



# Hesperia city council gives OK to build Wal-Mart Supercenter off Main Street

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**HESPERIA** — The Hesperia City Council has rejected an appeal that would delay or block the construction of a Walmart Supercenter.

At their Tuesday meeting, council unanimously rejected an appeal filed by Upland-based attorney Cory J. Briggs and the anonymous citizens group, Citizens for Responsible Equitable Environmental Development, which claimed that the city's environmental impact review on the project did not meet state guidelines.

"The citizens of Hesperia want a Walmart here," said Mayor Thurston "Smitty" Smith.

Briggs' appeal was not specific, merely stating that the city's EIR, which was approved by the Hesperia Planning Commission on January 29, was inadequate.

He has previously sued Victorville and Barstow over planned Wal-Mart locations. In such cases, Briggs represents an anonymous citizen's group. In an interview with the Riverside Press-Enterprise, Briggs declined to name any members of the Barstow citizen's group, saying he was shielding them from intimidation.

In each case, Briggs has alleged that the cities have violated the California Environmental Quality Act.

A challenger has 30 days to file a lawsuit, according to city attorney Eric L. Dunn. A trial court would likely take up the suit five to seven months after that and rule on the suit for up to another month. And then the losing side can file an appeal. All told, it could be a year or two after a challenge is filed before a final decision is reached.

Ten area residents got up to speak in favor of the project.

"If they're not going to be there, they're going to be benefiting some other city," said Oak Hills resident Skip Bond.

Eventually, Smith began paging through the cards instead of calling up audience members to say essentially the same thing in different ways.

"Another one in support, another one in support," said Smith, "Plenty of support."

Prior to the meeting, the city received 251 letters in favor of the project and four against, according to city staff.

No representatives of Citizens for Responsible Equitable Environmental Development or of the Briggs Law Corporation spoke at the meeting, and none identified themselves when asked to by Mayor Thurston "Smitty" Smith.

"I got up here on [a platform of] trying to get more roads paved," Councilman Paul Bosacki. "All that has to be paid for with taxes on something. The sales taxes that we pay in Victorville and Apple Valley would help out with that."

"Welcome aboard, Wal-Mart," said Councilwoman Rita Vogler.

The proposed Wal-Mart Supercenter will be the anchor store of the planned Main Street Marketplace on the southeast corner of Main Street and Escondido Avenue.

Briggs has until April 3 to file a lawsuit.

The next meeting of the Hesperia City Council takes place on Tuesday, March 17 at Hesperia City Hall, located at 9700 Seventh Avenue, at 6:30 p.m.

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