

**CITY OF VICTORVILLE  
CITY COUNCIL  
AGENDA**

REGULAR MEETING  
APRIL 17, 2007  
7:00 P.M.

MOJAVE DESERT AIR QUALITY  
MANAGEMENT DISTRICT - BOARDROOM  
14306 PARK AVENUE  
[www.ci.victorville.ca.us](http://www.ci.victorville.ca.us)

THE CITY COUNCIL MEETING IS SCHEDULED TO BEGIN AT 7 P.M. OR AS SOON THEREAFTER AS POSSIBLE UPON THE CONCLUSION OF THE MEETING OF THE VICTORVILLE REDEVELOPMENT AGENCY

NOTICE TO THE PUBLIC: PERSONS WHO WISH TO ADDRESS THE COUNCIL ON AN AGENDA ITEM ARE REQUESTED TO COMPLETE ONE OF THE **WHITE CARDS** WHICH HAVE BEEN PLACED ON THE AGENDA TABLE IN THE BOARDROOM OF THE MDAQMD AND GIVE IT TO THE CITY CLERK FOR THE RECORD

ANY INDIVIDUAL WITH A DISABILITY WHO REQUIRES REASONABLE ACCOMMODATION TO PARTICIPATE IN A SCLRA 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

**PRESENTATION**

PROCLAMATION – ROLLING THUNDER

**PUBLIC COMMENT**

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

**CONTINUED APPEAL HEARING**

2. **NOTE: AT THE REQUEST OF APPELLANT, DANIEL CASQUINO, THE FOLLOWING APPEAL TO SITE PLAN SP-06-119 HAS BEEN WITHDRAWN**

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

**3. 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**

4. AN APPEAL HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 07-102, VERSION A – GRANTING OR VERSION B – DENYING AND THE ADOPTION OF TENTATIVE TRACT EXTENSION TT-06-073

**A. RESOLUTION NO. 07-102 – 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-06-073 TO ALLOW FOR A 3-YEAR EXTENSION OF TIME TO ALLOW FOR THE RECORDATION OF APPROVED TENTATIVE TRACT 16715 (TT-03-043) ON PROPERTY GENERALLY LOCATED NORTH OF AND ABUTTING ABBEY LANE, SOUTH OF DANTE STREET, EAST OF AND ABUTTING STODDARD WELLS ROAD AND WEST OF AND ABUTTING INTERSTATE 15 – ADVANCED HOME BUILDERS

**B. RESOLUTION NO. 07-102 – DENYING**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE DENYING THE APPEAL OF TENTATIVE TRACT TT-06-073, WHICH WOULD ALLOW FOR A 3-YEAR EXTENSION OF TIME TO ALLOW FOR THE RECORDATION OF APPROVED TENTATIVE TRACT 16715 (TT-03-043) ON PROPERTY LOCATED NORTH OF AND ABUTTING ABBEY LANE, SOUTH OF DANTE STREET, EAST OF AND ABUTTING STODDARD WELLS ROAD AND WEST OF AND ABUTTING INTERSTATE 15 – ADVANCED HOME BUILDERS, INC.

**PUBLIC HEARINGS**

5. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-039 AND 07-040

**A. RESOLUTION NO. 07-039 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. 07-040 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 17090

6. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 07-022 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, MAKING DETERMINATION AND CONFIRMING ASSESSMENTS AND PROCEEDINGS FOR UNPAID RUBBISH COLLECTION, SEWER USE FEES, STORM DRAIN FEES, HAZARDOUS WASTE FEES AND ASSEMBLY BILL 939 RECYCLING FEES

#### **CONSENT CALENDAR**

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

- A. PRESENTATION OF REQUEST FOR APPROVAL OF COMMERCIAL DEMAND SCHEDULE NO. 17 IN THE AMOUNT OF \$6,782,629.64 COVERING WARRANT NOS. 584175, 571377, AND 585701 THROUGH 586268 INCLUSIVE
- B. PRESENTATION OF REQUEST FOR APPROVAL OF PAYROLL DEMAND SCHEDULE NO. 9C FOR PAYROLL PERIOD MARCH 10, 2007 THROUGH MARCH 23, 2007, IN THE AMOUNT OF \$1,127,047.99 COVERING WARRANT NOS. 21409 THROUGH 21461 AND ADVICE NOS. 112242 THROUGH 112823 INCLUSIVE AND VOID OF CHECK NO. 20684 AND ADVICE NO. 111993
- C. PRESENTATION OF REQUEST TO APPROVE THE FOLLOWING MINUTES:
1. REGULAR MEETING HELD JANUARY 16, 2007
  2. SPECIAL MEETING HELD FEBRUARY 6, 2007
  3. REGULAR MEETING HELD FEBRUARY 6, 2007
- D. PRESENTATION OF REQUEST TO ACCEPT THE STAFF REPORT FROM THE COMMUNITY SERVICES DEPARTMENT – FEBRUARY 2007
- E. PRESENTATION OF ORDINANCE NOS. 2190, 2191, 2192, 2193 AND 2194 FOR SECOND READING AND ADOPTION BY THE CITY COUNCIL

1. ORDINANCE NO. 2190 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-028 TO RECLASSIFY PROPERTY FROM R-1TB1/2 (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL – BUILDING SITE ½ ACRE MINIMUM) TO R-1 (SINGLE-FAMILY RESIDENTIAL) – FAUSTO HERNANDEZ

2. ORDINANCE NO. 2191 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-034 TO RECLASSIFY PROPERTY FROM R-1TB1/2 (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL – BUILDING SITE ½ ACRE MINIMUM) TO R-1 (SINGLE-FAMILY RESIDENTIAL) – GERALD RAUCH

3. ORDINANCE NO. 2192 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-033 TO RECLASSIFY PROPERTY FROM R-1TB1/2 (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL – BUILDING SITE ½ ACRE MINIMUM) TO R-1 (SINGLE-FAMILY RESIDENTIAL) – ADULFO VARGAS

4. ORDINANCE NO. 2193 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE PLN07-00015 TO RECLASSIFY PROPERTY FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL) – DAVID PHAM

5. ORDINANCE NO. 2194 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE PLN07-00018 TO RECLASSIFY PROPERTY FROM R-1B2 ½ (SINGLE-FAMILY RESIDENTIAL – MINIMUM LOT SIZE 2 ½ ACRES) TO R-1B1/2 (SINGLE-FAMILY RESIDENTIAL – MINIMUM LOT SIZE ½ ACRE) – BROCKERT, WHITING, COLIZZI AND POUND

F. PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE AND LABOR BONDS FOR LANDSCAPING IMPROVEMENTS FOR TRACT 16244, PHASES II & III – VICTORY HOMES, INC.

G. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE DRAINAGE BOND FOR TRACT 16247-6 – COVENANT DEVELOPMENT

- H. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET, SEWER AND STORM DRAIN BOND FOR TRACT 14798 – FRONTIER HOMES
- I. PRESENTATION OF REQUEST TO RELEASE 80% OF THE STORM DRAIN BOND FOR TRACT 16968 – SUNCAL COMPANIES
- J. PRESENTATION OF REQUEST TO RELEASE 80% OF THE STORM DRAIN AND SEWER BONDS AND A PARTIAL STREET REDUCTION OF 60% FOR TRACTS 16955, 16439 AND 16982 – WOODSIDE HOMES
- K. PRESENTATION OF REQUEST TO RELEASE 80% OF THE SIGNAL AND SIGNAGE BOND FOR TRACT 16574 – CENTURY VINTAGE HOMES
- L. PRESENTATION OF REQUEST TO APPROVE THE FINAL MAP FOR TRACT 17045 – CIVIC CENTER INVESTORS, LLC
- M. PRESENTATION OF REQUEST TO APPROVE THE NOTICE OF COMPLETION FOR THE RFP ANNUAL SLURRY SEAL ROAD MAINTENANCE PROJECT #BM06-064

#### **WRITTEN COMMUNICATIONS**

- 8. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-103 ENTITLED:  
  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE APPLICATION FOR FUNDING FROM THE LAND AND WATER CONSERVATION FUND FOR THE SUNSET RIDGE PARK PICNIC AREA PROJECT
- 9. PRESENTATION OF REQUEST TO APPROVE A FEE DEPOSIT AND REIMBURSEMENT AGREEMENT BY AND BETWEEN WESTERN PACIFIC HOUSING AND THE CITY IN CONNECTION WITH PROPOSED COMMUNITY FACILITIES DISTRICT AND ADOPT RESOLUTION NO. 07-098 ENTITLED:  
  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING A FEE DEPOSIT AND REIMBURSEMENT AGREEMENT
- 10. PRESENTATION OF REQUEST TO APPROVE THE REJECTION OF ALL SUBMITTALS FOR THE FIVE (5) YEAR LEASE/EQUITY FLEET VEHICLE PURCHASE OF FIFTY (50) VEHICLES
- 11. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-090 ENTITLED:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, ESTABLISHING "GREEN FLEET" POLICIES AND PROCEDURES TO REDUCE GREENHOUSE GAS EMISSIONS AND IMPROVE AIR QUALITY IN THE CITY OF VICTORVILLE, AND TO INCREASE THE ENERGY EFFICIENCY OF THE CITY'S FLEET AND VICTORVILLE MUNICIPAL UTILITY SERVICES COMBUSTION ENGINE GENERATION ASSETS

12. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-104 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, STATE OF CALIFORNIA, AUTHORIZING THE CHANGE TO THE EXISTING FREEWAY AGREEMENT WITH THE STATE DEPARTMENT OF TRANSPORTATION TO ADD THE I-15 / LA MESA / NISQUALLI INTERCHANGE TO THE AGREEMENT TO AUTHORIZE THE PURCHASE OF RIGHT OF WAY

13. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-105 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE AUTHORIZING THE MAYOR TO EXECUTE PROGRAM SUPPLEMENT AGREEMENT NO. 001-M1 TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5380 WITH CALTRANS FOR THE I-15 / MOJAVE DRIVE INTERCHANGE PROJECT

14. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-106 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE PROPOSING FORMATION OF THE NISQUALLI ROAD SIDEWALK ASSESSMENT DISTRICT NO. 1 UNDER THE IMPROVEMENT ACT OF 1911 AND THE MUNICIPAL IMPROVEMENT ACT OF 1913

15. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-101 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, ORDERING THE VACATION (ABANDONMENT) OF AN OFFER OF DEDICATION FOR AN UNNAMED STREET BETWEEN BALDY MESA ROAD AND BRACEO STREET

16. PRESENTATION OF REQUEST TO APPROVE THE PURCHASE OF AN UPGRADE FOR SHAPE BASED PROCESSING WHICH IS NOW REQUIRED BY THE U.S. POSTAL SERVICE AND REQUEST ADDITIONAL APPROPRIATIONS IN THE AMOUNT OF \$4,633.25

17. PRESENTATION OF REQUEST TO APPROVE THE WATER DISTRICT EMPLOYEE TRANSITION PLAN AND TRANSFER AGREEMENT AND TO DIRECT STAFF TO FILE DOCUMENTS WITH LAFCO

**COUNCIL REPORTS**

- 18. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS**

**ADJOURNMENT OF MEETING**