

**HESPERIA RECREATION AND PARK DISTRICT
BOARD OF DIRECTORS REGULAR MEETING
March 24, 2022**

MINUTES

CALL TO ORDER

The Hesperia Recreation and Park District Board of Directors Regular Meeting was called to order at 6:00 p.m., at Lime Street Park Community Center, located at 16292 Lime Street, Hesperia.

AGUILAR: Board, we're going to call this meeting to order; it is six o'clock. It's March 24, 2022 on a Thursday. Take attendance please.

ROLL CALL

MS. GARCIA: Vice President Irish?
IRISH: Here.
MS. GARCIA: President Aguilar?
AGUILAR: Here.
MS. GARCIA: Director Gonzalez?
GONZALEZ:
MS. GARCIA: Director Roberts?
ROBERTS: Here.
MS. GARCIA: Director Gregg?
GREGG: Here.

ATTENDANCE

BOARD PRESENT: Irish, Aguilar, Roberts, Gregg
BOARD ABSENT: Gonzalez
STAFF PRESENT: Chavez, Swims, Campbell, Garcia, Sr. Park Ranger Chavez
OTHER: Jason Martinez, Cooperative Strategies (via teleconference)

FLAG SALUTE

AGUILAR: Now is the flag salute;
GREGG: Ready begin...

PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND PRESENTATIONS

AGUILAR: We're going to move on to proclamations and presentations. Mr. Chavez, do we have anything today?

CHAVEZ: I do, thank you President Aguilar. I'm introducing a new full time ranger and new part time ranger.

New Staff Introductions (Mario, Sergio, Robert).

CHAVEZ: One more introduction if I may, we have a new Finance Manager here in the group. Ms. Amber Darling is right next to Marshawn.

Amber Darling introduction

That concludes presentations.

PUBLIC COMMENTS

AGUILAR: Okay. We're going to move on to the public comments. So we have any public speakers?

CHAVEZ: We do not have any public speakers on the desk. I'm not sure if anyone wishes to speak on the line.

AGUILAR: Do we have any public speakers on line?

CHAVEZ: There are no callers.

AGUILAR: Okay. We're going to go ahead and close public comments and move on to consent items.

CONSENT ITEMS

A. Approval of Minutes of Special Meeting March 3, 2022

AGUILAR: This is approval of the minutes of the special meeting.

GREGG: I make a motion to approve consent items.

AGUILAR: We have a motion by Dr. Gregg. Do I have a second?

IRISH: I'll second it.

AGUILAR: Second by Director Irish. Roll call please.

ROLL CALL

MS. GARCIA: President Aguilar?

AGUILAR: Yes.

MS. GARCIA: Director Roberts?

ROBERTS: Yes.

MS. GARCIA: Director Gregg?

GREGG: Yes.

MS. GARCIA: Vice President Irish?
IRISH: Yes.

MOTION: It was moved by Director Gregg and seconded by Vice President Irish to approve Item A. The motion passed by the following roll call vote:

AYES: Aguilar, Roberts, Gregg, Irish
NOES: None
ABSENT: Gonzalez
ABSTAIN: None

DISCUSSION/ACTION ITEMS

B. **FOURTH PUBLIC HEARING - Review and Consider Voting District Boundaries for the Hesperia Recreation and Park District's Board of Directors, Cooperative Strategies Presentation, and Proposed District Maps**

AGUILAR: Moving on to discussion and action items. This is the review and consideration of voting district boundaries for the Hesperia Recreation and Park District's Board of Directors, Cooperative Strategies presentation and proposed district maps. Mr. Chavez do you want to lead us into this?

CHAVEZ: Yes, thank you President Aguilar. Today we will be having our fourth public hearing in regards to redistricting process. Jason is going to be explaining the same process that did essentially the last couple timeframes. He's also going to explain the process going forward and also demonstrate the two maps that were also presented at the last public hearing. So with that said, I'm going go ahead and ask Jason to start his presentation. I believe he may have some issues with equipment.

JASON: Good evening, everyone. Again, I'm Jason Martinez with Cooperative Strategies and tonight, we are at our second public hearing technically, as it pertains to the conceptual areas that we presented at our last public hearing. And this slide again, is intended just to provide a roadmap the source with respect to where the district is headed in this process. So there's one more meeting coming up on April 13. And there's a tentative meeting in April and/or May as it pertains to the county committee meeting, with respect to the review, selection and approval of any scenario that's chosen by the Board.

COOPERATIVE STRATEGIES PRESENTATION

GREGG: Jason this is director Gregg. While we're here, you've done, probably a few of these, correct?

JASON: Yes.

GREGG: Can you give us an example of other local considerations that you ran into?

JASON: You know, I think in many respects, it deals with, communities of interests. I think that's where I've seen most or I think that's the most appropriate answer to that question is local considerations are usually when we had feedback from the district stakeholders, like the community, and you're saying, hey, look, you know, we're looking at this particular conceptual scenario that's for consideration but it looks like it sort of divides a particular community, or for that matter, a particular neighborhood, or right across a main street, and we would like to be able to keep together under one potential scenario. So to answer your question in a long-winded way those little considerations are generally whatever feedback is provided by the district stakeholders.

GREGG: Jason, wouldn't that be governed under respect communities of interest as much as possible?

JASON: Yes and I think this is more of a catch all with respect to other local considerations, I mean, again, in respect to communities of interest is specific to the extent that, again, we want to try to keep these communities intact, but there may be other local considerations that we may not necessarily be aware of, because as I sort of prefaced at the onset of the presentation, our demographers are essentially just looking at data, raw numbers, and then these maps were drawn up. So no one knows the district better than, presumably the board and its stakeholders. So those local considerations are more of a catch all, if you will, with respect to any other considerations; I can't even utter a better word that the public may have.

GREGG: In all the demography that you've done and all the public meetings that you sat through, I'm assuming because you do these public hearings quite often, how many other local considerations have you heard besides the six that are listed above this one?

JASON: I can't remember the last time I've had anything other than the six that are presented.

GREGG: Thank you, Jason.

JASON: No problem. And I'm sorry, because I'm doing this off my phone. I do beg your pardon, guys. I have you guys on speaker, so I apologize if there's a little bit of a delay. Were there any other questions or not only questions?

CHAVEZ: I think we're fine. Do you have any questions?

ROBERTS: No, I don't have any questions...

IRISH: I do! Would you guys split communities; like if it's a development community did you split it?

JASON: Well, not that I'm aware of. And again, the purpose of these presentations in large part is to elicit any feedback from the board and/or the community in seeing these conceptual areas, and maybe pointing out hey, by the way, this is a community that may have been split or, perhaps this barrier of inner city cutting through a specific neighborhood that we'd like to keep intact, but I'm not aware at least from the actual conceptual aspect of it rising to drawing it

up and that there were many communities that were actually split, if that makes sense.

IRISH: So, if it was a, if it was a development, then the line was drawn. So whoever's in that area keeps that for neighborhood,

JASON: Generally, and what I will say too, just not to get too much in the weeds here, but we are working with census blocks, right? And the census blocks, we can't necessarily break. So if there's a census block, again, in the census blocks are pretty good at keeping communities together. So for the most part, we don't really run into that scenario very often. But nevertheless, the census blocks are also sort of, to the extent that it does provide some contours with respect to how these boundaries are drawn up between each area.

IRISH: So if you find them, you can redraw the line.

JASON: Yeah, so by way of example, it is in reviewing the maps, any members of the board have any comments specifically as it pertains to maybe we're one boundary line might be cutting across a specific community or neighborhood, then that's the kind of feedback we'd love to be able to have. So that if possible, we can move like July, you know, north, south, east or west, to the extent that we can respect our community of interests or more specifically, any other consideration that the board or community may have.

IRISH: So we would need a map that we can actually see. These are little...do these have the neighborhood's on them? And why don't we have a big one?

GREGG: We have the enhanced ones.

IRISH: Well, we should have a big one just like that. What size is that?

MS. GARCIA: We have one actually in my office - I can go grab it.

IRISH: Because I can't see this.

JASON: If it helps, to the extent that we can, we would be happy to provide the board (and I've seen this done before), where we have some PDFs that will allow you to essentially zoom in a little bit closer and maybe get that more micro view of, you know, what neighborhoods and where streets are really encompassed in the conceptual areas that we're presenting?

IRISH: Yeah, because we need to see. Does this show the track homes on this?

JASON: I'm sorry, I couldn't hear you, what was that?

IRISH: Does this map show the track homes on it?

JASON: I'm not sure what numbers are referring to?

IRISH: The one in this packet.

CHAVEZ: Director Irish, to answer your question they don't; they just essentially see right of way streets and just sort of typical Hesperia geography on there.

GREGG: The information is, is that we gave them that they're not going to be splitting up census tracts, and the census tracts are going to be contiguous to those track homes that are in those census tracts. Therefore, you're not going to be able to break up the census tract talking about track homes, you can't bring those up, you're not going be able to run a line through.

JASON: For whatever its worth, I don't think I could have said it any better. That was a very astute sort of observation with respect to the census blocks and the confines that we have when drawing up these lines. I don't know what board member said that but it was very well said.

IRISH: Okay, I'm just making sure.

GREGG: Just for clarity, we didn't split the Main in half to separate your groups or the demographers.

JASON: We can proceed to the next slide please.

(PRESENTATION CONTINUES)

GREGG: Jason I'll reserve the bank of my questions for the latter, but I do have another question. We're going to stay on this slide sir. So we see that trustee area five is much, much larger than any of the other trustee areas. Correct?

JASON: Correct.

GREGG: Okay. And that's because there's not as many people currently in those areas, is that correct?

JASON: Correct.

GREGG: Okay. What's the percentage? We can we can go up to a positive 10% for those areas? Is that correct?

JASON: Well, I would say it is based on legal precedents, that the sort of benchmark number with respect to variance has been 10%.

GREGG: Okay, so we technically could move the purple lines or trustee area five lines to go even greater in number up to 10% with the thought process of this major housing track coming in there, is that correct?

JASON: Yes, to the extent that we are within that 10% variance in working within the total population consideration or restriction for lack of a better way to sum that up? Possibly?

GREGG: Oh, that's my only question. Thank you, sir.

JASON: Any other questions? Great. If we can go to the next slide, please.

(PRESENTATION CONTINUES)

GREGG: Jason?

JASON: Yes. Can you tell us what the acceptable or what the parameters for acceptable is for the variance at the very top where it says 7.6%? What are you typically seeing whenever you're doing this demographer work? Are you seeing...

JASON: Oh, sorry about that.

GREGG: What are you seeing as an average for that?

JASON: It's hard to say; it's really just contingent on the size and the makeup of any particular district. What I will say is, for whatever its worth, the higher we get up there in the variance, I think the more...because we're working off that 10% benchmark, right? So if we're getting anywhere close to it, then we're certainly

mindful. We're trying to provide some feedback with respect to how any comments from the public or for that matter from the board, where they say, hey, can we look to maybe adjust this particular conceptual area? And in doing so maybe we're getting right up against that 10% threshold? Or maybe you get above. I wish I could answer your question more specifically, I would just say we're always mindful of that 10% mark.

GREGG: Looking at the population line going across, would you say that, according to the 20,430 ideal voting area size, would you say that the population across the five voting areas is somewhat balanced?

JASON: Yeah, I think these are pretty solid numbers.

GREGG: Thank you, Jason.

JASON: No problem. Any other questions?

AGUILAR: No other questions.

(PRESENTATION CONTINUES)

AGUILAR: Board do you have any questions on this scenario?

GREGG: I just have a comment on scenario two, Jason, what I'm seeing anyway, just on the face; it's going to be actually in the next slide the numbers, this scenario two looks way more balanced than scenario one.

JASON: I think that's a very good observation, at least to the extent we're just looking at it from a numbers perspective; and in that sort of variance that I keep talking about and benchmarking, you know, we're mindful of it so yeah, that's absolutely correct. Next slide, please.

IRISH: Why wasn't the other one balanced?

JASON: It's not a question of balance, I think the more appropriate question is, again, working off that total population, there's only, you know, like, the old saying goes, there's only so many ways you can skin a cat. And there's only so many ways we can divide the total population, based on five areas and working within a 10% variance. So, I just want to call the board's attention to the variance here at the far right hand side at the top of the slide 4.7, certainly less scenario one. Again, seeing sort of, you know, as far as reviewing the numbers, this is just the composition of each voting area as it pertains to this particular scenario, looking at total population, it's to be expected to provide some further insight for. For citizen the voting age population within that particular voting area, and then the population variance as it pertains to the ideal size of 20,430. Again, if it's a negative, it's a little bit less than that ideal size; and if it's a positive, and it's slightly over that ideal of size. Again, just wanting to draw the board's attention to the demographic makeup in the composition as far as population is concerned within each voting area for this scenario. Any questions?

(PRESENTATION CONTINUES)

JASON: Great, so this is the slide I was kind of referencing where as it gets a little bit more helpful to provide some context if you will in how to delineate or differentiate scenario one from scenario 2. And again, I think, a couple of things that I would say, is looking at trustee areas two and three, between the two scenarios. And you can see how I believe it's trustee area three in scenario one goes a little bit more north up to I believe it's Mariposa Road, whereas in scenario two, it's just south of...I beg your pardon. I don't have the street readily available; but again, just kind of seeing the small little differences with respect to the two scenarios. Any questions?

GREGG: On this map?

AGUILAR: Yes.

GREGG: No.

AGUILAR: No questions on this map.

(PRESENTATION CONTINUES)

JASON: Great, next slide please; and any general questions that I might be able to answer for the board or anything. I think I also wanted to note too, is this is sort of stating the obvious here, but the idea with these hearings is for whatever community members and stakeholders are watching or tuning in or engaged in this process to provide any comments or feedback; anything that we can go back and sort of explore within the confines of the methodology that we had to adhere to. I mean, there were some wonderful comments made by some of the board members with respect to just knowing your community; and that is absolutely the kind of feedback that that we're looking for so that we can, again, take into consideration all the other considerations that are used in drawing these maps up.

GREGG: I have questions from some of the locals. Jason, so can we go back to page three or slide 2, page three? You mentioned that the very first check mark 'considerations in voting areas' is the very first one sets the foundation for what we're doing, correct?

JASON: Yes.

GREGG: Would you say that across the two scenarios that you presented or the demography company consultant, whatever you want to call it, has set the foundation to fulfill the requirements of building a firm foundation, that each area shall contain nearly equal number of inhabitants?

JASON: The short answer is 'yes'.

GREGG: All right. Number two, these may not may or may not be in any particular order, but number two says 'drawn to comply with the Federal Voting Rights Act', were these maps drawn to comply with the Federal Voting Rights Act'?

JASON: They were.

GREGG: Thank you. Number three, compact and contiguous as much as possible; as much as possible leaves a wide range of room for you. Is that correct sir?

JASON: Yes. Would you say in your opinion, or the consultant's position or the demographer's opinion that these maps are drawn as compact and contiguous as possible, as much as possible, seeing the maps that you presented to us?

JASON: Yes.

GREGG: That's three; #4, 'respect communities of interest as much as possible'. We talked about this one and we've actually heard from some community members, not as much as we probably would have liked to heard, but as myself being a resident for as long as I have, communities of interest...The interesting part is, is whenever you start adding an 'S' to communities, we're not, we're not communities here, Hesperia is a 'community', all in one, we don't have a wide range of partnerships and things like that within the city within our sphere of influence. So, in your opinion, how would you actually respect communities of interest as much as possible?

JASON: I think, since I don't want to misspeak, whoever had a made this comment during the presentation, but, you know, it was astutely noted that we are working within the census blocks in general, you know census blocks are not going to be broken up and the census blocks, presumably taking into consideration communities and communities of interest. Now, to the extent that we can when just taking that into consideration, and, if we don't have any feedback from the district stakeholders and community members as to hey, well actually, right, that there may have been this community of interest that should have been taken into consideration; then in from, from that perspective, yes, I think that, that we have respected communities of interest.

GREGG: And just to piggyback on your comment there is that we would not be breaking up census tracts, which would already Howells those "communities of interest", included correct?

JASON: Correct.

GREGG: That's #4, okay, so let's move to #5: 'follow man-made and natural geographic features as much as possible'. Again, you have such a wide range that whatever you add 'as much as possible', speaking of that is major roadways, mountain areas, and railroad tracks 'as much as possible' or like items, correct?

JASON: Yes.

GREGG: Streets, roadways, mountain ranges, things like that, is that correct?

JASON: Correct.

GREGG: Would you in your opinion, I will tell you, in my opinion you have, but in your opinion has the demographer or the consulting company followed man-made and natural geographic features, "as much as possible"?

JASON: Yes.

GREGG: Let's move to the very last one; and this one here is maybe not important to some, but maybe important of others, is 'respect incumbency, if possible'.

Looking at these maps, have you guys respected the incumbency, if possible in the maps?

JASON: Yes.

GREGG: Okay. And the last one is moot, because there is no 'other local considerations' because we just discussed them when you couldn't give me any; do you want to add anything to that?

JASON: I don't.

GREGG: I would like to say, Jason, you guys have done a great job in making sure that you followed every consideration in the voting area on both maps presented, and thank you for your time, sir.

JASON: And thank you; I thought there were some wonderful comments by the board, and I really appreciate everybody's feedback and just really engaging in this process so thank you very much, everyone.

BOARD: Thank you, Jason. Thank you. Thank you.

Public Hearing opened at 6:42 p.m.

AGUILAR: Thank you Director Gregg. All right board, we're going to go ahead and move into public hearings. We heard the presentation. So we're going open up public hearing at 6:41 pm. Mr. Chavez, do we have any public speakers?

CHAVEZ: Yes, I believe we have Juan Ramos, on districting.

AGUILAR: Juan?

JUAN: Good evening Board. First of all, I want to say thank you for making my impromptu map available for everyone, and for also including these more close-up maps of the proposed zones, because I can now see that I am squarely in an trustee area two; in the previous ones, I could not tell which one I was in because of the way it cut off; but I just wanted to once again come up in and make comment that these maps do take into account everything that has to be taken into account when it comes to redistricting, but I also do believe that they do cut up communities of interest, because I do think they're are communities in Hesperia, not just a community. And I haven't been here, haven't lived in Hesperia for 50 years, but I've been here for 25, so I can say that there are parts of it that are being split up...Ranchero, Main street, Bear Valley, big, important roads in Hesperia, but we've also got to take into consideration I Avenue, Bear Road, Cottonwood avenue, off streets that go north/south, that are also pretty important for in terms for people traveling down to the mall, to the other side of Victorville anywhere, and as someone who lives in trustee area two on the east side of Hesperia, I can say that I don't think I have that much in common...not don't have in common...but our living conditions are different from someone who lives on the other side of Hesperia where there are more housing tracks and more apartment homes and more apartment buildings. I can't think of a housing track on that side of Hesperia or a big apartment building at all, unless anyone else can, but I can't think of any. So I think it's

important to keep everything mostly my community that would happen to be everything north of Main street, east of Hesperia or I Avenue; and I also have to say that I can't truly believe that these are the only two maps that will take into consideration everything we have to. There's got to be another possible scenario where it keeps my community together, my area of the city where we shop at the same supermarkets, we go to the same school, we go to the same parks, when we go to Timberlane Park I never went to HCP and HCP just happens to be in my zone for some reason (Hesperia Community Park). So I just think that it should be kept together with everything. Yeah, its important to take into account the east/west streets but also north/south ones as well. And that is all. Thank you.

BOARD: Thank you.

GREGG: I'd like to comment.

IRISH: Me too.

GREGG: I'd like to make a comment. Oh, I'm sorry, after we close public comments.

AGUILAR: Mr. Chavez, is there any other public comment/speakers?

CHAVEZ: We're going to have a comment.

GREGG: If staff is going to address this, staff needs to go to the podium and address this as public, not as a staff member.

CHAVEZ: Do you know if she has to have a...

GREGG: She doesn't have to fill out a card.

MS. SWIMS: I don't have to fill out a card nor do I have to stand in a certain position in the room. I'm a resident. I'll wait just like everybody else. I waited to speak until public comment, and so I will speak under public comments.

GREGG: Mr. President.

MS. SWIMS: I'll need to specifically address the areas of...

GREGG: Can you hold on a minute please?

MS. SWIMS: This is my time to speak.

ROBERTS: The president was going to say something.

MS. SWIMS: I know but this is my...I'm on a timer right? Public comments get a certain amount of time? Because I'm not sure that I can interrupt a director speaking, so I'm not sure why it is that the public has...

AGUILAR: Please hold. Board, obviously, we always had a formal everyone goes to the podium, they fill out a speaker card. To keep this meeting organized, I would like to continue to follow the procedures that we set.

ROBERTS: I have a comment Mr. President. Probably due to the severity of the topic itself, we probably should keep it formal.

GREGG: I agree, and the public has always addressed us. My concern is that now staff is addressing us from their normal location of seating.

MS. SWIMS: So you'd like me to move...

GREGG: This is really not your time to talk.

MS. SWIMS: This is. This is a public hearing.

GREGG: You haven't been given any instructions to begin your time. So can you please reserve...?

MS. SWIMS: Yes, yes.

GREGG: Mr. President?

AGUILAR: I'm sorry, we haven't had...We're not recognizing yet. So please. Nicolas, it sounds like the Board would like a formal process. So either fill out a card, please step to podium. We will recognize you.

MS. SWIMS: I will move to the public section. Sure, but I don't believe I have to fill out a blue card. It's not necessary and I have filled out one for the first public hearing, so my information is there on file. So in regards to what the topic is at hand and that is...

GREGG: Mr. President, I'm going to ask you one more time, if we can complete the formal setting of this hearing, then I would be much more comfortable.

MS. SWIMS: You've allowed people to speak from this forum in the past, so I'm not sure why it is that you're electing to be...

AGUILAR: Can we have the blue slip filled out ma'am?

GREGG: She's not required to fill out a blue slip according to the Brown Act, but we are in a formal process where people addressing the board go to a formal place to address the board; and that place was just where the other speaker was a minute ago and it's always been that way.

MS. SWIMS: I don't agree; you've taken many public comment...

AGUILAR: Is it possible to just to...Thank you.

ROBERTS: Appreciate it.

MS. SWIMS: When I'm formally recognized I will start.

AGUILAR: Marshawn.

MS. SWIMS: Okay to address the presentation that was brought forward today, and some of the comments relative to the maps that were provided, while I do think that the last map that was provided by the public was included in the actual presentation itself, I did not see it reflected or discussed by a consultant, while they did put their logo on the bottom of the map and provided it as a map option. I didn't see that it was taken into consideration or that there was really any regard for looking at population; it was simply thrown in there and well presented on the online one, I didn't see it addressed or even mentioned that it was a public permission in our last presentation from the consultant. So while I do respect that they are indicating that they are taking into account public input, and community input, I don't necessarily feel that that is what is reflected in this second public hearing; so that is one instance of concern. The other is I want to reiterate some of the comments that were made during the first public hearing that, again, based on the presentation, I don't feel necessarily relates to the demographer who was the one actually doing the maps. When we're getting the presentation from the consultant who admittedly said 'I don't know anything about your community, I'm not the one that draws the maps', I am looking at the maps and looking at the numbers.

Yeah, do they check the boxes? Of course. Can I confidently put my stamp on it? Yes. While in the same breath saying, I don't know your community. Your input is better than mine. I'm just going off of stuff you know. So within that, I do have some rebuttal to some of the comments that were made during that presentation to include differences in communities; the City of Hesperia does have different communities and that's indicative of lot size variations; in fact, within Hesperia there are variations of lots and zoning. Within the lot size variation and zoning variations there are return allowances such as livestock, the number of animals that you can have, what you can and can't do on your property based on size. So we go from one end of the city that may have two acre lots to the complete opposite side of the city that has half acre lots; some that are on septic, some that are on sewer, which are very different considerations. The next consideration is street lighting. While on one end of town, we have sidewalks and streetlights, the other end of town, we do not have sidewalks and have very little street lighting. That type of atmosphere draws different members of the community to the various for different reasons. So those members that may live on Arrowhead Lake Road on either side of the street, which are blocked out into different zones, may not like street lighting because they like the darkness and the more rural lifestyle. Those that are on the opposite side of town close to the freeway clearly are drawn to a neighborhood that has streetlights, sidewalks, and prefer different amenities, such as smaller lot sizes. So while we're very inclusive of different communities within those zones, I do have some concern that we've not taken that into consideration. I also have some concerns about roadway traffic. So while we mentioned that rancho and Main Street and bear valley are major roadways, absolutely agree, however, those are only east west considerations, there's been no north/south considerations in which everyone within Hesperia has to at some point travel north/south, and one of those is Hesperia Road. That is one of the major north/south thoroughfares in the city and not taken into consideration. Rather, all of our zones run east and west, with a very short span to the north itself. So that's another concern of mine, which does spark some interest in that, we have parks, and community buildings; when you look at our city, east and west, but not necessarily when you look at it north and south. I've heard our board on many times refer to our lack of facilities, parks and amenities on the west side of town. Well, how is that equally represented here, because on the east side of town, we've got quite a few facilities. So say in one breath and not consider it any other is of concern to me. My next consideration is in talking about the splitting up neighborhoods. While track homes are important, I also feel that any residential community can be considered a neighborhood, not necessarily one solid development. So my concern is specific into trustee area one and two as demonstrated on scenario one and scenario two, I suppose, in that we have a community there off of Choice Sienna, and the riverbed. Within that, there's a clear break between what I

would consider a residential community that has a lot of the same wants and needs, they clearly share the same geographic area, but yet, there's a line literally drawn right down below that neighborhood.

AGUILAR: At this time, it has been the five minute mark. Board, do you want to extend time or?

ROBERTS: I'm okay with it. I'm okay. She can extend it.

MS. SWIMS: So there is a clear divide between that neighborhood, which I don't know is any different than a clear divide between a residential housing tract, that may be on the opposite end of town. So while we again say one thing, on the other side, we're doing the same thing between trustee area four and five, in which literally we've taken some tiny little streets there south of Oleander and taken those houses and bumped into a zone that does have room for some population variance based on both of those maps, because the only significant variance is within those really two middle zones that we're kind of playing with there. When it seems to me that we can probably take into account less so the neighborhood division on that side, we'll be more concerned with incumbency issues. So those are kind of some points that I just wanted to bring up and make sure that they're made public so that not only the board can consider it, but Cooperative Strategies and whomever our demographer is; and my last and final comment is I haven't seen these maps posted on a public forum aside from our website, like I have with some other agencies who are making it very public, not only on their website, but also their social media platforms to really try to inform the public of the maps, giving them options and I noticed that is not done that, and so that's a little bit of a concern as well; because while I think the website under the board meeting, expanded agenda section is a great tool, I don't think that we are doing the most to publicly advertise and seek community input in the way that we seek community input for other more popular items, and that may be why we're seeing a lack of community interest in feedback. So thank you very much. Thank you.

CHAVEZ: I do not have any more speaker cards at this time.

AGUILAR: Okay, we're going go ahead and close the public hearing at 6:56 pm. Now, we'll move on to discussion.

Public Hearing closed at 6:56 p.m.

IRISH: If someone wants to buy me a house, I'll move.

ROBERTS: I'm sorry.

IRISH: So there's not a split. So if anybody would like to, I can live over off of Mesa, and seventh.

ROBERTS: We're in item D right. Mr. President?

AGUILAR: Item B correct.

ROBERTS: I was just kind of...is this discussion?

CHAVEZ: Item B number 3.

AGUILAR: Yeah.

ROBERTS: Item D, yeah. I was just kind of curious if I'm sorry, Director Irish. Okay. I was just kind of curious. What's the actual process on selecting a particular staff member to reside at one of these facilities?

GREGG: Oh, we're not on caretakers.

ROBERTS: Oh, we're not?

GREGG: No, we're still on public hearing.

BOARD: Item B.

ROBERTS: Oh, B! I thought were on 'David'. Okay, I apologize. I'm sorry.

CHAVEZ: Do you have any comments Director Roberts?

ROBERTS: No, negative. I'm sorry.

AGUILAR: What we do need to do board is recommend a scenario to staff.

GREGG: Do you have any discussion?

AGUILAR: So based on that, is there any discussion on what scenario you see more favoring or what you would see in your opinion would make a good fit?

ROBERTS: Okay, I'm sorry. I was somewhere else. So let's say in that scenario two, I think I like scenario two works for me.

GREGG: I do want to have some discussion after Director Roberts.

ROBERTS: You know, kind of like what I said once, I think, maybe a couple of meetings ago, you're never going please everybody. I mean, you just can't, you know, if you go one way somebody else is going say should be another way. It's just, it's hard to please everybody. So I think what you have to do is just kind of do what's right, and if you do what's right, and you can sleep good at night, and you did what's best for the community is as best as the body can. I mean, that's all you can do at the end of the day; because I just know for a fact you are not going to please everybody.

IRISH: And we're being forced to do this.

ROBERTS: Well yeah, but...

IRISH: This isn't our idea.

ROBERTS: But like I always say, it's never about 'I' and you just have to do what's right. And if you do what's right, I mean, you let the chips lay where they may. I yield back.

GREGG: So I would like to comment on the two speakers that we had for this item. So one good point that was brought up is that well, you know, on one end of town, we don't have streetlights and sidewalks but at the far end of these districts we are going to have those. And so to me, I think that having that blend, doesn't separate communities. I want to go to the City was Hesperia, right now in District Three, everything on this side of the tracks and that side of Main, that they really over manipulated those maps. One person has a high propensity of nothing but industrial. Another group has nothing but apartments. So I like the fact that we're actually one, you're correct Director Irish, we're being forced to do this. We're being forced to create division within our communities; and we can see the division right here in the district tonight. So from my point of

view, you're seeing a good blend, where you may or may not have sidewalks at the east end of town, but you do at the west and according to this map, you're going get that one blend across the lines. Area Five has some higher allotment of acreage; well, so does portions of Area One; so do portions of Area Two, so do portions of Area Three, and Four. So when we start talking about acreage, sizes, lot sizes, things like that as "communities", that's not what a community is about. Community is about a whole entire group of people, which we are here in the Hesperia, that lives, works, plays, goes to the parks, has input on what our community is about. So the blended portion of sidewalks, streetlights, sewer and septic, and all the wonderful things that were brought up by our community members tonight, we all partakes in what those area. The golf course was not split up; that was the very first thing that I looked at is he didn't take the complete golf course and chop it up. And you're right, Director Roberts, you're not going to be able to please, you can do some of the people some of the time, most of the people most of the time, and they just can't please all the people all the time. So I guess, Jason is not on the line I'm assuming he's done. So have we done what we needed to do, directing my comments to one of the presenters, public speakers, my bad. Have we legally gone through and done what we are supposed to have done in getting this information out to the public? General Manager?

CHAVEZ: Yes we have.

GREGG: Okay, this is our fourth hearing on this. It's not like we have a line of people waiting to come in here and saying, 'hey, we have concerns about this', and even if that took place, we would listen to what they were saying, but we're also following the recommendation of the consultant that we hired in making sure that we're following the six steps outlined in what the Voter Rights Act outlook is. I just don't see any conflict. So I'm kind of excited to have horse people and apartment people in my district; it gives a good blend, it kind of undivides the division that they're trying to create here. And so with that, I'm going to lean with Roberts in Scenario 2.

AGUILAR: I do have a comment on this. What I do like about Scenario Two is for trustee area one, I don't believe there's a park in that area.

IRISH: For me?

AGUILAR: For you.

IRISH: I said if somebody wants to buy me a house, I'll move.

AGUILAR: But is there a park in that area, in the whole area of Trustee Area 1?

IRISH: I don't know, Timberlane's closest to it.

AGUILAR: But there's no park in the area correct?

IRISH: No park? I don't know.

ROBERTS: But there is facilities I think and more.

IRISH: Oh yeah, Live Oak.

AGUILAR: Is Live Oak in here?

IRISH: Yeah.

GREGG: She has facilities in the district 1.

AGUILAR: So my point is, like, because there's really no parks on the Bear Valley side, I think trustee area 1 is going to bring some good conversation to our board to develop that area. So that's why I like, especially with trustee area 5, there's tons of areas that you don't have parks. And I think with dividing the map the way it is in scenario 2, I think we're going to have some good conversations about like, hey, I really want developer because I'm hearing back from the rural areas like hey, there's nothing here. I have to drive all the way to Limestone park or to the plaza just to get to a walking path or playground equipment.

GREGG: She actually does have a park in 1 that's going to be your equestrian park.

IRISH: And here's the other thing, we're in a seller's market, not a buyer's market, so you can't walk buy land to build a park right now. So that's not even the time to even have that discussion. Unless we already have one there. I have no idea. Nick, is there land to even develop a park in?

CHAVEZ: It's a questionable time to purchase parcels right now.

IRISH: It's not.

CHAVEZ: It's not. It's not really a good time.

IRISH: So is there any vacant land that the park owns in my area?

CHAVEZ: I would have to survey the park with CPI to see if we could potentially make some offerings.

IRISH: No. Does the park own any land now?

CHAVEZ: Which section?

ROBERTS: One.

GREGG: District 1.

GREGG: While you're looking for that Director Aguilar, I just want to come piggyback...What you just said is exactly what they want us to do. They want us to be divided. They want Director Irish to say, hey, I don't have any parks in my area. Now I'm only going to represent District 1, forget about 2, 3, and 4, and 5; we only want to focus on district 1. And when you start doing that, , you're going to see community rift, because as we're going to see at Silverwood project, they're going to have the top facilities. The top of line sports park, the top of the line grass. Now, what about all the people that have presided right here for the last XY years? What about them? And then these guys get this brand new community built up over there with all the high end amenities? What about them? So what you just said, is exactly what they want to happen. They want you to be divided. And that's why they created this.

Irish: But on the flip side, I was a big advocate too for the Splash Pad, which is going on the other side of town and the skate park, which is going on the other side of town. So therefore...

GREGG: I don't think any members going to beat that...I'm just saying.

IRISH: We're not going to be divided, you know what I mean. But I'm just saying, in general, you can't just go out and buy land right now and develop. We're in a

seller's market. So it doesn't matter what district I'm in, it's not going to happen. You can put me in district purple, and you can't go buy land.

AGUILAR: We have long term residents here.

IRISH: Yeah.

AGUILAR: A lot of people are 20 plus years, and I think we're most likely going look at Hesperia on the whole when we make our decisions.

IRISH: Exactly. And you have to be in the right market to do stuff. We can't even get lumber today... Or gas for that matter.

AGUILAR: Board, that's another discussion. I would like to formally ask staff to draft their resolution for Scenario 2 for the next meeting. Nicolas, do you have that? Through my notion.

GREGG: Can you give me one second? There is no action here. Not on the agenda anyways.

IRISH: Yeah.

GREGG: So this was a presentation, I'm having our fourth public hearing, but looking under recommendation, I'm still open to public hearing, close it, have board consideration and discussion regarding the appropriate maps, but under the items of 1, 2 and 3 there is nothing that says we have to say we want you to forward with XYZ.

AGUILAR: We just need staff to have I guess two resolutions available then?

CHAVEZ: We need to have one resolution available for the next meeting. Staff needs to understand which map the body is going to select so we can prepare a resolution for that meeting. This is something I discussed with Legal before the meeting. This is the only action item that we really need to...besides hearing public comment and listening to our residents, the staff needs to know what the map is.

AGUILAR: Does it have to be action? Can it just be A - We're directing staff to draft up a resolution for the next meeting to be approved.

CHAVEZ: You can take that approach as well. We just need to know which map we're going to include in the resolution. And I did confirm this with legal before.

GREGG: Before what?

CHAVEZ: Before this meeting took place.

AGUILAR: So staff's just asking for input on what map we're going to implement.

GREGG: Was it confirmed before the agenda was put out?

CHAVEZ: It was confirmed before the agenda was put out. Correct.

GREGG: So then why isn't there a recommendation to adopt a resolution?

CHAVEZ: We ran these agendas through our legal as well. So this is something that we're taking direction from on her. Staff needs to know, essentially, what map we're going to select, so we can prepare a resolution for the next meeting.

GREGG: That's going to be the third public hearing?

CHAVEZ: Correct.

GREGG: I'm a little perplexed at what the language reads. On page two of the presenter PowerPoint, we're on March 24, where this is a board meeting for the second

public hearing on voting area scenarios. The agenda says before the public hearing. And our third public hearing is going to be April 13. Did we miss a step...did we skip a step.

CHAVEZ: No we didn't miss a step. I'd be more than happy to clarify...

AGUILAR: I guess the concern was, just my opinion, is if we're here at the third public hearing, let's say hey someone brought up a good point in the audience. And it's like, you know, we didn't think about that, let's take that into consideration. With a resolution it drafted up, it's almost implying that the third public hearing is no longer really going to be listened to. And I don't want that perception to the public, saying, hey, we're not going to take your voice into consideration. So we're recommending a resolution now based on a scenario that potentially could come up in the next public hearing. I think could be potentially dangerous. Especially when we didn't hear all the public comment on the third public hearing. So that's just my opinion on it.

GREGG: Nicholas? How many public hearings are required to hold?

CHAVEZ: Going to check real quick director...

MS. GARCIA: So the 5th is not necessary.

CHAVEZ: the 5th is not necessary.

GREGG: Okay. So if you look now, on the verbiage of page two, on slide one, you can see that actually, this is going to be our fourth public hearing. They're just not labeled that way on the activity sheet. So if you number them down, 1, 2, 3 and 4, then we've had four public hearings, but the verbiage in the activity or slide shows that our third public hearing is April 13. So we've actually had four open public hearings, they weren't just labeled 1, 2, 3, and 4; so that made no mistake on my end or visually on this activity breakdown. So technically, we don't have to have a fifth public hearing.

MS. GARCIA: It says 'if necessary'. You could have adopted a map tonight.

GREGG: And we could adopt the maps.

MS. GARCIA: But the resolution isn't ready, we didn't have direction from the last meeting, to have it ready for today.

CHAVEZ: We didn't have direction from last meeting on this.

GREGG: Okay. So now that we've seen that we've actually had a ample public hearing, then I don't have a problem with either having two resolutions ready for the next meeting, and adopting one there if there is any further discussion.

AGUILAR: So let's say worst case scenario, we hear something from public and we were like, hey, you know what? We'll make a quick change. What would that process look like for that resolution? Is it possible to make a chain resolution and would that be?

CHAVEZ: We have to submit maps to the county by the 17th. That's a pretty...

AGUILAR: The 17th of April?

CHAVEZ: Pretty progressive timeline, we would need to have a special meeting immediately after to divulge that new information and also touch base with

proper strategies to drive those amendments if need be. It can be possible, but I cannot really explain that concept to you further as I'm not legal, and I don't want to say something that's completely out of scope.

GREGG: Director Aguilar, with the information that I've just seen there, I'll make a motion to adopt map scenario two, and have that be presented as a resolution on the next meeting.

ROBERTS: And I'll second.

AGUILAR: On the motion by Director Gregg, seconded by Director Roberts. Further discussion. I see none. Roll call please.

ROLL CALL

MS. GARCIA: President Aguilar?

AGUILAR: Yes.

MS. GARCIA: Director Roberts?

ROBERTS: Yes.

MS. GARCIA: Director Gregg?

GREGG: Yes.

MS. GARCIA: Vice President Irish?

IRISH: Yes.

MOTION: It was moved by Director Gregg and seconded by Director Roberts to adopt map scenario two, and have that be presented as a resolution on the next meeting. The motion passed by the following roll call vote:

AYES: Aguilar, Roberts, Gregg, Irish

NOES: None

ABSENT: Gonzalez

ABSTAIN: None

C. Approval of Signers of Hesperia Recreation and Park District and HARD Foundation Bank Accounts

AGUILAR: We're going to move on to item C, this is approval of signers of Hesperia Recreation and Park District and HARD Foundation bank accounts. Mr. Chavez?

CHAVEZ: Thank you President Aguilar. This is a routine item that you do every time we have a change in management. For example, DeAnna Tighe is no longer our finance manager; but she's still with the organization. We're really happy to have her. With that said, we have a new finance manager Amber Darling, and she's going to be the new signer on the card. So with that said, I need a motion from the Board to approve the changes as presented.

AGUILAR: I'll make a motion. So I have a second.

ROBERTS: I'll second.

AGUILAR: Any discussion?
ROBERTS: Negative.
GREGG: Signer for <inaudible> only?
CHAVEZ: That is correct director Gregg and also just regular accounts. So we're moving all of our accounts associated with DCFS.
AGUILAR: Director Gregg, do you have a comment?
GREGG: No, all good.
AGUILAR: Roll call please.

ROLL CALL

MS. GARCIA: Director Roberts?
ROBERTS: Yes.
MS. GARCIA: Director Gregg?
GREGG: Yes.
MS. GARCIA: Vice President Irish?
IRISH: Yes.
MS. GARCIA: President Aguilar?
AGUILAR: Yes.

MOTION: It was moved by President Aguilar and seconded by Director Roberts to approve the signers of Hesperia Recreation and Park District and HARD Foundation Bank Account. The motion passed by the following roll call vote:

AYES: Roberts, Gregg, Irish Aguilar
NOES: None
ABSENT: Gonzalez
ABSTAIN: None

D. Discussion and Possible Action, Hesperia Recreation and Park District Caretaker Program

AGUILAR: We're going move on to item D. This is discussion of possible action with Hesperia Recreation and Park District caretaker program. Mr. Chavez.
CHAVEZ: President Angular. Not too long ago, staff, director Roberts and director Gregg visited Timberlane Park; we had a very good discussion and thorough overlay of the park itself. During the discussion and walkthrough, also had a tour of the Timberlane establishment. With that said, there's some information here that was pulled from our shared drive that gives a really good explanation in regards to our caretaking program. With that said, we do have some past particular residents who Live Oak Park, Lime Street park, Hesperia Lake Park and there's an explanation in the staff report that essentially explains the concepts of those previous caretaker establishments and how they diverged

over time. With that said, we currently do have three at caretaker establishments, Mojave River Junction, Timberlane Park and Hesperia Community Park, AKA Calhoun property. Right now the Mojave River Junction establishment is the <inaudible>. So with that said, I have attached the contract that we use to secure employee participation in regards to this program that you've have. It was recommended that this item be on the agenda for discussion. So I hand it over back to the President again.

AGUILAR: Thank you. Board do you have any discussion on this.

GREGG: Yes.

AGUILAR: Director Gregg.

GREGG: So a couple of items, is I asked for this agenda strictly because I think the general manager is going to be moving forward with sending out letters of interests.

CHAVEZ: That is correct Director Gregg, I do plan to sow some interest for full time staff, hopefully starting next week, but I wanted to see the discussions that took place today so that I can make sure when I present staff n the coming days is accurate and is not changed. I believe there is some potential motion or perhaps discussions that may take place. We might potentially amend some items in this contract or may not, so I want to make sure I put that on hold before I approach staff.

GREGG: So I have 3 or 4 items that I want to discuss on this. The first one being #4, the rent plus tax. The parties agree that the fair market value of the premises is X, and then in parentheses it says (1704 square feet at 72 cents per square foot). Is that the rent that we're going to charge?

CHAVEZ: What was that?

GREGG: Would that be the rent that we're going to charge?

CHAVEZ: I believe this one is categorized...

IRISH: For \$1,226.88.

CHAVEZ: #4?

GREGG: #4.

CHAVEZ: Yes, correct.

GREGG: In parentheses, it says 1704.

CHAVEZ: Yes.

GREGG: So we have two caretaking facilities?

CHAVEZ: Yes, we do. We have one in Calhoun right now and we have one at Timberlane and one at Mojave River Junction.

GREGG: So this is strictly just an old...

CHAVEZ: It's an old caretaker agreement. And actually, we're requesting some modifications with legal on this but I couldn't get it in time.

GREGG: One of them would be to figure out what that \$1704...Is it a Calhoun? Or is it Timberlane? And that we would input that information in there correctly...

CHAVEZ: To reflect the accurate establishment.

GREGG: But my question is that, are we going to charge rent to them? So it's rent free right?

CHAVEZ: Correct.

GREGG: So moving to the rent and possessory, we would want a rent and moving to the possessory interest tax. I sent the general manager the list of questions earlier. He diligently answered those questions for me to the best of his ability, but as several of you know that I don't want to stop there. One of them...One of the questions was, does the district currently pay property taxes on these facilities? And if so, how much? And we didn't...That was one of the questions he was unable to obtain the answer to. So I reached out to a couple of my colleagues and the answer to number one, does the district currently pay property taxes on these facilities? The answer is no. Public agencies are exempt. That came from the Ensen Mason, the tax collector and from the assessor's office for Hesperia. The second question was 'What were the previous rental amounts charged for the last two tenants or employees?' and I think you gave me that information...Correct? Did you have that information or do we have it someplace?

IRISH: Let me just tell you something that happened recently. Probably more directed to you. If they're going live there for free, you still have to charge them and reimburse them. If you don't, you can get in trouble. A company that I just worked with got in trouble for doing that. They were letting the residents live at the facility for free, and got into a big, a big issue. So you have to charge them and then you can reimburse them.

GREGG: That's a good question for legal.

IRISH: That is the legal...that is legal.

MALE: Could you rent it out for a dollar.

IRISH: No. You have to...whatever you're going to charge them it has to be reimbursed.

ROBERTS: Is it because of tax purposes.

IRISH: It's because of taxes, because that amount has to be taxed. Otherwise, it's...

GREGG: So, thank you for that information. So question two was answered, the last two possessory interests were to be determined at 72 cents per square foot, and so that would have been \$1058.40 per month for HCP and Calhoun at \$964.80 per month for Timberlane, which is interesting because I then contacted the supervisor for the assessor's office and the last time that there was a possessory interest charge to Calhoun was the end of 2019, whenever Tim Glass lived there. Because the property was revalued and had a discrepancy in the evaluation, they actually completely waived the possessory interest tax for Calhoun. So #4, is going to be very concerning to me because Calhoun would be the most, would be the latest property that would have the higher value of Timberlane and Calhoun and if they completely waive the possessory interest tax for Calhoun, which I have done in an email, I'll send it to the general manager, then Timberlane would be way undervalued, which there would be

no possessory interest tax at Timberlane either. So we really need to look at that for #4 and figure out what we want to do for some sort of a rent or whatever price base you're going use. That possessory interest per the assessor's office is not a problem for workers properties.

CHAVEZ: Director Gregg, if I may have a quick comment. Betsy did outline that same concept and that was something she also had some concerns regarding that. So with that said, that's something that she plans to revamp as well. Just to let you know.

GREGG: Well, with that information, the information from the assessor's office, I did a little legwork for you guys. Number 8, use, maintenance, repairs and premises, you can definitely tell to who drafted up this contract; if you look at 'the caretaker should keep all the maintained premises in good, safe, clean, sanitary conditions, free and clear of all rubbish and litter, all to the satisfaction of the general manager or his or her designee'. How about to district standard? Instead of making this more of a dictator sentence, to the level of service...I don't care what you put there, but that line right there just really hit me wrong, and so I know who drafted that but, or it says, 'In compliance with applicable district, local, state and federal rules, regulations and ordinances', you could probably just take that and strike the whole sentence; 'The caretaker agrees to repair or reimburse the district for any damages', that's all standard clauses and obligations with those. Number 12, 'animals', today with the aggressive dogs, rules, regulations and things like that, I would feel way more comfortable having something in there, you know, no dogs over 25 pounds or of an aggressive breed or something like that.

IRISH: Maybe 25 pounds fully grown?

GREGG: Something the general manager would have to approve or his designee would have to approve before that happens. I just ask to put a little bit more cleaner language on there; and then number 13 'Water, electricity and trash removal are paid by the district'; Why on earth would we pay full water electricity (I can do the trash) paid for by the district as part of the tenancy. That gives people just carte blanche to leave water running, to leave power running unnecessarily. So I would recommend that we do a percentage and we could get that information from our finance department of what those utilities have been running concurrently for the past 12 months because we haven't had caretakers for 12 months at least. So we can get an average of what those utilities are running, and then pay a base cost and anything over that base than the caretaker will be responsible for I would I would fully be okay with paying all the trash.

IRISH: It'd be curious to see the meters, like the water meter and electricity meter, what area is it servicing? Is it just that house? Or is it part of the park?

GREGG: Yeah...

IRISH: Is the water meter doing the house and the park.

GREGG: And the big thing about this is that both of those facilities have caretaker, or I'm sorry, a programs incorporated in them. So at Timberlane you have programming...

CHAVEZ: Yes at <inaudible> there was programming.

GREGG: But it's labeled as there's programming there. So those two programming activities are linked directly to the property and/or to the house. So I think a good way to average and get a baseline set up would be to go back 12 months, at least 12 months or 18 months I don't care and see what the usage was, and then set that as a baseline for the utilities. And then of course, the caretaker shall pay for his own cable, internet service, phone and gas.

IRISH: Are you going to require them to have renter's insurance, which you should.

GREGG: It's on here.

CHAVEZ: Yes.

ROBERTS: I have a real question...Mr. Chavez, do you if they have a dedicated water meter or electricity meter for that caretaker home.

CHAVEZ: I would have to touch base with staff to clarify; there hasn't been a lot of due diligence on my end to oversee, check the ground and see what's going on. I was recently there about three weeks ago, and Jeff and staff cleaned the facilities up in preparation for the showcases, but I do know...I do know this...I do know these programs are not in a sense foreign; I actually have four other special districts that have this program. So what I'm going to do is I'm going to reach out to them and see how their contracts look. Also with distinguished comments from our board as well to see how we create a new blend.

GREGG: Number 16. This was really...overreach...

IRISH: Yeah, we can't that's against the law.

GREGG: Especially the last sentence, 'in addition to such policies at no time shall caretaker or those residing with the caretaker possess any firearm on the premises, explosive devices or other weaponry and that really is what we looked at.

IRISH: You can't say you can't violate any criminal laws either.

GREGG: Yeah, so 16 in its entirety really used to be overhauled.

IRISH: Can we ask that as being an employee?

STEPH: Well, as an employee you can, if they're living there, and you've already ran a background check, but you can't say that, that's discriminating. So if you had a DUI, Nick can't fire you.

MARSHAWN: After the fact, before the fact it could be for employment.

IRISH: Unless you were in unless you were in a vehicle.

GREGG: So I would really consider 16 to be wave overreach. And then on exhibit A, it's so funny, because I didn't see as it goes, as far as to say, tells them exactly what to do. Hey, the park is closed, leave the facility immediately if your announcement is not complied with, contact Hesperia Park Rangers or Hesperia dispatch and ask for a deputy to respond. Yeah, I guess sometimes, sometimes you do have to put that information directly so that people will

follow the letter of what you want them to do; but I will say that our first contact would be the rangers and then that they couldn't follow up, we have our own police department. I mean we have our own ranger department. We're billing out for a reason correct? So they should be reaching out to our Rangers, and then their second line would be to the Sheriff's department. On item I it says "maintain a phone line and make sure your phone is on all night, so you may be contacted if needed", if that's the case, we need to give them district phones.

IRISH: That has to be in the contract. You can't put that on a rental agreement.

GREGG: So those are the items that I had and then of course, the fee is going to fall under what we just talked about under possessory interest.

CHAVEZ: Thank you Director Gregg. We're talking about the redistricting. Director Roberts did you want to say something?

ROBERTS: I was just curious, what was the process of selecting someone?

CHAVEZ: So right now the district's general manager has full authority to select that individual; I essentially noted on my staff report here 'When a caretaker vacancy occurs, a notice is sent out to all full time employees who are in active pay status and in good standing history. Interested parties are instructed to submit the following: one, name and position with the district; two statement of interest in becoming a caretaker; three, why they want to, why would you like to become the caretaker for a brief overview of who currently resides with them'.

ROBERTS: And then I'm just kind of curious, what's the likelihood in the past of we not having any applicants? And then what happens if we don't have any applicants?

CHAVEZ: That's a good question to ask Director Roberts. I haven't been here long enough, but who knows? We might run into that situation, unsure. It's hard to tell.

ROBERTS: And how long do the programs typically run for someone living in those facilities?

CHAVEZ: So there's a cancellation clause, a 30-day cancellation clause; so either the employee has the ability to cancel or the district has the ability to cancel.

ROBERTS: So theoretically, they could live in there in perpetuity, until.

CHAVEZ: As the contract states.

GREGG: Two of our previous general managers lived in Timberlane.

ROBERTS: That seems excessive to me.

IRISH: It was.

ROBERTS: That seems...I would think you should have a time limit on that. Maybe it should...

CHAVEZ: It's #5, Director Roberts; #5 permission agreements.

IRISH: Nicholas on number two, you can't tell somebody that they have to leave because they're terminated, you have to give them a 30-day notice. That's number two.

CHAVEZ: There's a lot of fine tuning on this contract.
IRISH: I don't even think this is legal at all, especially with this whole back page. This has nothing to do with a rental agreement.
GREGG: Actually, Director Irish on #2, it does say that is a 30-day notice. They just, I don't know why he did it like this, but Pursuant to Section Five below, they have to have it ready for notice.
IRISH: So it should be in the front. Yeah.
ROBERTS: I personally would like to see a time limit on it. I don't know five years maybe, and open it back up to someone else. That's just my opinion.
GREGG: I was going to be so generous and was going to say two...
ROBERTS: I'm open for discussion on it.
AGUILAR: I think 5 is appropriate.
GREGG: I'm fine with 5. I just, you know, like I said, previous general managers, both lived at Timberlane.
AGUILAR: So do mean open them back up. In other words, completely kicks them out or potential they would potentially just reapply and hopefully that person gets it again.
ROBERTS: I think they should have...that's a good question. That's a real good question. I mean, theoretically, yeah, I think it's a five year term limit, and then let somebody else come in. If no one else applies, then the district I guess, can have the discretion to have that same person there. But I think we should open it up to the other employees.
GREGG: Would you go year by year after that?
ROBERTS: We could do that.
GREGG: Five with two one year extensions at the general managers discretion.
ROBERTS: Okay.
GREGG: So on page five of the agenda, I guess will be expanded. It says 'when a caretaker vacancy occurs, a notice is sent out to all full time employees. So Director Roberts, you asked, 'Well, what happens in the full time', I would like to add that in from there, we would move to part time. But the big problem that I had with full time employees is that full time employees get this salary constantly. So it's a lot easier for them to manage households, and things like, plus they get benefit packages; they're more stable than your art time people and I think the caretaker program really was formed to have somebody on the property to watch it, number one, my aunt and uncle used to be the caretaker here at Lime Street in the late 60s, but for people that can't really afford to pay \$1800, \$2100 a month plus utilities for the property. So...and this is something that I've been haggling with for a long time, because at one time we had a person making over \$90,000 living at Calhoun. You think that's fair to the maintenance worker or part time maintenance worker that makes \$37,000 or \$24,000/year?
ROBERTS: Negative.
GREGG: Or even an office assistant, that doesn't make that money? So...

ROBERTS: I appreciate that, and I didn't even think of that. Because, correct me if I'm wrong, Mr. GM, we have more part-timers than full time?

CHAVEZ: That's very accurate.

ROBERTS: Yeah, since we're having discussion, I don't mind opening this up to everybody within the district.

IRISH: But here's the...if we're going do that being right now we're in a time that there are no rentals. If we're still in a time like that, you're going to have to give these people some time to find a place and sometimes you can't find a place in 30 days, it takes three months just to get in where I met.

ROBERTS: You meet people who are currently residing there?

IRISH: Yeah...And their five years is up, depending on what the market is, you can't just say you clear out in 30 days.

GREGG: Director Irish, like Director Roberts said its five years, no, so you know, wait until four years and 362 days to start moving?

IRISH: But they will.

GREGG: Well, that's not our...

IRISH: We're going have to make sure the time limit is okay, if they call fair housing, then guess what?

ROBERTS: Well, what's your reasonable timeline?

IRISH: I would do 90 days or serve them 90 days prior to the time frame. Like right now, if I said you have 30-days to get out, you wouldn't find a place.

AGUILAR: Especially if the tenant has good standing. I think that's a reasonable time limit.

ROBERTS: 90 days. Before the term expires. So are you okay, opening up it up to the part time employees as well?

AGUILAR: We do full time first and then part time or just everyone

GREGG: Honestly, I would, I would prefer to open up it up to part time.

ROBERTS: I agree.

GREGG: Just on the basis of, economic stature or whatever wording you would use. Because the last thing I want is somebody in there that's like I said, making \$90,000 to \$100,000 a year that's living rent free, when we have other people that aren't making kind of money.

ROBERTS: Right, unless we open it up to...well I think we should just do it so there's not that division. Let's just open it up to everybody and the GM can determine who he wants to have in there.

AGUILAR: I don't have a problem with that.

CHAVEZ: So I received a lot of good comments mainly from Director Gregg and a few from Director Roberts; we have them in the queue. Is this something that the board would like to pursue? Moving forward, bearing all the comments that Director Gregg and some of the comments that Director Roberts had mentioned, I don't think I got any feedback; I need to get a 90-day clause from Director Irish, and I did not get any feedback from the President. President, is there anything that you'd like to consider?

AGUILAR: No, I just want you to follow up on the utilities, just to make sure that they have dedicated meters. So for example, I don't want that caretaker to be paying water bill, or, let's say for park bush, let's say. So things like that. Overall, I do agree with Director Gregg about yeah, they should be paying at least a base price from us and then any overages are caretaker.

ROBERTS: You said you had several individuals in the queue that already applied?

CHAVEZ: Yeah, in the queue; we have a notice in the queue.

ROBERTS: Gotcha. Okay.

GREGG: I would like to talk about this just a little more. I'm sorry, guys. And look, I want the general manager to make good decisions, but when we just say, well, let's just open it up to all full time staff. And I just made the comment that we've had a general manager that make \$275,000 a year living at Timberline, we had another general manager that wasn't making that kind of money living at Timberlane; we had another senior staff member living at Calhoun making \$90,00 to \$100,000 plus a year; do we want to put some sort of guideline on this?

ROBERTS: To be honest with you. I'm surprised, one of our full time staffers would want to reside in one, not saying it's bad but I'm just...you would just think that they would not. I don't know, that's just me; but for you to say that. I mean, it's kind of amazing.

IRISH: But it was rent-free.

ROBERTS: I know! You go rent free, I'm just like...like, wow! Yes, it's a little concerning. I mean, it's almost kind of like taking advantage of the district to a degree, that's just kind of my opinion.

IRISH: So how are you going to take a 19 hr employee though and have them do all this stuff and be on call at night. There's got to be compensation for that too then right?

ROBERTS: I would say no. I think a part timer that's representing the district who will put in for this opportunity will be very appreciative of the opportunity. And I think they will go for it. That's just my opinion.

IRISH: Can I do that on 19 hours? No, they can't. I'm telling you right now they can't. And if they get disgruntled and go to the Labor Board, they win.

ROBERTS: But what I mean, realistically, what are they doing?

IRISH: According to this? It should not be attached to the rental agreement.

AGUILAR: It's saying, hey, you're going respond to alarms on site, check the facility, do law enforcement, I meal that's pretty much being on the clock.

IRISH: If he walks out his door to go check on a homeless person. He's paid for X amount of hours. And I believe it's, I think it's two hours just responding for 15 minutes.

GREGG: That's a great question for legal to see if that's in lieu of.

IRISH: It's not.

ROBERTS: So you're saying that we have a full timer that's currently residing in there and they go outside, they're on the clock to do something, the district is actually paying them?

IRISH: They have to.

ROBERTS: Is that what we're doing?

CHAVEZ: No, no, no, we're not doing that right now.

ROBERTS: We're not doing that.

CHAVEZ: We're not.

IRISH: It's illegal.

GREGG: And I don't think it's been the case in the past even.

IRISH: I'm just telling you it's illegal.

ROBERTS: Is that something we should consult legal?

CHAVEZ: We could follow-up with legal, absolutely. That's a very diligent question Director Roberts, but we're not currently doing that.

ROBERTS: So I guess...

AGUILAR: Well, here's my thing is, for example I would use the district as a representative. If I'm going to coach for a season, I'm not paid by the hour, I'm just paid for staff. And I would think that this free, I would say, free but it is considered a stipend, and you're not charged by the hour because what I would coach, if I'm going to coach a sport...

IRISH: That's apples and oranges; they have to pay rent and get reimbursed because of taxes. It's a law.

AGUILAR: So what do you just get paid a rent stipend?

IRISH: No, you pay rent. It's not a stipend, and they reimburse you.

AGUILAR: Again, they can pay rent but they give them a stipend of the exact same amount.

IRISH: It goes on their paycheck; it pays taxes.

AGUILAR: Right, in the form of a stipend.

IRISH: Stipends...

GREGG: It's going to be considered income no matter what; it says it right here.

AGUILAR: Well, when you give that person a stipend, then that's income.

IRISH: But you're talking rental. This is a...

AGUILAR: Exactly I know, they're paying that amount. You're giving them \$1,000 stipend, let's say...

IRISH: It's a reimbursement.

AGUILAR: \$1000 stipend and they pay a \$1000 back to the district.

IRISH: But you have to...she's going have to find out. So you don't get in trouble with labor laws. And fair housing.

GREGG: Legal should do that. We paid her a hefty sum.

ROBERTS: Okay.

AGUILAR: I mean you're going to compare it with other districts too.

CHAVEZ: Yes, that's what I want to do, and we have all the comments in the queue. We'll follow up with legal and make sure that we have for the board meeting. We

might not have a detailed description on the April meaning but we'll most definitely have something at the following meeting.

IRISH: Take the job description off the rental agreement.
GREGG: You're planning on moving forward with this next week? Correct?
CHAVEZ: Well, the thing is that now this is creating a halt in my potential plans, so I need to revise this to the wishes of the board, so I'll touch base with legal to make sure that we have a solid contract that the board approves.
ROBERTS: Okay, thank you. So are we doing part timers only or are we doing full time too? So I know.
AGUILAR: I think he's going to consult with Legal to see what's possible.
ROBERTS: Okay.
AGUILAR: Maybe part time.
CHAVEZ: Yeah, we have all the comments in the queue.
ROBERTS: Okay. Thank you.

MOTION: No motion was made.

E. Discussion and Possible Action, Special District Election for Regular LAFCO Member and Alternate LAFCO Member, Hesperia Recreation and Park District Cast Vote

AGUILAR: All right, we're going to move on to item E, Discussion and Possible Action, Special District Election for Regular LAFCO Member and Alternate LAFCO Member, Hesperia Recreation and Park District to Cast Vote. Board, you were given a ballot along with candidates. So do you have any comments or questions regarding this LAFCO election?
ROBERTS: Negative.
AGUILAR: Comments?
AGUILAR: I would like to make a motion to vote for Director Kelly Gray for a regular LAFCO member and Director James Roberts for the alternate LAFCO member.
IRISH: I'll second it.
AGUILAR: Got a second by Director Irish. Any further discussion.
ROBERTS: Negative.
AGUILAR: Roll call please.

ROLL CALL

MS. GARCIA: Director Roberts?
ROBERTS: Yes.
MS. GARCIA: Vice President Irish?
IRISH: Yes.
MS. GARCIA: Director Gregg?
GREGG: Yes.

MS. GARCIA: President Aguilar?
AGUILAR: Yes.

MOTION: It was moved by President Aguilar and seconded by Vice President Irish to vote for Director Kelly Jay Gregg for a regular LAFCO member and Director James Roberts for the alternate LAFCO member. The motion passed by the following roll call vote:

AYES: Roberts, Irish, Gregg, Aguilar

NOES: None

ABSENT: Gonzalez

ABSTAIN: None

AGUILAR: All right. We're going move on to closed session items, and there's nothing at this time so we're going to...

CHAVEZ: Did you get the alternate vote as well?

AGUILAR: Yes, we did and combined. Do you need it separated?

CHAVEZ: No. That's fine.

ROBERTS: Are we doing comments right now or no? I'm surprised the a board member comments weren't on there.

AGUILAR: Usually it's not in the special meeting, but....

ROBERTS: Okay, disregard.

CHAVEZ: Do you mind if I have a quickstep comment?

AGUILAR: What does it fall under, what item?

CHAVEZ: LAFCO.

AGUILAR: LAFCO. Okay. Go ahead.

CHAVEZ: I just want to say I commend the board for taking such an advantageous push. We typically see a lot of water agencies under the special district. So it's nice to see that we have interested parties from recreation and parks here that are interested in running. We need that support. Thank you.

GREGG: And I wish to report out that we were successful in retaining our seat for ASBCSD Board.

AGUILAR: All right. We're going to move on to announcements.

CLOSED SESSION ITEMS

None

REPORT FROM CLOSED SESSION, IF ANY

None

SPECIAL REPORTS

None

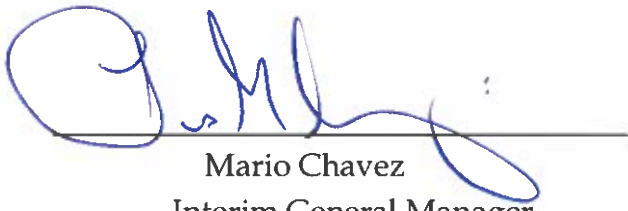
ANNOUNCEMENTS

The next Regular Board Meeting is scheduled for April 13, 2022, at 6:00 p.m. and will be held in the Lime Street Community Center at 16292 Lime Street, Hesperia, CA 92345.


ADJOURNMENT

The meeting was adjourned by declaration by President Aguilar at 7:49 p.m.

Respectfully submitted,



Mario Chavez
Interim General Manager



Karabeth Garcia
Board Secretary/Clerk of the Board

