



# City of Hesperia

## Meeting Minutes - Draft

### City Council

City Council Chambers  
9700 Seventh Ave.  
Hesperia CA, 92345

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Tuesday, July 20, 2021

6:30 PM

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**REGULAR MEETING AGENDA  
HESPERIA CITY COUNCIL  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY  
HESPERIA HOUSING AUTHORITY  
HESPERIA COMMUNITY DEVELOPMENT COMMISSION  
HESPERIA WATER DISTRICT  
July 20, 2021  
9700 7th Avenue, Council Chambers, Hesperia, CA 92345**

#### **CLOSED SESSION - 5:30 PM**

##### **Roll Call**

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

1. Victor Valley Wastewater Reclamation Authority v. City of Hesperia (Claim for Damages)

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

1. Negotiating Parties: Mega Factors LTD and City of Hesperia Location: Driving Range Property APN 0398-251-30 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 - Mayor Gregg , Mayor Pro Tem Bennington, Council Member Council  
Member Bird, Council Member Holland and Council Member Swanson

**D. Agenda Revisions and Announcements by City Clerk**

**E. Closed Session Reports by City Attorney**

#### **ANNOUNCEMENTS/PRESENTATIONS**

1. Presentation of Certificates of Recognition to the Sultana High School Softball Team for the 2021 CIF Division and State Championship Win by the City Council
2. Fireworks Enforcement Update by Captain Jon Billings, Hesperia Police Department

### **JOINT CONSENT CALENDAR**

*Items 7 and 10 were pulled from the Consent Calendar to allow for Public Comment and voted on separately.*

**A motion was made by Holland, seconded by Bennington, that items 1-6, 8-9, and 11-14 be approved. The motion carried by the following vote:**

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

**Nay:** 0

*Ken Foist commented on Item 7*

*Bob Nelson commented on Item 7*

*Ken Foist commented on Item 10*

**A motion was made by Holland, seconded by Gregg, that items 7 and 10 be approved. The motion carried by the following vote:**

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

**Nay:** 0

1. Consideration of the Draft Minutes from the Regular Meeting held Tuesday, June 15, 2021.

**Recommended Action:**

It is recommended that the City Council approve the Draft Minutes from the Regular Meeting held Tuesday, June 15, 2021.

**Sponsors:** Director of Government Services/City Clerk Melinda Sayre

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 May 31, 2021

**Recommended Action:**

It is recommended that the Council/Board accept the Treasurer's Cash Report for the City, Successor Agency to the Hesperia Community Redevelopment Agency, Hesperia Housing Authority, Community Development Commission, and Hesperia Water District.

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

4. Copier Maintenance and Supplies Contract Amendment

**Recommended Action:**

It is recommended that the City Council and the Board of Directors of the Hesperia Water District authorize the City Manager to approve an amendment of \$15,000 to the existing contract with Toshiba Business Solutions, for a revised not-to-exceed contract amount of \$65,000, and approve an additional six (6) month contract extension for maintenance, toner and replacement parts for all City-wide copiers.

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

5. Designation of Officers for Local Agency Investment Fund

**Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2021-33 and the Board of Directors of the Hesperia Water District adopt Resolution HWD 2021-14, authorizing the investment of monies in the Local Agency Investment Fund (LAIF) for the City of Hesperia.

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

6. Award of Agreement for Animal Disposal Services

**Recommended Action:**

It is recommended that the City Council authorize the City Manager to enter into a three-year agreement with TLC Animal Removal Services in an amount not-to-exceed \$105,000, for animal disposal services.

**Sponsors:** Director of Government Services/City Clerk Melinda Sayre

7. Purchase of Automated License Plate Reader (ALPR) Fixed Cameras

**Recommended Action:**

It is recommended that the City Council authorize the City Manager to execute a purchase agreement with Vigilant Solutions in a not-to-exceed amount of \$140,687 to purchase seven (7) Automated License Plate Reader(ALPR) fixed cameras.

**Sponsors:** Hesperia Police Department Captain Jon Billings

8. Equipment Procurement - Doosan Wheel Loader

**Recommended Action:**

It is recommended that the City Council authorize the City Manager to approve the purchase of a new Doosan wheel loader and award the bid to Scott Equipment in the not-to-exceed amount of \$136,899.

**Sponsors:** Director of Public Works Jeremy McDonald

9. Vehicle Procurement

**Recommended Action:**

It is recommended that the City Council adopt resolution No. 2021-32 amending the Fiscal Year (FY) 2021-22 Budget by appropriating \$51,734; carrying over the purchase of two Ford Ranger XL's through Fairview Ford Sales.

**Sponsors:** Director of Public Works Jeremy McDonald

10. Amendment to the FY 2021-22 Adopted Budget for the Hesperia Police Department's Department of Justice Tobacco Grant Program

**Recommended Action:**

It is recommended that the City Council adopt Resolution No. 2021-029 amending the Fiscal Year (FY) 2021-22 Adopted Budget by appropriating \$16,431 for the Hesperia Police Department's Department of Justice (DOJ) Tobacco Grant Program.

**Sponsors:** Management Analyst Jamie Carone

11. Award a Professional Services Agreement for Labor Compliance Services

**Recommended Action:**

It is recommended that the City Council award a multi-year, on-call Professional Services Agreement (PSA) to LDM Associates, Inc. in an amount not to exceed \$100,000 for Professional Labor Compliance Services for various Community Development Block Grant (CDBG) capital projects that are identified in the annual Capital Improvement Program (CIP) Budget each fiscal year and authorize the City Manager to execute said agreement.

**Sponsors:** Assistant City Manager Rachel Molina

12. Contract Plan Review Services

**Recommended Action:**

It is recommended that the City Council consider the approval of two (2) Professional Services Agreements (PSAs) to JAS Pacific, Inc. in the amount of \$125,000 for a term of 3 years; and Willdan Engineering in the amount of \$125,000 for a term of 3 years; for plan review services.

**Sponsors:** Administrative Analyst Tina Bulgarelli

13. Award of Contract for Landscape Maintenance and Repair

**Recommended Action:**

It is recommended that the City Council and Board of Directors of the Water District authorize the City Manager to enter into a three-year contract with Lasting Images Landscape in an amount of \$277,380 for monthly landscape maintenance, and an additional 10% (\$27,738) for anticipated repairs and plant replacement, for a total not-to-exceed amount of \$305,118.

**Sponsors:** Office Assistant Maricruz Montes

14. Amendment to Resolution 2021-28 for FY 2021-22 SB-1 Funding Project List

**Recommended Action:**

It is recommended that the Mayor and Council Members amend Resolution No. 2021-28 to add language required by the state in the adoption of the FY 2021-22 Project List to be funded by SB-1: The Road Repair and Accountability Act.

**Sponsors:** Administrative Analyst Bethany Hudson

## **PUBLIC HEARING**

### 15. Residential Commercial Truck Parking Permit Program

#### **Recommended Action:**

It is recommended that the City Council introduce and place on first reading Ordinance No. 2021-03 regarding the Residential Commercial Truck Parking Permit Program and discuss related fees as adopted by Joint Resolution No. 2021-01 as contained within the City-Wide Fee Schedule.

**Sponsors:** Administrative Analyst Tina Bulgarelli and Administrative Analyst Jacquelyn Castillo

*The following people commented on item 15;*

*Ken Foist*

*Ron Hutchison*

*Louis Serrata*

*Chris*

*Garegin Kalajian*

*Ryan Carter*

*Art from AEI*

*Kelly Gregg*

*Lee Rogers*

*Brent Landphear*

*Peggy Jacobi*

*Rick Spencer*

*Eric Ramirez*

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

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

**Nay:** 0

*Meeting went into Recess*

*Meeting Reconvened*

### 16. Advance Disposal Rate Structure

#### **Recommended Action:**

It is recommended that the City Council conduct a Proposition 218 Public Hearing related to new maximum rates for solid waste and recycling services in the City of Hesperia and allow for rate adjustments pertaining to new maximum rates for solid waste and recycling services in the City of Hesperia and allow for the Hesperia Environmental Assistance Response Team (HEART) to be established. In the absence of a majority protest of opposition, adopt Resolution No. 2021-035 approving the new maximum rates for solid waste and recycling services in the City of Hesperia and allow for rate adjustments annually up to five years.

**Sponsors:** Management Analyst Jamie Carone

*The following people commented on item 16;*

*Ken Foist*

*Ron Hutchison*

*Victor Muniz*

*Kelly Gregg*

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

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

**Nay:** 0

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

*Victor Muniz commented on the Advance Disposal contract.*

*Gina Whelan commented on fireworks.*

*Lee Rogers commented public safety response.*

*Stacey Signor commented on fireworks.*

*Ken Foist commented on truck parking.*

*Kelly Gregg commented on illegal dumping.*

### **COUNCIL COMMITTEE REPORTS AND COMMENTS**

*Council Member Holland asked that the metal building regulations be brought before council for reconsideration.*

*Council Member Bird thanked Council Member Holland for his attendance at VVWRA, commented on his attendance at VVTA, wished Assistant Principal Frank Gutierrez, Council Member Swanson a happy birthday and asked that the meeting be closed in their honor, and thanked staff and first responders.*

*Council Member Swanson, commented on fireworks, retirement of Sheriff McMahon, attendance at the state of the chamber meeting, the mayor's control of tonight's meeting, and upcoming national night out*

*Mayor Pro tem Bennington congratulated Sultana softball on their achievement, League of California Cities' recent ransomware incident, confidence in the City's Information Technology department, and wished Council Member Swanson a happy birthday.*

*Mayor Gregg congratulated Sultana Softball on their achievement, his recent attendance at the Rolling Thunder Children's Charity golf tournament, honor of the City at a recent Chamber event, truck parking, and thanked staff.*

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

*None*

### **ADJOURNMENT**

*Meeting was adjourned in honor of Council Member Swanson's and Frank Gutierrez's birthdays at 11:17 pm.*

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*Erin Baum,  
Assistant City Clerk*