



# City of Hesperia

## Meeting Minutes - Final

### City Council

City Council Chambers  
9700 Seventh Ave.  
Hesperia CA, 92345

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Tuesday, January 7, 2020

6:30 PM

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**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](http://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 92<sup>nd</sup> birthday at 7:58 p.m.*



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*Melinda Sayre,  
City Clerk*