for school children.

Mayor Russ commented on League of Cities Desert/Mountain Division Meeting held 8/11, the widening of Ranchero Road, road work completed by Cottonwood Elementary and customer service from Water District.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

None

ADJOURNMENT

9:42 p.m.

*Melinda Sayre,
City Clerk*