



City of Hesperia

Meeting Minutes - Final

City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, November 19, 2019

6:30 PM

**HESPERIA CITY COUNCIL
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
HESPERIA HOUSING AUTHORITY
HESPERIA COMMUNITY DEVELOPMENT COMMISSION
HESPERIA WATER DISTRICT
HESPERIA FIRE PROTECTION DISTRICT - SPECIAL MEETING**

CLOSED SESSION - 6:00 PM

Roll Call

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

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

1. Assistant Secretary for FHEO v. City of Hesperia, California, et al.; Case Number 09-16-4717-8

CALL TO ORDER - 6:30 PM

- A. Invocation by Diego Forero of Casa De Oracion Nazareno Church**
- B. Pledge of Allegiance to the Flag**
- C. Roll Call**

Present: 5 - Mayor Bird, Mayor Pro Tem William J. Holland, Council Member Bennington, 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. Presentation to Employee of the Quarter for Field Staff to Javier Ramirez, Building Inspector by Mike Hearn, Building Official
2. Presentation to Employee of the Quarter for Office Staff to Bethany Hudson, Engineering Technician by Mark McKinley, Assistant Engineer
3. Presentation by Thurston Smith to the City Council on behalf of the Victor Valley Bicycle Tour
4. Community Events Calendar - *San Bernardino County Fire Spark of Love Pancake Breakfast Fundraiser 11/23 from 8:00 am – 1:00 pm at Percy Bakker Center; Hesperia's Annual Tree Lighting Ceremony 12/5 at 5pm in Civic Plaza Park; The Hesperia Animal Shelter \$25 Adoption Special for all Cats and Kittens through 11/22, Veterans can adopt a dog or cat from the Hesperia Animal Shelter free of charge.*

JOINT CONSENT CALENDAR

Bob Nelson commented on item 4.

A motion was made by Holland, seconded by Swanson, that the 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 Special Meeting held Thursday, October 31, 2019 and the Regular Meeting held Tuesday, November 5, 2019

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Special Meeting held Thursday, October 31, 2019 and the Regular Meeting held Tuesday, November 5, 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 September 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 Hesperia Water District.

Sponsors: Director of Finance Casey Brooksher

4. 2019-20 Statement of Investment Policy – (Hesperia Fire Protection District Special Meeting Item)

Recommended Action:

It is recommended that the Council/Board/Commission adopt Joint Resolution No. 2019-043, Successor Agency to the Hesperia Community Redevelopment Agency Resolution No. SA 2019-01, Hesperia Housing Authority Resolution No. HHA 2019-05, Community Development Commission Resolution No. CDC 2019-05, Hesperia Fire Protection District Resolution No. HFPD 2019-06, and Hesperia Water District Resolution No. HWD 2019-09, amending the Fiscal Year 2019-20 Statement of Investment Policy.

Sponsors: Director of Finance Casey Brooksher

5. Fiscal Year 2018-19 Final Budget Amendments

Recommended Action:

It is recommended that the following resolutions be adopted, amending the respective Fiscal Year (FY)

2018-19 Budgets for the City of Hesperia and the Hesperia Water District:

- 1) City of Hesperia No. 2019-062
- 2) Hesperia Water District Resolution HWD 2019-11

Sponsors: Director of Finance Casey Brooksher

CONSENT ORDINANCES

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

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

Nay: 0

6. Planned Development PPD18-00001, Conditional Use Permit CUP18-00007 (Americana-Hesperia Retirement Project, LLC; APN: 0405-062-56 & 70) Resubmittal Update

Recommended Action:

Place on second reading and adopt by title waiving the text of Ordinance 2019-11 approving Planned Development PPD18-00001, and adopt Resolution 2019-046, approving Conditional Use Permit CUP18-00007 along with a Mitigated Negative Declaration for the development of the project.

Sponsors: Principal Planner Chris Borchert

PUBLIC HEARING

7. Amend the Water Connection Fees for New Connections

Recommended Action:

It is recommended that the Board of Directors of the Hesperia Water District (District) adopt Resolution No. HWD 2019-12 (Attachment 1) to update the water connection fees.

Sponsors: Director of Finance Casey Brooksher

The public hearing was opened. Daniel Krist commented on item 7. There being no further public comment, the public hearing was closed.

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

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

Nay: 0

8. Mitigated Negative Declaration for the Ranchero Road Aqueduct Crossing Project, C.O. No. 7139

Recommended Action:

It is recommended that the City Council Members adopt Resolution No. 2019-063, adopting the Mitigated Negative Declaration (MND) ND19-5 - SCH # 2019099031 for the Ranchero Road Aqueduct Crossing Project, C.O. No. 7139 pursuant to the California Environmental Quality Act (CEQA).

Sponsors: Assistant City Manager Michael Blay

The public hearing was opened. Bob Nelson commented on item 8. There being no further public comments 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, Holland, Bennington, Gregg and Swanson

Nay: 0

9. Commercial Cannabis Program Urgency Ordinance

Recommended Action:

It is recommended that the City Council adopt Urgency Ordinance No. 2019-14, an urgency ordinance of the City Council of the City of Hesperia, California, placing a 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:

Rick Casas, Adriana Luna, Frances Schaweecker, Kevin Mehany, Sophie Steeno read a letter from James DeAguilera, Elina Shakhbazyan, Roger Jon Diamond, Elizabeth Zinda Hansen, Carlos De Olivera, James Ellars, Kelly Gregg.

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

A motion was made by Bennington, seconded by Swanson, that this item be approved as amended removing section 4b to not accept any applications for a change of ownership of already licensed delivery dispensaries. The motion carried by the following vote:

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

Nay: 0

NEW BUSINESS

10. City of Hesperia Community Assistance Program (CAP) - Policies

Recommended Action:

It is recommended that the City Council consider the following recommendations and provide direction to staff for the program year 2020-21 CAP budget and allocation policies.

Sponsors: Economic Development Manager Rod Yahnke

A motion was made by Gregg, seconded by Bennington, that this item be approved to include a maximum of 10 recipients with a maximum allocation of \$5,000 designated per applicant, oversight provided by the City Council Advisory Committee, and include organizations which provide services for the disabled, veterans, seniors, and youth. The motion carried by the following vote:

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

Nay: 0

General Public Comments was moved to before item 11 by the Mayor.

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

Kari Leon commented on the requirement to connect to sewer upon change of property ownership.

Al Vogler commented on off-road vehicle use in the deserts.

Daniel Krist commented on various community issues.

Bob Nelson commented on free speech at meetings.

NEW BUSINESS CONTINUED

11. Fiscal Year 2019-20 First Quarter Budget Review

Recommended Action:

It is recommended that the Fiscal Year 2019-20 First Quarter Budget Review be received and filed and the related following resolution, amending the Fiscal Year 2019-20 Budget for the City of Hesperia be approved:

- 1) City of Hesperia Resolution No. 2019-064

Sponsors: Director of Finance Casey Brooksher

A motion was made by Holland, seconded by Swanson, that this item be approved. 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 commented on attendance at the Veteran's Day event at Oak Hills High School, upcoming Spark of Love Pancake Breakfast, and thanked staff for their hard work.

Council Member Gregg commented on attendance at the Veteran's Day event at Oak Hills High School and upcoming Tri-Agency meeting.

Council Member Swanson commented on attendance at Veteran's Day event, SBCTA Visioning Workshop, Today's Woman Foundation event, SBCTA Desert Mountain Division meeting, ribbon cutting for High Desert Fasteners, event on sex trafficking at Victor Valley Christian Church, and an article in Western Cities Magazine regarding emergency preparedness and recovery.

Mayor Pro Tem Holland commented on emergency preparedness and recovery, remarks made during public comments, stated that there are no MDAQMD meetings until January, attendance at upcoming VVWRA meeting and Caldwell Banker ribbon cutting event, and future Kaiser Permanente facilities in the City.

Mayor Bird commented on upcoming Spark of Love Pancake Breakfast, attendance at Veterans Diploma Project event and Artist of the High Desert event, school sports achievements, attendance at Caldwell Banker ribbon cutting event, attendance at High Desert Mayors Meeting, VVTA meeting, and Hesperia Chamber Luncheon.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

None

ADJOURNMENT

Adjourned at 9:42 p.m. in memory of longtime resident and former San Bernardino County Sheriff Greg Foster who passed away.



Melinda Sayre,
City Clerk