



City of Hesperia

Meeting Minutes - Draft

City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, October 15, 2019

6:30 PM

**REGULAR MEETING AGENDA
HESPERIA CITY COUNCIL
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
HESPERIA HOUSING AUTHORITY
HESPERIA COMMUNITY DEVELOPMENT COMMISSION
HESPERIA WATER DISTRICT**

CLOSED SESSION - 6:00 PM

Roll Call

Present: 4 - Mayor Bird, Mayor Pro Tem William J. Holland, Council Member Gregg and Council Member Swanson

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

1. Jeremiah Brosowske v City of Hesperia Case No. CIVDS1926015

CALL TO ORDER - 6:30 PM

- A. Invocation by David Choi of United Methodist Church**
- B. Pledge of Allegiance to the Flag**
- C. Roll Call**

Present: 4 - Mayor Bird, Mayor Pro Tem William J. Holland, 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. Community Events Calendar – 10/26 Community Clean-up Day 8-12 pm, Tire Amnesty Day 10/26 at Advance Disposal 7:30 am-11:30 am, Victor Valley Bike Tour on 10/26, Hot Rod Halloween on 10/26 2-5 pm in Civic Plaza Park, Halloween Haunted House 10/26 5-9 pm at Hesperia Police Department.

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

Kim Jones commented on community issues.
Et Snell commented on the Daily Press.
Bob Nelson commented on public speech at council meetings.
Daniel Krist commented on various community issues.

Blanca Gomez commented on former Council Member Brosowske's residency issues.
Bill Jensen commented on former Council Member Brosowske's residency issues.

JOINT CONSENT CALENDAR

A motion was made by Gregg, seconded by Holland, that Consent Calendar items 1-3 and 5-7 be approved. The motion carried by the following vote:

Aye: 4 - Bird, Holland, Gregg and Swanson

Nay: 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, October 1, 2019

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, October 1, 2019.

Sponsors: City Clerk Melinda Sayre

2. 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

3. Treasurer's Cash Report for the unaudited period ended August 31, 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 Water District.

Sponsors: Director of Finance Casey Brooksher

4. Parcel Map No. 19997

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2019-053 approving Parcel Map No. 19997 to create nine parcels from 11.6 gross acres within the C2 zone located on the south side of Bear Valley, approximately 1,400 feet to the east of Jacaranda Avenue (Applicant: Rich Development Enterprises, LLC; APN: 0399-011-24).

Sponsors: Assistant City Manager Michael Blay

Mayor Pro Tem Holland pulled item 4 for discussion.

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

Aye: 4 - Bird, Holland, Gregg and Swanson

Nay: 0

5. Award a Professional Services Agreement for Engineering Design Services for FY 2019-20 CDBG Street Improvements (C.O. No. 7158)

Recommended Action:

It is recommended that the Council award a Professional Services Agreement (PSA) to Angenious Engineering Services, Inc. in the amount of \$459,888 plus a contingency amount of \$46,000 for a total not-to-exceed amount of \$505,888 for professional engineering services for FY 2019-20 CDBG Street Improvements (C.O. No. 7158), and authorize the City Manager to execute said agreement.

Sponsors: Assistant City Manager Michael Blay

6. Amendment to the Covenant Agreement for Reimbursement of Sewer Connection Operating Costs between the City of Hesperia and 18667 Hesperia, LLC.

Recommended Action:

It is recommended that the City Council approve an amendment to the Covenant Agreement for Reimbursement of Sewer Connection Operating Costs (Agreement) between the City of Hesperia (City) and 18667 Hesperia, LLC (Developer) to change the owner name on the Agreement from Rich Development Enterprises, LLC to 18667 Hesperia, LLC.

Sponsors: Assistant City Manager Michael Blay

7. Heating Ventilation and Air Conditioning (HVAC) Services Contract

Recommended Action:

It is recommended that the Mayor and Council Members and Chair and Board Members of the Hesperia Water District authorize the City Manager to execute a modification to an existing Professional Services Agreement 2018-19-024 with MDM West Inc. in the not-to-exceed amount of \$89,500 and extend the agreement expiration date to June 30, 2021.

Sponsors: Assistant City Manager Michael Blay

CONSENT ORDINANCES

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

Aye: 3 - Bird, Holland, Gregg

Nay: 1 - Swanson

8. Amendments to Title 5 of Hesperia Municipal Code - Cannabis Regulations

Recommended Action:

Place on second reading and adopt by title waiving the text of Ordinance No. 2019-52 amending Title 5 of the Hesperia Municipal Code modifying cannabis regulations.

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

The following individuals commented on item 8:

Rick Casas, Mia Mahoney, Kasha Harrington, Et Snell, James Blocker

Meeting went into recess at 7:28 pm and reconvened at 7:35 p.m.

PUBLIC HEARING

9. General Plan Amendment GPA19-00001 & Tentative Parcel Map TPM19-00004; Applicant: Mas Tierra, Inc.; APN: 0405-371-37

Recommended Action:

The Planning Commission recommends that City Council adopt Resolution Nos. 2019-056 and 2019-057, approving General Plan Amendment GPA19-00001 from RR-2 1/2 to RR-1 and Tentative Parcel Map TPM19-00004 to create two parcels from 4.8 gross acres.

Sponsors: Senior Planner Daniel Alcayaga

Public hearing was opened. Daniel Krist commented on the maps. The public hearing was closed.

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

Aye: 4 - Bird, Holland, Gregg and Swanson

Nay: 0

NEW BUSINESS

10. City Council District Four Vacancy

Recommended Action:

It is recommended that the City Council appoint a qualified resident of District Four to the vacant seat on the City Council.

Sponsors: City Attorney Eric Dunn

The following individuals commented on item 10: *ET Snell, Bob Nelson, Blanca Gomez, Kim Jones, Kelly Gregg, Bill Jensen, Al Vogler, Jeri Pike*

A motion was made by Gregg, seconded by Holland, that the Council appoint Brigit Bennington to the District Four vacancy. The motion carried by the following vote:

Aye: 3 - Bird, Holland and Gregg

Abstain: 1 - Swanson

Newly appointed District 4 Council Member Bennington was sworn in following the passage of item 10.

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Bennington commented on her appointment to the City Council.

Council Member Gregg commented on upcoming attendance at the League of CA Cities conference, attendance at the Boy Scout Cook Off event, and upcoming Tri-Agency meeting.

Council Member Swanson commented on attendance at the Apple Valley Air Show, attendance at the Hesperia Book Festival event at Civic Plaza Park, and upcoming attendance at the League of CA Cities conference.

Mayor Pro Tem Holland commented on upcoming Kaiser Permanente ground breaking, thanked Police Captain Mike Browne for his and the deputies service to the Council and residents, and the appointment of Brigit Bennington to the City Council.

Mayor Bird commented on Hesperia school sports, upcoming Kaiser Permanente ground breaking, and the appointment of Brigit Bennington to the City Council.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

None

ADJOURNMENT

8:55 p.m.

*Melinda Sayre,
City Clerk*