

# City of Hesperia

## STAFF REPORT



**DATE:** January 22, 2019

**TO:** City Council

**FROM:** Nils Bentsen, City Manager

**BY:** Mike Blay, Assistant City Manager  
Chris Borchert, Acting Principal Planner

**SUBJECT:** Reconsideration of Development Review Committee Composition

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### RECOMMENDED ACTION:

It is recommended that the City Council give staff direction regarding the composition of the Development Review Committee.

### BACKGROUND:

The Development Review Committee (DRC) consists of representatives from the Building, Economic Development, Engineering, Fire, Planning departments and Recreation and Park District who review, comment on, and condition projects for approval. The Committee meets at 10:00 a.m. every other Wednesday of each month for public hearings, and every Thursday at 9:30 a.m. for project review. DRC agendas are publicly posted and meetings are open to the public.

At the August 7, 2018 City Council Meeting, the Council selected members Paul Russ and Jeremiah Brosowske to what had previously been a staff member only committee. Their attendance at these meetings stopped in early November, and the question of whether a council members attendance at these meetings is needed was recommended for discussion at the January 8, 2019 Council Meeting.

### ISSUES/ANALYSIS:

At the January 8<sup>th</sup> Council Meeting, Mayor Pro-Tem Bill Holland requested the Council revisit the previous decision to have two council members as regular sitting members of the Development Review Committee. The other members agreed to hear the item again, and Council Member Brosowske added that with the meetings in the morning, it is difficult for those with employment to attend.

The addition of Council Members to the DRC did not heavily impact the “public hearing” DRC meeting where projects are approved every other week. However, it did negatively impact the informal Thursday “pre-DRC” meetings where staff meets to go over the merits and issues of the projects to determine if they are ready to move forward. The following changes occurred with the addition of the Council Members:

- The meetings had to become open to the public, as required by the Brown Act, requiring posting of the agenda, and restricting the ability to add items which came in late;
- Staff members were more reserved with their comments with council members present;
- The meetings were used by consultants to raise issues with staff in front of the Council Members; and
- The meetings took longer, as staff felt a need to go over each item in detail to ensure the council members were informed.

Additionally, Municipal Code section 2.08.080 is titled "Internal relations" and is under Chapter 2.08 titled "City Manager". This section states:

A. Council—Manager Relations. The city council and its members shall deal with the administrative services of the city only through the city manager, except for the purpose of inquiry, and neither the city council nor any member thereof shall give orders or instructions to any subordinates of the city manager. The city manager shall take his/her orders and instructions from the city council only when sitting in a duly convened meeting of the city council and no individual councilmember shall give any orders or instructions to the city manager.

Council Member participation in the DRC meetings, which are administrative, may conflict with this section.

**FISCAL IMPACT:**

None.

**ALTERNATIVE(S):**

1. Select two members of the Council to serve on the DRC.
2. Remove the Council members from the DRC.
3. Provide alternative direction to staff.

**ATTACHMENTS:**

None.