



City of Hesperia Meeting Minutes - Draft City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, April 16, 2024

6:30 PM

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

CLOSED SESSION - 5:00 PM

Roll Call

Present: 4 - Mayor Bird, Mayor Pro Tem Swanson, Council Member Gregg, and Council Member Bennington
Absent: 1 - Council Member Lee

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: City of Hesperia and Gustavo Valdez and Fernando Valdes
Location: APN: 3064-461-03
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: Rachel Molina, City Manager)

CALL TO ORDER - 6:30 PM

- A. Invocation
- B. Pledge of Allegiance to the Flag
- C. Roll Call

Present: 4 - Mayor Bird, Mayor Pro Tem Swanson, Council Member Gregg, and Council Member Bennington
Absent: 1 - Council Member Lee

D. Agenda Revisions and Announcements by City Clerk

There was a green sheet revision to agenda item number 10.

E. Closed Session Reports by City Attorney

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation of Certificates of Recognition to Hesperia High School and Oak Hills High School for being recognized as California Distinguished Schools.
2. Presentation of Proclamation to The San Bernardino County Children's Network declaring April as Child Abuse Prevention Month.
3. Presentation by Director of Development Services Nathan Freeman with an Economic Development Update.

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

The following members of the public commented:

*Patti Oxenham
Greg Allen with Covington
Cresenciana Rios*

JOINT CONSENT CALENDAR

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

Aye: 4 - Bird, Swanson, Gregg, and Bennington

Nay: 0

Absent: 1 - Lee

1. Consideration of the Draft Minutes from the Special Meeting held Tuesday, April 2, 2024.

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Special Meeting held Tuesday, April 2, 2024.

Sponsors: Assistant City Clerk Erin Baum

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: Assistant City Manager Casey Brooksher

3. Treasurer's Cash Report for the unaudited period ended February 29, 2024.

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: Assistant City Manager Casey Brooksher

4. Revised Combined Compensation Schedules

Recommended Action:

It is recommended that the City Council and Board of Directors of the Hesperia Housing Authority (HHA) and Hesperia Water District (HWD) adopt Joint Resolution No. 2024-01, HHA 2024-01, HWD 2024-01 approving the City's Fiscal Year (FY) 2023-24 Revised Combined Compensation Schedule.

Sponsors: Assistant City Manager Casey Brooksher

5. TLC Animal Removal Services Contract Amendment

Recommended Action:

It is recommended that the City Council approve an amendment to the existing contract with TLC Animal Removal Services in the amount of \$36,000, for a total not-to-exceed revised amount of \$141,000 and to approve a one-year contract extension for animal disposal services.

Sponsors: Acting Code Compliance Manager Caleb Enriquez

6. 2021 Edward Byrne Justice Assistance Grant (JAG)

Recommended Action:

It is recommended that the City Council accept the 2021 Edward Byrne Justice Assistance Grant (JAG) award and adopt Resolution No. 2024-13, amending the Fiscal Year 2023-24 Budget by appropriating \$29,697 for grant-related expenditures.

Sponsors: Hesperia Police Department Captain Jeremy Dean

7. Amended Agreement for the Joint Exercise of Powers Relative to the San Bernardino Associated Governments, SANBAG JPA Amendment #4

Recommended Action:

It is recommended that the City Council approve Amendment No. 4 to the Joint Exercise of Powers Agreement Relative to the San Bernardino Associated Governments (SANBAG), now referred to as the San Bernardino Council of Governments (SBCOG), to increase membership dues by \$28,847, for a total of \$47,249.

Sponsors: Assistant to the City Manager Tammy Pelayes

PUBLIC HEARING

8. CUP22-00017 & SPLA24-00002; Applicant: Kiss Logistics Center; APNs: 3064-401-03, -04 & -05

Recommended Action:

The Planning Commission recommends that the City Council adopt Resolution No. 2024-11, recommending that the City Council make the environmental determination pursuant to the California Environmental Quality Act (CEQA) by certifying the Final Environmental Impact Report (FEIR) and adopting a statement of overriding considerations and introduce and place on first reading Ordinance No. 2024-05 approving SPLA24-00002 and adopting Resolution No. 2024-12 approving CUP22-00017.

Sponsors: Principal Planner Ryan Leonard

The following members of the public commented during Public Hearing

Jonathan Daily

Wanyae McDonald

Zach Straster

Andrew Roldan

Efrain Lopez

Cordero Rios

Robert Ramos

Phillip Huerta

Aidan Marshall

Jason Ellis

Josh Lety, a representative for the applicant, gave a short presentation on the project.

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

Aye: 4 - Bird, Swanson, Gregg, and Bennington

Nay: 0

Absent: 1 - Lee

9. AB1684 Impact on Commercial Cannabis Enforcement

Recommended Action:

It is recommended that the City Council introduce and place on first reading Ordinance No. 2024-04 amending Title 1 - General Enforcement Procedures, Title 8 - Public Nuisances, and Title 16 - Land Uses, of the Hesperia Municipal Code related to illegal commercial cannabis activities. Adopt Resolution No. 2024-09 amending the City-Wide bail schedule related to administrative enforcement of cannabis activities.

Sponsors: Management Analyst Jacquelyn Castillo

Council Member Gregg requested information regarding the City's illegal Cannabis enforcement statistics.

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

Aye: 4 - Bird, Swanson, Gregg, and Bennington

Nay: 0

Absent: 1 - Lee

- 10.** Amendment to Title 16 [Development Code], Chapter 20 [General Regulations], Article V [General Performance Standards] by adding a new Section 16.20.161 related to completion and maintenance of public improvements prior to issuance of building permits and certificates of occupancy

Recommended Action:

It is recommended that the City Council introduce and place on first reading Ordinance No. 2024-06 adding a new Section 16.20.161 to Title 16 [Development Code], Chapter 20 [General Regulations], Article V [General Performance Standards] of the Hesperia Municipal Code regarding the completion and maintenance of public improvements prior to issuance of a building permit and certificate of occupancy.

Sponsors: City Attorney Pam K. Lee

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

Aye: 4 - Bird, Swanson, Gregg, and Bennington

Nay: 0

Absent: 1 - Lee

NEW BUSINESS

- 11.** Approval of a Letter of Intent by and between the City of Hesperia and Fenner Gap Mutual Water Company

Recommended Action:

It is recommended that the City Council authorize the City Manager to approve a Letter of Intent (LOI) by and between the City of Hesperia and Fenner Gap Mutual Water Company.

Sponsors: Director of Public Works/City Engineer Cassandra Sanchez

Al Vogler commented on this item.

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

Aye: 4 - Bird, Swanson, Gregg, and Bennington

Nay: 0

Absent: 1 - Lee

COUNCIL COMMITTEE REPORTS AND COMMENTS

The Mayor, Mayor Pro Tem, and Council Members reported from various events and Committees.

Council Member Gregg requested a Resolution be brought forward in support of Israel.

Mayor Pro Tem Swanson and Council Member Gregg requested information on zoning for llamas within the City.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

The City Manager thanked City staff.

ADJOURNMENT

The meeting was adjourned in honor of Wesley Bird's 26th birthday at 9:16 p.m.

*Erin Baum,
Assistant City Clerk*