



City of Hesperia Meeting Minutes – Draft City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, May 6, 2025

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
HESPERIA FIRE PROTECTION DISTRICT - SPECIAL MEETING**

CLOSED SESSION - 5:00 PM

Roll Call

Present: 5 - Mayor Lee, Mayor Pro Tem Gregg, Council Member Bennington, Council Member Ochoa and Council Member Pullen

Conference with Legal Counsel - Potential Litigation: Government Code Section 54956.9(d)2 & (e)(1)

1. One (1) Case

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

1. *Sully-Miller Contracting, et al. v. City of Hesperia et al., SBSC Case No. CIVSB2410614*

Personnel Matters - Performance Evaluations
Government Code Section 54957

1. Performance Evaluation - City Attorney
2. Performance Evaluation - City Manager

CALL TO ORDER - 6:38 PM

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

Present: 5 - Mayor Lee, Mayor Pro Tem Gregg, Council Member Bennington, Council Member Ochoa and Council Member Pullen

D. Agenda Revisions and Announcements by City Clerk – None

E. Closed Session Reports by City Attorney- None

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation by Hesperia High School Career Technical Education Business Class of a donation to the Hesperia Animal Shelter.

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

The following people commented:

Resident via voicemail

Resident Sandy via voicemail

Kimberly Koones via voicemail

Bob Nelson

Kim Jones

Gina Whelan

Robert Davie

Dr. Cisneros

Sean Bozarth

Angulo Family

Jerri Pike

Bill Jensen

JOINT CONSENT CALENDAR

A motion was made by Gregg, seconded by Pullen that the Joint Consent Calendar minus item 6 be approved. The motion carried by the following vote:

Aye: 5 - Gregg, Bennington, Lee, Ochoa, and Pullen

Nay: 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, April 15, 2025.

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, April 15, 2025.

Sponsors: Deputy City Manager/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: Assistant City Manager Casey Brooksher

3. Off-Highway Motor Vehicle Grant Application to the California Department of Parks and Recreation

Recommended Action:

It is recommended that the City Council approve and adopt Resolution No. 2025-11 authorizing the submission of a California Off-Highway Motor Vehicle (OHV) Grant Application to the California Department of Parks and Recreation for a total of \$104,216.00 and authorize the City Manager and the San Bernardino County Sheriff's Department to execute the Application and any amendments thereto on behalf of the City.

Sponsors: Captain Steve Allen

4. Three-Year Service Agreement with Vector Resources, Inc. dba VectorUSA

Recommended Action:

It is recommended that the City Council authorize the City Manager to execute a three-year professional services agreement with Vector Resources, Inc. dba VectorUSA for a total not-to-exceed contract amount of \$140,376 for the provision and installation of Fortinet firewalls, WiFi access points, and associated licensing.

Sponsors: Assistant City Manager Casey Brooksher

5. Contract with Badger Meter, Inc.

Recommended Action:

It is recommended that the Board of Directors of the Hesperia Water District authorize the City Manager to approve a contract for Fiscal Year (FY) 2025-26 with Badger Meter, Inc. in the not-to-exceed amount of \$900,000. An anticipated \$600,000 will be expended for the purchase of cellular endpoints and registers for automated meter reading infrastructure. An additional \$300,000 is allocated for the purchase of water meters and related water meter parts.

Sponsors: Director of Public Works/City Engineer Cassandra Sanchez

6. Ad-Hoc Committee Collaboration Opportunity

Recommended Action:

It is recommended that the City Council approve the addition of a discussion item for the City / Hesperia Recreation and Park District (HRPD) Ad Hoc Committee, regarding the proposed Hesperia Animal Shelter Play Yard Capital Improvement Project.

Sponsors: Assistant to the City Manager Tammy Pelayes

Dr. Cisneros commented on this item.

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

Aye: 5 - Lee, Gregg, Bennington, Ochoa and Pullen

Nay: 0

PUBLIC HEARING

7. Development Code Amendment DCA25-00001; Applicant: City of Hesperia; Area affected: City-wide

Recommended Action:

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2025-01, approving Development Code Amendment DCA25-00001, which modifies development standards related to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (Junior ADUs).

Sponsors: Principal Planner Ryan Leonard

Bill Jensen commented on this item.

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

Aye: 4 - Lee, Bennington, Ochoa and Pullen

Nay: 1 - Gregg

8. Appeal Hearing for the Revocation of Business License No. BL-50006 held by HSP Hotels, LLC

Recommended Action:

It is recommended that the City Council conduct an appeal hearing regarding the revocation of Business License No. BL-50006, held by HSP Hotels, LLC, doing business as Holiday Inn Express ("Operator"), located at 9750 Key Point Avenue.

Following the hearing, it is further recommended that the City Council determine that the Operator is in violation of Hesperia Municipal Code Section 3.10.050 due to its failure to remit Transient Occupancy Tax ("TOT"), thereby causing financial harm to the City and its taxpayers. Based on this finding, the City Council should uphold the revocation of Business License No. BL-50006 in accordance with Hesperia Municipal Code Section 5.04.140(A)(4).

Sponsors: Director of Development Services Nathan Freeman

The following individuals commented on this item:

Sean Bozarth - Attorney for HSP Hotels, LLC

Timothy Lyrons

Timothy Crane

Patrick Crane

Bill Jensen

Dr. Cisneros

Meeting went into Recess

Meeting Reconvened

A motion was made by Gregg, seconded by Ochoa to uphold the revocation of the business license, subject to the issuance of a conditional business license to continue operating the hotel with the following conditions:

- a. Starting with the April 2025 TOT, the hotel operator shall remit the full payment for every month of TOT owed to the City on or before the 15th day of the following month for the next six months; and
- b. The hotel operator shall remit the full payment of all prior TOT owed to the City on or before the 31st day of October 2025; and

- c.If the hotel operator remits payment of all amounts of TOT within the required timeframe, the conditional business license shall continue until the regular business license is issued to the hotel operator; and
- d.If the hotel operator fails to remit payment of any amount of TOT within the required timeframe, the conditional business license shall be revoked, and the hotel operator shall not be entitled to any appeal of the conditional business license revocation.

The motion carried by the following vote:

Aye: 5 - Lee, Gregg, Bennington, Ochoa and Pullen

Nay: 0

9. Resolution to consider approving the issuance of Tax-Exempt Bonds for the benefit of La Verne Elementary Preparatory Academy, and/or Related Entity

Recommended Action:

It is recommended that the City Council:

1. Conduct a public hearing regarding the proposed issuance of tax-exempt financing, in an amount not to exceed \$22,000,000, for the benefit of 9966 I Ave, LLC, a California limited liability company whose sole member is LaVerne Elementary Preparatory Academy Foundation, a California nonprofit public benefit corporation, and/or a related entity (the "Borrower"). The financing would be used to (a) finance and/or refinance the costs of acquiring, constructing, installing, improving, furnishing, and equipping charter school facilities located at 16955 Lemon Street, Hesperia, California 92345, in the amount of \$21,000,000, and 9966 I Avenue, Hesperia, California 92345, in the amount of \$1,000,000; (b) fund a debt service reserve and related working capital; (c) paying capitalized interest on the bonds; and (d) pay issuance and other related costs associated with the project; and

2. Adopt a resolution approving the issuance of tax-exempt bonds in an amount not to exceed \$22,000,000 by the California Public Finance Authority (CalPFA).

Sponsors: Director of Development Services Nathan Freeman

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

Aye: 5 - Lee, Gregg, Bennington, Ochoa and Pullen

Nay: 0

NEW BUSINESS

10. FY 2025-26 Budget Workshop #1- Operating Budget

Recommended Action:

It is recommended that the City Council/Board receive and file this staff report, which provides information about the current status of the City of Hesperia's proposed operating budget for Fiscal Year (FY) 2025-26.

Sponsors: Assistant City Manager Casey Brooksher

Receive and file item.

11. Reestablishing Healthy Hesperia

Recommended Action:

It is recommended that the City Council provide direction to staff on opportunities to reestablish the previously adopted Healthy Hesperia initiative.

Sponsors: Public Relations Analyst Kelly Brady

Receive and file item.

12. 2024 Local Hazard Mitigation Plan Update

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2025-12, approving the 2024 Local Hazard Mitigation Plan (LHMP) Update, and authorize staff to make future non-substantive revisions to the plan as needed.

Sponsors: Management Analyst Jacquelyn Castillo

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

Aye: 5 - Lee, Gregg, Bennington, Ochoa and Pullen

Nay: 0

COUNCIL COMMITTEE REPORTS AND COMMENTS

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

Council Member Ochoa requested to be the SCAG representative.

Council Member Bennington appointed Leticia Cisneros to the City Council Advisory Committee.

Council Member Pullen appointed Gregory Lugo to the City Council Advisory Committee.

Mayor Lee requested to recognize the winners of Gas to go to Class.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

No comments

ADJOURNMENT

The meeting was adjourned at 10:41 p.m.

Jessica Giber,
Assistant City Clerk