



# City of Hesperia Meeting Minutes - Final City Council

City Council Chambers  
9700 Seventh Ave.  
Hesperia CA, 92345

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Tuesday, September 20, 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 - 5:30 PM**

**Roll Call**

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

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

1. Negotiating Parties: Love's Country Stores and City of Hesperia Location: APN 3039-361-01 - Under Negotiations: 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 – There was no reportable action.**

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

*Al Vogler commented on the water line replacement project.*

*Daniel Krist commented on community issues.*

*Bob Nelson commented on community issues.*

## **JOINT CONSENT CALENDAR**

*Item number 7 was removed from the Consent Calendar and considered separately to allow for Public Comment.*

**A motion was made by Holland, seconded by Gregg, that the Joint Consent Calendar, without Item number 7, 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, September 6, 2022.

### **Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, September 6, 2022.

**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 June 30, 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

4. Postal/Mailroom Equipment, Software, and Maintenance Lease

### **Recommended Action:**

It is recommended that the City Council and Board Members of the Hesperia Water District authorize the City Manager to execute an agreement with Quadient Leasing for postal/mailroom equipment including a document folder/inserters, postage meter, software, and maintenance for a five (5) year lease agreement for a total not-to-exceed amount of \$69,185 (tax included).

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

5. Award a Contract for Water Service Line Relocation - Phase I

### **Recommended Action:**



It is recommended that the Board of Directors of the Hesperia Water District award a Contract for the Water Service Line Relocation - Phase I project to the lowest responsive/responsible bidder, R.E. Chaffee Construction, Inc. in the amount of \$312,000; approve an additional 10% contingency in the amount of \$31,200 for a total construction budget of \$343,200; approve the scope of work for the project as described in the Contract Documents and Specifications; and authorize the City Manager to execute the Contract.

**Sponsors:** Project Construction Manager David Burkett

6. Adopt Measure I Five Year Capital Project Needs Analysis for Fiscal Years 2023/24 through 2027/28

**Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2022-068 approving the Measure I Five-Year Capital Project Needs Analysis submittal to the San Bernardino County Transportation Authority (SBCTA) for Fiscal Years 2023/24 through 2027/28.

**Sponsors:** Administrative Analyst Bethany Hudson

*Item 7 was considered independent of the Joint Consent Calendar to allow for Public Comment.*

7. Appointment of New City Attorney

**Recommended Action:**

It is recommended that the Council approve Resolution No. 2022-70 appointing Deputy City Attorney Pam Lee as City Attorney.

**Sponsors:** City Attorney Eric Dunn

*Bob Nelson commented on this item.*

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

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

**Nay:** 0

**PUBLIC HEARING**

8. PY 2021-22 Community Development Block Grant (CDBG), Consolidated Annual Performance and Evaluation Report (CAPER)

**Recommended Action:**

It is recommended that the City Council conduct a public hearing and upon accepting public testimony: 1) Approve the Program Year 2021-2022 Consolidated Annual Performance Evaluation Report ("CAPER"); and 2) Authorize the City Manager or his designee to submit the Program Year 2021-2022 CAPER to the U.S. Department of Housing and Urban Development ("HUD"), along with any public testimony and changes thereto as directed by the City Council.

**Sponsors:** Economic Development Manager Victor Knight

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

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

**Nay:** 0

## **NEW BUSINESS**

### **9. Discussion on Commercial Cannabis Tax**

#### **Recommended Action:**

It is recommended that the City Council review the Commercial Cannabis Tax revenue and provide direction to staff.

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

*Council directed staff to place Cannabis licensing and tax program on a future agenda for consideration.*

### **10. 2022 Emergency Operations Plan Update**

#### **Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2022-67 adopting the 2022 Emergency Operations Plan (EOP) Update and authorize staff to make future non-substantive revisions.

**Sponsors:** Community Relations Specialist Jennifer Colby

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

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

**Nay:** 0

*At this time the Mayor allowed for a member of the public to make a late Public Comment*

*Chuck Wolf commented on the water line replacement project.*

## **COUNCIL COMMITTEE REPORTS AND COMMENTS**

*Council Member Bird requested cannabis tax rate be included on a future cannabis item, thanked staff for their time and effort, thanked outgoing City Attorney Eric Dunn for his service to the City, thanked HRPD directors,, James Blocker, Kelly Gregg, and Rebecca Daugherty for Hesperia Days and the Rodeo, commented on recent Homecoming events at Sultana High School, the 9/11 remembrance ceremony at Sultana High School, recent VVTA meeting attendance, League of California Cities conference attendance, and his daughter's birthday.*

*Council Member Swanson commented on enjoyment of Hesperia Days events, her attendance at Mt. View Baptist church ceremony honoring first responders, attendance at recent SBTA meeting, the 395 widening project, looking forward to the Today's Woman event where her daughter will be honored, thanked staff for their work on the EOP, thanked outgoing City Attorney Eric Dunn for his service to the City and welcomed City attorney Pam Lee.*

*Council Member Gregg thanked Rebecca Daugherty and James Blocker for their work bringing back the Hesperia Rodeo, and the various Hesperia Days events, extended thanks to outgoing City Attorney Eric Dunn and welcomed City Attorney Pam Lee, appointed Kelly Gregg to the City Council Advisory Committee, stressed traffic safety in the community, and thanked Sheriff's and Fire staff for their work at Hesperia Days, and City staff.*

*Council Member Holland commented on the success of Hesperia Days, thanked Rebecca Daugherty, Kelly Gregg, and James Blocker for bringing back the Hesperia Rodeo, Hesperia's small town feel, recent League of California Cities attendance, local control, encouraged people to go to the seasonal pumpkin patch on Mariposa Rd., thanked outgoing City Attorney Eric Dunn for his service to the City, welcomed City attorney Pam Lee to the City, and acknowledged Council member elect Allison Lee in the audience.*



Mayor Bennington recognized Kelly Gregg and Allison Lee in the audience, commented on the success of various Hesperia Days events, proud of the return of the Hesperia Days Rodeo, thanked HRPD staff who made it happen, her Coffee with the Mayor event this morning, recent MDAQMD meeting, upcoming four mayors meeting at Calvary Chapel on local projects, future attendance at Today's Woman events, asked that RV street parking on streets be brought back for consideration and an update on state restrictions on Joshua Trees, working with City Attorney Eric Dunn over the years, looking forward to working with City Attorney Pam Lee, thanked staff on the EOP update, thanked Sheriff's, Fire, and Park Ranger staff,

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

The City Manager recognized Animal Services for a successful adoption event with Best Friends Animal Society, adopting out 50 animals over the weekend, and thanked outgoing City Attorney Eric Dunn for his service to the City.

Outgoing City Attorney Eric Dunn commented on his years working with the City of Hesperia.

### **ADJOURNMENT**

The meeting was adjourned in celebration of Council Member Bird's daughter's birthday at 9:25 p.m.



Erin Baum,  
Assistant City Clerk