



# City of Hesperia

## Meeting Minutes - Final

### City Council

Tuesday, August 19, 2014  
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 - 4:30 PM**

##### **Roll Call**

*All Members Present:*  
*Mayor Thurston "Smitty" Smith*  
*Mayor Pro Tem Eric Schmidt*  
*Council Member Russell Blewett*  
*Council Member Bill Holland*  
*Council Member Mike Leonard*

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

1. One (1) case

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

1. Frank Lindsay v. City of Hesperia et. al., 5:14-CV-01526

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

1. Negotiating Parties: City of Hesperia, Hesperia Water District & Michael Development  
Location(s): APNs: 0413-022-03, 0413-022-10, 0413-022-11, 0413-022-12, 0413-022-14,  
0413-022-15, 0413-022-16 and 0413-022-17  
Under Negotiation: Price and Terms

2. Negotiating Parties: City of Hesperia, Hesperia Community Development Commission, Hesperia Housing Authority, City of Hesperia as Successor Agency to the former Hesperia Community Redevelopment Agency, Cosol Commercial Real Estate & Lewis Retail Group  
Location(s): APN: 3064-601-05  
Under Negotiation: Price & Terms

Personnel Matters - Performance Evaluations  
Government Code Section 54957

1. City Manager Personnel Evaluation

*Council recessed on this item at 6:30 p.m., reconvened at 8:17 p.m. and adjourned at 9:45 p.m.*

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

**A. Invocation by Johnny Lewis of Grace Christian Community Church**

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

**C. Roll Call**

**Present:** 5 - Council Member Holland, Mayor Smith, Council Member Blewett, Mayor Pro Tem Schmidt and Council Member Leonard

**D. Agenda Revisions and Announcements by City Clerk**

*None*

**E. Closed Session Reports by City Attorney**

*No reportable action taken*

**ANNOUNCEMENTS/PRESENTATIONS**

1. Presentation of Employee of the Month for August to DanYell Johnsen, Office Assistant by Suzanne Edson, Animal Control Supervisor
2. Community Events Calendar by Rachel Molina, Community Relations and Media Coordinator

*Cat adoption special through August, SCE Coolwater Transmission project scoping meeting on 8/20 at Percy Bakker Center, City Hall closed 9/1 in observance of Labor Day, and Department of Water Resources closure of Aqueduct crossings on Rancho Road and Maple Avenue starting mid-September.*

*Recognition to outgoing Management Analyst Georgia Lantsberger.*

**PUBLIC COMMENTS**

*Sophie Steeno commented on her SCAG/SANBAG Visionary Award recognition nominated by the City, recent street paving, Mayor Smith's decision not to run for re-election*

**JOINT CONSENT CALENDAR**

**A motion was made by Council Member Blewett, seconded by Council Member Leonard, that items 1-4 and 6 on the Consent Calendar be approved. The motion carried by the following vote:**

**Aye:** 5 - Council Member Holland, Mayor Smith, Council Member Blewett, Mayor Pro Tem Schmidt and Council Member Leonard

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, August 5, 2014 and the Special Meeting held Wednesday, August 6, 2014

**Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, August 5, 2014 and the Special Meeting held Wednesday, August 6, 2014.

**Sponsors:** City Clerk Melinda Sayre-Castro

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 period ended June 30, 2014

**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. Amendment to Contract with JAS Pacific for Building Inspection Services

**Recommended Action:**

It is recommended that the City Council approve an amendment to the contract and Purchase Order with JAS Pacific and authorize the City Manager to execute the amended contract with JAS Pacific for building inspection services.

**Sponsors:** Director of Development Services Scott Priester

5. Malibu Park Quitclaim Deed

**Recommended Action:**

It is recommended that the City Council approve the quitclaim of Malibu Park to the Hesperia Recreation and Park District (Assessor Parcel No. 3046-011-30).

**Sponsors:** City Manager Mike Podegracz

*Item no. 5 was pulled for consideration at the request of Council Member Holland.*

**A motion was made by Council Member Holland, seconded by Mayor Pro Tem**

**Schmidt, that this item be approved. The motion carried by the following vote:**

**Aye:** 5 - Council Member Holland, Mayor Smith, Council Member Blewett, Mayor Pro Tem Schmidt and Council Member Leonard

**6.** Release of Option Agreement & Lien Agreement

**Recommended Action:**

It is recommended that the City Council: Acting as Successor Agency to former Hesperia Community Redevelopment Agency (HCRA) adopt Resolution No. SA 2014-08 authorizing the City Manager to execute the Quitclaim Deed to Terminate Option Agreement (Option Quitclaim) on real property located at approximately the south-east corner of Main Street and Escondido (Property), as described in Exhibit "A" of the Option Quitclaim. The Option Quitclaim only terminates the Option Agreement and specifically states that it does not terminate any other rights held by the Successor Agency; and adopt Resolution No. 2014-046 authorizing the City Manager to execute the Lien Release as to real property described in the Lien Release.

**Sponsors:** Economic Development Director Steve Lantsberger

**CONSENT ORDINANCES**

**A motion was made by Council Member Leonard, seconded by Mayor Pro Tem Schmidt, to approve the Consent Ordinance. The motion carried by the following vote:**

**Aye:** 4 - Council Member Holland, Mayor Smith, Mayor Pro Tem Schmidt and Council Member Leonard

**Nay:** 1 - Council Member Blewett

**7.** Ordinance Amending Portions of the Hesperia Municipal Code Relating to the Regulation of Registered Sex Offenders to Align with State Law

**Recommended Action:**

Place on second reading and adopt by title waiving the text of ordinance 2014-15 titled "An Ordinance of the City Council of the City of Hesperia Amending Hesperia Municipal Code Sections 5.48.050, 9.16.010-020 and 16.16.072, Relating to the Regulation of Registered Sex Offenders, to Align with State Law" (hereinafter, the "Amended Ordinance").

**Sponsors:** Principal Planner Dave Reno

**PUBLIC HEARINGS**

**8.** Amendment to Title 6 of the Hesperia Municipal Code, entitled "Animal Care and Control" to clarify the spay/neuter requirements, and adoption of related fines and fees.

**Recommended Action:**

Staff recommends that: 1) the City Council introduce and place on first reading ordinance No. 2014-14, amending the City's Animal Care and Control Ordinance (Hesperia Municipal Code (HMC) Title 6), to revise the

spay/neuter and animal keeping regulations; 2) the City Council adopt Resolution No. 2014-27, amending the administrative fine schedule for mandatory spay/neuter, and breeder permit violations, and; 3) the City Council and Board members of the respective Water and Fire Protection districts, Housing Authority and Community Development Commission adopt Joint Resolution No. 2014-28, HWD 2014-09, HFPD 2014-05, HHA 2014-07, HCDC 2014-08 and SA 2014-04, amending the Fee Schedule to establish fees for breeders.

**Sponsors:** Director of Development Services Scott Priester

*The Public Hearing was opened.*

*The following people commented on item no. 8:*

*Kay Visk  
Maria Gonzales  
Sherri McGuire  
Lynn Jaroszewsk  
Julie Jensen  
Lisa LaMere  
Melissa Ameisberg  
Lynn Weldon*

*There being no further testimony the Public Hearing was closed.*

**A motion was made by Mayor Smith, seconded by Council Member Holland, that Ordinance 2014-14 be approved as amended removing the provisions for Breeder Permits. The motion carried by the following vote:**

**Aye:** 5 - Council Member Holland, Mayor Smith, Council Member Blewett, Mayor Pro Tem Schmidt and Council Member Leonard

**A motion was made by Council Member Leonard, seconded by Council Member Blewett, to approve Resolution 2014-27 as revised to exclude Breeder Permit violations. The motion carried by the following vote:**

**Aye:** 5 - Council Member Holland, Mayor Smith, Council Member Blewett, Mayor Pro Tem Schmidt and Council Member Leonard

## **NEW BUSINESS**

**9.** Affordable Housing Notice of Funding Availability (NOFA)

**Recommended Action:**

It is recommended that the Commissioners of the Hesperia Housing Authority (HHA) adopt Resolution No. HHA 2014-11 approving and authorizing release of the Notice of Funding Availability (NOFA) to facilitate the preservation, improvement and production of affordable housing within the jurisdictional limits of the HHA pursuant to laws and regulations in support thereof.

**Sponsors:** Economic Development Director Steve Lantsberger

**A motion was made by Mayor Smith, seconded by Mayor Pro Tem Schmidt, that this item be approved. The motion carried by the following vote:**

**Aye:** 5 - Council Member Holland, Mayor Smith, Council Member Blewett, Mayor Pro Tem Schmidt and Council Member Leonard

## **COUNCIL COMMITTEE REPORTS AND COMMENTS**

*Mayor Smith commented on Louisiana Cajun Seafood, VV College Foundation, League Water Bond Task Force, Public Safety JPA meeting, Chamber of Commerce's new Chairman of the Board, Shannon Shannon, State of the City event;*

*Mayor Pro Tem Schmidt commented on the Chamber of Commerce's State of the City event, and upcoming meetings at MDAQMD and VVTA;*

*Council Member Holland commented on the Public Safety JPA meeting, and suggested a Bicycle training program for the public;*

*Council Member Blewett commented on the VVWRA Recycled Water plant, the recent juvenile/bicycle accident on Main Street, and driver awareness around schools;*

*Council Member Leonard commented on recent road paving on Oakwood near Eucalyptus Street, and the Victor Valley Transit Authority's "Veteran-friendly" program.*

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

*None*

## **ADJOURNMENT**

*Meeting adjourned in memory of Arnold Covarrubias at 8:17 p.m.*