



# City of Hesperia Meeting Minutes - Draft City Council

City Council Chambers  
9700 Seventh Ave.  
Hesperia CA, 92345

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Tuesday, September 6, 2022

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**

**CLOSED SESSION - 5:00 PM**

**Roll Call**

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

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

Conference with Real Property Negotiators – Property Negotiations - Government Code Section – 54956.8

1. Negotiating Parties: Park 395 RV Center and City of Hesperia Location: APN 3039-441-20 - Under Negotiation: Price and Terms

Personnel Matters - Performance Evaluations - Government Code Section 54957

1. City Manager Personnel Evaluation

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

**A. Invocation**

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

**C. Roll Call**

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

**D. Agenda Revisions and Announcements by City Clerk. – None.**

**E. Closed Session Reports by City Attorney. - None.**

## **ANNOUNCEMENTS/PRESENTATIONS**

1. Presentation on Brightline Train project by Sarah Watterson, Brightline West and Ray Wolfe, SBCTA

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

*Bob Nelson commented on speaking limits.*

*Eder Cortes commented on truck parking regulations.*

*Daniel Krist commented on community issues.*

*John Douglas, attorney for Tsui family commented on pending litigation.*

## **JOINT CONSENT CALENDAR**

*Item number 5 was pulled from the Joint Consent Calendar to allow for public comment.*

**A motion was made by Bird, seconded by Swanson, that the consent calendar, minus item number 5, 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, August 16, 2022.

### **Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, August 16, 2022.

**Sponsors:** Assistant City Clerk Erin Baum

2. Consideration of the Draft Minutes from the Special Meeting held Wednesday, August 24, 2022.

### **Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Special Meeting held Wednesday, August 24, 2022.

**Sponsors:** Assistant City Clerk Erin Baum

3. 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:** Director of Administrative Services Casey Brooksher

4. Local Transportation Fund - Article 8a Claim

### **Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2022-61, authorizing the City Manager to file the FY 2022-23 Local Transportation Fund - Article 8a claim in the amount of \$872,556 with San Bernardino County Transportation Authority (SBCTA).

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

5. Amendment to the Contract with NBS for Silverwood/Tapestry Development Fiscal Impact Analysis (FIA) Consulting Services

**Recommended Action:**

It is recommended that the City Council authorize the City Manager to amend the current agreement with NBS Government Finance Group (NBS) in the amount of \$16,500, for a total not-to-exceed amount of \$28,000, to include consultant services for Silverwood/Tapestry Development Bond Opportunities for Land Development (BOLD) Community Facilities District (CFD) Review.

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

*This item was voted on separately from the Joint Consent Calendar*

*Bob Nelson commented on item number 5*

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

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

**Nay:** 0

6. Vehicle Procurement - Six Mid-Size Trucks

**Recommended Action:**

It is recommended that the City Council and Board of Directors of the Hesperia Water District (HWD) authorize the City Manager to approve the procurement of six (6) 2023 Ford 4 x 4 trucks and enter into an agreement with Fairview Ford in the not-to-exceed amount of \$194,412.

**Sponsors:** Director of Public Works Jeremy McDonald

7. Fiscal Year 2022/23 - 2026/27 Five Year Measure I Capital Improvement Plan

**Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2022-65 approving the Measure I Five Year Capital Improvement Plan and Expense Strategy for Fiscal Years 2022/23 - 2026/27.

**Sponsors:** Administrative Analyst Bethany Hudson

**CONSENT ORDINANCES**

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

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

**Nay:** 0

8. Consideration of the Amendment to Title 1 related to Police Multiple Response/Firework Fees and Amendment to the City-wide Fee Schedule and Bail Schedule Related to Police Multiple Response/Firework Fees

**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance No. 2022-12 amending Title 1 of the Hesperia Municipal Code related to Police Multiple Response/Firework fees.

**Sponsors:** Administrative Analyst Jacquelyn Castillo

9. Development Code Amendment DCA22-00003; Applicant: City of Hesperia; Area affected: City-wide

**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance No. 2022-13 approving Development Code Amendment DCA22-00003 modifying development standards associated with Accessory Dwelling Units (ADUs).

**Sponsors:** Senior Planner Ryan Leonard

**COUNCIL COMMITTEE REPORTS AND COMMENTS**

*Council Member Bird commented on upcoming LOCC conference, attendance at VVTA and VVWRA, a speaking engagement at the Hispanic Chamber of Commerce, working with City Staff, and observance of 9/11 at Sultana High School on Friday.*

*Council Member Swanson commented on her tour of the VVWRA regional treatment plant, her upcoming SBCTA meeting, the Ranchero corridor project, observance of 9/11, and her for cooler weather*

*Council Member Gregg commented on public comments regarding the City cancelling the election, asked for information regarding public comments on a pending legal issue dealing with a cannabis grow, reminded everyone about the upcoming Hesperia Days Events, Rodeo, and the Farmer's market at Civic Plaza Park on Tuesdays, thanked City Staff for their work, and thanked Apple Valley Town Council Member Art Bishop and former Hesperia City Council Member Mike Leonard for their attendance.*

*Mayor Pro Tem Holland welcomed City Council Candidate Elects Allison Lee, Mayor Bennington and Council Member Gregg, thanked Ray Wolfe from SBCTA and Sarah Waterson from Brightline West for their presentation, thanked former City of Hesperia City Council Member Mike Leonard for his attendance, acknowledged Al Vogler's attendance in the audience, and commented on the absurdity of an extreme heat alert and the future of electric cars, and a public comment on urban sprawl,*

*Mayor Bennington commented on her attendance at the recent MDAQMD meeting, thanked City staff, asked people to consider adopting animals from the City shelter, and recognized her parents, and Al Vogler in the audience,*

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

*Nils Bentsen announced the promotion of Tammy Pelayes to the Assistant to the City Manager position.*

**ADJOURNMENT**

*The meeting was adjourned at 7:50 p.m.*

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Erin Baum,  
Assistant City Clerk