

**CITY OF VICTORVILLE
CITY COUNCIL
AGENDA**

REGULAR MEETING
MARCH 20, 2007
7:00 P.M.

MOJAVE DESERT AIR QUALITY
MANAGEMENT DISTRICT - BOARDROOM
14306 PARK AVENUE
www.ci.victorville.ca.us

THE CITY COUNCIL MEETING IS SCHEDULED TO BEGIN AT 7:00 P.M. OR AS SOON THEREAFTER AS POSSIBLE UPON THE CONCLUSION OF THE MEETING OF THE LIBRARY BOARD OF TRUSTEES

ANY INDIVIDUAL WITH A DISABILITY WHO REQUIRES REASONABLE ACCOMMODATION TO PARTICIPATE IN A CITY COUNCIL MEETING MAY REQUEST ASSISTANCE AND/OR RECEIVE THE AGENDA IN AN ALTERNATIVE FORMAT BY CONTACTING THE VICTORVILLE CITY CLERK'S OFFICE (760) 955-5026 NO LATER THAN 72 HOURS PRIOR TO THE MEETING

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS

PRESENTATION OF PROCLAMATION – “NATIONAL CRIME VICTIMS’ WEEK” – April 22
– 28

PUBLIC COMMENT

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

CONTINUED APPEAL HEARING

2. A CONTINUED APPEAL HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 07-013, VERSION A – GRANTING OR VERSION B – DENYING AND THE ADOPTION OF THE MITIGATED NEGATIVE DECLARATION
 - A. RESOLUTION NO. 07-013 – GRANTING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE GRANTING THE APPEAL OF THE DENIAL BY THE PLANNING COMMISSION OF PROPOSED TENTATIVE TRACT TT-06-033 ON

PROPERTY GENERALLY LOCATED NORTH OF MESA STREET, SOUTH OF EUCALYPTUS STREET AND EAST OF AND ABUTTING TOPAZ ROAD – THE BRASWELL FAMILY LIMITED PARTNERSHIP

B. RESOLUTION NO. 07-013 – DENYING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE DENYING THE APPEAL OF TENTATIVE TRACT TT-06-033 ON PROPERTY GENERALLY LOCATED NORTH OF MESA STREET, SOUTH OF EUCALYPTUS STREET AND EAST OF AND ABUTTING TOPAZ ROAD – THE BRASWELL FAMILY LIMITED PARTNERSHIP

C. MITIGATED NEGATIVE DECLARATION

APPEAL HEARING

3. AN APPEAL HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 07-088, VERSION A – GRANTING OR VERSION B – DENYING PROPOSED SITE PLAN SP-06-119

A. RESOLUTION NO. 07-088 – GRANTING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE GRANTING THE APPEAL OF THE DENIAL BY THE PLANNING COMMISSION OF PROPOSED SITE PLAN SP-06-119 TO ALLOW FOR THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE WITHIN THE OLD TOWN SPECIFIC PLAN ON PROPERTY LOCATED AT 15577 THIRD STREET – DANIEL CASQUINO

B. RESOLUTION NO. 07-088 – DENYING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE DENYING THE APPEAL OF SITE PLAN SP-06-119 TO ALLOW FOR THE CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE WITHIN THE OLD TOWN SPECIFIC PLAN ON PROPERTY LOCATED AT 15577 THIRD STREET – DANIEL CASQUINO

PUBLIC HEARINGS

4. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-020 AND 07-021

A. RESOLUTION NO. 07-020 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE DRAINAGE FACILITY ASSESSMENT DISTRICT NO. 1, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 07-021 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING FORMATION OF THE DRAINAGE FACILITY ASSESSMENT DISTRICT NO. 1, UNDER THE ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972 AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FROM SAID DISTRICT IN ORDER TO FUND THE ONGOING MAINTENANCE OF DRAINAGE FACILITY ASSESSMENT DISTRICT NO. 1 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT 17238

5. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-023 AND 07-024

A. RESOLUTION NO. 07-023 ENTITLED:

A RESOLUTION OF INTENT OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE TO DETACH TRACT 17090 FROM DRAINAGE FACILITY ASSESSMENT DISTRICT NO. 2, UNDER THE ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 07-024 ENTITLED

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING DETACHMENT FROM DRAINAGE FACILITY ASSESSMENT DISTRICT NO. 2, FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972, AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FROM SAID DISTRICT FRO TRACT NUMBER 17090

6. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-025 AND 07-026

STAFF REQUESTS THAT THIS ITEM BE REMOVED FROM THE AGENDA

CONSENT CALENDAR

7. PRESENTATION OF REQUEST TO APPROVE THE CONSENT CALENDAR AS FOLLOWS:

- A.** PRESENTATION OF REQUEST FOR APPROVAL OF COMMERCIAL DEMAND SCHEDULE NO. 15 IN THE AMOUNT OF \$7,227,717.75 COVERING WARRANT NOS. 582718, 583490, 583943, 584789 AND 584610 THROUGH 585099 INCLUSIVE
- B.** PRESENTATION OF REQUEST FOR APPROVAL OF PAYROLL DEMAND SCHEDULE NO. 9A FOR PAYROLL PERIOD FEBRUARY 10, 2007 THROUGH FEBRUARY 23, 2007, IN THE AMOUNT OF \$1,282,387.59 COVERING WARRANT NOS. 21309 THROUGH 21358 AND ADVICE NOS. 111102 THROUGH 111670 INCLUSIVE AND VOID OF CHECK NO. 20095
- C.** PRESENTATION OF REQUEST TO ACCEPT THE FOLLOWING STAFF REPORTS:

 - 1.** COMMUNITY SERVICES DEPARTMENT - JANUARY 2007
 - 2.** PUBLIC WORKS DEPARTMENT – JANUARY 2007
- D.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO WESTERN AUDIO VISUAL FOR THE CITY HALL EXPANSION TECHNOLOGY RENOVATION PROJECT IN THE AMOUNT OF \$1,236,472.02 WHICH INCLUDES A 5% CONTINGENCY
- E.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO PEARPOINT, INC. FOR THE SANITARY CAMERA REPLACEMENT AND SOFTWARE UPGRADE IN THE AMOUNT OF \$45,645.92
- F.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO ITERIS FOR THE PURCHASE OF VIDEO DETECTION SYSTEMS IN AN AMOUNT NOT TO EXCEED \$136,594.68
- G.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO PACIFIC CONSTRUCTION FOR THE FIRE STATION CONCRETE PAD AND CATCH BASIN IN THE AMOUNT OF \$69,800.00
- H.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO VARGUS STRUCTURES FOR THE CONSTRUCTION OF CITY LIBRARY REMODEL IN THE AMOUNT OF \$392,000.00 AND APPROVE A 5% CONTINGENCY FEE OF \$19,600.00 FOR SAID PROJECT
- I.** PRESENTATION OF REQUEST TO APPROVE AN AGREEMENT BETWEEN THE CITY OF VICTORVILLE AND THE SAN BERNARDINO COUNTY SERVICE AREA 70 CONSOLIDATED FIRE DISTRICT FOR THE HOUSEHOLD HAZARDOUS WASTE FACILITY
- J.** PRESENTATION OF REQUEST TO APPROVE A 100% MONUMENTATION BOND RELEASE FOR TRACT 16696 – FRONTIER HOMES

- K.** PRESENTATION OF REQUEST TO APPROVE A 100% MONUMENTATION BOND RELEASE FOR TRACTS 16718-1 & 2 – AMERICAN HERITAGE COMMUNITIES
- L.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE STORM DRAIN BOND FOR TRACT 16652 – PACIFIC COMMUNITIES
- M.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET BONDS FOR TRACTS 16138-3 & 4 – K HOVNANIAN HOMES
- N.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE STREET STORM DRAIN AND SEWER BOND FOR TRACT 17134 – RYLAND HOMES
- O.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE OFFSITE STREET BOND FOR TRACT 16574-1 – CENTURY VINTAGE HOMES
- P.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET BOND FOR TRACTS 16171-2 & 3 – HORIZON COMMUNITIES
- Q.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET BONDS FOR TRACTS 16172-2 & 3 – HORIZON COMMUNITIES
- R.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE SEWER BONDS FOR TRACTS 16171-1, 16171-2 AND 16171-3 – HORIZON COMMUNITIES
- S.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET AND SEWER BONDS FOR TRACTS 16247-3 THROUGH 16247-6 – COVENANT DEVELOPMENT
- T.** PRESENTATION OF REQUEST TO RELEASE 35% OF THE STREET BOND FOR TRACT 16652 – PACIFIC COMMUNITIES
- U.** PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE FAITHFUL PERFORMANCE BOND FOR SEWER FOR TRACT 16741 – K HOVNANIAN HOMES
- V.** PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE FAITHFUL PERFORMANCE BOND FOR SEWER FOR TRACT 16536 – K HOVNANIAN HOMES

- W.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STORM DRAIN BONDS FOR TRACTS 16171-1 THROUGH 3 – HORIZON COMMUNITIES
- X.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET BONDS FOR TRACT 16171-1- HORIZON COMMUNITIES
- Y.** PRESENTATION OF REQUEST TO APPROVE THE FINAL MAP FOR TRACT 17089 – STANDARD PACIFIC HOMES
- Z.** PRESENTATION OF REQUEST TO APPROVE THE FINAL MAP FOR TRACT 17110 – SUNCAL COMPANIES
- AA.** PRESENTATION OF REQUEST TO APPROVE THE FINAL MAP FOR TRACT 17559 – STANDARD PACIFIC HOMES

WRITTEN COMMUNICATIONS

- 8.** PRESENTATION OF REQUEST TO APPROVE AN INCREASE TO THE CONTRACT WITH THE INDUSTRIAL COMPANY (TIC) FOR ADDITIONAL CONSTRUCTION AT THE FOXBOROUGH COGENERATION FACILITY AND THE EXPANSION OF SCLA POWER PLANT 1 IN THE AMOUNT OF \$900,000.00
- 9.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO EC APPLICATIONS, INC. FOR THE WESTWIND GOLF COURSE POND LINER PROJECT IN THE AMOUNT OF \$39,600.00
- 10.** PRESENTATION OF REQUEST TO APPROVE AN INCREASE TO THE CONTRACT WITH WALTERS POWER INTERNATIONAL, L.L.C. FOR THE PURCHASE OF ADDITIONAL EQUIPMENT AND SERVICES AT VMUS FACILITIES IN THE AMOUNT OF \$1,152,303.75
- 11.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO WALTERS POWER INTERNATIONAL, L.L.C. FOR OPERATIONS AND MAINTENANCE SERVICES AT VMUS FACILITIES IN THE AMOUNT OF \$545,000.00
- 12.** PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-089 ENTITLED:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS FOR THE SUPPLY OF NATURAL GAS
- 13.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO ASR CONSTRUCTORS, INC. FOR THE CONSTRUCTION OF GREEN TREE GOLF

COURSE CLUBHOUSE AND MAINTENANCE BUILDING IN THE AMOUNT OF \$7,933,000.00 AND APPROVE 10% CONTINGENCY FEES

14. PRESENTATION OF REQUEST TO WAIVE DEVELOPMENT IMPACT FEES (DIF) FOR THE VICTOR VALLEY MEMORIAL PARK GARDEN MAUSOLEUM
15. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO AMERICAN WRECKING INC. FOR THE SCLA WATER STORAGE TOWER DEMOLITION AND REMOVAL FOR THE LOW BID PRICE OF \$32,700.00

CONTINUED WRITTEN COMMUNICATIONS

16. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-019 ENTITLED: (PLEASE SEE SCLRA AGENDA ITEM #3 FOR EXHIBIT A)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, APPROVING THE MASTER DEVELOPER AGREEMENT BY AND AMONG THE SOUTHERN CALIFORNIA LOGISTICS RAIL AUTHORITY, THE VICTORVILLE REDEVELOPMENT AGENCY, THE CITY OF VICTORVILLE AND DESERTXPRESS ENTERPRISES, LLC, TRANSIT REAL ESTATE DEVELOPMENT, LLC, AND INLAND GROUP, INC. FOR THE DEVELOPMENT OF RAIL FACILITIES AND RELATED INDUSTRIAL, COMMERCIAL AND RESIDENTIAL PROPERTIES IN VICTORVILLE, CALIFORNIA

COUNCIL REPORTS

17. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS

CLOSED SESSION

18. CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.9

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
NEGOTIATING PARTIES: VICTORVILLE PROFESSIONAL FIREFIGHTERS
V. THE CITY OF VICTORVILLE - CASE NO. CV06-3935 AHM (EX)

19. CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
PROPERTY LOCATION: South of Turner Road / West of National Trails
NEGOTIATING PARTIES: Property Owners / Green de Bortnowsky & Quintanilla / Epic Land Solutions

UNDER NEGOTIATION: Acquisition, price and terms of payment

PROPERTY OWNER

Fresno Truck Center

APN

0472-101-44

ADJOURNMENT OF MEETING

- 20.** ADJOURN TO 5:00 P.M., TUESDAY, APRIL 3, 2007 FOR A WORKSHOP TO DISCUSS PARAMEDIC SERVICES