



# City of Hesperia

## Meeting Minutes - Draft

### City Council

City Council Chambers  
9700 Seventh Ave.  
Hesperia CA, 92345

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Tuesday, December 21, 2021

6:30 PM

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REGULAR MEETING AGENDA  
HESPERIA CITY COUNCIL  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY  
HESPERIA HOUSING AUTHORITY  
HESPERIA COMMUNITY DEVELOPMENT COMMISSION  
HESPERIA WATER DISTRICT  
December 21, 2021  
9700 7th Avenue, Council Chambers, Hesperia, CA 92345

#### **NO CLOSED SESSION**

#### **CALL TO ORDER - 6:30 PM**

**A. Invocation**

**B. Pledge of Allegiance to the Flag**

**C. Roll Call**

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

**D. Agenda Revisions and Announcements by City Clerk**

*Item #9 was moved from Public Hearings to New Business and there was a green sheet addition to attachment #3 on Item #10.*

**E. Closed Session Reports by City Attorney**

*There was no closed session.  
The City attorney introduced green sheet item #13 for Council's vote to include on the current agenda.*

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

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

**Nay:** 0

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

*There were no public comments.*

## **JOINT CONSENT CALENDAR**

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

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

**Nay:** 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, November 16, 2021 and December 7, 2021.

**Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, November 16, 2021 and December 7, 2021.

**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 Hesperia Water District.

**Sponsors:** Director of Administrative Services Casey Brooksher

3. Annual 2022-23 Recognized Obligation Payment Schedule

**Recommended Action:**

It is recommended that the Successor Agency adopt Resolution No. SA 2021-02, approving the Annual 2022-23 Recognized Obligation Payment Schedule (ROPS), including the Successor Agency's FY 2022-23 Administrative Budget and authorize staff to present the ROPS to the Oversight Board for its consideration and approval.

**Sponsors:** Director of Administrative Services Casey Brooksher

4. Copier and Multi-Function Printer Lease

**Recommended Action:**

It is recommended that the City Council and Board of Directors of the Hesperia Water District authorize the City Manager to enter into a five-year lease agreement with Konica Minolta Business Solutions in an amount not-to-exceed \$277,480, to replace the City-wide copier multi-function printers (MFP) with current and supported machines.

**Sponsors:** Director of Administrative Services Casey Brooksher

5. Approve an Amendment to the Professional Services Agreement for Engineering Design Services related to the Traffic Signal at Main Street & Sultana Street/Timberlane Avenue (C.O. No. 7159)

**Recommended Action:**

It is recommended that the City Council:

1. Approve an amendment to the existing Professional Services Agreement (PSA) with David Evans & Associates in the amount of \$77,041 plus an additional 10% contingency amount of \$7,704, for a total not-to-exceed revised amount of \$84,745, for additional professional services related to the project identified as *Traffic Signal at Main Street & Sultana Street/Timberlane Avenue* (C.O. No. 7159), and authorize the City Manager to execute said amendment.
2. Adopt Resolution 2021-060 amending the Fiscal Year 2021-22 Capital Improvement Program Budget by appropriating an additional \$84,745 in Measure I Funds to the Traffic Signal at Main Street & Sultana Street/Timberlane Avenue Project (C.O. 7159).

**Sponsors:** Project Construction Manager David Burkett

**6. Award Contract for FY 2019-20 CDBG Street Improvements - Phase II**

**Recommended Action:**

It is recommended that the City Council award a contract for the Fiscal Year (FY) 2019-20 CDBG Street Improvement - Phase II (C.O. 7158) project to the lowest responsive/responsible bidder, Christensen Brothers General Engineering, Inc. for the bid amount of \$1,273,128; approve an additional 10% contingency in the amount of \$127,313, for a total construction budget of \$1,400,441; approve the design of the project represented by the plans and specifications; and authorize the City Manager to execute the contract.

**Sponsors:** Project Construction Manager David Burkett

*Green sheet item #13 was heard immediately after consent*

**13. City Participation in the National Opioid Settlements**

**Recommended Action:**

It is recommended that the City Council approve the City's participation in the National Opioid Settlements and, further, authorize the City Manager, or his designee(s), to take all actions necessary and to execute all documents necessary in order for the City to participate in the National Opioid Settlements, including, but not limited to, the execution of the following documents:

1. Settlement Participation Form/Agreement for the City's participation in the National Opioid Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation.
2. Settlement Participation Form/Agreement for the City's participation in the National Opioid Settlement with Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc.
3. California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds - Distributor Settlement.
4. California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds - Janssen Settlement.

**Sponsors:** City Attorney Eric Dunn

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

**Aye:** 4 - Bennington, Bird, Holland and Swanson

**Nay:** 1 - Gregg

## **PUBLIC HEARING**

7. Amendments to Title 14, Chapter 14.04 of the Hesperia Municipal Code related to water use, conservation and water shortage plan.

**Recommended Action:**

It is recommended that the City Council and the Board of Directors of the Hesperia Water District introduce and place on first reading Ordinance No. 2021-08 regarding water use, water conservation and water shortage plan; amending Title 14, Chapter 14.04 of the Hesperia Municipal Code.

**Sponsors:** Management Analyst Tina Souza

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

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

**Nay:** 0

8. Specific Plan Amendment SPLA21-00004; Applicant: Anastasi Properties; APNs: 0405-052-03 thru 07

**Recommended Action:**

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2021-11 approving Specific Plan Amendment SPLA21-00004 to change approximately 35 gross acres from Office Park (OP) to Low Density Residential (LDR) with a minimum lot size of 7,200 square feet.

**Sponsors:** Senior Planner Ryan Leonard

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

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

**Nay:** 0

## **NEW BUSINESS**

9. Consider Introduction and First Reading of an Ordinance for Organic Waste Disposal Reduction in Compliance with Senate Bill 1383

**Recommended Action:**

It is recommended that the City Council introduce and read, by title only and with further reading waived: Ordinance No. 2021-012, an Ordinance of the City Council of the City of Hesperia Amending the Hesperia City Municipal Code in Order to Enact Regulations in Compliance with Senate Bill (SB) 1383 for the Implementation of Food Recovery and Organics Recycling.

**Sponsors:** Management Analyst Jamie Carone

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

**Aye:** 4 - Bennington, Bird, Holland and Swanson

**Nay:** 1 - Gregg

10. Adoption of a Resolution of Intention to Form Community Facilities District No. 2021-1 (Residential Maintenance and Services)

**Recommended Action:**

It is recommended that the City Council: 1) Adopt a Resolution of Intention (Resolution No. 2021-61) With Respect to the Formation of Proposed City of Hesperia Community Facilities District No. CFD 2021-1 (Residential Maintenance and Services) ("CFD 2021-1").

**Sponsors:** Assistant City Manager Rachel Molina

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

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

**Nay:** 0

11. Consideration of Ad-Hoc Committee for Recreation and Parks

**Recommended Action:**

It is recommended that the City Council give staff direction regarding the establishment of an Ad-Hoc Committee consisting of two City Council Members focused on areas of mutual interest with the Hesperia Recreation and Park District as requested by Council Member Gregg at the December 7, 2021 Council Meeting.

**Sponsors:** Director of Government Services/City Clerk Melinda Sayre

**A motion was made by Holland, seconded by Bird, that this item be approved forming an Ad Hoc Committee. The motion carried by the following vote:**

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

**Nay:** 0

*Mayor Pro Tem Holland and Council Member Gregg will be the appointed City Council representatives.*

12. City Council Appointments to Outside Agencies

**Recommended Action:**

It is recommended that the City Council follow past practice and appoint liaisons (both primary and alternate) to various outside agencies for a one-year period to commence in January 2022.

**Sponsors:** Director of Government Services/City Clerk Melinda Sayre

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

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

**Nay:** 0

**(See table next page)**

Agency/Commission/Committee Name	Primary Rep.	Alternate Rep.
League of California Cities(LOCC)	No appointment made	No appointment made
LOCC Inland Empire & Desert Mountain Divisions	No appointment made	No appointment made
Mojave Desert Air Quality Management District (MDAQMD)	Brigit Bennington	Cameron Gregg
San Bernardino County Transportation Authority (SBCTA) Board of Commissioners & Subcommittee – Mountain/Desert Measure I	Rebekah Swanson	Larry Bird
San Bernardino County Solid Waste Task Force	Staff appointment	Cameron Gregg
Victor Valley Economic Development Authority (VVEDA)	Brigit Bennington	Rebekah Swanson
Victor Valley Transit Authority (VVTa)	Larry Bird	Cameron Gregg
Victor Valley Wastewater Reclamation Authority (VWVRA)	Bill Holland	Larry Bird
Greater High Desert Chamber of Commerce Liaison (no compensation, non-voting liaison)	Brigit Bennington	Larry Bird
Tri Agency Committee (no compensation)	Brigit Bennington Larry Bird	Rebekah Swanson
City Council Advisory Committee - (no compensation)	Brigit Bennington	Cameron Gregg

## **COUNCIL COMMITTEE REPORTS AND COMMENTS**

*Council Member Bird wished everyone a Merry Christmas, recognized the Hearn family, and commented on school status, the Christmas break, the pandemic, the new year, spending time with family, school events, congratulated the Sultana Band and Softball state champions, thanked staff and wished everyone a Happy New Year.*

*Council Member Swanson thanked the Hearn family and commented on weather, the school break, the drought, organic waste disposal, attendance at Hesperia High School Winter Festival, wished everyone a Merry Christmas and a blessing on the community.*

*Council Member Gregg thanked the Hearn Family, and commented on the weather, road safety, Christmas lights in the community, the Farmer's market, the future opening of Raising Cane's, requested an update regarding vaccine passport ordinance and copies of the pharmaceutical settlement, thanked City staff, law enforcement and fire staff.*

*Mayor Pro Tem Holland extended a holiday invitation to Sheriff's and Fire staff, thanked City staff, thanked the Hearn Family, and commented on mask mandates.*

*Mayor Bennington stated she is honored to serve as mayor, and commented on public comments being moved to the beginning of the meeting, blood donations, the weather, recognized the Hearn family, thanked Sheriffs, Fire, and Jeremy in Public Works, celebrated the recent birth of her grandson, and wished staff and Council a Merry Christmas, and a Happy New year.*

## **CITY MANAGER/CITY ATTORNEY/STAFF REPORTS**

None

## **ADJOURNMENT**

*The meeting was adjourned in honor of Mayor Bennington's grandson Jayden at 9:51PM.*

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*Erin Baum,  
Assistant City Clerk*