



City of Hesperia Meeting Minutes - Draft City Council

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Tuesday, November 15, 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

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

1. One (1) Case

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

1. Negotiating Parties: City of Hesperia and Chi-Chu Chen Trust Location: APN 3039-431-01 Lift Station Under
Negotiation: Price and Terms

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

No reportable action taken.

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation on the Microlink Program by Chris Ackerman from the Victor Valley Transit Authority

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

Bob Nelson commented on public comments during public meetings.

Daniel Krist commented on various community issues.

Darrell Ogg commented on commercial truck route.

Lettisha Johnson commented on traffic safety in the City.

Al Vogler commented on off-road vehicles on City streets.

Mallory Hearn commented on a poem in honor of Mayor Pro Tem Holland's service on the City Council.

JOINT CONSENT CALENDAR

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

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

Nay: 0

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

Recommended Action:

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, November 1, 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 September 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. Certification of Appointment in Lieu of Election

Recommended Action:

It is recommended that the City Council adopt Resolution No. 2022-78 memorializing the action the City Council took on August 24, 2022 declaring the appointments filling one (1) open seat each, in City Council Districts two (2), three (3), and four (4), in lieu of participating in the November 8, 2022 General Municipal Election.

Sponsors: Assistant City Clerk Erin Baum and Director of Government Services/City Clerk Melinda Sayre

5. 2022-23 Statement of Investment Policy

Recommended Action:

It is recommended that the Council/Board/Commission adopt Joint Resolution No. 2022-57, Successor Agency to the Hesperia Community Redevelopment Agency Resolution No. SA 2022-01, Hesperia Housing Authority Resolution No. HHA 2022-06, Community Development Commission Resolution No. CDC 2022-03, Hesperia Fire Protection District Resolution No. HFPD 2022-05, and Hesperia Water District Resolution No. HWD 2022-12, amending the Fiscal Year 2022-23 Statement of Investment Policy.

Sponsors: Director of Administrative Services Casey Brooksher

6. Revised Combined Compensation Schedules

Recommended Action:

It is recommended that the City Council and Board of Directors of the Hesperia Water District adopt Joint Resolution No. 2022-77 and HWD 2022-18, approving the City's Fiscal Year (FY) 2022-23 revised Combined Compensation Schedule.

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

7. Increase to Contract with Ferguson Waterworks

Recommended Action:

It is recommended that the Board of Directors of the Hesperia Water District authorize the City Manager to increase the contract with Ferguson Waterworks in the amount of \$50,000 for a new not-to-exceed amount of \$175,000, for the purchase of DFW Plastics Inc. (DFW) meter boxes and lids.

Sponsors: Director of Public Works Jeremy McDonald

8. Contract increase with Badger Meter Inc.

Recommended Action:

It is recommended that the Board of Directors of the Hesperia Water District authorize the City Manager to increase the contract with Badger Meter Inc., in the amount of \$75,000, for a new not-to-exceed amount of \$350,000 for the purchase of water meters and related water meter parts.

Sponsors: Director of Public Works Jeremy McDonald

CONSENT ORDINANCES

9. Amendments to Title 10 and Title 16 of the Hesperia Municipal Code Defining the terms "Undeveloped Lots, Tracts, and Parcels" in the Commercial Vehicle Parking and Truck Routes Program

Recommended Action:

Place on second reading and adopt by title waiving the text of Ordinance No. 2022-14, amending Title 10 and Title 16 of the Hesperia Municipal Code to Define the terms "Undeveloped Lots, Tracts, and Parcels" in the commercial vehicle parking and truck routes program.

Sponsors: Administrative Analyst Jacquelyn Castillo

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

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

Nay: 0

10. Amendments to Title 5 and Title 8 of the Hesperia Municipal Code Related to the Voluntary Crime Free Program

Recommended Action:

Place on second reading and adopt by title waiving the text of Ordinance No. 2022-15, amending Title 5 and Title 8 of the Hesperia Municipal Code related to the Voluntary Crime Free Program.

Sponsors: Administrative Analyst Jacqueline Castillo

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

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

Nay: 0

PUBLIC HEARING

11. Adoption of Ordinance No. 2022-16 adopting the 2022 California Building Codes

Recommended Action:

It is recommended that the City Council conduct a public hearing and upon accepting public testimony adopt Ordinance No. 2022-16, adopting changes to Hesperia Municipal Code Chapters 15.04 and 15.06; adopting and amending the following codes and their references: the 2022 California Building Code, the 2022 California Residential Code, the 2022 California Electrical Code, the 2022 California Mechanical Code, the 2022 California Plumbing Code, the 2022 California Fire Code, the 2022 California Green Building Standards Code, the 2022 California Referenced Standards Code, the 2022 California Energy Code, the 2022 California Historical Building Code, the 2022 California Administrative Code, and the 2022 California Existing Building Code (all hereafter referenced as the Building Codes).

Sponsors: Deputy Community Development Director Mike Hearn

The public hearing was opened, there being no public test

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

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

Nay: 0

12. Substantial Amendment to the Community Development Block Grant (CDBG) 2021-2022 and 2022-2023 Annual Action Plans

Recommended Actions:

It is recommended that the City Council: (1) conduct a public hearing and upon accepting public testimony, adopt Resolution No. 2022-76 including any modifications or amendments thereto (2) approve a Substantial Amendment to the Community Development Block Grant ("CDBG") 2021-2022 and 2022-2023 Annual Action Plans ("Action Plans") by repurposing a total of \$3,747,044 from prior year unprogrammed CDBG funds and program income from the Neighborhood Stabilization Program (NSP) to the 2021-2022 Street Improvement Project; (3) authorize staff to appropriate prior year unprogrammed CDBG funds and NSP program income for the 2021-2022 Street Improvement Project; and (4) authorize the City Manager and/or Designee to execute and transmit all necessary documents, including the Substantial Amendment to the Action Plans, and any additional amendments, to assure the City's timely expenditure of CDBG funds.

Sponsors: Economic Development Manager Victor Knight

The public hearing was opened. The following individuals commented on item 12.

Kambria Strathmann

Michelle Bonilla

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

NEW BUSINESS

- 13.** Proposed Termination of Victor Valley Wastewater Reclamation Authority (VWVRA) Service Agreement and Other Controlling Agreements

Recommended Action:

It is recommended that the City Council and Hesperia Water District Board direct the City Manager (General Manager of the Hesperia Water District) to officially notify the Victor Valley Waste Reclamation Authority (VWVRA) and member agencies, that the City of Hesperia (Hesperia Water District) will exit VWVRA by providing its 30-year notice to terminate the service agreement and any other controlling agreements.

Sponsors: City Manager Nils Bentsen

Al Vogler commented on item 13.

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

- 14.** Residential Christmas Decoration Contest

Recommended Action:

It is recommended that the City Council give direction to staff on the establishment of a residential Christmas decoration contest.

Sponsors: Assistant City Manager Rachel Molina

Direction given

CITY MANAGER/CITY ATTORNEY/STAFF REPORTS

None

ANNOUNCEMENTS/PRESENTATIONS

- 1. Presentation and cupcake reception in honor of outgoing Mayor Pro Tem Bill Holland by the City Council*

ADJOURNMENT

The meeting was adjourned at 8:37 p.m.

Erin Baum, Assistant City Clerk