



City of Hesperia

Meeting Minutes - Draft

City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, January 21, 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 - Potential Litigation:
Government Code Section 54956.9(d)2

1. Two (2) cases

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

1. Victor Valley Wastewater Reclamation Authority v. City of Hesperia (Claim for Damages)

CALL TO ORDER - 6:30 PM

A. Invocation by Bill Burnett of New Life Church

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 Quarter for Field Staff to Ernie Montes, Senior Code Enforcement Officer by Mike Blay, Assistant City Manager
2. Presentation to Employee of the Quarter for Office Staff to Yvonne Kliever, Office Assistant by Mark McKinley,

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

Bob Nelson commented on free speech at public meetings.

Daniel Krist commented on various community issues.

Al Vogler commented on weed abatement within the City.

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, January 7, 2020

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, January 7, 2020.

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. Treasurer's Cash Report for the unaudited period ended November 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 Water District.

Sponsors: Director of Finance Casey Brooksher

4. Award Contract for Repairs to Manholes on Bear Valley Road C.O. No. 9022

Recommended Action:

It is recommended that the City Council award a contract to the lowest responsive/responsible bidder, Custom Homes, Inc. (CHI Construction) in the amount of \$49,500; approve an additional 10% contingency in the amount of \$4,950 for a total construction budget of \$54,450; approve the design of the project represented by the plans and specifications; and authorize the City Manager to execute the contract.

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

5. Memorandum of Understanding between the City of Hesperia and the Teamsters Local 1932 for the period of

February 1, 2020 through January 31, 2022

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2020-003 and the Board of Directors of the Hesperia Water District adopt Resolution HWD 2020-02, approving the Memorandum of Understanding with the Teamsters Local 1932 (Teamsters Union).

Sponsors: Assistant City Manager Michael Blay and Assistant to the City Manager Rachel Molina

6. Phone System Update

Recommended Action:

It is recommended that the City Council authorize the City Manager to execute a contract with ConvergeOne in the amount of \$112,574 to update the City's phone system and related network hardware to a supported version.

Sponsors: Assistant to the City Manager Rachel Molina

7. Real Property Purchase and Sale Agreement - APN 0407-261-03, 04 & 20

Recommended Action:

It is recommended that the Hesperia Housing Authority (HHA) adopt Resolution No. HHA 2020-02 and the Hesperia Community Development Commission (CDC) adopt Resolution No. CDC 2020-01: (i) approving "Agreement for the Purchase and Sale Of Real Property and Joint Escrow Instructions" (Agreement) for real property located at the northwest corner of Ninth and Juniper, Assessor Parcel Numbers 0407-261-03, 04 & 20 (Property) by and between ZAB LLC, a California limited liability company (Buyer) and the Hesperia Housing Authority and Hesperia Community Development Commission (Seller); and (ii) authorizing the City Manager and Executive Director to execute all documents necessary to complete the transaction and adjust book value of properties accordingly.

Sponsors: Economic Development Manager Rod Yahnke

CONSENT ORDINANCES

A motion was made by Swanson, seconded by Bennington, that the Consent Ordinance be approved. The motion carried by the following vote:

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

Nay: 0

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

Recommended Action:

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

PUBLIC HEARING

9. Substantial Amendment to the Community Development Block Grant (CDBG) 2019-2020 Action Plan

Recommended Action:

It is recommended that the City Council: 1) Conduct a public hearing and upon accepting public testimony, adopt Resolution No. 2020-01 including any modifications or amendments thereto; 2) Approve a Substantial Amendment to the Community Development Block Grant ("CDBG") 2019-2020 Annual Action Plan ("Action Plan") by programming \$200,000 to the 2019-2020 Peach Avenue Drainage Improvement Project ("Drainage Project") and \$326,196 to the 2019-2020 Street Improvement Project ("Street Project"); 3) Approve 2019-20 FY Budget amendment and; 4) 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 testimony, the public hearing was closed.

A motion was made by Swanson, seconded by Holland, 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. Appeal of Revocation of Business License No. BL-45284

Recommended Action:

It is recommended that the Council hear evidence and render a decision in the appeal of Business License No. BL-45284 for Supreme Smoke Shop.

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

Rafat Snoubar commented on item 10.

A motion was made by Gregg, seconded by Holland, that the revocation of the business license for Supreme Smoke Shop be upheld. The motion carried by the following vote:

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

Nay: 0

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Swanson commented on attendance at SBCTA meeting and the Martin Luther King Jr., holiday.

Council member Holland commented on attendance at the beam signing event for Kaiser Permanente, attendance at the upcoming MDAQMD meeting, and upcoming Youth in Government Day Event.

Council Member Bennington commented on attendance at the beam signing event for Kaiser Permanente, attendance at the Public Safety Advisory Committee (PSAC) meeting, requested that a special PSAC meeting be held in April and include Animal Control and Code Enforcement, attendance at the Tri-Agency meeting, and upcoming Clean Up Day on January 25.

Mayor Pro Tem Gregg commented on attendance at the Tri-Agency meeting, and upcoming Youth in Government Day Event.

Mayor Bird commented on attendance at VVTA meeting, the Cedar Middle School Career Day event, attendance at the VVWRA meeting, and commented on school sports.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

None

ADJOURNMENT

7:16 p.m.

*Melinda Sayre,
City Clerk*