



City of Hesperia Meeting Minutes - Draft City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345
Teleconference location:
2815 Jorie Blvd.
Oak Brook, IL 60523

Tuesday, July 19, 2022

6:30 PM

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

CLOSED SESSION - 4:30 PM

Roll Call

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

**Council Member Swanson participated via teleconference.*

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
2. APEX HM, LLC, et al. v. City of Hesperia, et al. - CIVSB 2208845

Personnel Matters - Performance Evaluations Government Code Section 54957

1. City Manager Personnel Evaluation

CALL TO ORDER - 6:36 PM

A. Invocation

B. Pledge of Allegiance to the Flag

C. Roll Call

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

**Council Member Swanson participated via teleconference.*

D. Agenda Revisions and Announcements by City Clerk

There was a green sheet revision to Consent Calendar item number 5.

E. Closed Session Reports by City Attorney

No reportable action was taken.

ANNOUNCEMENTS/PRESENTATIONS

1. Recognition of retiring San Bernardino County Fire Assistant Chief - Division Five - Dave Corbin
2. Introduction of new San Bernardino County Fire Assistant Chief - Division Five - Kelly Anderson to the City Council

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

*Bob Nelson commented on public speaking limits.
Fernando Pardo commented on a water billing issue.
Margarita Pardo commented on a water billing issue.
James Blocker commented on community events.
Daniel Krist commented on community issues.
Carlos De Oliveira commented on cannabis.
Sheldon De Oliveira commented on cannabis.
Rick Casas commented on cannabis.
Sarkis Gevorkyan commented on cannabis.
Frances Schauwecker commented on cannabis.*

JOINT CONSENT CALENDAR

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

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

Nay: 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, June 21, 2022.

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, June 21, 2022.

Sponsors: Assistant City Clerk Erin Baum

2. Treasurer's Cash Report for the unaudited period ended May 31, 2022

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 Administrative Services Casey Brooksher

3. Contract with Nobel Systems, Inc. for Citywide GIS Integrations, GeoViewer, GeoViewer Web hosting

Subscription, and Data Management Services

Recommended Action:

It is recommended that the City Council authorize the City Manager to enter into a three-year contract with Nobel Systems, Inc. (Nobel), for a total not-to-exceed contract amount of \$163,984, for the City's Geographical Information Systems (GIS) software and associated services.

Sponsors: Director of Administrative Services Casey Brooksher and IT Manager Michael Assumma

4. Equipment Procurement for Water Distribution Program

Recommended Action:

It is recommended that the Board of Directors of the Hesperia Water District authorize the City Manager to approve the procurement of one (1) new Case backhoe and enter into a purchase agreement with Sonsray Machinery LLC, in an amount not-to-exceed \$139,904.

Sponsors: Director of Public Works Jeremy McDonald

5. Special Assessment of Enforcement and Abatement Costs

Recommended Action:

It is recommended that the City Council approve Joint Resolution No. 2022-52 and Resolution No. HWD 2022-12, confirming parcels of land upon which unpaid fees for services, and enforcement and abatement costs remain, and Joint Resolution No. 2022-53 and Resolution No. HWD 2022-13, requesting that San Bernardino County place the unpaid fees for services, and enforcement and abatement costs on the property tax rolls.

Sponsors: Administrative Analyst Jacquelyn Castillo

6. 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. 2022-56 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 \$130,561 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: Hesperia Police Department Captain Jon Billings

7. Amend the FY 2022-23 Budget to Accept and Appropriate SB 1383 Local Assistance Grant Program Funds

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2022-049 amending the FY 2022-23 Adopted Budget, accepting SB 1383 Local Assistance Grant Program funds, and appropriating funds to certain grant related expenditures.

Sponsors: Management Analyst Jamie Carone and Assistant City Manager Rachel Molina

8. Amend the FY 2022-23 Budget to Accept and Appropriate CalRecycle FY 2021-22 Waste Tire Amnesty Grant Program Funds.

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2022-054 amending the FY 2022-23 Budget to accept CalRecycle FY 2021-22 Waste Tire Amnesty Grant Program funds and appropriate funds to certain grant related expenditures.

Sponsors: Management Analyst Jamie Carone and Assistant City Manager Rachel Molina

9. Revised Combined Compensation Schedules**Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2022-55, the Board of Directors of the Hesperia Housing Authority adopt Resolution HHA 2022-05, and the Board of Directors of the Hesperia Water District adopt Resolution HWD 2022-11 approving the City's Fiscal Year (FY) 2021-22 and FY 2022-23 revised Combined Compensation Schedules.

Sponsors: Director of Administrative Services Casey Brooksher and Deputy Human Resources/Risk Management Director Rita Perez

CONSENT ORDINANCES

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

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

Nay: 0

10. Amendments to Title 14 of Hesperia Municipal Code related to billing and collection procedures for water service**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance No. 2022-07 amending Title 14 of the Hesperia Municipal Code related to billing and collection procedures for water service.

Sponsors: Director of Administrative Services Casey Brooksher

11. Development Code Amendment DCA22-00002 and Specific Plan Amendment SPLA22-00001; Applicant: City of Hesperia, Area affected: City-wide**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance No. 2022-10 approving Development Code Amendment DCA22-00002 and Specific Plan Amendment SPLA22-00001, modifying development standards associated with truck storage yards and truck terminals within the industrial zoning classifications.

Sponsors: Senior Planner Ryan Leonard

PUBLIC HEARING**12. Joint Resolution Amending the City-Wide Fee Schedule****Recommended Action:**

It is recommended that the City Council and respective Boards adopt Joint Resolution No. 2022-28, Resolution No. HWD 2022-03, Resolution No. HHA 2022-01, Resolution No. CDC 2022-01, amending the City-Wide fee schedule related to third-party haulers, towing services, animal control services, fire

services, and engineering services.

Sponsors: Administrative Analyst Jacquelyn Castillo

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

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

Nay: 0

13. Emergency Service Roles

Recommended Action:

It is recommended that the City Council hold a public hearing for, and place on first reading, Ordinance No. 2022-11 amending Hesperia Municipal Code Chapter 2.20 regarding the line of succession in the direction of emergency services.

Sponsors: Community Relations Specialist Jennifer Colby

Father Jonathan Sy spoke during the Public Hearing.

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

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

Nay: 0

NEW BUSINESS

14. Designation of Voting Delegate and Alternates for League of CA Cities Conference

Recommended Action:

It is recommended that the City Council designate a primary voting delegate and up to two alternate delegates to represent the City of Hesperia at the General Business meeting to be held during the League of California Cities annual conference September 7 through September 9, 2022 to be held in Long Beach.

Sponsors: Assistant City Clerk Erin Baum

Mayor Bennington was designated as primary voting delegate no alternate was selected.

A motion was made by Holland, seconded by Swanson, that Mayor Bennington be the designated primary voting delegate. The motion carried by the following vote:

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

Nay: 0

15. Discussion on Multiple Response Program Fees

Recommended Action:

It is recommended that the City Council discuss current Multiple Response Fees and provide direction to staff.

Sponsors: City Attorney Eric Dunn and Administrative Analyst Jacquelyn Castillo

Discussion ensued.

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Swanson, thanked outgoing Fire Chief Dave Corbin, welcomed incoming Fire Chief Kelly Anderson commented on attendance at SBCTA workshop concerning new legislation, and attendance at Don Webb's memorial service,

Council Member Bird thanked City staff, congratulated outgoing Fire Chief Dave Corbin on his retirement, congratulated incoming Fire Chief Kelly Anderson, thanked Captain Billings and his team for their work during the 4th of July holiday, and commented on public comments on cannabis, current federal law on marijuana, and his son's signing of his first educational contract as a teacher.

Council Member Gregg commented on attendance at a recent VVTA meeting, the return of the Hesperia Days Rodeo event, meeting with constituents on business issues, and asked about a possible meeting with Council and/or staff regarding cannabis regulations. He also thanked City staff, the Sheriff's department, commented on upcoming National Night out event, and congratulated incoming Fire Chief Kelly Anderson

Mayor Pro Tem Holland congratulated incoming Fire Chief Kelly Anderson, thanked Captain Billings and Lieutenant Hubbard for response to fireworks over the 4th of July, offered thoughts and prayers for the Rancho Cucamonga Sheriff's deputy who was injured, thanked Fire staff, commented on a public speaker issue with public speaking limits, and commenters on cannabis, requested that staff bring back forensic financial reporting on cannabis tax payments to date, commented on the future of cannabis business in the City, and thanked City staff, the assistant City Attorney and those in attendance.

Mayor Bennington welcomed a student in the audience, welcomed new Fire Chief Kelly Anderson, commented on cannabis commenters, a recent meeting with the governor's office regarding local field offices and Mojave River Valley specific concerns, met with Kyle Wooley the new HPRD General Manager, commented on attendance at Advance Auto parts ribbon cutting, attendance at the Planning Commission meeting, thanked Planning Commissioners, mentioned the upcoming Coffee with the Mayor event, was pleased with 4th of July enforcement efforts by the City, praised Animal Control staff for response to loose animals due to fireworks, gave a shout out to Desert Recovery volunteers rescue efforts and to Advance Disposal for their illegal dumping app and response time, and warned pet owners about care in the heat. She also thanked City staff and wished a Happy Birthday to her husband Jeff and City Clerk Melinda Sayre.

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

None

ADJOURNMENT

The meeting was adjourned in the memory of Steve Lantsberger and Lucy Johnson, who both passed recently, at 9:21 pm.

*Erin Baum,
Assistant City Clerk*