

**HESPERIA CITY COUNCIL
REGULAR MEETING
October 19, 2010
MINUTES**

The Regular Meeting of the City Council was called to order at 6:30 p.m. by Mayor Smith in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

CLOSED SESSION 5:30 p.m.

Roll Call:

Present: Mayor Thurston "Smitty" Smith
Mayor Pro Tem Paul Bosacki
Council Member Ed Pack
Council Member Rita K. Vogler
Absent: Council Member Mike Leonard

Conference with Legal Counsel - Existing Litigation:

Government Code Section 54956.9(a)

1. Jesse Baxter vs. City of Hesperia; Workers' Compensation Settlement Compromise and Release Agreement Authority

Conference with Legal Counsel - Real Property Negotiations

Government Code Section - 54956.8

1. Location of Property: 0410-182-10
Negotiating Parties: City of Hesperia, Hesperia Community Redevelopment Agency and MacFarlane costs Housing Partners (formerly Simpson Housing Solutions) & Hesperia Housing Investors, L.P.
Under Negotiations: Price & Terms
2. Location of Property: Parcel 3 of Parcel Map 19153
Negotiating Parties: Hesperia Community Redevelopment Agency and Cinema West
Under Negotiations: Price & Terms

Conference with Labor Negotiator

Government Code Section 54957.6

Brian D. Johnson, Assistant City Manager/Management Services negotiations between the City of Hesperia and the San Bernardino Public Employees Association (SBPEA) and non-represented employees.

CALL TO ORDER 6:30 p.m.

- A. Invocation by Pastor Gil Plascencia, Orchard Christian Church
- B. Pledge of Allegiance to the Flag led by Council Member Vogler
- C. Roll Call:
Present: Mayor Thurston "Smitty" Smith
Mayor Pro Tem Paul Bosacki
Council Member Ed Pack
Council Member Rita K. Vogler
Absent: Council Member Mike Leonard
- D. Agenda Revisions and Announcements by City Clerk- None
- E. Closed Session Reports- Eric Dunn reported that one case of existing litigation, two items of real property negotiations were discussed and a conference was held with the labor negotiator. Direction was given to staff, no reportable action taken.

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation of Employee of the Month for October to Dorene Lopez, Sr. Community Development Technician by Tracy Wrigley, Community Development Supervisor.
2. Community Events Calendar, Georgia Graham, Management Analyst
 - a) High Desert Opportunity at Victorville Fairgrounds 10/21.

- b) Citywide Clean-up event on 10/23.
- c) Tire Amnesty Day 10/23.
- d) Vote-by-Mail ballots accepted in City Clerk's office 10/25-10/28.
- e) Hesperia Recreation and Park District Veterans Day Event 11/12 at Main & "C".

The City Council held a joint meeting with the Hesperia Community Redevelopment Agency, Hesperia Fire Protection District and the Hesperia Water District at 6:35 p.m.

JOINT PUBLIC COMMENTS

Al Vogler, Hesperia, commented on City Council Procedures manual.
Matthew woods, Hesperia, concerned about water rates.

The Hesperia Community Redevelopment Agency, Hesperia Fire Protection District and the Hesperia Water District recessed at 6:41 p.m.

CONSENT CALENDAR

Motion by Council Member Pack to Approve Consent Calendar, Seconded by Mayor Pro Tem Bosacki, passed with the following roll call vote:

AYES: Pack, Smith, Bosacki, Vogler
NOES: None
ABSENT: Leonard

1. Approve minutes of the regular Council meeting held on October 5, 2010. (Staff person: Melinda Sayre-Castro, Assistant City Clerk)
2. Ratify the warrant run and payroll report for the City of Hesperia for the period of September 18, 2010 through October 1, 2010. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
3. Accept the City of Hesperia Treasurer's Cash Report for the period ended August 31, 2010. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
4. Adopt Resolution No. 2010-073, the Hesperia Community Redevelopment Agency Board of Directors adopt HCRA No. 2010-020, the Hesperia Fire Protection District Board of Directors adopt HFPD No. 2010-012, and the Hesperia Water District Board of Directors adopt HWD No. 2010-13, approving the Statement of Investment Policy. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
5. Approve an addendum in the amount of \$25,000.00 to the Professional Services Agreement (PSA 2007-08-094) with Victor Valley Animal Hospital in order to provide veterinary services for the remainder of the 2010-2011 Fiscal Year. (Staff person: Scott Priester, Director of Development Services)
6. Approve an addendum in the amount of \$25,000.00 to the Professional Services Agreement (PSA 2007-08-095) with Hesperia Animal Hospital in order to provide veterinary services for the remainder of the 2010-2011 Fiscal Year. (Staff person: Scott Priester, Director of Development Services)
7. Accept the work constructed under New Fire Station 305 (C.O. No. 6518), authorize staff to record a "Notice of Completion," and to release retention amounts withheld, but no sooner than 35 calendar days after the date of recordation. (Staff person: Scott Priester, Director of Development Services)

NEW BUSINESS

8. New Vendor Contract Requirement (E-Verify). (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)

Recommendation:

Provide direction to staff regarding the inclusion of a new declaration of compliance, requiring a contract vendor to certify utilization of the E-Verify system to confirm employment eligibility of the vendor's newly hired employees' legal right to work in the United States.

Don Parkman, Hesperia, commented on small business using employment verification systems.

Motion by Council Member Vogler to Approve inclusion of new declaration of compliance, requiring a contract vendor to certify utilization of the E-Verify system to confirm employment eligibility of the vendor's newly hired employees' legal right to work in the United States with no exclusions or waivers directing staff to bring any issues that arise back to the City Council, Seconded by Council Member Pack, passed with the following roll call vote:

AYES: Pack, Smith, Bosacki, Vogler
NOES: None
ABSENT: Leonard

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Vogler made the following reports/comments:

- a) Encouraged individuals to volunteer with non-profit agencies.
- b) On role as a City Council member.
- c) Addressed political campaign loans.

Mayor Pro Tem Bosacki made the following reports/comments:

- a) Encouraged individuals to vote.
- c) Role of Council Members during meetings.
- d) Newspaper article on VVEDA.

Mayor Smith made the following reports/comments:

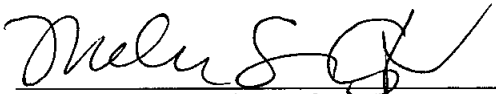
- a) Attended a fundraiser at Hesperia Christian School's Morning Prayer breakfast.
- b) Attended Police Station Ribbon Cutting event 10/13.
- c) Attended Kiwanis fundraiser 10/15 benefiting scholarships for local youth.
- d) Maple Street park dedication ceremony 10/20.
- e) Veterans dinner event sponsored by Serrano High School students 11/10.
- f) New Ross created 70 local jobs.
- g) Keeping City of Adelanto Mayor Charley Glasper in prayers due to loss of son.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

City Manager Mike Podegracz asked Director of Development Services, Scott Priester to give Rancho Road grant funding update.

ADJOURNMENT

The Mayor adjourned the meeting of the City Council meeting in memory of Mr. Johnny Miller at 7:23 p.m. to a Regular meeting on Tuesday, November 2, 2010 at 6:30 p.m.


By: Melinda Sayre-Castro,
Assistant City Clerk

**HESPERIA COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
October 19, 2010
MINUTES**

The Regular Meeting of the Hesperia Redevelopment Agency was called to order at 6:35 p.m., recessed at 6:41 p.m., and reconvened at 7:24 p.m. by Chair Smith in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

CALL TO ORDER (reconvene immediately following the City Council Meeting) 6:30 p.m.

- A. Roll Call:
- Present: Chair Thurston "Smitty" Smith
 - Vice Chair Paul Bosacki
 - Agency Member Ed Pack
 - Agency Member Rita K. Vogler
 - Absent: Agency Member Mike Leonard
- B. Agenda Revisions and Announcements by Agency Secretary- None

PUBLIC COMMENTS RELATING TO REDEVELOPMENT - None

CONSENT CALENDAR

Motion by Agency Member Pack to Approve Consent Calendar, Seconded by Vice Chair Bosacki, passed with the following roll call vote:

AYES: Smith, Pack, Bosacki, Vogler
NOES: None
ABSENT: Leonard

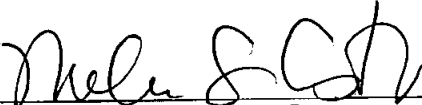
1. Approve the minutes of the regular Agency meeting held on October 5, 2010. (Staff person: Melinda Sayre-Castro, Assistant City Clerk)
2. Ratify the warrant run and payroll report for the Redevelopment Agency for the period of September 18, 2010 through October 1, 2010. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
3. Accept the City of Hesperia Treasurer's Cash Report for the period ended August 31, 2010. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
4. Adopt Resolution No. 2010-073, the Hesperia Community Redevelopment Agency Board of Directors adopt HCRA No. 2010-020, the Hesperia Fire Protection District Board of Directors adopt HFPD No. 2010-012, and the Hesperia Water District Board of Directors adopt HWD No. 2010-13, approving the Statement of Investment Policy. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)

AGENCY MEMBER COMMENTS OR REPORTS- None

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS - None

ADJOURNMENT

Chair Smith adjourned the meeting of the Redevelopment Agency at 7:26 p.m. to a Regular Tuesday, November 2, 2010, at 6:30 p.m.


By: Melinda Sayre-Castro,
Assistant City Clerk

**HESPERIA FIRE PROTECTION DISTRICT
REGULAR MEETING
October 19, 2010
MINUTES**

The Regular Meeting of the Fire District was called to order at 6:35 p.m., recessed at 6:41 p.m., and reconvened at 7:26 p.m. by Chair Smith in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

CALL TO ORDER (reconvene immediately following the HCRA Meeting) 6:30 p.m.

- A. Roll Call:
- Present: Chair Thurston "Smitty" Smith
Vice Chair Paul Bosacki
Board Member Ed Pack
Board Member Rita K. Vogler
- Absent: Board Member Mike Leonard
- B. Agenda Revisions and Announcements by Board Secretary - None

PUBLIC COMMENTS RELATING TO FIRE PROTECTION- None

CONSENT CALENDAR

Motion by Board Member Pack to Approve Consent Calendar, Seconded by Chair Pro Tem Bosacki, passed with the following roll call vote:

AYES: Pack, Vogler, Smith, Bosacki
NOES: None
ABSENT: Leonard

1. Approve the minutes of the regular District meeting held on October 5, 2010. (Staff person: Melinda Sayre-Castro, Assistant City Clerk)
2. Ratify the warrant run and payroll report for the Fire District for the period of September 18, 2010 through October 1, 2010. (Staff person: Brian D. Johnson, Assistant City Manager/ Management Services)
3. Accept the City of Hesperia Treasurer's Cash Report for the period ended August 31, 2010. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
4. Adopt Resolution No. 2010-073, the Hesperia Community Redevelopment Agency Board of Directors adopt HCRA No. 2010-020, the Hesperia Fire Protection District Board of Directors adopt HFPD No. 2010-012, and the Hesperia Water District Board of Directors adopt HWD No. 2010-13, approving the Statement of Investment Policy. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)

BOARD MEMBER COMMENTS OR REPORTS- None

CITY MANAGER/CITY ATTORNEY/STAFF COMMENTS OR REPORTS- None

ADJOURNMENT

The Chair adjourned the meeting of the District at 7:28 p.m. to a Regular meeting on Tuesday, November 2, 2010 at 6:30 p.m.



By: Melinda Sayre-Castro,
Assistant City Clerk

**HESPERIA WATER DISTRICT
REGULAR MEETING
October 19, 2010
MINUTES**

The Regular Meeting of the Hesperia Water District was called to order at 6:30 p.m. by Mayor Smith in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

CALL TO ORDER (reconvene immediately following the Fire District Meeting) 6:30 p.m.

- A. Roll Call:
Present: Chair Thurston "Smitty" Smith
Vice Chair Paul Bosacki
Board Member Ed Pack
Board Member Rita K. Vogler
Absent: Board Member Leonard
- B. Agenda Revisions and Announcements by Board Secretary - None

PUBLIC COMMENTS RELATING TO WATER- None

CONSENT CALENDAR

Motion by Board Member Pack to Approve Consent Calendar, Seconded by Vice Chair Bosacki, passed with the following roll call vote:

AYES: Pack, Vogler, Smith, Bosacki
NOES: None
ABSENT: Leonard

1. Approve the minutes of the regular District meeting held on October 5, 2010. (Staff person: Melinda Sayre-Castro, Assistant City Clerk)
2. Ratify the warrant run and payroll report for the Water District for the period of September 18, 2010 through October 1, 2010. (Staff person: Brian D. Johnson, Assistant City Manager/ Management Services)
3. Accept the City of Hesperia Treasurer's Cash Report for the period ended August 31, 2010. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)
4. Adopt Resolution No. 2010-073, the Hesperia Community Redevelopment Agency Board of Directors adopt HCRA No. 2010-020, the Hesperia Fire Protection District Board of Directors adopt HFPD No. 2010-012, and the Hesperia Water District Board of Directors adopt HWD No. 2010-13, approving the Statement of Investment Policy. (Staff person: Brian D. Johnson, Assistant City Manager/Management Services)

BOARD COMMENTS OR REPORTS

Council Member Vogler made the following comments/reports:

- 1) Questioned future water rate increases.
- 2) Questioned municipal code pertaining to water run-off from private properties.

CITY MANAGER/CITY ATTORNEY/STAFF COMMENTS OR REPORTS- None

ADJOURNMENT

Chair Smith adjourned the meeting of the District at 7:29 p.m. to a Regular meeting on Tuesday, November 2, 2010, at 6:30 p.m.



By: Melinda Sayre-Castro,
Assistant City Clerk