



City of Hesperia Meeting Minutes - Final City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, December 15, 2015

6:30 PM

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

CLOSED SESSION - 5:30 PM

Roll Call: All Members Present

Mayor Holland
Mayor Pro Tem Russ
Council Member Blewett
Council Member Leonard
Council Member Schmidt

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

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

Conference with Labor Negotiator
Government Code Section 54957.6

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

Government Code Section 54957

1. Public Employee Appointment
Title: City Manager

One urgency item of Potential Litigation, Government Code Section 54956.9(d)4, was added to the closed session agenda unanimously by the City Council.

CALL TO ORDER - 6:37 PM

- A. Invocation by Bill Burnett of New Life Chapel Church
- B. Pledge of Allegiance to the Flag

C. Roll Call All Members Present:

Mayor Holland
Mayor Pro Tem Russ
Council Member Blewett
Council Member Leonard
Council Member Schmidt

D. Agenda Revisions and Announcements by City Clerk

One item of potential litigation was added to the closed session agenda as noted above.

E. Closed Session Reports by City Attorney

Lake Arrowhead CSD considering approval of a solar farm, Council unanimously directed staff to file a lawsuit and challenge determination.

Real property negotiation item on the closed session agenda was continued to the next Council meeting.

The City Council voted 4-1 to appoint Nils Bentsen to the position of City Manager, Council Member Schmidt voted to no. The employment agreement was greensheeted and made available to the public.

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation of 2015 Employees of the Year to Jodie Barnesberger, Personnel Technician and Paul Jung, Data Administrator
2. Presentation by Cottonwood Elementary School students to the City Council
3. Presentation to the Oak Hills High School Bull Dogs Football Team presented jointly by the Hesperia City Council, Hesperia Recreation and Park District and the Hesperia Unified School District
4. Community Events Calendar by Rachel Molina, Community Relations and Media Coordinator

City Hall closed between Christmas Eve and New Year's Day. E-waste event to be held 1/3-1/5.

PUBLIC COMMENTS

Judy Weatherly commented on the Tapestry Project.

Anthony Rhoades commented on holidays and invited the City Council to a toy drive event.

JOINT CONSENT CALENDAR

A motion was made by Russ, seconded by Leonard, that the Consent Calendar be approved with exception to items 9, 11 & 12. The motion carried by the following vote:

Aye: 5 - Blewett, Leonard, Schmidt, Holland and Russ

Abstain: 0

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

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, December 1, 2015.

Sponsors: City Clerk Melinda Sayre

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

Recommended Action:

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

Sponsors: Interim City Manager/Management Services Brian Johnson

3. Treasurer's Cash Report for the period ended October 31, 2015

Recommended Action:

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

Sponsors: Interim City Manager/Management Services Brian Johnson

4. Parcel Map No. 19577

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2015-073 approving Parcel Map No. 19577 to create two parcels from 2.88 acres designated Limited Agricultural (A1) located 1,200 feet east of Maple Avenue on the north side of Sultana Street (Applicant: Gabriel Salazar).

Sponsors: City Engineer John Leveillee

5. Contract Amount Amendment for Fiscal Year 2015-16 MuniTemps

Recommended Action:

It is recommended that the City Council authorize the Interim City Manager to approve an amendment to the MuniTemps agreement in an amount not to exceed \$37,000 from its initial contract award of \$50,000, for a total one (1) year contract amount of \$87,000.

Sponsors: Interim City Manager/Management Services Brian Johnson

6. Receive and Review of City Council Procedures Manual

Recommended Action:

It is recommended that the City Council receive and review the attached 2015 City Council Procedures Manual and forward recommendations for the annual update to the City Clerk by Wednesday, January 6, 2016 for inclusion in the January 19, 2016 City Council Agenda Packet.

Sponsors: City Clerk Melinda Sayre

7. Cancellation of January 5, 2016 City Council and Subsidiary Meetings

Recommended Action:

It is recommended that the City Council and the Board of Directors of the Successor Agency to the Hesperia Community Redevelopment Agency, the Hesperia Community Development Commission, the Hesperia Housing Authority, the Hesperia Fire Protection District, and the Hesperia Water District cancel the regularly scheduled January 5, 2016 meeting due to lack of agenda items.

Sponsors: City Clerk Melinda Sayre

8. Parcel Map No. 19694

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2015-073 approving Parcel Map No. 19694 to create two parcels from an existing 2.0 gross acre parcel within the Regional Commercial Zone of the Main Street and Freeway Corridor Specific Plan located on the northwest corner of Main Street and Cataba Road (Madison Development Group; APN: 3064-471-05).

Sponsors: City Engineer John Leveillee

9. Parcel Map No. 19574

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2015-073 approving Parcel Map No. 19574 to create five parcels and a remainder on approximately 50 gross acres within the Neighborhood Commercial (NC) zone of the Main Street and Freeway Corridor Specific Plan located on the south side of Rancho Road, approximately 400 feet east of Interstate 15 (APNs: 0357-561-65 & 66).

Sponsors: City Engineer John Leveillee

Mayor Pro Tem Russ pulled item no. 9 from the consent calendar to recues himself as he owns a piece of property 600 feet (regulation requires 500 feet).

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

Aye: 4 - Blewett, Leonard, Schmidt and Holland

Abstain: 1 - Russ

10. Revised Combined Compensation Schedules

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2015-075, the Board of Directors of the Hesperia Water District adopt Resolution HWD 2015-19, the Commission of the Community Development Commission adopt Resolution CDC 2015-16, and the Commission of the Hesperia Housing Authority adopt Resolution HHA 2015-14 approving the City's revised Combined Compensation Schedule effective November 18, 2015, as well as the City's revised Combined Compensation Schedule effective December 5, 2015.

Sponsors: Interim City Manager/Management Services Brian Johnson

11. Energy Action Plan

Recommended Action:

It is recommended that the City Council approve the draft Energy Action Plan.

Sponsors: Management Analyst Julie Ryan

Item no. 11 was pulled by Council Member Schmidt for discussion.

Motion to bring back with cost analysis and presentation by staff discerning the pros and cons.

12. Tapestry Project - Ad Hoc Committee

Recommended Action:

It is recommended that the City Council receive and file this report from the Ad Hoc Committee.

Sponsors: Principal Planner Dave Reno

Dee West commented on item no. 12. Item no. 12 was pulled from the consent calendar due to comment card submitted to speak on the item.

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

Aye: 5 - Blewett, Leonard, Schmidt, Holland and Russ

Abstain: 0

13. Amendment to Agreement for City-wide Printing Services

Recommended Action:

It is recommended that the City Council authorize the Interim City Manager to amend the agreement with Wirz & Company Printing, Inc. for an additional \$10,000, for a revised not-to-exceed amount of \$230,000.

Sponsors: Community Relations & Media Coordinator Rachel Molina

PUBLIC HEARING

14. Development Code Amendment DCA15-00002, to modify the standards that regulate separation requirements between wireless communications facilities; Applicant: City of Hesperia; Area affected: Citywide

Recommended Action:

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2015-13 approving DCA 15-00002, to modify the standards that regulate separation requirements between wireless communications facilities.

Sponsors: Associate Planner Ryan Leonard

The public hearing was opened.

The following individuals commented on item no. 14:

Bill Jensen

The public hearing was closed.

Directed to bring back information on cell towers that have taken out permits that haven't constructed after pulling permits.

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

Aye: 5 - Blewett, Leonard, Schmidt, Holland and Russ

Abstain: 0

NEW BUSINESS

15. Information Regarding Budget Committees and Budget Goal Setting Workshops

Recommended Action:

It is recommended that the City Council receive and file the following information pertaining to the budget process and provide staff with further direction.

Sponsors: Senior Accountant Casey Brooksher and Interim City Manager/Management Services Brian Johnson

Direction given to staff to have more frequent budget meetings/workshops with the City Council.

16. State Water Resources Control Board-Revolving Fund Loan

Recommended Action:

It is recommended that the Board of Directors of the Hesperia Water District adopt Resolution No. HWD 2015-58, approving an Installment Sale Agreement with the California State Water Resources Control Board and amending Resolution No. HWD 2014-20, associated with financing the construction of a reclaimed water pipeline distribution system.

Sponsors: Interim City Manager/Management Services Brian Johnson

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

Aye: 5 - Blewett, Leonard, Schmidt, Holland and Russ

Abstain: 0

17. First Amendment to the Advance Disposal Franchise Agreement Allowing for Individuals with Felony Convictions to be Hired

Recommended Action:

It is recommended that the City Council approve the amendment to Section 10.1(b) of the Advance Disposal Franchise Agreement allowing for individuals with felony convictions to be hired and authorize the City Manager to execute an amendment in a form approved by the City Attorney.

Sponsors: Management Analyst Julie Ryan

The Council gave direction to staff to table the item until it has gone before the Advisory Committees for recommendation.

18. City Council Appointments to Outside Agencies

Recommended Action:

It is recommended that the City Council appoint liaisons (both primary and alternate) to various outside agencies.

Sponsors: City Clerk Melinda Sayre

A motion was made by Leonard, seconded by Schmidt that appointments remain the same as the prior year with the following exceptions:

Mayor Pro Tem Russ to replace Council Member Schmidt as Primary Representative to the Mojave Desert Air Quality Management District and Council Member Schmidt to replace Mayor Holland as Alternate Representative to the Mojave Desert Air Quality Management District.

Council Member Schmidt to replace Council Member Leonard as Primary Representative to the San Bernardino County Associated Governments and Council Member Blewett to replace Council Member Schmidt as Alternative Representative to San Bernardino County Associated Governments.

Also, Mayor Pro Tem Russ will continue as 2nd Alternate Representative to the Victor Valley Waste Reclamation Authority.

A SCAG appointment was not made.

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

Aye: 5 - Blewett, Leonard, Schmidt, Holland and Russ

Abstain: 0

19. Employment Agreement with City Manager

Recommended Action:

It is recommended that the City Council approve an Employment Agreement with the City Manager.

Sponsors: City Attorney Eric Dunn

Agreement green sheeted and provided to Council and made available to the public.

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

Aye: 4 - Blewett, Leonard, Holland and Russ

Nay: 1 - Schmidt

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Leonard provided a Victor Valley Transit Authority update.

Council Member Schmidt commented on Larry Chimbole event, Tapestry project and comments made by resident Dee West, congratulated Captain Nils Bentsen's appointment as new City Manager and his comment at a prior Council Meeting.

Council Member Blewett commented on comments made by Dee West during public comment, thanked Chamber of Commerce for holiday party, congratulated Captain Bentsen on appointment as new City Manager.

Mayor Pro Tem Russ commented on Dee West's public comments and congratulated Captain Bentsen's appointment as City Manager.

Mayor Holland, commented on Dee West's comments during public comments, outside agency appointments, Oak Hills Football CIF Champion Proclamation, congratulated Captain Bentsen's appointment as City Manager.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

None

ADJOURNMENT

9:08 p.m.

Stephanie Hernandez, Assistant City Clerk