

B. ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d) (4).

FOUR CASE(S) WHERE, IN WHICH THE CITY COUNCIL IS DECIDING WHETHER TO INITIATE LITIGATION.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 SUBDIVISION (d)(2).

THREE CASE(S) WHERE, IN THE OPINION OF THE CITY COUNCIL BASED ON ADVICE OF THE CITY ATTORNEY, BASED ON EXISTING FACTS AND CIRCUMSTANCES, THERE IS A SIGNIFICANT EXPOSURE TO LITIGATION AGAINST THE CITY.

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PER GOVERNMENT CODE SECTION 54956.9 (d) (1).

(a) Adelanto Successor Agency et al. v. Walker et al., Sacramento County Superior Court case No. 34-2013-80001498

(b) City of Adelanto v. Main Street Calif. LLC, DBA High Desert Mantric., Case No. UD1600284

(c) Main Street California, LLC, a California Limited Liability Company v. City of Adelanto., SBSC Case No. CIVDS 1601251

(d) Miguel Borja v. City of Adelanto

(e) Belen Cordero v. City of Adelanto

(f) Nanette Moore v. City of Adelanto

4. Properties: APNS 3129-261-27, 3129-261-66 and 3129-251-14

Agency Negotiator on Property: Julia Sylva, City Attorney

Negotiating Parties: Successor Agency to the Former City of Adelanto Redevelopment Agency and Kojima Development Company, LLC

Under Negotiation: Price and Terms of Payment

REGULAR MEETING

March 9, 2016

5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8):

Property: Schlunegger Property (APN 0459-142-31-0000)

Agency negotiator: Julia Sylva, Interim City Attorney

Negotiating parties: CPI Capital Properties, and Julia Sylva, Interim City Attorney

Under negotiation: Price and Terms of Payment

6. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8):

Property: Sentry Home Loan, Profit Sharing Plan, Hendon Harris Trustee Property (APN 0459-133-20-0000)

Agency negotiator: Julia Sylva, Interim City Attorney

Negotiating parties: Sentry Home Loan, Profit Sharing Plan, Hendon Harris Trustee, and Julia Sylva, Interim City Attorney

Under negotiation: Price and Terms of Payment

7. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8):

Property: City of Adelanto Property (APN 00459-221-23-0000)

Agency negotiator: Julia Sylva, Interim City Attorney

Negotiating parties: CPI Capital Properties, and Julia Sylva, Interim City Attorney

Under negotiation: All Terms and Conditions of Sale

8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8):

Property: City of Adelanto Property (APN 00459-142-31-0000)

Agency negotiator: Julia Sylva, Interim City Attorney

Negotiating parties: CPI Capital Properties, and Julia Sylva, Interim City Attorney

Under negotiation: All Terms and Conditions of Sale

REGULAR MEETING

March 9, 2016

- 9. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8):

Property: City of Adelanto Property (APN 00459-142-20-0000)

Agency negotiator: Julia Sylva, Interim City Attorney

Negotiating parties: CPI Capital Properties, and Julia Sylva, Interim City Attorney

Under negotiation: All Terms and Conditions of Sale

C. PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEM(S)

D. CONVENE INTO CLOSED SESSION

TIME: _____

- 1. Motion to go into Closed Session.

M _____ S _____ ACTION _____

E. CALL TO ORDER – REGULAR MEETING

TIME IN: _____

ROLL CALL: *Councilor Camargo* _____
Councilor Glasper _____
Councilor Woodard _____
Mayor Pro Tem Wright _____
Mayor Kerr _____

INVOCATION: Jaime Gonzalez, Praise Chapel

FLAG SALUTE: _____

REGULAR MEETING
March 9, 2016

F. CONFLICT OF INTEREST

City Council Members will announce any possible Conflicts of Interest for the City Council Meeting.

G. CONDUCT OF CLOSED SESSION

1. City Attorney or City Manager will make an oral report on any reportable actions taken in Closed Session.

H. DELETIONS/ADDITIONS TO AGENDA

1. City Manager to announce if there is any addition/removal of items from the agenda.

I. PRESENTATION(S)

J. PUBLIC COMMUNICATIONS

Members of the public wishing to address the City Council Members are required to fill out the yellow speaker card and place it in the **SPEAKER CARD TRAY located on the podium**. The Clerk of the meeting will collect the cards and hand them to the Chair. **REMEMBER ONE CARD PER PERSON you can mark the card to address various items on the agenda.**

This is the time and place for members of the public to comment on any matter within the jurisdiction of the City Council. After receiving recognition from the Chair, the speaker will walk to the podium and **state their name for the record**. There is a time limit of three (3) minutes when giving your presentation.

Members of the audience may address the City Council on **non-agenda items**; however, in accordance with Government Code Section 54954.2, the City Council may not take action on an item not appearing on the posted agenda.

REGULAR MEETING
March 9, 2016

K. CONSENT CALENDAR

Items on the Consent Calendar are considered routine in nature and non-controversial, and require no further discussion by the City Council. They may be acted on in one motion unless a member of the City Council or member of the audience requests a separate discussion on an item.

MOTION APPROVING THE CONSENT CALENDAR AS PRESENTED.

1. Motion waiving the full reading of all ordinances and resolutions. Titles for ordinances and resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.
2. Approval of Meeting Minutes: July 22, 2015 – Regular Meeting
August 12, 2015 – Regular Meeting
3. Approval of Development Services Department Report.
4. Approval of Building and Safety Department Report.
5. Approval of Public Works Department Report.
6. Approval of Warrant:
 - a. Approval of City of Adelanto Warrant, 15/16-09-01, 133596 through 133648, for the total amount of \$595,595.35.
 - b. Approval of City of Adelanto Water Authority, 5/16-09-01, 27449 through 27469, for the total amount of \$72,215.34.
 - c. Approval of Adelanto Public Utility Authority Warrant, 5/16-09-01, 3556 through 3560, for the total amount of \$91,335.71.

M _____ S _____ ACTION _____

L. PUBLIC HEARING

PUBLIC HEARING OPEN: _____ **PUBLIC HEARING CLOSED:** _____

1. PUBLIC HEARING - ORDINANCE 544, CODE AMENDMENT 16-01 – PROPOSED AMENDMENT TO TITLE 17 OF THE ADELANTO MUNICIPAL CODE AMENDING CHAPTER 17.165.

REGULAR MEETING
March 9, 2016

ORDINANCE NO. 544

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, ADOPTING CODE AMENDMENT 16-01 AMENDING TITLE 17 OF THE ADELANTO MUNICIPAL CODE, AMENDING CHAPTER 17.165 NONCONFORMING USES AND STRUCTURES TO EXEMPT EXISTING RESIDENTIAL USES AND STRUCTURES IN THE BUSINESS PARK ZONE

RECOMMENDATION: Introduce for the first reading Ordinance 544, finding the approval of Code Amendment 16-01 exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) as the Code Amendment will not have a significant effect on the environment, adopting Code Amendment 16-01, and making findings in support thereof.

M _____ S _____ ACTION _____

PUBLIC HEARING OPEN: _____ **PUBLIC HEARING CLOSED:** _____

2. ORDINANCE NO. 545: AMENDMENT TO MEDICAL MARIJUANA CULTIVATION ORDINANCE OF THE CITY OF ADELANTO BY ADDING RULES AND REGULATIONS FOR A RESEARCH AND DEVELOPMENT PILOT PROGRAM AND THE ISSUANCE OF PROCESSING PERMIT(S).

RECOMMENDATION: Suggest that the Mayor and Member of the City Council consider the first reading and adoption of Ordinance No. 545, which seeks to amend the Medical Marijuana Cultivation Ordinance of the City of Adelanto adopted on November 23, 2015, by adding rules and regulations for a Research and Development Pilot Program.

M _____ S _____ ACTION _____

M. ITEMS REMOVED FROM THE CONSENT CALENDAR

YOU'RE CITY GOVERNMENT

CHARTER CITY: Ratified by the electors of the City at an election on November 3, 1992. "A Charter City can do what the Charter permits it to do, so long as there is not direct violation of the State Constitution".

CITY COUNCIL: The City Council of the legislative and policy-making body of the City. The City Council is composed of one elected Mayor and four Council Members, elected at large (to represent the entire City), to serve four year, staggered terms.

CITY MANAGER: The City Manager is the chief executive officer responsible for the administration of City affairs.

CITY COUNCIL MEETING: The regular meeting of your City Council is a vital part of the democratic process in the conduct of the City's affairs. These meetings are open to the public and conducted by your elected representatives who are responsible, as a body, for the operation of Adelanto's City Government. The Council appreciates your interest and urges citizen participation in government matters.

LEGISLATIVE TERMS

ORDINANCES: Ordinances are the means by which the City enacts its local laws. Unless an urgent situation exists, ordinances will first be presented at a Council meeting as a "first reading". At a subsequent Council meeting, there will be a second reading and adoption. Ordinances go into effect after a waiting period of thirty days, in most cases, during which time the summary of the ordinance is published in a local newspaper approved for this purpose.

RESOLUTIONS: Resolutions and minute orders are the means by which the City Council formally adopts policies or approves specific actions. These go into effect when adopted.

REGULAR MEETING
March 9, 2016

N. CITY MANAGERS ANNOUNCEMENTS AND/OR REPORTS

O. CITY COUNCIL ANNOUNCEMENTS AND/OR REPORT

P. ADJOURNMENT

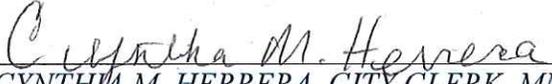
The Regular Meeting of the City Council will be held on March 23, 2016, at 7:00 p.m. unless a Special Meeting is called.

TIME OUT: _____

M _____ S _____ ACTION _____

Q. DECLARATION OF POSTING

I, CINDY M. HERRERA, CITY CLERK OF THE CITY OF ADELANTO, OR MY DESIGNEE, HEREBY CERTIFY THAT A TRUE, ACCURATE COPY OF THE FOREGOING AGENDA WAS POSTED ON MARCH 3, 2016, SEVENTY TWO (72) HOURS PRIOR TO THE MEETING PER GOVERNMENT CODE 54954.2 IN THE GOVERNMENTAL CENTER'S DISPLAY CASE, 11600 AIR EXPRESSWAY, AND ADELANTO, CALIFORNIA.


CYNTHIA M. HERRERA, CITY CLERK, MMC
BZ



Rich Kerr
Mayor

Jermaine Wright Sr.
Mayor Pro-Tem

Ed Camargo
Council Member

Charley B. Glasper
Council Member

John "Bug" Woodard Jr.
Council Member

Cynthia M. Herrera, MMC
Interim City Manager

MEETING NOTICE

NOTICE OF A JOINT MEETING OF THE
CITY OF ADELANTO CITY COUNCIL
AND ADELANTO PUBLIC FINANCING AUTHORITY
AND ADELANTO PUBLIC UTILITY AUTHORITY
AND ADELANTO COMMUNITY BENEFIT CORPORATION
AND
THE SUCCESSOR AGENCY BOARD

NOTICE IS HEREBY GIVEN that the meeting of City Council, Adelanto Public Financing Authority, Adelanto Public Utility Authority, Adelanto Community Benefit Corporation, and the Successor Agency Board of the City of Adelanto will meet in a Joint Meeting at the following time and place.

TIME

Closed Session: 5:00 P.M.
Regular Meeting: 7:00 P.M.
Wednesday
March 9, 2016

PLACE

Adelanto Governmental Center
Adelanto Council Chambers
11600 Air Expressway
Adelanto, CA 92301

Cynthia M. Herrera
City Clerk of the City of Adelanto
and of the City Council thereof *BJ*

DATED: March 3, 2016



MINUTES OF THE
JOINT REGULAR MEETING
OF THE ADELANTO CITY COUNCIL,
ADELANTO PUBLIC UTILITY AUTHORITY,
ADELANTO COMMUNITY BENEFIT CORPORATION,
AND THE SUCCESSOR AGENCY BOARD

AUGUST 12, 2015

A. CALL TO ORDER – CLOSED SESSION

The Adelanto City Council held a Closed Session on Wednesday, August 12, 2015, in Conference Room 1 of the Governmental Center located at 11600 Air Expressway, Adelanto, California. Mayor Kerr called the meeting to order at 5:35 p.m.

Council Members present: Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr

Staff present: Interim City Manager Herrera, City Attorney Litfin, and Assistant City Clerk Lopez.

B. ANNOUNCEMENT OF CLOSED SESSION ITEMS

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 SUBDIVISION (d)(2).

TWO CASE(S) WHERE, IN THE OPINION OF THE CITY COUNCIL BASED ON ADVICE OF THE CITY ATTORNEY, BASED ON EXISTING FACTS AND CIRCUMSTANCES, THERE IS A SIGNIFICANT EXPOSURE TO LITIGATION AGAINST THE CITY.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(4).

ONE CASE(S) WHERE, IN WHICH THE CITY COUNCIL IS DECIDING WHETHER TO INITIATE LITIGATION.

3. PUBLIC EMPLOYMENT: GOVERNMENT CODE SECTION 54957:

Title: City Manager

4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

(1) Property: APN 3128-221-23

Agency Negotiator on Property: Todd O. Litfin, City Attorney

Negotiating Parties: to be determined

Under Negotiation: Price and Terms of Payment

(2) Properties: APNS 3128-221-21, 3125-221-22, 3128-221-18 and 3128-221-19

Agency Negotiator on Property: Todd O. Litfin, City Attorney

Negotiating Parties: to be determined

Under Negotiation: Price and Terms of Payment

5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

(1) Property: APN 0459-221-01 & 02

Agency Negotiator on Property: Todd O. Litfin, City Attorney

Negotiating Parties: to be determined

Under Negotiation: Price and Terms of Payment

(2) Properties: APNS 0459-181-02,63,30

Agency Negotiator on Property: Todd O. Litfin, City Attorney

Negotiating Parties: to be determined

Under Negotiation: Price and Terms of Payment

6. CONFERENCE WITH LABOR NEGOTIATORS – GOVERNMENT CODE SECTION 54957.6.

(1) City Designated Representatives: Cynthia M. Herrera, MMC, Interim City Manager

Vanessa Martinez, Interim Finance Director

Employee Organization: Teamsters Local 911 (General Employees)

C. PUBLIC COMMUNICATION ON CLOSED SESSION ITEMS

David Fluehart: He thanked the City for his business license and can continue educational training.

D. CONVENE INTO CLOSED SESSION

The Chair called for a motion to enter into Closed Session 5:43 p.m.

MOTION: Moved by Glasper, seconded by Mayor Pro Tem Wright.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

E. CALL TO ORDER – REGULAR MEETING

Mayor Kerr reconvened the regular meeting at 7:18 p.m.

Council Members present: Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr

Staff present: Interim City Manager Herrera, City Attorney Litfin, and Assistant City Clerk Lopez.

Invocation by: Johnny Salazar

The flag salute was presented by Mayor Kerr.

F. CONFLICT OF INTEREST

None.

G. CONDUCT OF CLOSED SESSION

City Attorney Litfin stated there was no reportable action.

H. DELETIONS/ADDITIONS TO AGENDA

Addition to the Agenda regarding the National Police and Wounded Warrior Rodeo taking place at Mavericks Stadium.

Camargo is concerned with the cost factor.

The City would fund it. All profits go back to the City.

MOTION: Moved by Mayor Pro Tem Wright, seconded by Woodard to add to agenda.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

I. PRESENTATIONS

1. Captain Greg Herbert presented to the public as new law enforcement.
2. Proclamation to Timothy Michael Callaghan in honor of Female Military Veteran Cancer Awareness. *** See Attachment A ***
3. Report from Public Utilities Director Re: Water Conservation.

Adelanto has 20% reduction

Did not meet 20%, made 3%

Working with the prisons, school districts, and Mavericks with water saving.

4. Presentation by Brad Chapman of Alliance Building Solutions, regarding City of Adelanto Energy Efficiency Program. *** See Attachment B ***

Council Member Glasper discussed that Adelanto is already making efforts for light conservation.

Nancy from Socal Edison discussed its partnership with Adelanto. The streetlight acquisition program is already in place.

Council Member Woodard asked if they went with the evaluation, would it affect the partnership with Edison.

Nancy explained that it is just an additional process and would not affect the partnership

CLERKS NOTE: City Council meetings will be streamed live online. Mayor Kerr announced Swapping Momma's will have a location in the community center.

J. PUBLIC COMMUNICATIONS

1. Shad Boyd: He is frustrated that his grass is dying and others are watering their green grass. He believes the meters are off for the water. He tried to sign up for cash for grass and it didn't work. He is looking forward to light pole wifi. He thanked the Police and the Fire Department.
2. Edwin Gomez: He is Adelanto Elementary School District Superintendent. He has concerns about the marijuana dispensaries. He is opposed of this Ordinance because of the type of medical drug it is. He believes the youth should not be allowed to obtain it.
3. Kathleen Valvo: She expressed concern weeds on the side of the road by Pearmain and Mojave. She also complained about the trash as well.
4. Leon Pierce: He talked about the need for police by his home because of the speeders by Pearmain and Lupin. He also explained there might be a water leak and his neighbors are watering 5 days a week.
5. Joy Jeannette: She expressed her issues with the senior citizen center. They are over capacity with the programs. She requests another citizen center that has a swimming pool and other program. Eva Jones is head of the Senior Citizens and she donated \$1000 to the Wounded Warrior Project. The Senior Citizen challenge everyone to match their donation.
6. Anthony Scales: He thinks the Street Department does a good job but there are not enough of them. He said there are problems with speeders along the streets of Adelanto. He suggests police to control speeding. He also stated Mayor Kerr is doing a good job.
7. Maria Martinez: She got a code violation and put in plants and she wants to know if it is efficient enough.

Kerr noted that a company cleans rocks and if residents want rocks in their yard, they can get some for free.

8. HSU: He responded to the presentation about the Adelanto School District. He is a biochemist that is part of the team that are looking to do research in Adelanto. He promotes the research of cannabis for medication.
9. Felicia Johnson: She is there from a Non-Profit Organization. She promoted the services for support, counseling, synthetic drugs, federal prisons. She also works with kids in the school district with behavioral issues along with the LBGQT community.

10. Orlando Padilla: He was promoting Golden Boys and Live Nation concerts at Mavericks Stadium.
11. Marc Ohara: He spoke about the secure dispensaries. He spoke to the School District advocates that it a safe operation. He talked about children obtaining drugs through school.
12. Freddy Sayegh: He wanted to alert the public that the Mayor has been going above and beyond to look at resources. Mayor Kerr has travelled to look at the possible business that can be brought to Adelanto.
13. Debra Jones: She is a Trustee with the Adelanto School District. She is a citizen of Victorville. She believes Adelanto will affect the rest of the High Desert. She explained the medical process to legalize. She emphasizes how marijuana is illegal and believes it is a damaging message to the residents.
14. E.T. Snell: He is glad the School District came to the meeting. He has distain for certain politicians. He spoke about the support of troops. He sees hope in the city. He has an issue with Cari Thomas and the School District.

K. CONSENT CALENDAR

MOTION: Moved by Woodard, seconded by Camargo to approve the Consent Calendar with removal of no. 7 and 8

1. Motion waiving the full reading of all ordinances and resolutions. Titles for ordinances and resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.
2. Approval of Animal Care and Control Department Report.
3. Approval of Building and Safety Department Report.
4. Approval of Public Works Department Report.
5. Approval of Designation of voting delegate at the Annual League of California Cities Conference.
6. Approval of Article 8 Claim Form.

7. **Approval of Resolution No. 15-35 Adelanto, CFD No. 2006-2 entitled:
REMOVED FOR DISCUSSION**

RESOLUTION NO. 15-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADELANTO, ACTING AS THE LEGISLATIVE BODY OF THE CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA) AUTHORIZING THE LEVY OF A FACILITIES SPECIAL TAX IN IMPROVEMENT AREA NO. 1 OF THE CITY OF ADELANTO, COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA) AND IMPROVEMENT AREA NO. 2 OF THE CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA)

8. **Approval of Resolution No. 15-37 Adelanto, CFD No. 2006-5 entitled:
REMOVED FOR DISCUSSION**

RESOLUTION NO. 15-37

A RESOLUTION OF THE CITY OF THE CITY OF ADELANTO, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ANNUAL SPECIAL TAXES RELATED TO THE CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT (CFD) 2006-5 FOR FISCAL YEAR 2015-2016

9. Approval of Warrant:

- a. Approval of City of Adelanto Warrant, 15/16-02-01, 132752 through 132828, for the total amount of \$664,622.81.
- b. Approval of Adelanto Electronic Fund Transfers, 15/16-02-01, 79 through 79, for the total amount of \$103,747.03.
- c. Approval of City of Adelanto Water Authority, 15/16-02-01, 27227 through 27238, for the total amount of \$226,702.34.
- d. Approval of Adelanto Water Authority Utility Deposit Refunds Warrant, 5/16-02-01 26695 through 26741, for the total amount of \$5,828.47.
- e. Approval of Adelanto Public Utility Authority Warrant, 15/16-02-01, 3453 through 3469, for the total amount of \$110,820.48.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

L. CONSENT CALENDAR OF THE SUCCESSOR AGENCY BOARD

1. APPROVAL OF WARRANT:
 - a. Approval of The Successor Agency Board Warrant, 15/16-02-01, 7923 through 7923, for the total amount of \$950.00

MOTION: Moved by Camargo, seconded by Mayor Pro Tem Wright.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

M. NEW BUSINESS

1. INTRODUCE ORDINANCE NO. 538 OF THE CITY COUNCIL OF THE CITY OF ADELANTO, AMENDING BY ADDING CHAPTER 14.38 OF TITLE 14 (BUILDINGS AND CONSTRUCTION) OF THE CITY OF ADELANTO MUNICIPAL CODE RELATING TO PERMITTING OF SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS. (PATRICK)

STAFF RECOMMENDATION: Introduce for the first reading Ordinance No. 538, an Ordinance of the City Council of the City of Adelanto, California, Amending Title 14, by Adding Chapter 14.38 of the City of Adelanto Municipal Code Relating to the Expedited Permitting of Small Residential Rooftop Solar Systems.

ORDINANCE NO. 538

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, AMENDING THE ADELANTO MUNICIPAL CODE, TITLE 14, ADDING CHAPTER 14.38, IMPLEMENTING AB 2188, PROVIDING AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS

Building Official Patrick Carroll presented the Staff Report.

Council Member Woodard asked if this Ordinance would make things go faster.

Building Official Patrick Carroll stated this is a streamlining process to Solar systems.

E.T. Snell (Resident): He is a political activist and does not like restrictions and regulations being put into play. He has an issue with Edison and their prices.

Mayor Kerr is aware that the Solar project is taking longer time but it is not the City's fault.

MOTION: Moved by Camargo, seconded by Mayor Pro Tem Wright.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

2. RESOLUTION NO. 15- 38: NOMINATION AND APPOINTMENT BY COUNCILOR WOODARD TO THE PLANNING COMMISSION.

RECOMMENDATION: Approval of Councilor Woodard's appointment to the Planning Commission.

RESOLUTION NO. 15-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, CALIFORNIA, PROVIDING FOR AN APPOINTMENT TO THE PLANNING COMMISSION

Council Member Woodard had the opportunity to select and appoint a person on the Planning Commission. He decided to replace his Planning Commissioner with Joy Jeannette.

Mayor Pro Tem Wright explained that you must remove the existing Planning Commissioner Ricky Ricada and bring on Joy Jeannette.

MOTION: Moved by Woodard, seconded by Mayor Pro Tem Wright to approve nomination of Joy Jeannette as Planning Commission Member.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

N. ITEMS REMOVED FROM THE CONSENT CALENDAR

7. **Approval of Resolution No. 15-35 Adelanto, CFD No. 2006-2 entitled:**
*****REMOVED FOR DISCUSSION*****

RESOLUTION NO. 15-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADELANTO, ACTING AS THE LEGISLATIVE BODY OF THE CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA) AUTHORIZING THE LEVY OF A FACILITIES SPECIAL TAX IN IMPROVEMENT AREA NO. 1 OF THE CITY OF ADELANTO, COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA) AND IMPROVEMENT AREA NO. 2 OF THE CITY OF ADELANTO COMMUNITY FACILITIES DISTRICT NO. 2006-2 (MANZANITA AND ESPINOSA)

CLERKS NOTE: Item no. 7 and 8 were discussed together and voted on separately.

Council Member Camargo wishes to come back to this at a later date to discuss Tax B. Camargo wants consideration of money being put into certain departments. These locations have Tax A and Tax B that will subsidize the Fire and Police Department. The money will sit until the Council feels it is deemed appropriate.

Mayor Pro Tem Wright emphasized that this tax was voted on several times.

Heidi Sheffey is the Special Tax Consultant and she explained the enrollments for the city.

City Attorney Litfin stated there was a typo for the date of the Fiscal Year

The Chair opened Public Hearing at 9:43 p.m.

Resident stated that people can lose their homes from the taxes.

Shad Boyd (Resident): explained that the home owner agreed to pay the tax.

Resident was upset that the developer stated there was no supplemental taxes.

Resident regretted the decision of moving into these homes because he was told the tax wouldn't be this high.

The Chair closed Public Hearing at 9:50 p.m.

Council Member Camargo does not understand why these taxes are not being utilized.

MOTION: Moved by Camargo, seconded by Glasper to approve Resolution No. 15-35 Adelanto, CFD no. 2006-2.

Motion carried 4-1. (Camargo, Glasper, Woodard, Mayor Kerr voting yes). (Mayor Pro Tem Wright voting no.)

**8. Approval of Resolution No. 15-37 Adelanto, CFD No. 2006-5 entitled:
REMOVED FOR DISCUSSION**

RESOLUTION NO. 15-37

**A RESOLUTION OF THE CITY OF THE CITY OF ADELANTO,
CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF
ANNUAL SPECIAL TAXES RELATED TO THE CITY OF
ADELANTO COMMUNITY FACILITIES DISTRICT (CFD) 2006-5
FOR FISCAL YEAR 2015-2016**

MOTION: Moved by Camargo, seconded by Glasper to approve Resolution No. 15-37 Adelanto and CFD No. 2006-5

Motion carried 4-1. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes). (Mayor Pro Tem Wright voting no.)

O. CITY MANAGERS ANNOUNCEMENTS AND/OR REPORTS

A program was brought to attention from a Water Conservation Specialist. There will be hyperdermic needle containers given to the public. There will be a drop location for these containers. Sharps in the trash are now illegal.

The Maverick's game on the 16th of August is resident appreciation night.

Interim City Manager Cindy promoted Ellie the service dog for the Law Enforcement.

P. CITY COUNCILS ANNOUNCEMENTS AND/OR REPORTS

Council Member Camargo had concern with the parks and water conservation. He did not understand why the parks in Adelanto look awful and the ones in other cities look green.

Council Member Glasper had no comments at this time.

Council Member Woodard talked about the need for an improved City Sign.

Mayor Pro Tem Wright thanked Wendy for her efforts in the Weight-loss Program. He also thanked the City Clerk staff for the certificates handed out at the end of the program. He brought up the activities that have come to Adelanto and is happy that they can give back to the community. He also thanked Don for the improvement of the roads.

Mayor Kerr reminded the public on August 21st there will be celebrity baseball players at Maverick's stadium that will work with kids in the area.

Q. ADJOURNMENT

The next Regular Meeting of the City Council will be held on August 26, 2015, at 7:00 p.m. unless a Special Meeting is called.

There being no further business the Chair entertained a motion to adjourn the meeting at 10:08 p.m.

City Council Minutes
Regular Meeting
August 12, 2015

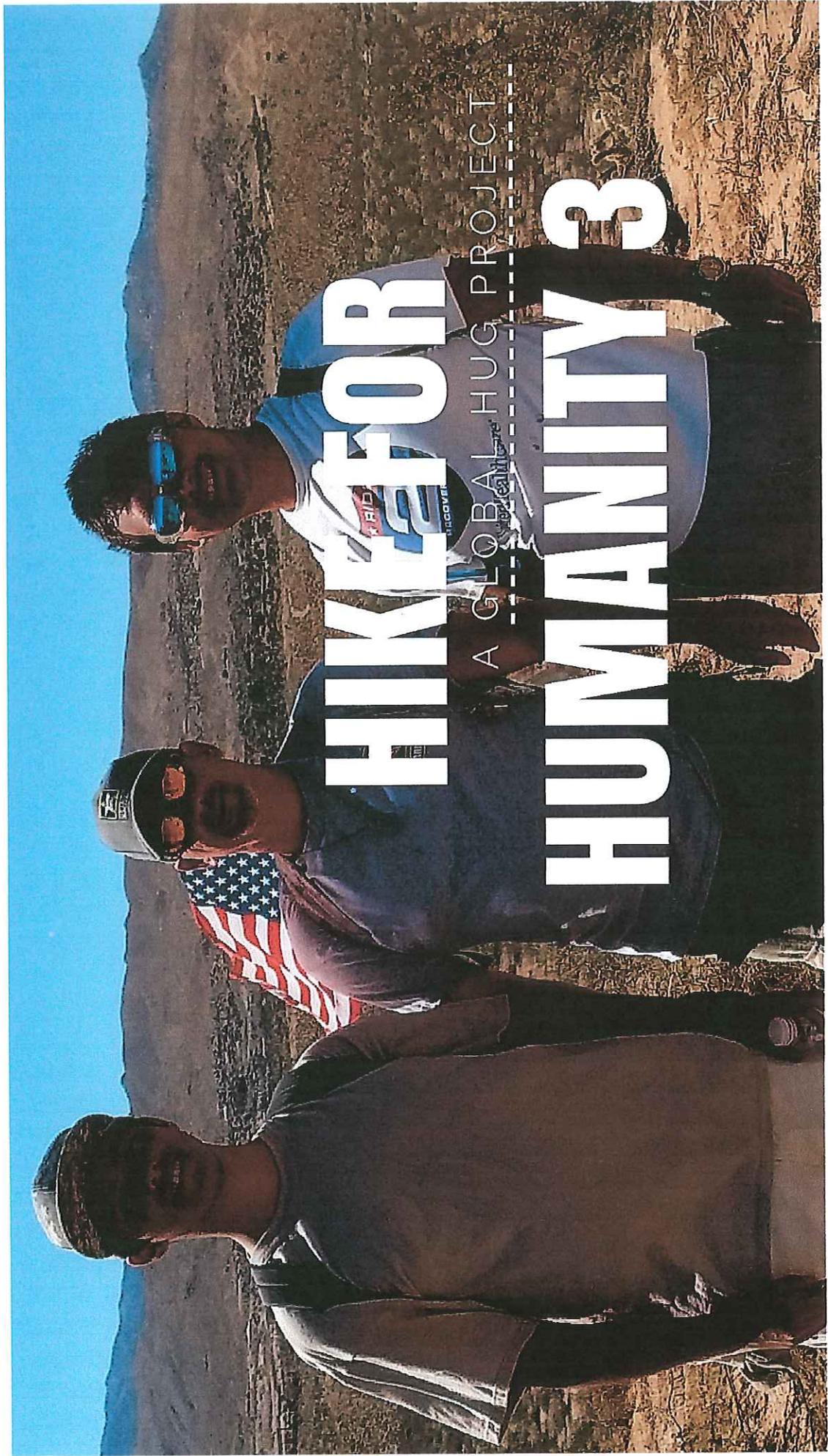
MOTION: Moved by Mayor Pro Tem Wright, seconded by Camargo.

Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes.)

Rich Kerr, Mayor

Cindy Herrera, City Clerk, MMC

Clerk of the Meeting: Brenda Lopez, Assistant to the City Clerk
Prepared by: Jordyn Thomas, Intern
Reviewed by: Cindy Herrera, City Clerk





"Everyone Can Help Someone"



"Everyone Can Help Someone"

Press Release:

Hesperia Disabled Vet Plans 2,300 Mile Hike to Georgia

The Effort Will Raise Money and Awareness for Breast Cancer and Wounded Vets

Tim Callaghan, A 49-yr disabled ARMY Desert Storm veteran, and his stepsons, Carlos Becerra, 18, and Xavier Becerra, 15, have announced their intention to hike 2,364 miles from Hesperia City Hall to the tiny town of Tybee Island, Georgia. Their goal is to make their journey an opportunity to raise awareness and \$50,000 for the Wounded Warrior Project and Avon Breast Cancer Research.

"Almost every American has been touched in some way by Breast Cancer or by a disabled veteran. Everyone knows someone - a friend, family member, church member or co-worker, who has suffered from Breast Cancer or been disabled in war. As President Reagan has said, "You can't help everyone, but everyone can help someone" Mr. Callaghan said. "It's in that spirit that we honestly believe we can make a difference," he continued.

Mr. Callaghan and his young step-sons have begun their rigorous daily training to prepare for the long hike, which he refers to as their "Mission." They intend to begin their hike on May 27th, 2016, Mr. Callaghan's 50th birthday.

Along the way they will stop at House of Grace Church in Ashland, Kentucky, to pay their respects to and make a donation in the name of the Church's Pastor Gerardo Mejia, also known as the musician, Rico Suave.

In addition to their rugged training, the three men are reaching out to corporate sponsors to help fund the effort. They're appealing to High Desert residents, businesses and veteran's and Breast Cancer survivor groups to donate necessary supplies and equipment for the hike. Such items as food, backpacks, communications equipment, supplies and gas money for their support & provisions vehicle are all being accumulated

Hike for Humanity3 16436 Fir Street Hesperia, CA 92345 (760)-981-9587



"Everyone Can Help Someone"

and organized. Their very first donation received was an American Flag from an Hesperia military surplus store, which they will carry throughout their hike.

"It's really not much different than planning a military mission. We need strong supply lines to accomplish our goals. But I can tell you that asking for help seems tougher than the hike itself," Mr. Callaghan said.

For more information about Hike For Humanity, you can go to the web or Facebook and search HikeForHumanity3, or call the Hike For Humanity 3 non-profit at (760) 981-9587.

Hike for Humanity3 16436 Fir Street Hesperia, CA 92345 (760)-981-9587

FUNDRAISING FOR THE WOUNDED WARRIOR PROJECT



Donation link:

<https://fundraise.woundedwarriorproject.org/RTT/Fundraising/individual/248917>

53

Facts:

- For every US soldier killed in World Wars I and II, there were 1.7 soldiers wounded. In Operation Iraqi Freedom and Operation Enduring Freedom, for every US soldier killed, seven are wounded.
- Combined, over 48,000 servicemen and women have been physically injured in the recent military conflicts.
- In addition to the physical wounds, it is estimated as many as 400,000 service members live with the invisible wounds of war including combat-related stress, major depression, and post-traumatic stress disorder
- Another 320,000 are believed to have experienced a traumatic brain injury while on deployment.

May 27, 2016 06:00

City Hall Hesperia, Ca 92345



"Everyone Can Help Someone"

HIKE FOR HUMANITY 3

16436 Fir Street Hesperia, CA 92345

760-981-9587 | hikeforhumanity3@gmail.com |

FUNDRAISING FOR THE AVON BREAST CANCER FOUNDATION



Donation link:

http://info.avonfoundation.org/site/TR/DIY/General?px=7920941&pg=personal&fr_id=2350

Facts:

- One in eight women will be **diagnosed** with breast cancer in their lifetime.
- Breast cancer is the second leading cause of death among women
- Although **breast cancer in men** is rare, an estimated 2,150 men will be diagnosed with breast cancer and approximately 410 will die each year
- Each year it is estimated that over 220,000 women in the United States will be diagnosed with breast cancer and more than 40,000 will die.

May 27, 2016 06:00

City Hall Hesperia, Ca 92345

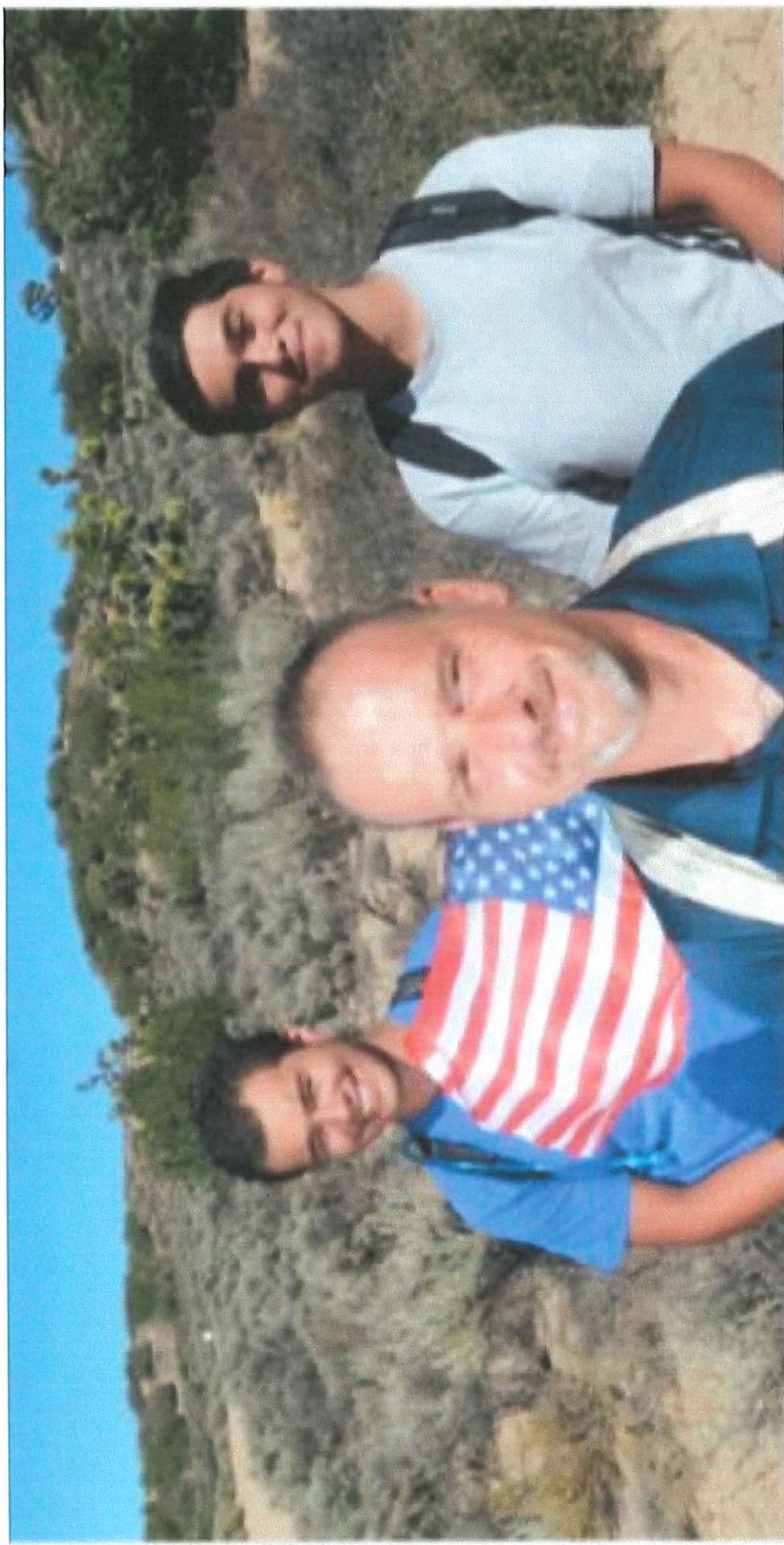


"Everyone Can Help Someone"

HIKE FOR HUMANITY 3

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Local men to walk for charity

"I don't know if we each have a destiny, or if...

hesperiarstar.com

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Kess Family Foundation

Special Thanks in Donations from:

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Antonio Pintado, Private

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U.S.M.C. Sgt. Campbell Recruiter Victorville, Ca

U.S. Airforce Recruiters Victorville, Ca

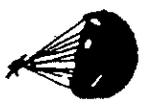
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City of Adelanto Energy Efficiency Program

August 12, 2015



WHO WE ARE



Alliance Building Solutions, Inc.

- Leading provider of energy services and mechanical solutions
- Headquarters in San Diego, CA
- Sales offices and strategic partner locations in LA County, Orange County and Riverside County
- 125 Employees
- Turn-Key Installation and Engineering Services of Energy Modernization Projects



WHAT WE DO



ENERGY SERVICES

- Guarantee Solutions
- Self-funding Solutions
- HVAC/Lighting Modernization
- Water Conservation
- Continuous Commissioning
- Sustainability Solutions
- Financial/Leasing Solutions
- Telecommunications Leases/Purchases



WHY ABS ?

- Privately Owned vs. Publicly Traded
- Driven by the customer – not the shareholder
- Direct wholesale pricing
- Self-performed installation
- ASHRAE Level II Energy Audits
- Expedited project design & implementation
- Validated by actual utility bills
- 24/7 building operation & utility usage monitoring

ENERGY CONSERVATION MEASURES

Building Automation Systems (BAS)

- New BAS installations
- Integrating existing BAS
- BAS Occupancy Control
- BAS Energy Dashboard

Building Envelope

- Window systems
- Door systems
- Roofing systems
- Wall Insulation
- Weather Stripping

HVAC Systems

- Central plants
- Central plant optimization
- HVAC Equipment
- Variable frequency drives (VFDs)
- Demand control ventilation (CO₂)
- HVAC Economizer installation
- Piping system retrofits
- Air handling systems retrofits

Renewable Energy

- Solar photovoltaic
- Solar thermal

Lighting Systems

- LED lighting (Street Lights)
- Interior & Exterior lighting
- Day light harvesting
- Occupancy sensors
- Street Light Controls (Wireless)

Water Management

- Waterless urinals
- Momentary sinks
- Irrigation system retrofits
- Irrigation control

Other Systems

- CCTV security system
- Intrusion security system
- Oil recycling programs
- Computer power management
- kW Demand Load Shedding (Tesla)
- Paradox Technologies

Energy Education & Training

- Classroom curriculum
- Dedicated on-site resources
- City-wide energy policy & procedures
- Energy kiosks



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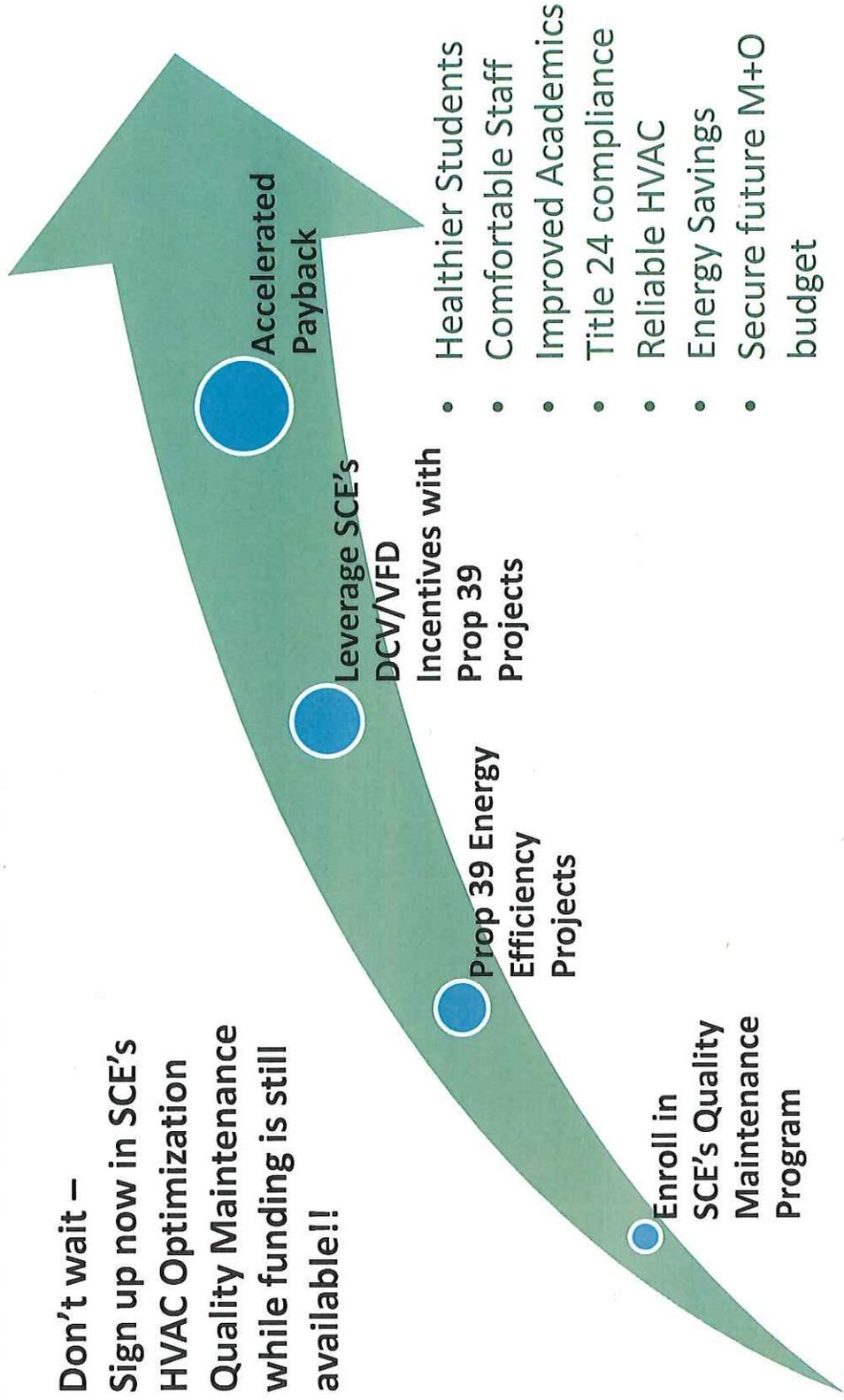
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 while funding is still
 available!!



QUESTIONS?

Brad Chapman
(858) 900-5305
brad@abs.energy





MINUTES OF THE
JOINT REGULAR MEETING
OF THE ADELANTO CITY COUNCIL,
ADELANTO PUBLIC UTILITY AUTHORITY,
ADELANTO COMMUNITY BENEFIT CORPORATION,
AND THE SUCCESSOR AGENCY BOARD

JULY 22, 2015

A. CALL TO ORDER – CLOSED SESSION

The Adelanto City Council held a Closed Session on Wednesday, July 22, 2015, in Conference Room 1 of the Governmental Center located at 11600 Air Expressway, Adelanto, California. Mayor Kerr called the meeting to order at 5:33 p.m.

Council Members present: Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr

Staff present: Interim City Manager Herrera, City Attorney Litfin, and Assistant City Clerk Lopez.

B. ANNOUNCEMENT OF CLOSED SESSION ITEMS

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 SUBDIVISION (d)(2).

TWO CASE(S) WHERE, IN THE OPINION OF THE CITY COUNCIL BASED ON ADVICE OF THE CITY ATTORNEY, BASED ON EXISTING FACTS AND CIRCUMSTANCES, THERE IS A SIGNIFICANT EXPOSURE TO LITIGATION AGAINST THE CITY.

- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(4).

ONE CASE(S) WHERE, IN WHICH THE CITY COUNCIL IS DECIDING WHETHER TO INITIATE LITIGATION.

- 3. PUBLIC EMPLOYMENT: GOVERNMENT CODE SECTION 54957:

Title: Interim Finance Director

- 4. PUBLIC EMPLOYMENT: GOVERNMENT CODE SECTION 54957:

Title: Interim City Manager

5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

(1) Property: APN 3128-221-23

Agency Negotiator on Property: Todd O. Litfin, City Attorney

Negotiating Parties: to be determined

Under Negotiation: Price and Terms of Payment

(2) Properties: APNS 3128-221-21, 3125-221-22, 3128-221-18 and 3128-221-19

Agency Negotiator on Property: Todd O. Litfin, City Attorney

Negotiating Parties: to be determined

Under Negotiation: Price and Terms of Payment

6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

(1) Property: APN 0459-221-01 & 02

Agency Negotiator on Property: Todd O. Litfin, City Attorney

Negotiating Parties: to be determined

Under Negotiation: Price and Terms of Payment

(2) Properties: APNS 0459-181-02,63,30

Agency Negotiator on Property: Todd O. Litfin, City Attorney

Negotiating Parties: to be determined

Under Negotiation: Price and Terms of Payment

C. PUBLIC COMMUNICATION ON CLOSED SESSION ITEMS

David Fluehert: He thanked the council for their time, effort, and patience through these litigations.

D. CONVENE INTO CLOSED SESSION

The Chair called for a motion to enter into Closed Session 5:36 p.m.

MOTION: Moved by Glasper, seconded by Mayor Pro Tem Wright.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

E. CALL TO ORDER – REGULAR MEETING

Mayor Kerr reconvened the regular meeting at 7:10 p.m.

Council Members present: Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr

Staff present: Interim City Manager Herrera, City Attorney Litfin, and Assistant City Clerk Lopez.

Invocation by: Johnny Salazar

The flag salute was presented by Mayor Kerr.

F. CONFLICT OF INTEREST

None.

G. CONDUCT OF CLOSED SESSION

City Attorney Litfin stated there was no reportable action.

H. DELETIONS/ADDITIONS TO AGENDA

City Attorney Litfin stated that there are revisions to the Consent Calendar no. 7.

He also stated that there are revisions to the contract for Interim City Manager that include a 3 month review, compensation and longevity under city regulation, and 30 day notice upon resignation.

I. PRESENTATIONS

1. Presentation by Interim City Manager Herrera to the Employee of the Quarter

John Poole received Employee of the Quarter

2. Presentation from Non-Profit group Swapping Mama's.

See Attachment A

Wright explained he has met with this group. He likes naming it the Unity Center and believes this building should be used for the community.

J. PUBLIC COMMUNICATIONS

1. Shad Boyd: Shad thanked the Mayor with helping with the theft and burglary issue in his neighborhood. He is disappointed that the police cannot do anything and he felt that he needs more protection.
2. Terry Delgado: He is proud of the City with it finally moving forward. He sees that Code is making a difference with cleaning up the neighborhoods. He thanked the Mayor and council for him being able to speak at the meetings.
3. Maggie Airy: She had an issue with the strong Mayor idea. She believed the Council is making excuses. It was recognized that this idea would not be effective until next election.
4. Ed Huston: He thanked the Mayor, Mark, and Code Enforcement. He knows the Council stuck to their word and visited his property. Though, Code Enforcement still has two citations for him. Ed will not comply due to the American Disability Act.
5. Kimberly Reeves: She is disappointed in the press that is circulating about the City of Adelanto. She appreciates that the City is making internal cuts before taxing the public.

6. Norma Gonzalez: She believes the articles are unfortunate and understand every City has issues. She will stand by the Council no matter what.
7. Ernesto Marines: He believes the press was unfortunate and still supports the council. He has continued issues with CFD's and believes the taxing should not being double dipping in only particular communities.
8. John L. Craiglow: He thought the article produced was a little overboard. He believes the City has enough problems and supports the new Council. He thinks that the higher up power should work better with the Council because they are the public's representative.
9. Rachel Carranza: She has worked with the City of Adelanto for 17 years and took a voluntary lay-off. She has issues with this because in the following weeks, raises were being distributed. She had not received a raise since 2006 and has a large issue with this.
10. Deonti Lee: Before he goes to college he would like to take a bridge year and visit Brazil. He asked for donations for and apprenticeship for environmental sustainability. He would like to educate the community's school when he returns.
11. Belen Cordero: She came to clarify the rumors. She is dealing with the public and has issues with constantly being asked about these rumors. She says she was targeted along with multiple other employees. She believes she is being harassed and has emails to prove it. She states that Mayor Pro Tem Wright doesn't have stability.
12. Joy Jeannette: She is disappointed with her revenue from the fireworks stand but is happy they did it for the senior citizen. They would like to do this again. She has issues with 11153 Crippen properties. She has her houses flooded due to the water reservoir from the apartments off of Bellflower. This is causing debris on the properties in the neighborhood.
13. John Salazar: He has been a resident since 1973 and used to be able to talk to the Council about anything. He is proud that the council is improving the city. He wants everyone to work together. He does not want to lose this City.

K. CONSENT CALENDAR

MOTION: Moved by Woodard seconded by Mayor Pro Tem Wright to approve the Consent Calendar with removal of no. 8 and 9A and amending no. 7.

1. Motion waiving the full reading of all ordinances and resolutions. Titles for ordinances and resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.

2. Approval of Adelanto Public Utilities Sewer Report.
3. Approval of Adelanto Public Utilities Water Report.
4. Approval of Business License Department Report.
5. Approval of Fire Department Report.
6. Approval of Code Compliance Department Report.
7. Approval of Interim City Manager Contract.
8. **Approval of Agreements regarding Cash-out of Lifetime Medical Benefits.
REMOVED FOR DISCUSSION**
9. Approval of Warrant:
 - a. **Approval of City of Adelanto Warrant, 15/16-02-01, 132752 through 132828, for the total amount of \$664,622.81. ***REMOVED FOR DISCUSSION*****
 - b. Approval of Adelanto Electronic Fund Transfers, 15/16-02-01, 79 through 79, for the total amount of \$103,747.03.
 - c. Approval of City of Adelanto Water Authority, 15/16-02-01, 27227 through 27238, for the total amount of \$226,702.34.
 - d. Approval of Adelanto Water Authority Utility Deposit Refunds Warrant, 5/16-02-01 26695 through 26741, for the total amount of \$5,828.47.
 - e. Approval of Adelanto Public Utility Authority Warrant, 15/16-02-01, 3453 through 3469, for the total amount of \$110,820.48.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

L. CONSENT CALENDAR OF THE SUCCESSOR AGENCY BOARD

1. APPROVAL OF WARRANT:
 - a. Approval of The Successor Agency Board Warrant, 15/16-02-01, 7923 through 7923, for the total amount of \$950.00

MOTION: Moved by Camargo, seconded by Mayor Pro Tem Wright.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

M. PUBLIC HEARING

1. **PUBLIC HEARING:** OPEN PUBLIC HEARING AND APPROVE APUA RESOLUTION NO. 1 APPROVING THE WATER AND SEWER STANDBY CHARGES. (LARRY)

RECOMMENDATION: Approve APUA Resolution 15-04 approving the Water and Sewer Standby Charges on vacant parcels of land within the City Limits for Fiscal Year 2015/16.

APUA RESOLUTION NO. 15-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ADELANTO PUBLIC UTILITY AUTHORITY PROVIDING FOR THE COLLECTION OF WATER AND SEWER STANDBY FEES BY THE COUNTY TAX COLLECTOR AT THE SAME TIME AS AND TOGETHER WITH THE GENERAL TAXES OF THE CITY

Sr. Management Analyst Jarvis presented the report. He recommended to approve the adoption of resolution of 15-04 since it is on vacant parcels in city limits and is an ongoing levy that we have been assessing since 1996.

Mayor Pro Tem Wright said people have issues with the fees and is not sure as to what it is being used on.

City Attorney Litfin said it is for citizen's water and sewer on vacant lands.

If the resident wants to eventually develop on this parcel, they can tap into the water and sewer. The fee is a standby charge.

Council Member Woodard asked if revenue over the years has been used or has it been sitting in a bank.

When the sewer treatment plan was created, the capacity is created with these fees.

Mayor Kerr said they are paying a yearly cost; it won't increase and are just voting to carry it on.

Mayor Pro Tem Wright asked if it is in the bond proceeding in the stipulations.

Assistant Director of Finance Martinez said the revenue is in the debt ratio. It is \$550K for

water \$350K for sewage. It is for debt coverage and the tax is priced per acre.

The Chair opens to Public Hearing at 8:14 p.m.

Joy Jeannette: She said she has been paying the sewer availability and has receipts over the years. She has an issue that is not available to her. She had to have a new unit put in because she could not utilize the hook up that is down the street.

Mayor Kerr explained that this fee is for vacant land that has not been developed yet.

Joy Jeannette stated that she has vacant land between houses and she still doesn't see it, but they are still doing a great job.

The Chair closes Public Hearing at 8:15 p.m.

MOTION: Moved by Camargo, seconded by Glasper to approve APUA Resolution No. 15-04 approving the Water and Sewer Standby Charges.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

2. **PUBLIC HEARING:** OPEN PUBLIC HEARING AND APPROVE RESOLUTIONS 15-30 AND 15-31 RELATED TO THE LEVY AND COLLECTIONS OF ASSESSMENTS FOR THE ADELANTO STREETLIGHT MAINTENANCE ASSESSMENT DISTRICT NO. 1 FOR THE FISCAL YEAR 2015-16. (LARRY)

RECOMMENDATION: Open a public hearing and approve Resolutions 15-30 and 15-31 as presented to approve the Engineer's Report and levy and collection of assessments for the Adelanto Streetlight Maintenance Assessment District No. 1 for the Fiscal Year 2015-16.

RESOLUTION NO. 15-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS RELATED TO THE ADELANTO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 01, FOR FISCAL YEAR 2015-2015.

AND

RESOLUTION NO. 15-31

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ADELANTO, CALIFORNIA, APPROVING THE
ENGINEER'S REPORT FOR THE ADELANTO
LANDSCAPE MAINTENANCE ASSESSMENT
DISTRICT NO. 01, FOR FISCAL YEAR 2015-2016.

Sr. Management Analyst Jarvis said in October of 2005 6 housing tracks were included in this assessment district. This is a total of 527 lots and is for lights and landscaping for existing developments.

Council Member Camargo asked if this was for new developments or current developments.

City Attorney Litfin stated this is purely for street lights and maintenance. This is for the current developments.

Council Member Woodard had a question as to current developments already having these assessments included into their charges. He wondered if new developments are to be created if they will include them as well in property taxes.

Sr. Management Analyst Jarvis stated this is for ongoing maintenance and not for new developments. It was also stated that there are separate fees.

Council Member Woodard also asked if these locations are being up kept properly due to these fees.

Mayor Pro Tem Wright explained that these districts are in the north side and is aware that some areas are not up kept.

Assistant Director of Finance Martinez said the maintenance is for the electricity assessment and bulb replacement. She noted that they are not fully recuperated from the cost of Edison's electric payments and they continue to go up.

The Chair opens to Public Hearing at 8:38 p.m.

Resident: He spoke about the water maintenance and believes we should take out the green walk. It would save money to replace it with concrete

Melody Rogers: She asked what happens to the money and wanted clarity on it.

Resident: He questioned why the prisoners were not doing landscaping anymore. They could not afford the comp cost.

The council explained they only did city landscape.

The resident then wondered if this resolution was for only particular sections of the community.

The Chair closes Public Hearing at 8:40 p.m.

It was stated that they need a Prop. 2-18 in order to raise the fees.

MOTION: Moved by Glasper, seconded by Woodard to approve Resolution 15-13- and 15-31 as presented.

Motion carried 4-1. (Camargo, Glasper, Woodard, Mayor Kerr voting yes). (Mayor Pro Tem Wright voting no.)

3. **PUBLIC HEARING:** OPEN PUBLIC HEARING OPEN PUBLIC HEARING AND APPROVE RESOLUTIONS 15-32 AND 15-33 RELATED TO THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE ADELANTO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2015-16. (LARRY)

RECOMMENDATION: Open a public hearing and approve Resolutions 15-32 and 15-33 as presented to approve the Engineer's Report and levy and collection of assessments for the Adelanto Landscape Maintenance Assessments District No. 1 for the Fiscal Year 2015-16.

RESOLUTION NO. 15-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, APPROVING THE ENGINEER'S REPORT FOR THE ADELANTO STREETLIGHT MAINTENANCE ASSESSMENT DISTRICT NO. 01, FOR FISCAL YEAR 2015-2016.

AND

RESOLUTION NO. 15-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS RELATED TO THE ADELANTO STREETLIGHT MAINTENANCE ASSESSMENT DISTRICT NO. 01, FOR FISCAL YEAR 2015-2016.

The Chair opens to Public Hearing at 8:31 p.m.

Terry Delgado: He suggested that we make the lights in the city solar because it would be cost effective.

Mayor Kerr explained that they have been in contact with a solar company. That company did work in Hesperia. Adelanto has a meeting next week for the plan for that.

The Chair closes Public Hearing at 8:34 p.m.

Conservation Specialist Cordero said there is a partnership is Southern California Edison and the city is looking into grants for ideas such as solar panels and lighting projects.

MOTION: Moved by Camargo, seconded by Woodard to approve Resolution no. 15-32 and 15-33 as presented.

Motion carried 4-1. (Camargo, Glasper, Woodard, Mayor Kerr voting yes). (Mayor Pro Tem Wright voting no.)

4. **PUBLIC HEARING:** OPEN A PUBLIC HEARING AND ADOPT RESOLUTION 15-29 ORDERING THE LEVY AND COLLECTION OF SOLID WASTE CHARGES ON THE PROPERTY TAX ROLL FOR FISCAL YEAR 2015-16

RECOMMENDATION: Staff recommends to open a public hearing and adopt Resolution 15-29 ordering the levy and collection of solid waste charges on the property tax roll for Fiscal Year 2015-16.

RESOLUTION NO. 15-29

A RESOLUTION OF THE ADELANTO CITY COUNCIL,
PROVIDING FOR THE LEVY AND COLLECTION OF
SOLID WASTE FEES BY THE COUNTY TAX
COLLECTOR IN THE SAME MANNER AND AT THE
SAME TIME AS GENERAL TAXES.

Sr. Management Analyst Jarvis stated the process of assessing the trash services is on the property tax that is ongoing since 2011.

It was negotiated on the property tax because Burrtec gets more this way and it helps the City.

Mayor Pro Tem Wright discussed how the trash bins should be increased due to the recycling and trash is getting mixed together.

Mayor Kerr said the City is losing money for recycling when people throw regular trash in the recycling.

The Chair opens to Public Hearing at 8:44 p.m.

Terry Delgado: He went through work with trash companies and believes the city should have their own trash company and not go through Burrtec. The main focus is money coming into the City.

Council Member Woodard said Burrtec pays a franchise fee to the City every year.

Terry Delgado believes we will make more money having an in City trash company

Council Member Woodard asked where the money would come from to pay for it.

Terry Delgado had the idea to borrow it.

Mayor Pro Tem Wright stated the contract will Burrtec will last until 2022.

Joy Jeannette: She said that Burrtec is well connected with the community and help with senior citizens. She believes they are needed here and proud of them.

Resident: He said the contract is wrong and can renew every 3 years

The Council stated that the contract for Burrtec is until 2022.

The Chair closes Public Hearing at 8:51 p.m.

MOTION: Moved by Mayor Pro Tem Wright, seconded by Camargo.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

5. **REVISED AMENDMENT TO LOCATION AND DEVELOPMENT PLAN 08-03, CONDITIONAL USE PERMIT 14-02, LCS HOLDINGS, LLC PROPOSES TO REVISE THE CONDITIONS OF APPROVAL FOR A PREVIOUSLY APPROVED AMENDMENT OF LOCATION AND DEVELOPMENT PLAN 08-03, CONDITIONAL USE PERMIT 14-02 WHICH IS A PROPOSAL TO REPLACE 2,559,597 SQUARE FEET OF WAREHOUSE WITH A 3,274 BED PRISON ON 125 ACRES OF LAND. THE PROJECT IS LOCATED ON THE NORTHEAST CORNER OF VIOLET ROAD AND EMERALD ROAD. (MARK)**

RECOMMENDATION: Staff recommends that Council adopt resolution 15-34 adopt findings and approve, Revised Amendment to Location and Development Plan 08-03, Conditional Use Permit 14-02.

RESOLUTION NO. 15-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, CALIFORNIA, MAKING FINDINGS, APPROVING PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL FOR REVISED AMENDMENT TO LOCATION AND DEVELOPMENT PLAN 08-03, CONDITIONAL USE PERMIT 14-02, REVISING THE CONDITIONS OF APPROVAL FOR A PREVIOUSLY APPROVED PROJECT TO REPLACE 2,669,597 SQUARE FEET OF APPROVED WAREHOUSE WITH A 3,264 BED PRISON ON 125 ACRES OF LAND LOCATED ON THE NORTHEAST CORNER OF VIOLET ROAD AND EMERALD ROAD WITHIN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, CALIFORNIA. APN'S 0459-841-09 THRU 15

Senior Planner De Manincor explained that the original project was a 435 acre project on the south side for warehousing development. It has been sitting since 2009. A new idea was proposed to build a LA county prison. With the amendment in place, there is a condition if they didn't purchase in time the amendment goes back to the original project. There is talk about extending the purchasing deadline and only changing it the language of the approval. The Council wanted to add an additional condition that the agreement remains in full affect.

The Chair opens to Public Hearing at 8:55 p.m.

Doctor Crants: He presented the only change being made. The landowner wants the project to be finished as soon as possible. He was asked to put this language in because he believed it was a reasonable time to get things done. He wants an extension December 31, 2015. He explained his concern with LA county being unaware of optimal population this prison will entail. In his presentation, he explains the numbers of what is constitutional for a jail population.

Council Member Woodard wondered if Dr. Crants he could go before a City Council to get all the authority together to get an answer.

Doctor Crants does not believe that would be effective because he needs to speak with the members of the board personally.

Council Member Woodard asked if it is mandated that they are tearing down the particular jail that will be replaced with Adelanto.

Doctor Crants said they have possibly up to 5 years and said it was violent and dangerous and should take it down soon. They need to figure out what is best. Adelanto can expand and put in programming space and won't be crammed in a high rise.

Council Member Woodard wondered if the board members are purposely avoiding him.

Doctor Crants explained that they are just trying to gather facts before approaching the idea.

Mayor Pro Tem Wright explained that he has told the council that this project would be started. It was stated that it was LA county's project, not the city. He was upset that there was no follow through after all this time.

Doctor Crants explained to Wright that he only anticipated it, it was not definite. If LA was not interested, there would be no project in play. He states if he does not have this started by December 31, 2015, they can choose to not approve the extension.

Mayor Kerr explained that Doctor Crants had high ranking people to advocate for this prison. He was there and gave praise to him for the job he did.

Joy Jeannette: She had a question for Dr. Crants as to the average jail time with these prisoners coming in.

Doctor Crants responded with 3 to 4 years due to California state laws. The non-serious, non-violent, and non-sexual will be placed there.

She explained that there is a positive change in the City and has concerns that a prison will bring negativity to the city. She gave an example of families moving close to the prison to be with their loved ones.

Shad Boyd: He agreed that family of prisoners move to be closer to them. He stated that they usually do not move. He believes Dr. Crants is wrong with regards to people staying in LA.

Mayor Kerr talked about how there will be transportation from LA for visitors to go to this particular jail.

Doctor Crants explained the main focus of this hearing has to do with an extension. He also mentioned that these non-violent, non-serious, and non-sexual felons are released in LA County for parole. There will only be one bus for visitation every day. The family cannot drive themselves to visit. This facility will also incorporate web chat visits for people who cannot travel.

Melody Rogers: She does not agree with this. She believes they should be able to live here and visit.

Council Member Glasper believes that they go to jail to become an upright citizen. He think it is a problem that they cannot start over their lives.

The Chair closes Public Hearing at 9:43 p.m.

Council Member Woodard stated that they got elected over a Fiscal Emergency. The focus of the council is to get money for the city.

MOTION: Moved by Glasper, seconded by Woodard to approve the revised amendment to location and development plan 08-03, conditional use permit 14-02

Motion carried 4-1. (Camargo, Glasper, Woodard, Mayor Kerr voting yes). (Mayor Pro Tem Wright voting no)

N. ITEMS REMOVED FROM THE CONSENT CALENDAR

**8. Approval of Agreements regarding Cash-out of Lifetime Medical Benefits.
REMOVED FOR DISCUSSION**

City Attorney Litfin explained that the City had a program for life time medical benefits for people employed for 10 years over the age of 50. It was removed and now the retirees can cash out of their benefits.

Council Member Camargo asked if they can just approve one.

Mayor Pro Tem Wright wanted to know if there was any savings to the City.

City Attorney Litfin stated that generally there would be no significant net savings.

Council Camargo wanted to see about a negotiation with Mr. Price.

MOTION: Moved by Camargo, seconded by Woodard to approve Ms. Wilky's \$14,000.00 cash out.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

City Attorney Litfin got direction from the Council to pull Mr. Price's offer.

9. Approval of Warrant:

- a. **Approval of City of Adelanto Warrant, 15/16-02-01, 132752 through 132828, for the total amount of \$664,622.81. ***REMOVED FOR DISCUSSION*****

Mayor Pro Tem Wright questioned the treatment and cost of the animals. He was unsure of the extra costs. There is a discussion of total animals being housed for the Adelanto's cost. Animals found in a certain locations need to go to shelters within that jurisdiction.

MOTION: Moved by Woodard, seconded by Camargo to approve Warrants as presented.

Motion carried unanimously 5-0. (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes).

O. CITY MANAGERS ANNOUNCEMENTS AND/OR REPORTS

Interim City Manager Herrera announced A bloodhound will become a new law enforcement official and serve the Victor Valley area. She will be sworn in at a Maverick Game on August 14, 2015.

P. CITY COUNCILS ANNOUNCEMENTS AND/OR REPORTS

Council Member Woodward stated there is a possibility of a basketball camp with some NBA players coming to a High School. Students will receive free Nike shoes and a t-shirt.

Council Member Camargo commented to the City Manager about the EOC. There are positions that are terminated and no one can run it. There is also no money to spend to hire them.

Mayor Pro Tem Wright attended the Desert Valley Leadership meeting. The state representative and gave information that will affect the community. He attended the VVTA meeting in which Barstow was added on to the transit list. There is now a 7 member board for VVTA. It will commute down the hill and to Barstow. He had one issue with a comment of a citizen. He was a pastor for 10 years and constantly travelled to different churches. He emphasized his community involvement. He just wants to do his part and excel at his job. He wants to stay here to finish his obligation to this community. He spoke about the money deficit. He believes the city can use a volunteer program to further education and help save money.

Mayor Kerr emphasized how there are things moving quickly in Adelanto and looks forward to seeing change. Explains Captain Greg Herbert will come out of swat to become an addition to our police for. Captain Brown will be leaving to further his education and do more for his career. Kerr thanked Cindy Herrera for the great work she has been doing.

Q. ADJOURNMENT

The next Regular Meeting of the City Council will be held on August 12, 2015, at 7:00 p.m. unless a Special Meeting is called.

There being no further business the Chair entertained a motion to adjourn the meeting at 10:29 p.m.

MOTION: Moved by Camargo, seconded by Mayor Kerr.

Motion carried unanimously 5-0 (Camargo, Glasper, Woodard, Mayor Pro Tem Wright, Mayor Kerr voting yes.)

Rich Kerr, Mayor

Cindy Herrera, City Clerk, MMC

Clerk of the Meeting: Brenda Lopez, Assistant to the City Clerk
Prepared by: Jordyn Thomas, Intern
Reviewed by: Cindy Herrera, City Clerk

Another Level For Women
July 15, 2015

Proposal for

The Unity Center - Adelanto

Prepared For: Adelanto City Council, located at 11600 Air Expressway Adelanto, California 92301

Prepared by: Another Level For Women, Swapping Mamas –Projects of High Desert Community Foundation

Description: Another Level For Women and Swapping Mamas is seeking to bring a coalition of non-profit organizations to provide services to the residents of Adelanto. This group, "The Unity Center – Adelanto", will provide collaborative services.

Needs/Problems

- There is a need in the City of Adelanto for resources to the community from local non-profits to address the areas of **human services, public education, and economic development**; Immediate Need, Homelessness, and Hunger.

Goals/Objectives

- Bring collaborative services to the City of Adelanto
- Support Families in the Adelanto community
- Promote a positive image of the City of Adelanto

Procedures/Scope of Work

The Unity Center – Adelanto, will provide direct services such as training programs, support groups, client care, youth programs and educational programs. These programs will benefit members of the community in which the organization is located. Public education will involve media advertising, publications, school programs, and awareness events will be hosted in the City of Adelanto, and advertised throughout the High Desert and Southern California.

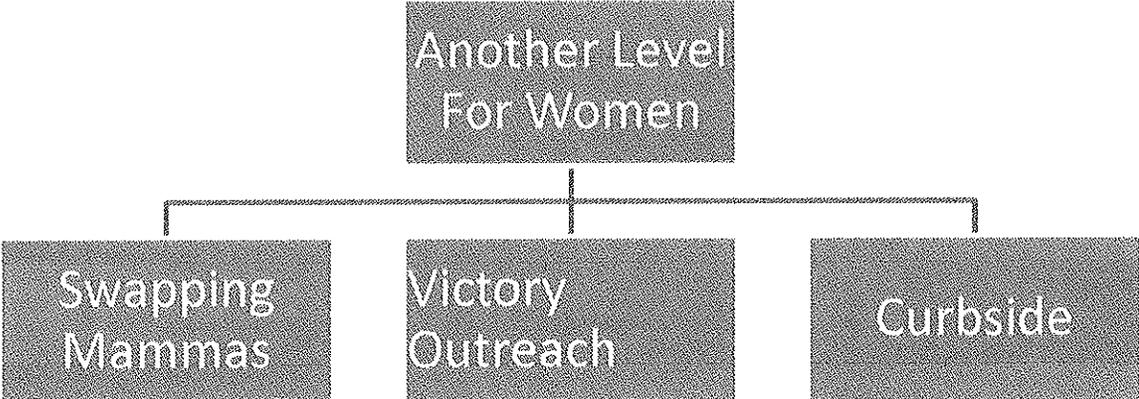
Proposal

Another Level For Women and Swapping Mamas is proposing to the City of Adelanto the following agreement:

- Use of the Community Center Building located at 1555 Cortez Avenue, Adelanto California to house The Unity Center- Adelanto.
- A 10 year lease that would include (first) year 1 free rent, year 2 rent payment of \$100 per month, year 3 – 10 \$300 per month. The Unity Center-Adelanto will provide all building upgrades to accommodate ADA compliance, maintain the building, and pay all utility bills, year 1- 10.
- The Unity Center – Adelanto will advertise, market, and promote the City of Adelanto to the wider community throughout San Bernardino County and Southern California

Key Organizations

Listed are the key organizations that will be responsible for implementation of the project, as well as other organizations involved in the project.



Partial list of Potential Collaborative Non-profits

Moses House Ministry

Rescue Mission

The Lighthouse of Restoration

Family Assistance Program

A Better Way – Domestic Violence



CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: March 9, 2016

TO: Honorable Mayor and City Council Members

FROM: Cindy Herrera, Interim City Manager

BY: Mark de Manincor, Senior Planner

SUBJECT: DEVELOPMENT SERVICES REPORT FOR FEBRUARY 2016

STAFF RECOMMENDATION

Receive and file the Development Services Department Monthly Report for February 2016.

BACKGROUND

See attachments.

FISCAL IMPACT

See attachments.

ATTACHMENTS:

1. Activity Report February 2016
2. Financial Report February 2016



Development Services Department
Planning Division

March 9, 2016

Subject: Monthly Development Services Activity Report for February 2016.

PROPOSALS CONSIDERED BY THE PLANNING COMMISSION:

1. Location and Development Plan 15-03, Conditional Use Permit 15-02, GEO 1,000 bed prison.
2. Code Amendment 16-01 amending Chapter 17.165 Nonconforming Uses and Structures.

PROPOSALS CONSIDERED BY THE CITY COUCL:

1. None.

PROJECTS REVIEWED BY THE DEVELOPMENT REVIEW COMMITTEE:

1. LDP 16-01, CUP 16-01, Genex Trading, 10,000 square foot cultivation facility.
2. LDP 16-02, CUP 16-02, Newco Trading, 10,000 square foot cultivation facility.
3. CUP 16-03, HD Biotech, 34,000 square foot cultivation facility.

GEOGRAPHIC INFORMATION SYSTEMS PROJECTS:

1. Miscellaneous Exhibits.

NEW PROJECTS:

1. Business License Review 16-02, Ammie Hiners, Resource Center, 11555 Cortez Avenue.
2. Business License Review 16-03, Maria Soto, Bakery, 12014 Air Expressway.
3. Home Occupation Permit 16-03, Ezequiel Moreno, Air Duct Testing, 15138 Ivy Court.
4. Home Occupation Permit 16-04, Ronald White, Security Services Office, 11406 Highland Court.
5. Home Occupation Permit 16-05, Wendy Wilson, Record Keeping, 10577 Wakefield Street.
6. 3rd Extension of Time Tentative Tract Map 16916, United Engineering Group, 156 Lots.
7. 3rd Extension of Time Tentative Tract Map 16918, United Engineering Group, 75 Lots.
8. Signs 16-01, Fast Signs, New Life Medical, 11965 Cactus Road.
9. Location and Development Plan 16-01, Mike Pontious for Genex Trading, 9,900 square foot Industrial Building, Lot 1, Raccoon Court.
10. Conditional Use Permit 16-01, Mike Pontious for Genes Trading, 9,900 square foot cultivation facility.

11. Location and Development Plan 16-02, Mike Pontious for Newco Trading, 9,900 square foot Industrial Building, Lot 7, Raccoon Court.
12. Conditional Use Permit 16-02, Mike Pontious for Newco Trading, 9,900 square foot cultivation facility.
13. Conditional Use Permit 16-03, Katherine Hall for HD Biotech, Inc., 34,000 square foot cultivation facility, 10042 Rancho Road.

SPECIAL STUDIES/PROJECTS:

1. None.



City of Adelanto
Development Services Department
Monthly Financial Report
Feb-16

	<u>YTD</u> <u>APPLICATIONS</u> <u>FEBRUARY 2016</u>				<u>LAST YTD</u> <u>APPLICATIONS</u> <u>FEBRUARY 2015</u>	<u>LAST YTD</u> <u>MONIES</u> <u>FEBRUARY</u> <u>2015</u>
	New Applications	New Deposits	New Applications YTD	New Deposits YTD	New Applications	Deposits
Conditional Use Permits	3	\$8,205.00	3	\$8,205.00	1	\$2,735.00
Extensions of Time	2	\$1,380.00	2	\$1,380.00	0	\$0.00
General Plan Amendments	0	\$0.00	0	\$0.00	1	\$2,220.00
Home Occupation Permits	3	\$285.00	5	\$475.00	2	\$95.00
Location and Development Plans	2	\$2,140.00	2	\$2,140.00	1	\$1,070.00
Medical Marijuana Cultivation Permit	0	\$0.00	2	\$14,000.00	0	\$0.00
Minor Conditional Use Permit	0	\$0.00	0	\$0.00	0	\$0.00
Misc	0	\$0.00	0	\$0.00	0	\$0.00
Location and Development Plans - MOD	0	\$0.00	0	\$0.00	0	\$0.00
Landscape Plan Check	0	\$0.00	0	\$0.00	0	\$0.00
Zoning Letters	0	\$0.00	1	\$255.00	0	\$0.00
Preliminary Reviews	0	\$0.00	1	\$255.00	0	\$0.00
Sign Permits	1	\$275.00	1	\$275.00	0	\$0.00
Temporary Use Permits	0	\$0.00	0	\$0.00	1	\$275.00
Tentative Parcel Maps	0	\$0.00	0	\$0.00	1	\$2,630.00
Tentative Tract Maps	0	\$0.00	0	\$0.00	0	\$0.00
Zone Changes	0	\$0.00	0	\$0.00	1	\$0.00
Environmental Fees	3	\$4,140.00	3	\$4,140.00	1	\$1,380.00
New Business Review	3	\$300.00	4	\$400.00	2	\$200.00
TOTAL	17	\$16,725.00	24	\$31,525.00	11	\$10,605.00

*Misc. includes Certificates of Compliance, Lot Line Adjustments, Lot mergers, Minor Variance, Major Variances zoning letters and other occasional applications

*Misc. MHC

City of Adelanto
Community Development Department
Monthly Activity Report
Feb-16

Customer Service	Monthly Activity		Year-To-Date	Year to Date	LAST YTD	LAST YTD
	Phone Contacts	Counter Contacts	Phone Contacts	Counter Contacts	Phone Contacts	Counter Contacts
January	175	71	175	71	96	51
February	203	94	378	165	162	83
March	0	0	0	0	0	0
April	0	0	0	0	0	0
May	0	0	0	0	0	0
June	0	0	0	0	0	0
July	0	0	0	0	0	0
August	0	0	0	0	0	0
September	0	0	0	0	0	0
October	0	0	0	0	0	0
November	0	0	0	0	0	0
December	0	0	0	0	0	0



CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: March 9,2016

TO: Honorable Mayor and City Council Members

FROM: Cindy Herrera, City Clerk

BY: Patrick Carroll – Interim Building Official 

SUBJECT: BUILDING & SAFETY DEPARTMENT – February 2016.

STAFF RECOMMENDATION:

Staff requests that the City Council approve the monthly Building and Safety Department report for February 2016.

ATTACHMENTS:

1. Monthly Building & Safety Report

Agenda Report (cont'd)

STATUS BY PERMITS ISSUED, PERMIT FEES & VALUATIONS – OCTOBER 2016

PERMITS

MONTH	SFR	NEW COMMERCIAL/MFG/IND	T/I TENANT IMPROVEMENTS	MISC
JULY 2015	0	0	4	64
AUG 2015	0	0	2	70
SEPT 2015	0	0	2	88
OCT 2015	0	0	1	65
NOV 2015	16	0	7	115
DEC 2015	0	0	1	57
JAN 2016	5	0	4	63
FEB 2016	0	0	1	75

NOTE: Miscellaneous permits covers patios, fences, gas test, reroofs, block walls, etc., anything other than the actual construction of a new dwelling or business

Agenda report (cont'd)

PERMIT FEES

MONTH	NEW SFR	NEW COMM/MFG/IND	T/I TENANT IMPROVEMENT	MISC PERMITS	PLAN CHECK
JULY 2015	\$0.00	\$0.00	\$594.00	\$9,142.00	\$3,780.00
AUG 2015	\$0.00	\$0.00	\$504.00	\$9,416.50	\$5,292.00
SEPT 2015	\$0.00	\$0.00	\$588.00	\$11,796.65	\$4,032.00
OCT 2015	\$0.00	\$0.00	\$108.00	\$8,885.00	\$4,956.00
NOV 2015	\$16,955.00	\$0.00	\$1,246.00	\$18,575.00	\$2,856.00
DEC 2015	\$0.00	\$0.00	\$0.00	\$6,356.00	\$3,024.00
JAN 2016	\$6,085.00	\$0.00	\$240.00	\$7,135.00	\$2,856.00
FEB 2016	\$0.00	\$0.00	\$1092.00	\$7,811.00	\$1,512.00

DEVELOPMENT & ASSOCIATED FEE BREAKDOWN: FEB 2016

PERMIT TYPE	SMIP	GREEN	PARK	MASTER DRAINAGE	FIRE	Circulation
Comm/Ind			X	X	X	X
T.I.	\$0.00	\$0.00	X	X	X	X
Misc. Permits	\$29.73	\$24.00	X	X	X	X
NEW SFR	\$0.00	\$0.00	X	X	X	X

Agenda Report (cont'd)

VALUATION

MONTH	SFR	COMMERCIAL/ MFG/IND	T/I TENANT IMPROVEMENT	MISC
JULY 2015	\$0.00	\$0.00	\$0.00	\$496,536.00
AUG 2015	\$0.00	\$0.00	\$66,893.00	\$550,768.00
SEPT 2015	\$0.00	\$0.00	\$6,637.00	\$599,571.00
OCT 2015	\$0.00	\$0.00	\$1,500.00	\$399,101.00
NOV 2015	\$4,525,355.00	\$0.00	\$16,905.00	\$422,000.00
DEC 2015	\$0.00	\$0.00	\$0.00	\$321,312.00
JAN 2016	\$1,539,587.00	\$0.00	\$0.00	\$381,734.00
FEB 2016	\$0.00	\$350.00	\$13,000.00	\$184,300.00

Agenda Report (cont'd)

TOTAL OF FINAL INSPECTIONS

MONTH	Commercial Finals	SFR Finals	Miscellaneous Residential Finals
JULY 2015	2	3	55
AUGUST 2015	3	26	46
SEPT 2015	0	17	54
OCT 2015	1	7	59
NOV 2015	1	6	44
DEC 2015	3	0	37
JAN 2016	5	8	22
FEB 2016	1	10	39



CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: March 9, 2016

TO: Honorable Mayor and City Council Members

FROM: Cynthia M. Herrera, MMC, Interim City Manager

BY: Don Wappler, Assistant Superintendent

SUBJECT: PUBLIC WORKS MONTHLY DEPARTMENT REPORT FOR STREETS, PARKS,
BUILDING FACILITIES AND STADIUM – FEBRUARY 2016

STAFF RECOMMENDATION:

Staff requests the City Council approve the Public Works Monthly Report for February 2016

BACKGROUND:

FISCAL IMPACT:

None

ATTACHMENTS:

1. Monthly report for February 2016

**CITY OF ADELANTO
PUBLIC WORKS DEPARTMENT
BUILDING FACILITIES, STADIUM, STREETS AND PARKS
FEBRUARY 2016**

- **RICHARDSON PARK:** Restrooms are cleaned and restocked daily. Cleaned around play equipment. Removed trash and debris from park. Blew off concrete areas in skate park and weeded skate park. Inspected play equipment. Operated weeded eater to remove weeds around fence line. Trimmed trees, welded bolts on skate ramps due to vandalism.
- **RICHARDSON PARK SOCCER FIELD:** Removed trash and debris from soccer field.
- **RICHARDSON PARK LITTLE LEAGUE:** Removed trash and debris from park. Restrooms are cleaned and restocked daily.
- **CITY HALL:** Reinserted ceiling tiles in City Clerks area, Moved furniture for IT Dept. Water Conservationist, Planning and Engineering Depts., cleaned and weeded front of City Hall, parking lot, planters and trimmed trees. Changed sprinkler timers and installed new crank on flagpole.
- **SENIOR CENTER:** Restocked paper products and checked cleaning of restrooms.
- **SHERIFFS DEPARTMENT:** Repaired AC unit from flapping, and installed new hinge on ladies restroom door upstairs. Removed 4 filing cabinets and took them to the water yard for storage, and repaired the back door.
- **FIRE DEPARTMENT (RANCHO ROAD):** Installed two new cartridges and handles in shower unit.
- **DESERT TRAILS PARK:** Restrooms are cleaned and restocked daily. Removed trash and debris from park. Inspected play equipment. Cleaned around play equipment. Blew off sidewalks. Operated weeded eater to remove weeds around fence line, picnic tables, benches, trash cans and trees. Trimmed trees, installed new step platform on play equipment. Replaced 2" sprinklers valve.
- **DESERT TRAILS LITTLE LEAGUE:** Removed trash and debris. Operated weed eater to remove weeds from fence line, benches and trash cans. Blew out dug outs.
- **SIERRA PARK:** Removed trash and debris from park. Cleaned around play equipment. Inspected play equipment. Operated weed eater to remove weeds from around trash cans and tables. Trimmed trees, finished cutting and removing trees. Planted plants and installed drip lines to plants, and laid DG ground cover material.

**CITY OF ADELANTO
PUBLIC WORKS DEPARTMENT
BUILDING FACILITIES, STADIUM, STREETS AND PARKS
FEBRUARY 2016**

- **MARCONI PARK:** Removed weeds and debris from fence line. Repaired the slide, removed vandalized dome and installed plywood temporarily for safety. Removed old basketball nets and installed new ones.

- **MAVERICK STADIUM:** Removed dirt from Mavericks field after Grand Prix.

- **PUBLIC WORKS YARD/VEHICLE MAINTENANCE:** Installed new hose bib on paint shop building, installed new exhaust fan in break room restroom. Serviced vehicles and equipment as needed which included but not limited to oil changes, flat repairs, installing new tires, tire rotations, brakes and prepare city staff vehicles for reservations, repaired trailer wires and lights, installed slack adjuster on asphalt truck, replaced tack hose reel and hose, repaired 580L loader throttle, replaced air filter on sweeper pony motor, replaced the A/C filter, nozzle switch, and backup alarm on sweeper, replaced sweeper broom, cleaned nozzles on sweeper water system, replaced side boards on gannon, installed new head light on PW vehicle, replaced right break line hose on asphalt truck and replaced rear blade on gannon.

- **LANDSCAPE TRACTS:** Operated weed eater, trimmer and blower to remove weeds and debris on east and west side of Aster from Thorndale to Seneca, Seneca from Aster to Clydesdale, Verbena heading north on the east side from Victor to Mojave, Mojave on the south side heading east from Verbena to Bellflower, West side of Jonathan from Danielle to Seneca, Jonathan from Victor to Seneca, Seneca from Jonathan to Delicious, east side of Jonathan from Seneca to Villa, Pearmain from Cactus to Desert Glen, Mojave east of Pearmain on the south side, Cactus from Jonathan/Holly.
Repaired and replaced drip lines, sprinklers, valves in various landscape locations.
Changed landscape timers in all planters.

- **WEED ABATEMENT-EASEMENTS WITH TRACTOR, TRUCK and/or TRAILER:** Operated tractor, weed eater, trimmer and blower to remove weeds and debris from the corner of Seneca/Bellflower and Bellflower/Victor, removed weeds and debris on Rancho Rd from Aster to Bellflower on the south side and from Bellflower to Verbena on the north side to Delicious. Weeded from Air Expressway on Montezuma towards Charley Glasper Center, weeded stop sign areas on Chamberlaine.

- **DRAINS and/or WASHES:** Removed excess dirt from wash area in preparation for future storms on Seneca and Villa, used tractor and bobcat, removed excessive weeds, debris and sand in preparation for El Nino on Seneca and Verbena and applied 10 tons of asphalt around drains for proper water flow, cut trees, weeds, and removed debris on Bellflower and Victor.

**CITY OF ADELANTO
PUBLIC WORKS DEPARTMENT
BUILDING FACILITIES, STADIUM, STREETS AND PARKS
FEBRUARY 2016**

- **ASPHALT:** Operated asphalt truck and/or flatbed truck to apply 40 tons of asphalt on streets on north and south side of City where needed. Koala, Muskrat, Stevens, Chamberlaine, Adelanto, Rancho, White, Lee, Casaba, Hardy, Hermosa, Bartlett, Air Expressway, Pearmain, Bellflower, Seneca, Mojave, Verbena, Villa, Jonathan, Victor, Yucca, Aster, Daisy, Joshua, Bonanza, Panther, Joshua, Montezuma, Lupin, Sutter, Cornell, Reiman, Sand, Margie, Rhode Island, Cactus, El Mirage and Victor.
- **GRADER:** Operated the grader to resurface and/or realign dirt roads maintained by the City on Raccoon from Rancho/Holly, Holly from Raccoon/Bellflower, Holly, Raccoon from Rancho to end of High School. Operated grader to clear and level wash area at Seneca/Verbena, Villa/Delicious and Seneca and Delicious. For a total of 63 dump truck loads of sand from wash areas.
- **TRACTOR:** Operated tractor to remove dirt and debris to clean up shoulder on Chamberlaine/New Hampshire.
- **SWEEPER:** Operated the sweeper on north and south sides of the city for approximately 148 curb miles.
- **SIGNS & POSTS:** Removed stickers, papers and graffiti from signs and street name signs. Tightened and realigned signs and post as needed. Reinstalled the VFW on Hwy 395, installed Adopt a Street Sign on Jonathan between Seneca and Victor, installed stop sign on Clydesdale/Seneca, installed new sign Jay/Muskrat and Muskrat/El Mirage, installed new sign at Air Expressway/Raccoon, replaced stop sign at Irwindale, installed new street name signs at Delicious/Villa, and Thorndale/Scottsdale, reinstalled stop sign at Bellflower/ Lawson.
- **GRAFFITI:** Applied paint to remove graffiti from block walls, light post, street signs, and sidewalks throughout the city. Operated the paint sprayer to cover graffiti on block walls on the north and south side of city. Applied graffiti remover on street signs on north and south side of city. Operated the pressure washer to remove graffiti from sidewalks, walls and curbing. Removed yard sale signs and posted signs hung by residents and never removed. Removed graffiti in and on restrooms, bleachers, backstops, play equipment and on trash cans as needed in parks. Total of 193 graffiti tags removed.
- **BUS SHELTERS:** Removed weeds and debris from bus stops and bus shelters as needed. Operated pressure washer on bus shelters as needed. Removed trash, stickers and graffiti from signs, benches, and concrete at bus stops and shelters as needed.

**CITY OF ADELANTO
PUBLIC WORKS DEPARTMENT
BUILDING FACILITIES, STADIUM, STREETS AND PARKS
FEBRUARY 2016**

COMPLETED ASSIGNMENTS:

- Daily pothole maintenance
- Daily graffiti removal
- Stocked storage areas at city hall and senior center with paper products for cleaning service
- Repaired Water Leaks, and installed lock on the food locker storage at Charley Glasper Center
- Cleaned up and organized paint and sign shop
- Cut and removed old concrete and leveled and poured new concrete to repair sidewalk on Lee
- Installed reflectors down center line of Koala, Seneca, Jonathan and Bellflower and used a total of 400 yellow and 100 white reflectors
- Removed large items from Charley Glasper Center dumpster area and delivered stove from storage building to the center
- Applied Pest Control to Glasper Center
- Picked up large items on Victor, Cactus, Delicious, Aster, Jonathan, Pearmain, Holly, Palmdale and Villa
- Removed 20 shopping carts and returned to proper businesses
- Picked up 4 cabinets from Sheriff's Dept. and took to storage
- Filled sewer plant tractor with diesel
- Loaded Scrap metal in metal bin

PROJECTS FOR MARCH:

- Continue to paint stop and stop bars
- Continue to repaint striping on all streets
- Continue to remove graffiti
- Continue weekly pothole maintenance
- Continue weed abatement/chemical spraying program
- Continue to inspect playground equipment
- Continue to inspect all street related signs for any missing or in need of repair throughout city
- Solar light project
- Continue to replace all broken sprinklers in all landscape areas



CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: March 9, 2016

TO: Honorable Mayor and City Council Members

FROM: Cynthia M. Herrera, MMC, Interim, City Manager/ City Clerk

BY: Grace Mercado, Accounting Technician

SUBJECT: CONSENT CALENDAR/WARRANT DEMAND SCHEDULE 15/16-09-01

STAFF RECOMMENDATION:

Staff requests Council consider approving Warrant Demand Schedule 15/16-09-01 as presented by the Finance Department.

COUNCIL ACTION REQUESTED:

1. City of Adelanto Warrant Demand Schedule Warrants 133596 through 133648 in the total amount of \$595,595.35.
2. Adelanto Water Authority Warrant Demand Schedule Warrants and Adelanto Water Authority Utility Deposit Refunds 27449 through 27469 in the total amount of \$72,215.34.
3. Adelanto Public Authority Warrant Demand Schedule Warrants 3556 through 3560 in the total amount of \$91,335.71.

City of Adelanto
Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
04000013-01 - CITY OF ADELANTO GENERAL CHKG									
Check									
133596	02/18/2016	Open			Accounts Payable	CIMARRON ESCROW	\$934.53		
	Invoice		Date	Description		Amount			
	1-53058-KH		02/18/2016	ESCROW NO. 1-53058-KH/VACANT LAND 395		\$934.53			
	ADELANTO								
	Paying Fund			Cash Account		Amount			
	201 - Park Development Impact Fund			201-11001 (Cash in Bank - DCB General Checking)		\$934.53			
133597	02/25/2016	Open			Accounts Payable	GE CAPITAL	\$3,517.75		
	Invoice		Date	Description		Amount			
	64066018		01/03/2016	Cycle: 12/28/2015 - 01/27/2016		\$3,517.75			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$2,814.20			
	353 - AWA_Water			353-11001 (Cash in Bank - DCB General Checking)		\$703.55			
133598	02/25/2016	Open			Accounts Payable	PESTICIDE APPLICATORS PROFESSIONAL ASSOCIATION	\$80.00		
	Invoice		Date	Description		Amount			
	127608		02/23/2016	Palmdale Papa Pesticide Seminar for Andrew Monroy		\$80.00			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$80.00			
133599	03/02/2016	Open			Accounts Payable	CALIFORNIA DEPARTMENT OF TRANSPORTATION	\$106,959.59		
	Invoice		Date	Description		Amount			
	08-14-A-OP-0302		03/01/2016	Encroachment Permit - 395 & Mojave		\$106,959.59			
	Paying Fund			Cash Account		Amount			
	233 - Measure I/65% Regional Funds			233-11001 (Cash in Bank - DCB General Checking)		\$106,959.59			
133600	03/02/2016	Open			Accounts Payable	CHARTER COMMUNICATIONS	\$11,601.92		
	Invoice		Date	Description		Amount			
	102815		10/28/2015	Charter Construction Inv. 102815		\$11,601.92			
	Paying Fund			Cash Account		Amount			
	233 - Measure I/65% Regional Funds			233-11001 (Cash in Bank - DCB General Checking)		\$11,601.92			
133601	03/02/2016	Open			Accounts Payable	SWRCB	\$586.00		
	Invoice		Date	Description		Amount			
	469544		02/10/2016	PRDs Fee Statement App. ID 469544		\$586.00			
	Paying Fund			Cash Account		Amount			
	233 - Measure I/65% Regional Funds			233-11001 (Cash in Bank - DCB General Checking)		\$586.00			
133602	03/02/2016	Open			Accounts Payable	PURCHASE POWER	\$2,037.67		
	Invoice		Date	Description		Amount			
	2037.67		01/19/2016	POSTAGE METER REFILL		\$2,037.67			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$2,037.67			
133603	03/02/2016	Open			Accounts Payable	ADELANTO CHAMBER OF COMMERCE	\$300.00		
	Invoice		Date	Description		Amount			
	1751		02/15/2016	State of the City Lunch for Employees		\$300.00			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$300.00			

City of Adelanto
Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
133604	03/02/2016	Open			Accounts Payable	ADELANTO WATER & SANITATION	\$28.90		
	Invoice		Date	Description		Amount			
	20002173-001JAN		02/10/2016	MONTHLY WATER SER 01/01-01/31/16		\$28.90			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$28.90			
133605	03/02/2016	Open			Accounts Payable	ALNA BULLOCK	\$168.00		
	Invoice		Date	Description		Amount			
	2015-376		02/29/2016	ELECTRICAL PERMIT REFUND		\$168.00			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$168.00			
133606	03/02/2016	Open			Accounts Payable	CALIFORNIA ASSOCIATION OF CODE ENF. OFFICERS	\$170.00		
	Invoice		Date	Description		Amount			
	8458		02/01/2016	Membership Dues - Poole		\$85.00			
	8459		02/01/2016	Membership Dues - Peltier		\$85.00			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$170.00			
133607	03/02/2016	Open			Accounts Payable	CALIFORNIA BUILDING STANDARDS COMMISSION	\$1,264.50		
	Invoice		Date	Description		Amount			
	APRJUN2015		02/19/2016	Building Standards Administration Special Revolving Fund		\$891.90			
	JULSEPT2015		02/19/2016	Building Standards Administration Special Revolving Fund		\$114.30			
	OCTDEC2015		02/19/2016	Building Standards Administration Special Revolving Fund		\$258.30			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$1,264.50			
133608	03/02/2016	Open			Accounts Payable	CAMPBELL PET COMPANY	\$241.33		
	Invoice		Date	Description		Amount			
	0324294_IN		02/16/2016	Dog Leashes		\$241.33			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$241.33			
133609	03/02/2016	Open			Accounts Payable	CHARLES ABBOTT ASSOCIATE, INC.	\$20,919.00		
	Invoice		Date	Description		Amount			
	55050		09/30/2015	SEPT 2015/PROF. SVCS.		\$20,919.00			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$20,919.00			
133610	03/02/2016	Open			Accounts Payable	CINTAS CORP #150	\$160.24		
	Invoice		Date	Description		Amount			
	150629270		02/23/2016	WEEKLY UNIFORM SERVICE FOR LLM D		\$14.58			
	150629271		02/23/2016	WEEKLY UNIFORM SERVICE FOR FACILITY MAINT.		\$7.29			
	150629272		02/23/2016	WEEKLY UNIFORM SERVICE FOR STREETS		\$7.29			
	150629273		02/23/2016	WEEKLY UNIFORM SERVICE FOR STREETS		\$79.71			
	150629274		02/23/2016	WEEKLY UNIFORM SERVICE FOR V. MAINT.		\$13.39			
	150629275		02/23/2016	WEEKLY MAT SERVICE FOR CITY HALL		\$37.98			

City of Adelanto
Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
133625	03/02/2016	Open			Accounts Payable	KELLY GAS	\$115.38		
	Invoice		Date	Description		Amount			
	154614		01/21/2016	PROPANE USED ON ASPHALT TRUCK FOR CITY STREETS		\$50.45			
	24768		02/09/2016	PROPANE USED ON ASPHALT TRUCK FOR CITY STREETS		\$41.61			
	172900		02/25/2016	PROPANE USED ON ASPHALT TRUCK		\$23.32			
	Paying Fund			Cash Account		Amount			
	235 - Measure I/70% Local 2010-2040			235-11001 (Cash in Bank - DCB General Checking)		\$115.38			
133626	03/02/2016	Open			Accounts Payable	MOJAVE EQUIPMENT COMPANY, INC.	\$3,822.63		
	Invoice		Date	Description		Amount			
	27340		02/08/2016	PARTS AND LABOR TO REPAIR LOADER MOTOR MNT & BELTS ETC		\$3,822.63			
	Paying Fund			Cash Account		Amount			
	235 - Measure I/70% Local 2010-2040			235-11001 (Cash in Bank - DCB General Checking)		\$3,822.63			
133627	03/02/2016	Open			Accounts Payable	MUELLER, STEVE	\$1,359.52		
	Invoice		Date	Description		Amount			
	330964		02/08/2016	INSTALLATION OF RTU#1, SMOKE SENSOR FOR FIRE ALARM SYS		\$339.88			
	330965		02/08/2016	INSTALLATION OF RTU#2 DUCT DETECTOR & SMOKE SENSOR TUBE FOR ALAR		\$339.88			
	330966		02/08/2016	INSTALLATION OF DUCT DECTOR RTU#3 & SMOKE SENSOR TUBE		\$339.88			
	330967		02/08/2016	INSTALL RTU#4 DUCT TECTOR & SMOKE SENOR TUBE		\$339.88			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$1,359.52			
133628	03/02/2016	Open			Accounts Payable	NAPA AUTO PARTS, INC.	\$153.61		
	Invoice		Date	Description		Amount			
	918233		02/23/2016	LIGHT AND SOCKET FOR VEHICLE MAINT.		\$35.61			
	916268		02/16/2016	LIGHT KIT FOR VEHICLE MAINT		\$99.34			
	918329		02/23/2016	HI TEMP FTG FOR VEHICLE MAINT.		\$18.66			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$153.61			
133629	03/02/2016	Open			Accounts Payable	NIXON-EGLI EQUIPMENT	\$295.55		
	Invoice		Date	Description		Amount			
	P13579		02/08/2016	BAFFLE & ASSEMBLY & LOCKING RING FOR SWEEPER USED ON CITY STREET		\$295.55			
	Paying Fund			Cash Account		Amount			
	235 - Measure I/70% Local 2010-2040			235-11001 (Cash in Bank - DCB General Checking)		\$295.55			
133630	03/02/2016	Open			Accounts Payable	PARKHOUSE TIRE, INC.	\$739.72		
	Invoice		Date	Description		Amount			
	2020075882		02/17/2016	2 NEW TIRES FOR SWEEPER USED ON CITY STREETS		\$694.89			
	2020075972		02/23/2016	FLAT REPAIR IN YARD ON TRACTOR USED ON CITY STREETS		\$44.83			
	Paying Fund			Cash Account		Amount			
	235 - Measure I/70% Local 2010-2040			235-11001 (Cash in Bank - DCB General Checking)		\$739.72			

City of Adelanto
Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
133631	03/02/2016	Open			Accounts Payable	PELTIER, STEVEN	\$32.38		
	Invoice		Date	Description		Amount			
	TRN644		02/18/2016	Legal Size File Folders - SFR Inspec.		\$32.38			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$32.38			
133632	03/02/2016	Open			Accounts Payable	PET SMART	\$86.04		
	Invoice		Date	Description		Amount			
	T4916		02/18/2016	Animal Food/Supplies		\$86.04			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$86.04			
133633	03/02/2016	Open			Accounts Payable	RANCHO MOTOR COMPANY	\$133.12		
	Invoice		Date	Description		Amount			
	252111		02/24/2016	FRONT AIR BRAKE HOSE FOR ASPHALT TRUCK		\$133.12			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$133.12			
133634	03/02/2016	Open			Accounts Payable	RITA AVALOS	\$168.00		
	Invoice		Date	Description		Amount			
	2015-883		02/29/2016	ELECTRICAL PERMIT REFUND		\$168.00			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$168.00			
133635	03/02/2016	Open			Accounts Payable	ROBERTO MADVENO	\$168.00		
	Invoice		Date	Description		Amount			
	2015-862		02/29/2016	ELECTRICAL PERMIT REFUND		\$168.00			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$168.00			
133636	03/02/2016	Open			Accounts Payable	ROTH STAFFING COMPANIES, L.P.	\$1,147.50		
	Invoice		Date	Description		Amount			
	13243590		02/19/2016	J. GORTH/WEEK ENDING 2/14/16		\$1,147.50			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$1,147.50			
133637	03/02/2016	Open			Accounts Payable	ROW TRAFFIC SAFETY, INC.	\$1,860.33		
	Invoice		Date	Description		Amount			
	14679		02/18/2016	STREETS NAME SIGNS USED ON CITY STREETS		\$891.76			
	14699		02/25/2016	SAFETY JACKETS FOR PUBLIC WORKS		\$968.57			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$968.57			
	235 - Measure I/70% Local 2010-2040			235-11001 (Cash in Bank - DCB General Checking)		\$891.76			
133638	03/02/2016	Open			Accounts Payable	RUSSELL HARRISON	\$168.00		
	Invoice		Date	Description		Amount			
	2015-720		02/29/2016	ELECTRICAL PERMIT REFUND		\$168.00			
	Paying Fund			Cash Account		Amount			
	100 - General Fund			100-11001 (Cash in Bank - DCB General Checking)		\$168.00			
133639	03/02/2016	Open			Accounts Payable	SAN BERNARDINO COUNTY SHERIFF-CORONER DEPARTMENT	\$403,032.00		
	Invoice		Date	Description		Amount			
	15373		02/17/2016	MARCH 2016/MONTHLY LAW ENFORCEMENT SERVICES		\$403,032.00			

Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	Paying Fund				Cash Account		Amount		
	100 - General Fund				100-11001 (Cash in Bank - DCB General Checking)		\$160.18		
133648	03/02/2016	Open			Accounts Payable	VULCAN	\$1,485.78		
	Invoice			Date	Description		Amount		
	71031566			02/08/2016	3/8 AGG/ASPHALT USED ON CITY STREETS		\$748.87		
	71033736			02/10/2016	3/8 ASPHALT USED ON CITY STREETS		\$256.44		
	71038128			02/12/2016	3/8 ASPHALT USED ON CITY STREETS		\$254.75		
	71044293			02/19/2016	3/8 ASPHALT USED ON CITY STREETS		\$225.72		
	Paying Fund				Cash Account		Amount		
	235 - Measure I/70% Local 2010-2040				235-11001 (Cash in Bank - DCB General Checking)		\$1,485.78		

Type Check Totals:

04000013-01 - CITY OF ADELANTO GENERAL CHKG Totals

53 Transactions

\$595,595.35

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	53	\$595,595.35	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	53	\$595,595.35	\$0.00

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	0	\$0.00	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	0	\$0.00	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	53	\$595,595.35	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00

Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Grand Totals:					Total	53	\$595,595.35	\$0.00	
Checks				Status	Count	Transaction Amount	Reconciled Amount		
				Open	53	\$595,595.35	\$0.00		
				Reconciled	0	\$0.00	\$0.00		
				Voided	0	\$0.00	\$0.00		
				Stopped	0	\$0.00	\$0.00		
				Total	53	\$595,595.35	\$0.00		
EFTs				Status	Count	Transaction Amount	Reconciled Amount		
				Open	0	\$0.00	\$0.00		
				Reconciled	0	\$0.00	\$0.00		
				Voided	0	\$0.00	\$0.00		
				Total	0	\$0.00	\$0.00		
All				Status	Count	Transaction Amount	Reconciled Amount		
				Open	53	\$595,595.35	\$0.00		
				Reconciled	0	\$0.00	\$0.00		
				Voided	0	\$0.00	\$0.00		
				Stopped	0	\$0.00	\$0.00		
				Total	53	\$595,595.35	\$0.00		

City of Adelanto
Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference																								
80-93000738 - ADELANTO WATER AUTHORITY																																	
Check 27449	02/18/2016	Open			Utility Management Refund	SEGOVIA, GRISELDA	\$85.72																										
<table border="0" style="width: 100%;"> <tr> <td style="width: 25%;"><u>Account Type</u></td> <td style="width: 25%;"><u>Account Number</u></td> <td style="width: 30%;"><u>Description</u></td> <td style="width: 20%;"><u>Transaction Date</u></td> <td style="width: 20%;"><u>Transaction Type</u></td> <td style="width: 20%;"></td> </tr> <tr> <td>Paying Fund</td> <td></td> <td>Cash Account</td> <td></td> <td></td> <td>Amount</td> </tr> <tr> <td>353 - AWA_Water</td> <td></td> <td>353-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$85.72</td> </tr> </table>										<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		Paying Fund		Cash Account			Amount	353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$85.72						
<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>																													
Paying Fund		Cash Account			Amount																												
353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$85.72																												
27450	02/22/2016	Open			Utility Management Refund	SLOWTU, PHILIPPE	\$319.76																										
<table border="0" style="width: 100%;"> <tr> <td style="width: 25%;"><u>Account Type</u></td> <td style="width: 25%;"><u>Account Number</u></td> <td style="width: 30%;"><u>Description</u></td> <td style="width: 20%;"><u>Transaction Date</u></td> <td style="width: 20%;"><u>Transaction Type</u></td> <td style="width: 20%;"></td> </tr> <tr> <td>Paying Fund</td> <td></td> <td>Cash Account</td> <td></td> <td></td> <td>Amount</td> </tr> <tr> <td>353 - AWA_Water</td> <td></td> <td>353-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$138.62</td> </tr> <tr> <td>360 - APUA_Sewer</td> <td></td> <td>360-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$181.14</td> </tr> </table>										<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		Paying Fund		Cash Account			Amount	353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$138.62	360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$181.14
<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>																													
Paying Fund		Cash Account			Amount																												
353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$138.62																												
360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$181.14																												
27451	02/23/2016	Open			Utility Management Refund	ARGUETA DEJESUS & JOSE ARGUETA, EMMA	\$14.96																										
<table border="0" style="width: 100%;"> <tr> <td style="width: 25%;"><u>Account Type</u></td> <td style="width: 25%;"><u>Account Number</u></td> <td style="width: 30%;"><u>Description</u></td> <td style="width: 20%;"><u>Transaction Date</u></td> <td style="width: 20%;"><u>Transaction Type</u></td> <td style="width: 20%;"></td> </tr> <tr> <td>Paying Fund</td> <td></td> <td>Cash Account</td> <td></td> <td></td> <td>Amount</td> </tr> <tr> <td>353 - AWA_Water</td> <td></td> <td>353-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$3.53</td> </tr> <tr> <td>360 - APUA_Sewer</td> <td></td> <td>360-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$11.43</td> </tr> </table>										<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		Paying Fund		Cash Account			Amount	353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$3.53	360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$11.43
<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>																													
Paying Fund		Cash Account			Amount																												
353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$3.53																												
360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$11.43																												
27452	02/23/2016	Open			Utility Management Refund	EAGLE VISTA EQUITTIES, LLC	\$358.76																										
<table border="0" style="width: 100%;"> <tr> <td style="width: 25%;"><u>Account Type</u></td> <td style="width: 25%;"><u>Account Number</u></td> <td style="width: 30%;"><u>Description</u></td> <td style="width: 20%;"><u>Transaction Date</u></td> <td style="width: 20%;"><u>Transaction Type</u></td> <td style="width: 20%;"></td> </tr> <tr> <td>Paying Fund</td> <td></td> <td>Cash Account</td> <td></td> <td></td> <td>Amount</td> </tr> <tr> <td>353 - AWA_Water</td> <td></td> <td>353-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$241.82</td> </tr> <tr> <td>360 - APUA_Sewer</td> <td></td> <td>360-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$116.94</td> </tr> </table>										<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		Paying Fund		Cash Account			Amount	353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$241.82	360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$116.94
<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>																													
Paying Fund		Cash Account			Amount																												
353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$241.82																												
360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$116.94																												
27453	02/23/2016	Open			Utility Management Refund	MARTINEZ, ANTHONY	\$144.83																										
<table border="0" style="width: 100%;"> <tr> <td style="width: 25%;"><u>Account Type</u></td> <td style="width: 25%;"><u>Account Number</u></td> <td style="width: 30%;"><u>Description</u></td> <td style="width: 20%;"><u>Transaction Date</u></td> <td style="width: 20%;"><u>Transaction Type</u></td> <td style="width: 20%;"></td> </tr> <tr> <td>Paying Fund</td> <td></td> <td>Cash Account</td> <td></td> <td></td> <td>Amount</td> </tr> <tr> <td>353 - AWA_Water</td> <td></td> <td>353-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$75.63</td> </tr> <tr> <td>360 - APUA_Sewer</td> <td></td> <td>360-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$69.20</td> </tr> </table>										<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		Paying Fund		Cash Account			Amount	353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$75.63	360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$69.20
<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>																													
Paying Fund		Cash Account			Amount																												
353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$75.63																												
360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$69.20																												
27454	02/23/2016	Open			Utility Management Refund	NICHOLS, ROSE	\$161.82																										
<table border="0" style="width: 100%;"> <tr> <td style="width: 25%;"><u>Account Type</u></td> <td style="width: 25%;"><u>Account Number</u></td> <td style="width: 30%;"><u>Description</u></td> <td style="width: 20%;"><u>Transaction Date</u></td> <td style="width: 20%;"><u>Transaction Type</u></td> <td style="width: 20%;"></td> </tr> <tr> <td>Paying Fund</td> <td></td> <td>Cash Account</td> <td></td> <td></td> <td>Amount</td> </tr> <tr> <td>353 - AWA_Water</td> <td></td> <td>353-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$76.34</td> </tr> <tr> <td>360 - APUA_Sewer</td> <td></td> <td>360-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$85.48</td> </tr> </table>										<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		Paying Fund		Cash Account			Amount	353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$76.34	360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$85.48
<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>																													
Paying Fund		Cash Account			Amount																												
353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$76.34																												
360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$85.48																												
27455	02/23/2016	Open			Utility Management Refund	SCOTT, BEV	\$14.36																										
<table border="0" style="width: 100%;"> <tr> <td style="width: 25%;"><u>Account Type</u></td> <td style="width: 25%;"><u>Account Number</u></td> <td style="width: 30%;"><u>Description</u></td> <td style="width: 20%;"><u>Transaction Date</u></td> <td style="width: 20%;"><u>Transaction Type</u></td> <td style="width: 20%;"></td> </tr> <tr> <td>Paying Fund</td> <td></td> <td>Cash Account</td> <td></td> <td></td> <td>Amount</td> </tr> <tr> <td>353 - AWA_Water</td> <td></td> <td>353-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$14.36</td> </tr> </table>										<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		Paying Fund		Cash Account			Amount	353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$14.36						
<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>																													
Paying Fund		Cash Account			Amount																												
353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$14.36																												
27456	02/25/2016	Open			Utility Management Refund	CA DREAM REALTY	\$161.56																										
<table border="0" style="width: 100%;"> <tr> <td style="width: 25%;"><u>Account Type</u></td> <td style="width: 25%;"><u>Account Number</u></td> <td style="width: 30%;"><u>Description</u></td> <td style="width: 20%;"><u>Transaction Date</u></td> <td style="width: 20%;"><u>Transaction Type</u></td> <td style="width: 20%;"></td> </tr> <tr> <td>Paying Fund</td> <td></td> <td>Cash Account</td> <td></td> <td></td> <td>Amount</td> </tr> <tr> <td>353 - AWA_Water</td> <td></td> <td>353-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$54.44</td> </tr> <tr> <td>360 - APUA_Sewer</td> <td></td> <td>360-11004 (Cash in Bank-AWA General Checking)</td> <td></td> <td></td> <td>\$107.12</td> </tr> </table>										<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		Paying Fund		Cash Account			Amount	353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$54.44	360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$107.12
<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>																													
Paying Fund		Cash Account			Amount																												
353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)			\$54.44																												
360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)			\$107.12																												

Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
27457	02/25/2016	Open			Utility Management Refund	GOMEZ, MARIA	\$502.68		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			RESIDENTIAL	50013795-001	Cash Account	02/25/2016	REFUND ADJUSTMENT		
			Paying Fund				Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$319.50		
			360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$183.18		
27458	02/25/2016	Open			Utility Management Refund	HARRIS, DAN	\$29.64		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			Paying Fund		Cash Account		Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$29.64		
27459	02/25/2016	Open			Utility Management Refund	MARTINEZ, JESSICA	\$46.39		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			Paying Fund		Cash Account		Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$34.96		
			360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$11.43		
27460	02/25/2016	Open			Utility Management Refund	PANCHANI, SHOBHNA	\$17.32		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			RESIDENTIAL	70013563-001	Cash Account	02/24/2016	REFUND ADJUSTMENT		
			Paying Fund				Amount		
			360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$17.32		
27461	02/25/2016	Open			Utility Management Refund	PHAN or DIANA WONG, FON	\$101.27		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			Paying Fund		Cash Account		Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$101.27		
27462	02/25/2016	Open			Utility Management Refund	RAFORD MANAGEMENT CO., INC.	\$165.14		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			Paying Fund		Cash Account		Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$63.37		
			360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$101.77		
27463	02/25/2016	Open			Utility Management Refund	RODRIGUEZ, BLANCA	\$37.34		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			Paying Fund		Cash Account		Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$12.92		
			360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$24.42		
27464	02/25/2016	Open			Utility Management Refund	TRANSPORTATION c/o JAMES CONRAD, WESTCOAST BULK	\$322.55		
			Account Type	Account Number	Description	Transaction Date	Transaction Type		
			Paying Fund		Cash Account		Amount		
			353 - AWA_Water		353-11004 (Cash in Bank-AWA General Checking)		\$208.25		
			360 - APUA_Sewer		360-11004 (Cash in Bank-AWA General Checking)		\$114.30		

Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
27465	02/29/2016	Open			Utility Management Refund	GARCIA, HECTOR	\$281.88		
	<u>Account Type</u>		<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>			
	RESIDENTIAL		70014875-001	FULL DEPOSIT REFUND	02/29/2016	REFUND ADJUSTMENT			
	<u>Paying Fund</u>			<u>Cash Account</u>		<u>Amount</u>			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)		\$98.70			
	360 - APUA_Sewer			360-11004 (Cash in Bank-AWA General Checking)		\$183.18			
27466	03/02/2016	Open			Accounts Payable	ACE BUSINESS MACHINES, INC.	\$164.00		
	<u>Invoice</u>		<u>Date</u>	<u>Description</u>		<u>Amount</u>			
	39512		03/01/2016	SERVICE CALL FOR CURRENCY COUNTER IN WATER DEPT.		\$164.00			
	<u>Paying Fund</u>			<u>Cash Account</u>		<u>Amount</u>			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)		\$164.00			
27467	03/02/2016	Open			Accounts Payable	PERC WATER CORPORATION	\$65,622.32		
	<u>Invoice</u>		<u>Date</u>	<u>Description</u>		<u>Amount</u>			
	3475		02/15/2016	JANUARY 2016 REIMBURSABLES 2/15/16		\$7,467.37			
	3477		02/25/2016	MONTHLY WATER UTILITY SERVICE FOR APRIL 2016		\$57,972.00			
	3480		02/24/2016	FEBRUARY REIMBURSABLES		\$182.95			
	<u>Paying Fund</u>			<u>Cash Account</u>		<u>Amount</u>			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)		\$65,622.32			
27468	03/02/2016	Open			Accounts Payable	QUANTUM OFFICE PRODUCTS	\$63.04		
	<u>Invoice</u>		<u>Date</u>	<u>Description</u>		<u>Amount</u>			
	1023221		02/17/2016	WATER DEPT SUPPLIES		\$63.04			
	<u>Paying Fund</u>			<u>Cash Account</u>		<u>Amount</u>			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)		\$63.04			
27469	03/02/2016	Open			Accounts Payable	TYLER TECHNOLOGIES	\$3,600.00		
	<u>Invoice</u>		<u>Date</u>	<u>Description</u>		<u>Amount</u>			
	047912		02/11/2016	PROFESSIONAL SERVICES		\$3,600.00			
	<u>Paying Fund</u>			<u>Cash Account</u>		<u>Amount</u>			
	353 - AWA_Water			353-11004 (Cash in Bank-AWA General Checking)		\$3,600.00			

Type Check Totals:

80-93000738 - ADELANTO WATER AUTHORITY Totals

21 Transactions

\$72,215.34

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	21	\$72,215.34	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	21	\$72,215.34	\$0.00

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	0	\$0.00	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	0	\$0.00	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	21	\$72,215.34	\$0.00

Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	21	\$72,215.34	\$0.00	

Grand Totals:

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	21	\$72,215.34	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	21	\$72,215.34	\$0.00
EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	0	\$0.00	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	0	\$0.00	\$0.00
All	Status	Count	Transaction Amount	Reconciled Amount
	Open	21	\$72,215.34	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	21	\$72,215.34	\$0.00

City of Adelanto
Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
04-00110901 - ADELANTO PUBLIC UTILITY AUTH.									
Check 3556	03/02/2016	Open			Accounts Payable	ADELANTO WATER & SANITATION	\$1,605.26		
	Invoice		Date		Description	Amount			
	00001500-001JAN		02/10/2016		WATER USAGE FOR VAC TRUCK 1/01-1/31/16	\$1,549.00			
	00001501-001JAN		02/10/2016		MONTHLY WATER SERVICE 1/01-1/31/16	\$56.26			
	Paying Fund				Cash Account	Amount			
	360 - APUA_Sewer				360-11005 (Cash in Bank-APUA General Checking)	\$1,605.26			
3557	03/02/2016	Open			Accounts Payable	NURSERY PRODUCTS, LLC	\$11,399.00		
	Invoice		Date		Description	Amount			
	JANUARY 2016 ADE		01/31/2016		JANUARY RECYCLING OF BIO SOLIDS	\$11,399.00			
	Paying Fund				Cash Account	Amount			
	360 - APUA_Sewer				360-11005 (Cash in Bank-APUA General Checking)	\$11,399.00			
3558	03/02/2016	Open			Accounts Payable	PERC WATER CORPORATION	\$71,683.51		
	Invoice		Date		Description	Amount			
	3474		02/15/2016		JANUARY 2016 REIMBURSABLES 2/15/16	\$8,738.74			
	3476		02/25/2016		MONTHLY WWTP MAINT. APRIL 2016	\$49,601.89			
	3479		02/25/2016		FEBRUARY REIMBURSABLES 2/25/16	\$13,342.88			
	Paying Fund				Cash Account	Amount			
	360 - APUA_Sewer				360-11005 (Cash in Bank-APUA General Checking)	\$71,683.51			
3559	03/02/2016	Open			Accounts Payable	POLYDYNE, INC.	\$5,216.40		
	Invoice		Date		Description	Amount			
	1026740		02/11/2016		CLARIFLOC WE-1296 CHEMICALS	\$2,608.20			
	1030096		02/25/2016		CLARIFLOC WE-1296 CHEMICALS	\$2,608.20			
	Paying Fund				Cash Account	Amount			
	360 - APUA_Sewer				360-11005 (Cash in Bank-APUA General Checking)	\$5,216.40			
3560	03/02/2016	Open			Accounts Payable	RAIN FOR RENT	\$1,431.54		
	Invoice		Date		Description	Amount			
	036044170		02/26/2016		MONTHLY CHARGE FOR PUMP FEBRUARY 2016	\$1,431.54			
	Paying Fund				Cash Account	Amount			

City of Adelanto
Payment Register

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	360 - APUA_Sewer				360-11005 (Cash in Bank-APUA General Checking)		\$1,431.54		
Type Check Totals:					5 Transactions		\$91,335.71		
04-00110901 - ADELANTO PUBLIC UTILITY AUTH. Totals									

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	5	\$91,335.71	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	5	\$91,335.71	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	5	\$91,335.71	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	5	\$91,335.71	\$0.00

Grand Totals:

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	5	\$91,335.71	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	5	\$91,335.71	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	5	\$91,335.71	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	5	\$91,335.71	\$0.00



CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: March 9, 2016

TO: Honorable Mayor and City Council Members

FROM: Cindy Herrera, Interim City Manager

BY: Mark de Manincor, Senior Planner

SUBJECT: PUBLIC HEARING - ORDINANCE 544, CODE AMENDMENT 16-01 – PROPOSED AMENDMENT TO TITLE 17 OF THE ADELANTO MUNICIPAL CODE AMENDING CHAPTER 17.165.

STAFF RECOMMENDATION:

Introduce for the first reading Ordinance 544, finding the approval of Code Amendment 16-01 exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) as the Code Amendment will not have a significant effect on the environment, adopting Code Amendment 16-01, and making findings in support thereof.

BACKGROUND:

As a result of the rezoning of many properties, from Residential to Business Park (BP), east of Highway 395, north of Air Expressway and south of Chamberlaine Way, existing Residential Structures are considered Legal Nonconforming Uses and Structures. This has had an adverse effect on property owners as they can no longer sell or refinance their homes. Many home owners and Realtors have complained about this problem ever since the rezoning of October 2014 that was a part of the City of Adelanto Sustainability Plan 2035. When home owners try to sell their homes; lenders will not lend money to potential buyers because our nonconforming uses and structures chapter states, "Any nonconforming structure damaged by any natural or man-made catastrophe subsequent to the effective date of this Zoning Code may be reconstructed, provided that the cost of such reconstruction does not exceed fifty percent (50%) of the appraised value of such structure at the time such damage occurred."

Code Amendment 16-01 proposes to amend Title 17, Chapter 17.165, Nonconforming Uses and Structures, by exempting Residential Structures from the provisions of Chapter 17.165 in the Business Park Zone.

FISCAL IMPACT:

1. Staff time costs

ATTACHMENTS:

1. Ordinance 544
 - a. Exhibit A Amended Chapter 17.165 Non-Conforming Uses and Structures
2. Planning Commission Staff Report
3. Notice of Exemption

ORDINANCE NO. 544

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO,
CALIFORNIA, ADOPTING CODE AMENDMENT 16-01 AMENDING
TITLE 17 OF THE ADELANTO MUNICIPAL CODE, AMENDING
CHAPTER 17.165 NONCONFORMING USES AND STRUCTURES TO
EXEMPT EXISTING RESIDENTIAL USES AND STRUCTURES IN THE
BUSINESS PARK ZONE

WHEREAS, the City of Adelanto has enacted procedural regulations as part of the adopted Zoning Code; and

WHEREAS, a duly noticed public hearing was held before the Planning Commission, February 2, 2016, to hear public testimony and consider the proposal; and

WHEREAS, the Planning Commission voted 5-0 to recommend the proposed changes to the City Council at the meeting; and

WHEREAS, a duly noticed public hearing was held before the City Council on March 9, 2016, to hear public testimony and consider the proposals; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ADELANTO,
CALIFORNIA HEREBY ORDAINS AS FOLLOWS:

SECTION 1: The above recitals are all true and correct.

SECTION 2: The City Council has reviewed and considered the information included in the General Plan, Zoning Code, staff report for the public hearing, and public testimony prior to taking action on the proposed Code Amendment and Ordinance. This information is on file and available at the Community Development Department at the City Hall of the City of Adelanto.

SECTION 3: The City Council finds and determines that the adoption of Ordinance 544 and Code Amendment 16-01 is exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act as the Code Amendment will have no significant effect on the environment and the City Council determinations reflect the independent judgment of the City Council.

SECTION 4: The City Council hereby further finds and determines that the City has followed the procedures for Ordinance Amendments as set forth in Sections 65850 thru 65863.13 of the California Government Code.

SECTION 5: The City Council of the City of Adelanto hereby adopts Ordinance No. 544, adopting Code Amendment 16-01, amending Chapter 17.165, attached hereto as Exhibits A and incorporated herein. The Chapter attached as an Exhibit to this Ordinance replaces the existing same numbered Chapter of the Municipal Code in its entirety. Previously adopted ordinances

Ordinance 544
Code Amendment 16-01

that are inconsistent with this Ordinance are repealed to the extent they are inconsistent with the terms of this Ordinance.

SECTION 6: If any provision of this ordinance or the application thereof to any persons or circumstances is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 7: The Mayor shall sign and the City Clerk shall certify passage and adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty (30) days after its final passage.

Attachments

1. Exhibit A Amended Chapter 17.165

PASSED, APPROVED AND ADOPTED THIS 9th DAY OF MARCH, 2016.

Rich Kerr

Mayor of the City of Adelanto

Cindy Herrera, MMC

City Clerk

APPROVED AS TO FORM:

City Attorney

Ordinance 544
Code Amendment 16-01

I, Cindy Herrera, City Clerk of the City of Adelanto, California, do hereby certify that the foregoing Ordinance No. 544 was duly introduced for the first reading on the 9th day of March, 2016 and regularly adopted at a regular meeting of the City Council of the City of Adelanto on this 23rd day of March, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on this 23rd day of March, 2016.

Cindy Herrera, MMC
City Clerk

SEAL

CHAPTER 17.165

NONCONFORMING USES AND STRUCTURES

17.165.010	General Provisions
17.165.020	Nonconforming Uses
17.165.030	Nonconforming Structures
17.165.040	Exceptions for Residential Structures
17.165.050	Notice of Nonconformity and Amortization
17.165.060	Nonconforming Signs
17.165.070	Nonconforming Adult Businesses

17.165.010 General Provisions

The regulations in this Chapter shall apply to all existing nonconforming uses and structures and to any uses or structures made nonconforming upon adoption of subsequent ordinances.

17.165.020 Nonconforming Uses

The following regulations shall apply to the legal, nonconforming use of any building or structure. Regulations applicable to nonconforming structures are provided in Section 17.165.030.

(a) Continuation

Any nonconforming use may be continued through the amortization period, provided that the use shall not be increased, enlarged, extended, or altered except as provided in this Chapter.

(b) Termination Due to Cessation of Use

Any part of a building or land occupied by a nonconforming use in which that use is discontinued for one hundred eighty (180) days or more shall thereafter lose its nonconforming use status. All subsequent uses shall be used in conformity with the provisions of this Zoning Code.

(c) Amortization of Nonconforming Uses: General

Every legal nonconforming use shall be terminated according to the amortization time schedule established by Resolution of the City Council or the provisions of this Chapter.

(d) Amortization of Nonconforming Use Where No Building Exists

Except as otherwise provided herein, the legal nonconforming use of land where no structure exists may continue for a period of not more than ten (10) years from the date the use became nonconforming, provided the nonconforming use will not in any way be expanded or extended, either on the same or adjoining property.

(e) Alteration of Nonconforming Uses

- (1) A legal nonconforming use may not be enlarged, expanded, or otherwise increased in scope unless a Conditional Use Permit has been issued pursuant to Chapter 17.130 of this Zoning Code.
- (2) Any alteration required by governmental or court action shall be exempt from these conditions.
- (3) Restrictions and conditions affecting a nonconforming use shall apply to the existing use, land, and structures, and shall not be affected by ownership changes.

17.165.030 Nonconforming Structures

(a) Continuation

Any nonconforming structure may be continued and maintained through the amortization period, provided there are no structural alterations except as provided in this Chapter.

(b) Alterations

The following alterations are permitted to a nonconforming structure:

- (1) When a subsequently adopted ordinance or regulation requires specific alterations, those alterations shall be made.
- (2) Additions to a nonconforming structure may be made, provided the proposed addition meets all requirements in effect at the time the application for the addition is made.

(c) Amortization

- (1) Every legal nonconforming structure shall be completely removed or altered to conform to the requirements of the zoning district in which it is located according to the amortization time schedule established by Resolution of the City Council or the provisions of this Chapter. Such time schedule for removal or alteration may not be fixed for a date before the expiration of the normal life of any building, as determined by the Planning Director. Such determination of the normal life of a nonconforming building, and the fixing of time for its removal or alteration, may only be made after notice to the owner.

(2) An order for removal or alteration shall require such action on a date no less than five (5) years from the time such an order is made. It shall be the duty of the Planning Department to give the owner of the affected structure written notice of the required removal or alteration immediately upon the order becoming final. A second notice shall be issued not less than sixty (60) or more than one hundred eighty (180) days prior to the date such removal or alteration is required to be completed. If the Planning Department fails to give this second notice within the above time period, the owner shall be given sixty (60) days from the notice's actual postmark date.

(d) Reconstruction of Damaged Structure

Any nonconforming structure damaged by any natural or man-made catastrophe subsequent to the effective date of this Zoning Code may be reconstructed, provided that the cost of such reconstruction does not exceed fifty percent (50%) of the appraised value of such structure at the time such damage occurred.

If, in the process of reconstructing a nonconforming structure pursuant to this subsection, certain nonconformities can be brought into conformance, they shall be brought into conformance.

17.165.040 Exceptions for Residential Structures

- (a) A nonconforming residential structure which complied with the applicable development standards at the time of its construction, and which is utilized for residential purposes in a zoning district that allows such residential uses, **or is in the Business Park Zone (BP)**, is not subject to the provisions of this Chapter.
- (b) The requirement for a Conditional Use Permit shall not apply to nonconforming residential uses where such uses are being expanded or modified by no more than twenty-five percent (25%) of the floor space or ground area existing at the time such use became a nonconforming use.

17.165.050 Notice of Nonconformity and Amortization

- (a) Upon determination that the provisions in this Chapter apply to a given parcel of land, the Planning Director or his/her designee shall send a notice regarding this parcel by certified United States mail, return receipt requested, to the owner of said parcel as shown on the last equalized assessment roll. The Director shall also post this property with a similar notice and shall publish such notice at least once in a newspaper of general circulation. Should the certified mailed notice be returned to the City for any reason, the City shall cause a copy of the same to be mailed to the property owner shown on the last equalized assessment roll by regular first-class mail with postage fully paid.
- (b) The notice provided for in this Section shall state that the property in question is a nonconformity and shall state the date of abatement established in the Resolution of the City Council. The abatement date shall be deemed to apply unless the property owner requests a hearing before the hearing body. The

property owner shall have sixty (60) days from the date of the notice to request a hearing.

17.165.052 Hearing Body Designated; Hearing

- (a) The City Council by Resolution shall designate the hearing body for purposes of this Chapter.
- (b) If a hearing is requested by the property owner in accordance with Section 17.165.050, the hearing body shall hold a public hearing to determine whether the nonconformity should be abated or whether a time extension should be granted. Notice of the hearing shall be given to all property owners within a three-hundred foot (300) radius of subject property.
- (c) The hearing body shall receive written and oral testimony at such hearing regarding the abatement or elimination of the nonconformity.
- (d) At the close of the public hearing, the hearing body shall find and determine whether the nonconformity should be abated and all facts in support thereof, whether the owner of the property can amortize his/her investment in the term for abatement provided in the Resolution of the City Council, and if not, what term for abatement should be provided.
- (e) The hearing body shall also find and determine whether the nonconforming use or structure can economically be used in its present condition or if the nonconformity can be successfully modified for a purpose permitted in the zoning district in which it is located.
- (f) The hearing body, or the City Council on appeal, shall base its decision as to the length of the permitted amortization period on any competent evidence presented, including but not limited to the depreciation schedule attached to the owner's latest federal income tax return.

17.165.054 Decision and Findings

The decision of the hearing body and the findings in support of said decision shall be in the form of a written order and shall be served to the property owner personally or by certified United States mail, return receipt requested, within ten (10) days after the decision is rendered. Findings shall be made as to whether or not the balancing of the public interest and the request by the owner for continuance, alteration, or expansion of the nonconformity of the subject property require a deviation from the development standards of the City of Adelanto.

17.165.056 Right of Appeal

- (a) The decision of the hearing body terminating the nonconformity or an extension may be appealed to the City Council in accordance with the Adelanto Municipal Code.

- (b) After the expiration of the appeal period, the decision of the hearing body shall be final and conclusive unless an appeal was timely filed in accordance with the provisions of this Section.
- (c) The City Council on appeal shall conduct the hearing in accordance with Section 17.165.052 and may uphold, reverse, or amend any decision of the hearing body. The decision of the City Council shall be final and conclusive. Notice of the City Council's decision shall be mailed by the City Clerk to the property owner or other appellant within ten (10) days of the City Council's decision by certified United States mail, return receipt requested.

17.165.057 Recordation of Order

After the conclusion of all appeals, the City Clerk shall cause notice of the decision and order of the hearing body, or the City Council in the case of an appeal, to be recorded with the County Recorder of the County of San Bernardino. The notice shall consist of a Notice of Zoning Violation.

17.165.058 Revocation

- (a) Whenever the use, maintenance, or continuation of nonconforming conditions or use is granted through the means of Conditional Use Permits, Variances, Location and Development Approval, Extensions, Expansions, or other approved changes, the same may be revoked by the City Council whenever the City Council finds that the terms or conditions of any CUP, Variance, Location and Development Approval, Extension, Expansion, or other approval are being violated, the condition or use of the property constitutes a public nuisance, or the health, safety, or welfare of the surrounding property owners or residents is being threatened by the continuation of said nonconforming use or condition.
- (b) The revocation process may be initiated by the order of the City Council, or any person demonstrating that his/her health, safety, or welfare is being adversely affected by the continuation of circumstances existing on nonconforming property.
- (c) The property owner shall be notified of the commencement of the revocation process pursuant to Sections 17.165.050 and 17.165.054.

17.165.059 Public Nuisance

Any nonconforming use or structure continuing beyond the date for abatement set by the hearing body, or City Council on appeal, shall be deemed a public nuisance, subject to abatement thereof and prosecution either through civil or criminal action.

17.165.060 Nonconforming Signs

Nonconforming signs shall comply with the applicable provisions contained in Chapter 17.70 of this Zoning Code.

17.165.070 Nonconforming Adult Businesses

Nonconforming adult businesses shall comply with the applicable provisions contained in Chapter 17.85 of this Zoning Code.

**CITY OF ADELANTO
COMMUNITY DEVELOPMENT DEPARTMENT
Notice of Exemption**

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415

FROM: City of Adelanto
Planning Division
11600 Air Expressway/PO Box 10
Adelanto, CA 92301

Project Title: Code Amendment 16-01

Description of Project: Proposed Code Amendment to the Adelanto Municipal Code amending Chapter 17.165 Nonconforming Uses and Structures of the Adelanto Municipal Code.

Project Location: City of Adelanto, County of San Bernardino

Project Proponent: City of Adelanto/Planning Division
11600 Air Expressway/PO Box 10
Adelanto, CA 92301

Reasons why project is exempt:

Exempt under Section 15061 (b) (3) Review for Exemptions of the California Environmental Quality Act as the Code Amendment will not cause a significant effect on the environment.

Exempt Status: (*check one*)

- Ministerial (Section 21080 (b)(1); Section 15268);
- Declared Emergency (Section 21080 (b) (3); Section 15269(a));
- Emergency Project (Section 21080 (b) (4); Section 15269(b)(c));
- Statutory Exemption (Section Number: _____);
- Categorical Exemption: Class 03 (Section Number 15303) (E)
- The activity is not subject to CEQA (Section 15162)
- Other: 15061 (b) (3) Review for Exemption

Contact Person/Title: Mark de Manincor, Senior Planner Phone Number: (760) 246-2300 ext. 3001.

Signature: _____

Date: April 8, 2016

Received for Filing: (To be completed by the County)

DATE

SIGNATURE/TITLE



PLANNING COMMISSION AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: February 2, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Senior Planner

SUBJECT: **Code Amendment 16-01** Proposed amendment to Title 17 of the Adelanto Municipal Code amending Chapter 17.165, Nonconforming Uses and Structures, to exempt residential structures, from the provisions of Chapter 17.165, in the Business Park Zone.

STAFF RECOMMENDATION:

ADOPT Resolution P-16-03, **ADOPT** findings, and recommend **APPROVAL** to the City Council, Code Amendment 16-01.

BACKGROUND:

As a result of the rezoning of many properties, from Residential to Business Park (BP), east of Highway 395, north of Air Expressway and south of Chamberlaine Way, existing Residential Structures are considered Legal Nonconforming Uses and Structures. This has had an adverse effect on property owners as they can no longer sell or refinance their homes. Many home owners and Realtors have complained about this problem ever since the rezoning of October 2014 that was a part of the City of Adelanto Sustainability Plan 2035. When home owners try to sell their homes; lenders will not lend money to potential buyers because our nonconforming uses and structures chapter states, "Any nonconforming structure damaged by any natural or man-made catastrophe subsequent to the effective date of this Zoning Code may be reconstructed, provided that the cost of such reconstruction does not exceed fifty percent (50%) of the appraised value of such structure at the time such damage occurred."

PROJECT DESCRIPTION:

Code Amendment 16-01 proposes to amend Title 17, Chapter 17.165, Nonconforming Uses and Structures, by exempting Residential Structures from the provisions of Chapter 17.165 in the Business Park Zone.

ENVIRONMENTAL

The proposed project is exempt from the California Environmental Quality Act under section 15061 (b) (3) Review for Exemption as the project will not cause a significant effect on the environment.

ATTACHMENTS:

1. Resolution P-16-03
2. Amended Chapter 17.165 Nonconforming Uses and Structures

RESOLUTION NO. P-16-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, FINDING THE APPROVAL OF CODE AMENDMENT 16-01 EXEMPT PURSUANT TO SECTION 15061 (B) (3) REVIEW FOR EXEMPTIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS THE CODE AMENDMENT WILL NOT CAUSE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND RECOMMENDING TO THE CITY COUNCIL ADOPTION OF CODE AMENDMENT 16-01 TO AMEND TITLE 17, CHAPTER 17.165 NONCONFORMING USES AND STRUCTURES, OF THE ADELANTO MUNICIPAL CODE.

WHEREAS, the City of Adelanto adopted, Title 17 as part of the City of Adelanto Municipal Code establishing among other things the regulation of Land Uses; and

WHEREAS, a duly noticed public hearing was held before the Planning Commission on the 2nd day of February, 2016; to hear public testimony and consider the proposal; and

WHEREAS, the City has complied with the California Environmental Quality Act.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF ADELANTO HEREBY RESOLVES AS FOLLOWS:

Section 1. The above recitals are all true and correct.

Section 2. The Planning Commission has reviewed and considered the information included in the General Plan, staff reports for the public hearing, and public testimony prior to taking action on the proposed Code Amendment. This information is on file and available at the Community Development Department at the City Hall of the City of Adelanto.

Section 3. The Planning Commission finds and determines that the adoption of Code Amendment 16-01 exempt pursuant to Section 15061 (b) (3) Review for Exemptions of the California Environmental Quality Act as the Code Amendment will not cause a significant effect on the environment and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

Section 4. The Planning Commission hereby further finds and determines that the City has followed the procedures for Ordinance Amendments as set forth in sections 65850 thru 65863.13 of the California Government Code.

Section 5. The Planning Commission hereby finds and determines:

- a) That the proposed amendment is in the public interest, and that there will be a community benefit resulting from the amendment;

The amendment will allow owners of Residential Structures in the Business Park Zone to sell and refinance their properties, which is in the public interest and will result in a community benefit.

- b) That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan.

The amendment is consistent with the goals, policies and objectives of the General Plan.

- c) That the proposed amendment will not conflict with provisions of the Zoning Code, subdivision regulations, or any applicable specific plan; and

The proposed amendment is consistent with the Zoning Code, subdivision regulations and any specific plan.

- d) In the event that the proposed amendment is a change to the land use policy map that the amendment will not adversely affect surrounding properties.

The proposed amendment is not a change to the land use policy map.

Section 6. The Planning Commission of the City of Adelanto hereby recommends to the City Council adoption of Code Amendment 16-01.

Attachments:

Chapter 17.165 Nonconforming Uses and Structures

PASSED, APPROVED AND ADOPTED this 2nd day of February, 2016.

Chris Waggener
Chairman to the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. 16-03 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 2nd day of February, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 2nd day of February, 2016.

Virginia Cervantes
Secretary to the Planning Commission

CHAPTER 17.165

NONCONFORMING USES AND STRUCTURES

17.165.010	General Provisions
17.165.020	Nonconforming Uses
17.165.030	Nonconforming Structures
17.165.040	Exceptions for Residential Structures
17.165.050	Notice of Nonconformity and Amortization
17.165.060	Nonconforming Signs
17.165.070	Nonconforming Adult Businesses

17.165.010 General Provisions

The regulations in this Chapter shall apply to all existing nonconforming uses and structures and to any uses or structures made nonconforming upon adoption of subsequent ordinances.

17.165.020 Nonconforming Uses

The following regulations shall apply to the legal, nonconforming use of any building or structure. Regulations applicable to nonconforming structures are provided in Section 17.165.030.

(a) Continuation

Any nonconforming use may be continued through the amortization period, provided that the use shall not be increased, enlarged, extended, or altered except as provided in this Chapter.

(b) Termination Due to Cessation of Use

Any part of a building or land occupied by a nonconforming use in which that use is discontinued for one hundred eighty (180) days or more shall thereafter lose its nonconforming use status. All subsequent uses shall be used in conformity with the provisions of this Zoning Code.

(c) Amortization of Nonconforming Uses: General

Every legal nonconforming use shall be terminated according to the amortization time schedule established by Resolution of the City Council or the provisions of this Chapter.

(d) Amortization of Nonconforming Use Where No Building Exists

Except as otherwise provided herein, the legal nonconforming use of land where no structure exists may continue for a period of not more than ten (10) years from the date the use became nonconforming, provided the nonconforming use will not in any way be expanded or extended, either on the same or adjoining property.

(e) Alteration of Nonconforming Uses

- (1) A legal nonconforming use may not be enlarged, expanded, or otherwise increased in scope unless a Conditional Use Permit has been issued pursuant to Chapter 17.130 of this Zoning Code.
- (2) Any alteration required by governmental or court action shall be exempt from these conditions.
- (3) Restrictions and conditions affecting a nonconforming use shall apply to the existing use, land, and structures, and shall not be affected by ownership changes.

17.165.030 Nonconforming Structures

(a) Continuation

Any nonconforming structure may be continued and maintained through the amortization period, provided there are no structural alterations except as provided in this Chapter.

(b) Alterations

The following alterations are permitted to a nonconforming structure:

- (1) When a subsequently adopted ordinance or regulation requires specific alterations, those alterations shall be made.
- (2) Additions to a nonconforming structure may be made, provided the proposed addition meets all requirements in effect at the time the application for the addition is made.

(c) Amortization

- (1) Every legal nonconforming structure shall be completely removed or altered to conform to the requirements of the zoning district in which it is located according to the amortization time schedule established by Resolution of the City Council or the provisions of this Chapter. Such time schedule for removal or alteration may not be fixed for a date before the expiration of the normal life of any building, as determined by the Planning Director. Such determination of the normal life of a nonconforming building, and the fixing of time for its removal or alteration, may only be made after notice to the owner.

(2) An order for removal or alteration shall require such action on a date no less than five (5) years from the time such an order is made. It shall be the duty of the Planning Department to give the owner of the affected structure written notice of the required removal or alteration immediately upon the order becoming final. A second notice shall be issued not less than sixty (60) or more than one hundred eighty (180) days prior to the date such removal or alteration is required to be completed. If the Planning Department fails to give this second notice within the above time period, the owner shall be given sixty (60) days from the notice's actual postmark date.

(d) Reconstruction of Damaged Structure

Any nonconforming structure damaged by any natural or man-made catastrophe subsequent to the effective date of this Zoning Code may be reconstructed, provided that the cost of such reconstruction does not exceed fifty percent (50%) of the appraised value of such structure at the time such damage occurred.

If, in the process of reconstructing a nonconforming structure pursuant to this subsection, certain nonconformities can be brought into conformance, they shall be brought into conformance.

17.165.040 Exceptions for Residential Structures

- (a) A nonconforming residential structure which complied with the applicable development standards at the time of its construction, and which is utilized for residential purposes in a zoning district that allows such residential uses, **or is in the Business Park Zone (BP)**, is not subject to the provisions of this Chapter.
- (b) The requirement for a Conditional Use Permit shall not apply to nonconforming residential uses where such uses are being expanded or modified by no more than twenty-five percent (25%) of the floor space or ground area existing at the time such use became a nonconforming use.

17.165.050 Notice of Nonconformity and Amortization

- (a) Upon determination that the provisions in this Chapter apply to a given parcel of land, the Planning Director or his/her designee shall send a notice regarding this parcel by certified United States mail, return receipt requested, to the owner of said parcel as shown on the last equalized assessment roll. The Director shall also post this property with a similar notice and shall publish such notice at least once in a newspaper of general circulation. Should the certified mailed notice be returned to the City for any reason, the City shall cause a copy of the same to be mailed to the property owner shown on the last equalized assessment roll by regular first-class mail with postage fully paid.
- (b) The notice provided for in this Section shall state that the property in question is a nonconformity and shall state the date of abatement established in the Resolution of the City Council. The abatement date shall be deemed to apply unless the property owner requests a hearing before the hearing body. The

property owner shall have sixty (60) days from the date of the notice to request a hearing.

17.165.052 Hearing Body Designated; Hearing

- (a) The City Council by Resolution shall designate the hearing body for purposes of this Chapter.
- (b) If a hearing is requested by the property owner in accordance with Section 17.165.050, the hearing body shall hold a public hearing to determine whether the nonconformity should be abated or whether a time extension should be granted. Notice of the hearing shall be given to all property owners within a three-hundred foot (300) radius of subject property.
- (c) The hearing body shall receive written and oral testimony at such hearing regarding the abatement or elimination of the nonconformity.
- (d) At the close of the public hearing, the hearing body shall find and determine whether the nonconformity should be abated and all facts in support thereof, whether the owner of the property can amortize his/her investment in the term for abatement provided in the Resolution of the City Council, and if not, what term for abatement should be provided.
- (e) The hearing body shall also find and determine whether the nonconforming use or structure can economically be used in its present condition or if the nonconformity can be successfully modified for a purpose permitted in the zoning district in which it is located.
- (f) The hearing body, or the City Council on appeal, shall base its decision as to the length of the permitted amortization period on any competent evidence presented, including but not limited to the depreciation schedule attached to the owner's latest federal income tax return.

17.165.054 Decision and Findings

The decision of the hearing body and the findings in support of said decision shall be in the form of a written order and shall be served to the property owner personally or by certified United States mail, return receipt requested, within ten (10) days after the decision is rendered. Findings shall be made as to whether or not the balancing of the public interest and the request by the owner for continuance, alteration, or expansion of the nonconformity of the subject property require a deviation from the development standards of the City of Adelanto.

17.165.056 Right of Appeal

- (a) The decision of the hearing body terminating the nonconformity or an extension may be appealed to the City Council in accordance with the Adelanto Municipal Code.

- (b) After the expiration of the appeal period, the decision of the hearing body shall be final and conclusive unless an appeal was timely filed in accordance with the provisions of this Section.
- (c) The City Council on appeal shall conduct the hearing in accordance with Section 17.165.052 and may uphold, reverse, or amend any decision of the hearing body. The decision of the City Council shall be final and conclusive. Notice of the City Council's decision shall be mailed by the City Clerk to the property owner or other appellant within ten (10) days of the City Council's decision by certified United States mail, return receipt requested.

17.165.057 Recordation of Order

After the conclusion of all appeals, the City Clerk shall cause notice of the decision and order of the hearing body, or the City Council in the case of an appeal, to be recorded with the County Recorder of the County of San Bernardino. The notice shall consist of a Notice of Zoning Violation.

17.165.058 Revocation

- (a) Whenever the use, maintenance, or continuation of nonconforming conditions or use is granted through the means of Conditional Use Permits, Variances, Location and Development Approval, Extensions, Expansions, or other approved changes, the same may be revoked by the City Council whenever the City Council finds that the terms or conditions of any CUP, Variance, Location and Development Approval, Extension, Expansion, or other approval are being violated, the condition or use of the property constitutes a public nuisance, or the health, safety, or welfare of the surrounding property owners or residents is being threatened by the continuation of said nonconforming use or condition.
- (b) The revocation process may be initiated by the order of the City Council, or any person demonstrating that his/her health, safety, or welfare is being adversely affected by the continuation of circumstances existing on nonconforming property.
- (c) The property owner shall be notified of the commencement of the revocation process pursuant to Sections 17.165.050 and 17.165.054.

17.165.059 Public Nuisance

Any nonconforming use or structure continuing beyond the date for abatement set by the hearing body, or City Council on appeal, shall be deemed a public nuisance, subject to abatement thereof and prosecution either through civil or criminal action.

17.165.060 Nonconforming Signs

Nonconforming signs shall comply with the applicable provisions contained in Chapter 17.70 of this Zoning Code.

17.165.070 Nonconforming Adult Businesses

Nonconforming adult businesses shall comply with the applicable provisions contained in Chapter 17.85 of this Zoning Code.

**CITY OF ADELANTO
COMMUNITY DEVELOPMENT DEPARTMENT
Notice of Exemption**

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415

FROM: City of Adelanto
Planning Division
11600 Air Expressway/PO Box 10
Adelanto, CA 92301

Project Title: Code Amendment 15-01

Description of Project: Proposed Code Amendment to the Adelanto Municipal Code amending Chapter 17.165 Nonconforming Uses and Structures of the Adelanto Municipal Code.

Project Location: City of Adelanto, County of San Bernardino

Project Proponent: City of Adelanto/Planning Division
11600 Air Expressway/PO Box 10
Adelanto, CA 92301

Reasons why project is exempt:

Exempt under Section 15061 (b) (3) Review for Exemptions of the California Environmental Quality Act as the Code Amendment will not cause a significant effect on the environment.

Exempt Status: (*check one*)

- Ministerial (Section 21080 (b)(1); Section 15268);
- Declared Emergency (Section 21080 (b) (3); Section 15269(a));
- Emergency Project (Section 21080 (b) (4); Section 15269(b)(c));
- Statutory Exemption (Section Number: _____);
- Categorical Exemption: Class 03 (Section Number 15303) (E)
- The activity is not subject to CEQA (Section 15162)
- Other: 15061 (b) (3) Review for Exemption

Contact Person/Title: Mark de Manincor, Senior Planner Phone Number: (760) 246-2300 ext. 3001.

Signature: _____

Date: April 8, 2016

Received for Filing: (To be completed by the County)

DATE

SIGNATURE/TITLE



CITY COUNCIL AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY
| ADELANTO, CALIFORNIA 92301

DATE: March 9, 2016

TO: Honorable Mayor and City Council Members

FROM: Cynthia M. Herrera, MMC, Interim, City Manager/ City Clerk

BY: Julia Sylva, Interim City Attorney

SUBJECT: ORDINANCE NO. 545: AMENDMENT TO MEDICAL MARIJUANA CULTIVATION ORDINANCE OF THE CITY OF ADELANTO BY ADDING RULES AND REGULATIONS FOR A RESEARCH AND DEVELOPMENT PILOT PROGRAM AND THE ISSUANCE OF PROCESSING PERMIT(S)

STAFF RECOMMENDATION:

Suggest that the Mayor and Member of the City Council consider the adoption of Ordinance No. 545, which seeks to amend the Medical Marijuana Cultivation Ordinance of the City of Adelanto adopted on November 23, 2015, by adding rules and regulations for a Research and Development Pilot Program.

BACKGROUND:

The City has the ability and intends to be on the forefront in the field of medical cannabis and research and development thereof. The City seeks to be on the cutting-edge of the regulation, manufacturing and processing of medical marijuana through the issuance of a Cultivation Permit and a Processing Permit to qualified applicants. In order to further establish and regulate quality and safety standards for the future regulation of medical marijuana processing, the City seeks to issue Processing Permits for the purpose of research and development of commercially available Cannabis infused edibles and vaporizable products, for medical marijuana research and development based on the rules and regulations set forth in this Ordinance No. 545. The issuance of the Processing Permit will be in accordance with State law in order to promote the health, safety, morals, and general welfare of the residents and businesses within the City.

FISCAL IMPACT:

Immediately: None.

Future: Revenue stream in the future through special tax (amount to be determined).

ATTACHMENTS:

Proposed Ordinance No. 545

ORDINANCE NO. 545

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ADELANTO, CALIFORNIA, AMENDING SECTION 17.80.080 OF THE ADELANTO MUNICIPAL CODE BY ADDING SECTION 3 RELATING TO RESEARCH AND DEVELOPMENT PILOT PROGRAM AND RENUMBERING SECTIONS 4 TO 10, ALL RELATING TO MEDICAL MARIJUANA CULTIVATION

WHEREAS, the voters of the State of California approved Proposition 215 (codified as Health and Safety Code Section 11362.5 and entitled “The Compassionate Use Act of 1996”). The intent of Proposition 215 was to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician, and to ensure that patients and their primary caregivers who obtain and use marijuana for medical purposes upon the recommendation of a physician are not thereby subject to criminal prosecution or sanction. The Act further provides that “nothing in this section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes.” The State enacted SB 420 in 2004 (codified as Health and Safety Code Section *et seq.*) to clarify the scope of The Compassionate Use Act of 1996, facilitate the prompt identification of qualified patients and primary caregivers, avoid unnecessary arrest and prosecution of these individuals, provide needed guidance to law enforcement officers, promote uniform and consistent application of the Act, and enhance the access of patients and caregivers to medical marijuana through collective, cooperative cultivation projects and to allow local governing bodies to adopt and enforce rules and regulations consistent with SB 420; and

WHEREAS, Health and Safety Code section 11362.83 provides that local governments are free to adopt laws that are consistent with State law, and as such, it is up to each jurisdiction to decide if it will allow medical cannabis cooperatives or collectives, in what zones, and under what regulations; and

WHEREAS, In August 2008, the Attorney General of the State of California set forth Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use (“Guidelines”); and

WHEREAS, the California Supreme Court empowers local incorporated cities and counties to enact laws or regulations pertaining to medical marijuana cultivation, dispensing, manufacturing, or distribution pursuant to city zoning powers that the city or counties governing body allows which including either expanding and allowing such activity within its city zoning area or can restrict, ban or prohibit within its zoning area; and

WHEREAS, the State of California recently adopted AB 243, AB 266, and SB 643 to clarify legal requirements pertaining to medical marijuana; and

WHEREAS, the City of Adelanto (“City”) wishes to comply with California Law (“State law”) and allow for cultivation of medical marijuana; and

WHEREAS, it is the purpose and intent of this Chapter to regulate medical marijuana in a manner that is consistent with State law and which promotes the health, safety, and general welfare of the residents and businesses within the incorporated City and limits impacts associated with marijuana cultivation; and

WHEREAS, the City intends to be on the forefront in the field of medical cannabis. Scientific research, studies and data has established that cannabis helps patients with a vast array of medical conditions that affect the vast majority of human beings across the globe; and

WHEREAS, nothing in this Section shall be construed to allow persons to engage in conduct that endangers others or causes a public nuisance as defined herein, allow the use or diversion of marijuana for nonmedical purposes, or allow any activity relating to the cultivation, distribution or consumption of marijuana that is otherwise illegal under California State law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ADELANTO DOES ORDAIN AS FOLLOWS:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. Section 17.80.080 (Cultivation of Medical Marijuana) is hereby added to the City Municipal Code is to read in its entirety as follows:

Section 17.80.080 Cultivation of Medical Marijuana

- (a) The purpose and intent of this Section is to regulate the cultivation of medical marijuana that is grown in accordance with State law in order to promote the health, safety, morals, and general welfare of the residents and businesses within the City.
- (b) For purposes of this Section, the following definitions shall apply, unless the context clearly indicates otherwise:
 - (1) “City” means the City of Adelanto, California, a Charter Law City.
 - (2) “City Manager” means the individual duly appointed by a majority of the City Council of the City to serve in the capacity as executive officer of the City on a permanent or interim basis.
 - (3) “Cultivation” or “marijuana cultivation” means cultivation of medical cannabis and industrial hemp either indoor or within external greenhouses.
 - (4) “Fully enclosed and secure structure” means a space within a building, greenhouse or other structure which has a complete roof enclosure supported by connecting walls extending from the ground to the roof, which is secure against unauthorized entry, provides complete visual screening, and which is accessible only through one or more lockable doors and inaccessible to minors.

- (5) “Indoors” means within a fully enclosed and secure structure.
 - (6) “Medical Marijuana” and “Medical Cannabis” are defined in strict accordance with California Health and Safety Code section 11362.5 and, *et seq.*
 - (7) “Outdoors” means any location within the City that is not within a fully enclosed and secure structure. `
 - (8) “Cultivation Permit” means a permit to own, operate and manage a Medical Marijuana facility for cultivation purposes only, pursuant to the terms and conditions of this Ordinance.
 - (9) “Permitee” means an applicant who has applied for and has been issued a Permit by the City for a Medical Marijuana Cultivation Permit pursuant to the terms and conditions of this Ordinance.
 - (10) “Primary caregiver” means a “primary caregiver” as defined in Section 11362.7(d) of the Health and Safety Code, as may be amended from time to time.
 - (11) “Qualified patient” means a “qualified patient” as defined in Section 11362.7(f) of the Health and Safety Code.
 - (12) “Processing Permit” means a permit to own, operate and manage a Medical Marijuana facility for the purposes of research and development of commercially available Cannabis infused edibles and vaporizable products.
- (c) All outdoor cultivation of marijuana within the City is prohibited. It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the City to cause or allow such parcel to be used for the outdoor cultivation, manufacture, or research of marijuana.
- (d) It is hereby declared to be unlawful for any person owning, leasing, occupying, or having charge or possession of any property in the City to cause or allow such property to be used for the indoor cultivation of marijuana plants within a fully enclosed and secure structure on the property, except as provided in subsections (d)(1) and (d)(2) of this section.
- (1) Indoor Cultivation Standards. Indoor Medical Marijuana Cultivation, within the City, shall be in conformance with the following standards:
 - A. Indoor Medical Marijuana Cultivation shall only be considered upon application and approval of a Marijuana Cultivation Permit in accordance with the criteria and process set forth in this Section.
 - B. Indoor Medical Marijuana Cultivation is a conditionally permitted use only on property within the Manufacturing/Industrial (MI) zoning designation in the Industrial Park (the “Cultivation Zone”).

No Medical Marijuana Cultivation shall be established, developed, or operated within two thousand five hundred (2,500) feet of a school, public playground or park, child care or day care facility, youth center, or church. All distances shall be measured in a straight line, without regard to intervening structures, from the nearest point of the building or structure in which the Medical Marijuana Cultivation is, or will be located, to the nearest property line of those uses describe in this Subsection.

- C. Indoor Medical Marijuana Cultivation is allowed only within fully enclosed and secure structures inaccessible to minors.
- D. Indoor Medical Marijuana Cultivation shall not exceed the square footage authorized pursuant to the Conditional Use Permit.
- E. From a public right-of-way, there shall be no exterior evidence of Indoor Medical Marijuana Cultivation.
- F. Indoor Medical Marijuana Cultivation shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.
- G. The number of Medical Marijuana Cultivation Permits shall be limited to those that may be reasonably accommodated within the Cultivation Zone, as defined in B, above.
- H. The Medical Marijuana Cultivation facility shall comply fully with all of the applicable restrictions and mandates set forth in state law, including without limitation the Attorney General Guidelines. The Medical Marijuana Cultivation facility shall comply with all size requirements for such facilities imposed by State law. The Medical Marijuana Cultivation facility shall not engage in any activities not allowed at cultivation facilities pursuant to State law. The Medical Marijuana Cultivation facility shall comply with all horticultural, labelling, processing, and other standards required by State law.
- I. There is no set restriction on the hours of operation of a Medical Marijuana Cultivation facility; however one may be established as a condition of approval of the Conditional Use Permit.
- J. Marijuana shall be kept in a secured manner during business and nonbusiness hours.
- K. All Medical Marijuana Cultivation facilities shall operate within a legal structure compliant with all applicable laws of the State of California.

- L. Any Medical Marijuana Cultivation facility must pay any applicable sales tax pursuant to federal, state, and local law. The facility shall be established as a “point of sale” within the City for sales tax purposes.
- M. On-site smoking, ingestion, or consumption of marijuana or alcohol shall be prohibited on the premises of the Medical Marijuana Cultivation facility. The term "premises" as used in this Subsection includes the actual building, as well as any accessory structures and parking areas. The building entrance to a Medical Marijuana Cultivation facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the facility is prohibited.
- N. Signage for the Medical Marijuana Cultivation facility shall be limited to name of business only and in compliance with the City’s sign code, and no advertising of companies, brands, products, goods and/or services shall be permitted. Signage shall not include any drug-related symbols.
- O. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Medical Marijuana Cultivation facility shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Medical Marijuana Cultivation facility.
- P. Physician services shall not be provided on the premises. "Physician services" does not include social services, including counseling, help with housing and meals, hospice and other care referrals which may be provided on site.
- Q. The building in which the Medical Marijuana Cultivation facility is located as well as the operations as conducted therein shall fully comply with all applicable rules, regulations, and laws including, but not limited to, zoning and building codes, the City's business license ordinances, the Revenue and Taxation Code, the Americans with Disabilities Act, and the Compassionate Use Act. Compliance with all requirements of state law pertaining to cultivation of marijuana as such state laws are amended is also required.
- R. The Medical Marijuana Cultivation facility shall not distribute, sell, dispense, or administer marijuana out of its facility to the

public. A Medical Marijuana Cultivation facility shall not be operated as a medical marijuana dispensary.

- S. Provide the City Manager with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom one can provide notice if there are operating problems associated with the Medical Marijuana Cultivation facility. The Medical Marijuana Cultivation facility shall make every good faith effort to encourage residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the police or planning departments.
- T. Any and all Permits permitting the operation of a Medical Marijuana Cultivation facility shall expire and be null and void twelve (12) months after issuance to the Permittee, unless otherwise extended by the City Manager, in writing.
- U. Permittee shall account for job creation in the City and shall commit to employing a workforce that resides in the City. A minimum of fifty percent (50%) of all employees employed by the Permittee at the cultivation facility, pursuant to this Permit, shall be residents of the City. Permittee shall use good faith efforts to comply with this subsection.

(2) Marijuana Cultivation Permit. Prior to initiating operations and as a continuing requisite to conducting operations, the legal representative of the persons wishing to obtain a Marijuana Cultivation Permit shall obtain said permit from the City Manager under the terms and conditions set forth in this Section. The legal representative shall file an application with the City Manager upon a form provided by the City and shall pay a filing fee as established by resolution adopted by the City Council as amended from time to time. An application for a Marijuana Cultivation Permit shall include, but shall not be limited to, the following information:

- A. An estimate of the size of the Indoor Medical Marijuana Cultivation facility.
- B. The address of the location for which the Marijuana Cultivation Permit is sought.
- C. A site plan and floor plan of the premises denoting all the use of areas on the premises, including storage, cultivation areas, lighting, signage, etc.
- D. A security plan including the following measures:

1. Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 120 concurrent hours of digitally recorded documentation in a format approved by the City Manager. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras include, but are not limited to, the storage areas, cultivation areas, all doors and windows, and any other areas as determined by the City Manager;
 2. The facility shall be alarmed with an alarm system that is operated and monitored by a recognized security company;
 3. Entrance to the cultivation area and any storage areas shall be locked at all times, and under the control of staff of the cultivation facility;
 4. The entrance(s) and all window areas shall be illuminated during evening hours. The applicant shall comply with the City's lighting standards regarding fixture type, wattage, illumination levels, shielding, etc., and secure the necessary approvals and permits as needed; and
 5. All windows on the building that houses the cultivation facility shall be appropriately secured and all marijuana securely stored, and a reliable, commercial alarm system shall be installed and maintained.
- E. The name and address of any person who is managing or responsible for the Indoor Medical Marijuana Cultivation activities, and the names and addresses of any employees, if any, and a statement as to whether such person or persons has or have been convicted of a crime(s), the nature of such offense(s), and the sentence(s) received for such conviction(s).
- F. The name and address of the owner and lessor of the real property upon which the Indoor Medical Marijuana Cultivation is to be conducted. In the event the applicant is not the legal owner of the property, the application must be accompanied with a notarized acknowledgement from the owner of the property that a Medical Marijuana Cultivation Facility will be operated on his/her property.
- G. Authorization for the City Manager to seek verification of the information contained within the application.

- H. Evidence that the Indoor Medical Marijuana Cultivation facility is organized in a legal structure compliant with all applicable laws of the State of California.
- I. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct.
- J. Any such additional and further information as is deemed necessary by the City Manager to administer this Section.
- K. The City Manager shall conduct a background check of any applicant seeking a Permit, including any person who is managing or is otherwise responsible for the activities of the cultivation facility, and any employee at the cultivation facility (“Applicant’s Agents”), and shall prepare a report on the acceptability of the applicant and the Applicant’s Agents background and the suitability of the proposed location. Upon completing the review process, the City Manager may issue a Permit to any applicant that meets all the City requirements for said Permit, unless the City Manager finds that:
 - 1. The applicant has made one or more false or misleading statements, or omissions on the application or during the application process;
 - 2. The proposed Indoor Medical Marijuana Cultivation facility is not allowed by state or local law, statute, ordinance, or regulation, including this Code, at a particular location;
 - 3. The applicant is not a Primary Caregiver or Qualified Patient or the legal representative of the Indoor Medical Marijuana Cultivation facility;
 - 4. The applicant, or any person who is managing or is otherwise responsible for the activities of the Indoor Medical Marijuana Cultivation facility, or any employee, if any, has been convicted of a felony, or convicted of a misdemeanor involving moral turpitude, or the illegal use, possession, transportation, distribution or similar activities related to controlled substances, with the exception of marijuana related offenses for which the conviction occurred prior to passage of Compassionate Use Act. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of *nolo contendere*;

5. The applicant, or any person who is managing or is otherwise responsible for the activities of the Indoor Medical Marijuana Cultivation facility has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices; or
 6. The applicant has not satisfied each and every requirement of this Section.
- L. Based on the information set forth in the application and the City Manager's report, the City Manager may impose reasonable terms and conditions on the proposed operations in addition to those specified in this Section.
- M. The City Manager will accept applications for Medical Marijuana Cultivation Permits during a thirty (30) day period after adoption (Second Reading) of this Ordinance. Such thirty (30) day time period plus an additional seven (7) days to complete the reviews and the preparation of the reports called for in this Section shall be deemed the "Application Period." Applications that have been determined to be qualified by the City Manager during the Application Period shall be considered by the City Manager for ultimate review and consideration. The City Manager shall rank all qualified applications in order of those that best satisfy the requirements of this Section and provide the highest level of service and opportunities for residents of the City based on the requirements of this Section and the following criteria: 1) the operations plan for the facility; 2) the security plan for the facility; 3) the experience of the operators of the facility; 4) the adequacy of capitalization for the facility and operation; and 5) the employment and other public benefits to the City. The City Manager may issue a reasonable number of Medical Marijuana Cultivation Permits, as determined by the City Manager, in his or her exclusive discretion, pursuant to the terms and conditions of this Ordinance, provided the number of Permits may be reasonably accommodated within the Cultivation Zone, as defined herein. Within thirty (30) days after issuance of Medical Marijuana Cultivation Permits, the City Manager shall submit a written report to the City Council stating which applicants were issued Medical Marijuana Cultivation Permits.
- N. The obligations of the Indoor Medical Marijuana Cultivation facility, including all on-going and continuing obligations required pursuant to any provision of this Section or as may be provided in any conditional approval of the City Manager, shall be set forth in a covenant running with the land or the leasehold interest, approved as to form by the City Attorney, and enforceable by the

City. Such covenant shall also provide that the Indoor Medical Marijuana Cultivation facility shall annually provide to the City Manager an updated application containing the information contained in Subsection (d)(2)A-J. To the fullest extent permitted by law, the City shall not assume any liability whatsoever, and expressly does not waive sovereign immunity, with respect to medical marijuana, or for the activities of any Indoor Medical Marijuana Cultivation facility. Upon receiving possession of a Medical Marijuana Cultivation Permit as provided in this Section, the facility shall:

1. Execute an Indemnification Agreement, prepared by the City, wherein, among other things, Permittee shall fully indemnify the City for any and all litigation that may arise in furtherance of this Ordinance;
 2. Carry insurance in the amounts and of the types that are acceptable to the City Manager;
 3. Name the City as an additionally insured;
 4. Agree to defend at its sole expense, any action against the City, its agents, officers, and employees because of the issues of such approval; and
 5. Agree to reimburse the City for any court costs and attorney fees that the City may be required to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the operator of its obligation hereunder.
- O. All Medical Marijuana Cultivation facilities shall be required to enter into an agreement with the City that fully reimburses the City for all costs of the City resulting from the existence of such facilities in the City and provides the City with revenue to offset the potential deleterious effects of the location of Medical Marijuana Cultivation facilities within the jurisdiction of the City.
- P. Enforcement
1. Recordings made by the security cameras shall be made available to the City Manager upon verbal request; no search warrant or subpoena shall be needed to view the recorded materials;

2. The City Manager, or the City Manager's designee, shall have the right to enter the Indoor Medical Marijuana Cultivation facility from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with this Section and all laws of the City and State of California;
3. Operation of the cultivation facility in non-compliance with any conditions of approval or standards of this Section shall constitute a violation of the Municipal Code and shall be enforced pursuant to the provisions of this Code;
4. The City Manager may revoke a Medical Marijuana Cultivation Permit if any of the following, singularly or in combination, occur:
 - (a) The City Manager determines that the Indoor Medical Marijuana Cultivation facility has failed to comply with this Section, any condition or approval, or any agreement or covenant as required pursuant to this Section;
 - (b) Operations cease for more than 90 calendar days, including during change of ownership proceedings;
 - (c) Ownership of the Medical Marijuana Cultivation facility is changed or transferred to third party;
 - (d) The Indoor Medical Marijuana Cultivation facility fails to maintain 120 hours of security recordings; or
 - (e) The Indoor Medical Marijuana Cultivation facility fails to allow inspection of the security recordings, the activity logs, or of the premise by authorized City officials.
5. Any decision regarding the revocation of a Medical Marijuana Cultivation Permit may be appealed to an independent neutral, third party, appointed by the City Manager (the "Neutral"). Said appeal shall be made by a notice of appeal from the person appealing within thirty (30) days from the date of the decision. The appeal shall be accompanied by a fee, which shall be established by resolution of the City Council amended from time to time, and a written, verified declaration setting forth the basis for the claim that the Permit was improperly approved, denied,

conditioned or revoked. The appeal decision rendered by the Neutral shall be binding upon the City and the appellant.

- Q. Any and all permits, rights or entitlements permitting the operation of a Medical Marijuana Cultivation facility shall expire and be null and void twelve (12) months after issuance to each respective Permittee, unless otherwise extended by the City Manager. Unless extended, upon the conclusion of the twelve (12) month time period, Medical Marijuana Cultivation facilities for the expired Permittee shall be a prohibited use and any rights obtained pursuant to this Section or any other rules or agreements shall cease as to the respective Permittee.
- R. Medical Marijuana Cultivation Permit issued pursuant to this Section is not transferable to a third party by the applicant, under any circumstances.
- S. Oversight Committee. The City shall create an Oversight Committee to oversee activities of the Permittee(s) to ensure that all applicable local, state, and federal laws are in compliance, and to assure that all restrictive covenants of this Ordinance are enforced, and that no illegal activity is conducted on the premises. The City's Oversight Committee shall have full authority to review all proposed applications, applicants, business proposals, financial resources, merit and overall business plan when deciding to which entities will receive the proposed Permit as outlined herein. The Oversight Committee shall be appointed by the City Council and shall consist of five (5) total members with one (1) member from code enforcement, one (1) member from planning, and three (3) at-large appointments. The City's Oversight Committee shall be assembled and shall take effect on or after January 1, 2016.

Section 3. Research and Development Pilot Program. The City intends to be on the forefront in the field of medical cannabis and research and development thereof. The City seeks to be on the cutting-edge of the regulation, manufacturing and processing of medical marijuana through the issuance of a Cultivation Permit and a Processing Permits to qualified applicants. In order to further establish and regulate quality and safety standards for the future regulation of medical marijuana processing, the City may approve qualified applicants for a Processing Permit as follows:

- (1) The purpose and intent of this Section is to regulate the processing and manufacturing of medical marijuana that is grown in accordance with State law in order to promote the health, safety, morals, and general welfare of the residents and businesses within the City.

- (2) Marijuana Processing Standards. Medical Marijuana Processing , within the City, shall be in conformance with the following standards:
- A. Medical Marijuana Processing shall only be considered upon application and approval of a Marijuana Processing Permit in accordance with the criteria and process set forth in this section.
 - B. Marijuana Processing is a conditionally permitted use only on property within the Manufacturing/Industrial (MI) zoning designation in the Industrial Park (the “Cultivation Zone”). No Medical Marijuana Processing shall be established, developed, or operated within two thousand five hundred (2,500) feet of a school, public playground or park, child care or day care facility, youth center, or church. All distances shall be measured in a straight line, without regard to intervening structures, from the nearest point of the building or structure in which the Medical Marijuana Processing facility is, or will be located, to the nearest property line of those uses describe in this Subsection.
 - C. Medical Marijuana Processing is allowed only within fully enclosed and secure structures inaccessible to minors.
 - D. Medical Marijuana Processing shall not exceed the square footage authorized pursuant to the Conditional Use Permit.
 - E. From a public right-of-way, there shall be no exterior evidence of Medical Marijuana Processing.
 - F. Medical Marijuana Processing shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, smoke, traffic, vibration, or other impacts, and shall not be hazardous due to use or storage of materials, processes, products or wastes.
 - G. The number of Medical Marijuana Processing Permits shall be limited to those that may be reasonably accommodated within the Cultivation Zone, as defined in B, above.
 - H. The Medical Marijuana Processing facility shall comply fully with all of the applicable restrictions and mandates set forth in state law, including without limitation the Attorney General Guidelines. The Medical Marijuana Processing facility shall comply with all size requirements for such facilities imposed by State law. The Medical Marijuana Processing facility shall not engage in any activities not allowed at processing facilities pursuant to State law. The Medical Marijuana Processing facility shall comply with all manufacturing, labelling, processing, and other standards required by State law.

- I. There is no set restriction on the hours of operation of a Medical Marijuana Processing facility; however these restrictions, and others, may be established as a condition of approval of the Conditional Use Permit.
- J. Marijuana shall be kept in a secured manner during business and nonbusiness hours.
- K. All Medical Marijuana Processing facilities shall operate within a legal structure compliant with all applicable laws of the State of California.
- L. Any Medical Marijuana Processing facility must pay any applicable sales tax pursuant to federal, state, and local law. The facility shall be established as a “point of sale” within the City for sales tax purposes.
- M. On-site smoking, ingestion, or consumption of marijuana or alcohol shall be prohibited on the premises of the Medical Marijuana Processing facility. The term "premises" as used in this Subsection includes the actual building, as well as any accessory structures and parking areas. The building entrance to a Medical Marijuana Processing facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming marijuana on the premises or in the vicinity of the facility is prohibited.
- N. Signage for the Medical Marijuana Processing facility shall be limited to name of business only and in compliance with the City’s sign code, and no advertising of companies, brands, products, goods and/or services shall be permitted. Signage shall not include any drug-related symbols.
- O. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Medical Marijuana Processing facility shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Medical Marijuana Processing facility.
- P. Physician services shall not be provided on the premises. "Physician services" includes, but is not limited to, social services, including counseling, help with housing and meals, hospice and other care referrals which may not be provided on site.
- Q. The building in which the Medical Marijuana Processing facility is

located as well as the operations as conducted therein shall fully comply with all applicable rules, regulations, and laws including, but not limited to, zoning and building codes, the City's business license ordinances, the Revenue and Taxation Code, the Americans with Disabilities Act, and the Compassionate Use Act. Compliance with all requirements of state law pertaining to processing/manufacturing of marijuana as such state laws are amended is also required.

- R. The Medical Marijuana Processing facility shall not distribute, sell, dispense, or administer marijuana out of its facility to the public. A Medical Marijuana Processing facility shall not be operated as a medical marijuana dispensary.
- S. Provide the City Manager with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom one can provide notice if there are operating problems associated with the Medical Marijuana Processing facility. The Medical Marijuana Processing facility shall make every good faith effort to encourage residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the police or planning departments.
- T. Any and all Permits permitting the operation of a Medical Marijuana Processing facility shall expire and be null and void twelve (12) months after issuance to the Permittee, unless otherwise extended by the City Manager, in writing.
- U. Permittee shall account for job creation in the City and shall commit to employing a workforce that resides in the City. A minimum of fifty percent (50%) of all employees employed by the Permittee at the cultivation facility, pursuant to this Permit, shall be residents of the City. Permittee shall use good faith efforts to comply with this subsection.
- V. A Medical Marijuana Processing facility may be located within the same building or structure as a Medical Marijuana Cultivation facility, only if the Medical Marijuana Processing facility is located in separate room(s) of the facility, and only if the Medical Marijuana Processing facility has its own, separate entrance.
- W. A Medical Marijuana Processing facility must employ full time quality control personnel. For any edible products, the Permittee must establish Standard Operating Procedures and Batch Records that comply with current Good Manufacturing Practices for food products, as outlined by the California Department of Public Health and the Food and Drug Administration.

- X. All finished products produced by a Medical Marijuana Processing facility must be labeled in compliance with the labeling requirements outlined by the California Department of Public Health, as well as comply with any applicable Marijuana specific labeling requirements established by California Medical Marijuana statutes or codes.
- Y. All finished products produced by a Medical Marijuana Processing Facility must be packaged in child resistant containers, prior to becoming commercially available and, therefore, leaving the facility.
- Z. All batches of final product must be tested by a third party laboratory for potency of cannabinoids, residual solvents, mold, pesticides, and any other contaminants as may be outlined in California Medical Marijuana statutes or codes. In the event that the State of California requires testing by a State certified laboratory, the Permittee shall comply with such regulation.
- AA. A Medical Marijuana Processing facility may only use solvents, which have been approved by the Food and Drug Administration for the processing or preparation of botanical, dietary supplements or food grade products.
- BB. All processing or analytical testing devices used in a Medical Marijuana Processing facility must be UL listed, or otherwise approved for the intended use by the local Building Department and/or Fire Department. Any processing devices using only non-pressurized water are exempt from such approvals.
- CC. Any processing device used in a Medical Marijuana Processing facility, which utilizes hydrocarbons or otherwise flammable solvents, must operate in a closed loop or in such a way that all solvent material is recovered in the process. All hazardous materials must be disposed of in a manner which is compliant with all local, state, and federal guidelines for the disposal of hazardous materials.

Section 4. Recognizing that there is a potential conflict between Federal and State law, it is the City Council's intention that this Chapter shall be deemed to comply with California law as established by the "Compassionate Use Act" (codified as Health and Safety Code §11362.5, *et seq.*), the Medical Marijuana Program Act" (codified as Health and Safety Code §11362.7, *et seq.*), and all other State laws and regulations pertaining to medical marijuana.

Section 5. The City Council determines that it is in the best interest of the residents of the City to allow cultivation facilities that comply with the Guidelines to be established and operated as permitted uses within certain areas of the City subject to the regulations and restrictions provided in this Ordinance. It is the City Council's intention

that nothing in this Chapter shall be construed to:

1. Allow persons to engage in conduct that endangers others or causes a public nuisance;
2. Allow the use of marijuana for non-medical purposes of any kind; or
3. Allow any activity relating to the cultivation, distribution, or consumption of marijuana that is otherwise not permitted under State law.

Section 6. The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environmental Quality Act pursuant to Section 15061 (b) (3) and 15305 of the Guidelines, in that the amendment does not have the potential for causing a significant effect on the environment.

Section 7. No use, business, or activity of any kind which distributed or cultivated marijuana prior to the enactment of this ordinance shall be deemed to have been a legally established use under the provisions of the Zoning Code and such use shall not be entitled to claim legal nonconforming status.

Section 8. If any section or provision of this Ordinance is for any reason held to be invalid, unconstitutional, illegal or unenforceable by any court of competent jurisdiction, or contravened by reason or preemptive legislation, then such section or provision shall be severed and shall be inoperative, and the remainder of this Ordinance shall remain in full force and effect.

Section 9. By the regulation of Indoor Medical Marijuana Cultivation facilities, the City is seeking to preserve the general welfare through the implementation of the Compassionate Use Act. The City Council is not assuming, nor is it imposing on its officers and employees, an obligation for which a breach thereof would expose the City to a liability in money damages, or otherwise, to any person who claims that such breach proximately caused injury. To the fullest extent permitted by law, the City shall assume no liability whatsoever, and expressly does not waive sovereign immunity, with respect to any provision of this Ordinance or for the activities of any Indoor Medical Marijuana Cultivation facility. To the fullest extent permitted by law, any actions taken by a public officer or employee under the provisions of this Chapter shall not become a personal liability of any public officer or employee of the City. Nothing in this Ordinance shall be deemed or considered in any respects to constitute authorization to violate any state or federal law.

Section 10. The Mayor shall sign and the City Clerk shall certify passage and adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty (30) days after its final passage.

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PASSED, APPROVED AND ADOPTED THIS _____ DAY OF _____, 2016.

Rich Kerr
Mayor, City of Adelanto

Cindy Herrera, MMC, City Clerk

APPROVED AS TO FORM:

Julia Sylva, Interim City Attorney

I, Cindy Herrera, City Clerk of the City of Adelanto, California, do hereby certify that the foregoing A m e n d m e n t t o Ordinance No. 545 was duly introduced for the first reading on the _____ day of 2016 and adopted at a regular meeting of the City Council of the City of Adelanto on this _____, day of _____, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on this _____ day of _____, 2016.

Cindy Herrera, MMC
City Clerk

SEAL