



City of Hesperia

Meeting Minutes - Final

City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, January 18, 2022

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
January 18, 2022
9700 7th Avenue, Council Chambers, Hesperia, CA 92345

CLOSED SESSION - 5:00 PM

Roll Call

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

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

1. Two (2) Cases

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

1. Nulevel Partners Inc. v City of Hesperia

CALL TO ORDER - 6:30 PM

A. Invocation

B. Pledge of Allegiance to the Flag

C. Roll Call

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

D. Agenda Revisions and Announcements by City Clerk

E. Closed Session Reports by City Attorney

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation to Planning Commissioner Cody Leis by Mayor Pro Tem Holland

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

Bob Nelson commented on community issues.

Daniel Krist commented on community issues.

Ed Rostamian commented on development issues.

Al Vogler commented on traffic issues.

Chuck Wolf commented on water rates.

Bill Jensen commented on development issues.

Mark Ziesmer commented on the Rental Housing Program.

Tom Steeno commented on recognition of Cody Leis.

JOINT CONSENT CALENDAR

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

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

Nay: 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, December 21, 2021.

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, December 21, 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 Water District.

Sponsors: Director of Administrative Services Casey Brooksher

3. Treasurer's Cash Report for the unaudited period ended October 31, 2021.

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 Water District.

Sponsors: Director of Administrative Services Casey Brooksher

4. Treasurer's Cash Report for the unaudited period ended November 30, 2021.

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

5. Audited Hesperia Housing Authority Financial Statements for Fiscal Year Ended June 30, 2021 and Housing Successor SB 341 Report

Recommended Action:

It is recommended that the City Council and the Hesperia Housing Authority (HHA) Board receive and file the audited Hesperia Housing Authority - Component Unit Financial Statements for the Fiscal Year Ended June 30, 2021 and Housing Successor SB 341 Report.

Sponsors: Director of Administrative Services Casey Brooksher

6. Receive and File the SB 165 Local Agency Special Tax and Bond Accountability Act Report (SB 165) for the Fiscal Year Ended June 30, 2021

Recommended Action:

It is recommended that the City Council receive and file the Communities Facilities District (CFD) 2005-1 (Belgate Development Restructuring) Local Agency Special Tax and Bond Accountability Act Report (SB 165) for the Fiscal Year Ended June 30, 2021.

Sponsors: Director of Administrative Services Casey Brooksher

7. Fiscal Years 2015-2016 through 2020-2021 Annual and 5-Year Compliance Report for AB 1600 Development Impact Fees

Recommended Action:

It is recommended that the City Council receive and file the AB 1600 report on development fee activity that occurred during Fiscal Years (FY) 2015-2016 through 2020-2021.

Sponsors: Director of Administrative Services Casey Brooksher

8. Network Security Detection and Response Services

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 three (3) year agreement with Kroll, LLC (Kroll) in an amount not-to-exceed \$78,000, to actively monitor the City's network for cybersecurity intrusions and provide remediation.

Sponsors: Director of Administrative Services Casey Brooksher

9. GP Electric Motor Contract Amendment

Recommended Action:

It is recommended that the City Council and Board Members of the Hesperia Water District (District) authorize the City Manager to execute an amendment to increase the existing contract with GP Electric Motor in the amount of \$30,000 for a revised not-to-exceed amount of \$100,000 for well and booster motor maintenance.

Sponsors: Director of Public Works Jeremy McDonald

10. Award of Contract for Engineering Plan Review and Inspection Services

Recommended Action:

It is recommended that the City Council approve the award of two (2) Professional Services Agreements (PSAs); one to HRGreen in the amount of \$20,000 for a term of 1 year for Plan Check services and the other to Transtech in the amount of \$10,000 for a term of 1 year for Engineering Inspection services.

Sponsors: Assistant City Manager Rachel Molina

CONSENT ORDINANCES

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

Recommended Action:

Place on second reading and adopt by title waiving the text of Ordinance No. 2021-08 regarding water use, water conservation and water shortage plan; amending Title 14, Chapter 14.04 of the Hesperia Municipal Code. **At the December 21, 2021 Council meeting the City Council and Board of Directors made a minor amendment to the verbiage of Stage 2, a. to reflect that mandatory consumption reduction methods may be in effect.**

Sponsors: Management Analyst Tina Souza

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

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

Nay: 0

Meeting went into Recess

Meeting Reconvened

PUBLIC HEARING

12. Third Public Hearing - Redistricting due to 2020 Census and Review of Draft Maps

Recommended Action:

It is recommended that the City Council 1) Receive a presentation from National Demographics Corporation (NDC), the City's redistricting consultant detailing the redistricting process and permissible criteria to be considered to create district boundaries; 2) Conduct the third public hearing to receive public input on the redistricting process and composition of districts; and 3) review and consider the three draft maps provided by National Demographics Corporation and any others that may have been submitted by the public for review.

Sponsors: Director of Government Services/City Clerk Melinda Sayre

Kelly Gregg commented during the public hearing period.

NEW BUSINESS

Items 13 and 14 were heard in reverse order.

14. Capital Improvement Project Prioritization

Recommended Action:

It is recommended that the City Council receive and file this report.

Sponsors: Assistant City Manager Rachel Molina

13. National Opioid Settlements - Permitted Use of Settlement Funds

Recommended Action:

It is recommended that the City Council receive and file this report.

Sponsors: City Attorney Eric Dunn

COUNCIL COMMITTEE REPORTS AND COMMENTS

Council Member Swanson commented on attendance at SBCTA, CIP funding, and future Brightline rail project.

Council Member Bird thanked Council Member Swanson for her service with SBCTA and commented on VVTA, keeping City Council Meetings open to the public during the pandemic surge, staffing shortages at HUSD, the Ranchero Rd. widening ground breaking, an article in the Daily Press, drug use among students, the new year, and asked that the meeting be closed in honor of the passing of a Sultana class of 2020 student and a teacher with HUSD.

Council Member Gregg commented on student access to illicit drugs and services to address the issue, the timing of Public Comments, caution on Council Member Swanson's support of Brightline, law enforcement activity on traffic, wished everyone a Happy New Year and Merry Christmas, and thanked staff.

Mayor Pro Tem Holland commented on Council expectations when dealing with other agencies, Tri-Agency, LOCC, caution with regards to Brightline, and the grand opening of the natural gas production facility at VVWRA.

Mayor Bennington recognized Kelly Gregg, commented on attendance chamber coffee update, the Ranchero Rd. Widening ground breaking, the grand opening of Raising Caine's, Sherman Hegman's mayor's conference call on state COVID regulations, retirement of Mike Jasberg, Operations Manager at Mitsubishi Cement, attendance at the Dreams, Visionaries, and Leaders Tribute to MLK celebration at VVC, VVWRA natural gas project opening, Dave Corbin on the television news, keeping Council Meetings open for continued public participation, fire at an illegal grow house in Adelanto, the passing of Ken Porter's wife Brenda and prayers to their family, thanked Sheriff's staff, Fire staff, and City staff. Let's go Niners!

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

None

ADJOURNMENT

The meeting was adjourned in honor of the passing of Brenda Porter, Sultana class of 2020 student, and a HUSD teacher at 10:04 PM.



Erin Baum,
Assistant City Clerk