

**LIBRARY BOARD OF TRUSTEES  
AGENDA**

REGULAR MEETING  
MAY 1, 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 LIBRARY BOARD OF TRUSTEES MEETING IS SCHEDULED  
TO BEGIN AT 7:00 P.M.

NOTICE TO THE PUBLIC: PERSONS WHO WISH TO ADDRESS  
THE BOARD 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 BOARD SECRETARY FOR THE  
RECORD

ANY INDIVIDUAL WITH A DISABILITY WHO REQUIRES REASONABLE  
ACCOMMODATION TO PARTICIPATE IN A LIBRARY BOARD OF  
TRUSTEES 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

**PUBLIC COMMENT**

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

**REVISIONS TO AGENDA**

2. PRESENTATION OF REVISIONS TO AGENDA

**ADJOURNMENT OF MEETING**

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AGENDA ITEM

LIBRARY BOARD OF TRUSTEES MEETING OF: MAY 1, 2007

SUBMITTED BY: Carolee Bates  
Board Secretary

DATE: 4/23/07

SUBJECT: PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

RECOMMENDATION: N/A

FISCAL IMPACT: N/A

Budget Amount:  
Budget Acct. No.:

--Finance Department Use Only--  
Additional Appropriation:

No  
 Yes/\$ Amt.:

Finance Director Review and Approval \_\_\_\_\_

**DISCUSSION:** State law requires that each agenda of a governing body provide an opportunity for members of the public to address the legislative body on items of interest to the public within the body's subject matter of jurisdiction.

Accordingly, this item has been placed on the agenda to afford an opportunity for public comment at this time.

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AGENDA ITEM

LIBRARY BOARD OF TRUSTEES MEETING OF: 5/1/07

SUBMITTED BY: Carolee Bates  
Board Secretary

DATE: 4/24/07

SUBJECT: PRESENTATION OF REVISIONS TO AGENDA

DISCUSSION: All revisions to the agenda will be presented at this time.

/cb

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**SOUTHERN CALIFORNIA  
LOGISTICS RAIL AUTHORITY  
AGENDA**

REGULAR MEETING  
MAY 1, 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 SOUTHERN CALIFORNIA RAIL AUTHORITY MEETING IS SCHEDULED TO BEGIN AT 7 P.M. OR AS SOON THEREAFTER AS POSSIBLE UPON THE CONCLUSION OF THE MEETING OF THE LIBRARY BOARD OF TRUSTEES

NOTICE TO THE PUBLIC: PERSONS WHO WISH TO ADDRESS THE AUTHORITY 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 AUTHORITY SECRETARY 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

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**PUBLIC COMMENT**

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AGENDA ITEM

SCLRA MEETING OF: MAY 1, 2007

SUBMITTED BY: Carolee Bates  
Authority Secretary

DATE: 4/23/07

SUBJECT: PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

RECOMMENDATION: N/A

FISCAL IMPACT: N/A

Budget Amount:

Budget Acct. No.:

--Finance Department Use Only--

Additional Appropriation:

No

Yes/\$ Amt.:

Finance Director Review and Approval \_\_\_\_\_

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SUBMITTED BY: Carolee Bates  
Board Secretary

DATE: 4/24/07

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**SOUTHERN CALIFORNIA LOGISTICS  
AIRPORT AUTHORITY AGENDA**

REGULAR MEETING  
MAY 1, 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 SOUTHERN CALIFORNIA LOGISTICS AIRPORT AUTHORITY MEETING IS SCHEDULED TO BEGIN AT 7 P.M. OR AS SOON THEREAFTER AS POSSIBLE UPON THE CONCLUSION OF THE MEETING OF THE SOUTHERN CALIFORNIA LOGISTICS RAIL AUTHORITY

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INVOCATION & PLEDGE OF ALLEGIANCE

**PUBLIC COMMENT**

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

**REVISIONS TO AGENDA**

2. PRESENTATION OF REVISIONS TO AGENDA

**WRITTEN COMMUNICATIONS**

3. PRESENTATION OF REQUEST TO APPROVE TWO DOCUMENTS IN CONNECTION WITH THE NEWELL-RUBBERMAID SUBZONE: 1)

LETTER OF APPROVAL FOR THIS SPLIT SUBZONE FROM THE CHAIRMAN  
OF THE AIRPORT AUTHORITY AND 2) THE AUTHORITY'S GRANTEE  
RESOLUTION FOREIGN-TRADE ZONE #243

**ADJOURNMENT OF MEETING**



AGENDA ITEM

SCLAA MEETING OF: MAY 1, 2007

SUBMITTED BY: Carolee Bates  
Authority Secretary

DATE: 4/23/07

SUBJECT: PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

RECOMMENDATION: N/A

FISCAL IMPACT: N/A

Budget Amount:

Budget Acct. No.:

--Finance Department Use Only--  
Additional Appropriation:

\_\_\_ No

\_\_\_ Yes/\$ Amt.:

Finance Director Review and Approval \_\_\_

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AGENDA ITEM

SCLAA MEETING OF: 5/1/07

SUBMITTED BY: Carolee Bates  
Board Secretary

DATE: 4/24/07

SUBJECT: PRESENTATION OF REVISIONS TO AGENDA

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**AGENDA ITEM**

**SOUTHERN CALIFORNIA LOGISTICS AIRPORT AUTHORITY**

**MEETING OF**

**May 1, 2007**

**SUBMITTED BY:** Richard T. Cole  
Foreign Trade Zone Director

**DATE:** April 11, 2007

**SUBJECT:** Newell-Rubbermaid Subzone

**RECOMMENDATION:** Approve Newell-Rubbermaid Subzone

**FISCAL IMPACT:** There is no fiscal impact associated with this action

**BUDGETED AMOUNT:**  
**BUDGET ACCT:**

**Finance Dept. Use Only**

Additional Appropriation

No

Yes/\$Amount \_\_\_\_\_

Finance Director Review

\$Approval \_\_\_\_\_

**DISCUSSION**

The AUTHORITY, as Grantee of Zone 243, must approve the Newell-Rubbermaid Subzone. This will be the second Subzone for FTZ 243. The other is Black & Decker in Rialto, CA. This is a Subzone with two site locations. The first site is located at 10200-B Amargosa Road in Hesperia. This site houses the GRACO distribution center which is a division of Newell-Rubbermaid. The second site is parcel (lot) 3 at SCLA. The facility is already under construction. This split Subzone is bringing attention within the nationwide Foreign Trade Zone community. This is the first Subzone in the High Desert and is the main reason our original General Purpose Zone application was submitted in 2000 -- "to bring jobs and economic wealth to this region". Rockefeller Group, Newell-Rubbermaid's FTZ Consultant, is preparing the application. These documents are an important part of this application.

The AUTHORITY'S approval consists of two documents. First is the Letter of Approval for this split Subzone from the Chairman of the Airport Authority. The second document is the Authority's resolution. Stirling Capital Investments, as the land owner of lot 3, will furnish the Property Owner's letter.

The Subzone site at SCLA has been crafted to include Newell-Rubbermaid's plans for facility expansion. Therefore, the Authority will not have to approve an addition to the subzone at a later date.

April 17, 2007

**GRANTEE RESOLUTION  
FOREIGN-TRADE ZONE #243**

**WHEREAS**, Southern California Logistics Airport Authority, as Grantee of FTZ #243, deems it desirable to make application to the Foreign-Trade Zones Board to request Subzone Status for Newell Rubbermaid Inc. located at 10200-B Amargosa Road in Hesperia, CA, and Air Expressway & Innovation Way in Victorville, CA, both in San Bernardino County;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Southern California Logistics Airport Authority does hereby ratify and approve the Subzone Application as submitted to this Grantee; and

**FURTHER RESOLVED**, that the Chairman of Southern California Logistics Airport Authority be, and hereby is, authorized and directed on behalf of the Grantee to do and perform all acts and to execute and deliver all instruments and documents necessary or convenient for the submission of the Subzone Application on behalf of Southern California Logistics Airport Authority to the Executive Secretary of the Foreign-Trade Zones Board, Department of Commerce, Washington, D.C. and take such further action as deemed appropriate incident to securing the approval by the Foreign-Trade Zones Board with respect to said Subzone Application.

---

Authorized Official

**CERTIFICATE**

I, \_\_\_\_\_, ( Title ) of \_\_\_\_\_,  
hereby certify that the foregoing is a true and correct copy of the Resolution  
adopted by \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_,  
2007.

\_\_\_\_\_  
**Title**  
\_\_\_\_\_  
**Organization**  
\_\_\_\_\_



April 11, 2007

Mr. Andrew McGilvray  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
1401 Constitution Ave., NW, Room 2814B  
Washington, DC 20230

Re: Property Ownership

Dear Mr. McGilvray:

Southern California Logistics Airport Authority (SCLAA) is the property owner of a proposed subzone site for Newell Rubbermaid located at Air Expressway and Innovation Way in Victorville, San Bernardino County, California. The site owned by SCLAA is described as Newell Rubbermaid's warehouse and distribution facility. SCLAA supports the request for subzone designation of this 53+/- acre site.

SCLAA is aware of the requirement in the Foreign-Trade Zones Act that a foreign-trade zone grant may not be sold, conveyed, transferred, set over, or assigned.

Respectfully submitted,

Terry E. Caldwell  
Chairman  
Southern California Logistics Airport Authority



April 17, 2007

Mr. Andrew McGilvray  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
1401 Constitution Ave., NW  
Room 2814B  
Washington, DC 20230

**Re: Foreign-Trade Zone (“FTZ”) #243 Subzone Application  
Newell Rubbermaid Inc.  
Hesperia and Victorville, California**

The Southern California Logistics Airport Authority (“SCLAA”), Grantee of Foreign-Trade Zone (“FTZ”) #243, hereby submits this Subzone Application (“Application”) on behalf of Newell Rubbermaid. This Application is submitted in accordance with 15 CFR 400.25. SCLAA was granted authority by the Foreign-Trade Zones Board of the U.S. Department of Commerce in Board Order #1097, dated July 26, 2000, to maintain and operate General-Purpose Zone (“GPZ”) #243. SCLAA has the legal authority to submit this Application.

### **Proposed Zone Operations**

Newell Rubbermaid’s proposed subzone is comprised of two (2) sites.

*Proposed Site 1* is an existing facility located at 10200-B Amargosa Road in Hesperia, CA, in San Bernardino County. The FTZ site consists of a one-story building and an adjacent outside yard area. Newell Rubbermaid does not lease a small portion of the building (approximately 43,000) and therefore that portion is being excluded from FTZ designation. The FTZ site consists of 530,700 sq. ft. total (12.20 acres) including an outside yard area.

*Proposed Site 2* will be a new facility located between Air Expressway and Innovation Way in Victorville, CA, in San Bernardino County at the Southern California Logistics Airport (FTZ #243). Construction of the new facility began in February 2007 with full operations anticipated to begin in September/October 2007. A portion of the proposed subzone site 243 is designated GPZ #243. SCLAA requests deletion of the GPZ designation so that Newell Rubbermaid can be granted subzone designation at the site.

The total acreage to be granted subzone status is 57.28 acres (hereinafter 57+/- acres). The site will contain one 407,612 sq. ft. building and its outside storage area on approximately 20+/- acres as well as an additional 37+/- acres of undeveloped property that are being reserved for a possible Newell Rubbermaid building expansion project in the future.

The site in Hesperia is located adjacent to Interstate 15, a major north-south transportation route in the Los Angeles/Long Beach region. The SCLA site is located adjacent to Air Expressway, approximately 6 miles from Interstate 15 and 1 mile from U.S. Highway 395.

Newell Rubbermaid is a global manufacturer and marketer of branded consumer products. Newell Rubbermaid's products are sold to retail outlets such as department stores, discount stores, warehouse clubs, home centers, hardware stores, commercial distributors, office superstores, contract stationers, automotive stores, and baby superstores. Newell Rubbermaid operates four (4) business segments that are structured as follows:

- Cleaning, Organization & Décor: Products for material handling, cleaning, refuse, indoor/outdoor organization, home storage, food storage, drapery hardware, window treatments
- Office Products: Ball point/roller ball pens, markers, highlighters, pencils, correction fluids, office products, art supplies, on-demand labeling products, card-scanning solutions
- Tools & Hardware: Hand tools, power tool accessories, manual paint applicators, cabinet, window and convenience hardware, propane torches, solder
- Home & Family: premium cookware and related kitchenware, hair care accessory products, infant and juvenile products, including high chairs, car seats, strollers, and play yards

Newell Rubbermaid requests FTZ status for the following products/divisions:

Cleaning, Organization & Décor:

- *Rubbermaid Food Service*: semi-durable products for food storage, service, etc.
- *Rubbermaid Commercial Products*: semi-durable products for food service, cleaning, safety, material handling, waste, agriculture, etc.
- *Rubbermaid Home Products*: semi-durable products for home storage, organization, cleaning, etc.
- *Levolor/Kirsch*: drapery hardware, custom and stock horizontal and vertical blinds, and pleated, cellular and roller shades

Office Products:

- *Sanford*: writing instruments, permanent/waterbase markers, dry erase markers, overhead projector pens, highlighters, wood-cased pencils, ballpoint pens and inks, correction fluids, office products, art supplies, on-demand labeling products,

card scanning solutions, roller ball pens and mechanical pencils, file storage products, desktop products and computer accessories

Tools & Hardware:

- *IRWIN*: hand tools and power tool accessories, propane torches, solder and accessories, and manual paint applicator products
- *Lenox*: hand tools and power tool accessories, propane torches, solder and accessories, and manual paint applicator products
- *Amerock*: cabinet, window and door hardware

Home & Family:

- *Graco*: car seats, strollers, highchairs, swings, bouncers, play yards, etc.
- *Goody*: hair care accessories and grooming products
- *Calphalon*: aluminum and stainless steel cookware, bakeware, cutlery and kitchen gadgets and utensils

A more detailed description of these products and the activities to be conducted in the subzone is included in Exhibit IV of the Application.

Newell Rubbermaid will serve as the Operator of the subzone. Newell Rubbermaid has sufficient financial resources to provide the necessary funds for the capital and operating costs of FTZ operations at the proposed subzone.

Granting subzone status to Newell Rubbermaid's operations will provide a definite and positive public benefit in many ways. Through subzone designation, U.S. employment and investment will be retained and expanded as a direct result of Newell Rubbermaid's activities. Increased spin-off employment will be achieved through Newell Rubbermaid's continued and likely expanded use of regional suppliers, service providers and transportation providers. In addition, Newell Rubbermaid's operations will encourage increased spending by individuals and businesses in the area that are positively impacted by subzone status. The duty treatment afforded to re-exported product will encourage exports from the zone sites and enhance our nation's trade balance and global competitive position.

Newell Rubbermaid's continued presence in the United States is of paramount importance. FTZ status for Newell Rubbermaid will assist the company in managing its costs as a supplier in the highly competitive mass retailer market.

Zone procedures will allow Newell Rubbermaid to contribute locally and nationally for the public benefit. The company is committed to remaining in California and the United States, offering employment opportunities and contributing positively to the economy of the area. However, Newell Rubbermaid must be cost competitive in the U.S. in order to maintain and expand its presence here.

Mr. Andrew McGilvray  
April 17, 2007  
Page 4 of 4

Newell Rubbermaid's ability to maintain and increase employment levels will directly affect domestic companies supplying merchandise and services to the company. FTZ benefits will help offset the differential between Newell Rubbermaid's operating costs and the operating costs of its foreign competitors, thereby helping to secure employment levels and continued operations in the United States. Maintaining domestic activity will positively affect the overall U.S. economy and balance of trade.

More detailed information about Newell Rubbermaid's need for FTZ designation is included in Exhibit IV of the Application.

SCLAA hereby respectfully requests timely approval of Newell Rubbermaid's Application. Please feel free to contact Richard T. Cole, FTZ 243 Director at 760-243-1900 if you have any questions about the application.

Sincerely,

Terry E. Caldwell  
Chairman  
Southern California Logistics Airport Authority

**VICTORVILLE REDEVELOPMENT AGENCY  
AGENDA**

REGULAR MEETING  
MAY 1, 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 VICTORVILLE REDEVELOPMENT AGENCY MEETING IS SCHEDULED TO BEGIN AT 7 P.M. OR AS SOON THEREAFTER AS POSSIBLE UPON THE CONCLUSION OF THE MEETING OF THE SOUTHERN CALIFORNIA LOGISTICS AIRPORT AUTHORITY

NOTICE TO THE PUBLIC: PERSONS WHO WISH TO ADDRESS THE AGENCY 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 AGENCY SECRETARY FOR THE RECORD

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CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

**PUBLIC COMMENT**

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

**REVISIONS TO AGENDA**

2. PRESENTATION OF REVISIONS TO AGENDA

**WRITTEN COMMUNICATIONS**

3. PRESENTATION OF REQUEST TO AUTHORIZE AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$280,504.00 FOR AN INCREASE TO THE OFFSITE REIMBURSEMENT BUDGET ESTABLISHED IN THE OWNER PARTICIPATION AGREEMENT (OPA) BY AND BETWEEN THE VICTORVILLE REDEVELOPMENT AGENCY AND CIVIC ROGERS, LLC

**ADJOURNMENT OF MEETING**

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VICTORVILLE  
California

AGENDA ITEM

RDA MEETING OF: MAY 1, 2007

SUBMITTED BY: Carolee Bates  
Agency Secretary

DATE: 4/23/07

SUBJECT: PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

RECOMMENDATION: N/A

FISCAL IMPACT: N/A  
Budget Amount:  
Budget Acct. No.:

--Finance Department Use Only--  
Additional Appropriation:

\_\_\_ No  
\_\_\_ Yes/\$ Amt.:

Finance Director Review and Approval\_\_\_

**DISCUSSION:** State law requires that each agenda of a governing body provide an opportunity for members of the public to address the legislative body on items of interest to the public within the body's subject matter of jurisdiction.

Accordingly, this item has been placed on the agenda to afford an opportunity for public comment at this time.

CB/dl

Public Comment  
#1  
5-1-07

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AGENDA ITEM

RDA MEETING OF: 5/1/07

SUBMITTED BY: Carolee Bates  
Board Secretary

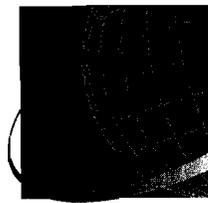
DATE: 4/24/07

SUBJECT: PRESENTATION OF REVISIONS TO AGENDA

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VICTORVILLE

California

VICTORVILLE REDEVELOPMENT AGENCY
BOARD OF DIRECTORS
MEETING OF: May 1, 2007

SUBMITTED BY: Keith C. Metzler (signature) DATE: April 23, 2007
Director of Economic Development

SUBJECT: Owner Participation Agreement- Increased Budget
Civic Rogers, LLC (Home Depot Project)

RECOMMENDATION: That your Honorable Board authorizes an additional
appropriation in the amount of \$280,504 for an increase to the offsite reimbursement
budget established in the Owner Participation Agreement (OPA) by and between the
Victorville Redevelopment Agency and Civic Rogers, LLC

FISCAL IMPACT: \$280,504

—FINANCE DEPARTMENT USE ONLY—

Additional Appropriation:
540600-76931-90022-89044-54104

Yes/\$Amount \$280,504
Finance Director Review
Approval (signature)

DISCUSSION:

On April 19, 2005 your Honorable Board of Directors approved an Owner Participation
Agreement (OPA) by and between the Victorville Redevelopment Agency and Civic
Rogers, LLC, in an effort to facilitate further development within the Hook
Redevelopment Project Area. The OPA provided for the development of an
approximately 175,000 square foot multi- tenant shopping center, with a Home Depot
store as its major tenant, and smaller outpads with restaurant and ancillary retail uses.

As a condition of the OPA, the Agency agreed to reimburse the developer for certain
offsite improvements relative to the project. Because the reimbursement amount was
based on preliminary estimates, the OPA provided an opportunity for the developer to
seek additional funding based on actual costs. The Agency has recently reviewed such a
request from the developer. Staff has thoroughly reviewed the proposed budget
increases and supporting documentation submitted by Civic Rogers, LLC and has
determined an increase of \$280,504 is justifiable. Staff is requesting that your
Honorable Board of Directors approve the additional appropriation, representing an
increased budget of \$1,409,720 to \$1,690,224.

Staff remains available for any questions or comments you may have.

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**VICTORVILLE JOINT POWERS  
FINANCING AUTHORITY  
AGENDA**

SPECIAL MEETING  
MAY 1, 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 VICTORVILLE JOINT POWERS FINANCING AUTHORITY 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

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**PUBLIC COMMENT**

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**PUBLIC HEARING**

3. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. JPFA 07-001 ENTITLED:

RESOLUTION OF THE VICTORVILLE JOINT POWERS FINANCING AUTHORITY APPROVING THE ISSUANCE OF ITS VARIABLE RATE LEASE REVENUE BONDS, 2007 SERIES A (COGENERATION FACILITY PROJECT) IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$85,000,000; APPROVING AN INDENTURE, A SITE LEASE, A LEASE AGREEMENT, AN ASSIGNMENT AGREEMENT, A PRELIMINARY OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT AND A REMARKETING AGREEMENT; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

**ADJOURNMENT OF MEETING**



AGENDA ITEM

JPFA MEETING OF: MAY 1, 2007

SUBMITTED BY: Carolee Bates  
Authority Secretary

DATE: 4/23/07

SUBJECT: PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

RECOMMENDATION: N/A

FISCAL IMPACT: N/A

Budget Amount:  
Budget Acct. No.:

--Finance Department Use Only--  
Additional Appropriation:

No  
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Finance Director Review and Approval \_\_\_\_\_

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JPFA MEETING OF: 5/1/07

SUBMITTED BY: Carolee Bates  
Board Secretary

DATE: 4/24/07

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DISCUSSION: All revisions to the agenda will be presented at this time.

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AGENDA ITEM

JPFA MEETING OF: 5/1/07

SUBMITTED BY:

Carolee Bates   
Board Secretary

DATE: 4/24/07

SUBJECT: PUBLIC HEARING - RESOLUTION NO. JPFA 07-001 APPROVING  
ISSUANCE OF VARIABLE RATE LEASE REVENUE BONDS, 2007  
SERIES A (COGENERATION FACILITY PROJECT) AND RELATED  
DOCUMENTS IN CONNECTION THEREWITH

RECOMMENDATION: That the JPFA Board adopt Resolution No. JPFA 07-001 at  
the conclusion of the public hearing.

DISCUSSION: Attached for the Board's consideration and adoption at the  
conclusion of the public hearing is proposed Resolution No. JPFA 07-001.  
Accompanying Resolution No. JPFA 07-001 are Site Leases between the City of  
Victorville and the Victorville Joint Powers Financing Authority, Victorville Recreation  
and Park District and Victorville Fire Protection District relating to Victorville Joint  
Powers Financing Authority Variable Rate Lease Revenue Bonds, 2007 Series A  
(Cogeneration Facility Project).

The following documents have also been received in conjunction with this transaction  
and are available for review in the City Clerk's office:

- 1) Assignment Agreement
- 2) Reimbursement Agreement
- 3) Preliminary Official Statement
- 4) Remarketing Agreement

/cb  
Attachments

**RESOLUTION NO. JPFA 07-001**

**RESOLUTION OF THE VICTORVILLE JOINT POWERS FINANCING AUTHORITY APPROVING THE ISSUANCE OF ITS VARIABLE RATE LEASE REVENUE BONDS, 2007 SERIES A (COGENERATION FACILITY PROJECT) IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$85,000,000; APPROVING AN INDENTURE, A SITE LEASE, A LEASE AGREEMENT, AN ASSIGNMENT AGREEMENT, A PRELIMINARY OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT AND A REMARKETING AGREEMENT; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH**

**WHEREAS**, the City of Victorville (the “City”) and the Victorville Redevelopment Agency (the “Agency”) have heretofore entered into a Joint Exercise of Powers Agreement establishing the Victorville Joint Powers Financing Authority (the “Authority”) for the purpose, among other things, of issuing its bonds to be used to provide financing and refinancing for public capital improvements of the City and the Agency; and

**WHEREAS**, the Authority has previously issued its Variable Rate Lease Revenue Bonds, 2005 Series A (Cogeneration Facility Project) (the “2005 Bonds”); and

**WHEREAS**, the Authority has also previously issued its Variable Rate Lease Revenue Bonds, 2006 Series A (Cogeneration Facility Expansion Project) (the “2006 Bonds”); and

**WHEREAS**, the Authority wishes to issue its Variable Rate Lease Revenue Bonds, 2007 Series A (Cogeneration Facility Project) (the “Bonds”) to refund the 2005 Bonds and the 2006 Bonds and to assist the City in financing certain additional improvements to a cogeneration power plant project and other related facilities (collectively, the “Project”);

**WHEREAS**, the City will lease to the Authority its fee and/or leasehold interest in certain real property and improvements thereon (the “Leased Property”) pursuant to a Site Lease (the “Site Lease”); and

**WHEREAS**, the Authority, concurrently with the execution of the Site Lease, will lease the Leased Property back to the City pursuant to a Lease Agreement, in consideration for base rental payments equal to the principal and interest coming due on the Bonds; and

**WHEREAS**, the Bonds are to be issued pursuant to the Marks-Roos Local Bond Pooling Act of 1985 (the “Act”), constituting Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California; and

**WHEREAS**, the City, as one of the members of the Authority, has heretofore held a public hearing pursuant to Section 6586.5 of the Act and in connection therewith has approved the Authority’s financing of the Project and has found and determined that (i) the Project is to be located within the boundaries of the City and (ii) there are significant public benefits arising from the Authority’s issuance of the Bonds to finance the Project as contemplated by Section 6586 of the Act; and

**WHEREAS**, the Authority has reviewed the documentation related to the issuance of the Bonds which documentation is on file with the Secretary of the Authority;

NOW THEREFORE, THE GOVERNING BOARD OF THE VICTORVILLE JOINT POWERS FINANCING AUTHORITY DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Authority hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The Authority hereby finds and determines that the issuance of the Bonds will result in significant public benefits within the contemplation of Section 6586 of the Act.

Section 3. The Authority hereby approves the issuance of the Bonds in an aggregate principal amount not to exceed \$85,000,000.

Section 4. The Indenture, in substantially the form on file with the Secretary of the Authority and presented to the Board at this meeting, is hereby approved. Any one of the President, the Executive Director, the Treasurer or the Secretary of the Authority, or any designee of any of them (each, an “Authorized Officer” and collectively, the “Authorized Officers”), is hereby authorized and directed, for and in the name and on behalf of the Authority, to execute and deliver the Indenture, with such insertions and changes as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery.

Section 5. The Site Lease, in substantially the form on file with the Secretary of the Authority and presented to the Board at this meeting, is hereby approved. Any one of the Authorized Officers is hereby authorized and directed, for and in the name and on behalf of the Authority, to execute and deliver the Site Lease, with such insertions and changes as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery.

Section 6. The Lease Agreement, in substantially the form on file with the Secretary of the Authority and presented to the Board at this meeting, is hereby approved. Any one of the Authorized Officers is hereby authorized and directed, for and in the name and on behalf of the Authority, to execute and deliver the Lease Agreement, with such insertions and changes as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery.

Section 7. The Assignment Agreement, in substantially the form on file with the Secretary of the Authority and presented to the Board at this meeting, is hereby approved. Any one of the Authorized Officers is hereby authorized and directed, for and in the name and on behalf of the Authority, to execute and deliver the Assignment Agreement, with such insertions and changes as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery.

Section 8. The Board hereby approves the use by the Underwriter of a Preliminary Official Statement relating to the Bonds, substantially in the form on file with the Secretary of the Authority and presented to the Board at this meeting (the "Preliminary Official Statement") and following pricing, an Official Statement in connection with the sale of the Bonds (the "Official Statement"), in each case with such changes as may be approved by the Authorized Officer and any one of the Authorized Officers is authorized to deliver copies of the Preliminary Official Statement and the Official Statement with such changes therein as such Authorized Officer shall approve, in his or her discretion, as being in the best interests of the Authority. Upon the approval of such changes by such Authorized Officer, the Preliminary Official Statement shall be "deemed final" as of its date except for the omission of certain information as provided in and pursuant to Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended. The Authorized Officer is hereby authorized and directed to execute such Official Statement with such changes therein, deletions therefrom and modifications thereto as such Authorized Officer may approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 9. The Remarketing Agreement, in substantially the form on file with the Secretary of the Authority and presented to the Board at this meeting, is hereby approved. Any one of the Authorized Officers is hereby authorized and directed, for and in the name and on behalf of the Authority, to execute and deliver the Remarketing Agreement, with such insertions and changes as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery.

Section 10. The Bond Purchase Agreement, in substantially the form on file with the Secretary of the Authority and presented to the Board at this meeting, is hereby approved. Any one of the Authorized Officers is hereby authorized and directed, for and in the name and on behalf of the Authority, to execute and deliver the Bond Purchase Agreement with such insertions and changes and as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery. The underwriter's discount for the Bonds specified in the Bond Purchase Agreement shall not exceed 1.0%, exclusive of original issue discount.

Section 11. The Authorized Officers, other officers and employees of the Authority, members of the Authority's Governing Board, Bond Counsel and other consultants to and agents of the Authority, are each hereby authorized and directed to do all things and take all actions necessary or desirable to effectuate the transaction contemplated by this Resolution, including the procurement of bond insurance, and to execute such other assignments, agreements, certificates, receipts, endorsements, orders, opinions and other documents in connection with such transactions, including, without limitation, closing documents in connection with the issuance of the Bonds.

Section 12. All actions heretofore taken by the Authorized Officers and by any other officers, employees or agents of the Authority with respect to the issuance of the Bonds, or in connection with or related to any of the agreements or documents referenced herein, are hereby approved, confirmed and ratified.

Section 13. This Resolution shall become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Terry E. Caldwell, President

I, Carolee Bates, Secretary of the Victorville Joint Powers Financing Authority do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Governing Board of the Victorville Joint Powers Financing Authority at its regular meeting held on the \_\_\_\_ day of \_\_\_\_, 2007, by the following vote:

AYES:                      AUTHORITY MEMBERS:

NOES:                      AUTHORITY MEMBERS:

ABSENT:                      AUTHORITY MEMBERS:

ABSTAINED:                      AUTHORITY MEMBERS:

\_\_\_\_\_  
Carolee Bates, Secretary  
Victorville Joint Powers Financing Authority

RECORDING REQUESTED BY:  
CHICAGO TITLE AND WHEN  
RECORDED MAIL TO:

FULBRIGHT & JAWORSKI L.L.P.  
555 South Flower Street, Forty-First Floor  
Los Angeles, California 90071  
Attention: Don Hunt, Esq.

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SITE LEASE

by and between the

CITY OF VICTORVILLE

and

VICTORVILLE JOINT POWERS FINANCING AUTHORITY

RELATING TO

VICTORVILLE JOINT POWERS FINANCING AUTHORITY  
VARIABLE RATE LEASE REVENUE BONDS, 2007 SERIES A  
(COGENERATION FACILITY PROJECT)

Dated as of May 1, 2007

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This transaction is exempt from California documentary transfer tax pursuant to Section 11929 of the California Revenue and Taxation Code. This Document is recorded for the benefit of the Victorville Joint Powers Financing Authority and the City of Victorville and such recording fee is exempt under Section 6103 of the California Government Code.

## SITE LEASE

THIS SITE LEASE, dated as of May 1, 2007 (the "Site Lease"), is by and between the CITY OF VICTORVILLE, a municipal corporation duly organized and existing under the Constitution and laws of the State of California (the "City"), as lessor, and the VICTORVILLE JOINT POWERS FINANCING AUTHORITY, a joint exercise of powers agency organized and existing under the laws of the State of California (the "Authority"), as lessee;

### WITNESSETH:

WHEREAS, the City of Victorville (the "City") and the Redevelopment Agency of the City of Victorville (the "Agency") have formed the Authority under and pursuant to a joint exercise of powers agreement, dated as of September 1, 1980, by and between the City and the Agency under the provisions of Articles 1 through 4 (commencing with section 6500) of Chapter 5 of Division 7 of Title 1 of the California Government Code (the "Act"); and

WHEREAS, the Authority is authorized under the Marks-Roos Local Bond Pooling Act of 1985 (commencing with section 6584 of the Act) to incur indebtedness to finance and refinance public capital improvements (as such term is defined in the Act) and to lease and lease back such public capital improvements to its members and to others; and

WHEREAS, the Authority wishes to issue its Variable Rate Lease Revenue Bonds, 2007 Series A (Cogeneration Facility Project) (the "Bonds") to assist the City in financing and refinancing a cogeneration power plant project and other related facilities (the "Project"); and

WHEREAS, the City will lease to the Authority its fee interest in certain real property and improvements thereon (the "Leased Property") pursuant to this Site Lease; and

WHEREAS, the Authority, concurrently with the execution of this Site Lease, will lease the Leased Property back to the City pursuant to a Lease Agreement, dated as of May 1, 2007 (the "Lease"), in consideration for Base Rental payments equal to the principal and interest coming due on the Bonds; and

WHEREAS, the Authority and the City have duly authorized the execution and delivery of this Site Lease;

NOW, THEREFORE, for and in consideration of the premises and the material covenants hereinafter contained, the parties hereto hereby formally covenant, agree and bind themselves as follows:

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED, as follows:

**SECTION 1. Site Lease.** The City hereby leases the Leased Property to the Authority and the Authority hereby leases the Leased Property from the City, on the terms and conditions hereinafter set forth, consisting of those certain parcels of real property situated in San Bernardino County, State of California, and described in Exhibit A.

**SECTION 2. Term.** The term of this Site Lease shall commence on May \_\_, 2007, and shall end on May 1, 20\_\_, unless such term is extended or sooner terminated as hereinafter provided. If, on May 1, 20\_\_, the Indenture shall not be discharged by its terms or if the rental payable under the Lease shall have been abated at any time and for any reason or if any amounts remain owing to the Credit Entity under the Reimbursement Agreement, then the term of this Site Lease shall be extended until ten (10)

days after the Indenture shall have been discharged and all amounts owing to the Credit Entity under the Reimbursement Agreement have been paid. If, prior to May 1, 2037, the Indenture shall be discharged by its terms, the term of this Site Lease shall thereupon end.

SECTION 3. Rental. The City acknowledge receipt from the Authority as and for rental hereunder the proceeds of the Bonds in an amount sufficient to finance the Project, on the date of delivery of this Site Lease.

SECTION 4. Purpose. The Authority shall use the Leased Property solely for the purpose of acquiring leasehold title to the Leased Property and leasing the Leased Property to the City pursuant to the Lease and for such purposes as may be incidental thereto; provided, however, that in the event of default by the City under the Lease the Authority and its assigns may exercise the remedies provided in the Lease.

SECTION 5. Reserved.

SECTION 6. Assignment and Subleases. The Authority may not assign its rights under this Site Lease or sublet the Leased Property, except as provided in the Lease, without the prior written consent of the Credit Entity and the City, in their sole discretion.

SECTION 7. Right of Entry. The City reserves the right for any of its duly authorized representatives to enter upon the Leased Property at any reasonable time to inspect the same or to make any repairs, improvements or changes necessary for the preservation thereof.

SECTION 8. Termination. The Authority agrees, upon the termination of this Site Lease, to quit and surrender the Leased Property in the same good order and condition as the same were in at the time of commencement of the term hereunder, reasonable wear and tear excepted, and the Authority and the City agree that any permanent improvements and structures existing upon the Leased Property at the time of the termination of this Site Lease shall remain thereon and title thereto shall be vested in the City.

SECTION 9. Default. In the event the Authority shall be in default in the performance of any obligation on its part to be performed under the terms of this Site Lease, which default continues for thirty (30) days following notice and demand for correction thereof to the Authority, the City may, with the consent of the Credit Entity or at the direction of the Credit Entity, exercise any and all remedies granted by law, except that no merger of this Site Lease and of the Lease shall be deemed to occur as a result thereof; *provided, however*, that the Base Rental (as defined in the Lease) shall continue to be paid to the Trustee.

SECTION 10. Quiet Enjoyment. The Authority at all times during the term of this Site Lease shall peaceably and quietly have, hold and enjoy all of the Leased Property subject to the provisions of the Lease.

SECTION 11. Waiver of Personal Liability. All liabilities under this Site Lease on the part of the Authority are solely liabilities of the Authority and the City hereby releases each and every, member, director, officer, employee and agent of the Authority of and from any personal or individual liability under this Site Lease. No member, director, officer, employee or agent of the Authority shall at any time or under any circumstances be individually or personally liable under this Site Lease for anything done or omitted to be done by the Authority hereunder.

SECTION 12. Taxes. The City covenants and agrees to pay any and all assessments of any kind or character and also all taxes, including possessory interest taxes, levied or assessed upon the Leased Property (including both land and improvements) and not paid by the City pursuant to the Lease.

SECTION 13. Eminent Domain. In the event the whole or any part of the Leased Property is taken by eminent domain proceedings, the interest of the Authority hereunder shall be recognized and is hereby determined to be the amount of the then unpaid principal of and interest on any then outstanding Bonds and all other obligations related to or in connection therewith, subject to the provisions of, and as described and provided in, the Lease and the Indenture, and the balance of the award, if any, shall be paid to the City as its interests shall appear.

SECTION 14. Partial Invalidity. If any one or more of the terms, provisions, covenants or conditions of this Site Lease shall to any extent be declared invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, the finding or order or decree of which becomes final, none of the remaining terms, provisions, covenants and conditions of this Site Lease shall be affected thereby, and each provision of this Site Lease shall be valid and enforceable to the fullest extent permitted by law.

SECTION 15. Section Headings. All section headings contained herein are for convenience of reference only and are not intended to define or limit the scope of any provision of this Site Lease.

SECTION 16. Third Party Beneficiary. The Credit Entity is hereby designated a third party beneficiary hereunder for the purpose of enforcing any of the rights hereunder assigned to the Trustee under the Assignment Agreement.

SECTION 17. Amendments. This Site Lease may be amended in writing as may be mutually agreed by the Authority and the City, subject to the prior written consent of the Credit Entity.

SECTION 18. Execution. This Site Lease may be executed in any number of counterparts, each of which shall be deemed to be an original but all together shall constitute but one and the same lease.

IN WITNESS WHEREOF, the City and the Authority have caused this Site Lease to be executed by their respective officers thereunto duly authorized, all as of the day and year first above written.

CITY OF VICTORVILLE, as Lessor

By \_\_\_\_\_  
Mayor

VICTORVILLE JOINT POWERS  
FINANCING AUTHORITY, as Lessee

By \_\_\_\_\_  
Executive Director

**INSERT 4 NOTARY JURATS HERE**

EXHIBIT A

LEGAL DESCRIPTION OF THE LEASED PROPERTY

The Leased Property is comprised of those parcels of real property located within the City of Victorville and commonly known as:

City Hall  
Green Tree Golf Course  
Mojave Vista Park  
8th Street Community Center  
Activities Center  
Avalon Park  
Village Park  
Center Street Park  
Eagle Ranch Park  
Fire Station 311  
Fire Station 312  
Fire Station 313  
Fire Station 314  
Forrest Park  
Grady Trammel Park  
Sunset Ridge Park  
Victorville Police Station  
Corporate Yard  
Liberty Park  
Library  
Pebble Beach Park and Recreation Center  
Transportation Center CNG Station

The legal descriptions for the Leased Property are as follows:

(See attached)

RECORDING REQUESTED BY:  
CHICAGO TITLE AND WHEN  
RECORDED MAIL TO:

FULBRIGHT & JAWORSKI L.L.P.  
555 South Flower Street, 41st Floor  
Los Angeles, California 90071  
Attention: Don Hunt, Esq.

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SITE LEASE

by and between the

VICTORVILLE RECREATION AND PARK DISTRICT

and

CITY OF VICTORVILLE

RELATING TO

VICTORVILLE JOINT POWERS FINANCING AUTHORITY  
VARIABLE RATE LEASE REVENUE BONDS, 2007 Series A  
(COGENERATION FACILITY PROJECT)

Dated as of May 1, 2007

---

This transaction is exempt from California documentary transfer tax pursuant to Section 11929 of the California Revenue and Taxation Code. This Document is recorded for the benefit of the Victorville Joint Powers Financing Authority and the City of Victorville and such recording fee is exempt under Section 6103 of the California Government Code.

## SITE LEASE

THIS SITE LEASE, dated as of May 1, 2007 (the "Site Lease"), is by and between the VICTORVILLE RECREATION AND PARK DISTRICT, also known as Victorville Park and Recreation District (the "District"), as lessor, and the CITY OF VICTORVILLE, a municipal corporation duly organized and existing under the Constitution and laws of the State of California (the "City"), as lessee;

### WITNESSETH:

WHEREAS, the City of Victorville (the "City") and the Redevelopment Agency of the City of Victorville (the "Agency") have formed the Victorville Joint Power Financing Authority under and pursuant to a joint exercise of powers agreement, dated as of September 1, 1980, by and between the City and the Agency under the provisions of Articles 1 through 4 (commencing with section 6500) of Chapter 5 of Division 7 of Title 1 of the California Government Code (the "Act"); and

WHEREAS, the Authority is authorized under the Marks-Roos Local Bond Pooling Act of 1985 (commencing with section 6584 of the Act) to incur indebtedness to finance public capital improvements (as such term is defined in the Act) and to lease and lease back such public capital improvements to its members and to others; and

WHEREAS, the Authority wishes to issue its Variable Rate Lease Revenue Bonds, 2007 Series A (Cogeneration Facility Project) (the "Bonds") to assist the City in financing and refinancing a cogeneration power plant project and other related facilities;

WHEREAS, the District will lease to the City its fee interest in certain real property and improvements thereon (the "Leased Property") pursuant to this Site Lease; and

WHEREAS, the City will lease to the Authority its leasehold interest in the Leased Property pursuant to the Site Lease, dated as of May 1, 2007 (the "Authority Site Lease"), by and between the City and the Authority; and

WHEREAS, the Authority, concurrently with the execution of this Site Lease, will lease the Leased Property back to the City pursuant to a Lease Agreement, dated as of May 1, 2007 (the "Lease"), in consideration for Base Rental payments equal to the principal and interest coming due on the Bonds; and

WHEREAS, the District and the City have duly authorized the execution and delivery of this Site Lease;

NOW, THEREFORE, for and in consideration of the premises and the material covenants hereinafter contained, the parties hereto hereby formally covenant, agree and bind themselves as follows:

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED, as follows:

SECTION 1. Site Lease. The District hereby leases the Leased Property to the City and the City hereby leases the Leased Property from the District, on the terms and conditions hereinafter set forth, consisting of those certain parcels of real property situated in San Bernardino County, State of California, and described in Exhibit A.

SECTION 2. Term. The term of this Site Lease shall commence on May \_\_, 2007, and shall end on May 1, 20\_\_, unless such term is extended or sooner terminated as hereinafter provided. If, on May 1, 20\_\_, the Indenture shall not be discharged by its terms or if the rental payable under the Lease shall have been abated at any time and for any reason or if any amounts remain owing to the Credit Entity under the Reimbursement Agreement, then the term of this Site Lease shall be extended until ten (10) days after the Indenture shall have been discharged and all amounts owing to the Credit Entity under the Reimbursement Agreement have been paid. If, prior to May 1, 20\_\_, the Indenture shall be discharged by its terms, the term of this Site Lease shall thereupon end.

SECTION 3. Rental. The District acknowledge receipt from the City as and for rental hereunder \$1, on the date of delivery of this Site Lease.

SECTION 4. Purpose. The City shall use the Leased Property solely for the purpose of acquiring leasehold title to the Leased Property and leasing the Leased Property to the Authority pursuant to the Authority Site Lease and for such purposes as may be incidental thereto; provided, however, that in the event of default by the City under the Lease the Authority and its assigns may exercise the remedies provided in the Lease.

SECTION 5. Reserved.

SECTION 6. Assignment and Subleases. The City may not assign its rights under this Site Lease or sublet the Leased Property, except as provided in the Authority Site Lease and the Lease, without the prior written consent of the Credit Entity and the District, in their sole discretion.

SECTION 7. Right of Entry. The District reserves the right for any of its duly authorized representatives to enter upon the Leased Property at any reasonable time to inspect the same or to make any repairs, improvements or changes necessary for the preservation thereof.

SECTION 8. Termination. The City agrees, upon the termination of this Site Lease, to quit and surrender the Leased Property in the same good order and condition as the same were in at the time of commencement of the term hereunder, reasonable wear and tear excepted, and the District and the City agree that any permanent improvements and structures existing upon the Leased Property at the time of the termination of this Site Lease shall remain thereon and title thereto shall be vested in the District.

SECTION 9. Default. In the event the City shall be in default in the performance of any obligation on its part to be performed under the terms of this Site Lease, which default continues for thirty (30) days following notice and demand for correction thereof to the City, the District may, with the consent of the Credit Entity or at the direction of the Credit Entity, exercise any and all remedies granted by law, except that no merger of this Site Lease, the Authority Site

Lease and of the Lease shall be deemed to occur as a result thereof; *provided, however*, that the Base Rental (as defined in the Lease) shall continue to be paid to the Trustee.

SECTION 10. Quiet Enjoyment. The City at all times during the term of this Site Lease shall peaceably and quietly have, hold and enjoy all of the Leased Property subject to the provisions of the Authority Site Lease and the Lease.

SECTION 11. Waiver of Personal Liability. All liabilities under this Site Lease on the part of the City are solely liabilities of the City and the District hereby releases each and every, member, director, officer, employee and agent of the City of and from any personal or individual liability under this Site Lease. No member, director, officer, employee or agent of the City shall at any time or under any circumstances be individually or personally liable under this Site Lease for anything done or omitted to be done by the City hereunder.

SECTION 12. Taxes. The District covenants and agrees to pay any and all assessments of any kind or character and also all taxes, including possessory interest taxes, levied or assessed upon the Leased Property (including both land and improvements) and not paid by the City pursuant to the Lease.

SECTION 13. Eminent Domain. In the event the whole or any part of the Leased Property is taken by eminent domain proceedings, the interest of the City hereunder shall be recognized and is hereby determined to be the amount of the then unpaid principal of and interest on any then outstanding Bonds and all other obligations related to or in connection therewith, subject to the provisions of, and as described and provided in, the Lease and the Indenture, and the balance of the award, if any, shall be paid to the District as its interests shall appear.

SECTION 14. Partial Invalidity. If any one or more of the terms, provisions, covenants or conditions of this Site Lease shall to any extent be declared invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, the finding or order or decree of which becomes final, none of the remaining terms, provisions, covenants and conditions of this Site Lease shall be affected thereby, and each provision of this Site Lease shall be valid and enforceable to the fullest extent permitted by law.

SECTION 15. Section Headings. All section headings contained herein are for convenience of reference only and are not intended to define or limit the scope of any provision of this Site Lease.

SECTION 16. Third Party Beneficiary. The Credit Entity is hereby designated a third party beneficiary hereunder for the purpose of enforcing any of the rights hereunder assigned to the Trustee under the Assignment Agreement.

SECTION 17. Amendments. This Site Lease may be amended in writing as may be mutually agreed by the District and the City, subject to the prior written consent of the Credit Entity.

SECTION 18. Execution. This Site Lease may be executed in any number of counterparts, each of which shall be deemed to be an original but all together shall constitute but one and the same lease.

IN WITNESS WHEREOF, the District and the City have caused this Site Lease to be executed by their respective officers thereunto duly authorized, all as of the day and year first above written.

VICTORVILLE RECREATION AND PARK  
DISTRICT, as Lessor

By \_\_\_\_\_

Title \_\_\_\_\_

CITY OF VICTORVILLE, as Lessee

By \_\_\_\_\_

Title \_\_\_\_\_

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_

/\_\_\_/ personally known to me, or

/\_\_\_/ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_

/\_\_\_/ personally known to me, or

/\_\_\_/ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_

/\_\_\_/ personally known to me, or

/\_\_\_/ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

EXHIBIT A

LEGAL DESCRIPTION OF THE LEASED PROPERTY

The Leased Property is comprised of those parcels of real property located within the City of Victorville and commonly known as:

8th Street Community Center;  
Avalon Park;  
Village Park;  
Center Street Park; and  
Pebble Beach Park and Recreation Center.

The legal descriptions for the Leased Property are as follows:

(See attached)

RECORDING REQUESTED BY:  
CHICAGO TITLE AND WHEN  
RECORDED MAIL TO:

FULBRIGHT & JAWORSKI L.L.P.  
555 South Flower Street, 41st Floor  
Los Angeles, California 90071  
Attention: Don Hunt, Esq.

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SITE LEASE

by and between the

THE VICTORVILLE FIRE PROTECTION DISTRICT

and

CITY OF VICTORVILLE

RELATING TO

VICTORVILLE JOINT POWERS FINANCING AUTHORITY  
VARIABLE RATE LEASE REVENUE BONDS, 2007 SERIES A  
(COGENERATION FACILITY PROJECT)

Dated as of May 1, 2007

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This transaction is exempt from California documentary transfer tax pursuant to Section 11929 of the California Revenue and Taxation Code. This Document is recorded for the benefit of the Victorville Joint Powers Financing Authority and the City of Victorville and such recording fee is exempt under Section 6103 of the California Government Code.

## SITE LEASE

THIS SITE LEASE, dated as of May 1, 2007 (the "Site Lease"), is by and between THE VICTORVILLE FIRE PROTECTION DISTRICT (the "District"), as lessor, and the CITY OF VICTORVILLE, a municipal corporation duly organized and existing under the Constitution and laws of the State of California (the "City"), as lessee;

### W I T N E S S E T H:

WHEREAS, the City of Victorville (the "City") and the Redevelopment Agency of the City of Victorville (the "Agency") have formed the Victorville Joint Power Financing Authority under and pursuant to a joint exercise of powers agreement, dated as of September 1, 1980, by and between the City and the Agency under the provisions of Articles 1 through 4 (commencing with section 6500) of Chapter 5 of Division 7 of Title 1 of the California Government Code (the "Act"); and

WHEREAS, the Authority is authorized under the Marks-Roos Local Bond Pooling Act of 1985 (commencing with section 6584 of the Act) to incur indebtedness to finance public capital improvements (as such term is defined in the Act) and to lease and lease back such public capital improvements to its members and to others; and

WHEREAS, the Authority wishes to issue its Variable Rate Lease Revenue Bonds, 2007 Series A (Cogeneration Facility Project) (the "Bonds") to assist the City in financing and refinancing a cogeneration power plant project and other related facilities;

WHEREAS, the District will lease to the City its fee interest in certain real property and improvements thereon (the "Leased Property") pursuant to this Site Lease; and

WHEREAS, the City will lease to the Authority its leasehold interest in the Leased Property pursuant to the Site Lease, dated as of May 1, 2007 (the "Authority Site Lease"), by and between the City and the Authority; and

WHEREAS, the Authority, concurrently with the execution of this Site Lease, will lease the Leased Property back to the City pursuant to a Lease Agreement, dated as of May 1, 2007 (the "Lease"), in consideration for Base Rental payments equal to the principal and interest coming due on the Bonds; and

WHEREAS, the District and the City have duly authorized the execution and delivery of this Site Lease;

NOW, THEREFORE, for and in consideration of the premises and the material covenants hereinafter contained, the parties hereto hereby formally covenant, agree and bind themselves as follows:

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED, as follows:

SECTION 1. Site Lease. The District hereby leases the Leased Property to the City and the City hereby leases the Leased Property from the District, on the terms and conditions

hereinafter set forth, consisting of those certain parcels of real property situated in San Bernardino County, State of California, and described in Exhibit A.

SECTION 2. Term. The term of this Site Lease shall commence on May \_\_, 2007, and shall end on May 1, 20\_\_, unless such term is extended or sooner terminated as hereinafter provided. If, on May 1, 20\_\_, the Indenture shall not be discharged by its terms or if the rental payable under the Lease shall have been abated at any time and for any reason or if any amounts remain owing to the Credit Entity under the Reimbursement Agreement, then the term of this Site Lease shall be extended until ten (10) days after the Indenture shall have been discharged and all amounts owing to the Credit Entity under the Reimbursement Agreement have been paid. If, prior to May 1, 20\_\_, the Indenture shall be discharged by its terms, the term of this Site Lease shall thereupon end.

SECTION 3. Rental. The District acknowledge receipt from the City as and for rental hereunder \$1, on the date of delivery of this Site Lease.

SECTION 4. Purpose. The City shall use the Leased Property solely for the purpose of acquiring leasehold title to the Leased Property and leasing the Leased Property to the Authority pursuant to the Authority Site Lease and for such purposes as may be incidental thereto; provided, however, that in the event of default by the City under the Lease the Authority and its assigns may exercise the remedies provided in the Lease.

SECTION 5. Reserved.

SECTION 6. Assignment and Subleases. The City may not assign its rights under this Site Lease or sublet the Leased Property, except as provided in the Authority Site Lease and the Lease, without the prior written consent of the Credit Entity and the District, in their sole discretion.

SECTION 7. Right of Entry. The District reserves the right for any of its duly authorized representatives to enter upon the Leased Property at any reasonable time to inspect the same or to make any repairs, improvements or changes necessary for the preservation thereof.

SECTION 8. Termination. The City agrees, upon the termination of this Site Lease, to quit and surrender the Leased Property in the same good order and condition as the same were in at the time of commencement of the term hereunder, reasonable wear and tear excepted, and the District and the City agree that any permanent improvements and structures existing upon the Leased Property at the time of the termination of this Site Lease shall remain thereon and title thereto shall be vested in the District.

SECTION 9. Default. In the event the City shall be in default in the performance of any obligation on its part to be performed under the terms of this Site Lease, which default continues for thirty (30) days following notice and demand for correction thereof to the City, the District may, with the consent of the Credit Entity or at the direction of the Credit Entity, exercise any and all remedies granted by law, except that no merger of this Site Lease, the Authority Site Lease and of the Lease shall be deemed to occur as a result thereof; *provided, however*, that the Base Rental (as defined in the Lease) shall continue to be paid to the Trustee.

SECTION 10. Quiet Enjoyment. The City at all times during the term of this Site Lease shall peaceably and quietly have, hold and enjoy all of the Leased Property subject to the provisions of the Authority Site Lease and the Lease.

SECTION 11. Waiver of Personal Liability. All liabilities under this Site Lease on the part of the City are solely liabilities of the City and the District hereby releases each and every, member, director, officer, employee and agent of the City of and from any personal or individual liability under this Site Lease. No member, director, officer, employee or agent of the City shall at any time or under any circumstances be individually or personally liable under this Site Lease for anything done or omitted to be done by the City hereunder.

SECTION 12. Taxes. The District covenants and agrees to pay any and all assessments of any kind or character and also all taxes, including possessory interest taxes, levied or assessed upon the Leased Property (including both land and improvements) and not paid by the City pursuant to the Lease.

SECTION 13. Eminent Domain. In the event the whole or any part of the Leased Property is taken by eminent domain proceedings, the interest of the City hereunder shall be recognized and is hereby determined to be the amount of the then unpaid principal of and interest on any then outstanding Bonds and all other obligations related to or in connection therewith, subject to the provisions of, and as described and provided in, the Lease and the Indenture, and the balance of the award, if any, shall be paid to the District as its interests shall appear.

SECTION 14. Partial Invalidity. If any one or more of the terms, provisions, covenants or conditions of this Site Lease shall to any extent be declared invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, the finding or order or decree of which becomes final, none of the remaining terms, provisions, covenants and conditions of this Site Lease shall be affected thereby, and each provision of this Site Lease shall be valid and enforceable to the fullest extent permitted by law.

SECTION 15. Section Headings. All section headings contained herein are for convenience of reference only and are not intended to define or limit the scope of any provision of this Site Lease.

SECTION 16. Third Party Beneficiary. The Credit Entity is hereby designated a third party beneficiary hereunder for the purpose of enforcing any of the rights hereunder assigned to the Trustee under the Assignment Agreement.

SECTION 17. Amendments. This Site Lease may be amended in writing as may be mutually agreed by the District and the City, subject to the prior written consent of the Credit Entity.

SECTION 18. Execution. This Site Lease may be executed in any number of counterparts, each of which shall be deemed to be an original but all together shall constitute but one and the same lease.

IN WITNESS WHEREOF, the District and the City have caused this Site Lease to be executed by their respective officers thereunto duly authorized, all as of the day and year first above written.

THE VICTORVILLE FIRE PROTECTION DISTRICT, as Lessor

By \_\_\_\_\_

Title \_\_\_\_\_

CITY OF VICTORVILLE, as Lessee

By \_\_\_\_\_

Title \_\_\_\_\_

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_

/\_\_\_/ personally known to me, or

/\_\_\_/ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_

/\_\_\_/ personally known to me, or

/\_\_\_/ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_

/\_\_\_/ personally known to me, or

/\_\_\_/ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

## EXHIBIT A

### LEGAL DESCRIPTION OF THE LEASED PROPERTY

The Leased Property is comprised of those parcels of real property located within the City of Victorville and commonly known as Fire Station 311. The legal description for the Leased Property is as follows:

(See attached)

**CITY OF VICTORVILLE  
CITY COUNCIL  
AGENDA**

REGULAR MEETING  
MAY 1, 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 JOINT POWERS FINANCING AUTHORITY

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 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

**PRESENTATION**

PROCLAMATION – “NATIONAL PUBLIC WORKS WEEK”  
PROCLAMATION – “HOLOCAUST REMEMBRANCE DAY”  
PROCLAMATION - “SAN BERNARDINO COUNTY FAIR”

**PUBLIC COMMENT**

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

**REVISIONS TO AGENDA**

2. PRESENTATION OF REVISIONS TO AGENDA

**PUBLIC HEARINGS**

3. A PUBLIC HEARING CALLED TO: 1) RECEIVE CITIZEN AND AGENCY COMMENTS REGARDING THE DRAFT ANNUAL ACTION PLAN AND CONSOLIDATED PLAN (THE PLANS); 2) ADOPT THE HOUSING AND COMMUNITY DEVELOPMENT (HCD) PROJECTS SET FORTH BY COUNCIL AT ITS MARCH 6, 2007 MEETING; AND 3) APPROVE AND ADOPT THE PLANS AS PRESENTED FOR SUBMITTAL TO DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS FOR SUBMITTAL TO HUD
  
4. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 07-111 ENTITLED:  
  
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING SITE LEASES, A LEASE AGREEMENT, A PRELIMINARY OFFICIAL STATEMENT, A REIMBURSEMENT AGREEMENT AND A BOND PURCHASE AGREEMENT; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH
  
5. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-048 AND 07-049:
  - A. RESOLUTION NO. 07-048 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972
  
  - B. RESOLUTION NO. 07-049 ENTITLED:  
  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 13816 AND 16463
  
6. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-050 AND 07-051:
  - A. RESOLUTION NO. 07-050 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B. RESOLUTION NO. 07-051 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 14132, 16777 AND 16778

**7. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-052 AND 07-053:**

**A. RESOLUTION NO. 07-052 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B. RESOLUTION NO. 07-053 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 14627

**8. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-054 AND 07-055:**

**A. RESOLUTION NO. 07-054 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN

ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE  
LANDSCAPING AND LIGHTING ACT OF 1972

**B.** RESOLUTION NO. 07-055 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 14721, 14751 AND 14992

**9.** A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-056 AND 07-057:

**A.** RESOLUTION NO. 07-056 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B.** RESOLUTION NO. 07-057 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 14641 AND 15297

**10.** A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-058 AND 07-059:

**A.** RESOLUTION NO. 07-058 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B.** RESOLUTION NO. 07-059 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 15084

11. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-060 AND 07-061:

A. RESOLUTION NO. 07-060 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 07-061 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 15219

12. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-062 AND 07-063:

A. RESOLUTION NO. 07-062 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 07-063 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 15294

13. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-064 AND 07-065:

A. RESOLUTION NO. 07-064 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 07-065 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 15310, 17089, 17090 AND 17599

14. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-066 AND 07-067:

A. RESOLUTION NO. 07-066 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 07-067 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE

INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 16063-3

15. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-068 AND 07-069:

A. RESOLUTION NO. 07-068 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 07-069 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 16504-1 to 3 AND 17151

16. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-070 AND 07-071:

A. RESOLUTION NO. 07-070 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 07-071 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 16675

**17. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-072 AND 07-073:**

**A. RESOLUTION NO. 07-072 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B. RESOLUTION NO. 07-073 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 16720, 16887-2, 16888 AND 16889

**18. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-074 AND 07-075:**

**A. RESOLUTION NO. 07-074 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B. RESOLUTION NO. 07-075 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17129 AND 17200

**19. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-076 AND 07-077:**

**A. RESOLUTION NO. 07-076 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B. RESOLUTION NO. 07-077 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17179

**20. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-078 AND 07-079:**

**A. RESOLUTION NO. 07-078 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B. RESOLUTION NO. 07-079 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17255

**21. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-080 AND 07-081:**

**A. RESOLUTION NO. 07-080 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN

ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE  
LANDSCAPING AND LIGHTING ACT OF 1972

**B.** RESOLUTION NO. 07-081 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17308, 17582, 17583 AND 17584

**22.** A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-082 AND 07-083:

**A.** RESOLUTION NO. 07-082 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B.** RESOLUTION NO. 07-083 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17426

**23.** A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-084 AND 07-085:

**A.** RESOLUTION NO. 07-084 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B.** RESOLUTION NO. 07-085 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17614

24. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-086 AND 07-087:

A. RESOLUTION NO. 07-086 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 STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 07-087 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17839

### CONSENT CALENDAR

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

A. PRESENTATION OF REQUEST FOR APPROVAL OF COMMERCIAL DEMAND SCHEDULE NO. 18 IN THE AMOUNT OF \$5,139,634.81 COVERING WARRANT NOS. 575428, 576576, 577069, 577074, 577373, 577418, 577425, 577456, 577488, 578756, 578786, 578789, 579131, 579139, 579140, 579832, 579838, 580455, 581069, 581121, 581134, 581147, 581205, 582654, 582656, 582657, 582719, 570030, 571234, 577644, 577669, 577695, 577761, 577779, 578373, 578834, 579255, 579535, 579544, 581404, 582329, 584568, 585460, 585951, 585962 AND 586269 THROUGH 586820 INCLUSIVE

- B. PRESENTATION OF REQUEST FOR APPROVAL OF PAYROLL DEMAND SCHEDULE NO. 10A FOR PAYROLL PERIOD MARCH 24, 2007 THROUGH APRIL 6, 2007, IN THE AMOUNT OF \$1,357,375.76 COVERING WARRANT NOS. 21462 THROUGH 21519 AND ADVICE NOS. 112824 THROUGH 113409 INCLUSIVE AND VOID OF ADVICE NO. 112673
- C. PRESENTATION OF REQUEST TO ACCEPT THE FOLLOWING STAFF REPORTS:
  - 1. PUBLIC WORKS DEPARTMENT – FEBRUARY 2007
  - 2. PUBLIC WORKS DEPARTMENT – MARCH 2007
- D. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO GREAT WESTERN PARK & PLAYGROUND FOR THE PIGGYBACK PURCHASE AND INSTALLATION OF NEW PLAYGROUND EQUIPMENT AT EAGLE RANCH PARK AND THE DEMOLITION OF THE OLD PLAYGROUND EQUIPMENT IN THE AMOUNT OF \$25,562.99
- E. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO TRANS-WEST TRUCK CENTER FOR THE PIGGYBACK PURCHASE OF ONE (1) NEW 10-WHEEL DUMPTRUCK VEHICLE IN THE AMOUNT OF \$108,195.00
- F. PRESENTATION OF REQUEST TO APPROVE THE SUBSTITUTION OF BONDS FOR TRACT 15295 – CENTURY CROWELL COMMUNITIES
- G. PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND ONLY FOR THE STORM DRAIN FOR TRACT 16138-3 – K HOVNANIAN HOMES
- H. PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND FOR STREET, SEWER AND STORM DRAIN ONLY FOR TRACT 16696 – FRONTIER HOMES
- I. PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE FAITHFUL PERFORMANCE BOND FOR SEWERS AND STREETS FOR TRACT 16446 – JD PIERCE
- J. PRESENTATION OF REQUEST FOR A PARTIAL RELEASE OF A LAND DIVISION IMPROVEMENT CONSTRUCTION AGREEMENT FOR PARCEL MAP 4200 FOR PROPERTY LOCATED ON MCART ROAD – JD PIERCE COMPANY
- K. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE SEWER BOND FOR TRACT 16936 – FRONTIER HOMES

- L. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET BOND FOR TRACT 14798 – FRONTIER HOMES
- M. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE SEWER BOND FOR TRACT 14798 – FRONTIER HOMES
- N. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STORM DRAIN BOND FOR TRACT 14798 – FRONTIER HOMES
- O. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET BOND FOR TRACT 15456 – FRONTIER HOMES
- P. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE SEWER BOND FOR TRACT 15456 – FRONTIER HOMES
- Q. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE SEWER BONDS FOR TRACT 16247-3 TO 6 – COVENANT DEVELOPMENT
- R. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE SEWER BOND FOR TRACT 16696 – FRONTIER HOMES
- S. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE SEWER BOND FOR TRACT 16853 – FRONTIER HOMES
- T. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE SEWER BOND FOR TRACT 16860 – FRONTIER HOMES
- U. PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET BOND FOR TRACT 16936 – FRONTIER HOMES
- V. PRESENTATION OF REQUEST TO APPROVE THE NOTICE OF COMPLETION FOR THE CONSTRUCTION HELI TIE DOWN

**WRITTEN COMMUNICATIONS**

- 26. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-109 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT SUBMITTED FOR THE FORMATION OF THE NISQUALLI ROAD SIDEWALK ASSESSMENT DISTRICT NO. 1 UNDER THE IMPROVEMENT ACT OF 1911 AND THE MUNICIPAL IMPROVEMENT ACT OF 1913

27. PRESENTATION OF REQUEST TO 1) APPROPRIATE \$104,000 FROM GENERAL FUND CONTRACT SERVICES AND 2) AWARD A SERVICE PROVIDER AGREEMENT TO PKA CONSULTING SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$104,000 FOR MAP AND PLAN CHECK REVIEW SERVICES
28. PRESENTATION OF REQUEST TO APPROVE AN INCREASE TO THE CONTRACT WITH THE INDUSTRIAL COMPANY (TIC) IN THE AMOUNT OF \$1,581,353.00 BASED ON THE FINAL SCOPE OF WORK FOR ADDITIONAL CONSTRUCTION AND UTILITY INSTALLATIONS AT THE FOXBOROUGH COGENERATION FACILITY AND SCLA POWER PLANT 1 AS SET FORTH IN RESOLUTION NO. 07-112 ENTITLED:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, APPROVING AN INCREASE IN COST OF A CONTRACT BETWEEN THE CITY AND THE INDUSTRIAL COMPANY FOR THE CONSTRUCTION OF THE SOUTHERN CALIFORNIA LOGISTICS AIRPORT POWER PLANT 1

29. PRESENTATION OF REQUEST TO APPOINT AN ALTERNATE REPRESENTATIVE TO THE MOJAVE DESERT & MOUNTAIN JOINT POWERS AUTHORITY
30. PRESENTATION OF MEMORANDUM OF UNDERSTANDING FOR MANAGEMENT SERVICES FOR VICTOR VALLEY WATER DISTRICT

### **COUNCIL REPORTS**

31. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS

### **CLOSED SESSION**

32. CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.8

CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
NEGOTIATING PARTIES: PROPERTY OWNER / GREEN de BORTNOWSKY  
& QUINTANILLA

PROPERTY LOCATION: AMARGOSA ROAD & EUCALYPTUS STREET  
UNDER NEGOTIATION: ACQUISITION, PRICE & TERMS OF PAYMENT

PROPERTY OWNER  
MONIZ INVESTMENT PROPERTIES, LLC

APN  
3072-251-30

**ADJOURNMENT OF MEETING**

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AGENDA ITEM

CITY COUNCIL MEETING OF: MAY 1, 2007

SUBMITTED BY: Carolee Bates  
City Clerk

DATE: 4/23/07

SUBJECT: PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

RECOMMENDATION: N/A

FISCAL IMPACT: N/A  
Budget Amount:  
Budget Acct. No.:

--Finance Department Use Only--  
Additional Appropriation:

No  
 Yes/\$ Amt.:

Finance Director Review and Approval \_\_\_\_\_

**DISCUSSION:** State law requires that each agenda of a governing body provide an opportunity for members of the public to address the legislative body on items of interest to the public within the body's subject matter of jurisdiction.

Accordingly, this item has been placed on the agenda to afford an opportunity for public comment at this time.

CB/dl

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AGENDA ITEM

CITY COUNCIL MEETING OF: 5/1/07

SUBMITTED BY: Carolee Bates  
City Clerk

DATE: 4/24/07

SUBJECT: PRESENTATION OF REVISIONS TO AGENDA

DISCUSSION: All revisions to the agenda will be presented at this time.

/cb

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: MAY 1, 2007

SUBMITTED BY: Adair M. Patterson *Ap*

DATE: April 18, 2007

SUBJECT: **FINAL PUBLIC HEARING – 2007-2008 ANNUAL ACTION PLAN AND 2007-2012 CONSOLIDATED PLAN**

RECOMMENDATION: That the Honorable City Council: 1) conduct a public hearing to receive citizen and agency comments regarding the draft Annual Action Plan and Consolidated Plan (the Plans); 2) adopt the Housing and Community Development (HCD) projects set forth by Council at its March 6, 2007 meeting; and 3) approve and adopt the Plans as presented for submittal to Department of Housing and Urban Development (HUD) and authorize the City Manager to execute all necessary documents for submittal to HUD.

FISCAL IMPACT: \$1,213,601 in HCD Grant Funds

DISCUSSION: The Consolidated Plan is a comprehensive five-year strategy that addresses the use of the City's HCD grant funds (specifically CDBG and HOME) for the purpose of meeting the goals of providing decent housing, a suitable living environment, and expanded economic opportunities principally for low and moderate-income persons.

--Finance Dept. Use Only--  
Additional Appropriation:

No  
 Yes/\$Amount:

Finance Director Review and  
Approval *Ap*

The Annual Action Plan provides the city's one-year investment plan, outlining the intended use of funds, descriptions of activities to be undertaken, and the specific objectives and priority needs to be addressed. Copies of the draft Consolidated Plan and Annual Action Plan are currently available for review on the City's website at [www.ci.victorville.ca.us](http://www.ci.victorville.ca.us).

On March 6, 2007, the City Council allocated \$923,325 in CDBG and \$290,276 in HOME funds for fiscal year 2007-2008. Upon allocation of funds, the City's Annual Action Plan was prepared describing the programs and projects for which Council allocated HCD funds.

Copies of the draft Plans have been made available for public review and comment as required by HUD from Friday, April 6, 2007 to Monday, May 7, 2007. All public comments received during this public hearing and the 30-day public comment period will be attached to the adopted Plans and submitted to HUD no later than May 15, 2007.

**AMM/flm**

\\odbg\2004-2005\Agenda Item - 2<sup>nd</sup> pub hearing and Adopt Plans



AGENDA ITEM

CITY COUNCIL MEETING OF: 5/1/07

SUBMITTED BY:

Carolee Bates  
City Clerk

DATE: 4/24/07

SUBJECT: PUBLIC HEARING - RESOLUTION NO. 07-111 APPROVING SITE LEASES AND VARIOUS OTHER DOCUMENTS RELATIVE TO THE ISSUANCE OF VARIABLE RATE LEASE REVENUE BONDS, 2007 SERIES A (COGENERATION FACILITY PROJECT)

RECOMMENDATION: That the City Council adopt Resolution No. 07-111 at the conclusion of the public hearing.

DISCUSSION: Attached for the City Council's consideration and adoption at the conclusion of the public hearing is proposed Resolution No. 07-111. Accompanying Resolution No. 07-111 are Site Leases between the City of Victorville and the Victorville Joint Powers Financing Authority, Victorville Recreation and Park District and Victorville Fire Protection District relating to Victorville Joint Powers Financing Authority Variable Rate Lease Revenue Bonds, 2007 Series A (Cogeneration Facility Project).

The following documents have also been received in conjunction with this transaction and are available for review in the City Clerk's office:

- 1) Assignment Agreement
- 2) Reimbursement Agreement
- 3) Preliminary Official Statement
- 4) Remarketing Agreement

/cb  
Attachments

**RESOLUTION NO. 07-111**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING SITE LEASES, A LEASE AGREEMENT, A PRELIMINARY OFFICIAL STATEMENT, A REIMBURSEMENT AGREEMENT AND A BOND PURCHASE AGREEMENT; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH**

**WHEREAS**, the City of Victorville (the “City”) and the Victorville Redevelopment Agency (the “Agency”) have heretofore entered into a Joint Exercise of Powers Agreement establishing the Victorville Joint Powers Financing Authority (the “Authority”) for the purpose, among other things, of issuing its bonds to be used to provide financing and refinancing for public capital improvements of the City and the Agency; and

**WHEREAS**, the Authority has previously caused the issuance of the Variable Rate Lease Revenue Bonds, 2005 Series A (Cogeneration Facility Project) (the “2005 Bonds”); and

**WHEREAS**, the Authority has previously caused the issuance of the Variable Rate Lease Revenue Bonds, 2006 Series A (Cogeneration Facility Expansion Project) (the “2006 Bonds”); and

**WHEREAS**, the Authority will authorize the issuance of its Variable Rate Lease Revenue Bonds, 2007 Series A (Cogeneration Facility Project) (the “Bonds”) to assist the City in refunding the 2005 Bonds and the 2006 Bonds and financing certain additional improvements to a cogeneration power plant project and other related facilities (collectively, the “Project”); and

**WHEREAS**, the City will lease to the Authority its fee interest in certain real property and improvements thereon (the “Leased Property”) pursuant to a Site Lease (the “Site Lease”); and

**WHEREAS**, the Authority, concurrently with the execution of the Site Lease, will lease the Leased Property back to the City pursuant to a Lease Agreement in consideration for base rental payments equal to the principal and interest coming due on the Bonds; and

**WHEREAS**, the Bonds are to be issued pursuant to the Marks-Roos Local Bond Pooling Act of 1985 (the “Act”), constituting Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California; and

**WHEREAS**, the City Council has reviewed the documentation related to the issuance of the Bonds which documentation is on file with the City Clerk of the City of Victorville;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1. The City hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The City hereby finds and determines that (i) the Project is to be located within the boundaries of the City and (ii) there are significant public benefits arising from the Authority's issuance of the Bonds to finance the Project, including but not limited to employment benefits from undertaking the acquisition and construction of the Project in a timely fashion, as contemplated by Section 6586 of the Act.

Section 3. The Site Lease, in substantially the form on file with the City Clerk of the City and presented to the City Council at this meeting, is hereby approved. Any one of the Mayor, the Mayor Pro-Tem, the City Manager, the Finance Director or their designees (each an "Authorized Officer") is hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver the Site Lease, with such insertions and changes as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery.

Section 4. The Lease Agreement, in substantially the form on file with the City Clerk of the City and presented to the City Council at this meeting, is hereby approved. Any one of the Authorized Officers is hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver the Lease Agreement, with such insertions and changes as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery.

Section 5. The Bond Purchase Agreement, in substantially the form on file with the City Clerk of the City and presented to the City Council at this meeting, is hereby approved. Any one of the Authorized Officers is hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver the Bond Purchase Agreement, with such insertions and changes as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery. The underwriter's discount for the Bonds specified in the Bond Purchase Agreement shall not exceed 1.0%, exclusive of original issue discount.

Section 6. The City Council hereby approves the use by the Underwriter of a Preliminary Official Statement relating to the Bonds, substantially in the form on file with the City Clerk of the City and presented to the City Council at this meeting (the "Preliminary Official Statement") and following pricing, an Official Statement in connection with the sale of the Bonds (the "Official Statement"), in each case with such changes as may be approved by the Authorized Officer and any one of the Authorized Officers is authorized to deliver copies of the Preliminary Official Statement and the Official Statement with such changes therein as such Authorized Officer shall approve, in his or her discretion, as being in the best interests of the City. Upon the approval of such changes by such Authorized Officer, the Preliminary Official Statement shall be "deemed final" as of its date except for the omission of certain information as provided in and pursuant to Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended. The Authorized Officer is hereby authorized and directed to execute such Official Statement with such changes therein, deletions therefrom and modifications thereto as such Authorized Officer may approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 7. The Reimbursement Agreement, in substantially the form on file with the City Clerk of the City and presented to the City Council at this meeting, is hereby approved. Any one of the Authorized Officers is hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver the Reimbursement Agreement, with such insertions and changes as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery.

Section 8. The forms of site leases (the “District Site Leases”), by and between the City and each of the Recreation and Park District and the Victorville Fire Protection District, in substantially the forms on file with the City Clerk of the City and presented to the City Council at this meeting, are hereby approved. Any one of the Mayor, the Mayor Pro-Tem, the City Manager, the Finance Director or their designees (each an “Authorized Officer”) is hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver the District Site Leases, with such insertions and changes as may be approved by the Authorized Officer executing the same, subject to the provisions of this Resolution, such approval to be conclusively evidenced by such execution and delivery.

Section 9. The City Council hereby approves the retention of Kinsell, Newcomb & De Dios, Inc., Solana Beach, California, to serve as the Underwriter in connection with the issuance of the Bonds, and hereby approves the retention of Cooperman Associates as special transaction consultant in connection with the issuance of the Bonds.

Section 10. The City Council hereby approves the retention of the law firm of Fulbright & Jaworski L.L.P., Los Angeles, California, to serve as Bond Counsel and Co-Disclosure Counsel in connection with the issuance of the Bonds, pursuant to the terms of an existing engagement letter on file with the City Clerk of the City.

Section 11. The City Council hereby approves the retention of the law firm of Green de Bortnowsky & Quintanilla LLP, Calabasas, California, to serve as Co-Disclosure Counsel in connection with the issuance of the Bonds.

Section 12. The Authorized Officers, the other officers and employees of the City, the members of the City Council, Bond Counsel and the other consultants to and agents of the City, are each hereby authorized and directed to do all things and take all actions necessary or desirable to effectuate the transaction contemplated by this Resolution, including the procurement of bond insurance, and to execute such other assignments, agreements, certificates, receipts, endorsements, orders, opinions and other documents.

Section 13. All actions heretofore taken by the Authorized Officers and by any other officers, employees or agents of the City with respect to the issuance of the Bonds, or in connection with or related to any of the agreements or documents referenced herein, are hereby approved, confirmed and ratified.

Section 14. This Resolution shall become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_, 2007.

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Terry E.Caldwell, Mayor

I, CAROLEE BATES, City Clerk of the City of Victorville, California do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Victorville, California at its regular meeting held on the \_\_\_ day of \_\_\_, 2007, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

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Carolee Bates, City Clerk  
City of Victorville

RECORDING REQUESTED BY:  
CHICAGO TITLE AND WHEN  
RECORDED MAIL TO:

FULBRIGHT & JAWORSKI L.L.P.  
555 South Flower Street, Forty-First Floor  
Los Angeles, California 90071  
Attention: Don Hunt, Esq.

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SITE LEASE

by and between the

CITY OF VICTORVILLE

and

VICTORVILLE JOINT POWERS FINANCING AUTHORITY

RELATING TO

VICTORVILLE JOINT POWERS FINANCING AUTHORITY  
VARIABLE RATE LEASE REVENUE BONDS, 2007 SERIES A  
(COGENERATION FACILITY PROJECT)

Dated as of May 1, 2007

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This transaction is exempt from California documentary transfer tax pursuant to Section 11929 of the California Revenue and Taxation Code. This Document is recorded for the benefit of the Victorville Joint Powers Financing Authority and the City of Victorville and such recording fee is exempt under Section 6103 of the California Government Code.

## SITE LEASE

THIS SITE LEASE, dated as of May 1, 2007 (the "Site Lease"), is by and between the CITY OF VICTORVILLE, a municipal corporation duly organized and existing under the Constitution and laws of the State of California (the "City"), as lessor, and the VICTORVILLE JOINT POWERS FINANCING AUTHORITY, a joint exercise of powers agency organized and existing under the laws of the State of California (the "Authority"), as lessee;

### WITNESSETH:

WHEREAS, the City of Victorville (the "City") and the Redevelopment Agency of the City of Victorville (the "Agency") have formed the Authority under and pursuant to a joint exercise of powers agreement, dated as of September 1, 1980, by and between the City and the Agency under the provisions of Articles 1 through 4 (commencing with section 6500) of Chapter 5 of Division 7 of Title 1 of the California Government Code (the "Act"); and

WHEREAS, the Authority is authorized under the Marks-Roos Local Bond Pooling Act of 1985 (commencing with section 6584 of the Act) to incur indebtedness to finance and refinance public capital improvements (as such term is defined in the Act) and to lease and lease back such public capital improvements to its members and to others; and

WHEREAS, the Authority wishes to issue its Variable Rate Lease Revenue Bonds, 2007 Series A (Cogeneration Facility Project) (the "Bonds") to assist the City in financing and refinancing a cogeneration power plant project and other related facilities (the "Project"); and

WHEREAS, the City will lease to the Authority its fee interest in certain real property and improvements thereon (the "Leased Property") pursuant to this Site Lease; and

WHEREAS, the Authority, concurrently with the execution of this Site Lease, will lease the Leased Property back to the City pursuant to a Lease Agreement, dated as of May 1, 2007 (the "Lease"), in consideration for Base Rental payments equal to the principal and interest coming due on the Bonds; and

WHEREAS, the Authority and the City have duly authorized the execution and delivery of this Site Lease;

NOW, THEREFORE, for and in consideration of the premises and the material covenants hereinafter contained, the parties hereto hereby formally covenant, agree and bind themselves as follows:

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED, as follows:

SECTION 1. Site Lease. The City hereby leases the Leased Property to the Authority and the Authority hereby leases the Leased Property from the City, on the terms and conditions hereinafter set forth, consisting of those certain parcels of real property situated in San Bernardino County, State of California, and described in Exhibit A.

SECTION 2. Term. The term of this Site Lease shall commence on May \_\_, 2007, and shall end on May 1, 20\_\_, unless such term is extended or sooner terminated as hereinafter provided. If, on May 1, 20\_\_, the Indenture shall not be discharged by its terms or if the rental payable under the Lease shall have been abated at any time and for any reason or if any amounts remain owing to the Credit Entity under the Reimbursement Agreement, then the term of this Site Lease shall be extended until ten (10)

days after the Indenture shall have been discharged and all amounts owing to the Credit Entity under the Reimbursement Agreement have been paid. If, prior to May 1, 2037, the Indenture shall be discharged by its terms, the term of this Site Lease shall thereupon end.

SECTION 3. Rental. The City acknowledge receipt from the Authority as and for rental hereunder the proceeds of the Bonds in an amount sufficient to finance the Project, on the date of delivery of this Site Lease.

SECTION 4. Purpose. The Authority shall use the Leased Property solely for the purpose of acquiring leasehold title to the Leased Property and leasing the Leased Property to the City pursuant to the Lease and for such purposes as may be incidental thereto; provided, however, that in the event of default by the City under the Lease the Authority and its assigns may exercise the remedies provided in the Lease.

SECTION 5. Reserved.

SECTION 6. Assignment and Subleases. The Authority may not assign its rights under this Site Lease or sublet the Leased Property, except as provided in the Lease, without the prior written consent of the Credit Entity and the City, in their sole discretion.

SECTION 7. Right of Entry. The City reserves the right for any of its duly authorized representatives to enter upon the Leased Property at any reasonable time to inspect the same or to make any repairs, improvements or changes necessary for the preservation thereof.

SECTION 8. Termination. The Authority agrees, upon the termination of this Site Lease, to quit and surrender the Leased Property in the same good order and condition as the same were in at the time of commencement of the term hereunder, reasonable wear and tear excepted, and the Authority and the City agree that any permanent improvements and structures existing upon the Leased Property at the time of the termination of this Site Lease shall remain thereon and title thereto shall be vested in the City.

SECTION 9. Default. In the event the Authority shall be in default in the performance of any obligation on its part to be performed under the terms of this Site Lease, which default continues for thirty (30) days following notice and demand for correction thereof to the Authority, the City may, with the consent of the Credit Entity or at the direction of the Credit Entity, exercise any and all remedies granted by law, except that no merger of this Site Lease and of the Lease shall be deemed to occur as a result thereof; *provided, however*, that the Base Rental (as defined in the Lease) shall continue to be paid to the Trustee.

SECTION 10. Quiet Enjoyment. The Authority at all times during the term of this Site Lease shall peaceably and quietly have, hold and enjoy all of the Leased Property subject to the provisions of the Lease.

SECTION 11. Waiver of Personal Liability. All liabilities under this Site Lease on the part of the Authority are solely liabilities of the Authority and the City hereby releases each and every, member, director, officer, employee and agent of the Authority of and from any personal or individual liability under this Site Lease. No member, director, officer, employee or agent of the Authority shall at any time or under any circumstances be individually or personally liable under this Site Lease for anything done or omitted to be done by the Authority hereunder.

SECTION 12. Taxes. The City covenants and agrees to pay any and all assessments of any kind or character and also all taxes, including possessory interest taxes, levied or assessed upon the Leased Property (including both land and improvements) and not paid by the City pursuant to the Lease.

SECTION 13. Eminent Domain. In the event the whole or any part of the Leased Property is taken by eminent domain proceedings, the interest of the Authority hereunder shall be recognized and is hereby determined to be the amount of the then unpaid principal of and interest on any then outstanding Bonds and all other obligations related to or in connection therewith, subject to the provisions of, and as described and provided in, the Lease and the Indenture, and the balance of the award, if any, shall be paid to the City as its interests shall appear.

SECTION 14. Partial Invalidity. If any one or more of the terms, provisions, covenants or conditions of this Site Lease shall to any extent be declared invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, the finding or order or decree of which becomes final, none of the remaining terms, provisions, covenants and conditions of this Site Lease shall be affected thereby, and each provision of this Site Lease shall be valid and enforceable to the fullest extent permitted by law.

SECTION 15. Section Headings. All section headings contained herein are for convenience of reference only and are not intended to define or limit the scope of any provision of this Site Lease.

SECTION 16. Third Party Beneficiary. The Credit Entity is hereby designated a third party beneficiary hereunder for the purpose of enforcing any of the rights hereunder assigned to the Trustee under the Assignment Agreement.

SECTION 17. Amendments. This Site Lease may be amended in writing as may be mutually agreed by the Authority and the City, subject to the prior written consent of the Credit Entity.

SECTION 18. Execution. This Site Lease may be executed in any number of counterparts, each of which shall be deemed to be an original but all together shall constitute but one and the same lease.

IN WITNESS WHEREOF, the City and the Authority have caused this Site Lease to be executed by their respective officers thereunto duly authorized, all as of the day and year first above written.

CITY OF VICTORVILLE, as Lessor

By \_\_\_\_\_  
Mayor

VICTORVILLE JOINT POWERS  
FINANCING AUTHORITY, as Lessee

By \_\_\_\_\_  
Executive Director

**INSERT 4 NOTARY JURATS HERE**

EXHIBIT A

LEGAL DESCRIPTION OF THE LEASED PROPERTY

The Leased Property is comprised of those parcels of real property located within the City of Victorville and commonly known as:

City Hall  
Green Tree Golf Course  
Mojave Vista Park  
8th Street Community Center  
Activities Center  
Avalon Park  
Village Park  
Center Street Park  
Eagle Ranch Park  
Fire Station 311  
Fire Station 312  
Fire Station 313  
Fire Station 314  
Forrest Park  
Grady Trammel Park  
Sunset Ridge Park  
Victorville Police Station  
Corporate Yard  
Liberty Park  
Library  
Pebble Beach Park and Recreation Center  
Transportation Center CNG Station

The legal descriptions for the Leased Property are as follows:

(See attached)

RECORDING REQUESTED BY:  
CHICAGO TITLE AND WHEN  
RECORDED MAIL TO:

FULBRIGHT & JAWORSKI L.L.P.  
555 South Flower Street, 41st Floor  
Los Angeles, California 90071  
Attention: Don Hunt, Esq.

---

SITE LEASE

by and between the

VICTORVILLE RECREATION AND PARK DISTRICT

and

CITY OF VICTORVILLE

RELATING TO

VICTORVILLE JOINT POWERS FINANCING AUTHORITY  
VARIABLE RATE LEASE REVENUE BONDS, 2007 Series A  
(COGENERATION FACILITY PROJECT)

Dated as of May 1, 2007

---

This transaction is exempt from California documentary transfer tax pursuant to Section 11929 of the California Revenue and Taxation Code. This Document is recorded for the benefit of the Victorville Joint Powers Financing Authority and the City of Victorville and such recording fee is exempt under Section 6103 of the California Government Code.

## SITE LEASE

THIS SITE LEASE, dated as of May 1, 2007 (the "Site Lease"), is by and between the VICTORVILLE RECREATION AND PARK DISTRICT, also known as Victorville Park and Recreation District (the "District"), as lessor, and the CITY OF VICTORVILLE, a municipal corporation duly organized and existing under the Constitution and laws of the State of California (the "City"), as lessee;

### WITNESSETH:

WHEREAS, the City of Victorville (the "City") and the Redevelopment Agency of the City of Victorville (the "Agency") have formed the Victorville Joint Power Financing Authority under and pursuant to a joint exercise of powers agreement, dated as of September 1, 1980, by and between the City and the Agency under the provisions of Articles 1 through 4 (commencing with section 6500) of Chapter 5 of Division 7 of Title 1 of the California Government Code (the "Act"); and

WHEREAS, the Authority is authorized under the Marks-Roos Local Bond Pooling Act of 1985 (commencing with section 6584 of the Act) to incur indebtedness to finance public capital improvements (as such term is defined in the Act) and to lease and lease back such public capital improvements to its members and to others; and

WHEREAS, the Authority wishes to issue its Variable Rate Lease Revenue Bonds, 2007 Series A (Cogeneration Facility Project) (the "Bonds") to assist the City in financing and refinancing a cogeneration power plant project and other related facilities;

WHEREAS, the District will lease to the City its fee interest in certain real property and improvements thereon (the "Leased Property") pursuant to this Site Lease; and

WHEREAS, the City will lease to the Authority its leasehold interest in the Leased Property pursuant to the Site Lease, dated as of May 1, 2007 (the "Authority Site Lease"), by and between the City and the Authority; and

WHEREAS, the Authority, concurrently with the execution of this Site Lease, will lease the Leased Property back to the City pursuant to a Lease Agreement, dated as of May 1, 2007 (the "Lease"), in consideration for Base Rental payments equal to the principal and interest coming due on the Bonds; and

WHEREAS, the District and the City have duly authorized the execution and delivery of this Site Lease;

NOW, THEREFORE, for and in consideration of the premises and the material covenants hereinafter contained, the parties hereto hereby formally covenant, agree and bind themselves as follows:

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED, as follows:

SECTION 1. Site Lease. The District hereby leases the Leased Property to the City and the City hereby leases the Leased Property from the District, on the terms and conditions hereinafter set forth, consisting of those certain parcels of real property situated in San Bernardino County, State of California, and described in Exhibit A.

SECTION 2. Term. The term of this Site Lease shall commence on May \_\_, 2007, and shall end on May 1, 20\_\_, unless such term is extended or sooner terminated as hereinafter provided. If, on May 1, 20\_\_, the Indenture shall not be discharged by its terms or if the rental payable under the Lease shall have been abated at any time and for any reason or if any amounts remain owing to the Credit Entity under the Reimbursement Agreement, then the term of this Site Lease shall be extended until ten (10) days after the Indenture shall have been discharged and all amounts owing to the Credit Entity under the Reimbursement Agreement have been paid. If, prior to May 1, 20\_\_, the Indenture shall be discharged by its terms, the term of this Site Lease shall thereupon end.

SECTION 3. Rental. The District acknowledge receipt from the City as and for rental hereunder \$1, on the date of delivery of this Site Lease.

SECTION 4. Purpose. The City shall use the Leased Property solely for the purpose of acquiring leasehold title to the Leased Property and leasing the Leased Property to the Authority pursuant to the Authority Site Lease and for such purposes as may be incidental thereto; provided, however, that in the event of default by the City under the Lease the Authority and its assigns may exercise the remedies provided in the Lease.

SECTION 5. Reserved.

SECTION 6. Assignment and Subleases. The City may not assign its rights under this Site Lease or sublet the Leased Property, except as provided in the Authority Site Lease and the Lease, without the prior written consent of the Credit Entity and the District, in their sole discretion.

SECTION 7. Right of Entry. The District reserves the right for any of its duly authorized representatives to enter upon the Leased Property at any reasonable time to inspect the same or to make any repairs, improvements or changes necessary for the preservation thereof.

SECTION 8. Termination. The City agrees, upon the termination of this Site Lease, to quit and surrender the Leased Property in the same good order and condition as the same were in at the time of commencement of the term hereunder, reasonable wear and tear excepted, and the District and the City agree that any permanent improvements and structures existing upon the Leased Property at the time of the termination of this Site Lease shall remain thereon and title thereto shall be vested in the District.

SECTION 9. Default. In the event the City shall be in default in the performance of any obligation on its part to be performed under the terms of this Site Lease, which default continues for thirty (30) days following notice and demand for correction thereof to the City, the District may, with the consent of the Credit Entity or at the direction of the Credit Entity, exercise any and all remedies granted by law, except that no merger of this Site Lease, the Authority Site

Lease and of the Lease shall be deemed to occur as a result thereof; *provided, however*, that the Base Rental (as defined in the Lease) shall continue to be paid to the Trustee.

SECTION 10. Quiet Enjoyment. The City at all times during the term of this Site Lease shall peaceably and quietly have, hold and enjoy all of the Leased Property subject to the provisions of the Authority Site Lease and the Lease.

SECTION 11. Waiver of Personal Liability. All liabilities under this Site Lease on the part of the City are solely liabilities of the City and the District hereby releases each and every, member, director, officer, employee and agent of the City of and from any personal or individual liability under this Site Lease. No member, director, officer, employee or agent of the City shall at any time or under any circumstances be individually or personally liable under this Site Lease for anything done or omitted to be done by the City hereunder.

SECTION 12. Taxes. The District covenants and agrees to pay any and all assessments of any kind or character and also all taxes, including possessory interest taxes, levied or assessed upon the Leased Property (including both land and improvements) and not paid by the City pursuant to the Lease.

SECTION 13. Eminent Domain. In the event the whole or any part of the Leased Property is taken by eminent domain proceedings, the interest of the City hereunder shall be recognized and is hereby determined to be the amount of the then unpaid principal of and interest on any then outstanding Bonds and all other obligations related to or in connection therewith, subject to the provisions of, and as described and provided in, the Lease and the Indenture, and the balance of the award, if any, shall be paid to the District as its interests shall appear.

SECTION 14. Partial Invalidity. If any one or more of the terms, provisions, covenants or conditions of this Site Lease shall to any extent be declared invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, the finding or order or decree of which becomes final, none of the remaining terms, provisions, covenants and conditions of this Site Lease shall be affected thereby, and each provision of this Site Lease shall be valid and enforceable to the fullest extent permitted by law.

SECTION 15. Section Headings. All section headings contained herein are for convenience of reference only and are not intended to define or limit the scope of any provision of this Site Lease.

SECTION 16. Third Party Beneficiary. The Credit Entity is hereby designated a third party beneficiary hereunder for the purpose of enforcing any of the rights hereunder assigned to the Trustee under the Assignment Agreement.

SECTION 17. Amendments. This Site Lease may be amended in writing as may be mutually agreed by the District and the City, subject to the prior written consent of the Credit Entity.

SECTION 18. Execution. This Site Lease may be executed in any number of counterparts, each of which shall be deemed to be an original but all together shall constitute but one and the same lease.

IN WITNESS WHEREOF, the District and the City have caused this Site Lease to be executed by their respective officers thereunto duly authorized, all as of the day and year first above written.

VICTORVILLE RECREATION AND PARK  
DISTRICT, as Lessor

By \_\_\_\_\_

Title \_\_\_\_\_

CITY OF VICTORVILLE, as Lessee

By \_\_\_\_\_

Title \_\_\_\_\_

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_

/\_\_\_/ personally known to me, or

/\_\_\_/ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
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Signature of Notary

[Seal]

State of California            )  
  SS  
County of \_\_\_\_\_        )

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WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

EXHIBIT A

LEGAL DESCRIPTION OF THE LEASED PROPERTY

The Leased Property is comprised of those parcels of real property located within the City of Victorville and commonly known as:

8th Street Community Center;  
Avalon Park;  
Village Park;  
Center Street Park; and  
Pebble Beach Park and Recreation Center.

The legal descriptions for the Leased Property are as follows:

(See attached)

RECORDING REQUESTED BY:  
CHICAGO TITLE AND WHEN  
RECORDED MAIL TO:

FULBRIGHT & JAWORSKI L.L.P.  
555 South Flower Street, 41st Floor  
Los Angeles, California 90071  
Attention: Don Hunt, Esq.

---

SITE LEASE

by and between the

THE VICTORVILLE FIRE PROTECTION DISTRICT

and

CITY OF VICTORVILLE

RELATING TO

VICTORVILLE JOINT POWERS FINANCING AUTHORITY  
VARIABLE RATE LEASE REVENUE BONDS, 2007 SERIES A  
(COGENERATION FACILITY PROJECT)

Dated as of May 1, 2007

---

This transaction is exempt from California documentary transfer tax pursuant to Section 11929 of the California Revenue and Taxation Code. This Document is recorded for the benefit of the Victorville Joint Powers Financing Authority and the City of Victorville and such recording fee is exempt under Section 6103 of the California Government Code.

## SITE LEASE

THIS SITE LEASE, dated as of May 1, 2007 (the "Site Lease"), is by and between THE VICTORVILLE FIRE PROTECTION DISTRICT (the "District"), as lessor, and the CITY OF VICTORVILLE, a municipal corporation duly organized and existing under the Constitution and laws of the State of California (the "City"), as lessee;

### W I T N E S S E T H:

WHEREAS, the City of Victorville (the "City") and the Redevelopment Agency of the City of Victorville (the "Agency") have formed the Victorville Joint Power Financing Authority under and pursuant to a joint exercise of powers agreement, dated as of September 1, 1980, by and between the City and the Agency under the provisions of Articles 1 through 4 (commencing with section 6500) of Chapter 5 of Division 7 of Title 1 of the California Government Code (the "Act"); and

WHEREAS, the Authority is authorized under the Marks-Roos Local Bond Pooling Act of 1985 (commencing with section 6584 of the Act) to incur indebtedness to finance public capital improvements (as such term is defined in the Act) and to lease and lease back such public capital improvements to its members and to others; and

WHEREAS, the Authority wishes to issue its Variable Rate Lease Revenue Bonds, 2007 Series A (Cogeneration Facility Project) (the "Bonds") to assist the City in financing and refinancing a cogeneration power plant project and other related facilities;

WHEREAS, the District will lease to the City its fee interest in certain real property and improvements thereon (the "Leased Property") pursuant to this Site Lease; and

WHEREAS, the City will lease to the Authority its leasehold interest in the Leased Property pursuant to the Site Lease, dated as of May 1, 2007 (the "Authority Site Lease"), by and between the City and the Authority; and

WHEREAS, the Authority, concurrently with the execution of this Site Lease, will lease the Leased Property back to the City pursuant to a Lease Agreement, dated as of May 1, 2007 (the "Lease"), in consideration for Base Rental payments equal to the principal and interest coming due on the Bonds; and

WHEREAS, the District and the City have duly authorized the execution and delivery of this Site Lease;

NOW, THEREFORE, for and in consideration of the premises and the material covenants hereinafter contained, the parties hereto hereby formally covenant, agree and bind themselves as follows:

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED, as follows:

SECTION 1. Site Lease. The District hereby leases the Leased Property to the City and the City hereby leases the Leased Property from the District, on the terms and conditions

hereinafter set forth, consisting of those certain parcels of real property situated in San Bernardino County, State of California, and described in Exhibit A.

SECTION 2. Term. The term of this Site Lease shall commence on May \_\_, 2007, and shall end on May 1, 20\_\_, unless such term is extended or sooner terminated as hereinafter provided. If, on May 1, 20\_\_, the Indenture shall not be discharged by its terms or if the rental payable under the Lease shall have been abated at any time and for any reason or if any amounts remain owing to the Credit Entity under the Reimbursement Agreement, then the term of this Site Lease shall be extended until ten (10) days after the Indenture shall have been discharged and all amounts owing to the Credit Entity under the Reimbursement Agreement have been paid. If, prior to May 1, 20\_\_, the Indenture shall be discharged by its terms, the term of this Site Lease shall thereupon end.

SECTION 3. Rental. The District acknowledge receipt from the City as and for rental hereunder \$1, on the date of delivery of this Site Lease.

SECTION 4. Purpose. The City shall use the Leased Property solely for the purpose of acquiring leasehold title to the Leased Property and leasing the Leased Property to the Authority pursuant to the Authority Site Lease and for such purposes as may be incidental thereto; provided, however, that in the event of default by the City under the Lease the Authority and its assigns may exercise the remedies provided in the Lease.

SECTION 5. Reserved.

SECTION 6. Assignment and Subleases. The City may not assign its rights under this Site Lease or sublet the Leased Property, except as provided in the Authority Site Lease and the Lease, without the prior written consent of the Credit Entity and the District, in their sole discretion.

SECTION 7. Right of Entry. The District reserves the right for any of its duly authorized representatives to enter upon the Leased Property at any reasonable time to inspect the same or to make any repairs, improvements or changes necessary for the preservation thereof.

SECTION 8. Termination. The City agrees, upon the termination of this Site Lease, to quit and surrender the Leased Property in the same good order and condition as the same were in at the time of commencement of the term hereunder, reasonable wear and tear excepted, and the District and the City agree that any permanent improvements and structures existing upon the Leased Property at the time of the termination of this Site Lease shall remain thereon and title thereto shall be vested in the District.

SECTION 9. Default. In the event the City shall be in default in the performance of any obligation on its part to be performed under the terms of this Site Lease, which default continues for thirty (30) days following notice and demand for correction thereof to the City, the District may, with the consent of the Credit Entity or at the direction of the Credit Entity, exercise any and all remedies granted by law, except that no merger of this Site Lease, the Authority Site Lease and of the Lease shall be deemed to occur as a result thereof; *provided, however*, that the Base Rental (as defined in the Lease) shall continue to be paid to the Trustee.

SECTION 10. Quiet Enjoyment. The City at all times during the term of this Site Lease shall peaceably and quietly have, hold and enjoy all of the Leased Property subject to the provisions of the Authority Site Lease and the Lease.

SECTION 11. Waiver of Personal Liability. All liabilities under this Site Lease on the part of the City are solely liabilities of the City and the District hereby releases each and every, member, director, officer, employee and agent of the City of and from any personal or individual liability under this Site Lease. No member, director, officer, employee or agent of the City shall at any time or under any circumstances be individually or personally liable under this Site Lease for anything done or omitted to be done by the City hereunder.

SECTION 12. Taxes. The District covenants and agrees to pay any and all assessments of any kind or character and also all taxes, including possessory interest taxes, levied or assessed upon the Leased Property (including both land and improvements) and not paid by the City pursuant to the Lease.

SECTION 13. Eminent Domain. In the event the whole or any part of the Leased Property is taken by eminent domain proceedings, the interest of the City hereunder shall be recognized and is hereby determined to be the amount of the then unpaid principal of and interest on any then outstanding Bonds and all other obligations related to or in connection therewith, subject to the provisions of, and as described and provided in, the Lease and the Indenture, and the balance of the award, if any, shall be paid to the District as its interests shall appear.

SECTION 14. Partial Invalidity. If any one or more of the terms, provisions, covenants or conditions of this Site Lease shall to any extent be declared invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, the finding or order or decree of which becomes final, none of the remaining terms, provisions, covenants and conditions of this Site Lease shall be affected thereby, and each provision of this Site Lease shall be valid and enforceable to the fullest extent permitted by law.

SECTION 15. Section Headings. All section headings contained herein are for convenience of reference only and are not intended to define or limit the scope of any provision of this Site Lease.

SECTION 16. Third Party Beneficiary. The Credit Entity is hereby designated a third party beneficiary hereunder for the purpose of enforcing any of the rights hereunder assigned to the Trustee under the Assignment Agreement.

SECTION 17. Amendments. This Site Lease may be amended in writing as may be mutually agreed by the District and the City, subject to the prior written consent of the Credit Entity.

SECTION 18. Execution. This Site Lease may be executed in any number of counterparts, each of which shall be deemed to be an original but all together shall constitute but one and the same lease.

IN WITNESS WHEREOF, the District and the City have caused this Site Lease to be executed by their respective officers thereunto duly authorized, all as of the day and year first above written.

THE VICTORVILLE FIRE PROTECTION  
DISTRICT, as Lessor

By \_\_\_\_\_

Title \_\_\_\_\_

CITY OF VICTORVILLE, as Lessee

By \_\_\_\_\_

Title \_\_\_\_\_

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_

/\_\_\_/ personally known to me, or

/\_\_\_/ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
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WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

State of California            )  
  SS  
County of \_\_\_\_\_        )

On \_\_\_\_\_ before me, \_\_\_\_\_  
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WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

[Seal]

## EXHIBIT A

### LEGAL DESCRIPTION OF THE LEASED PROPERTY

The Leased Property is comprised of those parcels of real property located within the City of Victorville and commonly known as Fire Station 311. The legal description for the Leased Property is as follows:

(See attached)

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** John A. McGlade  
City Engineer 

**DATE:** April 21, 2007

**SUBJECT:** Resolution Number 07-048 approving the Engineer's Report and Resolution Number 07-49 ordering the annexation of Tracts 13816 and 16463 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-048 and 07-049 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Griffen Homes, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-048  
Ordering Annexation - Resolution NO. 07-049  
Petition

## RESOLUTION NO. 07-048

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No's 13816 and 16463; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLE**

1. Number of parcels to be assessed: 209
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$4,733.85 (209 X \$22.65 = \$4,733.85)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (455-053-83)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

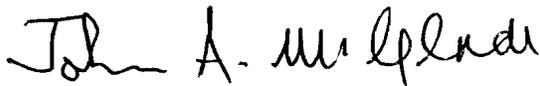
**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:



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John A. McGlade, City Engineer

4/23/07  
Date

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLL

1. Number of parcels to be assessed: 84
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$1,902.60 (#1 X \$22.65 = \$1,902.60)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (455-053-83)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07

Date

**RESOLUTION NO. 07-049**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 13816 & 16463**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the “Act”, California Streets and Highways § 22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the “Act”) in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 13816 & 16463; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the “Act”, California Streets and Highways, §22500 et seq.) shall be proposed to be formed within the City of Victorville (“City”).

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 13816 & 16463 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 13816 & 16463, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 1, 2007**

**SUBMITTED BY:** John A. McGlade  
City Engineer 

**DATE:** April 21, 2007

**SUBJECT:** Resolution Number 07-050 approving the Engineer's Report and Resolution Number 07-051 ordering the annexation of Tracts 14132, 16777, & 16778 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-050 and 07-051 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Victory Homes, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-050  
Ordering Annexation - Resolution NO. 07-051  
Petition

## RESOLUTION NO. 07-050

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No's 14132, 16777, & 16778; and

WHEREAS, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

WHEREAS, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

### NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

#### Section 1 APPROVAL OF ENGINEER'S REPORT

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### Section 2 CITY CLERK

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLE**

1. Number of parcels to be assessed: 226
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$5,118.90 (226 X \$22.65 = \$5,118.90)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3090-051-02; 3090-061-01 & 02; 3090-071-02 & 04; 3090-081-01 & 02)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07

Date

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLE

1. Number of parcels to be assessed: 74
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$1,676.10 (74 X \$22.65 = \$1,676.10)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3092-371-02 & 03)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/07

Date

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLE**

1. Number of parcels to be assessed: 33
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$747.45 (33 X \$22.65 = \$747.45)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3092-371-05)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07

Date

**RESOLUTION NO. 07-051**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 14132, 16777, 16778**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 14132, 16777, & 16778; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 et seq.) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 14132, 16777, & 16778 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 14132, 16777, & 16778, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY: John A. McGlade  
City Engineer 

DATE: April 21, 2007

SUBJECT: Resolution Number 07-052 approving the Engineer's Report and Resolution Number 07-053 ordering the annexation of Tract 14627 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

RECOMMENDATION: It is recommended that Resolution Numbers 07-052 and 07-053 be approved at this time.

FISCAL IMPACT:

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

DISCUSSION: The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Richmond Homes, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

ATTACHMENTS

Engineer's Report - Resolution No. 07-052  
Ordering Annexation - Resolution NO. 07-053  
Petition

## **RESOLUTION NO. 07-052**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 14627; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLE**

1. Number of parcels to be assessed: 41
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$928.65 (41 X \$22.65 = \$928.65)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3090-121-01)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

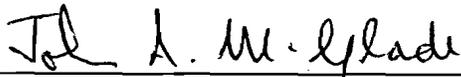
**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:



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John A. McGlade, City Engineer

4/23/07  
Date

**RESOLUTION NO. 07-053**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 14627**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 *et seq.*) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 14627; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 *et seq.*) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 14627 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 14627, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

*CITY COUNCIL MEETING OF: May 1, 2007*

SUBMITTED BY: John A. McGlade  
City Engineer 

DATE: April 22, 2007

SUBJECT: Resolution Number 07-054 approving the Engineer's Report and Resolution Number 07-055 ordering the annexation of Tract 14721, 14751, & 14992 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

RECOMMENDATION: It is recommended that Resolution Numbers 07-054 and 07-055 be approved at this time.

FISCAL IMPACT:

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

- No  
 Yes

Finance Director Review & Approval

DISCUSSION: The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Matthews Homes, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-054  
Ordering Annexation – Resolution NO. 07-055  
Petition

## RESOLUTION NO. 07-054

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 14721, 14751, & 14992; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 103
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$2,332.95 (103 X \$22.65 = \$2,332.95)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/05  
Date

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLL

1. Number of parcels to be assessed: 113
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$2,559.45 (113 X \$22.65 = \$2,559.45)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07  
Date

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 117
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$2,650.05 (117 X \$22.65 = 2,650.05)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07

Date

**RESOLUTION NO. 07-055**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 14721, 14751, & 14992**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 14721, 14751, & 14992; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 et seq.) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 14721, 14751, & 14992 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 14721, 14751, & 14992, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY: John A. McGlade  
City Engineer 

DATE: April 22, 2007

SUBJECT: Resolution Number 07-056 approving the Engineer's Report and Resolution Number 07-057 ordering the annexation of Tracts 14741 & 15297 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

RECOMMENDATION: It is recommended that Resolution Numbers 07-056 and 07-057 be approved at this time.

FISCAL IMPACT:

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

- No  
 Yes

Finance Director Review & Approval

DISCUSSION: The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Centex Homes, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-056  
Ordering Annexation - Resolution NO. 07-057  
Petition

**RESOLUTION NO. 07-056**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No's 14741 & 15297; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

**Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLE

1. Number of parcels to be assessed: 162
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$3,669.30 (162 X \$22.65 = \$3,669.30)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3094-021-03;031-01, 02;041-01 to 04)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/07  
Date

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 319
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$7,225.35 (319 X \$22.65 = \$7,225.35)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3071-451-02-thru 05)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/05

Date

**RESOLUTION NO. 07-057**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 14741 & 15297**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 *et seq.*) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 14741 & 15297; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 *et seq.*) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 14741 & 15297 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 14741 & 15297, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 1, 2007**

**SUBMITTED BY:** John A. McGlade  
City Engineer 

**DATE:** April 22, 2007

**SUBJECT:** Resolution Number 07-058 approving the Engineer's Report and Resolution Number 07-059 ordering the annexation of Tract 15084 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-058 and 07-059 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Lavitt Homes, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-058  
Ordering Annexation – Resolution N0. 07-059  
Petition

## RESOLUTION NO. 07-058

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

WHEREAS, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 15084; and

WHEREAS, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

WHEREAS, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLE

1. Number of parcels to be assessed: 85
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$1,925.25 (85 X \$22.65 = \$1,925.25)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (395-244-15)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

*4/23/07*

Date

**RESOLUTION NO. 07-059**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 15084**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the “Act”, California Streets and Highways § 22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the “Act”) in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 15084; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the “Act”, California Streets and Highways, §22500 et seq.) shall be proposed to be formed within the City of Victorville (“City”).

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 15084 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 15084, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY: John A. McGlade  
City Engineer 

DATE: April 22, 2007

SUBJECT: Resolution Number 07-060 approving the Engineer's Report and Resolution Number 07-061 ordering the annexation of Tract 15219 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

RECOMMENDATION: It is recommended that Resolution Numbers 07-060 and 07-061 be approved at this time.

FISCAL IMPACT:

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

- No  
 Yes

Finance Director Review & Approval

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DISCUSSION: The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Pacific Communities, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-060  
Ordering Annexation – Resolution NO. 07-061  
Petition

## RESOLUTION NO. 07-060

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 15219; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLE**

1. Number of parcels to be assessed: 210
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$4,756.50 (210 X \$22.65 = \$4,756.50)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (395-091-20)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07  
Date

**RESOLUTION NO. 07-061**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 15219**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 *et seq.*) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 15219; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice; and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 *et seq.*) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 15219 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 15219, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY: John A. McGlade  
City Engineer *JM*

DATE: April 22, 2007

SUBJECT: Resolution Number 07-062 approving the Engineer's Report and Resolution Number 07-063 ordering the annexation of Tract 15294 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

RECOMMENDATION: It is recommended that Resolution Numbers 07-062 and 07-063 be approved at this time.

FISCAL IMPACT:

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

DISCUSSION: The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Century Vintage Homes, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-062  
Ordering Annexation - Resolution NO. 07-063  
Petition

## RESOLUTION NO. 07-062

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 15294; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 86
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$1,947.90 (86 X \$22.65 = 1,947.90)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

*4/23/07*

Date

**RESOLUTION NO. 07-063**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 15294**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 15294; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 et seq.) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 15294 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 15294, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** John A. McGlade  
City Engineer 

**DATE:** April 22, 2007

**SUBJECT:** Resolution Number 07-064 approving the Engineer's Report and Resolution Number 07-065 ordering the annexation of Tracts 15310, 17089, 17090, & 17599 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-064 and 07-65 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

- No  
 Yes

Finance Director Review & Approval

**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Standard Pacific Homes, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-064  
Ordering Annexation – Resolution NO. 07-065  
Petition

## RESOLUTION NO. 07-064

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 15310, 17089, 17090, & 17599; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLE

1. Number of parcels to be assessed: 221
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$5,005.65 (221 X \$22.65 = \$5,005.65)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3096-441-02)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07

Date

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLE**

1. Number of parcels to be assessed: 140
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$3,171.00 (140 X \$22.65 = \$3,171.00)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3071-661-02)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07

Date

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLE

1. Number of parcels to be assessed: 150
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$\$\$3,397.50 (150 X \$22.65 = \$3,397.50)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3096-511-01)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07  
Date

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLE

1. Number of parcels to be assessed: 22
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$498.30 (22 X \$22.65 = \$4987.30)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/07  
Date

**RESOLUTION NO. 07-065**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 15310, 17089, 17090, & 17599**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 15310, 17089, 17090, & 17599; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 et seq.) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 15310, 17089, 17090, & 17599 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 15310, 17089, 17090, & 17599, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** John A. McGlade  
City Engineer 

**DATE:** April 22, 2007

**SUBJECT:** Resolution Number 07-066 approving the Engineer's Report and Resolution Number 07-067 ordering the annexation of Tract 16063-3 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-066 and 07-067 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Howard Roberts Development, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-066  
Ordering Annexation - Resolution NO. 07-067  
Petition

## RESOLUTION NO. 07-066

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 16063-3; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLE**

1. Number of parcels to be assessed: 56
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$1,268.40 (56 X \$22.65 = \$1,268.40)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3090-581-06; 3091-191-10 & 11)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

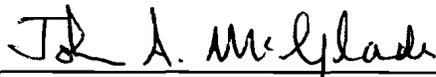
**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:



John A. McGlade, City Engineer

4/23/07

Date

**RESOLUTION NO. 07-067**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 16063-3**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 16063-3; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 et seq.) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 16063-3 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 16063-3, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 1, 2007**

**SUBMITTED BY:** John A. McGlade  
City Engineer *John A. McGlade*

**DATE:** April 22, 2007

**SUBJECT:** Resolution Number 07-068 approving the Engineer's Report and Resolution Number 07-069 ordering the annexation of Tract 16504- 1 to 3 & 17151 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-068 and 07-069 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Victoria Homes , the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-068  
Ordering Annexation – Resolution NO. 07-069  
Petition

**RESOLUTION NO. 07-068**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 16504-1 to 3 & 17151; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

**Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLL

1. Number of parcels to be assessed: 207
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$4,688.55 (207 X \$22.65 = 4,688.55)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/07

Date

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLL

1. Number of parcels to be assessed: 61
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$1,381.65 (61 X \$22.65 = \$1,381.65)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. Mc Glade*

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John A. McGlade, City Engineer

4/23/07

Date

**RESOLUTION NO. 07-069**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 16504-1 to 3 & 17151**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 16504-1 to 3 & 17151; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 et seq.) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 16504-1 to 3 & 17151 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 16504-1 to 3 & 17151, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** John A. McGlade  
City Engineer *JAM*

**DATE:** April 22, 2007

**SUBJECT:** Resolution Number 07-070 approving the Engineer's Report and Resolution Number 07-071 ordering the annexation of Tract 16675 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-070 and 07-071 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

- No  
 Yes

Finance Director Review & Approval

**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Tandis Homes, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-070  
Ordering Annexation - Resolution NO. 07-071  
Petition

## RESOLUTION NO. 07-070

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 16675; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 43
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$973.95 (43 X \$22.65 = \$973.95)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/07  
Date

**RESOLUTION NO. 07-071**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 16675**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 16675; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 et seq.) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 16675 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 16675, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** John A. McGlade  
City Engineer 

**DATE:** April 22, 2007

**SUBJECT:** Resolution Number 07-072 approving the Engineer's Report and Resolution Number 07-073 ordering the annexation of Tracts 16720, 16887-2, 16888, & 16889 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-072 and 07-073 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

- No  
 Yes

Finance Director Review & Approval

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**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Empire Homes, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-072  
Ordering Annexation - Resolution NO. 07-073  
Petition

## RESOLUTION NO. 07-072

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 16720, 16887-2, 16889, & 16889; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 117
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$2,650.05 (117 X \$22.65 = \$2,650.05)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3071-671-01 to 03)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

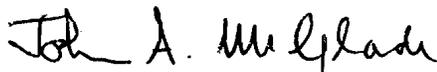
**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:



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John A. McGlade, City Engineer

4/23/07

Date

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLL

1. Number of parcels to be assessed: 160
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$3,624.00 (#1 X \$22.65 = \$3,624.00)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3071-651-01, 02, 05, & 06)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07

Date

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 222
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$5,028.30 (222 X \$22.65 = 5,028.30)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3071-671-08, 09;681-02,03)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/07

Date

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 32
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$724.80 (32 X \$22.65 = 724.80)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3071-681-02)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07

Date

**RESOLUTION NO. 07-073**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 16720, 16887-2, 16888, & 16889**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the “Act”, California Streets and Highways § 22500 *et seq.*) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the “Act”) in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 16720, 16887-2, 16889, & 16889; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice; and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the “Act”, California Streets and Highways, §22500 *et seq.*) shall be proposed to be formed within the City of Victorville (“City”).

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 16720, 16887-2, 16889, & 16889 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 16720, 16887-2, 16889, & 16889, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 1, 2007**

**SUBMITTED BY:** John A. McGlade  
City Engineer 

**DATE:** April 22, 2007

**SUBJECT:** Resolution Number 07-074 approving the Engineer's Report and Resolution Number 07-075 ordering the annexation of Tract 17129 & 17200 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-074 and 07-075 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Affordable Housing & Development, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-074  
Ordering Annexation – Resolution NO. 07-075  
Petition

## **RESOLUTION NO. 07-074**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.'s 17129 & 17200; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLL

1. Number of parcels to be assessed: 10
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$226.50 (10 X \$22.65 = \$226.50)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

B. METHOD OF APPORTIONMENT

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

C. SUMMARY OF ASSESSMENTS

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

D. PROPERTY OWNERS LIST

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

E. ASSESSMENT DIAGRAM

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/07

Date

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 32
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$724.80 (32 X \$22.65 = \$724.80)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/07  
Date

**RESOLUTION NO. 07-075**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17129 & 17200**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 *et seq.*) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 17129 & 17200 and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 *et seq.*) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 17129 & 17200 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 17129 & 17200, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** John A. McGlade  
City Engineer *JMcGlade*

**DATE:** April 23, 2007

**SUBJECT:** Resolution Number 07-076 approving the Engineer's Report and Resolution Number 07-077 ordering the annexation of Tract 17179 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-076 and 07-077 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Mr. & Mrs. Arencibia , the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-076  
Ordering Annexation – Resolution NO. 07-077  
Petition

## RESOLUTION NO. 07-076

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 17179; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 20
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$453.00 (20 X \$22.65 = \$453.00)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3090-051-01)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

*4/23/07*

Date

**RESOLUTION NO. 07-077**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17179**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 *et seq.*) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 17179; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 *et seq.*) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 17179 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 17179, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** John A. McGlade  
City Engineer 

**DATE:** April 22, 2007

**SUBJECT:** Resolution Number 07-078 approving the Engineer's Report and Resolution Number 07-079 ordering the annexation of Tract 17255 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-078 and 07-079 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

- No  
 Yes

Finance Director Review & Approval

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**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

American Housing Group, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-078  
Ordering Annexation – Resolution NO. 07-079  
Petition

## **RESOLUTION NO. 07-078**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 17255; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

### **NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 168
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$3,805.20 (168 X \$22.65 = \$3,805.20)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3090-041-03)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

*4/23/07*

Date

**RESOLUTION NO. 07-079**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17255**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 *et seq.*) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 17255; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 *et seq.*) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 17255 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 17255, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

*CITY COUNCIL MEETING OF: May 1, 2007*

**SUBMITTED BY:** John A. McGlade  
City Engineer 

**DATE:** April 22, 2007

**SUBJECT:** Resolution Number 07-080 approving the Engineer's Report and Resolution Number 07-081 ordering the annexation of Tract 17308, 17582, 17583, & 17584 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-080 and 07-081 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Suncal, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-080  
Ordering Annexation - Resolution NO. 07-081  
Petition

## RESOLUTION NO. 07-080

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No's 17308, 17582, 17583, & 17584; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 4
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$90.60 (4 X \$22.65 = \$90.60)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (455.053-88)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

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John A. McGlade, City Engineer

4/23/07

Date

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLL

1. Number of parcels to be assessed: 36
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$815.40 (#1 X \$22.65 = \$815.40)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3064-411-08 to 10; 3071-701-20,21)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

*4/23/07*

Date

# ENGINEER'S REPORT

## STREET LIGHTING ASSESSMENT DISTRICT NO. 2

### PURPOSE

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### BACKGROUND

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### REPORT

#### A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### B. ASSESSMENT ROLL

1. Number of parcels to be assessed: 51
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$1,155.15 (51 X \$22.65 = \$1,155.15)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3071-701-03, 07, 08, 15)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

4/23/07

Date

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 6
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$135.90 (6 X \$22.65 = \$135.90)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3071-711-01;3071-721-01)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

*4/23/07*

Date

**RESOLUTION NO. 07-081**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17308, 17582, 17583, & 17584**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 *et seq.*) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 17308, 17582, 17583, & 17584; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 *et seq.*) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 17308, 17582, 17583, & 17584 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 17308, 17582, 17583, & 17584, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** John A. McGlade  
City Engineer 

**DATE:** April 22, 2007

**SUBJECT:** Resolution Number 07-082 approving the Engineer's Report and Resolution Number 07-083 ordering the annexation of Tract 17426 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

**RECOMMENDATION:** It is recommended that Resolution Numbers 07-082 and 07-083 be approved at this time.

**FISCAL IMPACT:**

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

- No  
 Yes

Finance Director Review & Approval

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**DISCUSSION:** The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Skyland Investment, the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

**ATTACHMENTS**

Engineer's Report - Resolution No. 07-082  
Ordering Annexation - Resolution NO. 07-083  
Petition

**RESOLUTION NO. 07-082**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 17426; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

**Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 40
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$906.00 (40 X \$22.65 = \$906.00)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (3071-651-03,04)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

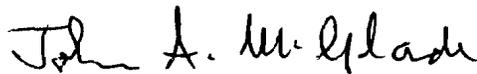
**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:



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John A. McGlade, City Engineer

4/23/0

Date

**RESOLUTION NO. 07-083**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17426**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 *et seq.*) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 17426; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice; and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 *et seq.*) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 17426 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 17426, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY: John A. McGlackin  
City Engineer 

DATE: April 22, 2007

SUBJECT: Resolution Number 07-084 approving the Engineer's Report and Resolution Number 07-085 ordering the annexation of Tract 17614 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

RECOMMENDATION: It is recommended that Resolution Numbers 07-084 and 07-085 be approved at this time.

FISCAL IMPACT:

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

No

Yes

Finance Director Review & Approval

DISCUSSION: The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Seneca Village , the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

ATTACHMENTS

Engineer's Report - Resolution No. 07-084  
Ordering Annexation – Resolution NO. 07-085  
Petition

## RESOLUTION NO. 07-084

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 17614 and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

#### **Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIII D of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 41
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$928.65 (41 X \$22.65 = \$928.65)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (477-291-06)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:

*John A. McGlade*

John A. McGlade, City Engineer

*4/23/07*

Date

**RESOLUTION NO. 07-085**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17614**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 *et seq.*) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 17614; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice; and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 *et seq.*) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 17614 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 17614, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY: John A. McGlade  
City Engineer 

DATE: April 22, 2007

SUBJECT: Resolution Number 07-086 approving the Engineer's Report and Resolution Number 07-087 ordering the annexation of Tract 17839 into the Street Lighting Assessment District (SLAD) No. 2 that incorporates the lighting requirements within the public right-of-way per the tract's conditions of approval.

RECOMMENDATION: It is recommended that Resolution Numbers 07-086 and 07-087 be approved at this time.

FISCAL IMPACT:

Budget Amount: None  
Budget Account No.

--- Finance Dept. Use Only ---  
Additional Appropriation:

- No  
 Yes

Finance Director Review & Approval

DISCUSSION: The Landscape and Lighting Act of 1972 in the Streets and Highways Code § 22500 et seq. authorizes the formation of an assessment district for the purposes of funding the perpetual maintenance of the street lighting required per the conditions of approval of each tract.

Mojave Amethyst 40 , the Developer and owner of the subject property, filed a formal Petition to initiate the annexation process of the above referenced Tract(s) into the Street Lighting Assessment District No. 2. Following staff review, an Engineer's report was prepared to establish the assessment fees for this District and a public hearing was scheduled per annexation procedures. A copy of the Petition is on file with the City Clerk and is available for review.

ATTACHMENTS

Engineer's Report - Resolution No. 07-086  
Ordering Annexation - Resolution NO. 07-087  
Petition

**RESOLUTION NO. 07-086**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972**

**WHEREAS**, the Developer submitted a formal Petition proposing the formation of a Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the street lighting required by the City to be installed by the Developer as a condition of approval of Tract No. 17839; and

**WHEREAS**, the Petition caused the City Engineer to prepare a report which complies with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

**WHEREAS**, the City Council has reviewed and considered the City's Engineer's Report and has determined to accept and approve said Report as submitted.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1 APPROVAL OF ENGINEER'S REPORT**

The Engineer's Report prepared in connection with the proposed formation of Street Lighting Assessment District No. 2, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of street lighting described in said Report hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Report.

**Section 2 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.

# **ENGINEER'S REPORT**

## **STREET LIGHTING ASSESSMENT DISTRICT NO. 2**

### **PURPOSE**

The purpose of this report is to set forth the findings and the engineering analysis for the City of Victorville, Street Lighting Assessment District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscape and Lighting Act of 1972 (hereinafter called "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code 1972 (hereinafter called "the Act"). The Assessment District is necessary to supplement certain revenues generated by the City and finance the cost of providing the perpetual maintenance to the street lighting to the parcel(s) within the districts boundaries.

### **BACKGROUND**

The "1972 Act" permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements that include the facilities existing within the proposed assessment district as those improvements provide a benefit to parcels.

The district is being formed to provide funding for the maintenance of street lighting within the proposed District boundaries.

The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution (Proposition 218) will be followed with respect to the formation of the District. Once approved, the assessment shall be levied upon each parcel within the boundaries of the District and the assessment shall be proportionate to the improvement maintenance. A maximum assessment rate per Equivalent Dwelling Unit (EDU) will be established based on the estimated operations and maintenance costs for each year. The maximum rates imposed under the Street Lighting Assessment District shall be adjusted from the yearly rate imposed by a change in the Construction Price Index Escalator.

Following the approval of this Report, a Petition/ballot shall be sent to the property owners of each of the parcels within the District. The City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the Petition/ballots shall be tabulated and the City Council may adopt a Resolution confirming the formation of the District.

### **REPORT**

#### **A. PLANS AND SPECIFICATIONS**

The improvements are the operation, maintenance, rehabilitation and servicing of street lighting including but not limited to personnel, wiring, electricity, contracting services, fixtures, sidewalk, and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

#### **B. ASSESSMENT ROLL**

1. Number of parcels to be assessed: 116
2. Amount each parcel is to be assessed \$22.65
3. **TOTAL ASSESSMENT \$2,627.40 (116 X \$22.65 = \$2,627.40)**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels. (394-031-02 to 04)

**B. METHOD OF APPORTIONMENT**

The street lighting improvements to be maintained in this District include the attached listed Tract. The maintenance and operation of the street lighting improvements within the District provides a benefit to those parcels within the District. Therefore, one hundred percent of the costs will be apportioned to each parcel on an EDU basis.

**C. SUMMARY OF ASSESSMENTS**

As final assessor parcel maps become available, the costs will be apportioned on an EDU basis as development occurs within each Tract.

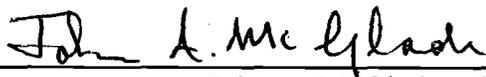
**D. PROPERTY OWNERS LIST**

The property owner list with the names and addresses of each lot or parcel, as shown on the Assessment Diagram referenced in Part F herein, is the list of property owners within the District boundaries as shown per the last equalized roll of the Assessor of the County of San Bernardino or other recorded document and is, by reference, made part of this report.

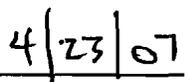
**E. ASSESSMENT DIAGRAM**

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of Assessor of the County of San Bernardino, for the year when this report was prepared or are per the recorded Tract Map, and are incorporated by reference herein and made part of this Report.

Approved and Signed By:



John A. McGlade, City Engineer

  
Date

**RESOLUTION NO. 07-087**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, 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 THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17839**

**WHEREAS**, the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways § 22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including street lighting in the public right-of-way; and

**WHEREAS**, the Developer submitted formal Petitions proposing the formation of the Street Lighting Assessment District, an assessment district proposed to be formed by the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of street lighting required by the City to be installed by the Developer as a condition of approval of Tract No.(s) 17839; and

**WHEREAS**, The Developers own the subject property and a public hearing was scheduled with 45 days notice: and,

**WHEREAS**, a public hearing was conducted and the City Council considered all objections and protests to the formation of the District and all interested persons were permitted to present written or oral testimony; and

**WHEREAS**, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of the Street Lighting Assessment District No. 2 for the ongoing maintenance of street lighting for the operation, maintenance, and rehabilitation.

**NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

**Section 1. PROPOSED FORMATION OF THE DISTRICT**

An assessment district under the Landscaping and Lighting Act of 1972 (the "Act", California Streets and Highways, §22500 et seq.) shall be proposed to be formed within the City of Victorville ("City").

## **Section 2. MAINTENANCE**

(a) The maintenance to be funded by the assessments to be collected from the proposed assessment district (the proposed "District") are for the maintenance, rehabilitation and servicing of street lighting, including but not limited to personnel, utilities such as electricity, materials, contracting services, and other items necessary for the satisfactory operation of said services.

(b) Maintenance shall include furnishing of services and materials for the ordinary and usual maintenance and servicing of street lighting facilities.

## **Section 3. TITLE AND BOUNDARIES OF THE PROPOSED DISTRICT**

(a) The proposed District shall be designated as Street Lighting Assessment District No. 2 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map No.(s) 17839 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map No.(s) 17839, and shall be depicted on the Diagram of the Assessment District Boundaries, which will be included as part of the Engineer's Report for Street Lighting Assessment District No. 2, a copy of which shall be filed with and maintained by the City Clerk upon completion.

## **Section 4 ENGINEER'S REPORT**

(a) The City Engineer shall cause to be prepared a report that complies with the provisions set forth at Article 4 of Chapter 1 of the Act.

(b) Said report shall contain all of the following:

- (1) Plans and specifications for the maintenance proposed to be funded by the assessments to be collected from the District;
- (2) An estimate of the costs of the maintenance;
- (3) A diagram for the assessment district; and
- (4) An assessment of the estimated costs of the maintenance.

## **Section 5 CITY CLERK**

The City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which the Resolution is passed and adopted.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** Adair M. Patterson *AP*      **DATE:** April 19, 2007  
Director of Finance

**SUBJECT:**      **COMMERCIAL DEMAND SCHEDULE**

**RECOMMENDATION:** That the Honorable City Council approve Commercial Demand Schedule No. 18 in the amount of \$5,139,634.81 covering Warrant Nos. 575428, 576576, 577069, 577074, 577373, 577418, 577425, 577456, 577488, 578756, 578786, 578789, 579131, 579139, 579140, 579832, 579838, 580455, 581069, 581121, 581134, 581147, 581205, 582654, 582656, 582657, 582719, 570030, 571234, 577644, 577669, 577695, 577761, 577779, 578373, 578834, 579255, 579535, 579544, 581404, 582329, 584568, 585460, 585951, 585962 and 586269 through 586820 inclusive.

**FISCAL IMPACT:** Total amount of warrants: \$5,139,634.81

Budget Amount:      \$5,139,634.81  
Budget Account No.      Various

---Finance Dept. Use Only---  
Additional Appropriation:

No

Yes/\$Amount:  
Finance Director Review &  
Approval \_\_\_\_\_

**DISCUSSION:** I hereby certify that the claims or demands covered by the attached list of warrants have been audited as to the accuracy and availability of funds for payment thereof and that said claims or demands are accurate and the funds are available for payment thereof.

*Adair Patterson*  
\_\_\_\_\_  
DIRECTOR OF FINANCE

AP/ks  
c:\files\amm\demand.com



Report ID: VVPOS2-SUM.rpt

Commercial Demand

Check No.	Date	Vendor	Payment Status	Payment Amount
570030	1/18/2006	000009899 ASE	V	-65.00
571234	2/15/2006	0000015251 Velasquez, Luis	V	-74.48
577644	8/9/2006	0000016130 Rugg, Rachel	V	-21.11
577669	8/9/2006	0000016106 Spain, Ben	V	-36.08
577695	8/9/2006	0000016129 Turner, Richard	V	-23.34
577761	8/9/2006	0000013281 Hertz Rental Car	V	-188.40
577779	8/9/2006	0000008951 Shyr, Su-Jan	V	-1,000.00
578373	8/30/2006	0000002579 Western Outdoor Power Equipment Co.	V	-22.87
578834	9/13/2006	0000016349 Reyes, Raul - Est. of	V	-107.19
579255	9/20/2006	0000002502 Victorville Chamber of Commerce	V	-285.00
579535	9/27/2006	0000002050 San Bernardino County Recorder	V	-64.00
579544	9/27/2006	0000002482 Victor Valley Community Hospital	V	-500.00
581404	11/15/2006	0000011197 Vasquez, Michael	V	-7.42
582329	12/13/2006	0000002579 Western Outdoor Power Equipment Co.	V	-1,804.41
584568	2/21/2007	0000014636 Wingfoot Commercial Tire	V	-285.46
585460	3/21/2007	0000017231 Bettencourt, Adelaide	V	-93.99
585951	4/4/2007	0000017328 Balderrama, Aireana	V	-2.80
585962	4/4/2007	0000015877 Boot Barn / American Worker	V	-96.96
586544	4/18/2007	0000008243 4imprint	P	1,700.26
586545	4/18/2007	0000012587 AAA Hose Connection	P	1,342.13
586546	4/18/2007	0000007343 Abrego, Tamala S	P	106.16
586547	4/18/2007	0000014638 Accurate Overhead Door Systems	P	311.00
586548	4/18/2007	0000010036 Adapt Consulting, Inc.	P	402.30
586549	4/18/2007	0000006988 Adelanto Elementary School District	P	3,425.00
586550	4/18/2007	0000005101 Adirondack Direct	P	476.00
586551	4/18/2007	0000004585 Air Cleaning Systems	P	291.38
586552	4/18/2007	0000006716 Airgas West	P	102.90
586553	4/18/2007	0000000111 Allstar Fire Equipment	P	3,934.21
586554	4/18/2007	0000016799 AmeriPride Uniform Services	P	1,037.28
586555	4/18/2007	0000000191 Applied Industrial Tech	P	780.98
586556	4/18/2007	0000000193 Apria Healthcare, Inc.	P	60.00
586557	4/18/2007	0000016433 Aqua Serve Engineers, Inc.	P	1,333.83
586558	4/18/2007	0000000206 Arrowhead Mountain Spring Water	P	181.89
586559	4/18/2007	0000012801 Arzola, Mary Ann	P	135.70
586560	4/18/2007	0000016359 AT Systems Security Inc.	P	7,351.92
586561	4/18/2007	0000009599 Aufbau	P	19,218.00
586562	4/18/2007	0000003042 Apple Valley Communications Inc.	P	35.00
586563	4/18/2007	0000000188 Apple Valley Stationers	P	256.43
586564	4/18/2007	0000004957 Town of Apple Valley	P	15,682.01
586565	4/18/2007	0000000290 Battery Mart	P	1,283.45
586566	4/18/2007	0000000293 Beaumont Yamaha/Kawasaki	P	361.39
586567	4/18/2007	0000016175 Benz Construction	P	293.10
586568	4/18/2007	0000016358 Blue Diamond	P	372.76
586569	4/18/2007	0000016866 Bureau Veritas North America, Inc.	P	1,500.00
586570	4/18/2007	0000000456 Calcon Electric Supply	P	304.57
586571	4/18/2007	0000004242 California Bio-Mass, Inc.	P	300.00
586572	4/18/2007	0000000781 State of California Board of	P	1,600.41
586573	4/18/2007	0000010630 California Overnight	P	20.00
586574	4/18/2007	0000007195 California Redevelopment Association	P	10,550.00
586575	4/18/2007	0000002720 California Tool & Welding Supply	P	7.80
586576	4/18/2007	0000005967 Century Forms, Inc.	P	135.89
586577	4/18/2007	0000008522 Charter Communications	P	388.81
586578	4/18/2007	0000000556 Chicago Title Co.	P	420.00



Commercial Demand

Check No.	Date	Vendor	Payment Status	Payment Amount
586579	4/18/2007	0000000425 C.H.J. Incorporated	P	14,118.25
586580	4/18/2007	0000009672 Colton Truck Supply	P	205.47
586581	4/18/2007	0000017039 Confetti's Party Supplies	P	25.27
586582	4/18/2007	0000000632 Consolidated Electrical Distributors,	P	1,713.23
586583	4/18/2007	0000014230 Cooline	P	524.71
586584	4/18/2007	0000017428 Cordero, Michelle	P	200.00
586585	4/18/2007	0000000303 Costco	P	2,081.86
586586	4/18/2007	0000000677 CRAFCO, Inc.	P	1,256.20
586587	4/18/2007	0000003901 Creative Benefits, Inc.	P	2,736.50
586588	4/18/2007	0000000699 Cutting Edge Concrete Services, Inc.	P	149,314.59
586589	4/18/2007	0000006348 Daily Journal Corporation	P	141.04
586590	4/18/2007	0000000712 Daily Press	P	582.18
586591	4/18/2007	0000016181 Dakessian, Marty	P	10,430.59
586592	4/18/2007	0000017429 das Manufacturing Inc.	P	203.38
586593	4/18/2007	0000004407 Deery American Corp	P	3,121.17
586594	4/18/2007	0000000743 Dell Marketing L.P.	P	110,368.52
586595	4/18/2007	0000000754 Desert Community Bank	P	6,000.00
586596	4/18/2007	0000000754 Desert Community Bank	P	32,304.20
586597	4/18/2007	0000000760 Desert Service Station Maintenance	P	294.13
586598	4/18/2007	0000000764 Desert Truck Supply	P	111.04
586599	4/18/2007	0000006024 Dewey Pest Control	P	125.00
586600	4/18/2007	0000008893 DGA Consultants, Inc.	P	37,278.66
586601	4/18/2007	0000002977 Theresa M. Dickover	P	181.85
586602	4/18/2007	0000012601 Ease Diagnostics	P	917.00
586603	4/18/2007	0000004912 Ecology Control Industries	P	878.05
586604	4/18/2007	0000007289 EDFUND	P	267.29
586605	4/18/2007	0000014971 E. J. Brooks	P	245.86
586606	4/18/2007	0000000875 Endura Steel, Inc.	P	49.12
586607	4/18/2007	0000012508 Environmental Systems Research Institu	P	2,375.00
586608	4/18/2007	0000017418 EZ Finishes, Inc.	P	200.66
586609	4/18/2007	0000000907 Fairfield Line, Inc.	P	1,005.40
586610	4/18/2007	0000000917 Federal Express Corp.	P	190.05
586611	4/18/2007	0000011697 FedEx Freight West, Inc.	P	52.67
586612	4/18/2007	0000017430 Felix, Mauricio	P	185.00
586613	4/18/2007	0000011539 Ferguson Enterprises, Inc. #677	P	31.81
586614	4/18/2007	0000010838 Fire & Pump Service Group c/o Chemgi	P	4,850.20
586615	4/18/2007	0000013384 Fish Window Cleaning	P	125.00
586616	4/18/2007	0000000953 Fitness Appraisals, Inc.	P	10,000.00
586617	4/18/2007	0000009437 Fore-Par	P	595.14
586618	4/18/2007	0000000975 Franklin Truck Parts, Inc.	P	326.01
586619	4/18/2007	0000001015 Gall's Inc.	P	320.68
586620	4/18/2007	0000001015 Gall's Inc.	P	1,597.12
586621	4/18/2007	0000001740 G.A. Osborne Pipe-Supply	P	331.55
586622	4/18/2007	0000011689 Golf Ventures West	P	187.26
586623	4/18/2007	0000001943 Goodspeed Distributing, Inc.	P	96,287.10
586624	4/18/2007	0000001063 Goodyear Service Store	P	1,588.13
586625	4/18/2007	0000001076 Grainger, Inc.	P	25,831.61
586626	4/18/2007	0000003047 Graves & King	P	2,163.09
586627	4/18/2007	0000006269 Green, de Bortnowsky & Quintanilla, LI	P	132,329.77
586628	4/18/2007	0000006956 GreenField Compression, Inc.	P	330.50
586629	4/18/2007	0000002968 The Grumpy Golfer	P	91.80
586630	4/18/2007	0000001100 H & E Home Builders	P	913.82
586631	4/18/2007	0000001123 Harbor Freight Tools	P	875.14
586632	4/18/2007	0000001096 HCS-Cutler	P	88.03



Commercial Demand

Check No.	Date	Vendor	Payment Status	Payment Amount
586633	4/18/2007	0000016587 HDR Engineering, Inc.	P	8,613.96
586634	4/18/2007	0000001155 Hesperia Hose Supply	P	108.36
586635	4/18/2007	0000001162 Hi-Desert Communications	P	1,241.06
586636	4/18/2007	0000008848 Hi Desert Fire Protection Service	P	154.00
586637	4/18/2007	0000001184 High Desert Laser Graphics	P	53.99
586638	4/18/2007	0000002687 High Desert Stamp & Engraving	P	7.00
586639	4/18/2007	0000017053 High Desert Lock & Safe, Inc.	P	154.87
586640	4/18/2007	0000001194 Hightech Signs	P	122.44
586641	4/18/2007	0000017423 HMC Construction, Inc.	P	21,300.00
586642	4/18/2007	0000006707 Joseph M. Ho, M.D., Inc.	P	720.00
586643	4/18/2007	0000015249 Holland & Knight LLP	P	1,582.10
586644	4/18/2007	0000001218 Home Depot, Inc.	P	1,568.90
586645	4/18/2007	0000017072 Idearc Media Corp	P	510.10
586646	4/18/2007	0000007512 Imperial Sprinkler Supply, Inc.	P	242.47
586647	4/18/2007	0000015809 Independent Electric Supply, Inc.	P	2,992.80
586648	4/18/2007	0000015455 Industrial Medical Services, Inc	P	189.00
586649	4/18/2007	0000008885 Inmark/Victor	P	108.81
586650	4/18/2007	0000016166 Innovative Federal Strategies LLC	P	24,000.00
586651	4/18/2007	0000015907 J.J. Jinkleheimer & Co.	P	816.82
586652	4/18/2007	0000015912 Key Turf Construction	P	53,403.34
586653	4/18/2007	0000001426 Lab Safety Supply co.	P	410.76
586654	4/18/2007	0000001462 Lindy T's Too!	P	21.55
586655	4/18/2007	0000004180 Lingo Industrial Electronics	P	595.91
586656	4/18/2007	0000008208 Lowe's	P	121.55
586657	4/18/2007	0000001489 M&D Fire Equipment Company, Inc.	P	90.43
586658	4/18/2007	0000017311 M-B Companies, Inc.	P	1,135.37
586659	4/18/2007	0000001510 Management Concepts, Inc.	P	605.00
586660	4/18/2007	0000016161 Manley's Boiler Inc.	P	7,828.85
586661	4/18/2007	0000002716 MANPOWER	P	528.66
586662	4/18/2007	0000017421 Manzo, Laura & Salvador	P	506.72
586663	4/18/2007	0000017422 Maxi-Sweep	P	138.06
586664	4/18/2007	0000010734 MBS, a Konica Minolta Business Soluti	P	70.78
586665	4/18/2007	0000014892 McCormick, Kidman, & Behrens, LLP	P	75.00
586666	4/18/2007	0000001548 McMaster-Carr Supply Co.	P	1,130.99
586667	4/18/2007	0000001551 Measurement Control Systems	P	3,316.83
586668	4/18/2007	0000005238 Medtronic Physio-Control Corp.	P	133.71
586669	4/18/2007	0000001562 Metrocall	P	146.86
586670	4/18/2007	0000002835 Minolta Business Systems, Inc.	P	503.22
586671	4/18/2007	0000001603 Mojave Water Agency	P	57,500.00
586672	4/18/2007	0000015291 Morning Star Trading Inc.	P	2,589.50
586673	4/18/2007	0000005448 MWB Business Systems	P	796.73
586674	4/18/2007	0000001648 NAPA Auto Parts	P	2,161.80
586675	4/18/2007	0000007789 Nelson Traffic Supply	P	1,063.36
586676	4/18/2007	0000004894 New Jersey Family Support Pmt	P	140.31
586677	4/18/2007	0000005964 Nike USA, Inc.	P	60.74
586678	4/18/2007	0000014758 Nova Electric	P	162,190.55
586679	4/18/2007	0000001711 Office Depot	P	1,058.22
586680	4/18/2007	0000002772 OfficeMax	P	133.61
586681	4/18/2007	0000013064 OfficeMax Contract, Inc.	P	530.64
586682	4/18/2007	0000016887 Office Works	P	100.08
586683	4/18/2007	0000005341 Oriental Trading Company, Inc.	P	86.60
586684	4/18/2007	0000012163 Orkin Pest Control	P	1,032.49
586685	4/18/2007	0000010156 Outback	P	3,080.00
586686	4/18/2007	0000014973 Pacific Mobile Structures, Inc.	P	5,532.97



Commercial Demand

Check No.	Date	Vendor	Payment Status	Payment Amount
586687	4/18/2007	0000001789 Parkhouse Tire, Inc.	P	1,348.27
586688	4/18/2007	0000001800 Paulson Paint	P	2,084.06
586689	4/18/2007	0000001810 Pep Boys	P	107.74
586690	4/18/2007	0000011861 Plumber's Depot	P	1,939.50
586691	4/18/2007	0000003484 Porter, Diana	P	735.75
586692	4/18/2007	0000012413 Pouk & Steinle, Inc.	P	3,265.00
586693	4/18/2007	0000015872 Power Management, Inc.	P	6,777.39
586694	4/18/2007	0000004918 Precision Window Tinting	P	125.00
586695	4/18/2007	0000013149 Project Partners	P	6,096.60
586696	4/18/2007	0000011487 Psomas, Inc.	P	3,600.00
586697	4/18/2007	0000016244 PTL Electric, Inc.	P	1,677.50
586698	4/18/2007	0000014577 PureRite Drinking Water	P	115.98
586699	4/18/2007	0000004834 Radio Shack	P	1,260.51
586700	4/18/2007	0000001930 Rancho Motor Company	P	78.47
586701	4/18/2007	0000004116 RBF Consulting	P	15,773.15
586702	4/18/2007	0000006618 Rehab Financial Corporation	P	350.00
586703	4/18/2007	0000016877 Riverside Construction Co., Inc.	P	408,845.70
586704	4/18/2007	0000003857 Roadline Products Inc.	P	359.38
586705	4/18/2007	0000002746 Roto-Rooter Plumbers	P	225.00
586706	4/18/2007	0000001910 R & R Products	P	280.61
586707	4/18/2007	0000017425 Rwengo, Christina	P	10.50
586708	4/18/2007	0000004504 S & S Worldwide	P	22.94
586709	4/18/2007	0000017417 S.S. Hert Trucking, Inc.	P	796.50
586710	4/18/2007	0000002019 Safelite Glass Corp.	P	194.02
586711	4/18/2007	0000002017 Safeway Sign Co.	P	913.98
586712	4/18/2007	0000012823 San Diego Precast Concrete	P	10,717.12
586713	4/18/2007	0000011891 San Dieguito Printers	P	3,868.23
586714	4/18/2007	0000002037 San Bernardino County	P	22,999.68
586715	4/18/2007	0000007912 SBC Sheriff's Court Serv.	P	413.85
586716	4/18/2007	0000002155 Smart & Final	P	125.90
586717	4/18/2007	0000002170 Snap-On Tools Corp.	P	80.81
586718	4/18/2007	0000015449 Snorkel International Inc.	P	124.87
586719	4/18/2007	0000002175 So & Associates Engineering, Inc.	P	101,850.39
586720	4/18/2007	0000002188 Southern California Edison	P	8,746.26
586721	4/18/2007	0000013276 Southern California Golf News	P	1,400.00
586722	4/18/2007	0000002227 Staples Credit Plan	P	23.14
586723	4/18/2007	0000016245 State Disbursement Unit	P	260.00
586724	4/18/2007	0000016245 State Disbursement Unit	P	2.00
586725	4/18/2007	0000002238 Stater Bros. Markets	P	69.01
586726	4/18/2007	0000004812 Stericycle Inc.	P	141.03
586727	4/18/2007	0000003077 Stirling Airports International, LLC	P	368,147.00
586728	4/18/2007	0000003077 Stirling Airports International, LLC	P	123,838.00
586729	4/18/2007	0000003077 Stirling Airports International, LLC	P	153,777.00
586730	4/18/2007	0000007039 Stody Industrial & Welding Supply, In	P	118.80
586731	4/18/2007	0000002269 Sunland Ford	P	560.61
586732	4/18/2007	0000017068 Superior Towing, Inc.	P	1,125.00
586733	4/18/2007	0000002204 Southwest Gas Corporation	P	45,512.14
586734	4/18/2007	0000010065 System Innovators, Inc.	P	895.00
586735	4/18/2007	0000002313 Target Specialty Products	P	227.86
586736	4/18/2007	0000017096 TCM Group	P	55,390.00
586737	4/18/2007	0000002346 Titleist	P	66.24
586738	4/18/2007	0000002372 Transwest Ford Truck Sales	P	418.09
586739	4/18/2007	0000006279 Turf Star, Inc.	P	493.77
586740	4/18/2007	0000009801 T.Y. Custom Design	P	2,628.25



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Check No.	Date	Vendor	Payment Status	Payment Amount
586741	4/18/2007	0000002399 Type-Set-Go	P	3,574.27
586742	4/18/2007	0000014613 UniFirst Corporation	P	46.48
586743	4/18/2007	0000002426 United Parcel Service	P	137.02
586744	4/18/2007	0000003089 United Rentals, Inc.	P	373.23
586745	4/18/2007	0000014536 United Site Services of CA, Inc.	P	2,270.81
586746	4/18/2007	0000002430 United Way Desert Communities	P	45.00
586747	4/18/2007	0000016889 UPS Freight	P	302.14
586748	4/18/2007	0000016520 United States	P	2,215.29
586749	4/18/2007	0000003054 Valentino's Pizza	P	55.00
586750	4/18/2007	0000014519 Venable LLP	P	14,773.92
586751	4/18/2007	0000002472 Vern's Mobile Glass	P	911.00
586752	4/18/2007	0000017127 Vista Performance Group, LLC	P	11,550.00
586753	4/18/2007	0000017282 Visual Marketing Concepts	P	300.00
586754	4/18/2007	0000005896 Victor Valley Hand Car Wash, Inc.	P	83.50
586755	4/18/2007	0000002507 Victorville Professional Firefighters	P	2,490.28
586756	4/18/2007	0000002862 Victor Valley Towing, Inc.	P	160.20
586757	4/18/2007	0000002499 Victor Valley Water District	P	9,224.01
586758	4/18/2007	0000011361 Walters Wholesale Electric Co.	P	1,631.70
586759	4/18/2007	0000002554 Waxie Sanitary Supply	P	1,149.27
586760	4/18/2007	0000016782 Western Audio Visual Corp	P	15,810.68
586761	4/18/2007	0000002579 Western Outdoor Power Equipment Co.	P	2,754.67
586762	4/18/2007	0000008863 Winner Industrial Chemical & Tool	P	999.85
586763	4/18/2007	0000017426 Wintron Technologies	P	1,379.70
586764	4/18/2007	0000002632 Xerox Corporation	P	259.24
586765	4/18/2007	0000002632 Xerox Corporation	P	699.06
586766	4/18/2007	0000010163 Yeager Skanska Inc.	P	231,284.42
586767	4/18/2007	0000002648 ZEP Manufacturing	P	221.29
586768	4/18/2007	0000011739 Aguilar, Steven	P	8,740.00
586769	4/18/2007	0000000034 APWA	P	145.00
586770	4/18/2007	0000014881 Arteaga, Denisse	P	33.95
586771	4/18/2007	0000004957 Town of Apple Valley	P	125.00
586772	4/18/2007	0000004297 Becker, John	P	86.19
586773	4/18/2007	0000000297 Beck Oil, Inc.	P	468.45
586774	4/18/2007	0000005734 Brown, Michael	P	61.11
586775	4/18/2007	0000003219 Caldwell, Terry, E.	P	3,959.12
586776	4/18/2007	0000013955 Chapdelaine, Scott	P	37.74
586777	4/18/2007	0000000492 California Park and Recreation	P	200.00
586778	4/18/2007	0000007826 Eversan Incorporated	P	945.00
586779	4/18/2007	0000000946 First American Title Co.	P	91,318.98
586780	4/18/2007	0000017427 Garcia, Teresa	P	500.00
586781	4/18/2007	0000006920 Hernandez, James	P	27.20
586782	4/18/2007	0000001191 High Desert Opportunity	P	195.00
586783	4/18/2007	0000015499 High Desert Mountain Water Associatic	P	75.00
586784	4/18/2007	0000015499 High Desert Mountain Water Associatic	P	90.00
586785	4/18/2007	0000003626 Hunter, Robert C.	P	28.16
586786	4/18/2007	0000011942 IEDC	P	695.00
586787	4/18/2007	0000016510 Isernhagen, Dawn	P	27.15
586788	4/18/2007	0000015825 Jensen, Eric	P	224.00
586789	4/18/2007	0000016605 Likiardopoulos, Dean	P	31.13
586790	4/18/2007	0000009606 M&M / Mars	P	50,000.00
586791	4/18/2007	0000007650 Maaco	P	2,947.85
586792	4/18/2007	0000017409 Maciel, Harry	P	260.00
586793	4/18/2007	0000001494 Maintenance Superintendent Associatio	P	40.00
586794	4/18/2007	0000015790 Mike's Remodeling	P	3,701.00



<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
586795	4/18/2007	0000001595 Mojave Basin Area Watermaster	P	245.02
586796	4/18/2007	0000017109 Myers, Cambria	P	28.14
586797	4/18/2007	0000017416 North Star Pet Assistance	P	400.00
586798	4/18/2007	0000017419 Omni San Diego Hotel	P	593.73
586799	4/18/2007	0000016208 Redwood Resources Marketing, LLC	P	388,680.39
586800	4/18/2007	0000003582 Rothschild, Mike	P	341.45
586801	4/18/2007	0000002037 San Bernardino County	P	24.00
586802	4/18/2007	0000002037 San Bernardino County	P	40.00
586803	4/18/2007	0000008951 Shyr, Su-Jan	P	1,000.00
586804	4/18/2007	0000015450 Sierra, Ramon	P	40.00
586805	4/18/2007	0000015450 Sierra, Ramon	P	180.00
586806	4/18/2007	0000002188 Southern California Edison	P	3,017.85
586807	4/18/2007	0000002196 Southern California Housing Developm	P	3,000.00
586808	4/18/2007	0000014257 So Pac Rail, Inc.	P	31,835.26
586809	4/18/2007	0000017424 Sorensen, Anita	P	455.00
586810	4/18/2007	0000002204 Southwest Gas Corporation	P	53,698.94
586811	4/18/2007	0000010455 Thomas, Tanya	P	323.24
586812	4/18/2007	0000002482 Victor Valley Community Hospital	P	500.00
586813	4/18/2007	0000002506 Victorville Firemen's Association	P	695.61
586814	4/18/2007	0000002504 City of Victorville Sanitation	P	976.56
586815	4/18/2007	0000003225 Wasserman, Becky	P	517.42
586816	4/18/2007	0000011775 Weiss, Melinda	P	30.00
586817	4/18/2007	0000016525 The Westin	P	669.06
586818	4/18/2007	0000009943 Wiebeld, James	P	52.07
586819	4/18/2007	0000014636 Wingfoot Commercial Tire	P	285.46
586820	4/18/2007	0000016730 Young, Gerald	P	626.88
<b>Check Total:</b>				<u>3,421,803.36</u>



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Check No.	Date	Vendor	Payment Status	Payment Amount
575428	6/14/2006	0000015846 Clayton, Geniece	V	-4.50
576576	7/12/2006	0000015932 McAllister, Johnnie	V	-15.00
577069	7/26/2006	0000015969 H&N Development, Inc.	V	-50.00
577074	7/26/2006	0000015970 Johnson, Dawn Sr.	V	-25.00
577373	8/9/2006	0000016026 BH Properties	V	-547.98
577418	8/9/2006	0000016030 Corley, Jeff	V	-46.69
577425	8/9/2006	0000015995 Curiel, Elbia	V	-36.08
577456	8/9/2006	0000016032 Farag, Mark Fahmi	V	-36.08
577488	8/9/2006	0000015994 Gutierrez, Alejandro	V	-5.30
578756	9/13/2006	0000016267 Johnson, Maria	V	-38.20
578786	9/13/2006	0000016291 Luster, Charles	V	-5.73
578789	9/13/2006	0000016298 Mahorney, Troy	V	-22.11
579131	9/20/2006	0000016409 Goddard, Tina	V	-17.79
579139	9/20/2006	0000012655 Guerrero, Yolanda	V	-47.75
579140	9/20/2006	0000016371 Gutierrez, Quirino	V	-135.00
579832	10/4/2006	0000016487 Koscelnik, Jennifer	V	-19.89
579838	10/4/2006	0000007793 Marriott Hotel	V	-201.48
580455	10/25/2006	0000016560 Ogata, Sylvia	V	-15.75
581069	11/8/2006	0000016606 Nichols, Lester E., III	V	-1.96
581121	11/15/2006	0000016634 Azanza, James	V	-21.19
581134	11/15/2006	0000016702 Brokaw, John	V	-44.84
581147	11/15/2006	0000016625 Castillo, Lilia/Maynard	V	-20.14
581205	11/15/2006	0000013114 Gastelum, Jesus	V	-14.85
582654	12/20/2006	0000016819 Ongpin, Maria	V	-175.00
582656	12/20/2006	0000016830 Perkins, Scott M.	V	-50.00
582657	12/20/2006	0000014208 Priority Title Company	V	-45.63
582719	12/22/2006	0000000662 The Counseling Team International	V	-300.00
586269	4/11/2007	0000017319 101 Acquisition, Inc.	P	341.65
586270	4/11/2007	0000013312 A&B Hitches and Mufflers	P	120.46
586271	4/11/2007	0000012587 AAA Hose Connection	P	1,409.38
586272	4/11/2007	0000010036 Adapt Consulting, Inc.	P	3,436.79
586273	4/11/2007	0000000063 Advanced Technology	P	39.76
586274	4/11/2007	0000017413 Aguirre, Edward	P	25.00
586275	4/11/2007	0000000121 Altec Industries, Inc.	P	4.97
586276	4/11/2007	0000013867 American Art & Frame Co.	P	171.11
586277	4/11/2007	0000000139 American Industrial Supply, Inc	P	364.21
586278	4/11/2007	0000016575 American Radio Relay League	P	88.70
586279	4/11/2007	0000017111 American Wrecking	P	258,816.79
586280	4/11/2007	0000006913 AmeriMark Direct	P	945.71
586281	4/11/2007	0000016799 AmeriPride Uniform Services	P	560.43
586282	4/11/2007	0000000033 A.M. Player	P	671.68
586283	4/11/2007	0000000158 AMTEK	P	265.00
586284	4/11/2007	0000002668 Animal Hospital at the Narrows, Inc.	P	784.00
586285	4/11/2007	0000008507 Animal Medical Center	P	269.00
586286	4/11/2007	0000000169 Antelope Valley Turf Supply	P	82.43
586287	4/11/2007	0000000191 Applied Industrial Tech	P	140.74
586288	4/11/2007	0000000206 Arrowhead Mountain Spring Water	P	185.89
586289	4/11/2007	0000016359 AT Systems Security Inc.	P	10,134.20
586290	4/11/2007	0000000188 Apple Valley Stationers	P	280.04
586291	4/11/2007	0000017403 Balloon Wholesalers International	P	116.10
586292	4/11/2007	0000000275 Barr Lumber	P	115.16
586293	4/11/2007	0000000290 Battery Mart	P	509.70
586294	4/11/2007	0000000293 Beaumont Yamaha/Kawasaki	P	474.68



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<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
586295	4/11/2007	0000000297 Beck Oil, Inc.	P	71.96
586296	4/11/2007	0000000311 Best Access Systems/	P	795.21
586297	4/11/2007	0000000309 Best Buy Co., Inc.	P	104.13
586298	4/11/2007	0000000456 Calcon Electric Supply	P	324.15
586299	4/11/2007	0000002807 State of California Conservation	P	14,377.07
586300	4/11/2007	0000000782 State of California Controller's Office	P	1,544.28
586301	4/11/2007	0000010630 California Overnight	P	54.52
586302	4/11/2007	0000010816 California Resource Recovery Assoc.	P	192.00
586303	4/11/2007	0000002720 California Tool & Welding Supply	P	12.70
586304	4/11/2007	0000000543 Chabin Concepts, Inc.	P	4,183.87
586305	4/11/2007	0000002660 C&H Distributors, Inc.	P	108.01
586306	4/11/2007	0000012938 Cingular Wireless	P	390.79
586307	4/11/2007	0000012938 Cingular Wireless	P	84.54
586308	4/11/2007	0000013163 Citizens Business Bank	P	35,690.11
586309	4/11/2007	0000017414 Clark, Judy	P	25.00
586310	4/11/2007	0000005970 Clear Channel Communications	P	2,224.00
586311	4/11/2007	0000015831 Club Prophet Systems	P	151.07
586312	4/11/2007	0000000429 CMTA	P	150.00
586313	4/11/2007	0000012582 Comerica Leasing Corp.	P	53,187.58
586314	4/11/2007	0000000613 Commercial Engine Service	P	988.67
586315	4/11/2007	0000017393 Complete Energy Consulting, LLC	P	3,000.00
586316	4/11/2007	0000000623 Comser Co.	P	54.00
586317	4/11/2007	0000004583 Converse Consultants, Inc.	P	7,765.10
586318	4/11/2007	0000015849 Cook Paging	P	42.91
586319	4/11/2007	0000014230 Cooline	P	137.92
586320	4/11/2007	0000000662 The Counseling Team International	P	300.00
586321	4/11/2007	0000005300 C.S.M.F.O.	P	75.00
586322	4/11/2007	0000015965 Cutter & Buck	P	80.22
586323	4/11/2007	0000006348 Daily Journal Corporation	P	96.32
586324	4/11/2007	0000000712 Daily Press	P	3,004.40
586325	4/11/2007	0000017402 Daxon Marketing Communications	P	150.00
586326	4/11/2007	0000004407 Deery American Corp	P	6,692.34
586327	4/11/2007	0000000743 Dell Marketing L.P.	P	1,605.53
586328	4/11/2007	0000008506 DEO Enterprises	P	9,880.82
586329	4/11/2007	0000008350 Desert Survival Guide	P	225.00
586330	4/11/2007	0000010170 Designit Inc.	P	113.96
586331	4/11/2007	0000013744 Dinter Engineering	P	660.00
586332	4/11/2007	0000013382 Direct TV	P	84.96
586333	4/11/2007	0000007371 Discount School Supplies	P	88.02
586334	4/11/2007	0000015864 Earth Tech Inc.	P	74,943.01
586335	4/11/2007	0000004553 Enviro Chek	P	4,139.43
586336	4/11/2007	0000015760 Fastenal Company	P	28.62
586337	4/11/2007	0000000917 Federal Express Corp.	P	23.04
586338	4/11/2007	0000011539 Ferguson Enterprises, Inc. #677	P	12.06
586339	4/11/2007	0000000969 FootJoy	P	3,857.27
586340	4/11/2007	0000000975 Franklin Truck Parts, Inc.	P	240.76
586341	4/11/2007	0000001002 G & M Towing & Recovery	P	128.80
586342	4/11/2007	0000001740 G.A. Osborne Pipe-Supply	P	2,096.85
586343	4/11/2007	0000001047 Global Tour Golf, Inc.	P	153.95
586344	4/11/2007	0000017387 Goble, Brian	P	44.94
586345	4/11/2007	0000011689 Golf Ventures West	P	396.49
586346	4/11/2007	0000015963 Gonzales Environmental Consulting LL	P	1,384.15
586347	4/11/2007	0000001943 Goodspeed Distributing, Inc.	P	52,794.03
586348	4/11/2007	0000001063 Goodyear Service Store	P	2,218.83



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586349	4/11/2007	0000001074 Graham Equipment	P	58.19
586350	4/11/2007	0000003047 Graves & King	P	381.65
586351	4/11/2007	0000002968 The Grumpy Golfer	P	713.16
586352	4/11/2007	0000001100 H & E Home Builders	P	551.34
586353	4/11/2007	0000015969 H&N Development, Inc.	P	50.00
586354	4/11/2007	0000001104 Haaker Equipment Co.	P	2,200.32
586355	4/11/2007	0000001123 Harbor Freight Tools	P	22.58
586356	4/11/2007	0000001096 HCS-Cutler	P	524.40
586357	4/11/2007	0000013762 Hesperia Animal Hospital	P	160.00
586358	4/11/2007	0000001155 Hesperia Hose Supply	P	72.28
586359	4/11/2007	0000001162 Hi-Desert Communications	P	217.50
586360	4/11/2007	0000008848 Hi Desert Fire Protection Service	P	318.84
586361	4/11/2007	0000001184 High Desert Laser Graphics	P	175.09
586362	4/11/2007	0000001194 Hightech Signs	P	41.40
586363	4/11/2007	0000011025 Hippo Golf Company, Inc.	P	189.05
586364	4/11/2007	0000006707 Joseph M. Ho, M.D., Inc.	P	90.00
586365	4/11/2007	0000001218 Home Depot, Inc.	P	742.15
586366	4/11/2007	0000001229 Howards Muffler Service, Inc.	P	84.61
586367	4/11/2007	0000015767 Hromadka & Associates	P	1,973.00
586368	4/11/2007	0000017072 Idearc Media Corp	P	254.40
586369	4/11/2007	0000007512 Imperial Sprinkler Supply, Inc.	P	199.69
586370	4/11/2007	0000015809 Independent Electric Supply, Inc.	P	992.05
586371	4/11/2007	0000011508 Industrial Solution Services	P	6,992.25
586372	4/11/2007	0000015455 Industrial Medical Services, Inc	P	658.65
586373	4/11/2007	0000008885 Inmark/Victor	P	54.67
586374	4/11/2007	0000017350 Integrated Waste Mgmt Consulting, LLC	P	1,474.28
586375	4/11/2007	0000015822 ITC-Diligence, Inc.	P	1,000.00
586376	4/11/2007	0000012176 J & J Concessions	P	240.00
586377	4/11/2007	0000017411 Jackson, Boyd	P	135.95
586378	4/11/2007	0000015970 Johnson, Dawn Sr.	P	25.00
586379	4/11/2007	0000012411 Johnson Power Systems	P	120,809.13
586380	4/11/2007	0000001359 Kamper's Korner	P	11.93
586381	4/11/2007	0000017401 Kantronics Co., Inc.	P	50.00
586382	4/11/2007	0000017130 Kelly's General Constrcting & Eng.	P	16,300.00
586383	4/11/2007	0000004807 KONE, Inc.	P	256.37
586384	4/11/2007	0000009120 Kuch-Brown & Assoc., Inc.	P	112.45
586385	4/11/2007	0000017412 Lamps Plus, Inc.	P	548.94
586386	4/11/2007	0000001416 Lawson Products, Inc.	P	1,520.79
586387	4/11/2007	0000017320 Legendary Holdings Inc	P	376.16
586388	4/11/2007	0000004986 Leslie's Pool Supplies	P	341.53
586389	4/11/2007	0000001462 Lindy T's Too!	P	91.59
586390	4/11/2007	0000017408 Lopez, Rosa	P	43.00
586391	4/11/2007	0000010660 Loveland's Automotive Service	P	315.00
586392	4/11/2007	0000009908 Lowe's	P	428.56
586393	4/11/2007	0000008208 Lowe's	P	475.15
586394	4/11/2007	0000008210 Lowe's	P	36.56
586395	4/11/2007	0000011722 Lowe's	P	127.88
586396	4/11/2007	0000001510 Management Concepts, Inc.	P	764.00
586397	4/11/2007	0000002716 MANPOWER	P	1,153.44
586398	4/11/2007	0000001517 Mark & Nellie's Nursery	P	624.96
586399	4/11/2007	0000000361 Mark Brown & Associates, Inc.	P	235.00
586400	4/11/2007	0000001589 Mobile Storage Group-West	P	237.59
586401	4/11/2007	0000010544 Mobile Vision	P	18.27
586402	4/11/2007	0000001603 Mojave Water Agency	P	137,500.00



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586403	4/11/2007	0000001622 Mountaineer/Progress	P	208.00
586404	4/11/2007	0000001631 Murray's Hotel & Restaurant Supply	P	204.73
586405	4/11/2007	0000005448 MWB Business Systems	P	1,003.43
586406	4/11/2007	0000001648 NAPA Auto Parts	P	1,553.08
586407	4/11/2007	0000017386 Navarro Family Trust	P	44.94
586408	4/11/2007	0000005964 Nike USA, Inc.	P	864.58
586409	4/11/2007	0000013396 Noah's Ark Animal Hospital	P	60.00
586410	4/11/2007	0000001711 Office Depot	P	556.90
586411	4/11/2007	0000002772 OfficeMax	P	400.56
586412	4/11/2007	0000016887 Office Works	P	540.98
586413	4/11/2007	0000016819 Ongpin, Maria	P	175.00
586414	4/11/2007	0000005341 Oriental Trading Company, Inc.	P	690.75
586415	4/11/2007	0000011201 Pacifica Publishing Services	P	300.00
586416	4/11/2007	0000001789 Parkhouse Tire, Inc.	P	965.11
586417	4/11/2007	0000001800 Paulson Paint	P	476.45
586418	4/11/2007	0000001810 Pep Boys	P	4.29
586419	4/11/2007	0000016830 Perkins, Scott M.	P	50.00
586420	4/11/2007	0000017188 Phillips, Jane	P	72.16
586421	4/11/2007	0000003033 Pitney Bowes	P	249.89
586422	4/11/2007	0000011380 Preferred Aerial & Crane Technology, I	P	1,475.00
586423	4/11/2007	0000011559 Premiumwear, Inc	P	43.40
586424	4/11/2007	0000002988 PRIMA	P	55.00
586425	4/11/2007	0000001866 Printmart	P	239.64
586426	4/11/2007	0000014208 Priority Title Company	P	45.63
586427	4/11/2007	0000013149 Project Partners	P	7,225.60
586428	4/11/2007	0000016244 PTL Electric, Inc.	P	990.00
586429	4/11/2007	0000014577 PureRite Drinking Water	P	27.50
586430	4/11/2007	0000017168 Q-Star Technology	P	6,489.62
586431	4/11/2007	0000004348 Quill Corporation	P	388.10
586432	4/11/2007	0000004834 Radio Shack	P	316.72
586433	4/11/2007	0000001930 Rancho Motor Company	P	441.54
586434	4/11/2007	0000004116 RBF Consulting	P	15,452.00
586435	4/11/2007	0000001987 Rotary Club - Victorville	P	32.00
586436	4/11/2007	0000001910 R & R Products	P	289.67
586437	4/11/2007	0000002019 Safelite Glass Corp.	P	176.69
586438	4/11/2007	0000002016 Safety-Kleen Corp.	P	406.77
586439	4/11/2007	0000002041 San Bernardino Associated Government	P	9,407.33
586440	4/11/2007	0000013294 Scan-Optics Inc.	P	436.52
586441	4/11/2007	0000011945 Scrub-N-Up	P	87.25
586442	4/11/2007	0000009069 The Senior News	P	250.00
586443	4/11/2007	0000002111 Service Rock Products	P	1,210.62
586444	4/11/2007	0000002123 Sherwin Williams Company	P	49.72
586445	4/11/2007	0000002155 Smart & Final	P	272.26
586446	4/11/2007	0000008775 Smith Manufacturing	P	4,890.30
586447	4/11/2007	0000002188 Southern California Edison	P	102,954.04
586448	4/11/2007	0000008323 Spectrum Communications Cabling Ser	P	6,249.00
586449	4/11/2007	0000000256 Sport Supply Group, Inc.	P	601.69
586450	4/11/2007	0000002217 Sprint	P	1,958.74
586451	4/11/2007	0000002217 Sprint	P	125.00
586452	4/11/2007	0000002227 Staples Credit Plan	P	307.46
586453	4/11/2007	0000002238 Stater Bros. Markets	P	175.71
586454	4/11/2007	0000006921 Steven Enterprises, Inc.	P	333.76
586455	4/11/2007	0000007039 Stody Industrial & Welding Supply, In	P	1,131.47
586456	4/11/2007	0000002269 Sunland Ford	P	393.87



Commercial Demand

<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
586457	4/11/2007	0000002288 Superior Lamp and Supply	P	1,246.22
586458	4/11/2007	0000003141 Surveyor-Fiscal	P	12.12
586459	4/11/2007	0000002204 Southwest Gas Corporation	P	25.00
586460	4/11/2007	0000002313 Target Specialty Products	P	1,768.07
586461	4/11/2007	0000015501 Team Therapy & Diagnostic, LLC	P	80.00
586462	4/11/2007	0000012845 Tellez, Christina	P	25.00
586463	4/11/2007	0000002322 Tempo	P	4,258.58
586464	4/11/2007	0000011036 Time Warner Telecom	P	2,978.89
586465	4/11/2007	0000002346 Titleist	P	1,412.97
586466	4/11/2007	0000017269 Town & Country Tire	P	216.29
586467	4/11/2007	0000002372 Transwest Ford Truck Sales	P	318.44
586468	4/11/2007	0000006279 Turf Star, Inc.	P	219.42
586469	4/11/2007	0000002419 Underground Service Alert	P	803.80
586470	4/11/2007	0000014613 UniFirst Corporation	P	63.80
586471	4/11/2007	0000002426 United Parcel Service	P	230.04
586472	4/11/2007	0000002403 URS Corporation	P	35,730.86
586473	4/11/2007	0000005697 Verizon	P	14,850.95
586474	4/11/2007	0000010761 Verizon Internet Solutions	P	89.95
586475	4/11/2007	0000015079 Verizon Wireless	P	50.68
586476	4/11/2007	0000017282 Visual Marketing Concepts	P	600.00
586477	4/11/2007	0000013434 Victorville Glass Co., Inc.	P	764.00
586478	4/11/2007	0000002511 Victorville Motors	P	26.46
586479	4/11/2007	0000002879 Victor Valley Transit Authority	P	750.00
586480	4/11/2007	0000002862 Victor Valley Towing, Inc.	P	25.00
586481	4/11/2007	0000012959 Victor Valley Veterinary Clinic	P	270.00
586482	4/11/2007	0000002533 Wal-Mart Store #01-1588	P	243.67
586483	4/11/2007	0000011361 Walters Wholesale Electric Co.	P	206.91
586484	4/11/2007	0000002554 Waxie Sanitary Supply	P	552.24
586485	4/11/2007	0000017116 WEB Auto Parts	P	25.33
586486	4/11/2007	0000002579 Western Outdoor Power Equipment Co.	P	376.15
586487	4/11/2007	0000002580 Western Power & Equipment	P	715.49
586488	4/11/2007	0000002632 Xerox Corporation	P	104.58
586489	4/11/2007	0000010163 Yeager Skanska Inc.	P	59,843.92
586490	4/11/2007	0000017415 Alcalá, Jose	P	50.00
586491	4/11/2007	0000016435 Alliant Insurance Services, Inc.	P	607.92
586492	4/11/2007	0000017394 AMJ Plumbing Company	P	50.00
586493	4/11/2007	0000017395 Ayers Construction Company	P	50.00
586494	4/11/2007	0000005976 Brynco, LLC	P	510.00
586495	4/11/2007	0000000465 CALBO	P	215.00
586496	4/11/2007	0000007195 California Redevelopment Association	P	475.00
586497	4/11/2007	0000017141 Cambronne, Steve	P	2,737.50
586498	4/11/2007	0000017396 Centex Homes	P	3,000.00
586499	4/11/2007	0000016248 Cheney, Jack	P	80.00
586500	4/11/2007	0000016248 Cheney, Jack	P	140.00
586501	4/11/2007	0000008111 Collins, Kevin	P	1,610.66
586502	4/11/2007	0000000652 Cornerstone Group	P	50.00
586503	4/11/2007	0000012505 Desert Environmental Services, Inc.	P	6,886.30
586504	4/11/2007	0000013262 Elliott, Joshua	P	340.00
586505	4/11/2007	0000017397 Envision Foods, LLC	P	25.00
586506	4/11/2007	0000010431 Falla, Guillermo	P	18,272.00
586507	4/11/2007	0000005185 Francis, Norm	P	70.00
586508	4/11/2007	0000005782 HDC American Red Cross	P	845.00
586509	4/11/2007	0000013828 Jauss, George	P	211.75
586510	4/11/2007	0000009587 KB Homes Greater Los Angeles, Inc.	P	10,973.56



Table with columns: Check No., Date, Vendor, Payment Status, Payment Amount. Includes a 'Check Total' row at the bottom right showing 1,717,831.45.

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INTENTIONALLY



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY: Adair Patterson   
Director of Finance

DATE: April 18, 2007

SUBJECT: PAYROLL WARRANT LIST

RECOMMENDATION: That the Honorable City Council approve Payroll Demand Schedule No. 10A, for Payroll Period March 24, 2007 through April 6, 2007, in the amount of \$1,357,375.76 covering Warrant Nos. 21462 through 21519 and Advice Nos. 112824 through 113409 inclusive and void of Advice No. 112673.

FISCAL IMPACT: Payroll gross total amount  
\$1,357,375.76

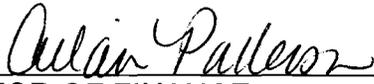
Budget Amount: \$1,357,375.76  
Budget Account No.: Various

DISCUSSION: I hereby certify that the claims or demands covered by the attached list of warrants have been audited as to the accuracy and availability of funds for payment thereof and that said claims or demands are accurate and the funds are available for payment thereof.

--Finance Dept. Use Only--  
Additional Appropriation:

No  
 Yes/Amount:

Finance Director Review and  
Approval \_\_\_\_\_

  
\_\_\_\_\_  
DIRECTOR OF FINANCE

AMP/hdk

Attachment - Payroll Warrant List



# City of Victorville

Date: 04/18/07

City Council Payroll Report  
Payroll Period Ending: April 6, 2007

<u>Employee Number</u>	<u>Check #</u>	<u>Total Gross</u>	<u>Check Date</u>
1417	113119	1,762.69	4/13/2007
2541	21494	818.56	4/13/2007
2396	113280	857.46	4/13/2007
1515	21472	1,836.53	4/13/2007
2505	21473	1,562.84	4/13/2007
2501	112982	1,954.23	4/13/2007
1871	112912	1,836.53	4/13/2007
2550	21497	434.86	4/13/2007
2052	113281	433.13	4/13/2007
1883	113351	2,745.01	4/13/2007
2528	21498	818.56	4/13/2007
1970	113015	1,727.16	4/13/2007
2542	113282	818.56	4/13/2007
1305	113352	4,583.08	4/13/2007
2457	113266	716.24	4/13/2007
1097	113016	2,080.23	4/13/2007
1169	112913	1,836.53	4/13/2007
2535	113283	818.56	4/13/2007
1353	112914	2,065.07	4/13/2007
1024	112935	2,937.77	4/13/2007
1005	112845	2,037.31	4/13/2007
2402	113284	358.75	4/13/2007
2537	21495	946.46	4/13/2007
2432	113285	204.64	4/13/2007
2548	21499	118.13	4/13/2007
1007	112846	3,757.00	4/13/2007
2473	113196	1,574.57	4/13/2007
1063	112833	1,836.53	4/13/2007
2357	112882	1,762.69	4/13/2007
1746	113120	2,362.69	4/13/2007
1258	113286	716.24	4/13/2007
2506	113235	482.84	4/13/2007
2354	112915	2,065.07	4/13/2007
1853	113197	416.13	4/13/2007
1025	113121	2,312.84	4/13/2007
1520	113017	2,185.03	4/13/2007
2343	113287	818.56	4/13/2007
2326	113267	716.24	4/13/2007
1026	113122	1,954.23	4/13/2007
1949	112904	2,639.24	4/13/2007
2043	112916	3,435.62	4/13/2007
2405	113288	411.25	4/13/2007

2484	21487	874.72	4/13/2007
1061	112834	3,843.31	4/13/2007
2210	113103	4,531.84	4/13/2007
1244	113353	3,982.99	4/13/2007
1099	113018	3,892.91	4/13/2007
1170	112917	5,684.84	4/13/2007
1457	112847	2,520.53	4/13/2007
1027	113123	1,954.23	4/13/2007
2538	113268	818.56	4/13/2007
2329	113289	716.24	4/13/2007
2384	113269	818.56	4/13/2007
1078	112983	3,922.06	4/13/2007
1308	113236	103.47	4/13/2007
1727	113019	2,154.24	4/13/2007
1243	113354	3,595.57	4/13/2007
1187	113355	4,168.59	4/13/2007
1101	113020	2,412.83	4/13/2007
1966	113124	1,692.53	4/13/2007
2157	113125	1,437.73	4/13/2007
1849	112936	3,757.00	4/13/2007
1212	21514	3,990.83	4/13/2007
2092	112937	2,690.84	4/13/2007
1699	113290	594.74	4/13/2007
1497	113021	2,466.53	4/13/2007
1739	113357	3,071.94	4/13/2007
2475	113234	552.32	4/13/2007
2079	113237	17.92	4/13/2007
2429	113238	17.92	4/13/2007
1261	21500	818.56	4/13/2007
1721	113358	3,798.94	4/13/2007
1174	113359	5,515.24	4/13/2007
1697	112883	3,070.69	4/13/2007
2192	113022	1,750.32	4/13/2007
1451	112848	2,216.39	4/13/2007
2416	113291	54.45	4/13/2007
2149	113292	24.75	4/13/2007
1103	113023	2,263.92	4/13/2007
2540	113024	2,124.53	4/13/2007
1973	112849	3,139.47	4/13/2007
1644	112938	2,811.31	4/13/2007
1104	112984	2,080.23	4/13/2007
1833	113360	3,973.13	4/13/2007
2050	112939	1,836.53	4/13/2007
1748	112850	2,690.84	4/13/2007
2377	113126	1,562.84	4/13/2007
1426	113293	818.56	4/13/2007
1225	112884	3,277.52	4/13/2007
2217	21470	2,915.36	4/13/2007

1068	113104	3,840.84	4/13/2007
1227	21515	4,842.46	4/13/2007
2448	113186	2,543.82	4/13/2007
1989	113362	2,474.57	4/13/2007
2523	113187	1,762.69	4/13/2007
2476	113105	2,788.55	4/13/2007
2034	113294	204.64	4/13/2007
1030	113127	2,509.30	4/13/2007
1963	113218	2,574.21	4/13/2007
1079	112985	3,210.08	4/13/2007
1898	113025	1,914.08	4/13/2007
1576	112885	2,973.49	4/13/2007
1620	113295	833.26	4/13/2007
2499	112940	2,362.69	4/13/2007
1523	113363	3,581.15	4/13/2007
1437	113270	818.56	4/13/2007
1032	113128	2,080.23	4/13/2007
1105	113026	2,937.77	4/13/2007
2188	113239	17.92	4/13/2007
2254	112941	2,362.69	4/13/2007
2082	112851	1,727.16	4/13/2007
1962	113198	2,312.84	4/13/2007
1033	113129	2,080.23	4/13/2007
1266	113027	2,345.31	4/13/2007
2530	113028	1,406.34	4/13/2007
2204	113199	1,808.31	4/13/2007
2323	112942	2,575.92	4/13/2007
1392	113200	4,406.84	4/13/2007
2205	113130	2,690.85	4/13/2007
1267	113131	1,836.53	4/13/2007
1678	113296	136.62	4/13/2007
1850	112943	3,950.73	4/13/2007
1767	112852	2,080.23	4/13/2007
1447	112918	2,811.31	4/13/2007
1108	113029	3,139.47	4/13/2007
2214	113240	1,182.72	4/13/2007
2488	113221	665.08	4/13/2007
2126	113297	716.24	4/13/2007
2231	112905	1,406.34	4/13/2007
2360	113132	1,562.84	4/13/2007
1109	113030	3,898.06	4/13/2007
1268	113298	797.74	4/13/2007
1172	112919	4,539.44	4/13/2007
1110	113031	2,169.77	4/13/2007
1111	113032	2,466.53	4/13/2007
1080	112986	3,757.00	4/13/2007
1750	113033	2,239.40	4/13/2007
2228	113034	1,914.08	4/13/2007

2053	113364	3,036.24	4/13/2007
1112	113035	2,466.53	4/13/2007
2103	113106	2,041.73	4/13/2007
2282	113241	1,388.80	4/13/2007
2440	113107	2,788.55	4/13/2007
2115	113108	2,690.84	4/13/2007
1656	113036	1,692.53	4/13/2007
2364	112944	2,362.69	4/13/2007
2472	21467	2,080.23	4/13/2007
2511	113222	511.60	4/13/2007
1271	21501	511.60	4/13/2007
2337	112886	3,850.04	4/13/2007
2279	113109	2,630.85	4/13/2007
1978	113133	1,874.84	4/13/2007
2139	112853	2,037.31	4/13/2007
1199	113365	4,682.15	4/13/2007
1715	112854	2,216.39	4/13/2007
1165	112987	3,070.69	4/13/2007
2526	113271	818.56	4/13/2007
2347	112988	2,037.31	4/13/2007
1522	112945	3,433.00	4/13/2007
2105	112946	2,750.39	4/13/2007
1272	113134	2,169.77	4/13/2007
2454	113299	818.56	4/13/2007
2190	113037	1,562.84	4/13/2007
2345	113300	818.56	4/13/2007
1037	113201	2,425.99	4/13/2007
2527	112947	2,362.69	4/13/2007
2444	112948	2,362.69	4/13/2007
1453	112855	2,466.53	4/13/2007
2160	113301	586.25	4/13/2007
1249	113038	2,448.29	4/13/2007
2397	113110	2,666.61	4/13/2007
2487	113223	716.24	4/13/2007
2355	112949	1,762.69	4/13/2007
2372	113366	3,317.08	4/13/2007
2026	112835	1,762.69	4/13/2007
2206	113039	2,080.23	4/13/2007
2236	112950	1,562.84	4/13/2007
2125	113111	2,315.58	4/13/2007
2259	112989	3,670.74	4/13/2007
1971	113202	2,232.35	4/13/2007
1315	112920	3,067.78	4/13/2007
2369	112990	3,757.00	4/13/2007
2020	113302	665.08	4/13/2007
1903	113135	1,658.84	4/13/2007
2312	113040	1,562.84	4/13/2007
2087	113136	1,626.08	4/13/2007

1987	21488	976.64	4/13/2007
1190	113367	4,842.46	4/13/2007
1841	21474	1,954.23	4/13/2007
1407	112991	3,210.08	4/13/2007
1009	112856	3,757.00	4/13/2007
1117	113041	3,433.00	4/13/2007
1118	112951	2,811.31	4/13/2007
1232	113368	4,676.94	4/13/2007
2163	113042	1,995.31	4/13/2007
2391	113188	2,110.45	4/13/2007
1740	113369	3,201.02	4/13/2007
2099	113137	1,406.34	4/13/2007
1625	113043	2,466.53	4/13/2007
1233	113370	3,805.78	4/13/2007
2248	113138	1,562.84	4/13/2007
2221	112887	2,080.23	4/13/2007
1316	113242	206.93	4/13/2007
1801	112888	1,995.31	4/13/2007
2486	113224	716.24	4/13/2007
2363	112921	2,487.71	4/13/2007
1218	113371	3,659.44	4/13/2007
1319	113243	182.59	4/13/2007
2544	112992	1,562.84	4/13/2007
1588	113044	2,490.50	4/13/2007
2189	112857	2,080.23	4/13/2007
2109	113303	882.51	4/13/2007
1119	113045	2,414.83	4/13/2007
1038	113139	5,884.84	4/13/2007
1082	112993	2,080.23	4/13/2007
2290	113140	1,658.84	4/13/2007
2539	112824	2,080.23	4/13/2007
1706	113189	3,715.84	4/13/2007
1011	112858	2,362.69	4/13/2007
1901	112994	4,634.31	4/13/2007
1698	113046	2,466.53	4/13/2007
1890	113203	2,039.10	4/13/2007
2366	112859	1,658.84	4/13/2007
2452	112952	2,263.92	4/13/2007
1121	113047	2,312.84	4/13/2007
1664	113304	755.84	4/13/2007
2062	113141	1,692.53	4/13/2007
2431	21489	1,030.40	4/13/2007
1123	113048	2,928.42	4/13/2007
2278	112995	2,811.31	4/13/2007
2443	112953	1,406.34	4/13/2007
2324	113112	2,169.77	4/13/2007
2181	21475	1,562.84	4/13/2007
1865	113049	1,675.32	4/13/2007

2039	113142	1,562.84	4/13/2007
1597	113372	2,530.00	4/13/2007
1335	113373	3,653.24	4/13/2007
2297	113305	615.40	4/13/2007
2031	112889	2,811.31	4/13/2007
1749	113113	2,690.84	4/13/2007
2209	112954	1,994.13	4/13/2007
1234	113374	5,123.54	4/13/2007
2386	21502	755.84	4/13/2007
2113	113190	3,407.53	4/13/2007
2025	113306	557.15	4/13/2007
1197	113375	4,221.87	4/13/2007
2232	112906	1,562.84	4/13/2007
2463	113244	463.64	4/13/2007
1610	113307	613.92	4/13/2007
2350	112922	1,762.69	4/13/2007
2512	113245	17.92	4/13/2007
1084	112996	3,003.31	4/13/2007
1957	112907	1,954.23	4/13/2007
2108	113050	1,562.84	4/13/2007
2403	113308	409.28	4/13/2007
2546	21503	153.13	4/13/2007
1723	113051	1,874.84	4/13/2007
1999	113114	2,215.15	4/13/2007
2107	113204	2,139.07	4/13/2007
1125	113052	2,628.05	4/13/2007
1124	113053	2,811.31	4/13/2007
2336	112890	2,575.92	4/13/2007
1277	113309	438.06	4/13/2007
2120	113261	300.00	4/13/2007
2536	21504	792.98	4/13/2007
1760	113054	2,103.15	4/13/2007
1952	113191	1,836.53	4/13/2007
2090	112997	3,843.31	4/13/2007
2093	113143	2,811.31	4/13/2007
2378	113310	818.56	4/13/2007
2513	112923	1,899.47	4/13/2007
2069	113144	1,762.69	4/13/2007
1975	113311	633.11	4/13/2007
1547	112955	2,419.80	4/13/2007
2441	112836	1,757.58	4/13/2007
1758	113145	2,937.77	4/13/2007
1866	113312	2,034.20	4/13/2007
2225	112956	2,575.92	4/13/2007
1990	113205	2,138.31	4/13/2007
1040	113146	1,954.23	4/13/2007
1126	113055	2,937.77	4/13/2007
1230	113313	310.16	4/13/2007

1127	113056	3,882.00	4/13/2007
2450	112957	2,466.53	4/13/2007
2340	113057	1,762.69	4/13/2007
2252	113376	2,570.93	4/13/2007
2533	113314	818.56	4/13/2007
2258	112908	3,210.08	4/13/2007
2328	113246	241.42	4/13/2007
1128	113058	2,937.77	4/13/2007
2019	112860	1,874.84	4/13/2007
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2138	112843	2,936.31	4/13/2007
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# MEMORANDUM

**DATE:** April 5, 2007

**FROM:** Rod Sorensen   
Interim Director of Public Works

**TO:** Carolee Bates  
City Clerk

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**SUBJECT: PUBLIC WORKS DEPARTMENT – MONTHLY REPORT SUMMARY**

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Attached is the monthly report summary of services provided by the Public Works Department as of February 2007, for FY03-04 thru FY 06-07. It is requested that this item be included in the City Council Agenda of April 17, 2007, and forwarded to the City Council for their review.

so

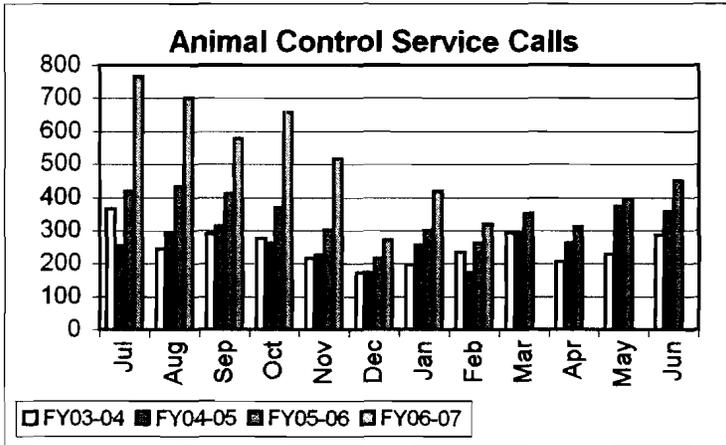
Attachment

cc: Mike Jenks, Assistant Director of Public Works  
Managers

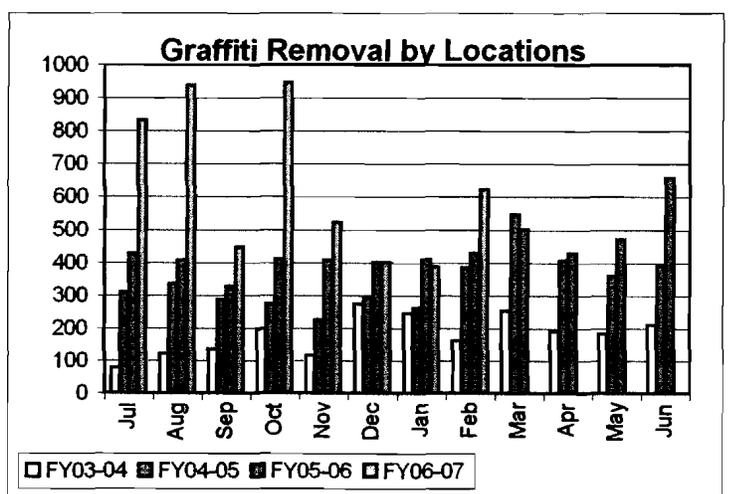
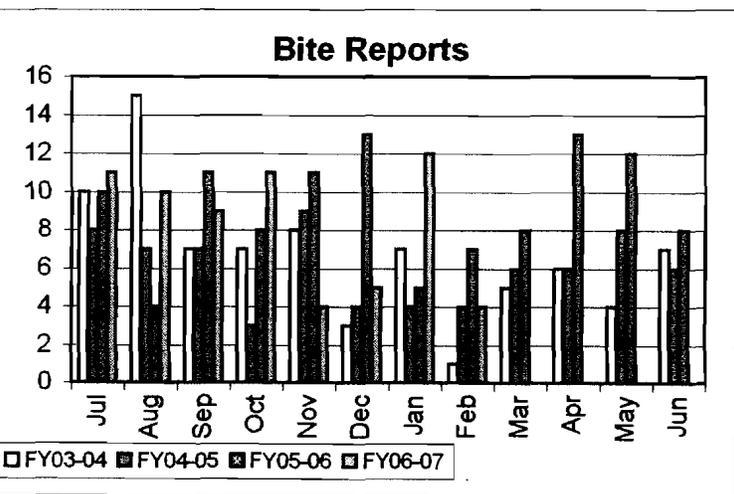
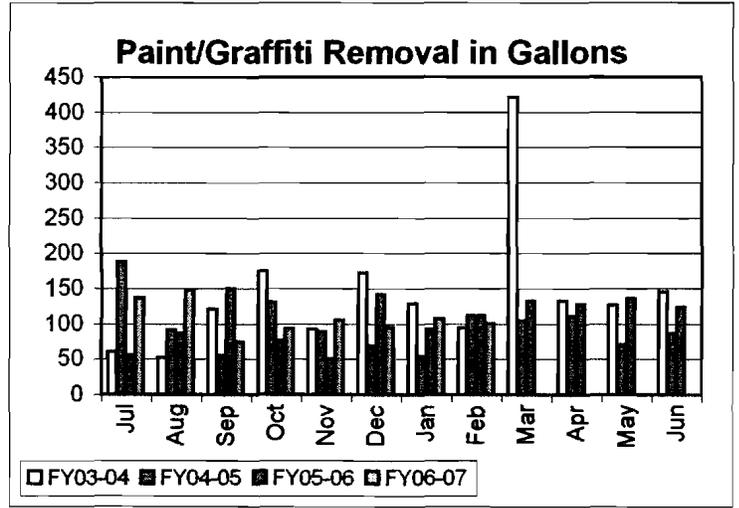
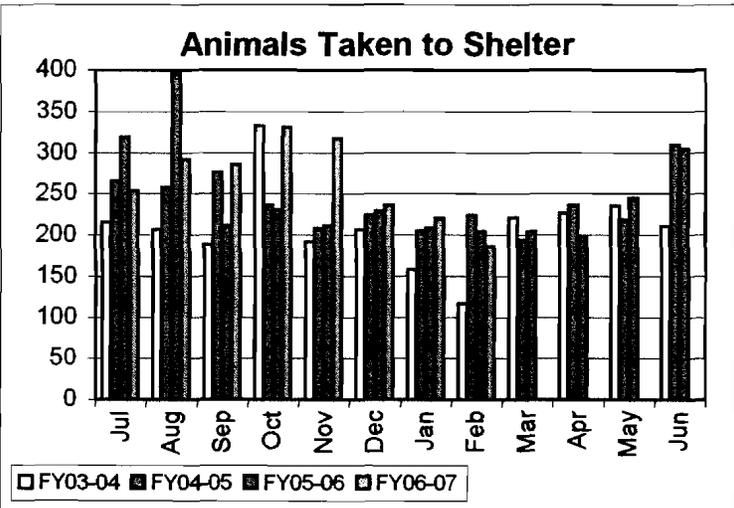
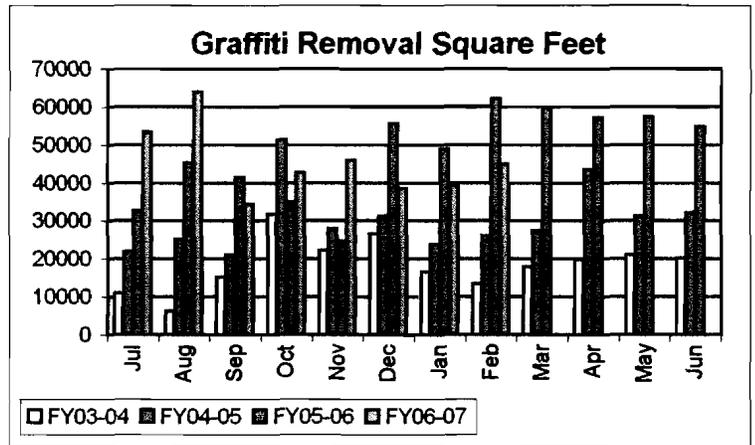
Consent  
#25C1  
5-1-07

**Public Works Monthly Report  
As of February 2007**

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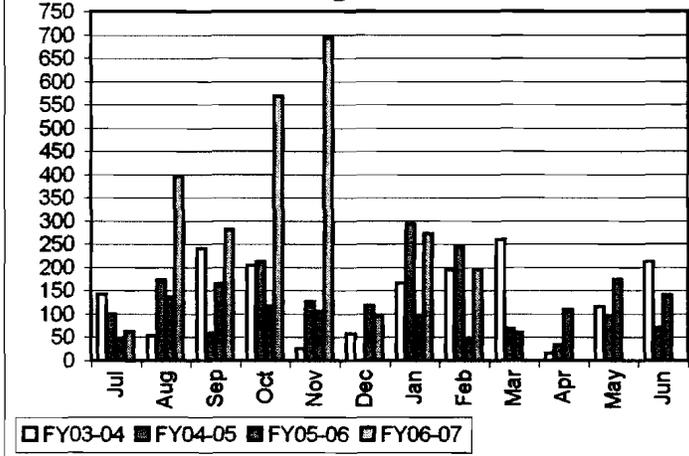
**Graffiti:**



**Public Works Monthly Report  
As of February 2007**

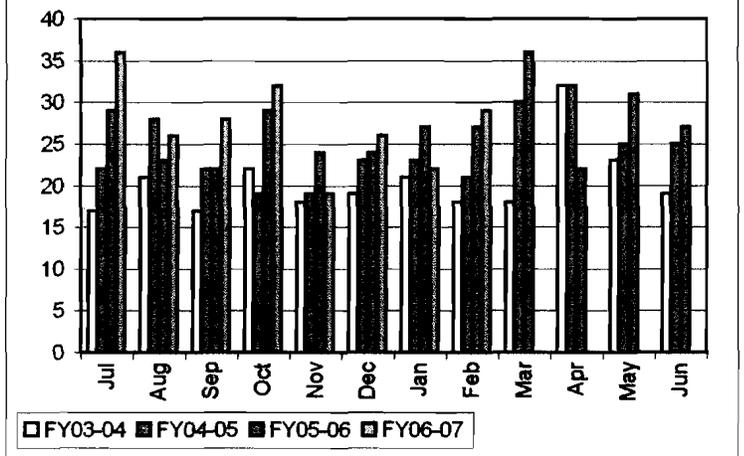
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**Signs Made**

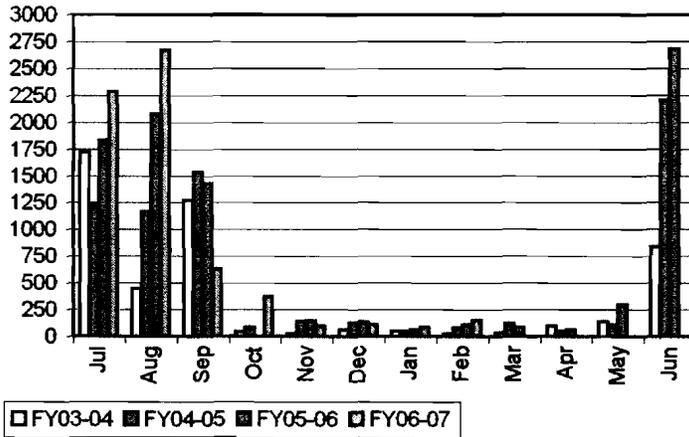


**Signals:**

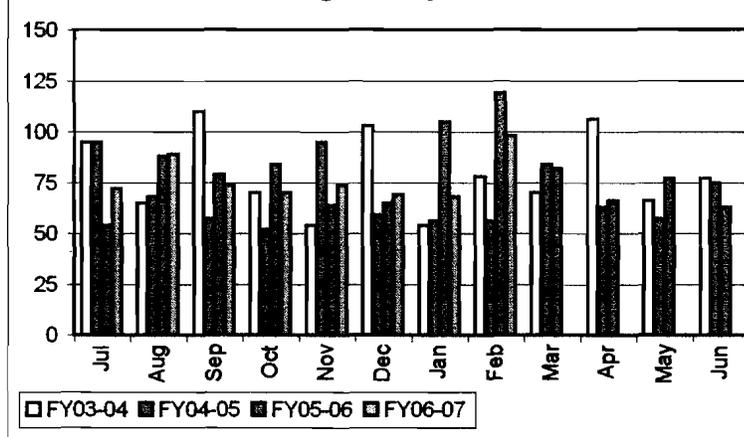
**Signal Preventative Maintenance**



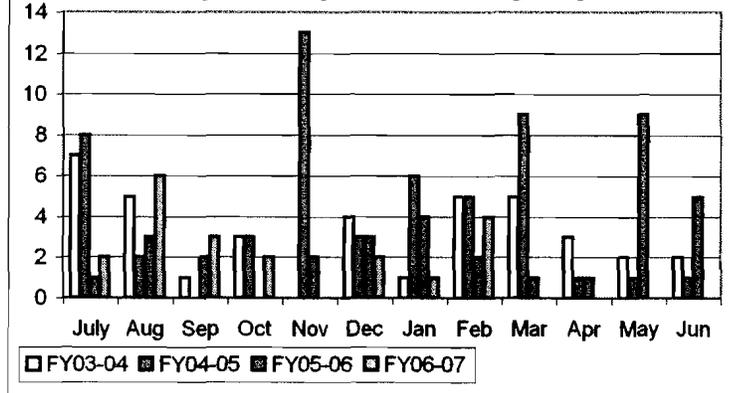
**Traffic Paint in Gallons**



**Signal Repair**



**Signal Response - Emergency**

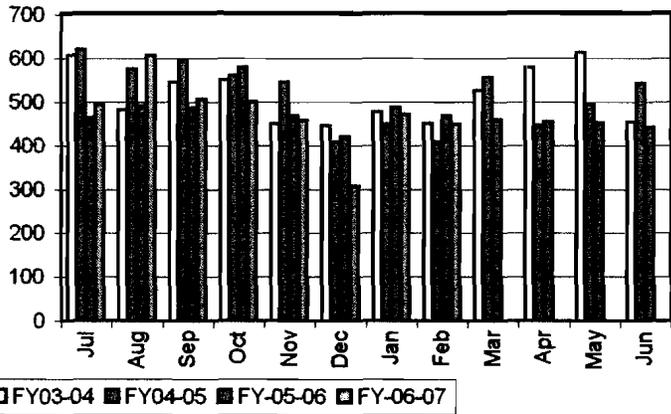


**Public Works Monthly Report  
As of February 2007**

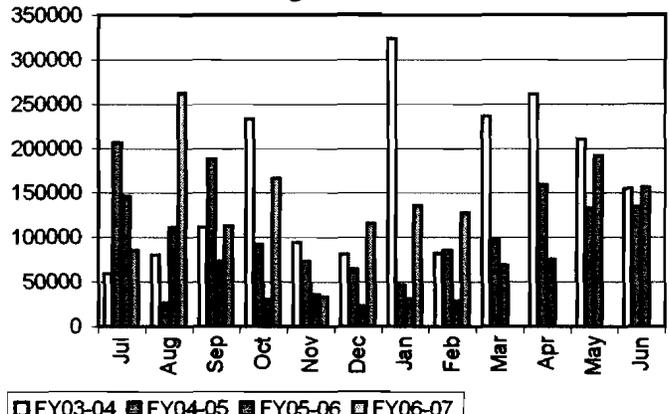
**Fleet:**

**Utility:**

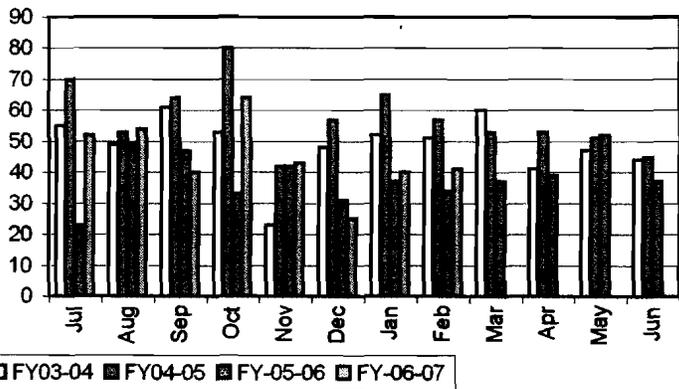
**Vehicle Maintenance - Minor**



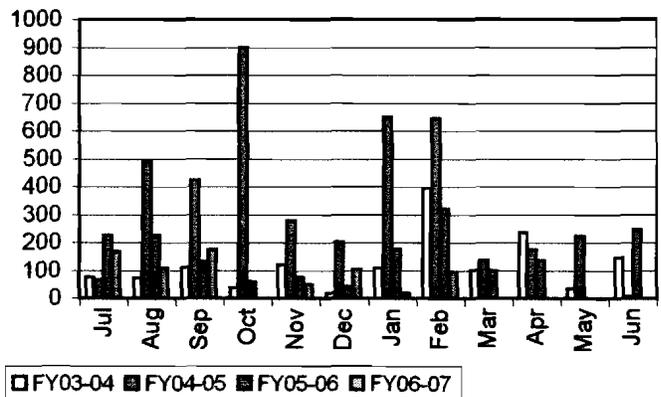
**Water Usage in Gallons**



**Vehicle Maintenance - Major**



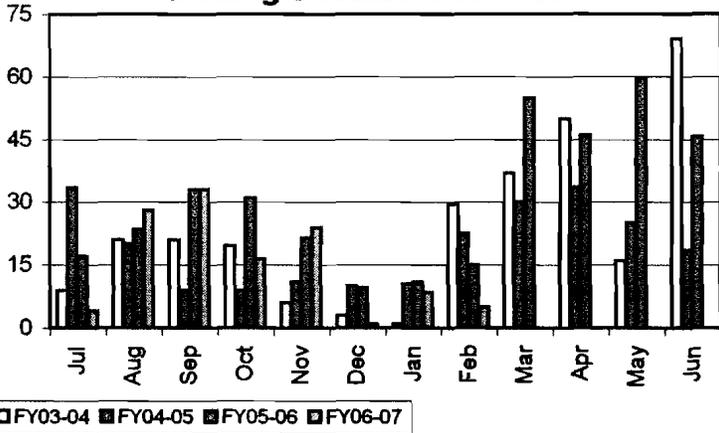
**Storm Drain Maintenance Hours**



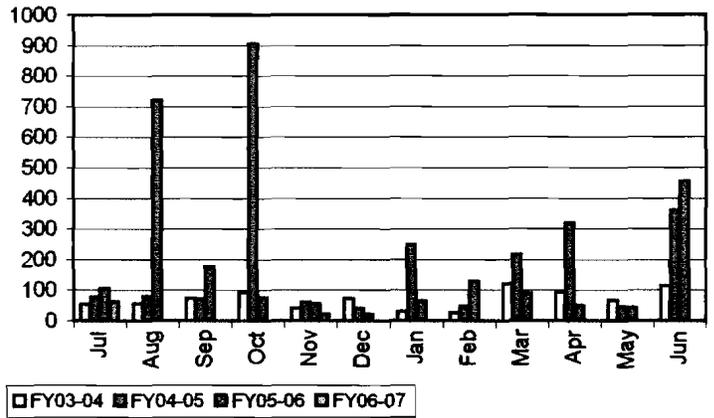
## Public Works Monthly Report As of February 2007

### Street Maintenance:

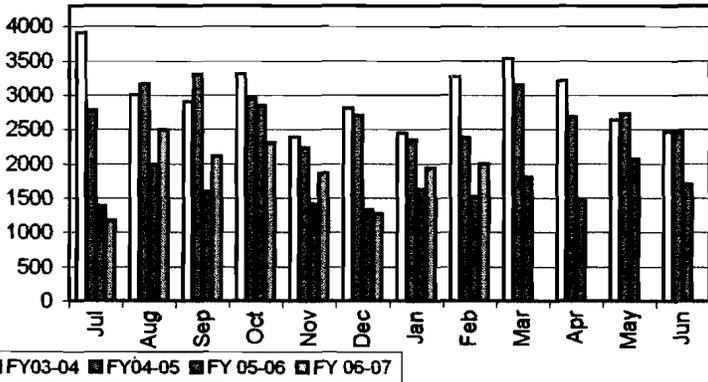
#### Grading Shoulders in Miles



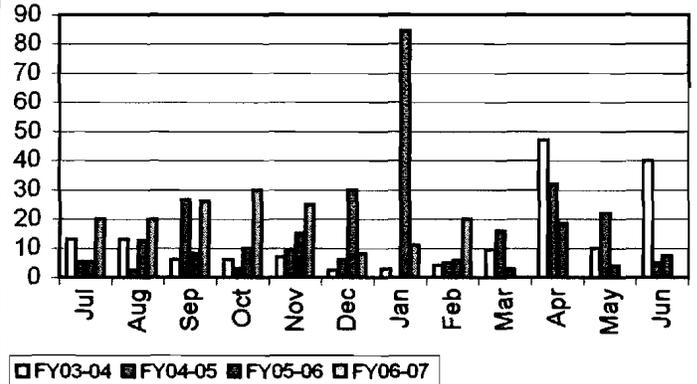
#### Street Patching in Tons



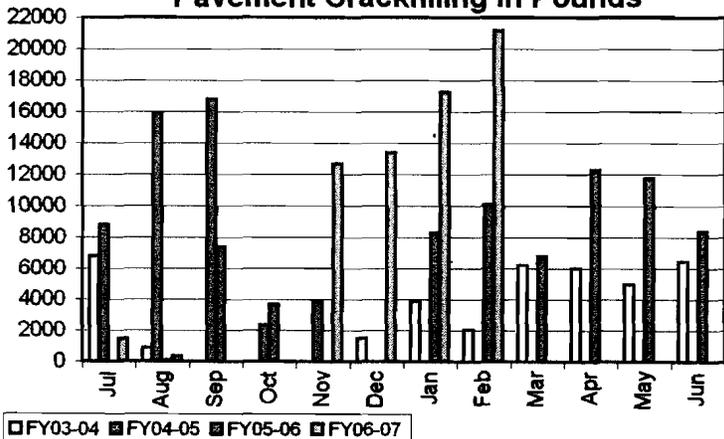
#### Street Sweeping in Curb Miles



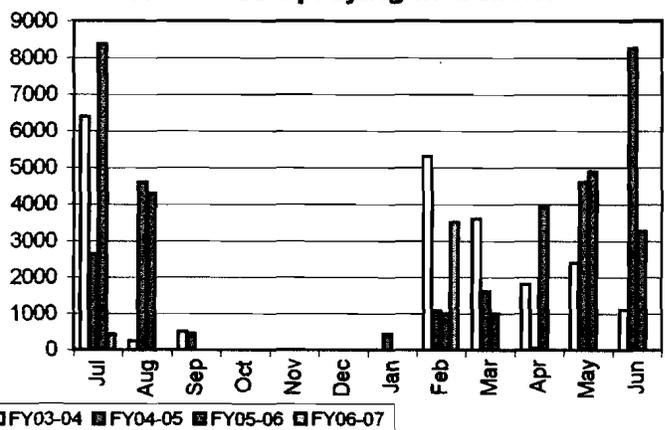
#### Concrete Repair in Cubic Yards



#### Pavement Crackfilling in Pounds



#### Herbicide Spraying in Gallons



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# MEMORANDUM

**DATE:** April 19, 2007

**FROM:** Rod Sorensen *Mike Jenks for Rod Sorensen*  
Interim Director of Public Works

**TO:** Carolee Bates  
City Clerk

---

**SUBJECT: PUBLIC WORKS DEPARTMENT – MONTHLY REPORT SUMMARY**

---

Attached is the monthly report summary of services provided by the Public Works Department as of March 2007, for FY03-04 thru FY 06-07. It is requested that this item be included in the City Council Agenda of May 1, 2007, and forwarded to the City Council for their review.

so

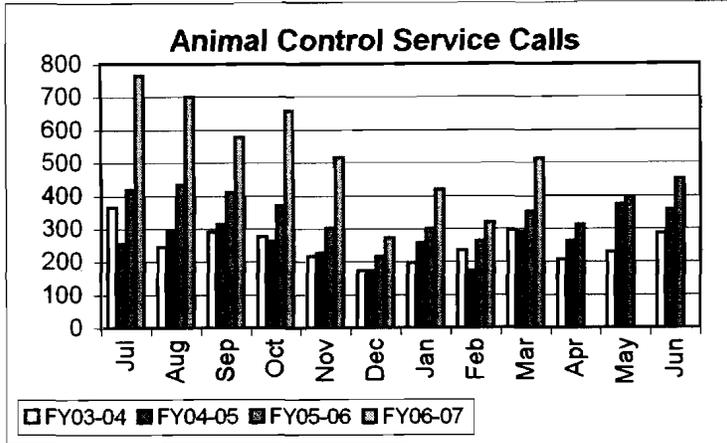
Attachment

cc: Mike Jenks, Assistant Director of Public Works  
Managers

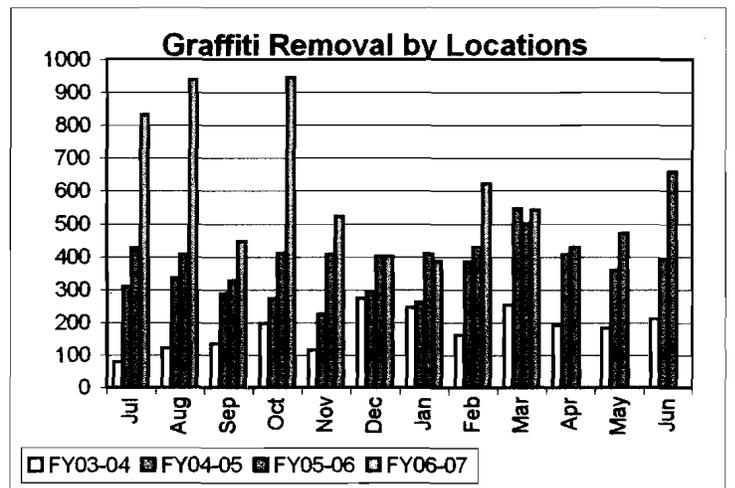
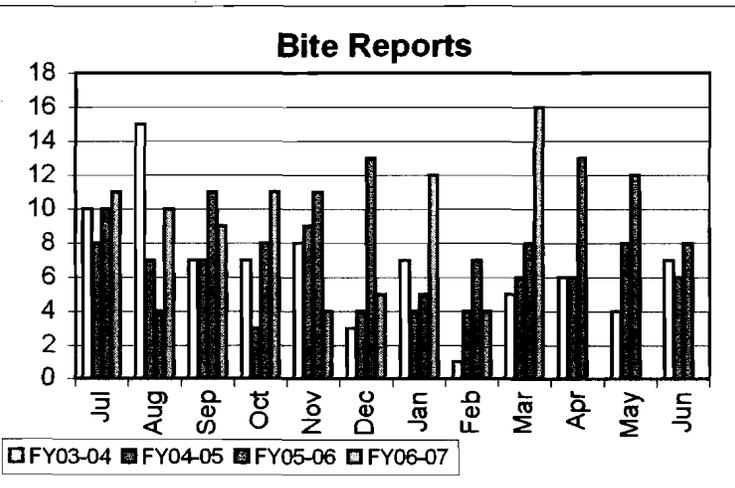
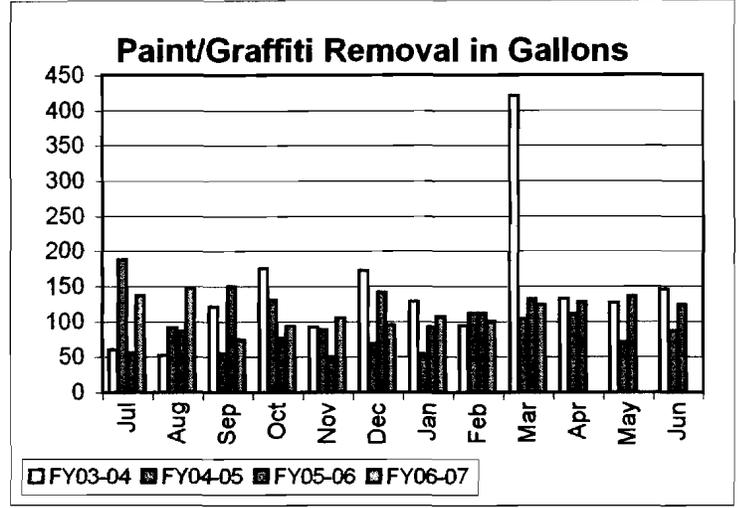
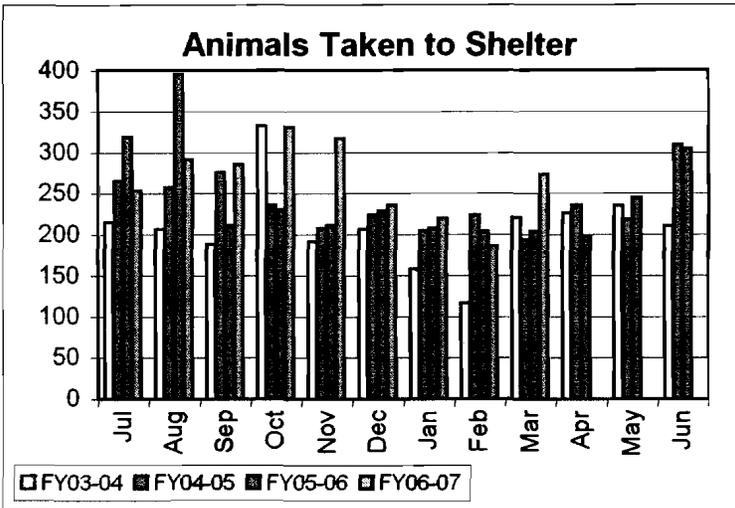
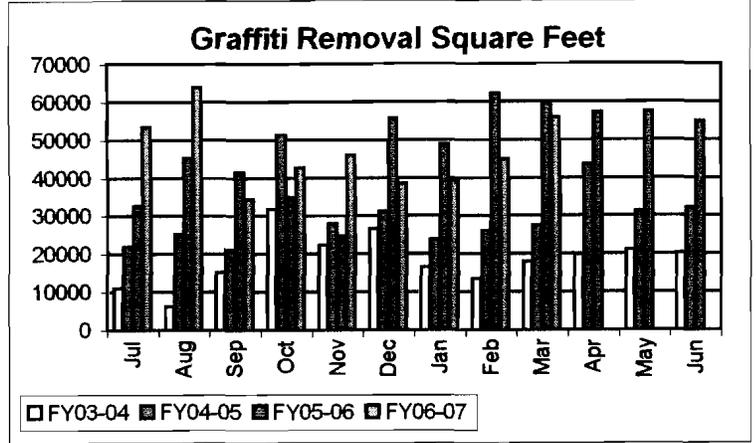
Consent  
#25C2  
5-1-07

**Public Works Monthly Report  
As of March 2007**

**Animal Control:**

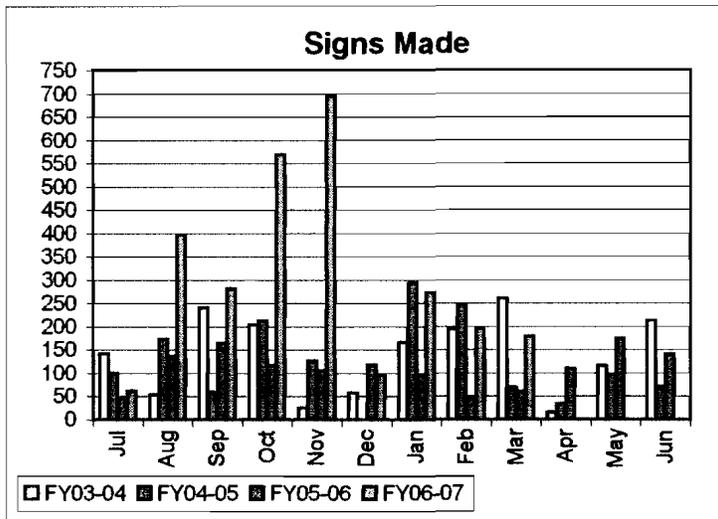


**Graffiti:**

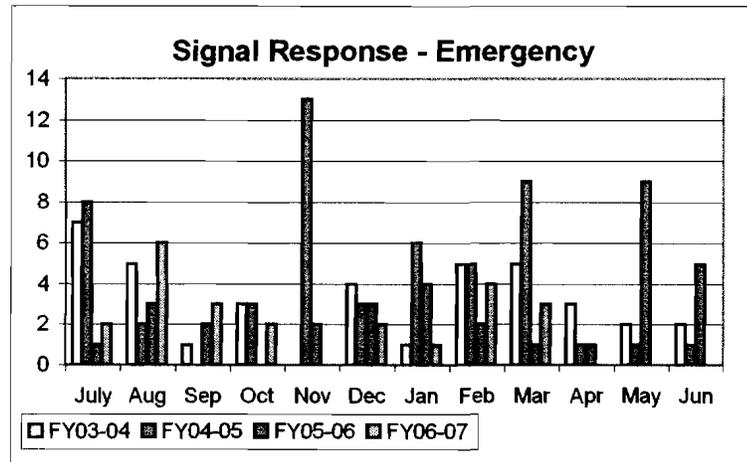
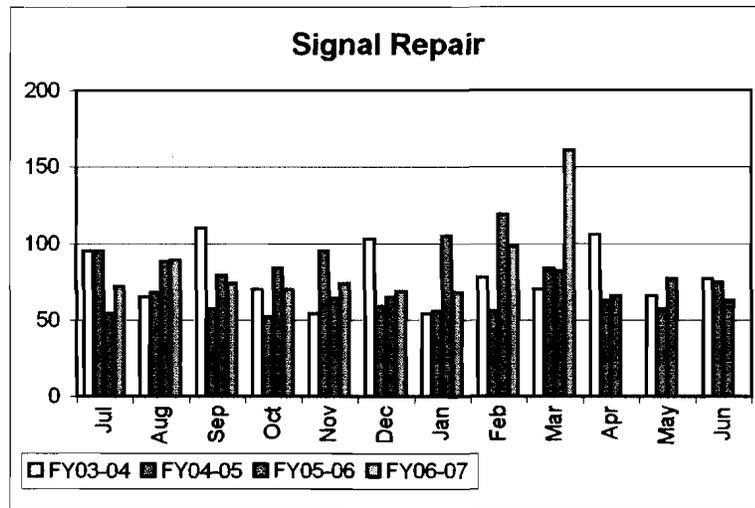
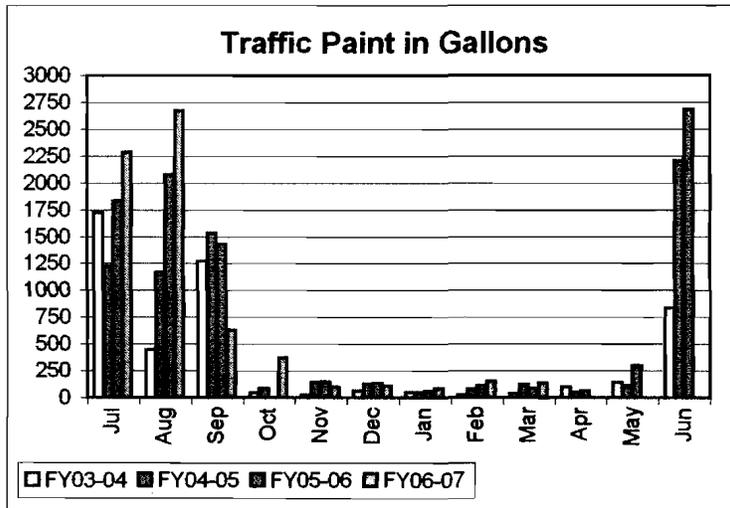
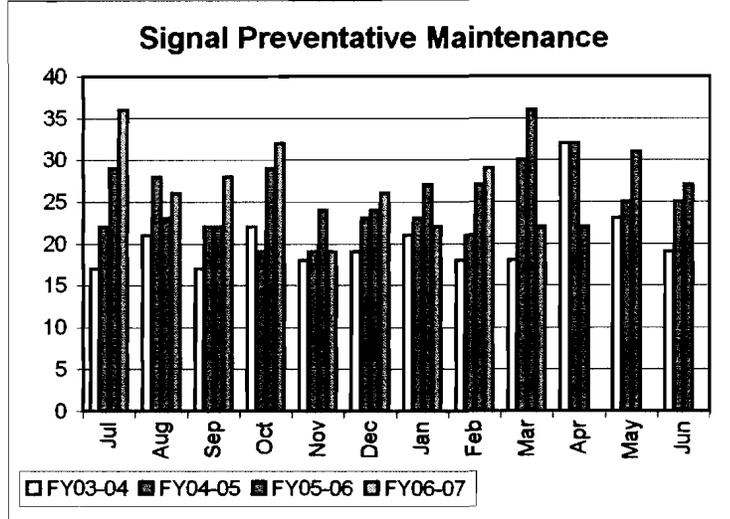


**Public Works Monthly Report  
As of March 2007**

**Traffic Control:**



**Signals:**

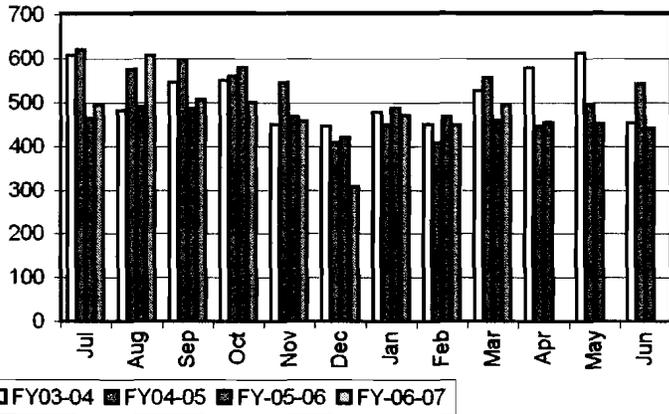


**Public Works Monthly Report  
As of March 2007**

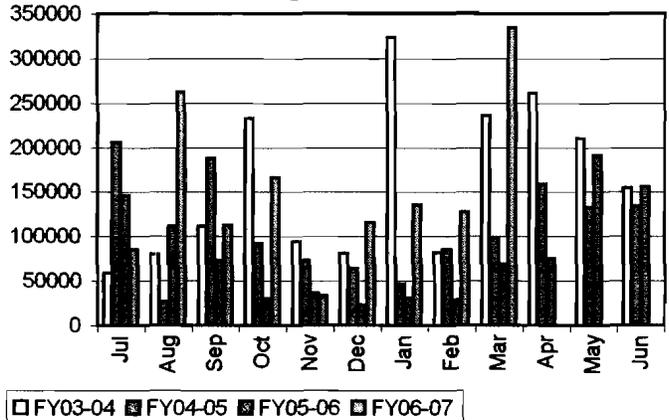
**Fleet:**

**Utility:**

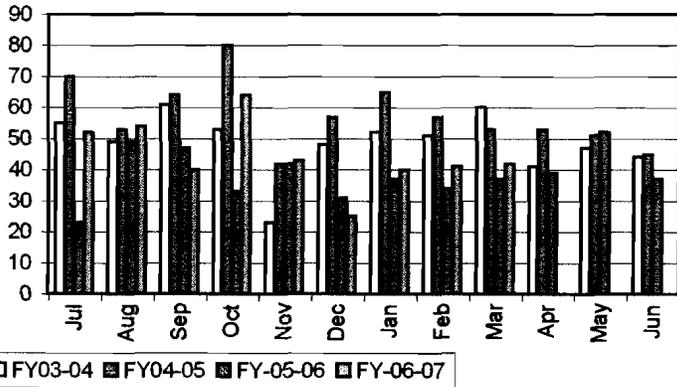
**Vehicle Maintenance - Minor**



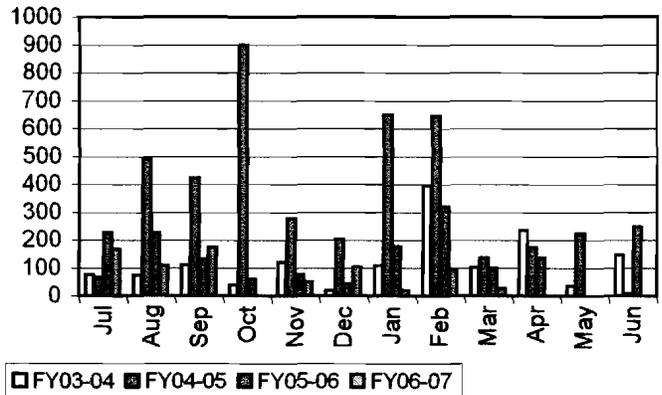
**Water Usage in Gallons**



**Vehicle Maintenance - Major**



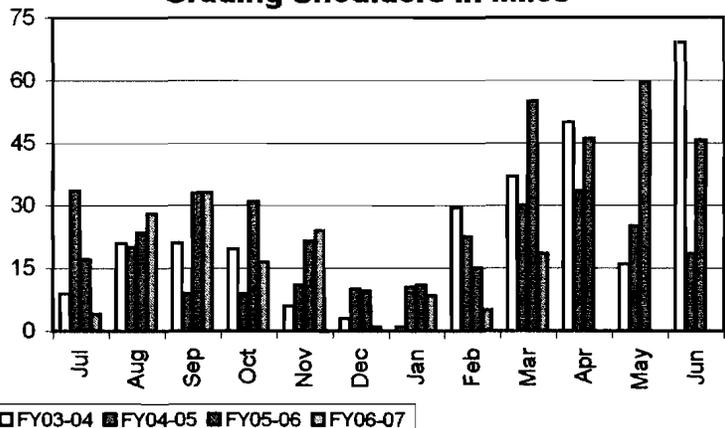
**Storm Drain Maintenance Hours**



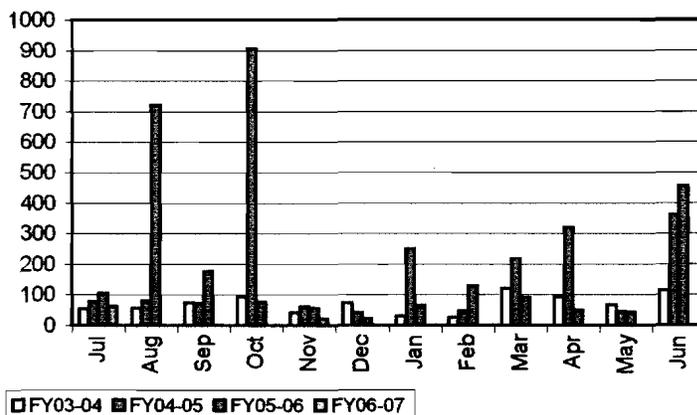
## Public Works Monthly Report As of March 2007

### Street Maintenance:

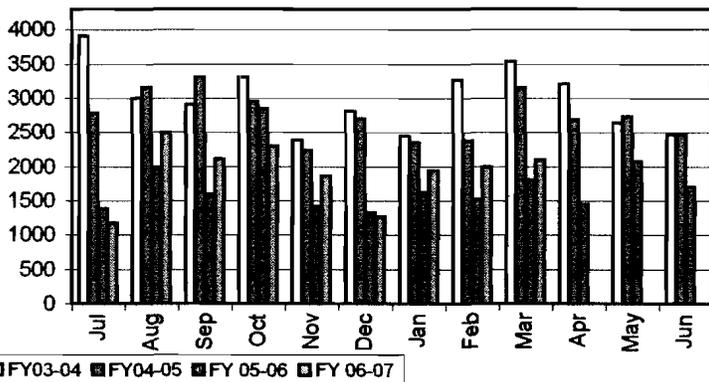
#### Grading Shoulders in Miles



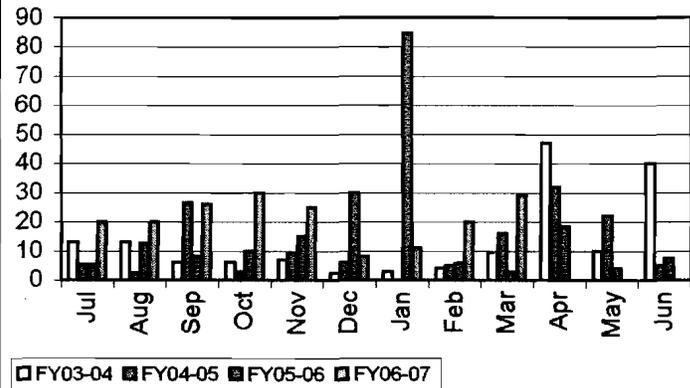
#### Street Patching in Tons



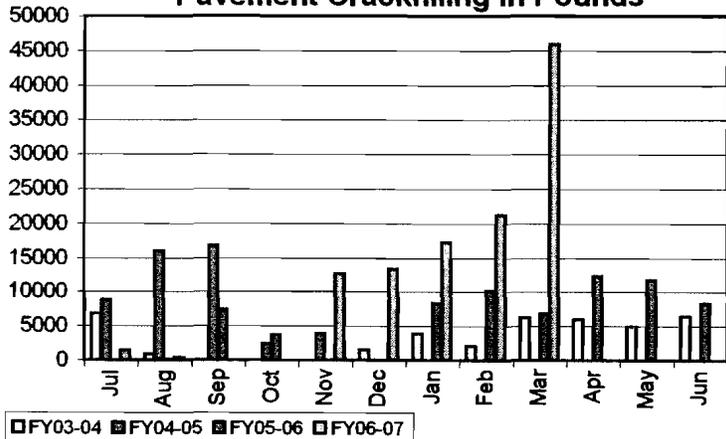
#### Street Sweeping in Curb Miles



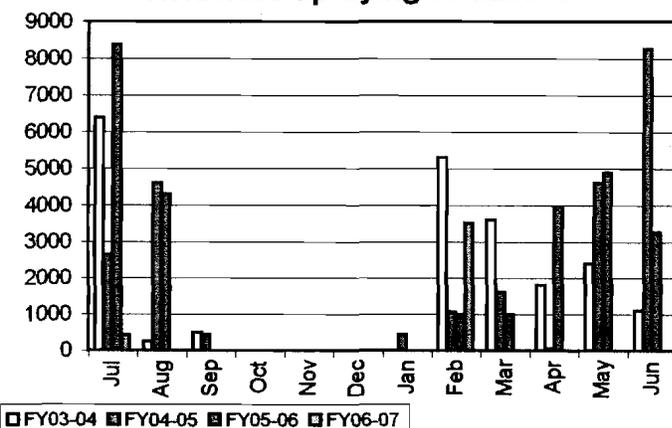
#### Concrete Repair in Cubic Yards



#### Pavement Crackfilling in Pounds



#### Herbicide Spraying in Gallons



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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** Adair M. Patterson *ap/aw*  
Director of Finance

DATE: April 23, 2007

**SUBJECT:** Award – Piggyback Purchase & Installation of New Playground Equipment at Eagle Ranch Park, and Demolition of the Old Playground Equipment

**RECOMMENDATION:** That the Honorable City Council award a contract to Great Western Park & Playground, for the Piggyback Purchase and Installation of New Playground Equipment at Eagle Ranch Park, and Demolition of the old Playground Equipment for the amount of \$25,562.99.

**FISCAL IMPACT:** \$25,600.00

Budget Amount: \$25,600.00

Budget Account No.:  
540720-60500-80050-80011-52216

--Finance Dept. Use Only--  
Additional Appropriation:

No  
 Yes/\$Amount:

Finance Director Review and  
Approval *ap/aw*

**DISCUSSION:** U.S. Communities (cooperative purchase agreement) has authorized the City of Victorville to utilize the State of North Carolina, County of Mecklenburg, Master Purchase Agreement, Contract No. 040376 for the purchase and installation of Park and Playground Equipment with Game Time c/o Great Western Park & Playground. Great Western staff has agreed to allow the City of Victorville to utilize U.S. Communities contract for the purchase and installation of the new playground equipment at Eagle Ranch Park and Demolition of the old playground equipment. According to the Purchasing Division, this concession to utilize another government agency's contract fulfills the legal obligation to advertise and receive competitive bids.

Staff from Community Services and the Purchasing Division have reviewed the bid submitted and recommend bid award as stated above. Sufficient funds are available to cover the cost of this contract.

AMP/es *[Signature]*

cc: Jon Gargan, Director of Community Services

Consent  
#25D  
5-1-07

## **Maria Martinez**

---

**From:** Veals, Bob [bveals@gametime.com]  
**Sent:** Thursday, March 22, 2007 8:17 AM  
**To:** Maria Martinez  
**Subject:** US Communities Contract number

Hi Maria,

US Communities information:

1. GameTime contract #—040376
2. Expiration—September 16, 2008, provisions for two additional 1 year options beyond this date
3. US Communities website address—<http://www.uscommunities.org>

If you need anything else give me a call.

Thanks

**Bob Veals**  
**GameTime Key Accounts**

---

Offc.—480.458.5548

Cell—214.789.6996

Fax—480.458.5421

[bveals@gametime.com](mailto:bveals@gametime.com)



# QUOTATION

**Bob Veals**  
bveals@gametime.com  
214-789-6996

**City of Victorville Parks  
Department**

Date	Quote #
3/27/2007	BV0307071HM

Customer:
Eagle Ranch Attn: Dan McMurtry 15745 Lorene Street Victorville, CA 92392

Contact Information
Phone: 760-955-5274 Fax: Email: <a href="mailto:dmcmurtry@ci.victorville.ca.us">dmcmurtry@ci.victorville.ca.us</a>

QTY	ITEM	DESCRIPTION	AMOUNT	TOTAL
1	Playground	GameTime Playgound, Including Freight & Tax	\$12,774.59	\$12,774.59
1	Install	Installation of GameTime Playground	\$4,350.58	\$4,350.58
1	Demo	Demo and Removal of Existing Playground Equipment	\$1,000.00	\$1,000.00
1	Excavate	Excavate and Haul Away approximately 12" of Dirt/Sand (12" deep) to prepare for EWF (City of Victorville Parks Department to provide location in the city limits to dump excavated materials at no cost to installer)	\$3,000.00	\$3,000.00
1	Demo	Removal of 20 LF of 6"x18" Concrete Curbing and Replace with ADA Accessible Concrete Approach	\$1,800.00	\$1,800.00
1	Install	Installation of 100 LF Temporary Fencing	\$400.00	\$400.00
1	EWF	35 CY, Engineered Wood Fiber, 707 SF@12" Depth	\$1,288.00	\$1,288.00
1	Install	Installation of 35 CY Engineered Wood Fiber	\$850.00	\$850.00
			<b>SUBTOTAL</b>	<b>\$25,463.17</b>
			<b>TAX 7.75%</b>	<b>\$99.82</b>
			<b>TOTAL</b>	<b>\$25,562.99</b>

Due to rising costs of materials, prices are good for 30 days. Unless specified, no installation costs have been added to your quote.

**Important Terms and Conditions - Please Review**

**Placing an Order:** Orders are shipped 5 to 6 weeks after receipt of a complete order, which includes: purchase order assigned to *GameTime c/o Great Western* or signed quotation, credit approval, complete billing address, complete shipping address with contact name and phone number and color selections. If a cash with order sale, your payment must be received in full before the order will be processed. Contractors must provide copies of current, fully executed bid/performance/payment bonds, as applicable.

**Sales Tax** If you are exempt from paying sales tax, a copy of your tax exemption form or resale certificate must accompany your order. If not, sales tax (if applicable) will be added to your invoice.

**Payment Terms:** Quote is based on shipment of all items at one time to a single destination, unless noted. Prices are firm for 30 days. Terms are net 30 days on approved credit or payment in full with order. A 1.5% per month finance charge imposed on all past due accounts. Retainage not accepted. The undersigned specifically agrees to pay all reasonable attorney's fees and court costs in the event legal action is taken to collect on the account.

**Receiving Delivery:** You are responsible for unloading and accepting delivery from the freight company. You must report any damaged freight or shortages on the freight bill at that time. You will be responsible for completing an inventory of your received equipment and reporting any discrepancies to us immediately. Neither the freight company or the manufacturer will resolve shipment problems that are not reported immediately. Make sure all items have been received before the installation of your equipment. The freight carrier will be instructed to call your contact person 24 hours before delivery to arrange a delivery appointment. Normal delivery time is 4 to 6 business days from time of shipment.

**Cancellation/Returns:** Once accepted, orders can only be changed or canceled with the consent of Great Western and on terms that will indemnify GameTime and Great Western against loss. Changed or canceled orders are subject to a \$100.00 service charge. Additionally, canceled orders are subject to a 25% restocking fee, plus freight charges (to and from). Changes to an order that has been shipped are subject to the above \$100.00 service charge, plus additional restocking/return charges of 25%. Non-returnable items shall be charged at full invoice value. Any return transportation charges shall be your responsibility.

Replacement parts are also subject to the above cancellation/returns policy. Please carefully review any information sent to you and confirm you are ordering the correct replacement parts for your equipment.

We will not be responsible for any equipment that does not fit your designated area. Please review size requirements before placing your order.

\_\_\_\_\_  
Great Western Park & Playground

\_\_\_\_\_  
Customer Signature

Bill to:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Ship:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact Name:

\_\_\_\_\_

Phone:

\_\_\_\_\_

Color Option:

\_\_\_\_\_

Contact Name:

\_\_\_\_\_

Phone:

\_\_\_\_\_

Tax Exempt Number:

\_\_\_\_\_



Enriching Childhood Through Play.

Date: 3/7/2007  
 Quote No.: 270006601  
 2007 USC

**GAMETIME**  
 c/o Great Western California Div  
 PO Box 97  
 Wellsville, UT 84339  
 Phone: (435)245-5055  
 Toll Free: (800)453-2735  
 Facsimile: (435)245-5057  
 Contact: Steve Kyriopoulos  
 E-mail: steve@gwpark.com



## GameTime Quotation

City of Victorville-Eagle Ranch  
 Attn: Dan McMurtry  
 15745 Lorene Street  
 Victorville, CA 92392

Ship to Zip: CA  
 Telephone: (760)955-5274  
 Email:  
 dmcmurtry@ci.victorville.ca.us

QTY	ITEM	DESCRIPTION	Ext Weight	Price	Ext Price
1	80000	49" Sq Punched Steel Deck	154	506.16	\$506.16
1	80001	49" Tri Punched Steel Deck	66	287.12	\$287.12
3	80017	10' Upright Assembly (alum)	78	175.38	\$526.14
4	80020	13' Upright Assembly (alum)	132	224.22	\$896.88
1	80163	Shingle Roof	102	466.20	\$466.20
1	80321	4'-0"-4'-6" Tree Climber	76	486.92	\$486.92
1	80337	4'-0"1/4'-5" Clover Leaf	145	843.60	\$843.60
1	80417	4' Volcano Climber Attach	226	1,707.18	\$1,707.18
1	80654	4'-0" Transfer Point	293	1,309.80	\$1,309.80
1	80869	Metal Storefront Panel	59	478.04	\$478.04
1	81112	Mini-Arch Bridge	235	1,261.70	\$1,261.70
1	81343	4' Double Zip Slide	211	943.50	\$943.50
2	81675	6"-2'-0" Talk Tube	98	322.64	\$645.28

Total GameTime list price: 13,998.00

Total US Comm. Discount: -3,639.48

Total weight:	1,875	Sub-total:	\$10,358.52
		Calculated Freight:	\$1,613.28
		7.750% Tax:	\$802.79
		<b>Total:</b>	<b>\$12,774.59</b>

This quotation is subject to policies in the current GameTime Park and Playground Catalog and the following terms and conditions. Our quotation is based on shipment of all items at one time to a single destination, unless noted, and changes are subject to price adjustment. Purchases in excess of \$1,000.00 to be supported by your written purchase order made out to GameTime, c/o Great Western California Div. Kindly issue one order for the equipment and a separate order for surfacing and/or equipment installation services.

Pricing: f.o.b. factory, firm for 30 days from date of quotation.

Payment terms: payment in full, net 30 days subject to approval by GameTime Credit Manager. A 1.5% per month finance charge will be imposed on all past due accounts. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Retainage not accepted.

Shipment: order shall ship within 30-45 days after GameTime's receipt and acceptance of your purchase order, color selections, approved submittals, and receipt of deposit, if required.

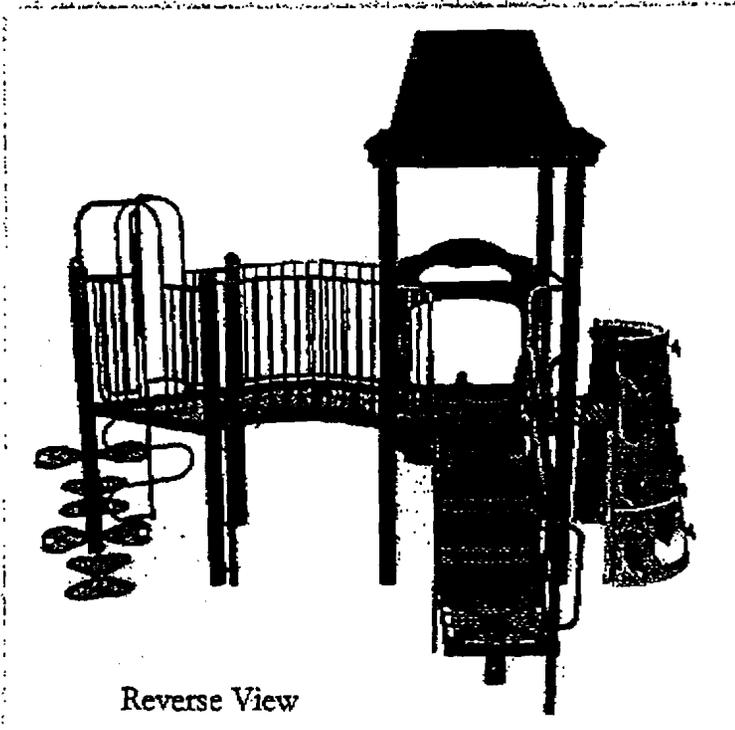
Freight charges: Prepaid and added at time of invoicing.

Taxes: State and local taxes, if applicable, will be added at time of invoicing unless a tax exempt certificate is provided at the time of order entry.

Receipt of goods: Customer shall receive, unload and inspect goods upon arrival, noting any discrepancies on the Delivery Receipt prior to written acceptance of the shipment.

Exclusions: unless specifically included, this quotation excludes all site work and landscaping; removal of existing equipment; acceptance of equipment and off-loading; storage of goods prior to installation; equipment assembly and installation; safety surfacing; borders and drainage provisions.

# City of Victorville Parks Department Eagle Ranch

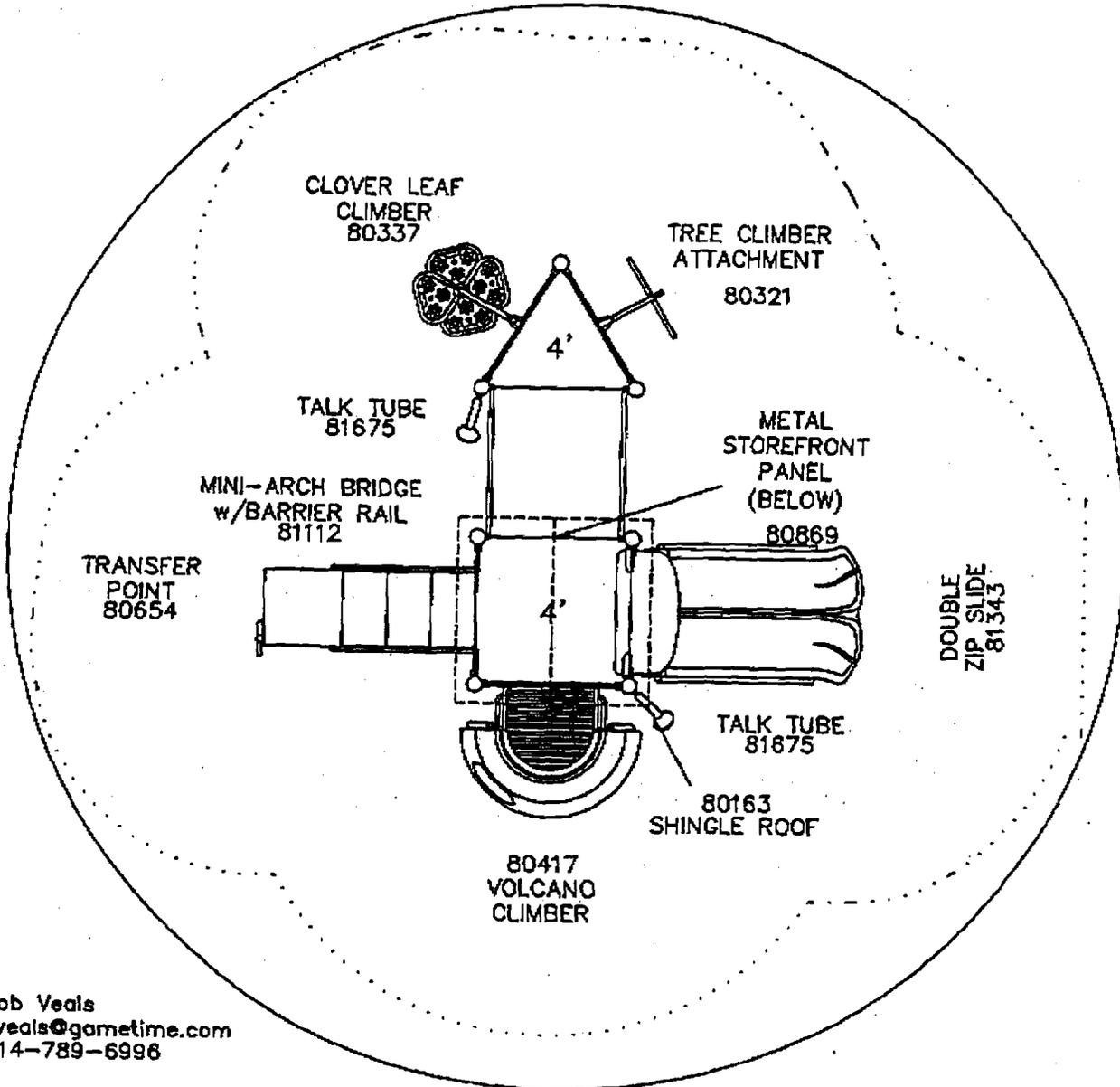


Reverse View

Bob Veals  
bveals@gametime.com  
214-789-6996



# City of Victorville Eagle Ranch



Bob Veals  
bveals@gametime.com  
214-789-6996



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY: Adair M. Patterson *ap/aon*  
Director of Finance

DATE: April 23, 2007

SUBJECT: **Award of Contract – Piggyback Purchase One (1) New 10-Wheel  
Dumptruck**

RECOMMENDATION: That the Honorable City Council award a contract to Trans-West Truck Center, for the piggyback purchase of one (1) new 10-wheel dumptruck vehicle for the amount of \$ 108,195.00.

FISCAL IMPACT: \$ 108,195.00

Budget Amount: \$ 108,195.00  
Budget Account No.:  
540400-25100-70350-00000-52216 (\$103,195.00)  
540400-40200-70150-00000-52216 (\$5,000.00)

--Finance Dept. Use Only--  
Additional Appropriation:

No  
 Yes/\$Amount:

Finance Director Review and  
Approval *ap/aon*

DISCUSSION: Recently the City of Wasco, California competitively purchased a 10-wheel dumptruck and through negotiation by staff, Trans-West Truck Center has agreed to allow the City of Victorville to utilize the purchase contract for the purchase of 10-wheel dumptruck at the price agreed upon with the City of Wasco. According to the Purchasing Division, this concession to utilize another governmental agency's contract fulfills the legal obligation to advertise and receive competitive bids.

AMP/bm *bm*

cc: Rod Sorensen, Acting Director of Public Works

## Bruce Miller

---

**From:** David Pratt [dpratt@trans-west.com]  
**Sent:** Monday, April 23, 2007 12:06 PM  
**To:** Bruce Miller  
**Subject:** FW: Attached Image  
**Attachments:** 46340001.pdf

This e-mail is to confirm that Trans-West Truck Center will accept a piggy back purchase onto the City of Wasco's purchase order of one ten wheel dump truck for the City of Victorville. Please see attached City of Wasco purchase order. If you should have any questions or concerns please feel free to contact me anytime.

David Pratt  
Trans-West Truck Center  
10150 Cherry Ave.  
P.O. Box 1220  
Fontana, CA 92335-1220  
P (909) 428-5304  
F (909) 829-1453  
[dpratt@trans-west.com](mailto:dpratt@trans-west.com)

---

**From:** info@trans-west.com [mailto:info@trans-west.com]  
**Sent:** Monday, April 23, 2007 3:57 AM  
**To:** David Pratt  
**Subject:** Attached Image



P. O. BOX 836  
WASCO, CALIFORNIA 93280  
(661) 758-7200

**PURCHASE ORDER #** 00001000-00 FY200  
Page Number: 1

PURCHASE ORDER NUMBERS MUST BE INCLUDED ON ALL INVOICES.  
FAILURE TO DO SO WILL RESULT IN DELAYED PAYMENT PROCESSING

An Equal Opportunity/Affirmative Action Employer

**VENDOR**  
Trans West Truck Center  
10150 Cherry Avenue  
Fontana, CA 92334

**SHIP TO**  
City of Wasco  
764 E Street  
Wasco, CA 93280

DATE ORDERED	VENDOR NUMBER	DATE REQUIRED	FREIGHT METHOD/TERMS	DEPARTMENT/LOCATION
1/29/2007	001884	1/29/2007		Street

LN	DESCRIPTION/PART NO.	QTY	COST EA.	EXT. PRICE
	10-wheel dump truck	1	\$108,195.00	\$108,195.00

PO Total \$108,195.00

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_





**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 1, 2007**

**SUBMITTED BY:** John A. McGlade                      **DATE:** April 19, 2007  
City Engineer 

**SUBJECT:** Substitution of Bonds for Tract 15295

**RECOMMENDATION:** Approval of the Bond Substitution

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
! No \_\_\_\_\_  
! Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

**DISCUSSION:** Century Crowell Communities has purchased the Tract 15295 and brought in replacement bonds. Since Century is the new owner approval of the Bond substitution is recommended.

*Upon approval, the following Tanamera Bonds are to be released.*

Tract 15295 Bonds: LMAD Bond # SU5018388  
Streets Bond #SU5018383  
On site Sewer Bond # SU5018385  
Off site Sewer Bond # SU5018387  
Monument Bond #SU5018386



CENTURY  
VINTAGE  
HOMES

April 23, 2007

To: Helen Wilson P. E.  
City of Victorville  
14343 Civic Center Drive  
Victorville, California 92392-2399

From: Jon Leway Project Manager

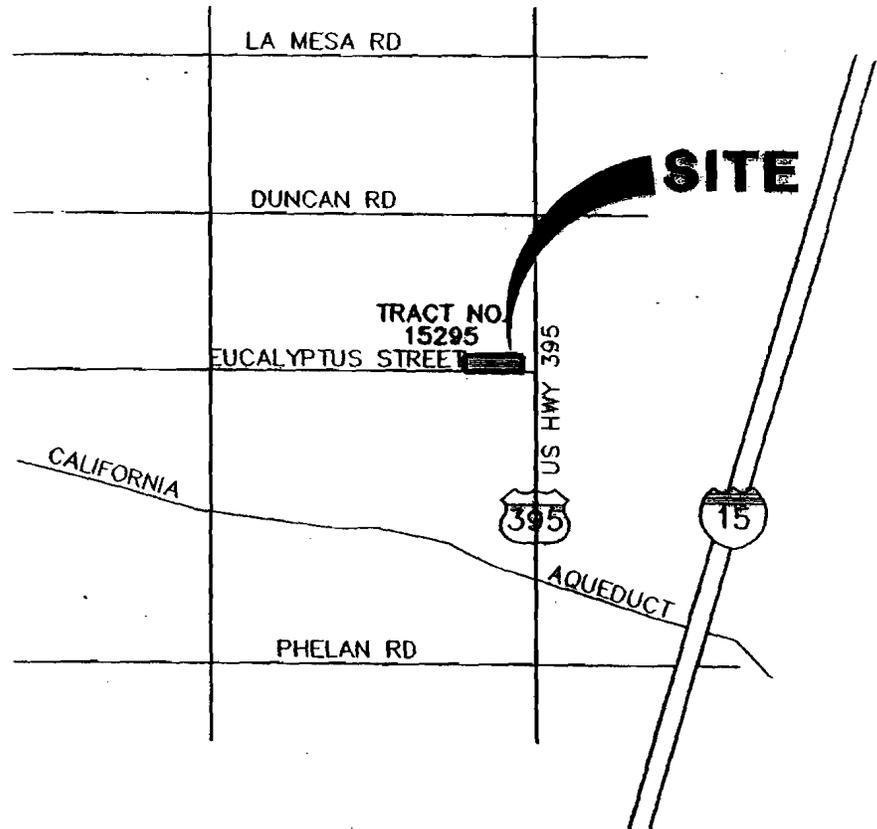
Dear Helen,

Century Vintage Homes formally requests that the City of Victorville replace Tanamara Homes improvement bonds and Subdivision Agreement with our agreements that you already have in your possession.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Leway", with a long horizontal stroke extending to the right.

Jon Leway  
Project Manager  
Century Vintage Homes



VICINITY MAP  
N.T.S.

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**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 1, 2007**

**SUBMITTED BY:** John A. McGlade  
City Engineer  **DATE:** April 23, 2007

**SUBJECT:** Release of 80% of the Storm Drain Bond and acceptance of the work into the public maintenance system for Tract 16138-3.

**RECOMMENDATION:** Approval of 80% of Release of the Faithful Performance Bond only for Storm Drain and acceptance of the work.

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
! No \_\_\_\_\_  
! Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

**DISCUSSION:** K Hovnanian Homes has requested an 80% release of the Storm Drain Bond for Tract 16138-3. The Storm Drain work has been completed satisfactorily and the Engineering Dept. recommends a release of 80% of the Faithful Performance Bond and acceptance of the work into the public maintained system. The remaining 20% will be held for the one-year warranty period.

Tract 16138-3 Storm Drain Bond No.SU5001917



800 N. HAVEN AVE., SUITE 400 • ONTARIO, CA 91764  
TEL. (909) 942-5888 www.khov.com

RECEIVED  
JUL 25 2006  
ENGINEERING DEPT.

July 24, 2006

HAND DELIVERED

**City of Victorville**  
**Attention: Helen Wilson, Associate Civil Engineer**  
**14343 Civic Drive**  
**Victorville, CA 92392**

Re: Exoneration of Faithful Performance on Storm Drain, Bond #SU5001917 for Tract #16138-3.

Dear Helen,

Please accept this letter as a request for exoneration of the above reference bond for Tract 16138-3.

If there are any issues that would prohibit the exoneration of these bonds, I would appreciate it greatly if you would call me at one of the numbers listed below.

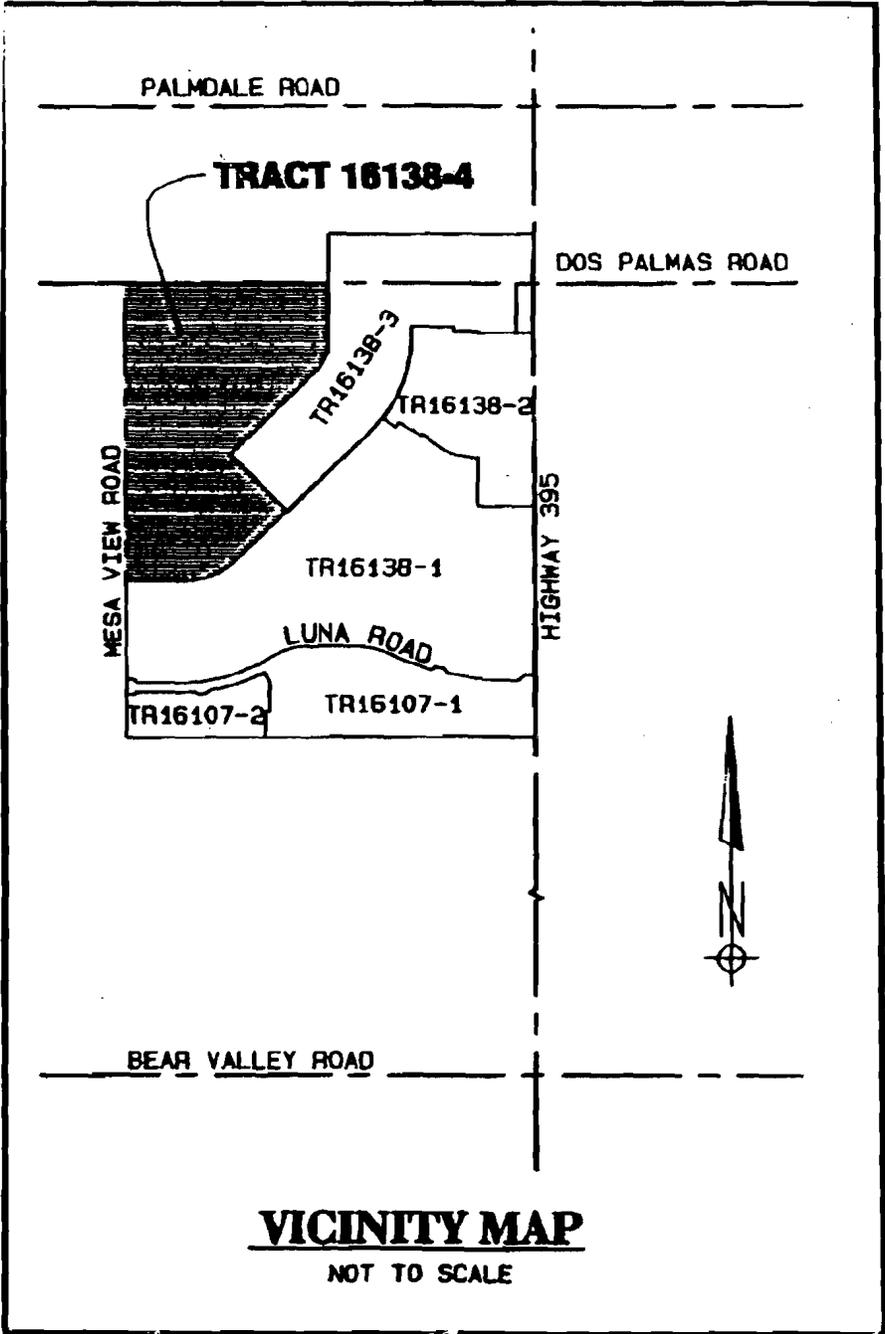
Thank you for time and attention to this matter, if you have any questions or concerns, please do not hesitate to contact me at (909)942-5888 ext 1186 or (909)376-9836.

Sincerely,  
**K. Hovnanian Companies**

A handwritten signature in cursive script that reads "Donnie Morgan". The signature is written in black ink and includes a long, sweeping underline.

Donnie Morgan  
Land Development Superintendent  
North Division

Cc: File



**VICINITY MAP**  
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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:**

John A. McGlade

City Engineer 

DATE: April 19, 2007

**SUBJECT:** Release of 80% of the Street, Sewer and Storm Drain and Bonds and acceptance of work into the public maintenance system for Tract 16696.

**RECOMMENDATION:** Approval of an 80% of release of the Faithful Performance Bond for street, sewer, and storm drain only and acceptance of work.

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

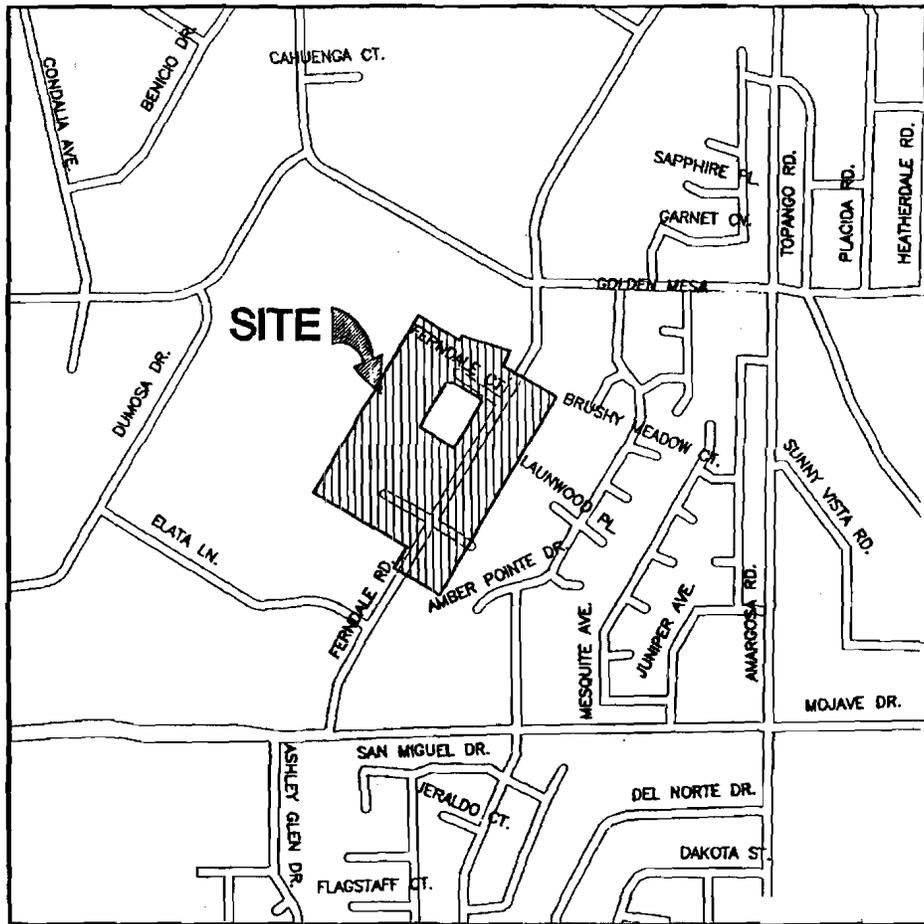
**DISCUSSION:** Frontier Homes has requested an 80% release of the street and sewer bonds for Tract 16696. The street, sewer, and storm drain work has been completed satisfactorily and the Engineering Department recommends an 80% bond reduction of the Faithful Performance Bond and acceptance of the work into the public maintained system. The remaining 20% will be held for the one-year warranty period.

Tr.16696	Street Bond No.	864351S
	Storm Drain Bond No.	864347S
	Street/Sewer Bond No.	CDS60804

**Attachments**

JAMc/HW:ccp  
/engineeringnas/development/plancheklists/agendaitems/16696.bondrelease.STSPSD.5107

# TRACT 16696



NORTH



VICINITY MAP

NOT TO SCALE



**Tuscan Ridge, LLC**

March 27, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

Re: Tuscan Ridge, LLC – Tract 16696  
Bond Reduction

Dear Ms. Wilson:

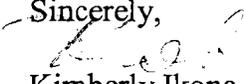
As the owner and developer for Tract 16696, Frontier Homes has a bond for work to be completed at the above-referenced project:

Bond No.: 864351S  
Amount: \$1,084,146.00 – Performance Bond  
Amount: \$542,073.00 – Labor and Materials  
Improvement: Street Improvement

The Street improvement has been completed and inspected as of March 15, 2007. Therefore we respectfully request that the City reduce the bond to eighty percent (80%) with a one year warranty on the next City Council date of April 17, 2007. Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

  
Kimberly Ikona  
Frontier Homes  
Bond Exonerator

RECEIVED  
MAR 27 2007  
ENGINEERING DEPT.



**Tuscan Ridge, LLC**

March 27, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

Re: Tuscan Ridge, LLC – Tract 16696  
Bond Reduction

Dear Ms. Wilson:

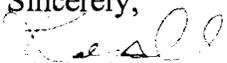
As the owner and developer for Tract 16696, Frontier Homes has a bond for work to be completed at the above-referenced project:

Bond No.: CDS60804  
Amount: \$155,232.64 – Performance Bond  
Amount: \$77,616.32 – Labor and Materials  
Improvement: Street/Sewer Improvement

The Street/Sewer improvement has been completed and inspected as of March 15, 2007. Therefore we respectfully request that the City reduce the bond to eighty percent (80%) with a one year warranty on the next City Council date of April 17, 2007. Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

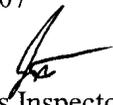
Sincerely,

  
Kimberly Ikona  
Frontier Homes  
Bond Exonerator

RECEIVED  
MAR 27 2007  
ENGINEERING DEPT.

# MEMORANDUM



**DATE:** April 12, 2007  
**FROM:** Jim White   
Public Works Inspector  
**TO:** Helen E. Wilson  
Associate Civil Engineer

---

**SUBJECT: TRACT 16696 - 80% BOND REDUCTION FOR STREET IMPROVEMENTS**

---

The street improvements for the referenced tract have been inspected and found to be in satisfactory condition. I would recommend reducing the street improvement bonds by 80% and starting the one year maintenance period. I would also recommend we submit this information and a map to the Public Works Department upon bond reduction so they may commence sweeping this tract.

If you should have any questions, please contact me.

cc 5/1/07

# MEMORANDUM



**DATE:** April 12, 2007

**FROM:** Jim White   
Public Works Inspector

**TO:** Helen E. Wilson  
Associate Civil Engineer

---

**SUBJECT: TRACT 16696 - 80% BOND REDUCTION FOR STORM DRAIN IMPROVEMENTS**

---

The storm drain improvements for the referenced tract have been inspected and found to be in satisfactory condition. I would recommend reducing the storm drain improvement bond by 80% and starting the one year maintenance period.

If you should have any questions, please contact me.

*CC 5/1/07*



**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 1, 2007**

**SUBMITTED BY:** John A. McGlade  
City Engineer  **DATE:** April 19, 2007

**SUBJECT:** Release of the remaining 20% of the Sewer and Street Bonds for Tract 16446.

**RECOMMENDATION:** Approval of the remaining 20% release of Faithful Performance Bond for Sewers and Streets.

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
 No \_\_\_\_\_  
 Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

**DISCUSSION:** JD Pierce has requested an exoneration of the Sewer and Street Bonds for Tract 16446. This work has been completed satisfactorily, the warranty period has been met and Engineering Dept. recommends release of the remaining 20% for Sewers and Streets and of the Faithful Performance Bond and associated Labor and Material Bonds.

Tract 16446 Sewer Bond No. 836884S  
Tract 16446 Street Bond No. 836885S



April 19, 2007

City of Victorville  
14343 Civic Drive  
Victorville, CA 92392

Helen,

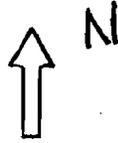
I am writing this letter to inform you of our request to release the street and sewer bonds for Tract 16446.

Thank you for your help.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Kulmaticki', written in a cursive style.

Peter Kulmaticki  
Assistant Project Manager

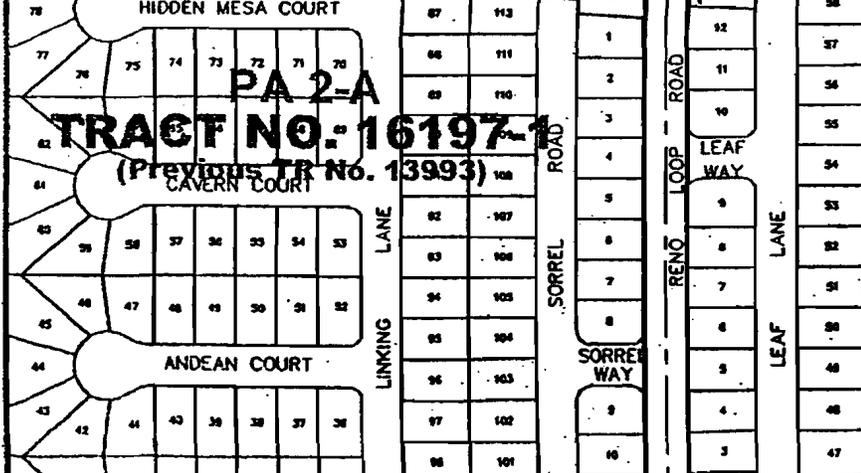
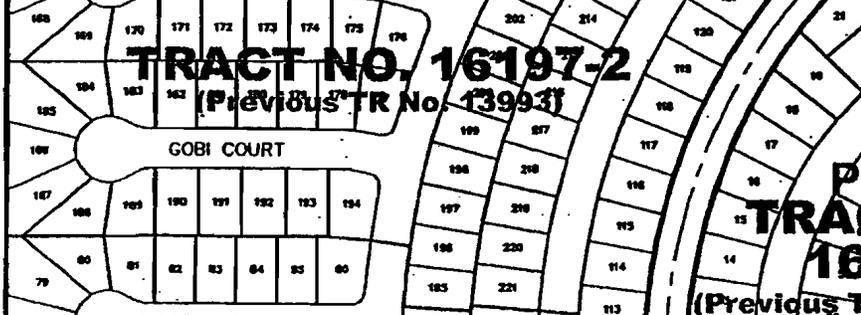
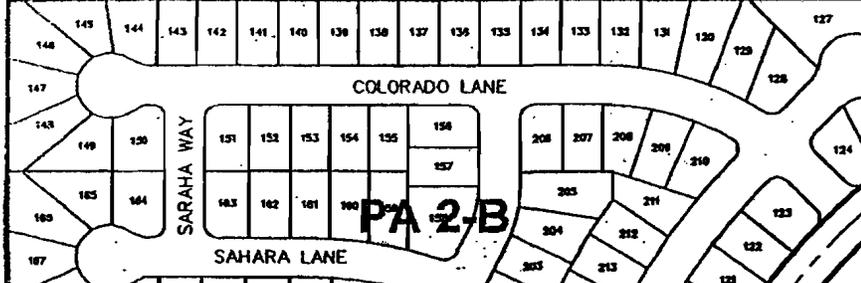
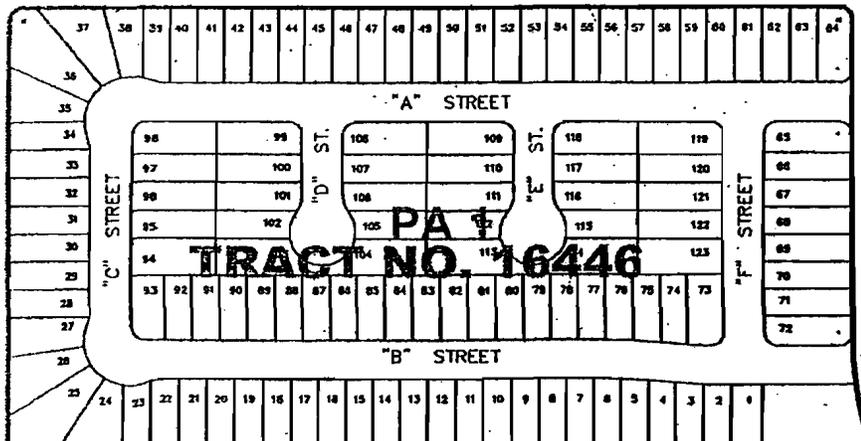


MOJAVE DRIVE

C/L MOJAVE DRIVE

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C/L AMETHYST ROAD



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**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 1, 2007**

**SUBMITTED BY:** John A. McGlade  
City Engineer  **DATE:** April 23, 2007

**SUBJECT:** Partial release of a Land Division Improvement Construction Agreement for Parcel Map 4200. The property is located on McArt Road.

**RECOMMENDATION:** Approval of the release.

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
 No \_\_\_\_\_  
 Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

**DISCUSSION:** JD Pierce Company, Inc. has requested a release of a Land Division Improvement Construction Agreement (LDICA) that was recorded with Parcel Map 4200 on January 31, 1978. All the requirements of the LDICA have been fulfilled for quite some time and approval of the release is recommended. (L-137)

Recording Requested By:

CITY OF VICTORVILLE

When Recorded Please Return To:

CITY OF VICTORVILLE  
14343 Civic Drive  
Victorville, CA 92392

Page 1 of 2

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PARTIAL SATISFACTION AND RELEASE OF  
LAND DIVISION IMPROVEMENTS CONSTRUCTION AGREEMENT

WHEREAS, the CITY OF VICTORVILLE required the signing of a Land Division Improvement Construction Agreement by the owner or predecessor in interest of the below described property; and

WHEREAS, said Land Division Improvement Construction Agreement imposed duties, obligations, and requirements on property owner; and

WHEREAS, such duties, obligations, and requirements were recorded on January 31, 1978 as Book 9358, Pages 2476 - 2480 in the office of the County Recorder of the County of San Bernardino; and

WHEREAS, property owner now is in compliance with said Land Division Improvement Construction Agreement as it relates to the property described below and the duties, obligations, and requirements thereunder having been fulfilled;

NOW, THEREFORE, in consideration of the compliance with said agreement hereinabove stated, the CITY OF VICTORVILLE hereby releases property owner, his heirs, assignees, or successors in interest from any further duty, obligation, or requirement imposed pursuant to the above indicated document only, and the same is here deemed of no further form and effect and shall cease to exist as a lien, duty, obligation, or cloud on the title to the following described real property:

Parcels 2 and 3 of Parcel Map 4200, Recorded in Map Book 38, Pages 24, records of San Bernardino County, California (L-137)

I hereby certify that all improvements required by Title 17 of the Victorville Municipal Code and the City Engineer's Certificate of Improvements required for Parcels 2 and 3 of Parcel Map 4200 have been installed along the street frontages of the hereinabove described property, or otherwise secured.

\_\_\_\_\_  
John A. McGlade, P.E.

CITY ENGINEER

CITY OF VICTORVILLE

By \_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



April 11, 2007

City of Victorville  
14343 Civic Drive  
Victorville, CA 92392

Helen,

I am writing this letter inform you of our request to remove the Land Division Improvement Agreement dated December 27, 1977 from Parcel 2 and 3 of Parcel Map 4200. Since then these Parcels have been merged and per our discussion today I am asking for the release.

Thank you for your help.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Kulmaticki". The signature is written in a cursive, flowing style.

Peter Kulmaticki  
Assistant Project Manager

APN: 0396-013-57



**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 1, 2007**

**SUBMITTED BY:**

John A. McGlade  
City Engineer

**DATE:** April 19, 2007

**SUBJECT:** Release of the Labor and Materials portion of the Sewer Bond for Tract 16936.

**RECOMMENDATION:** Approval of the release of the Labor and Materials portion of the Sewer Bond.

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

**DISCUSSION:** Frontier Homes has constructed the sewers for Tract 16936. The sewer work was accepted for maintenance at the City Council meeting of October 3, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.

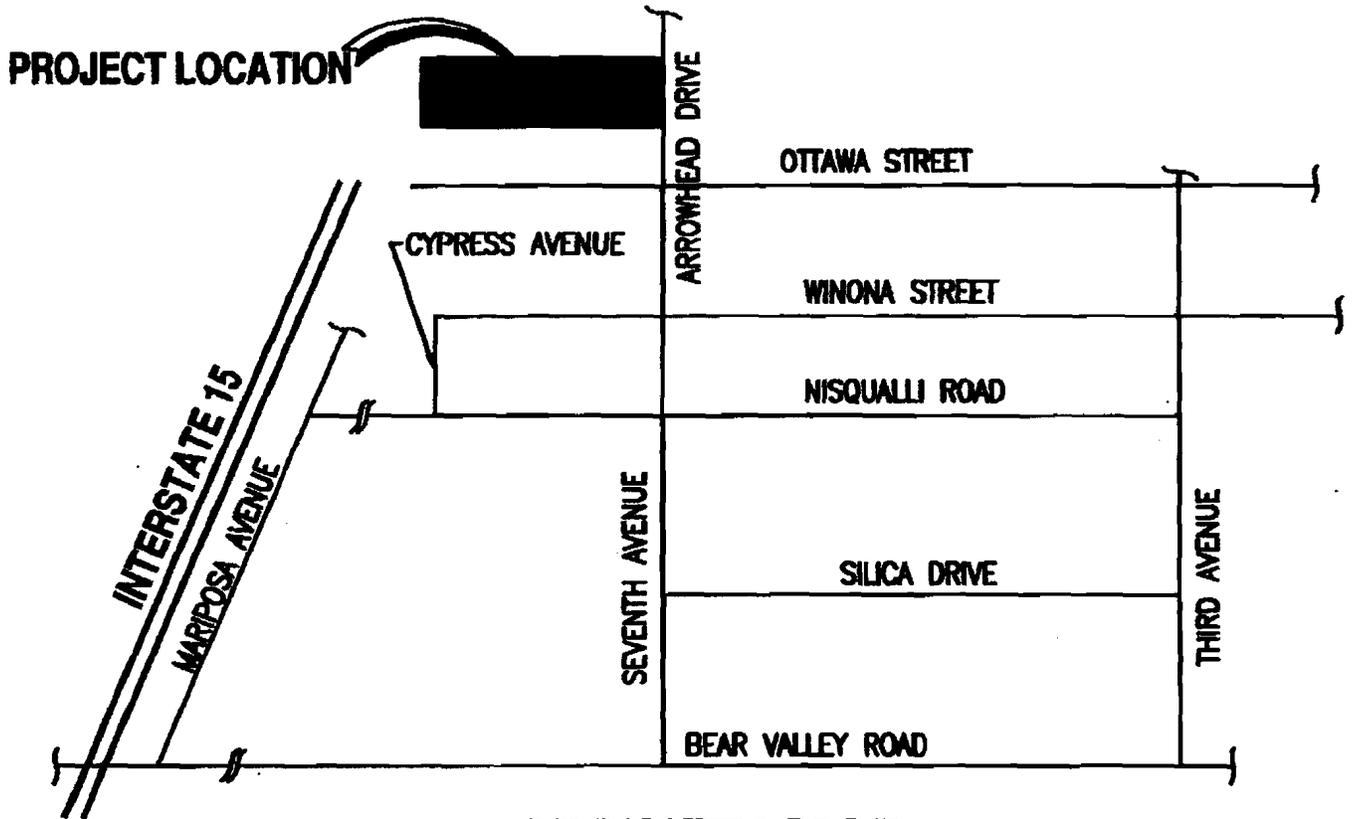
Tract 16936 Sewer Bond No. 864475S

**Attachments**

JAMc/HW:ccp  
/engineeringnas/development/plancheklists/agendaitems/16936.LMrelease.SP.5107

Consent  
#25K  
5-1-07

# TRACT 16936



## VICINITY MAP

NOT TO SCALE



**Autumn Glen, LLC**

March 23, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

Re: Autumn Glen, LLC – Tract 16936  
Bond Reduction – Labor and Materials

Dear Ms. Wilson:

As the owner and developer for the above Tract, Frontier Homes has a Labor and Materials bond for work completed at the above-referenced project:

Bond No.: 864475S– LABOR AND MATERIALS  
Amount: \$38,548.00  
Improvement: Sewer Improvement

**On October 3, 2006 the above Performance bond was reduced at 80% per City Council.** The six-month period for release of the Labor and Materials bond is now due as of **April 3, 2007**. Therefore we respectfully request that the City reduce this bond to one hundred percent (100%). Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

Kimberly Ikona  
Planning Specialist  
Frontier Homes  
Bond Exonerator

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY:

John A. McGrade  
City Engineer 

DATE: April 19, 2007

SUBJECT: Release of the Labor and Materials portion of the Street Bond for Tract 14798.

RECOMMENDATION: Approval of the release of the Labor and Materials portion of the Street Bond.

FISCAL IMPACT: None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

DISCUSSION: Frontier Homes has constructed the streets for Tract 14798. The street work was accepted for maintenance at the City Council meeting of October 3, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.

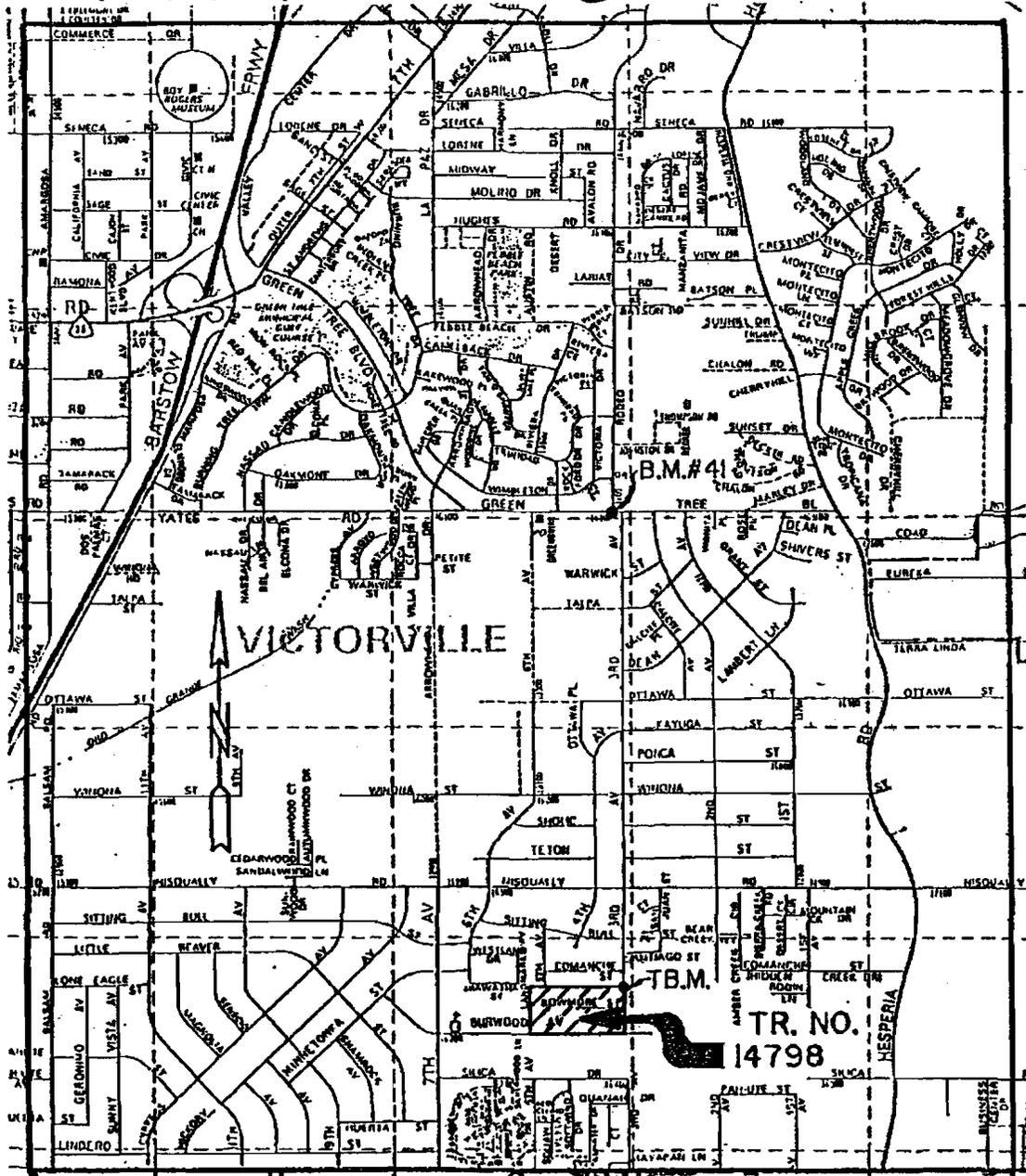
Tract 14798 Street Bond No. CDS60505 & CDS60506

**Attachments**

JAMc/HW:ccp  
/engineeringnas/development/plancheklists/agendaitems/14798.LMrelease.ST.5107

Consent  
#25L  
5-1-07

# TRACT 14798



VICINITY MAP

NO SCALE



**Autumn Glen, LLC**

March 23, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

**RECEIVED**

**MAR 26 2007**

**ENGINEERING**

Re: Autumn Glen, LLC – Tract 14798  
Bond Reduction – Labor and Materials

Dear Ms. Wilson:

As the owner and developer for the above Tract, Frontier Homes has a Labor and Materials bonds for work completed at the above-referenced project:

Bond No.: CDS60505– LABOR AND MATERIALS  
Amount: \$295,331.50  
Improvement: Street Improvement

Bond No.: CDS60506– LABOR AND MATERIALS  
Amount: \$178,991.00  
Improvement: Street Improvement

**On October 3, 2006 the above Performance bond was reduced at 80% per City Council.** The six-month period for release of the Labor and Materials bond is now due as of **April 3, 2007**. Therefore we respectfully request that the City reduce this bond to one hundred percent (100%). Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

Kimberly Ikona  
Planning Specialist  
Frontier Homes  
Bond Exonerator

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:**

John A. McGlade  
City Engineer

**DATE:** April 19, 2007

**SUBJECT:** Release of the Labor and Materials portion of the Sewer Bond for Tract 14798.

**RECOMMENDATION:** Approval of the release of the Labor and Materials portion of the Sewer Bond.

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

**DISCUSSION:** Frontier Homes has constructed the sewers for Tract\_14798. The street work was accepted for maintenance at the City Council meeting of October 3, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.

Tract 14798 Sewer Bond No. CDS60507 & CDS60508

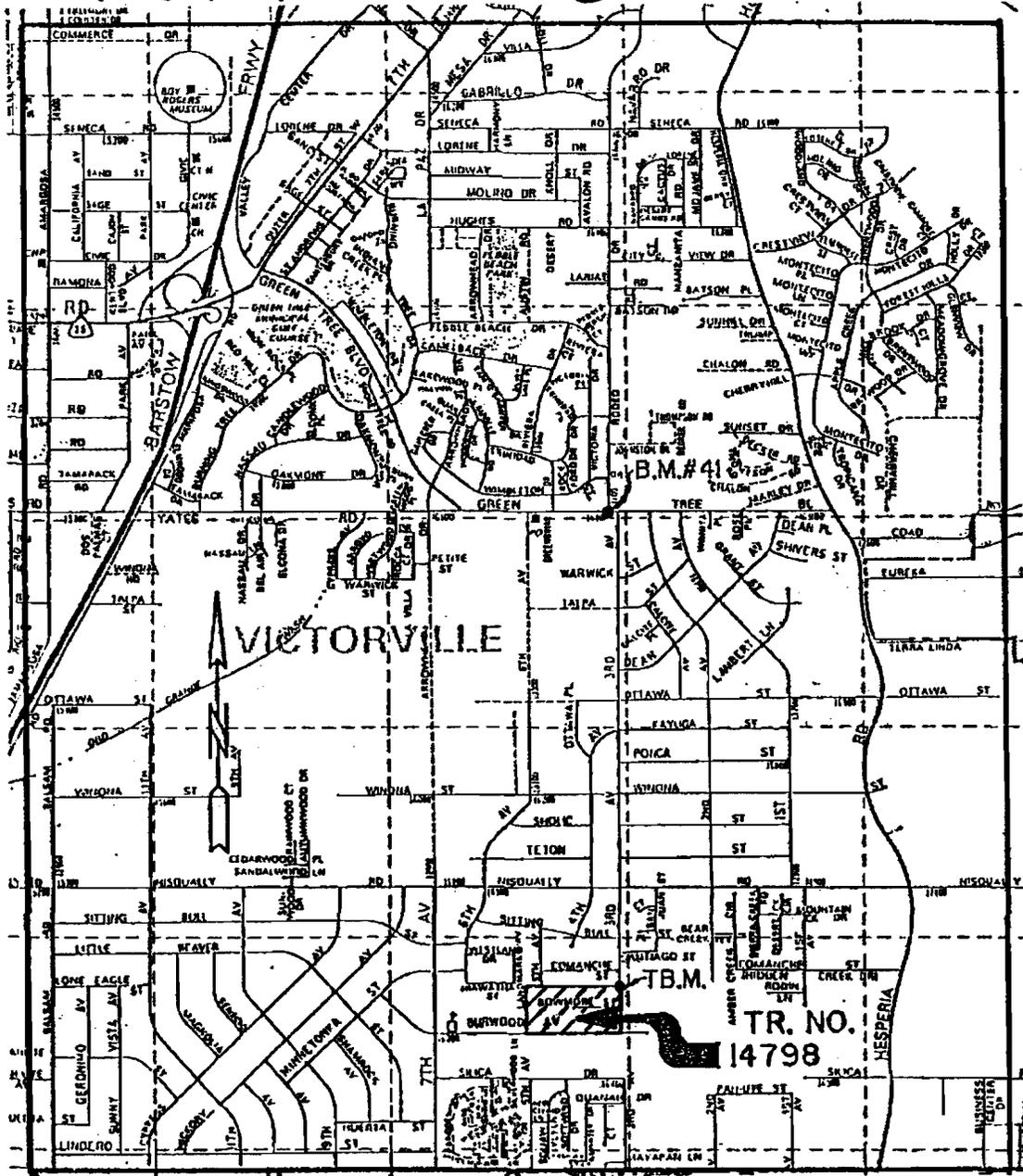
**Attachments**

JAMc/HW:ccp

/engineeringnas/development/plancheklists/agendaitems/14798.LMrelease.SP.5107

Consent  
#25M  
5-1-07

# TRACT 14798



VICINITY MAP

NO SCALE



**Autumn Glen, LLC**

March 23, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

**RECEIVED**

**MAR 26 2007**

**ENGINEERING**

Re: Autumn Glen, LLC – Tract 14798  
Bond Reduction – Labor and Materials

Dear Ms. Wilson:

As the owner and developer for the above Tract, Frontier Homes has a Labor and Materials bonds for work completed at the above-referenced project:

Bond No.: CDS60507– LABOR AND MATERIALS  
Amount: \$44,477.50  
Improvement: Sewer Improvement

Bond No.: CDS60508– LABOR AND MATERIALS  
Amount: \$48,825.00  
Improvement: Sewer Improvement

**On October 3, 2006 the above Performance bond was reduced at 80% per City Council.**  
The six-month period for release of the Labor and Materials bond is now due as of **April 3, 2007**. Therefore we respectfully request that the City reduce this bond to one hundred percent (100%). Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

Kimberly Ikona  
Planning Specialist  
Frontier Homes  
Bond Exonerator

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:**

John A. McGlade  
City Engineer

DATE: April 19, 2007

**SUBJECT:** Release of the Labor and Materials portion of the Storm Drain Bond for Tract 14798.

**RECOMMENDATION:** Approval of the release of the Labor and Materials portion of the Storm Drain Bond.

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

**DISCUSSION:** Frontier Homes has constructed the storm drains for Tract 14798. The street work was accepted for maintenance at the City Council meeting of October 3, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.

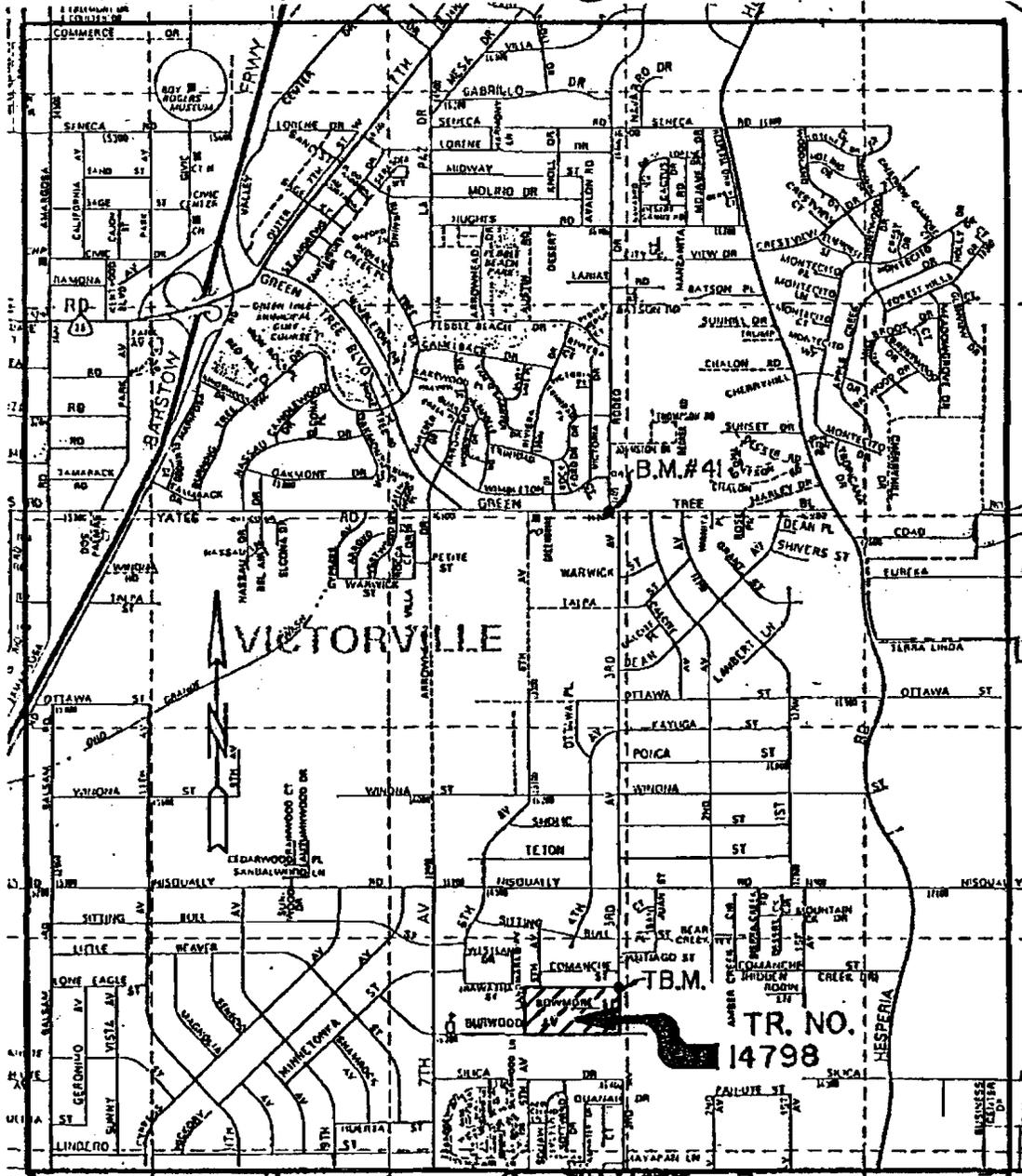
Tract 14798 Storm Drain Bond No. CDS60509 & CDS60517

Attachments

JAMc/HW:ccp  
/engineeringnas/development/plancheklists/agendaitems/14798.LMrelease.SD.5107

Consent  
#25N  
5-1-07

# TRACT 14798



## VICINITY MAP

NO SCALE



**Autumn Glen, LLC**

March 23, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

Re: Autumn Glen, LLC – Tract 14798  
Bond Reduction – Labor and Materials

Dear Ms. Wilson:

As the owner and developer for the above Tract, Frontier Homes has a Labor and Materials bonds for work completed at the above-referenced project:

Bond No.: CDS60509– LABOR AND MATERIALS  
Amount: \$10,407.00  
Improvement: Storm Drain Improvement

Bond No.: CDS60517– LABOR AND MATERIALS  
Amount: \$94,978.00  
Improvement: Storm Drain Improvement

**On October 3, 2006 the above Performance bond was reduced at 80% per City Council.**  
The six-month period for release of the Labor and Materials bond is now due as of **April 3, 2007**. Therefore we respectfully request that the City reduce this bond to one hundred percent (100%). Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

Kimberly Akona  
Planning Specialist  
Frontier Homes  
Bond Exonerator

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:**

John A. McGlade  
City Engineer *JAM*

DATE: April 19, 2007

**SUBJECT:** Release of the Labor and Materials portion of the Street Bond for Tract 15456.

**RECOMMENDATION:** Approval of the release of the Labor and Materials portion of the Street Bond.

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

**DISCUSSION:** Frontier Homes has constructed the streets for Tract\_15456. The street work was accepted for maintenance at the City Council meeting of October 3, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.

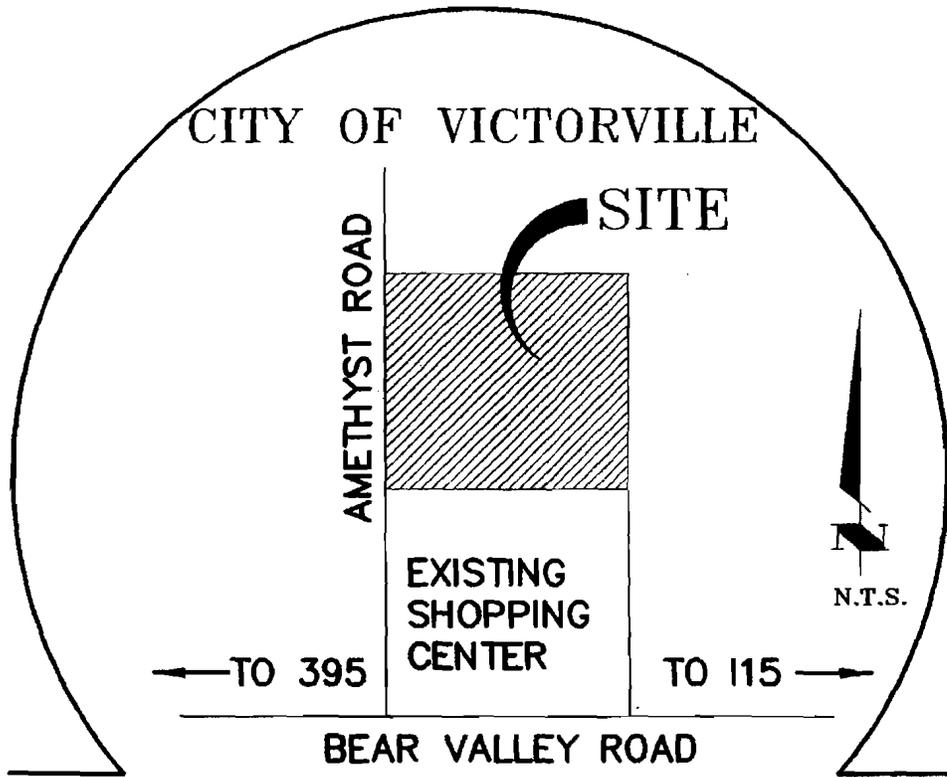
Tract 15456 Street Bond No. CDS60599

Attachments

JAMc/HW:ccp  
/engineeringnas/development/plancheklists/agendaitems/15456.LMrelease.ST.5107

Consent  
#25O  
5-1-07

# TRACT 15456



## VICINITY MAP



**AMETHYST HILLS, LLC**

March 23, 2007

HAND DELIVERED

**RECEIVED**

**MAR 26 2007**

**ENGINEERING**

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

Re: Amethyst Hills, LLC – Tract 15456  
Bond Reduction – Labor and Materials

Dear Ms. Wilson:

As the owner and developer for the above Tract, Frontier Homes has a Labor and Materials bond for work completed at the above-referenced project:

Bond No.: CDS60599 – LABOR AND MATERIALS

Amount: \$250,192.04

Improvement: Street Improvement

**On October 3, 2006 the above Performance bond was reduced at 80% per City Council.** The six-month period for release of the Labor and Materials bond is now due as of **April 3, 2007**. Therefore we respectfully request that the City reduce this bond to one hundred percent (100%). Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

Kimberly Ikona  
Planning Specialist  
Frontier Homes  
Bond Exonerator

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY:

John A. McGlade  
City Engineer

DATE: April 19, 2007

SUBJECT: Release of the Labor and Materials portion of the Sewer Bond for Tract 15456.

RECOMMENDATION: Approval of the release of the Labor and Materials portion of the Sewer Bond.

FISCAL IMPACT: None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

DISCUSSION: Frontier Homes has constructed the sewers for Tract\_15456. The sewer work was accepted for maintenance at the City Council meeting of October 3, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.

Tract 15456 Sewer Bond No. CDS60598

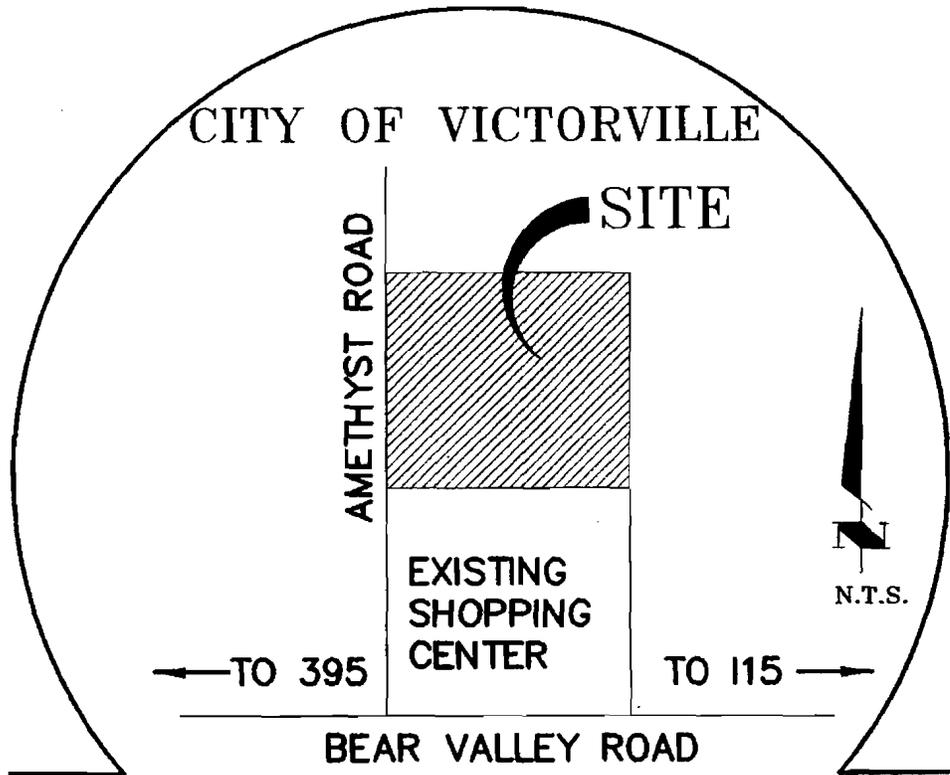
Attachments

JAMc/HW:ccp

/engineeringnas/development/plancheklists/agendaitems/15456.LMrelease.SP.5107

Consent  
#25P  
5-1-07

# TRACT 15456



## VICINITY MAP



**AMETHYST HILLS, LLC**

March 23, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

**RECEIVED**  
**MAR 26 2007**  
**ENGINEERING**

Re: Amethyst Hills, LLC – Tract 15456  
Bond Reduction – Labor and Materials

Dear Ms. Wilson:

As the owner and developer for the above Tract, Frontier Homes has a Labor and Materials bond for work completed at the above-referenced project:

Bond No.: CDS60598 – LABOR AND MATERIALS  
Amount: \$57,013.35  
Improvement: Sewer Improvement

**On October 3, 2006 the above Performance bond was reduced at 80% per City Council.** The six-month period for release of the Labor and Materials bond is now due as of **April 3, 2007**. Therefore we respectfully request that the City reduce this bond to one hundred percent (100%). Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

Kimberly Ikona  
Planning Specialist  
Frontier Homes  
Bond Exonerator

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**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 1, 2007**

**SUBMITTED BY:**

John A. McGlade  
City Engineer

**DATE: April 19, 2007**

**SUBJECT:** Release of the Labor and Materials portion of the Sewer Bonds for Tract 16247-3 to 6.

**RECOMMENDATION:** Approval of the release of the Labor and Materials portion of the Sewer Bonds.

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

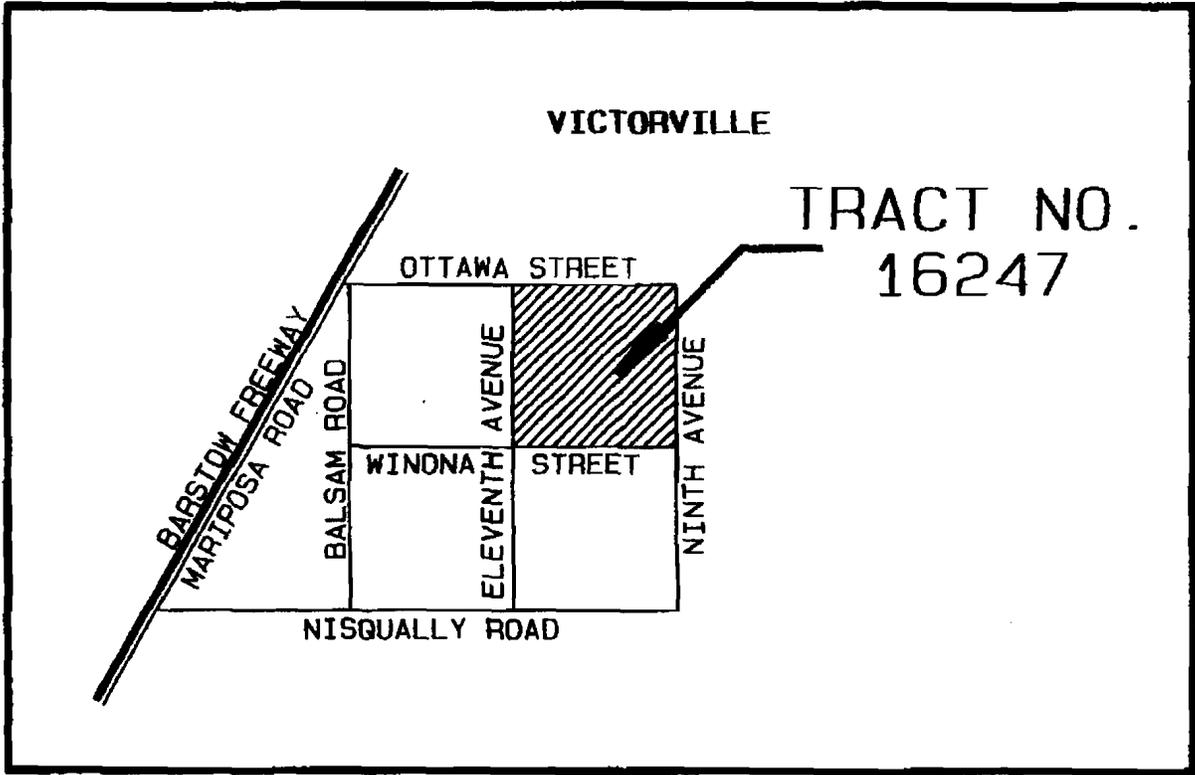
**DISCUSSION:** Covenant Development, Inc. has constructed the sewers for Tract 16247-3 to 6. The sewer work was accepted for maintenance at the City Council meeting of April 4, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.

Tract 16247-3	Sewer Bond No.	B36005265
Tract 16247-4	Sewer Bond No.	211412
Tract 16247-5	Sewer Bond No.	227017
Tract 16247-6	Sewer Bond No.	661114529

**Attachments**

JAMc/HW:ccp  
/engineering/nas/development/plancheklists/agendaitems/16247-3TO6.LMrelease.SP.5107

Consent  
#25Q  
5-1-07



VICINITY MAP  
N.T.S.



29995 Technology Drive  
Ste 201  
Murrieta, CA. 92563  
951/834-9040  
951/834-9046 fax

April 4, 2007

City of Victorville  
Helen Wilson  
3434 Civic Center Drive  
Victorville, CA. 92592

RE: Tract 16247-3, 16247-4, 16247-5, 16247-6  
Sewer Bond – Faithful Performance Release

Dear Helen;

It has been one year since the City Council meeting on April 4, 2006 reducing the bonds listed below by 80%. Following City practice we are at this time asking the full release of the Faithful Performance bonds.

16247-3  
Sewer Improvements - Bond # B36005265 - Faithful Performance Bond – in the amount of \$55,116.60

16247-4  
Sewer Improvements - Bond # 211412 – Faithful Performance Bond – in the amount of \$38,977.00

16247-5  
Sewer Improvements - Bond # 227017 – Faithful Performance Bond – in the amount of \$24,761.00

16247-6  
Sewer Improvements - Bond #661114529 – Faithful Performance Bond – in the amount of \$37,155.80

I am enclosing copies of said bonds and a copy of the City of Victorville letter dated 5/8/06 for your review.

Sincerely  
Suzanne Langley  
Covenant Development Inc.

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**AGENDA ITEM**

*CITY COUNCIL MEETING OF: May 1, 2007*

**SUBMITTED BY:**

*John A. McGlade  
City Engineer*

**DATE:** *April 19, 2007*

**SUBJECT:** *Release of the Labor and Materials portion of the Sewer Bond for Tract 16696.*

**RECOMMENDATION:** *Approval of the release of the Labor and Materials portion of the Sewer Bond.*

**FISCAL IMPACT:** *None*

*Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_*

**DISCUSSION:** *Frontier Homes has constructed the sewers for Tract\_16696. The street work was accepted for maintenance at the City Council meeting of September 5, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.*

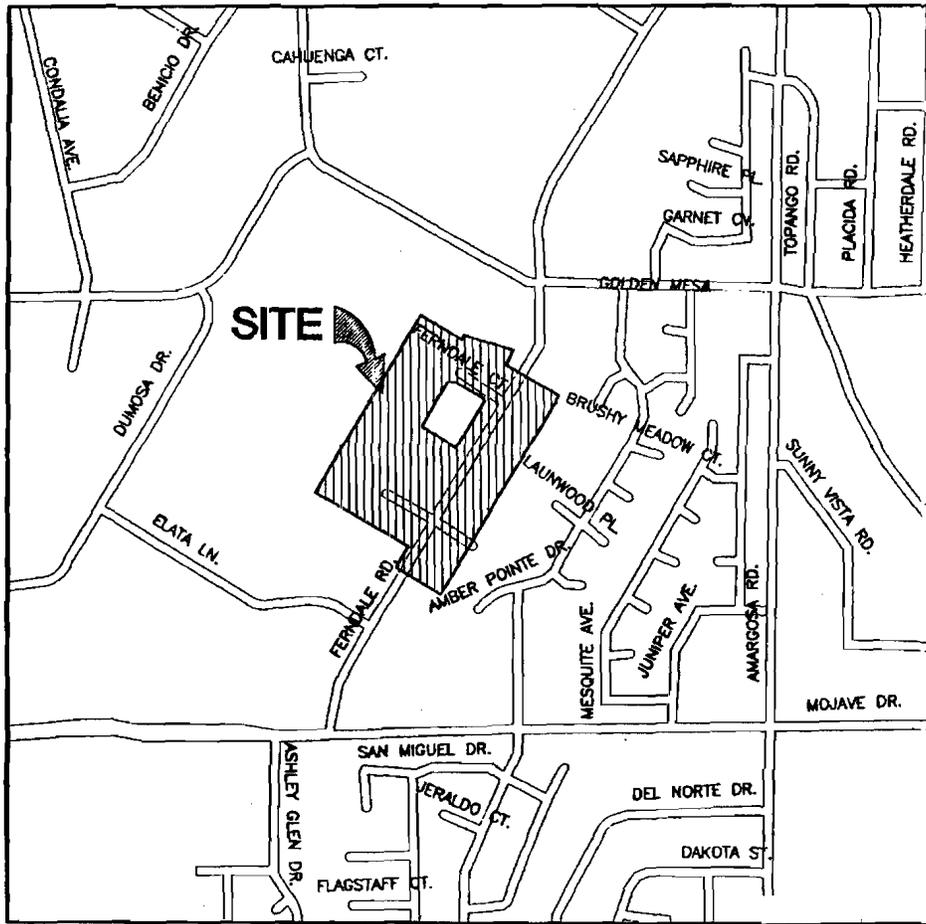
*Tract 16696 Sewer Bond No. 864346S*

**Attachments**

JAMc/HW:ccp  
/engineeringnas/development/plancheklists/agendaitems/16696.LMrelease.SP.5107

Consent  
#25R  
5-1-07

# TRACT 16696



NORTH



VICINITY MAP

NOT TO SCALE



March 23, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

RECEIVED  
MAR 26 2007  
ENGINEERING

Re: Tuscan Ridge, LLC – Tract 16696  
Bond Reduction – Labor and Materials

Dear Ms. Wilson:

As the owner and developer for the above Tract, Frontier Homes has a Labor and Materials bond for work completed at the above-referenced project:

Bond No.: 864346S – LABOR AND MATERIALS  
Amount: \$164,703.00  
Improvement: Sewer Improvement

**On September 5, 2006 the above Performance bond was reduced at 80% per City Council.** The six-month period for release of the Labor and Materials bond is now due as of **March 5, 2007**. Therefore we respectfully request that the City reduce this bond to one hundred percent (100%). Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

Kimberly Ikona  
Planning Specialist  
Frontier Homes  
Bond Exonerator

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

SUBMITTED BY:

John A. McGlade  
City Engineer

DATE: April 19, 2007

SUBJECT: Release of the Labor and Materials portion of the Sewer Bond for Tract 16853.

RECOMMENDATION: Approval of the release of the Labor and Materials portion of the Sewer Bond.

FISCAL IMPACT: None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

DISCUSSION: Frontier Homes has constructed the sewers for Tract\_16853. The sewer work was accepted for maintenance at the City Council meeting of October 3, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.

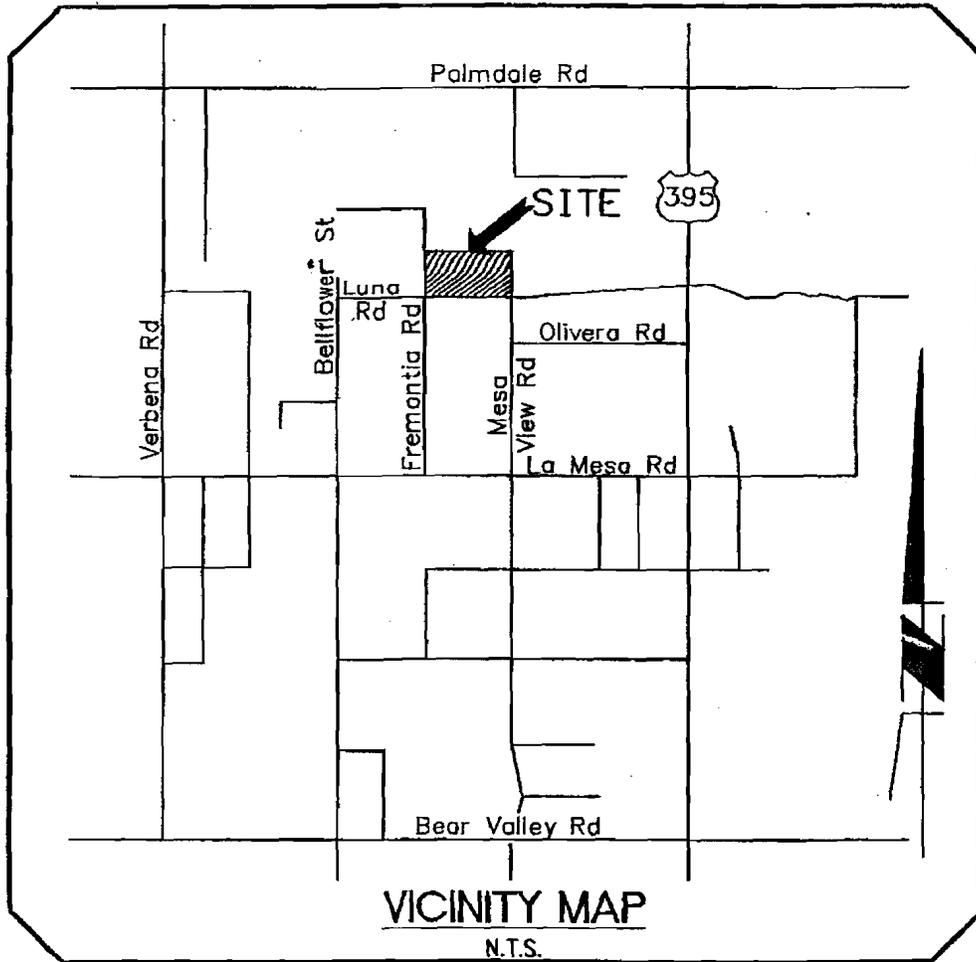
Tract 16853 Sewer Bond No. 864637S

Attachments

JAMc/HW:ccp

/engineeringnas/development/plancheklists/agendaitems/16853.LMrelease.SP.5107

# TRACT 16853





**DAYBREAK COMMUNITIES, LLC**

March 23, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

**RECEIVED**

**MAR 26 2007**

**ENGINEERING**

Re: Daybreak Communities, LLC – Tract 16853  
Bond Reduction – Labor and Materials

Dear Ms. Wilson:

As the owner and developer for the above Tract, Frontier Homes has a Labor and Materials bond for work completed at the above-referenced project:

Bond No.: 864637S – LABOR AND MATERIALS  
Amount: \$120,375.75  
Improvement: Sewer Improvement

**On October 3, 2006 the above Performance bond was reduced at 80% per City Council.** The six-month period for release of the Labor and Materials bond is now due as of **April 3, 2007**. Therefore we respectfully request that the City reduce this bond to one hundred percent (100%). Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

Kimberly Ikona  
Planning Specialist  
Frontier Homes  
Bond Exonerator

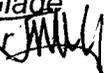
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**AGENDA ITEM**

*CITY COUNCIL MEETING OF: May 1, 2007*

**SUBMITTED BY:**

John A. McGlade  
City Engineer 

**DATE:** April 19, 2007

**SUBJECT:** Release of the Labor and Materials portion of the Sewer Bond for Tract 16860.

**RECOMMENDATION:** Approval of the release of the Labor and Materials portion of the Sewer Bond.

**FISCAL IMPACT:** None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

**DISCUSSION:** Frontier Homes has constructed the sewers for Tract\_16860. The sewer work was accepted for maintenance at the City Council meeting of October 3, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.

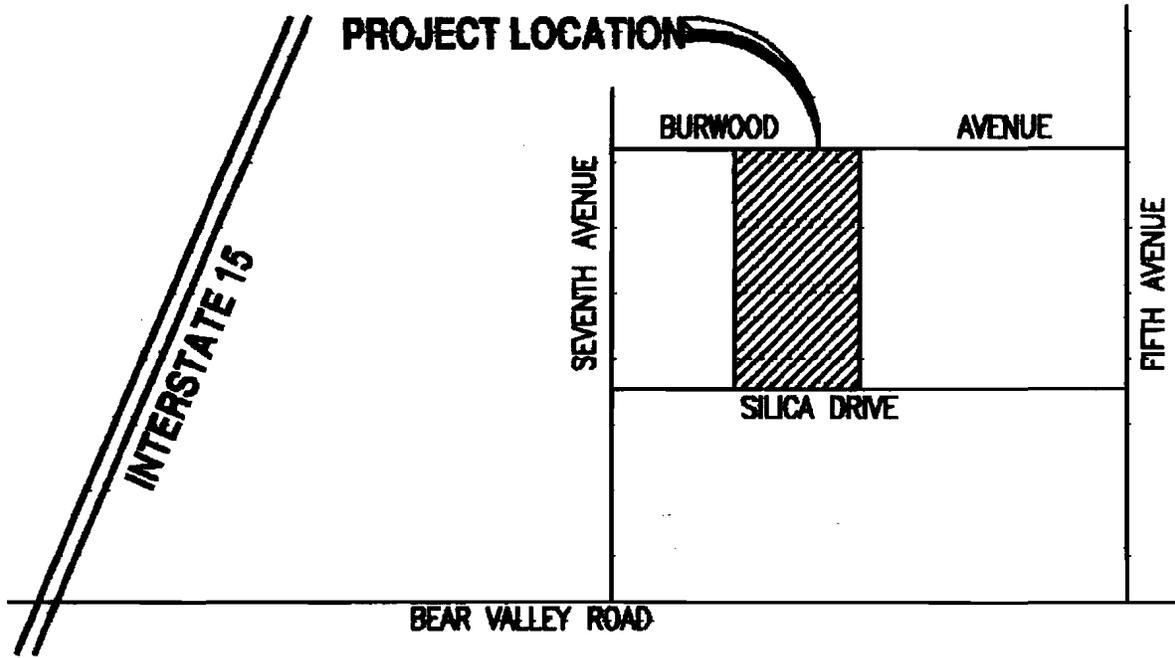
Tract 16860 Sewer Bond No. CDS60764

**Attachments**

JAMc/HW:ccp  
/engineeringnas/development/plancheklists/agendaitems/16860.LMrelease.SP.5107

Consent  
#25T  
5-1-07

# TRACT 16860



**VICINITY MAP**

NOT TO SCALE



**Autumn Glen, LLC**

March 23, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

**RECEIVED**

**MAR 26 2007**

**ENGINEERING**

Re: Autumn Glen, LLC – Tract 16860  
Bond Reduction – Labor and Materials

Dear Ms. Wilson:

As the owner and developer for the above Tract, Frontier Homes has a Labor and Materials bond for work completed at the above-referenced project:

Bond No.: CDS60764– LABOR AND MATERIALS  
Amount: \$33,078.00  
Improvement: Sewer Improvement

**On October 3, 2006 the above Performance bond was reduced at 80% per City Council.** The six-month period for release of the Labor and Materials bond is now due as of **April 3, 2007**. Therefore we respectfully request that the City reduce this bond to one hundred percent (100%). Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

Kimberly Ikona  
Planning Specialist  
Frontier Homes  
Bond Exonerator

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**AGENDA ITEM**

*CITY COUNCIL MEETING OF: May 1, 2007*

**SUBMITTED BY:**

*John A. McGlade  
City Engineer*

*DATE: April 19, 2007*

**SUBJECT:** *Release of the Labor and Materials portion of the Street Bond for Tract 16936.*

**RECOMMENDATION:** *Approval of the release of the Labor and Materials portion of the Street Bond.*

**FISCAL IMPACT:** *None*

*Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_*

**DISCUSSION:** *Frontier Homes has constructed the streets for Tract \_16936. The street work was accepted for maintenance at the City Council meeting of October 17, 2006. No claims for the work have been submitted. Therefore, the Labor and Materials portion of the Bond is recommended to be released.*

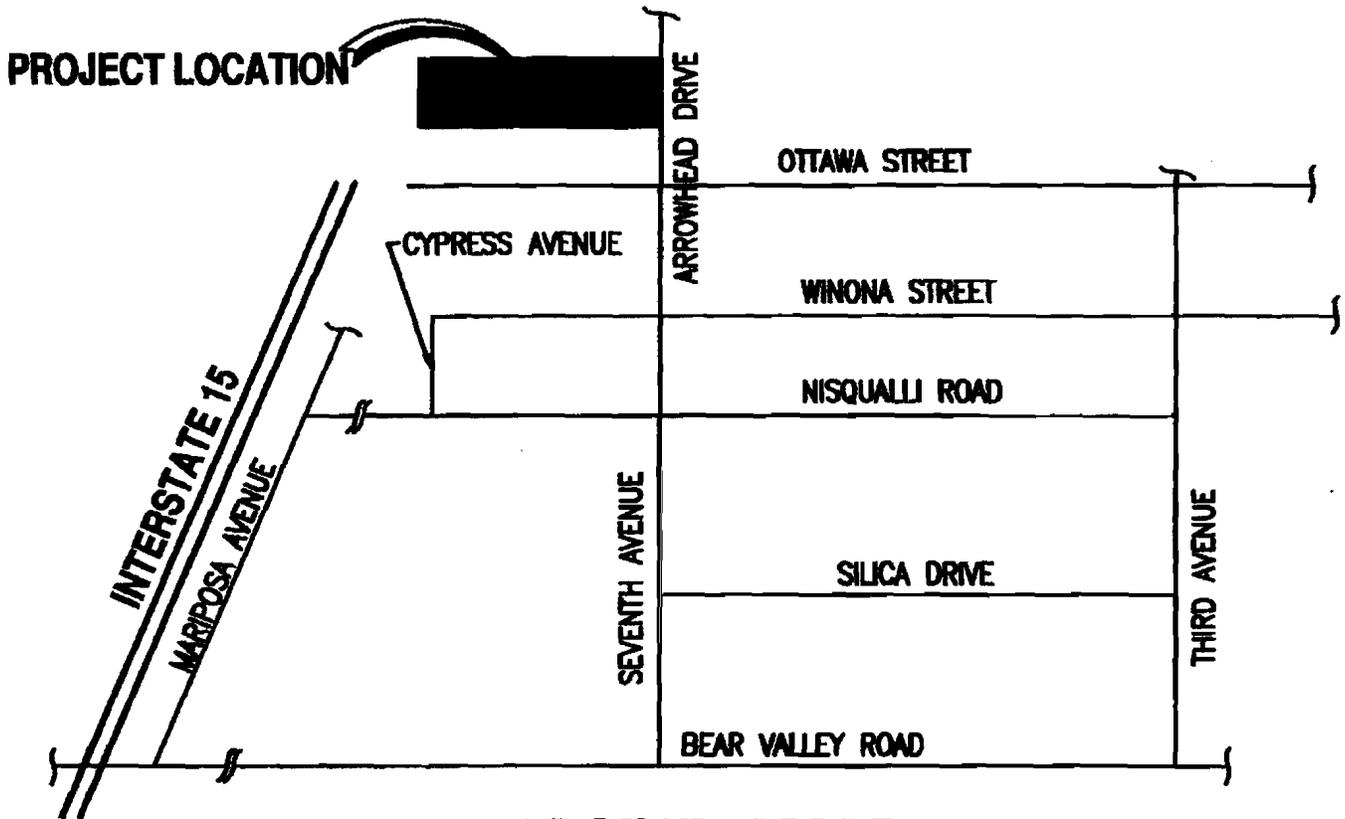
*Tract 16936 Street Bond No. 864473S*

**Attachments**

JAMc/HW:ccp  
/engineeringnas/development/plancheklists/agendaitems/16936.LMrelease.ST.5107

Consent  
#25U  
5-1-07

# TRACT 16936



**VICINITY MAP**  
NOT TO SCALE



**Autumn Glen, LLC**

RECEIVED  
APR 09 2007  
ENGINEERING DEPT.

April 9, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

Re: Autumn Glen, LLC – Tract 16936  
Bond Reduction – Labor and Materials

Dear Ms. Wilson:

As the owner and developer for the above Tract, Frontier Homes has a Labor and Materials bond for work completed at the above-referenced project:

Bond No.: 864473S– LABOR AND MATERIALS  
Amount: \$112,387.50  
Improvement: Street Improvement

**On October 17, 2006 the above Performance bond was reduced at 80% per City Council.** The six-month period for release of the Labor and Materials bond is now due as of **April 17, 2007**. Therefore we respectfully request that the City reduce this bond to one hundred percent (100%). Once the bond is officially reduced, please provide our office with written confirmation and mail it to the address listed below, attention to myself.

Thank you for your assistance in this matter. Should you have any questions, comments, or concerns, please do not hesitate to call me at (760) 221-3336.

Sincerely,

  
Kimberly Ikoni  
Planning Specialist  
Frontier Homes  
Bond Exonerator

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** John A. McGlade  
City Engineer

**DATE:** April 11, 2007

**SUBJECT:** Notice of Completion, Construction Heli Tie Down

**RECOMMENDATION:** That City Council accept as completed the Construction Heli Tie Down

**FISCAL IMPACT:** None

Budget Amount:  
Budget Acct. No.:

Finance Dept. Use Only  
Additional Appropriation  
 No \_\_\_\_\_  
 Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

**DISCUSSION:** The above captioned project has been satisfactorily completed and inspected. The Engineering Department would recommend acceptance of the project and the filing of the Notice of Completion.

Recording Requested By:

CITY OF VICTORVILLE

And When Recorded Mail To:

City of Victorville  
14343 Civic Drive  
Victorville, CA 92392

Space above this line for Recorder's Use

PUBLIC CONTRACT  
NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The work of improvement set forth in the contract documents for **Construct Heli Tie Down** was successfully completed on **April 9, 2007**.
2. The full name and address of the contractor is: **HMC Construction  
3000 E. Birch  
Brea, California, 92821**
3. The location of the project is **Southern California Logistics Airport**
4. Any communications relating to the subject work of improvement shall be directed to the Engineering Department, City of Victorville, 14343 Civic Drive, California 92392.

Dated: 4/23/07

City of Victorville, Property Owner  
John A. McGlade  
John A. McGlade, City Engineer,  
RCE 40935, Exp. 3/31/09

The CITY OF VICTORVILLE in accordance with minute action taken this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ hereby accepts for maintenance the above work of improvements as set forth in the contract documents and all change orders applicable thereto subject to the guarantees as set forth in said contract documents.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Terry E. Caldwell  
MAYOR OF THE CITY OF VICTORVILLE

ATTEST:

\_\_\_\_\_  
CITY CLERK

STATE OF CALIFORNIA            }  
COUNTY OF SAN BERNARDINO   }  
CITY OF VICTORVILLE         }

On \_\_\_\_\_ before me, \_\_\_\_\_ Notary Public, personally  
appeared \_\_\_\_\_ personally known to me (or  
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

THIS AREA FOR OFFICIAL NOTARIAL SEAL.

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**AGENDA ITEM**

*CITY COUNCIL MEETING OF: May 1, 2007*

*SUBMITTED BY: John A. McGlade, City Engineer*  *DATE: April 18, 2005*

*SUBJECT: Adopt Resolution 07-109 Of The City Council Approving The Engineer's Report Submitted For The Formation Of The Nisqualli Road Sidewalk Assessment District No. 1 Under The Improvement Act Of 1911 And The Municipal Improvement Act Of 1913*

*RECOMMENDATION: That City Council adopts the attached resolution to accept the attached Engineer's Report with regards to formation of a sidewalk assessment district.*

*FISCAL IMPACT: \$ 0.00*

*Amount Allocated: \$  
Budget Amount: \$  
Budget Acct. No.:*

*Finance Dept. Use Only  
Additional Appropriation  
 No \_\_\_\_\_  
 Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_*

*This action has no fiscal impact at this time. If the formation of the assessment district is successful, the 50% contribution by the City is estimated at \$ 189,176.*

*DISCUSSION: A public/community meeting was held in January 2006 as part of the development of plans for Nisqualli Road Improvement Project. Several residents expressed desire and support for installation of sidewalk along Nisqualli Road as part of the improvement project. Subsequently, the City Council held a workshop with City staff and interested residents in February 2006. During that workshop, the council informally agreed that the City will pay half the construction cost, if residents agree to an Assessment District to pay half of the construction cost of the sidewalk.*

*Nisqualli Road Improvement Project, Phase I has been awarded to Sully Miller Contracting Co. and the contractor will start construction in the first week of May 2007. The contractor has submitted a price for construction of the sidewalk which is \$5.00 per square foot, included as an item in the bid.*

*On April 17, 2007, the City Council approved a resolution proposing formation of the Nisqualli Road Sidewalk Assessment District No. 1 under the improvement act of 1911 and the municipal improvement act of 1913. In that resolution of intention, Council instructed the City Engineer to prepare an Engineer's Report as per Section 10200 of the California Streets & Highways Code. The Engineer's report has been prepared based on the actual bid that was submitted by the contractor, and, the Resolution and the Engineer's Report are attached.*

## RESOLUTION NO. 07-109

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT SUBMITTED FOR THE FORMATION OF THE NISQUALLI ROAD SIDEWALK ASSESSMENT DISTRICT NO. 1 UNDER THE IMPROVEMENT ACT OF 1911 AND THE MUNICIPAL IMPROVEMENT ACT OF 1913.**

**WHEREAS**, The Improvement Act of 1911 and the Municipal Improvement Act of 1913 (the "1911 Act and the "1913 Act", Cal. Streets &Highways' §5000 et seq. and §§ 10000 et seq., respectively; collectively, the "Acts" authorize the formation of an assessment district for the purpose of funding the construction of public improvements including sidewalk facilities; and

**WHEREAS**, pursuant to Sections 5131 and 10200, respectively, of the Acts, the City began proceedings for the formation of an assessment district by adopting a resolution of intention; and

**WHEREAS**, the City Council of the City of Victorville desires to establish Nisqualli Road Sidewalk Assessment District No. 1 as provided by the Acts in order to create a source to fund one-half of the construction cost of the sidewalk facilities along Nisqualli Road from Balsam Road to Hesperia Road; and

**WHEREAS**, as instructed by the resolution of intention (Resolution No. 07-106), the City Engineer has prepared the Engineer's Report, attached hereto as Exhibit "A" and incorporated herein by this reference.

### **NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:**

#### **Section 1. ENGINEER'S REPORT**

The City Engineer prepared an Engineer's Report, which the City Council has found to comply with the requirements set forth at Section 10204 of the 1913 Act.

#### **Section 2. NOTICE OF PUBLIC HEARING**

The City Council shall hold a public hearing at the City Hall regarding the formation of the Nisqualli Road Sidewalk Assessment District No. 1 and the levy assessment on the properties described in the Engineer's Report on \_\_\_\_\_ (date) at 7:00 p.m.

#### **Section 3. ASSESSMENT BALLOTS**

The City shall notify, and provide an assessment ballot to each recorded property owner within the area described in the Engineer's Report. Each assessment ballot shall include the following information:

- a. The total amount of the proposed assessment chargeable to the entire district.
- b. The amount chargeable to each recorded property owner(s)' parcel.
- c. Duration of payment.
- d. The reason for the assessment and the basis upon which the amount of the proposed assessment was calculated and distributed among parcels.
- e. The date, time and location of the public hearing for the proposed assessment.

- f. A summary of the procedures for the completions, return and tabulation of the assessment ballots.
- g. A statement that the assessment shall not be imposed if certain percentage of ballots submitted in opposition to the assessment exceed the percentage prescribed by law for imposition of this type of assessment district, with ballots weighted according to the proportional financial obligation of the affected property.

**Section 4. CITY CLERK**

The City Clerk shall certify the passage and adoption of this Resolution; shall enter the same in the book of original resolutions of the City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council, in the minutes of the meeting at which this resolution is passed and adopted.

# **CITY OF VICTORVILLE**

## **ENGINEER'S REPORT**

### **FORMATION OF THE NISQUALLI ROAD SIDEWALK ASSESSMENT DISTRICT NUMBER 1**

Prepared under the direction of the City Engineer of the City of Victorville  
John A. McGlade, P.E., L.S.

## **PART I      BACKGROUND**

A public/community meeting was held in January 2006 as part of the development of plans for Nisqualli Road Improvement Project. Several residents expressed desire and support for installation of sidewalk along Nisqualli Road as part of the improvement project. Subsequently, the City Council held a workshop with City staff and interested residents in February 2006. During that workshop, the council informally agreed that the City will pay half the construction cost, if residents agree to an Assessment District to pay half of the construction cost of the sidewalk.

In March of 2007, the construction of the Nisqualli Road Improvement Project, Phase I was awarded to Sully Miller Contracting Co. As part of the bid, the contractor submitted a price for construction of the sidewalk which is \$5.00 per square foot.

Subsequently, on April 17, 2007, the City Council approved a resolution proposing formation of the Nisqualli Road Sidewalk Assessment District Number 1 and instructed the City Engineer to prepare the engineer's report for the Nisqualli Road Sidewalk Assessment District Number 1 in compliance with provisions set forth at Section 10204 of the Municipal Improvement Act of 1913.

## **PART II      BOUNDARIES OF THE PROPOSED DISTRICT**

The boundaries of the Nisqualli Road Sidewalk Assessment District Number 1 shall be depicted on the Diagram of the Assessment District Boundaries, which is included as part of this Engineer's Report for the proposed district, "Exhibit I", a copy of which shall be filed with and maintained by the City Clerk upon adoption by the City Council. The Nisqualli Road Sidewalk Assessment District Number 1 shall consist of Real Properties having frontage on Nisqualli Road from Balsam Road at the easterly end to Hesperia Road at westerly end, except those real properties that have, currently, installed sidewalk or have approved plans to install sidewalk at their frontage along Nisqualli Road.

## **PART III      DESCRIPTION OF WORK, PLANS AND SPECIFICATIONS**

The work under the Nisqualli Road Sidewalk Assessment District Number 1 shall consist of constructing 5.5 feet wide Portland Cement Concrete sidewalk adjacent to curb and gutter along Nisqualli Road in front of the properties included in the proposed district.

The plans and specifications for the proposed work are on file in the office of the City Engineer of the City of Victorville.

## **PART IV      ASSESSMENT COST**

A detail cost break down for the Nisqualli Road Sidewalk Assessment District Number 1 has been prepared and is attached to this Engineer's Report as Exhibit II. The costs has been prepared base on \$5.00 per square foot, bid price submitted by the contractor. The contractor's bid is on file in the office of the City Engineer of the City of Victorville.

The assessment for each property is based on sidewalk area in front of each property reduced by the area of driveway(s). The resulting area is then multiplied by the construction cost of \$5.00 per square foot.

In case the assessment district is approved and adopted, each property owner will have the choice of payment of the assessment cost in one lump sum or pay spread out over seven (7) years at an interest rate set by the City Council at the time of formation of the assessment District.

#### **PART V      METHOD OF ASSESSMENT SPREAD**

In order for all property owner(s)' have an equitable input in approval or disapproval of this assessment district, ballots will be weighted according to the proportional financial obligation of the affected property.

#### **PART VI      ASSESSMENT PROCEDURE**

The improvement Act of 1911 and the Municipal Improvement Act of 1913 (the "1911 Act" and "1913 Act", Cal. Streets & Highway's §5000 *et seq.* and §§10000 *et seq.*, respectively; collectively, the "Acts") authorize the formation of an assessment district for the purpose of funding the construction of public improvements including sidewalk facilities. On April 17, 2007, the City Council approved a resolution proposing formation of the Nisqualli Road Sidewalk Assessment District Number 1 and instructed the City Engineer to prepare the Engineer's Report.

Upon adoption of the Engineer's Report by the City Council as require by California Streets and Highways Code section 10204, the City Council will instruct the City Clerk to mail a ballot to each property owner in the proposed district. Each assessment ballot will include the following information:

- a. The total amount of the proposed assessment chargeable to the entire district.
- b. The amount chargeable to each recorded property owner(s)' parcel.
- c. Duration of payment.
- d. The reason for the assessment and the basis upon which the amount of the proposed assessment was calculated and distributed among parcels.
- e. The date, time and location of the public hearing for the proposed assessment.
- f. A summary of the procedures for the completions, return and tabulation of the assessment ballots.
- g. A statement that the assessment shall not be imposed if certain percentage of ballots submitted in opposition to the assessment exceed the percentage prescribed by law for imposition of this type of assessment district, with ballots weighted according to the proportional financial obligation of the affected property.



## EXHIBIT II

### NISQUALLI SIDEWALK ASSESSMENT DISTRICT, NUMBER 1

#### NISQUALLI ROAD IMPROVEMENT PPROJECT

R E F	P H A S E	APN	PROPERTY ADDRESS	CURRENT LAND USE	FRONTAGE* FEET	ASSESSED FRONTAGE*** FEET	SIDEWALK AREA SQUARE FEET (5.5 feet wide)	CONSTRUCTION COST (\$5.00 per Sq. Ft)	ASSESSMENT PER PROPERTY (Half of Construction Cost)	SEVEN ANNUAL PAYMENTS BASED ON VARIOUS INTEREST RATE (DOES NOT INCLUDE SAN BERNARDINO COUNTY ASSESSOR'S PROCESSING FEE) (EXAMPLE ONLY)												
										0%	1%	2%	3%	4%	5%	6%	7%	8%				
SOUTH SIDE OF STREET																						
2	II	3093-301-01	15315	Nisqualli Road	1/2 Acre Lot Commercial	104.10	86.10	473.55	\$2,367.75	\$1,183.88	\$169.13	\$175.96	\$182.92	\$190.02	\$197.24	\$204.60	\$212.07	\$219.67	\$227.39			
3	II	3093-301-02	15325	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59			
4	II	3093-301-03	15343	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56			
5	II	3093-301-04	15361	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56			
8	II	3093-301-05	15375	Nisqualli Road	1/2 Acre Lot Single Family Resident	120.00	102.00	561.00	\$2,805.00	\$1,402.50	\$200.36	\$208.45	\$216.70	\$225.11	\$233.67	\$242.38	\$251.24	\$260.24	\$269.38			
7	II	3093-301-06	15393	Nisqualli Road	1/2 Acre Lot Single Family Resident	120.00	102.00	561.00	\$2,805.00	\$1,402.50	\$200.36	\$208.45	\$216.70	\$225.11	\$233.67	\$242.38	\$251.24	\$260.24	\$269.38			
8	II	3093-301-07		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10			
9	II	3093-301-08	15425	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59			
10	II	3093-301-09		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10			
11	II	3093-301-10	15457	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59			
12	II	3093-301-11	15469	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56			
13	II	3093-301-12	15485	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10			
14	II	3093-341-01	15511	Nisqualli Road	1/2 Acre Lot Single Family Resident	119.11	119.11	655.11	\$3,275.53	\$1,637.76	\$233.97	\$243.42	\$253.05	\$262.87	\$272.87	\$283.04	\$293.38	\$303.89	\$314.57			
15	II	3093-341-02	15535	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56			
16	II	3093-341-03	15545	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	88.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59			
17	II	3093-341-04		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10			
18	II	3093-341-05	15577	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59			
19	II	3093-341-06	15593	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56			
20	II	3093-341-07	15811	Nisqualli Road	1/2 Acre Lot Single Family Resident	135.00	117.00	643.50	\$3,217.50	\$1,608.75	\$229.82	\$239.11	\$248.57	\$258.21	\$268.03	\$278.02	\$288.18	\$298.51	\$309.00			
21	II	3093-341-08	15627	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56			
22	II	3093-341-09	15643	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$181.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56			

**EXHIBIT II**  
**NISQUALLI SIDEWALK ASSESSMENT DISTRICT, NUMBER 1**

**NISQUALLI ROAD IMPROVEMENT PPROJECT**

R E F	P H A S E	APN	PROPERTY ADDRESS		CURRENT LAND USE	FRONTAGE* FEET	ASSESSED FRONTAGE*** FEET	SIDEWALK AREA SQUARE FEET (5.5 feet wide)	CONSTRUCTION COST (\$5.00 per Sq. Ft)	ASSESSMENT PER PROPERTY (Half of Construction Cost)	SEVEN ANNUAL PAYMENTS BASED ON VARIOUS INTEREST RATE (DOES NOT INCLUDE SAN BERNARDINO COUNTY ASSESSOR'S PROCESSING FEE) (EXAMPLE ONLY)								
											0%	1%	2%	3%	4%	5%	6%	7%	8%
23	II	3093-341-10	15655	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
24	II	3093-341-11	15673	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
25	II	3093-341-12	15687	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
26	II	3093-381-01		Nisqualli Road	1/2 Acre Lot Vacant Land	120.00	120.00	660.00	\$3,300.00	\$1,650.00	\$235.71	\$245.24	\$254.94	\$264.84	\$274.91	\$285.15	\$295.57	\$306.16	\$316.92
27	II	3093-381-02	15727	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
28	II	3093-381-03	15751	Nisqualli Road	1/2 Acre Lot Single Family Resident	120.00	102.00	561.00	\$2,805.00	\$1,402.50	\$200.36	\$208.45	\$216.70	\$225.11	\$233.67	\$242.38	\$251.24	\$260.24	\$269.38
29	II	3093-381-04	15767	Nisqualli Road	1/2 Acre Lot Single Family Resident	124.12	106.12	583.66	\$2,918.30	\$1,459.15	\$208.45	\$216.87	\$225.46	\$234.20	\$243.11	\$252.17	\$261.38	\$270.75	\$280.26
30	II	3093-381-05	15783	Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
31	II	3093-381-06	15799	Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
32	II	3093-381-07	15815	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
33	II	3093-381-08		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
34	II	3093-381-09	15845	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
35	II	3093-381-10	15861	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
36	II	3093-381-11	15875	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
37	II	3093-381-12		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
38	II	3093-421-01		Nisqualli Road	1/2 Acre Lot Vacant Land	110.00	110.00	605.00	\$3,025.00	\$1,512.50	\$216.07	\$224.80	\$233.70	\$242.77	\$252.00	\$261.39	\$270.94	\$280.65	\$290.51
39	II	3093-421-02		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
40	II	3093-421-03	15945	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
41	II	3093-421-04	15961	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
42	II	3093-421-05	15973	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
43	II	3093-421-08	15989	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
44	II	3093-421-07	16005	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56

**EXHIBIT II**  
**NISQUALLI SIDEWALK ASSESSMENT DISTRICT, NUMBER 1**

**NISQUALLI ROAD IMPROVEMENT PPROJECT**

R E F	P H A S E	APN	PROPERTY ADDRESS		CURRENT LAND USE	FRONTAGE* FEET	ASSESSED FRONTAGE*** FEET	SIDEWALK AREA SQUARE FEET (5.5 feet wide)	CONSTRUCTION COST (\$5.00 per Sq. Ft)	ASSESSMENT PER PROPERTY (Half of Construction Cost)	SEVEN ANNUAL PAYMENTS BASED ON VARIOUS INTEREST RATE (DOES NOT INCLUDE SAN BERNARDINO COUNTY ASSESSOR'S PROCESSING FEE) (EXAMPLE ONLY)								
											0%	1%	2%	3%	4%	5%	6%	7%	8%
											45	II	3093-421-08	16019	Nisqualli Road	1/2 Acre Lot Single Family Resident	114.11	96.11	528.61
46	II	3093-421-21	16051	Nisqualli Road	1/2 Acre Lot Single Family Resident	185.00	185.00	1017.50	\$5,087.50	\$2,543.75	\$363.39	\$378.07	\$393.04	\$408.29	\$423.81	\$439.61	\$455.67	\$472.00	\$488.58
47	I	3093-421-30	16079	Nisqualli Road	1/2 Acre Lot Single Family Resident	273.00	** 241.00	1325.50	\$6,627.50	\$3,313.75	\$473.39	\$492.52	\$512.01	\$531.88	\$552.10	\$572.68	\$593.61	\$614.88	\$636.48
51	I	3091-011-01		Nisqualli Road	1/2 Acre Lot Vacant Land	302.97	** 248.97	1389.34	\$6,846.68	\$3,423.34	\$489.05	\$508.80	\$528.95	\$549.47	\$570.36	\$591.62	\$613.24	\$635.21	\$657.53
52	I	3091-011-02	16141	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
53	I	3091-011-03	16155	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
54	I	3091-011-04	16167	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
55	I	3091-011-05	12880	6th Avenue	1/2 Acre Lot Single Family Resident	113.30	113.30	623.15	\$3,115.75	\$1,557.88	\$222.55	\$231.54	\$240.71	\$250.05	\$259.56	\$269.23	\$279.07	\$289.07	\$299.22
56	I	3091-011-14	12875	6th Avenue	1/2 Acre Lot Single Family Resident	120.00	120.00	660.00	\$3,300.00	\$1,650.00	\$235.71	\$245.24	\$254.94	\$264.84	\$274.91	\$285.15	\$295.57	\$306.16	\$316.92
57	I	3091-011-15		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
58	I	3091-011-16	16245	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
59	I	3091-011-17		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
60	I	3091-011-18	16271	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
61	I	3091-011-19	16289	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
62	I	3091-011-20	16307	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
63	I	3091-021-01		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
64	I	3091-021-02	16337	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
65	I	3091-021-03		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
66	I	3091-021-04	16369	Nisqualli Road	1/2 Acre Lot Single Family Resident	120.00	68.00	374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
67	I	3091-021-05		Nisqualli Road	1/2 Acre Lot Vacant Land	110.00	110.00	605.00	\$3,025.00	\$1,512.50	\$216.07	\$224.80	\$233.70	\$242.77	\$252.00	\$261.39	\$270.94	\$280.65	\$290.51
68	I	3091-021-06	16407	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
69	I	3091-021-07	12880	4th Avenue	1/2 Acre Lot Single Family Resident	121.43	121.43	667.87	\$3,339.33	\$1,669.66	\$238.52	\$248.16	\$257.98	\$267.99	\$278.18	\$288.55	\$299.10	\$309.81	\$320.70

**EXHIBIT II**  
**NISQUALLI SIDEWALK ASSESSMENT DISTRICT, NUMBER 1**

**NISQUALLI ROAD IMPROVEMENT PPROJECT**

R E F	P H A S E	APN	PROPERTY ADDRESS		CURRENT LAND USE	FRONTAGE* FEET	ASSESSED FRONTAGE*** FEET	SIDEWALK AREA SQUARE FEET (5.5 feet wide)	CONSTRUCTION COST (\$5.00 per Sq. Ft)	ASSESSMENT PER PROPERTY (Half of Construction Cost)	SEVEN ANNUAL PAYMENTS BASED ON VARIOUS INTEREST RATE (DOES NOT INCLUDE SAN BERNARDINO COUNTY ASSESSOR'S PROCESSING FEE) (EXAMPLE ONLY)								
											0%	1%	2%	3%	4%	5%	6%	7%	8%
70	I	3091-021-29	12891	4th Avenue	1/2 Acre Lot Single Family Resident	186.96	188.96	1028.28	\$5,141.40	\$2,570.70	\$367.24	\$382.08	\$397.20	\$412.61	\$428.30	\$444.27	\$460.50	\$477.00	\$493.76
71	I	3091-021-28	12882	3rd Avenue	1/2 Acre Lot Single Family Resident	180.00	180.00	990.00	\$4,950.00	\$2,475.00	\$353.57	\$367.86	\$382.42	\$397.25	\$412.36	\$427.73	\$443.36	\$459.24	\$475.38
74	I	3091-051-62		Nisqualli Road	Large Lot Vacant Land	620.00	620.00	3410.00	\$17,050.00	\$8,525.00	\$1,217.86	\$1,267.06	\$1,317.21	\$1,368.32	\$1,420.35	\$1,473.29	\$1,527.13	\$1,581.84	\$1,637.42
NORTH SIDE OF STREET																			
75	II	3092-401-08		Nisqualli Road	Vacant Land	273.81	273.81	\$1,505.96	\$7,529.78	\$3,764.89	\$537.84	\$559.57	\$581.72	\$604.29	\$627.27	\$650.65	\$674.42	\$698.59	\$723.13
76	II	3092-401-07		Nisqualli Road	Vacant Land	330.96	330.96	\$1,820.28	\$9,101.40	\$4,550.70	\$650.10	\$676.36	\$703.14	\$730.42	\$758.19	\$786.45	\$815.19	\$844.40	\$874.06
78	II	3092-401-04		Nisqualli Road	Vacant Land	818.50	618.50	\$3,401.75	\$17,008.75	\$8,504.38	\$1,214.91	\$1,263.99	\$1,314.03	\$1,365.01	\$1,416.91	\$1,469.72	\$1,523.43	\$1,578.01	\$1,633.46
82	II	3092-421-08		Nisqualli Road	Vacant Land	300.00	300.00	\$1,850.00	\$8,250.00	\$4,125.00	\$589.29	\$613.09	\$637.36	\$662.09	\$687.26	\$712.88	\$738.93	\$765.41	\$792.30
84	I	3092-441-03		Nisqualli Road	Proposed Multi-Family Residential Development, SP-05-008	440.00	440.00	\$2,420.00	\$12,100.00	\$6,050.00	\$864.29	\$899.20	\$934.80	\$971.06	\$1,007.99	\$1,045.56	\$1,083.77	\$1,122.60	\$1,162.04
85	I	3092-441-04		Nisqualli Road		264.00	264.00	\$1,452.00	\$7,260.00	\$3,630.00	\$518.57	\$539.52	\$560.88	\$582.64	\$604.79	\$627.34	\$650.26	\$673.56	\$697.22
86	I	3092-441-05		Nisqualli Road		214.00	214.00	\$1,177.00	\$5,885.00	\$2,942.50	\$420.36	\$437.34	\$454.65	\$472.29	\$490.25	\$508.52	\$527.10	\$545.99	\$565.17
87	I	3090-151-27	16112	Nisqualli Road	1/2 Acre Lot Single Family Resident	104.99	86.99	\$478.45	\$2,392.23	\$1,196.11	\$170.87	\$177.78	\$184.61	\$191.98	\$199.26	\$206.71	\$214.27	\$221.94	\$229.74
88	I	3090-151-26	16128	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
89	I	3090-151-25	16154	Nisqualli Road	1/2 Acre Lot Single Family Resident	200.00	182.00	\$1,001.00	\$5,005.00	\$2,502.50	\$357.50	\$371.94	\$386.67	\$401.67	\$416.94	\$432.48	\$448.29	\$464.35	\$480.86
90	I	3090-151-24	16180	Nisqualli Road	1/2 Acre Lot Single Family Resident	180.00	162.00	\$891.00	\$4,455.00	\$2,227.50	\$318.21	\$331.07	\$344.18	\$357.53	\$371.12	\$384.96	\$399.02	\$413.32	\$427.84
92	I	3090-151-17	12821	8th Avenue	1/2 Acre Lot Single Family Resident	105.00	105.00	\$577.50	\$2,887.50	\$1,443.75	\$206.25	\$214.58	\$223.08	\$231.73	\$240.54	\$249.51	\$258.63	\$267.89	\$277.30
93	I	3090-151-16		Nisqualli Road	1/2 Acre Lot Vacant Land	115.00	115.00	\$632.50	\$3,162.50	\$1,581.25	\$225.89	\$235.02	\$244.32	\$253.80	\$263.45	\$273.27	\$283.26	\$293.41	\$303.71
94	I	3090-151-15		Nisqualli Road	1/2 Acre Lot Vacant Land	130.00	130.00	\$715.00	\$3,575.00	\$1,787.50	\$255.36	\$285.67	\$276.19	\$286.91	\$297.81	\$308.92	\$320.20	\$331.68	\$343.33
95	I	3090-151-14	16266	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
96	I	3090-151-13	16282	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	\$374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
97	I	3090-151-12	16296	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	\$374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
98	I	3090-161-24	16312	Nisqualli Road	1/2 Acre Lot Single Family Resident	109.92	91.92	\$505.56	\$2,527.80	\$1,263.90	\$180.56	\$187.85	\$195.29	\$202.86	\$210.58	\$218.43	\$226.41	\$234.52	\$242.76

**EXHIBIT II**  
**NISQUALLI SIDEWALK ASSESSMENT DISTRICT, NUMBER 1**

**NISQUALLI ROAD IMPROVEMENT PPROJECT**

R E F	P H A S E	APN	PROPERTY ADDRESS		CURRENT LAND USE	FRONTAGE* FEET	ASSESSED FRONTAGE*** FEET	SIDEWALK AREA SQUARE FEET (5.5 feet wide)	CONSTRUCTION COST (\$5.00 per Sq. Ft)	ASSESSMENT PER PROPERTY (Half of Construction Cost)	SEVEN ANNUAL PAYMENTS BASED ON VARIOUS INTEREST RATE (DOES NOT INCLUDE SAN BERNARDINO COUNTY ASSESSOR'S PROCESSING FEE) (EXAMPLE ONLY)								
											0%	1%	2%	3%	4%	5%	6%	7%	8%
99	I	3090-161-23	16330	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	\$374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
100	I	3090-161-22	18344	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
101	I	3090-161-21	16358	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	\$374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
102	I	3090-161-20	16374	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
103	I	3090-161-19	16392	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
104	I	3090-181-18	16410	Nisqualli Road	1/2 Acre Lot Single Family Resident	110.00	92.00	\$506.00	\$2,530.00	\$1,265.00	\$180.71	\$188.01	\$195.46	\$203.04	\$210.76	\$218.62	\$226.61	\$234.72	\$242.97
105	I	3090-161-17	16420	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	100.00	\$550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
107	I	3090-161-30	12911	4th Avenue	1/2 Acre Lot Single Family Resident	187.12	187.12	\$1,029.16	\$5,145.80	\$2,572.90	\$367.56	\$382.41	\$397.54	\$412.97	\$428.67	\$444.65	\$460.90	\$477.41	\$494.18
108	I	3090-161-31	16476	Nisqualli Road	1/2 Acre Lot Single Family Resident	180.00	180.00	\$990.00	\$4,950.00	\$2,475.00	\$353.57	\$367.86	\$382.42	\$397.25	\$412.36	\$427.73	\$443.36	\$459.24	\$475.38
109	I	3090-311-34		Nisqualli Road	1/2 Acre Lot Vacant Land	140.89	140.89	\$774.90	\$3,874.48	\$1,937.24	\$276.75	\$287.93	\$299.33	\$310.94	\$322.76	\$334.79	\$347.03	\$359.46	\$372.09
110	I	3090-311-33		Nisqualli Road	1/2 Acre Lot Vacant Land	100.00	100.00	\$550.00	\$2,750.00	\$1,375.00	\$196.43	\$204.36	\$212.45	\$220.70	\$229.09	\$237.63	\$246.31	\$255.14	\$264.10
111	I	3090-311-32	16550	Nisqualli Road	1/2 Acre Lot Single Family Resident	140.00	122.00	\$671.00	\$3,355.00	\$1,677.50	\$239.64	\$249.32	\$259.19	\$269.25	\$279.49	\$289.91	\$300.50	\$311.27	\$322.20
112	I	3090-311-31	16570	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
113	I	3090-311-30	16586	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	\$374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
114	I	3090-311-29	16604	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	\$374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
115	I	3090-311-28	16620	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	\$374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
118	I	3090-311-27	16636	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
117	I	3090-311-26	16650	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
118	I	3090-311-25	16684	Nisqualli Road	1/2 Acre Lot Single Family Resident	130.00	98.00	\$539.00	\$2,895.00	\$1,347.50	\$192.50	\$200.28	\$208.20	\$216.28	\$224.51	\$232.87	\$241.38	\$250.03	\$258.82
119	I	3090-311-24	16682	Nisqualli Road	1/2 Acre Lot Single Family Resident	130.00	112.00	\$616.00	\$3,080.00	\$1,540.00	\$220.00	\$228.89	\$237.95	\$247.18	\$256.58	\$266.14	\$275.87	\$285.75	\$295.79
120	I	3090-321-29	16700	Nisqualli Road	1/2 Acre Lot Single Family Resident	101.11	83.11	\$457.11	\$2,285.53	\$1,142.76	\$163.25	\$169.85	\$176.57	\$183.42	\$190.40	\$197.49	\$204.71	\$212.04	\$219.49
121	I	3090-321-28	16710	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56

**EXHIBIT II**  
**NISQUALLI SIDEWALK ASSESSMENT DISTRICT, NUMBER 1**

**NISQUALLI ROAD IMPROVEMENT PPROJECT**

R E F	P H A S E	APN	PROPERTY ADDRESS		CURRENT LAND USE	FRONTAGE* FEET	ASSESSED FRONTAGE*** FEET	SIDEWALK AREA SQUARE FEET (5.5 feet wide)	CONSTRUCTION COST (\$5.00 per Sq. Ft)	ASSESSMENT PER PROPERTY (Half of Construction Cost)	SEVEN ANNUAL PAYMENTS BASED ON VARIOUS INTEREST RATE (DOES NOT INCLUDE SAN BERNARDINO COUNTY ASSESSOR'S PROCESSING FEE) (EXAMPLE ONLY)								
											0%	1%	2%	3%	4%	5%	6%	7%	8%
122	I	3090-321-27	16720	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	68.00	\$374.00	\$1,870.00	\$935.00	\$133.57	\$138.97	\$144.47	\$150.07	\$155.78	\$161.59	\$167.49	\$173.49	\$179.59
123	I	3090-321-28	16730	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.65	\$201.97	\$209.21	\$216.56
124	I	3090-321-25	16740	Nisqualli Road	1/2 Acre Lot Single Family Resident	100.00	82.00	\$451.00	\$2,255.00	\$1,127.50	\$161.07	\$167.58	\$174.21	\$180.97	\$187.85	\$194.85	\$201.97	\$209.21	\$216.56
125	I	3090-321-24	16792	Nisqualli Road	1/2 Acre Lot Single Family Resident	150.00	118.00	\$649.00	\$3,245.00	\$1,622.50	\$231.79	\$241.15	\$250.70	\$260.42	\$270.32	\$280.40	\$290.65	\$301.06	\$311.64
126	I	3090-321-23	18820	Nisqualli Road	1/2 Acre Lot Single Family Resident	150.00	118.00	\$649.00	\$3,245.00	\$1,622.50	\$231.79	\$241.15	\$250.70	\$260.42	\$270.32	\$280.40	\$290.65	\$301.06	\$311.64
127	I	3090-321-22	16840	Nisqualli Road	1/2 Acre Lot Single Family Resident	109.84	91.84	\$505.12	\$2,525.60	\$1,262.80	\$180.40	\$187.69	\$195.12	\$202.69	\$210.39	\$218.24	\$226.21	\$234.32	\$242.55
128	I	3090-321-21	16854	Nisqualli Road	1/2 Acre Lot Single Family Resident	110.00	92.00	\$506.00	\$2,530.00	\$1,265.00	\$180.71	\$188.01	\$195.46	\$203.04	\$210.76	\$218.62	\$226.61	\$234.72	\$242.97
129	I	3090-321-35	16888	Nisqualli Road	1/2 Acre Lot Single Family Resident/Business	200.00	174.00	\$957.00	\$4,785.00	\$2,392.50	\$341.79	\$355.59	\$389.67	\$384.01	\$398.61	\$413.47	\$428.58	\$443.94	\$459.53
<b>TOTAL CONSTRUCTION COST</b>									<b>\$378,351.60</b>										
<b>TOTAL ASSESSMENT</b>									<b>\$189,175.80</b>										
<b>TOTAL NUMBER OF PROPERTIES IN THE ASSESSMENT DISTRICT</b>									<b>116</b>										

\* Property frontage on Nisqualli Road.

\*\* The property frontage include both frontage on Nisqualli Road and 7th Avenue.

\*\*\* Property frontage except driveway(s) width.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:**

John A. McClellan  
City Engineer

DATE: April 23, 2007

**SUBJECT:** AWARD OF SERVICE PROVIDER AGREEMENT FOR MAP AND PLAN CHECK REVIEW SERVICES

**RECOMMENDATION:** That City Council 1) Appropriate \$104,000 from General Fund Contract Services and 2) Award a Service Provider Agreement to PKA Consulting Services, Inc. in an amount not to exceed \$104,000.

**FISCAL IMPACT:** \$104,000

Finance Dept. Use Only  
Additional Appropriation

O No \_\_\_\_\_

Yes/\$ Amt \$104,000

Finance Director Review

\$ Approval 10

**DISCUSSION:** The Engineering Department has a funded Senior Engineer position, to supervise the development division. This position will supervise the development division that reviews development applications and checks maps and improvement plans. The City is continuing to actively recruit for the position, but it has remained unfilled for over a year, while the demands on the division have remained at a high level. To better respond to the map and plan check demands, the City Engineer has explored contracting with a highly qualified engineer who is experienced in development review. This individual would work inside the Engineering Department, alongside the in-house staff, two days per week and also provide services offsite to the Engineering Department. The main duties would include assisting in the quality assurance reviews for improvement plans, reviewing the overall plan check process and making recommendations to the City Engineer for improvements to the process.

The agreement is drafted for a six-month term with an option to extend upon mutual agreement between the City Engineer and the Service Provider. Only the time spent in providing the requested services will be billed to the City.

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** Dana Wellborn *DW*  
Acting Director of Municipal Utilities

**DATE:** April 20, 2007

**SUBJECT:** Approval to increase the contract with The Industrial Company (TIC)

**RECOMMENDATION:** That the Honorable City Council approve an increase to the contract with The Industrial Company (TIC) in the amount of \$1,581,353.00 based on the final scope of work for additional construction and utility installations at the Foxborough Cogeneration Facility and SCLA Power Plant 1.

**FISCAL IMPACT:** \$1,581,353.00  
Budget Amount: \$1,629,607.00  
Budget Account No.:  
540720-25115-70627-70709-54114 - <\$48,254.00>  
540720-76947-70627-70708-54103 - \$1,629,607.00

--Finance Dept. Use Only-- Additional Appropriation:
<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes/\$Amount:
Finance Director Review and Approval <i>[Signature]</i>

**DISCUSSION:**

A contract to construct the Foxborough Cogeneration Facility (FCF) and related infrastructure was awarded to The Industrial Company (TIC) on March 1, 2005 (JM05-070). An increase to the contract was approved on March 20, 2007 based on a preliminary scope of work for additional construction to be completed at FCF and SCLA Power Plant 1. TIC has since submitted pricing estimates for the final scope of work as defined by VMUS staff at the recommendation of Inland Energy. The cost for construction at FCF to accommodate the third service entrance for Nutro Products, Inc. is estimated to be \$41,746.00, while the cost for construction related to the expansion of SCLA Power Plant 1 is estimated to be \$2,439,607.00. The total estimated cost for additional construction is \$2,481,353.00, tax included. Taking into account the initial increase to the contract in the amount of \$900,000.00, the total net increase needed at this time to accommodate the final scope of work at both facilities is \$1,581,353.00.

Any delay in the completion of construction of SCLA Power Plant 1 will result in a substantial detriment to the City and could cause the City to incur substantial lost revenue. The City previously contracted to deliver power to customers, which contracts the City will not be able to fulfill without the additional power to be generated by SCLA Power Plant 1. Further, the City has agreed with Rubbermaid that SCLA Power Plant 1 will provide

CITY OF  
VICTORVILLE



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Victorville, CA 92393-5001

Rubbermaid with power beginning in September 2007. If the City cannot provide this power to Rubbermaid, the City will lose Rubbermaid as a power customer, and potentially cause Rubbermaid to reverse its decision to construct facilities at the Southern California Logistics Airport, which would result in the loss of up to three hundred jobs for the community. Therefore, in order to avoid a significant delay which could potentially have serious detrimental effects, the City has awarded this contract to TIC without competitive bidding, which could cause a delay of several months. While competitive public bidding generally protects the public interest, in this particular case, the delay caused by competitive public bidding would have serious detrimental consequences to the City, and these consequences outweigh any benefit that may be received by competitive bidding.

Utilities staff recommends that Council approve the increase to the contract with The Industrial Company (TIC) based on pricing submitted for the final scope of work for additional construction and utility installations to be completed at VMUS facilities.

DW/jd

**RESOLUTION NO. 07-112**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, APPROVING AN INCREASE IN COST OF A CONTRACT BETWEEN THE CITY AND THE INDUSTRIAL COMPANY FOR THE CONSTRUCTION OF THE SOUTHERN CALIFORNIA LOGISTICS AIRPORT POWER PLANT 1**

**WHEREAS**, the City of Victorville (the “City”) previously entered into a contract with The Industrial Company (“TIC”) on or about March 1,2005 (the “Contract”) for the construction of improvements at the SCLA Power Plant 1 (the “Project”); and

**WHEREAS**, based on TIC’s satisfactory performance of the Contract, on March 20, 2007, the City approved additional work to be performed by TIC on a time and materials basis, not to exceed Nine Hundred Thousand Dollars (\$900,000.00) based on a preliminary scope of work; and

**WHEREAS**, TIC has now prepared and submitted a final scope of work, which calls for a total cost of Two Million Four Hundred Eighty One Thousand Three Hundred Fifty Three Dollars (\$2,481,353.00), inclusive of the previously approved \$900,000.00 increase; and

**WHEREAS**, any delay in the completion of the Project could result in a substantial detriment to the City and could cause the City to lose substantial revenues; and

**WHEREAS**, the City previously contracted to deliver power generated by the Project to various existing and future customers, which customers the City could lose if the Project is not completed without delay; and

**WHEREAS**, the City has agreed to provide power from the Project to the Rubbermaid facility to be located at the Southern California Logistics Airport (the “Airport”), beginning in September 2007; and

**WHEREAS**, if the City is unable to complete the Project and provide power to Rubbermaid without delay, the City may lose Rubbermaid as a power customer and/or Rubbermaid may choose not to locate its facility at the Airport; and

**WHEREAS**, the City’s competitive public bidding procedures would cause significant delay to the completion of the Project, which delay potentially could result in the loss of Rubbermaid and other customers.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1. Recitals

The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Findings

In addition to the above recitals, the City finds that the City would suffer a substantial detriment if the Project is not completed without delay. Further, the City finds that this substantial detriment outweighs the potential benefits of competitive bidding in this case. The public interest is better served by completion of the Project with all possible haste than it would be served by the competitive bidding process. The public interest is best served by foregoing the competitive bidding process and approving the increase to the Contract with TIC, as TIC is already on site and able to complete the Project without delay. The competitive bidding process would involve significant delay with inviting bids, negotiating a contract with the lowest responsible bidder, waiting for that bidder to mobilize to the construction site, among other possible delays. TIC can complete the Project without any of these delays, and it is therefore in the public interest to allow TIC to complete the Project.

Section 3. Certification

The City Clerk shall certify to the adoption of this Resolution.

Section 4. Effective Date

This Resolution shall take effect upon its adoption.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: March 20, 2007

**SUBMITTED BY:** Dana Wellborn *DW*  
Acting Director of Municipal Utilities

**DATE:** March 12, 2007

**SUBJECT:** Approval to increase the contract with The Industrial Company (TIC)

**RECOMMENDATION:** That the Honorable City Council approve an increase to the contract with The Industrial Company (TIC) in the amount of \$900,000.00 for additional construction at the Foxborough Cogeneration Facility and the expansion of SCLA Power Plant 1.

**FISCAL IMPACT:** \$900,000.00

Budget Amount: \$900,000.00

Budget Account No.:

540720-25115-70627-70709-54114 – \$90,000.00

540720-76947-70627-70708-54103 – \$810,000.00

**DISCUSSION:**

A contract to construct the Foxborough Cogeneration Facility (FCF) and related infrastructure was awarded to The Industrial Company (TIC) on March 1, 2005 (JM05-070). At this time it is necessary to amend the original contract to accommodate additional construction and redesign of the facility, including the installation of a third service entrance for Nutro Products, Inc. As the bio-fuel equipment currently on order for FCF can be used interchangeably between FCF and SCLA Power Plant 1, it is also necessary to amend the contract to include utility installations and construction for the expansion of SCLA Power Plant 1. Through discussions with Inland Energy and TIC we have identified a preliminary scope of work to be completed on a time and materials basis, not to exceed \$900,000.00. While this initial increase will aid in our effort to move forward with these projects, it will be necessary to increase the contract at a later date based on the final scope of work and pricing estimates to be submitted by TIC.

Utilities staff recommends that Council approve the increase to the contract with The Industrial Company (TIC) for the additional construction and utility installations based on the preliminary scope of work to be completed at VMUS facilities.

DW/jd

--Finance Dept. Use Only--  
Additional Appropriation:

No

Yes/\$Amount:

Finance Director Review and  
Approval *ap/jam*



February 26, 2007

City Of Victorville  
14343 Civic Drive  
Victorville, CA 92393

Attention: David Ochenreider  
Project Manager

Reference: Victorville Municipal Utility Service (VMUS)  
Project: NUTRO  
Contract: RFP No. JM05-070

Subject: Budgetary Cost for NUTRO

Dear David,

This letter is written to provide Victorville Municipal Utility Service a Lump Sum of price of \$41,746 (forty-one thousand, seven hundred forty six dollars) to construct the cabling of the GSF switch and transformer at NUTRO products, this price includes following as outlined below:

E-2.00 Dated 09-17-04 REV.9

E2.01 Dated REV.5

#### Scope of Work

#### Civil Scope:

- Foundations 2 cy 4000psi

#### Electrical Scope:

- Set New SF6 Gas Switch
- Pull cable and terminate from new SF6 gas switch to gas switch GS-F3A 500MCM 15KV 450'
- Pull cable and terminate from new GS-F3A to transformer 4/0MCM 15KV 2000'
- Pull cable and terminate from new transformer to NUTRO Service 600MCM 600v 120'
- TIC has included all supervision, equipment, tools, materials that are not going to be supplied by VMUS.
- On site material supplied by VMUS, 600MCM 600v cable, 500MCM and 4/0MCM crimp lugs.
- This DOES NOT INCLUDE START-UP and TESTING of Gas Switch and Transformer.



April 2, 2007

City Of Victorville  
14343 Civic Drive  
Victorville, CA 92393

Attention: Dana Wellborn  
Utility Director

Reference: Victorville Municipal Utility Service (VMUS)  
Project: SCLA Plant 1 Generation Facility  
Contract: RFP No. JM05-070

Subject: SCLA Lump Sum Proposal Revision 1

Dear Dana,

This letter is written in response to the Victorville Municipal Utility Service request for a lump sum proposal for the SCLA Power Project. Provided below is the scope of work included in our proposal and the schedule for the performance of the work. Changes in the design documents or scope of work outline in this proposal may result in increased costs.

I. Drawings and Documents

Drawing No.	Description	Revision
SP-101 A	Site Plan Scope 1	A
BO902 Sheet 5	Woodward Temp Wiring	A
E-101	Overall Layout	A
E-102	Scope 1 Overall Layout	A
E-103	SE Area Layout Plan	A
E-104	Grounding Plan	A
E-501	15KV Switch & Metering Foundation	A Void
E-502	Fire Wall Concept Plan	A Void
E-503	Primary Metering Plan/Chem Ground	A Void on Metering
E-504	TT1 & TT2 Bus Pads/Lugs	A
E-506	BFG Lug Cabinet	A
E-507	BFG Lug Cabinet Bus Drilling	A
E-508	G&W VI CT – Circuit Modifications	A

E-601	Single Line Diagram	A
Q-000	P&ID Legend and Symbols	0
Q-101	P&ID Natural Gas Addition	0
Q-102	P&ID Liquid Fuel Additions	0
Q-103	P&ID Urea System	0
P-101	Piping Plan	0
P-102	Piping Sections and Details	0
F-100	Foundation Location Plan Scope 1	1
F-101	Foundation Location Plan Scope 3	0
ST-101	Cabletray Supports	1
M-001	Piping Specifications	0
M-002	Valve Specifications	0
M-005	Underground Pipe Coat & Wrap Spec	2
M-101	Pipe Support Standards Sheet 1	0
M-101	Pipe Support Standards Sheet 2	0
M-101	Pipe Support Standards Sheet 3	0
M-101	Pipe Support Standards Sheet 4	0
M-102	Pipe Installation Details Sheet 1	0
M-102	Pipe Installation Details Sheet 2	0
M-102	Pipe Installation Details Sheet 3	0

## II. Scope Of Work

Included in the estimate are the following:

### a.. Demolition

- Approximately 600 LF Cable
- Approximately 300 LF Cable Tray
- Existing Natural Gas, Urea, and Water Pipe for the Cummins Units
- Existing HV Conduit from rental switch to transformers and pole
- Remove rental switch, one mobilization of crane to VMUS provided transport
- Relocate Load Bank and demo cabling
- Remove live cable from pole to HV rental switch

### b. Civil

- Excavation of Foundations
- Excavation Ductbank
- Excavation Ground Grid and 3 Chemical Ground Rods
- Backfill Foundations
- Backfill Ductbank
- Grade and Rock DG area

c. Concrete

- 15KV Switch and Metering Foundation
- 3 Breaker Foundations
- Load Bank Foundation
- Transformer Containment Area
- Cable Tray Support Foundations

d. Structural

- Cable Tray Supports

e. Mechanical

- Lift and set 6 BFG with crane. 3 Mobilizations city provided transport to site.
- Lift and Set 6 SCR on BFGs. SCR needs to be delivered with BFG to utilize 3 Crane Mobilizations
- Single duct fabricated in one piece with two bolt-ups per BFG/SCR
- Layout and Spot DG. VMUS supplied transport

f. Pipe

- Install Natural Gas Pipe per P&ID. Estimate also includes BFG 3, 4, 5, and 11 utilizing same routing and piping configuration as BFG 1 &2. Does not include future piping for GEG 7 and 8.
- Install Liquid Fuel Pipe per P&ID. Estimate also includes BFG 3, 4, 5, and 11 utilizing same routing and piping configuration as BFG 1 &2. Does not include future piping for GEG 7 and 8. No provisions have been made for fueling DG's.
- Install Urea Pipe Per P&ID. Estimate includes BFG 3, 4, 5, and 11 utilizing same routing and piping configuration as BFG 1 &2. Estimate also includes pipe routed to GEG 5, 6, 7, and 8 up to the first valve from the pipe rack (Approximately 2').

g. Electrical/Instrumentation

- Cable tray for DG 1-4, GEG 5-8, and BFG 1-6 and 11.
- HV conduit from HV switch to Transformers TT1, TT2, TT91, TT92, and TT93. HV conduit also provided from HV switch to Pole.
- Pull cable for DG 1-4, GEG 5 and 6, and BFG 1-6 and 11
- Pull HV Cable from HV Switch to Transformers TT1, TT2, TT91, and TT92
- Terminate DG1-4, GEG 5 and 6, BFG 1-6 and 11
- Terminate HV cable from Transformers TT1, TT2, TT91, and TT92
- Terminate HV Cable form HV Switch to Pole.
- Install 4 800 Amp Breakers, 1 200 Amp Breaker, 1 2000 Amp Breaker, 1 1000 Amp Breaker, and 1 2500 Amp Breaker
- Install Load Bank

- Install HV Switches
- Install Metering Cabinet. This installation will require a plant wide outage.
- Install TT91 and 92 Transformers
- Install 2 120/240 Electrical Service. This will include 2 transformers and 2 36 breaker panels.
- Wire existing site lighting. No additional site lighting will be provided.
- Daisy chain communications to DG1-4, GEG 5 and 6, and BFG 1-6 and 11 to VMUS control room. Control room is assumed to be in one location.
- Install Ground grid and 3 Chemical Ground Rods

h. Start-up and Testing

- High Pot Testing High Voltage Cable

III. Scope Of Material Supply

a.. Demolition

- None

b. Civil

- 100 Cubic Yard Washed Rock

c. Concrete

- 60 Cubic Yards Concrete

d. Structural

- 40 Cable Tray Supports
- Paint Supports

e. Mechanical

- None

f. Pipe

- Natural Gas Pipe 160lf 4" standard wall and 364 lf 2" schedule 80. All Fittings and Valves included per P&ID/Pipe Drawings
- Liquid Fuel Pipe 300 lf 2" Schedule 80. All Fittings and Valves included Per P&ID
- Urea System Pipe 600 lf 2" Schedule 80 Stainless Steel. All Fittings and Valves included per P&ID/Pipe Drawings.
- Pipe Supports
- Insulation of fuel oil pipe and urea pipe
- Paint Bare Pipe

g. Electrical/Instrumentation

- 4 800 Amp Breakers
- 1 2500 Amp Breakers
- 1 2000 Amp Breaker
- 1 1000 Amp Breaker
- 1 200 Amp Breaker
- 6 Terminal Lug Enclosures BFG's
- 1 Metering Cabinet
- 2 120/240 Volt Services
- 3200 lf Cable Tray
- 7000 lf 750 MCM Cable
- 1500 lf 110 Volt Cable
- 2000 lf 4/0 Ground Cable
- 722 Termination Kits/Lugs
- 1000 lf Heat Trace Cable
- 1000lf 1000 MCM AL

h. Start-up and Testing

IV. Schedule

a. This estimate is based on performing the work on a 5 day x 10 hour workweek.

b. The project will be performed according to the following schedule:

- Purchase Order Issued To TIC by VMUS: April 20, 2007
  
- Outages
  - 1. Outage 1 By April 6, 2007
  - 2. Outage 2 By April 13, 2007
  - 3. Outage 3 For BFG By April 27, 2007
  - 4. Outage 4 Plant Outage Metering June 8, 2007
  
- BFG Delivery:
  - 1. BFG/SCR 1 April 20, 2007
  - 2. BFG/SCR 2 May 4, 2007
  - 3. BFG/SCR 3 May 4, 2007
  - 4. BFG/SCR 4 May 18, 2007
  - 5. BFG/SCR 5 May 18, 2007
  - 6. BFG/SCR 11 May 18, 2007
  
- Complete Construction: June 15, 2007

#### V. Clarifications

In order to assure a clear understanding regarding the scope of work, schedule and budgetary price, TIC offers the following clarifications.

- Crane Allowances are for one Mobilization for Rental Switch and 3 Mobilizations for BFG/SCR.
- No Instruments have been included.
- No Potable water or eye wash stations included
- No Compressed Air Equipment or Pipe included
- No Lube Oil Equipment or Pipe included
- Urea Piping to tie into existing tank. No provisions have been made for new tank or pipe routing.
- Natural Gas includes pipe show as future to BFG 3-5 and 11
- Liquid Fuel includes pipe show as future to BFG 3-5 and 11
- Urea System Pipe includes pipe for GEG 5-8 to first valve approximately 2 feet from pipe rack.
- Insulation of Liquid Fuel pipe and Urea Pipe to be Mineral Wool. Urea Pipe to be Bundled.
- No Third Party Testing Included

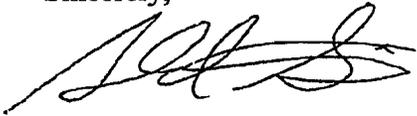
#### VI. Lump Sum Price

The Lump Sum for the aforementioned scope of work is \$2,439,607 (two million four hundred thirty nine thousand six hundred seven dollars).

It should be noted that this estimate includes all work that was previously being charged on a Time and Material Basis. This estimate also includes the scope for the transformer cabling at Nutro Products.

If you have any questions or comments concerning this construction services proposal, please contact me on site or by phone at (760) 955-6014.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Gipe', written in a cursive style.

Gerald "Chuck" Gipe  
TIC – Site Manager

CC: Dan Reddick  
Butch Miller  
Dave Ochenreider  
Wayne Sawyer

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AGENDA ITEM

CITY COUNCIL MEETING OF: 5/1/07

SUBMITTED BY:

Carolee Bates  
City Clerk

DATE: 4/24/07

SUBJECT: PRESENTATION OF REQUEST TO APPOINT AN ALTERNATE REPRESENTATIVE TO THE MOJAVE DESERT & MOUNTAIN JOINT POWERS AUTHORITY

RECOMMENDATION:

That the City Council appoint an alternate representative to replace Adair Patterson on the JPA.

FISCAL IMPACT: None.

Budget Amount:

Budget Acct. No.:

--Finance Department Use Only--  
Additional Appropriation:

No

Yes/\$ Amt.:

Finance Director Review and Approval \_\_\_\_\_

DISCUSSION: Mayor Caldwell currently serves as the City's delegate, and Adair Patterson serves as the alternate, to the Mojave Desert & Mountain Joint Powers Authority. The meetings are held at 10 a.m. on the second Thursday in the months of January, April, July and October at the Victorville Materials Recovery Facility.

It is requested that the City Council appoint an alternate to replace Adair Patterson on this JPA.

/cb

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 1, 2007

**SUBMITTED BY:** Douglas B. Robertson  
Deputy City Manager

**DATE:** April 24, 2007

**SUBJECT:** **Presentation of Memorandum of Understanding for Management Services for Victor Valley Water District**

**RECOMMENDATION:** Approve the Memorandum of Understanding

**FISCAL IMPACT:** none at this time

Budget Amount: \_\_\_\_\_

Budget Account No. \_\_\_\_\_

---Finance Dept. Use Only---

Additional Appropriation:

+---+

+---+ No

+---+

+---+ Yes/\$Amount: \_\_\_\_\_ Finance

Director Review &

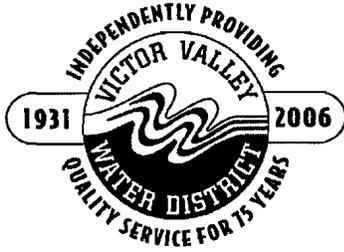
Approval \_\_\_\_\_

**DISCUSSION:**

On March 21, 2007, the San Bernardino Local Agency Formation Commission indicated its intent to approve the consolidation of the Baldy Mesa Water District and Victor Valley Water District with formation as a subsidiary district of the City of Victorville.

The Victor Valley Water District has approved a request from Interim General Manager Reginald Lamson to end employment with the district and become an employee of the City and to provide management services pursuant to the direction of the Board.

A copy of the VVWD Board agenda item is attached, along with the proposed MOU. Staff is requesting approval of the MOU and addition of the classification of Director of Water District to be added to the table of organization to facilitate the employment action.



Honorable Board of Directors

April 18, 2007

**Subject: LAFCO 2991 – City of Victorville MOU for Management Services**

**Proposed Motion:**

Move to Receive, discuss, evaluate, and consider approval of or response to a Memorandum of Understanding regarding management services.

**Financial Impact:**

Similar to existing Acting General Manager budgeted expenses.

**Background**

At the March 21, 2007 LAFCO meeting, the LAFCO Commission passed unanimously their intent to merge the VVWD and BMWD and make them a subsidiary of the City of Victorville. With the VVWD Board of Directors approval, staff is bringing before the Board for discussion a Draft MOU for Management Services to provide for Mr. Reggie Lamson to end his employment with the VVWD and become a City of Victorville employee and to then provide General Manager management services to the District. Attached please find the draft MOU for Management Services for the Board's review.

Sincerely,

Reginald A. Lamson, PE-LS  
Acting General Manager/District Engineer

Attachments: Draft MOU – Management Services / City of Victorville

**MEMORANDUM OF UNDERSTANDING BY AND BETWEEN  
VICTOR VALLEY WATER DISTRICT AND CITY OF VICTORVILLE  
REGARDING MANAGEMENT SERVICES**

This Memorandum of Understanding (this "Agreement") is entered into by and between the VICTOR VALLEY WATER DISTRICT, a County Water District (the "District") and the CITY OF VICTORVILLE, a municipal corporation (the "City") dated and effective on \_\_\_\_\_.

**RECITALS**

- A. The District desires to retain a professional with experience in managing a county water district to provide management services pursuant to the direction of the District Board of Directors ("Board").
- B. The City employs Reggie Lamson, former Acting General Manager and District Engineer of the District.
- C. The District desires to retain Mr. Lamson's services, on an as-needed basis, which may assist or improve the District's operations and services.
- D. The City is willing to allow Mr. Lamson to assist the District, as may be desired by the District.

**NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:**

**Section 1. Purpose.**

The purpose of this Agreement is to provide the Board with a professional with experience in managing a county water district to provide management services ("Management Consultant") to assist in the administration and operation of the District, as directed by the Board and in accordance with applicable law and with District's applicable ordinances, resolutions and policies.

**Section 2. Term.**

The term of this Agreement shall be one year from the Commencement Date, unless terminated earlier at the election of either the District or the City by giving at least 15 days' written notice of said election. This Agreement may be extended for any additional amount of time upon the written agreement of the parties.

### **Section 3. Compensation.**

The District shall pay the City an hourly rate of \$67.14 for the provision of the management services as contemplated by this Agreement. Additionally, the District shall reimburse the City (or Management Consultant, as appropriate) for any other reasonable expenses, costs or contracts necessary to carry out the services under this Agreement. Such additional costs, reimbursements and contracts shall be submitted to the Board for its review and approval prior to expenditure or commitment by the City or Management Consultant. The District is retaining the services of the Management Consultant as an independent contractor. Therefore, the City shall be solely responsible for payment of the Management Consultant 's salary and benefits. The Management Consultant shall not accrue any employment benefits other than those provided to the Management Consultant by and at the sole expense of the City.

### **Section 4. Selection of Management Consultant.**

The City hereby designates Reggie Lamson to serve as the Management Consultant, to perform the duties identified in Section 5. The Board hereby accepts that designation and hereby designates Reggie Lamson as the Management Consultant, to serve at the pleasure of the Board as herein provided. The Management Consultant shall serve at the pleasure of the Board, which reserves all rights to remove him, and to review, approve and/or reject any other persons proposed or designated by the City to serve in that capacity.

### **Section 5. Management Consultant 's Duties.**

The Management Consultant shall provide management services and assist in the operations of the District, as determined and directed by the Board. The Management Consultant will not be an interim General Manager nor will he perform any of the General Manager duties, delineated by Water Code sections 30580 and 30581, unless directed to do so by the Board.

### **Section 6. Other Services.**

The District may request, from time to time, that the City provide services in addition to those provided by the Management Consultant. The City shall provide such additional services upon terms and conditions to be agreed upon by the parties.

### **Section 7. Board's Discretion.**

The Board shall retain at all times all of its discretionary rights, and rights to act in accordance with applicable laws and District policies and regulations, and is not hereby waiving or transferring or reducing any of its rights, duties or authority, including (without limitation by this reference) all powers to act with respect to District employees. Unless directed to do so by the Board, the Management Consultant will not perform any duties of the General Manager, including decisions regarding hiring, supervising, managing, discipline and dismissal of District personnel.

The rights reserved and retained by the Board include, without limitation by this reference, the right to make decisions over all fiscal and budgetary matters. In accordance with District's Purchasing Procedures, the Management Consultant may not purchase goods and services unless directed by the Board.

The Board, in its discretion, may at any time request the City to designate a different person to serve as the Management Consultant, subject to approval of the Board.

### **Section 8. Insurance**

The District and the City hereby covenant to each other that each shall maintain all reasonable and customary insurance covering losses arising or resulting from premises liability, general liability, professional liability and automobile liability.

### **Section 9. Indemnity.**

The City hereby agrees to defend, indemnify and hold the District harmless from and against any claims, damages, liability or other loss arising or resulting from the gross negligence or willful misconduct of the City, the Management Consultant, and/or any other employee of the City, or of the City's officers, contractors, and/or agents. The District hereby agrees to defend, indemnify and hold the City harmless from and against any claims, damages, liability or other losses arising or resulting the gross negligence or willful misconduct of the District, its officers, employees, contractors, and/or agents (other than the Management Consultant).

**Section 10. Notices.**

Any and all notices or demands required or permitted to be given hereunder must be personally delivered or be mailed by registered or certified mail, return receipt requested, addressed as follows:

To District: Victor Valley Water District  
17185 Yuma Street  
Victorville, CA 92345  
Attention: Board of Directors

To City: City of Victorville  
14343 Civic Drive  
Victorville, CA 92392  
Attention: City Manager

With Copy to: Green, de Bortnowsky & Quintanilla, LLP  
23801 Calabasas Road, Suite 1015  
Calabasas, CA 91302  
Attention: Andre de Bortnowsky

Gresham, Savage, Nolan & Tilden, APC  
3750 University Avenue, Suite 250  
Riverside, CA 92501  
Attention: Michael Duane Davis

**Section 11. Attorneys' Fees.**

If any legal action or proceeding arising out of or relating to this Agreement is brought by either party to this Agreement, the prevailing party shall be entitled to receive from the other party in addition to any other relief that may be granted the reasonable attorneys' fees, costs and expenses incurred in the action or proceeding by the prevailing party.

**Section 12. Integrated Agreement.**

This Agreement constitutes the entire agreement between District and City. Any amendment to this Agreement shall be of no force and effect unless it is in writing and signed by District and City. District and City acknowledge that all prior agreements relating to the subject matter hereof, representations and negotiations are deemed superseded by the execution of this Agreement.

**Section 13. Choice of Laws.**

This Agreement shall be governed by and construed pursuant to the laws of the State of California .

**Section 14. Severability.**

Any provision of this Agreement which shall prove to be invalid, void or illegal in no way affects, impairs or invalidates any other provision thereof, so long as the intent of the parties for entering into this Agreement is preserved, and under such circumstances such other provisions shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding on the day land year first written above.

“DISTRICT”

VICTOR VALLEY WATER DISTRICT

ATTEST:

By: \_\_\_\_\_  
James N. Kennedy, President  
Board of Directors

\_\_\_\_\_  
Secretary

“CITY”

CITY OF VICTORVILLE

ATTEST:

By: \_\_\_\_\_  
Terry Caldwell, Mayor

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:  
Green, de Bortnowsky & Quintanilla

By: \_\_\_\_\_  
City Attorney

Gresham, Savage, Nolan & Tilden

By: \_\_\_\_\_  
General Counsel

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: MAY 1, 2007

SUBMITTED BY: Carolee Bates  
City Clerk

DATE: 4/23/07

SUBJECT: PRESENTATION OF REPORTS BY COUNCIL MEMBERS

RECOMMENDATIONS: N/A

FISCAL IMPACT: N/A

Budget Amount:  
Budget Account No.:

DISCUSSION: In the event Councilmembers have matters on which they wish to report, or desire direction from Council, those matters may be discussed at this time.

<p>--Finance Dept. Use Only-- Additional Appropriation:</p> <p>_____ No _____ Yes/\$Amount</p> <p>Finance Director Review and Approval _____</p>
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CB/dl

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