



# City of Hesperia

## Meeting Minutes - Final

### City Council

City Council Chambers  
9700 Seventh Ave.  
Hesperia CA, 92345

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Tuesday, August 20, 2019

6:30 PM

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**SPECIAL MEETING AGENDA**  
**HESPERIA CITY COUNCIL**  
**SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**  
**HESPERIA HOUSING AUTHORITY**  
**HESPERIA COMMUNITY DEVELOPMENT COMMISSION**  
**HESPERIA WATER DISTRICT**  
**HESPERIA PUBLIC FACILITIES CORPORATION**  
**HESPERIA PUBLIC FINANCING AUTHORITY ANNUAL MEETING**  
**HESPERIA JOINT PUBLIC FINANCE AUTHORITY SPECIAL MEETING**

**CLOSED SESSION - 5:30 PM**

**Roll Call**

**Present:** 5 - Mayor Bird, Mayor Pro Tem William J. Holland,  
Council Member Gregg and Council Member Swanson

**Absent:** 0

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

1. City of Barstow, et al. v. City of Adelanto, et al., Case No. 208568
2. City of Hesperia v. Lake Arrowhead Community Service District, et al., Court of Appeal Case No. E067679 (Superior Court Case No. CIVDS1602017)

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

- A. Invocation Darrell Nickolaisen of Church of Jesus Christ of Latter –day Saints
- B. Pledge of Allegiance to the Flag
- C. Roll Call

**Present:** 5 - Mayor Bird, Mayor Pro Tem William J. Holland, Council Member Brosowski, Council Member Gregg and Council Member Swanson

- D. Agenda Revisions and Announcements by City Clerk - *None*
- E. Closed Session Reports by City Attorney – *No reportable action taken.*

**ANNOUNCEMENTS/PRESENTATIONS**

1. Public Works Employee of the Quarter to Hugo Enriquez, Maintenance Worker by Gabe Dobos, Maintenance Crew Supervisor

2. City Hall Employee of the Quarter to Jessica Nunez, Animal Care Technician by Don Riser, Animal Services Manager

3. Community Events Calendar - *Hesperia Recreation and Park District Summer Concert Series in the Park each Friday in August beginning at 6pm in the Civic Plaza Park; Meet & Clean Program 8/31 at Maple Avenue & Mesa Avenue; City offices will be closed on Monday, 9/2 for Labor Day.*

### **JOINT CONSENT CALENDAR**

**A motion was made by Brosowske, seconded by Holland, that the Consent Calendar be approved. The motion carried by the following vote:**

**Aye:** 5 - Bird, Holland, Brosowske, Gregg and Swanson

**Nay:** 0

1. Consideration of the Draft Minutes from the Special Meeting held Tuesday, August 6, 2019

**Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Special Meeting held Tuesday, August 6, 2019.

**Sponsors:** City Clerk Melinda Sayre

2. **HESPERIA PUBLIC FACILITIES CORPORATION AND HESPERIA PUBLIC FINANCING AUTHORITY ANNUAL MEETING ITEM AND HESPERIA JOINT PUBLIC FINANCE AUTHORITY SPECIAL MEETING ITEM**

Consideration of the Draft Minutes from the Corporation and Authority Annual Meetings held August 21, 2018

**Recommended Action:**

It is recommended that the Board of Directors approve the Draft Minutes of the Corporation and Authority Annual Meetings held August 21, 2018.

**Sponsors:** City Clerk Melinda Sayre

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

**Recommended Action:**

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

**Sponsors:** Director of Finance Casey Brooksher

4. Treasurer's Cash Report for the unaudited period ended June 30, 2019

**Recommended Action:**

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

**Sponsors:** Director of Finance Casey Brooksher



5. Accept FY 2018-19 Street Improvement Project (CO 7149)

**Recommended Action:**

It is recommended that the City Council accept the FY 2018-19 Street Improvement Project completed by Match Corporation (Construction Order No. 7149); authorize staff to record a "Notice of Completion," and release all withheld retention after 35 days from the date of recordation.

Sponsors: Assistant City Manager Michael Blay

6. License and Maintenance Agreement between the City of Hesperia and Hesperia Apartments, LLC

**Recommended Action:**

It is recommended that the City Council approve a license and maintenance agreement between the City of Hesperia and Hesperia Apartments, LLC.

Sponsors: Assistant City Manager Michael Blay

**CONSENT ORDINANCES**

**A motion was made by Brosowske, seconded by Gregg, that this item be approved. The motion carried by the following vote:**

**Aye:** 5 - Bird, Holland, Brosowske, Gregg and Swanson

**Nay:** 0

7. Amendments to Title 5 of Hesperia Municipal Code

**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance No. 2019-10 amending Title 5 of the Hesperia Municipal Code modifying the regulations for business licensing.

Sponsors: Assistant City Manager Michael Blay and Administrative Analyst Tina Bulgarelli

**PUBLIC HEARING**

8. Adoption of Ordinance No. 2019-09 related to the formation of a local and housing appeals board

**Recommended Action:**

It is recommended that the City Council introduce and place on first reading Ordinance No. 2019-09 repealing Ordinance 2018-05 and modifying Title 1 of the Hesperia Municipal Code related to the Local Appeals Board and Housing Appeals Board.

Sponsors: Assistant City Manager Michael Blay and Administrative Analyst Tina Bulgarelli

*The public hearing was opened. The following individuals commented on item 8:*

*Cody Leis and James Blocker commented regarding the Planning Commission serving as appeal board.*

*There being no further comment, the public hearing was closed.*

**A motion was made by Holland, seconded by Brosowske, that the Planning Commission be the appeals board hearing body. The motion carried by the following vote:**

**Aye:** 5 - Bird, Holland, Brosowske, Gregg and Swanson

**Nay:** 0

9. Substantial Amendment to the Community Development Block Grant (CDBG) 2018-2019 Action Plan

**Recommended Action:**

It is recommended that the City Council: 1) Conduct a public hearing and upon accepting public testimony, adopt Resolution No. 2019-038 including any modifications or amendments thereto 2) Approve a Substantial Amendment to the Community Development Block Grant ("CDBG") 2018-2019 Annual Action Plan ("Action Plan") by programming \$150,000 in unprogrammed dollars to the 2018-2019 Street Improvement Project ("Street Project"); and 3) Authorize the City Manager and/or Economic Development Manager to execute and transmit all necessary documents, including the Substantial Amendment to the Action Plan, and any additional amendments, to assure the City's timely expenditure of CDBG funds.

**Sponsors:** Economic Development Manager Rod Yahnke

*The public hearing was opened. There being no public comments the public hearing was closed.*

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

**Aye:** 5 - Bird, Holland, Brosowske, Gregg and Swanson

**Nay:** 0

**NEW BUSINESS**

10. Hesperia Golf Course Operations

**Recommended Action:**

It is requested that the City Council provide staff guidance pertaining to the operations of the Hesperia Golf Course & Country Club (Golf Course) by considering and providing direction on the following options, as the current Golf Course operations contract is set to expire during September 2019:

1. Enter into a professional service agreement (PSA) with Donovan Bros. Golf, LLC (Donovan Bros.) for the Golf Course operations and conduct a Community Facilities District (CFD) feasibility study for homes that benefit from the Golf Course;
2. Repurpose the Golf Course;
3. Provide alternative direction.

**Sponsors:** Director of Finance Casey Brooksher

*Bob Nelson commented about keeping the golf course as a golf course. Richard Jordan commented on CFD's and golf course operations, Al Vogler commented on the future of the golf course. Steve Wierzbinski commented on golf course operations, Bill Jensen commented on golf course operations. Dan Kiewicz commented on golf course operations.*

**A motion was made by Swanson, seconded by Gregg, that option 1 be approved for this item. The motion carried by the following vote:**

**Aye:** 5 - Bird, Holland, Brosowske, Gregg and Swanson

**Nay:** 0

11. Advance Disposal Rate Structure

**Recommended Action:**

It is recommended that the City Council provide direction to staff on whether to conduct a Proposition 218 Public Hearing related to new maximum rates for solid waste and recycling services in the City of Hesperia



and allow for rate adjustments pertaining to equipment purchased by City's waste hauler in response to State of California mandates.

**Sponsors:** Assistant to the City Manager Rachel Molina

*Kelly Gregg and Cody Leis commented on item 11.*

**A motion was made by Gregg, seconded by Swanson, that a Proposition 218 hearing be conducted for possible changes to the Advance Disposal rate structure be approved. The motion carried by the following vote:**

**Aye:** 5 - Bird, Holland, Brosowske, Gregg and Swanson

**Nay:** 0

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

*Thurston Smith, representing Victor Valley Bicycle Tour, commented on the City's support of the upcoming Bicycle Tour.*

*Bob Nelson commented on public speech at public meetings.*

*Daniel Krist commented on various community issues.*

*Al Vogler commented on the golf course and Council Member Brosowske.*

*Kelly Gregg commented on the Hesperia Golf Course operations.*

*Meeting went into Recess at 9:00 p.m. and reconvened at 9:07 p.m.*

**COUNCIL COMMITTEE REPORTS AND COMMENTS**

*Council Member Swanson commented on attendance at the Association of San Bernardino County Special Districts meeting, SBCTA meeting, Hesperian of the year award, attended the Smokey Bear 75th birthday celebration, National Night Out, and Concert in the Park event.*

*Council Member Brosowske commented on meeting decorum.*

*Council Member Gregg commented on agendizing future items for campaign contributions, solicitation of special council to investigate Council Member Brosowske, National Night Out, a ride along with the Hesperia Police Department, attendance at the Hesperia of the Year Chamber awards dinner and League of California Cities Division Meeting in Big Bear.*

*Mayor Pro Tem Holland requested that items be brought forward discussing how items are agendized and an item to vacate Council Member Brosowske's seat on the Council, and meeting attendance.*

*Mayor Bird commented on attendance at the VVTA meeting, Hesperia of the Year Chamber awards dinner, how items are agendized, future of the General Plan, and Council Member Brosowske's residency.*

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

None.

**ADJOURNMENT**

9:35 p.m.

  
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Melinda Sayre,  
City Clerk