



# City of Hesperia

## Meeting Minutes - Draft

### City Council

City Council Chambers  
9700 Seventh Ave.  
Hesperia CA, 92345

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Tuesday, May 5, 2020

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**

Pursuant to State recommendations, the meeting was closed to the public due to COVID-19 (Coronavirus). Public Comment on agenda items and General Public Comment was taken remotely.

**CLOSED SESSION - 5:30 PM (To be held in the City Manager Conference Room)**

**Roll Call**

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

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. Silverwood Aviation, Inc. et al. v City of Hesperia et al. Case No. 5:20-CV-00185

Personnel Matters - Performance Evaluations  
Government Code Section 54957

1. City Manager Personnel Evaluation

**CALL TO ORDER - 6:37 PM**

- A. Invocation by Mayor Bird**
- B. Pledge of Allegiance to the Flag**
- C. Roll Call**

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

- D. Agenda Revisions and Announcements by City Clerk - None**
- E. Closed Session Reports by City Attorney - No reportable action taken on existing litigation items. A voluntary pay cut for the City Council and City Manager was discussed and approved under closed session item Personnel Matters-Performance Evaluations.**

## **ANNOUNCEMENTS/PRESENTATIONS**

1. Update on the City's Emergency Response related to the Coronavirus Disease by Rachel Molina, Deputy City Manager to the City Council

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

*Bob Nelson commented on public speech at public meetings.*

*Daniel Krist commented on various community issues.*

## **JOINT CONSENT CALENDAR**

**A motion was made by Holland, seconded by Swanson, that Consent Calendar items 1-5 and 7 be approved. The motion carried by the following vote:**

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

**Nay:** 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, April 21, 2020

### **Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, April 21, 2020.

**Sponsors:** Director of Government Services/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:** Director of Finance Casey Brooksher

3. Amendment to Contract with ECS Imaging

### **Recommended Action:**

It is recommended that the City Council approve an amendment in the amount of \$10,000 to the contract with ECS Imaging for electronic plan review implementation (PSA 2018-19-051) for a total contract amount of \$60,000; and authorize the City Manager to execute the amended contract with ECS Imaging.

**Sponsors:** Assistant City Manager Michael Blay and Administrative Analyst Tina Bulgarelli

4. Resolution in Support of the Countywide Vision Statement

### **Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2020-28 affirming support of the Countywide Vision Statement.

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

*Bob Nelson commented on item 4.*

5. 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. 2020-26 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 \$129,259.00, 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 Mike Browne

6. Award a contract to Sully-Miller Contracting Company for the Construction of the FY 2019-20 and 2020-21 Street Improvement Project (CO #7153 and CO #7161)

**Recommended Action:**

It is recommended that the City Council award a construction contract to the lowest responsive/responsible bidder, Sully-Miller Contracting Company, for the FY 2019-20 and 2020-21 Street Improvement Project in the amount of \$2,932,512.09; approve a 10% contingency in the amount of \$293,251.21 for a total contract amount of \$3,225,763.30; approve the design of the projects represented by the plans and specifications; and authorize the City Manager to execute the contract.

**Sponsors:** Assistant City Manager Michael Blay

*Council Member Swanson pulled item 6 for discussion*

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

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

**Nay:** 0

7. Townsend Public Affairs Contract Extension

**Recommended Action:**

It is recommended that the City Council approve an extension to the Professional Services Agreement with Townsend Public Affairs for State Legislative Advocacy and State and Federal Funding Advocacy Services, effective July 1, 2020 through June 30, 2021.

**Sponsors:** Deputy City Manager Rachel Molina

**CONSENT ORDINANCES**

8. Adoption of Ordinance No. 2020-05 Establishing Campaign Contribution Limits and Regulations

**Recommended Action:**

Place on second reading and adopt by title waiving the text of Ordinance 2020-05, establishing Campaign Contribution Limits and Regulations.

**Sponsors:** City Attorney Eric Dunn

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

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

**Nay:** 0

*A remote public comment by Anthony Rhoades for item 8 was read into the record by the City Clerk.*

## **PUBLIC HEARING**

9. Development Code Amendment DCA20-00001; 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. 2020-04 approving Development Code Amendment DCA20-00001, to modify development standards associated with Accessory Dwelling Units (ADUs).

**Sponsors:** Senior Planner Ryan Leonard

*The public hearing was opened. There being no public comment, the public hearing was closed.*

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

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

**Nay:** 0

10. Adoption of Ordinance No. 2020-06 Adding Chapter 8.36 to the Hesperia Municipal Code Regulating the Use of Fireworks

### **Recommended Action:**

It is recommended that the City Council introduce and place on first reading Ordinance No. 2020-06, adding chapter 8.36 to the Hesperia Municipal Code regulating the use of fireworks.

**Sponsors:** Deputy City Manager Rachel Molina

*The public hearing was opened. There being no public comment the public hearing was closed.*

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

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

**Nay:** 0

## **NEW BUSINESS**

11. Consideration of Proposed Update to Administrative Fine Schedule for Littering

### **Recommended Action:**

It is recommended that the City Council review the proposed update to fines for littering and provide direction to staff on whether to increase fines accordingly.

**Sponsors:** Deputy City Manager Rachel Molina

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

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

**Nay:** 0

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

None

## **COUNCIL COMMITTEE REPORTS AND COMMENTS**

*Council Member Bennington commented on attendance at Tri-Agency meeting by teleconference, the Coronavirus testing event, the WeTip hotline, and the Coronavirus response.*

*Council Member Holland commented on the Coronavirus outbreak.*

*Council Member Swanson commented on remote attendance as a resident at the Tri-Agency meeting, upcoming attendance at the SBCTA meeting, donation of PPE equipment to local hospitals and first responders by a local resident business, and encouraged the use of items made in USA.*

*Mayor Pro Tem Gregg commented on attendance at Tri-Agency meeting by teleconference and the re-opening of the golf course from the stay at home order.*

*Mayor Bird commented on the Coronavirus outbreak and local high school graduations.*

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

*None*

## **ADJOURNMENT**

*Adjourned at 8:15 p.m. in honor of the 68th wedding anniversary of Council Member Swanson's parent's.*

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*Melinda Sayre,  
City Clerk*