



City of Hesperia

Meeting Minutes - Draft

City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, January 7, 2020

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 – Existing Litigation Government Code Section 54956.9(d)1

1. Jeremiah Brosowske v City of Hesperia Case No. CIVDS1926015
2. Victor Valley Wastewater Reclamation Authority v. City of Hesperia (Claim for Damages)

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

1. Negotiating Parties: City of Hesperia and Chi-Chu Chen Trust
Location: APN 3039-431-01 Lift Station
Under Negotiation: Price and Terms

2. Negotiating Parties: Guttman and City of Hesperia
Location: APN: 3057-061-01
Under Negotiation: Price and Terms

CALL TO ORDER - 6:30 PM

- A. Invocation by resident James Blocker
- 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 by Robin Hawley, San Bernardino County Librarian to the City Council
2. Community Events Calendar - *Meet & Clean event on Saturday, January 25 at the corner of Eucalyptus and Maple Avenue from 8am – 11am; Christmas Tree Recycling is available for Advance Disposal customers through January 24; Veterans of the Armed Forces are able to adopt a pet from the Hesperia Animal Shelter free of charge. Adoptable pets are viewable at www.PetHarbor.com*

JOINT CONSENT CALENDAR

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

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

Nay: 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, December 17, 2019

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, December 17, 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 Hesperia Water District.

Sponsors: Director of Finance Casey Brooksher

3. Audited Hesperia Housing Authority Financial Statements for Fiscal Year Ended June 30, 2019 and Housing Successor SB 341 Report

Recommended Action:

It is recommended that the City Council and the Hesperia Housing Authority (HHA) Board receive and file the audited Hesperia Housing Authority - Component Unit Financial Statements for the Fiscal Year Ended June 30, 2019 and Housing Successor SB 341 Report.

Sponsors: Director of Finance Casey Brooksher

4. Receive and File the Transient Occupancy Tax Audit Results

Recommended Action:

It is recommended that the City Council receive and file the attached Transient Occupancy Tax (TOT) Audit results for the Calendar Year (CY) 2016.

Sponsors: Director of Finance Casey Brooksher

CONSENT ORDINANCES

*The following individuals commented on item 6:
ET Snell, Sam Humeid*

*The following individuals commented on item 7:
ET Snell, Sam Humeid*

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

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

Nay: 0

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

Recommended Action:

Place on second reading and adopt by title waiving the text of 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

6. Commercial Cannabis Program Stay

Recommended Action:

Place on second reading and adopt by title waiving the text of Ordinance No. 2019-18, continuing the stay on the Commercial Cannabis Program.

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

7. 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. 2019-19 amending Title 5 of the Hesperia Municipal Code.

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

PUBLIC HEARING

8. Amendments to Title 14 of Hesperia Municipal Code - Discontinuation of Residential Water Service

Recommended Action:

It is recommended: 1) the City Council introduce and place on first reading Ordinance No. 2020-02 amending Title 14 of the Hesperia Municipal Code to incorporate the provisions set forth in the Water Shutoff Protection Act - Senate Bill 998 and 2) the Council/Board adopt Joint Resolution No. 2020-02 and Hesperia Water District Resolution No. 2020-01, adopting a written policy on the Discontinuation of Residential Water Service for Nonpayment in compliance with Senate Bill 998.

Sponsors: Director of Finance Casey Brooksher

The public hearing was opened, there being no public comment, 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, Gregg, Bennington, Holland and Swanson

Nay: 0

9. Statewide Community Infrastructure Program (SCIP)

Recommended Action:

It is recommended that the City Council hold a public hearing to receive comments regarding the Statewide Community Infrastructure Program (SCIP); and adopt Resolution 2020-03, authorizing the City to join the SCIP; approving substantially to form, the Acquisition Agreement and other SCIP related documents, subject to modifications as approved by the City Attorney as needed; and authorizing the City Manager to execute completed Acquisition Agreements.

Sponsors: Assistant City Manager Michael Blay

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

Mike Leonard

There being no further comment 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, Gregg, Bennington, Holland and Swanson

Nay: 0

NEW BUSINESS

10. Consideration of Ballot Measure- Land Use

Recommended Action:

It is recommended that the City Council provide direction to staff regarding placing a ballot measure on an upcoming election regarding land use requirements in the City including minimum parcel sizes and maximum building densities.

Sponsors: City Clerk Melinda Sayre

Bob Nelson commented on item 10.

Direction was given to staff, no action taken on this item.

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

Mike Leonard commented on actions taken by the state.

Et Snell was called to speak, was not present

Daniel Krist commented on various community issues.

Bob Nelson commented on the Tapestry Project area.

Al Vogler commenting on road issues.

Pastor Green commented on Mission Crest street paving and census taking.

Ramona Allen commented on cannabis and high density housing.

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Holland requested that agenda items regarding State requirements for personal water usage and

making Hesperia a sanctuary city for the second amendment be brought forward for discussion.

Council Member Swanson commented on attendance at upcoming SBCTA meeting and advantages of the Hesperia Library.

Council Member Bennington commented on staff's response during inclement weather and the illegal use of fireworks within the City.

Mayor Pro Tem Gregg appointed Roger Abrero to the Planning Commission and requested an item be brought forward regarding assessing a fine for illegal fireworks and illegal dumping.

Mayor Bird commented on leadership for the Hesperia Recreation and Park District.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

None

ADJOURNMENT

Adjourned in honor of Council Member Swanson's father John Pavey's 92nd birthday at 7:58 p.m.

*Melinda Sayre,
City Clerk*