



City of Hesperia

Meeting Minutes - Draft

City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, December 17, 2019

6:30 PM

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

CLOSED SESSION - 5:30 PM

Roll Call

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

Conference with Legal Counsel - Potential Litigation: Government Code Section 54956.9(d)2

1. One (1) case

Conference with Real Property Negotiators – Property Negotiations Government Code Section – 54956.8

1. Negotiating Parties: Lewis Management Corp. and City of Hesperia
Location: APN: 3039-441-20
Under Negotiation: Price and Terms

Conference with Labor Negotiator Government Code Section 54957.6

1. Negotiations between the City of Hesperia and the Teamsters Local 1932 with the City's Negotiator. (Staff person: Michael Blay, Assistant City Manager)

CALL TO ORDER - 6:30 PM

- A. Invocation by Pastor David Penn of Hesperia Church of the Nazarene**
- B. Pledge of Allegiance to the Flag**
- C. Roll Call**

Present: 5 - Mayor Bird, Mayor Pro Tem Gregg, Council Member Bennington, Council Member William J. Holland 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. Presentation to Employee of the Year Hugo Enriquez, Senior Maintenance Worker by Mark Faherty, Public Works Manager
2. Presentation by the City Council to the Fire Department and Sheriff's Department
3. Community Events Calendar - *Donate a toy to the Spark of Love donation box at the Hesperia Animal Shelter and adopt any pet for only \$15; Social Media Users are encouraged to follow the City of Hesperia on Facebook and Twitter for updates on City programs and projects, information about road closures, and emergency alerts.*

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

Bob Nelson commented on surveys.

ET Snell commented on community activism.

Doug Malu commented on receiving an exception to a previously adopted ordinance.

Daniel Krist commented on community issues.

JOINT CONSENT CALENDAR

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

Aye: 5 - Bird, Holland, Bennington, Gregg and Swanson

Nay: 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, December 3, 2019

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, December 3, 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 October 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. Receive and File the SB 165 Local Agency Special Tax and Bond Accountability Act Report for CFD 2005-1

Recommended Action:

It is recommended that the City Council receive and file the Communities Facilities District (CFD) 2005-1

(Belgate Development Restructuring) Local Agency Special Tax and Bond Accountability Act Report (SB 165) for the Fiscal Year Ended June 30, 2019.

Sponsors: Director of Finance Casey Brooksher

5. Vehicle Procurement

Recommended Action:

It is recommended that the Board of Directors of the Hesperia Water District authorize the General Manager to approve the procurement of one (1) new Ford Super Duty F-450 with dump body for the Distribution Division and one (1) new Ford Super Duty F-450 with utility body for the Sewer Division; adopt Resolution HWD 2019-14 amending the Fiscal Year (FY) 2019-20 Budget by appropriating \$10,427; and award the bid to Fairview Ford Sales, Inc. in the not-to-exceed amount of \$156,788.

Sponsors: Public Works Manager Mark Faherty and Public Works Supervisor/Water Jeremy McDonald

6. Annual 2020-21 Recognized Obligation Payment Schedule

Recommended Action:

It is recommended that the Successor Agency adopt Resolution No. SA 2019-02 approving the Annual 2020-21 Recognized Obligation Payment Schedule (ROPS), including the Successor Agency's FY 2020-21 Administrative Budget and authorize staff to present the ROPS to the Oversight Board for its consideration and approval.

Sponsors: Director of Finance Casey Brooksher

PUBLIC HEARING

7. Adoption of 2019 California Building Codes

Recommended Action:

It is recommended that the City Council conduct a public hearing and upon accepting public testimony adopt Ordinance No. 2019-16, adopting changes to Hesperia Municipal Code Chapters 15.04 and 15.06; adopting and amending the following codes and their references: the 2019 California Building Code, the 2019 California Residential Code, the 2019 California Electrical Code, the 2019 California Mechanical Code, the 2019 California Plumbing Code, the 2019 California Fire Code, the 2019 California Green Building Standards Code, the 2019 California Referenced Standards Code, the 2019 California Energy Code, the 2019 California Historical Building Code, the 2019 California Administrative Code, and the 2019 California Existing Building Code (hereafter 2019 Building Codes).

Sponsors: Assistant City Manager Michael Blay and Building and Safety Manager Mike Hearn

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

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

Aye: 5 - Bird, Holland, Bennington, Gregg and Swanson

Nay: 0

8. Specific Plan Amendment SPLA19-00005; Applicant: City of Hesperia; APNs: 3064-581-01 thru 05, 3064-621-01 & 3064-631-01

Recommended Action:

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2019-17 approving Specific Plan Amendment SPLA19-00005 to change approximately 105 gross acres within the Main Street and Freeway Corridor Specific Plan from Regional Commercial (RC) to Commercial Industrial Business Park (CIBP) Zoning.

Sponsors: Senior Planner Ryan Leonard

The public hearing was opened. Dino Defazzio was called to speak and did not appear when called. There being no further public comments, 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: 5 - Bird, Holland, Bennington, Gregg and Swanson

Nay: 0

9. Commercial Cannabis Program Stay

Recommended Action:

It is recommended that the Council introduce and place on first reading Ordinance No. 2019-18, continuing the stay on the Commercial Cannabis Program.

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

The public hearing was opened. The following individuals commented on item 9:

James DeAguilera, ET Snell, Sam Humeid, Rick Casas, Dino Defazzio, Doug, Kelly Gregg, Anthony Rhoades, Frances Schallwecker, Mr. W.

There being no further public comments, the public hearing was closed.

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

Aye: 5 - Bird, Holland, Bennington, Gregg and Swanson

Nay: 0

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

Recommended Action:

It is recommended that the City Council introduce and place on first reading Ordinance No. 2019-19 amending Title 5 of the Hesperia Municipal Code.

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

The public hearing was opened. The following individuals commented on item 10:

Sam Humeid, James DeAguilera, Dino Defazzio, Rick Casas, Kelly Gregg, Daniel Krist.

There being no further public comments, the public hearing was closed.

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

Aye: 5 - Bird, Holland, Bennington, Gregg and Swanson

Nay: 0

NEW BUSINESS

11. Commercial Cannabis Program

Recommended Action:

It is recommended that the Council review the information provided and provide direction to staff related to the future of the Commercial Cannabis Program.

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

The meeting went into recess at 9:24 p.m. and reconvened at 9:32 p.m.

The following individuals commented on item 11:

James DeAguilera, Sam Humeid, Rick Casas, Mr. W.

Direction given to staff that an item be brought back in three months detailing options for limiting the number of cannabis businesses at 10, 15, and 20.

12. City Council Appointments to Outside Agencies

Recommended Action:

It is recommended that the City Council follow past practice and appoint liaisons (both primary and alternate) to various outside agencies for a one-year period to commence in January 2020.

Sponsors: City Clerk Melinda Sayre

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

Aye: 5 - Bird, Holland, Bennington, Gregg and Swanson

Nay: 0

(see table on next page)

Agency/Commission/Committee Name	Primary Rep.	Alternate Rep.
League of California Cities(LOCC)	Brigit Bennington	Cameron Gregg
LOCC Inland Empire & Desert Mountain Divisions	Brigit Bennington	Cameron Gregg
Mojave Desert Air Quality Management District (MDAQMD)	Bill Holland	Brigit Bennington
San Bernardino County Transportation Authority (SBCTA) Board of Commissioners & Subcommittee – Mountain/Desert Measure I	Rebekah Swanson	Cameron Gregg
San Bernardino County Solid Waste Task Force	Staff appointment	Rebekah Swanson
Victor Valley Economic Development Authority (VVEDA)	Brigit Bennington	Cameron Gregg
Victor Valley Transit Authority (VVTA)	Larry Bird	Cameron Gregg
Victor Valley Wastewater Reclamation Authority (VWVRA)	Larry Bird	Bill Holland
Hesperia Chamber of Commerce Liaison (no compensation, non-voting liaison)	Larry Bird	Cameron Gregg
Hesperia Chamber of Commerce 2034 Committee	Cameron Gregg	Rachel Molina (Staff appointment)
Tri Agency Committee (no compensation)	Cameron Gregg Brigit Bennington	Rebekah Swanson
City Council Advisory Committee - (no compensation)	Brigit Bennington	Cameron Gregg
Public Safety Advisory Committee (no compensation)	Brigit Bennington	None

13. 2020 City Council Meeting Schedule

Recommended Action:

It is recommended that the City Council review and discuss the attached 2020 City Council Meeting Schedule and take action to amend if desired.

Sponsors: City Clerk Melinda Sayre

A motion was made by Gregg, seconded by Holland, that the July 7, 2020 City Council Meeting be cancelled. The motion carried by the following vote:

Aye: 5 - Bird, Holland, Bennington, Gregg and Swanson

Nay: 0

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Bennington thanked staff for their hard work and wished everyone happy holidays.

Council Member Swanson commented on attendance at SBCTA meeting, community relations visit at the local federal prison, attendance at the Christmas Tree Lighting Ceremony, Project Angel Tree, Knock Out Pizza ribbon cutting, Hesperia Chamber Luau, and attendance at upcoming Tri-Agency meeting.

Council Member Holland commented that there was no meeting for MDAQMD, election results for the Park District, attendance at the Knock Out Pizza ribbon cutting, and an accident involving a COP Officer.

Mayor Pro Tem Gregg commented on attendance at Christmas Tree Lighting Ceremony, attendance at the

Marcelo Mafra's Brazilian Jiu Jitsu ribbon cutting, and the Jolly Parade.

Mayor Bird commented that there was no meeting for VVTA, upcoming attendance at VVWRA, participation in the Chop Stop challenge, Knock Out Pizza ribbon cutting and grand opening, attendance at the Christmas Tree Lighting Ceremony, and the Jolly Parade.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

None

ADJOURNMENT

10:34 p.m.

*Melinda Sayre,
City Clerk*