

**LIBRARY BOARD OF TRUSTEES  
AGENDA**

REGULAR MEETING  
MAY 15, 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

**WRITTEN COMMUNICATIONS**

3. PRESENTATION OF REQUEST TO APPROVE NEW CITY OF  
VICTORVILLE LIBRARY POLICIES RELATIVE TO OPERATIONS AND  
COLLECTION DEVELOPMENT (THE LIBRARY POLICY IS AVAILABLE  
FOR VIEWING AT CITY HALL)

**ADJOURNMENT OF MEETING**

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AGENDA ITEM

LIBRARY BOARD OF TRUSTEES MEETING OF: MAY 15, 2007

SUBMITTED BY: Carolee Bates  
Board Secretary

DATE: 5/7/07

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: 5/15/07

SUBMITTED BY: Carolee Bates  
Board Secretary

DATE: 5/7/07

SUBJECT: PRESENTATION OF REVISIONS TO AGENDA

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

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**AGENDA ITEM**

VICTORVILLE LIBRARY BOARD OF TRUSTEES MEETING OF: May 15, 2007

SUBMITTED BY: Yvonne Hester   
Director of Public Information

DATE: May 7, 2007

SUBJECT: **City of Victorville Library Policies**

RECOMMENDATION: That the Victorville Library Board of Trustees approve new City of Victorville Library policies relative to operations and collection development.

FISCAL IMPACT: None for FY 06-07

Budget Amount:  
Budget Account No.:

DISCUSSION:

In July 2006, the City of Victorville assumed operations of the San Bernardino County Victorville Branch Library. At that time, the City of Victorville continued to operate under the policies and procedures of the San Bernardino County Library System.

Since that time, staff has reviewed these policies, researched other library systems and had developed a set of policies to meet the needs of the Victorville City Library. The material check-out procedures of San Bernardino County were incorporated into City Library policies as we are still under contract with the County for the automation system.

Under these new policies, the City Library will offer also juvenile library cards providing parents the choice of allowing internet access for their children. The policies also put in place procedures to allow circulation staff to change internet access for juveniles upon a parental signature.

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

No  
 Yes/\$Amount:

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

Victorville Library Board of Trustees will be provided copies of the policies. Counter copies will be made available to the public.

YH/trl

**SOUTHERN CALIFORNIA  
LOGISTICS RAIL AUTHORITY  
AGENDA**

REGULAR MEETING  
MAY 15, 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

INVOCATION & PLEDGE OF ALLEGIANCE

**PUBLIC COMMENT**

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**REVISIONS TO AGENDA**

2. PRESENTATION OF REVISIONS TO AGENDA

**ADJOURNMENT OF MEETING**

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AGENDA ITEM

SCLRA MEETING OF: MAY 15, 2007

SUBMITTED BY: Carolee Bates  
Authority Secretary

DATE: 5/7/07

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.

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AGENDA ITEM

SCLRA MEETING OF: 5/15/07

SUBMITTED BY: Carolee Bates  
Board Secretary

DATE: 5/7/07

SUBJECT: PRESENTATION OF REVISIONS TO AGENDA

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

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**SOUTHERN CALIFORNIA LOGISTICS  
AIRPORT AUTHORITY AGENDA**

REGULAR MEETING  
MAY 15, 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

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

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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 ADDITIONAL APPROPRIATIONS AND PAYMENT TO SAFETY-KLEEN FOR WASTE

REMOVAL COSTS INCURRED IN THE AMOUNT OF \$76,556.00 WHILE LEADING EDGE WAS PREPARING TO PAINT A UNITED AIRLINES B-777

4. PRESENTATION OF REQUEST TO APPROVE A REVISION OF DESIGN CONTRACT TO URS CORPORATION, INC. IN THE AMOUNT OF \$269,214.00
5. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO SULLY-MILLER CONTRACTING, INC. AND APPROVE ADDITIONAL APPROPRIATION OF \$50,384.00 FROM BOND PROCEEDS FOR TW BRAVO RECONSTRUCTION PROJECT IN THE AMOUNT OF \$555,075.00
6. PRESENTATION OF REQUEST TO APPROVE A CONTRACT WITH SAN BERNARDINO COUNTY FOR THE PURCHASE OF ITEMS NECESSARY TO EQUIP THE AIRFRAME AND POWERPLANT SCHOOL AT SCLA

**ADJOURNMENT OF MEETING**



AGENDA ITEM

SCLAA MEETING OF: MAY 15, 2007

SUBMITTED BY: Carolee Bates  
Authority Secretary

DATE: 5/7/07

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.

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**AGENDA ITEM**

**SOUTHERN CALIFORNIA LOGISTICS AIRPORT AUTHORITY  
MEETING OF**

**May 3, 2007**

**SUBMITTED BY:** Peter Soderquist  
Airport Director

**DATE:** May 15, 2007

**SUBJECT:** REMOVAL OF HAZARDOUS WASTE AT SCLA

**RECOMMENDATION:**

Request an additional appropriation and authorize payment to Safety-Kleen for waste removal costs incurred while Leading Edge was preparing to paint a United Airlines B-777.

**FISCAL IMPACT:**

The Cost for this work is \$76,556.00

Budget:  
Budget Acct: 521009 30913 90063 00000 52193

**Finance Dept. Use Only**

Additional appropriation

No

Yes/\$Amount **\$76,556**

Finance Director Review \_\_\_\_\_

Approval \_\_\_\_\_

**BACKGROUND:**

On March 9, 2007, a United Airlines B-747 entered Leading Edge's recently completed wide-body paint facility -- Hangar 747. Upon completion, (March 24) it was replaced with a *new* Air France B-777. Emphasis is added to indicate that this aircraft had just flown in from Boeing's manufacturing plant in Everett, Washington. It was the first of what is hoped to be many, new Boeing aircraft being painted at SCLA.

Part of the painting process involves liquid waste materials being trucked off-airport for proper disposal. While Leading Edge was preparing to receive the B-777, their environmental waste hauler, Amberwick suffered substantial equipment problems and was unable to perform in time to meet Boeings painting schedule. Leading Edge requested SCLA remove the material and back bill Leading Edge. So as not to interfere with the Boeing schedule, this was agreed to. Safety-Kleen was contracted to do the work because of their experience in performing similar work at SCLA.

It is respectfully requested the Airport Authority approve an additional appropriation of \$76,556 for payment to Safety-Kleen for the work. Leading Edge has since been sent a copy of the invoice requesting payment be made directly to the city

Written  
#3  
5-15-07



**safety-kleen®**

SAFETY-KLEEN SYSTEMS, INC  
5400 LEGACY DRIVE  
PLANO, TX 75024

DUNS NO: 05-397-6551  
FED ID NO: 39-6090019

**ORIGINAL INVOICE**

Page 1 of 1

Account Number	Invoice Number	Invoice Date	Terms
0003008647	M003947654	04/06/07	Net 30

**BILL TO ADDRESS**

CITY OF VICTORVILLE (AIRPORT DPT)  
ATTN ROGER PETERSON  
18374 PHANTOM  
VICTORVILLE, CA 92394

**SERVICE LOCATION**

SOUTHERN CALIFORNIA LOGISTICS AIRPORT  
18374 PHANTOM ST  
VICTORVILLE, CA 92394

**SK Service Facility**

BR HIGHLAND

**Special Billing Code #**

003 03

**Facility Phone**

909-862-8300

**Service Date**

04/06/2007

**Service Number**

0003008562

Department #	Department	Release #	Transporter	Manifest #	Tax Status/#	PO Number
00						

QUANTITY	DESC./REFERENCE NUMBER	PRICE PER	SALES TAX	ITEM TOTAL
76556.000	TECHNICAL PROJECT MANAGEMENT 0000010224-00-000000000-0000000	1.0000 EA	0.00	76,556.00
1.000	TECHNICAL FIELD SERVICES 0000088844-52-000000000-0000000	0.0000 EA	0.00	0.00

SUBTOTAL 76,556.00  
TOTAL TAX 0.00  
**TOTAL AMOUNT DUE \$76,556.00**

**RECEIVED**  
APR 12 2007  
**AIRPORT DEPT.**

**Comments**

The leading provider of responsible cleaning, environmental and re-refining solutions.



Please detach and enclose this coupon with your payment.



SAFETY-KLEEN SYSTEMS, INC  
5400 LEGACY DRIVE  
PLANO, TX 75024

Account Number	Invoice Number	Invoice Date	Service Number
0003008647	M003947654	04/06/07	0003008562

PLEASE RETURN THIS PORTION WITH PAYMENT.  
MAKE ANY ADDRESS CORRECTIONS BELOW.

Date Due	Amount Due
05/06/07	\$76,556.00

0M0039476540003008647800076556009

0004569 Non-2 1 oz.

CITY OF VICTORVILLE (AIRPORT DPT)  
ATTN ROGER PETERSON  
18374 PHANTOM  
VICTORVILLE, CA 92394

SAFETY-KLEEN  
PO BOX 7170  
PASADENA, CA 91109-7170





**AGENDA ITEM**

**SOUTHERN CALIFORNIA LOGISTICS AIRPORT AUTHORITY  
MEETING OF : May 15, 2007**

**SUBMITTED BY:** John A. McGladrey  **DATE:** May 7, 2007  
City Engineer

**SUBJECT:** Revision of design contract to URS Corporation, Inc. in the amount of \$269,214.00

**RECOMMENDATION:** That the Board of Directors approve revision of design contract to URS Corporation, Inc. in the amount of \$269,214.00

<b>FISCAL IMPACT: \$269,214.00</b>	<b>Finance Dept. Use Only</b>
Budget Amt. \$7,000,000	Additional Appropriation
FAA Grant AIP 3-06-0359-11: \$255,753.30	No _____
52900-90055-96058	Yes/\$ Amt _____
Budget Amt. \$350,000	Finance Director Review
Matching Fund: \$13,460.70	\$ Approval <u>up</u>
76944-90055-96058	

**DISCUSSION:**

On April 13, 2007 URS Corporation and City Staff negotiated and agreeable fee for additional work, outside of the original scope. The design is for a remote fueling facility near the airfield apron, and pipelines and control infrastructure to it.

<b><u>Total estimated project cost:</u></b>	
Original contract:	\$330,786.00
Revision to contract:	\$219,128.00
Contingency:	\$50,086.00
<b>Total:</b>	<b>\$600,000.00</b>

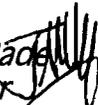
The City Engineering Department recommends approval of contract revision to URS Corporation.

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**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 15, 2007**

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

**DATE:** May 7, 2007

**SUBJECT:** Award of contract to Sully-Miller Contracting, Inc. for the TW Bravo Reconstruction Project, and approve additional appropriation of \$50,384.00

**RECOMMENDATION:** That City Council award a construction contract to Sully-Miller Contracting, Inc. and approve additional funding in the amount of \$50,384.00 from Bond Proceeds for TW Bravo Reconstruction Project in the amount of \$555,075.00

**FISCAL IMPACT:**

Project cost: \$610,583.00  
Caltrans Grant: \$521,300.00

Amount reqd.: \$100,384.00  
SCLA Project Budget: \$50,000.00

Additional Appropriation Required: \$50,384.00  
Acct. 76944-90055

Finance Dept. Use Only  
Additional Appropriation  
No \_\_\_\_\_  
Yes/\$ Amt. 50,384  
Finance Director Review  
\$ Approval Op

**DISCUSSION:** On March 26, 2007 the Engineering Dept. opened bids for the Taxiway Bravo Reconstruction Project. A total of three bids were received ranging from \$555,075.00 to \$564,774.30. The lowest bid was only 4% higher than the Engineer's estimate and we feel it was acceptable.

Sully-Miller Contracting (Low bidder)	\$555,075.00
Roadway engineering & contracting, Inc.	\$564,774.30
Vance Corporation	\$557,870.00

<u>Total estimated project cost:</u>	
Construction contract (SM):	\$555,075.00
Contingencies, 12%:	\$66,609.00
<u>Construction Total:</u>	<u>\$621,684.00</u>

Caltrans Aeronautical has agreed to pay \$521,300.00 towards the construction cost. The City Engineering Department recommends award of contract to Sully-Miller Contracting and requests appropriation of an additional \$50,384.00 from Bond Proceeds

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**AGENDA ITEM**

**SOUTHERN CALIFORNIA LOGISTICS AIRPORT AUTHORITY  
MEETING OF**

**May 15, 2007**

**SUBMITTED BY:** Peter Soderquist  
Airport Director

**DATE:** May 8, 2007

**SUBJECT:** CONTRACT WITH SAN BERNARDINO COUNTY FOR THE PURCHASE OF ITEMS NECESSARY TO EQUIP THE AIRFRAME AND POWERPLANT SCHOOL AT SCLA

**RECOMMENDATION:**

Request an additional appropriation from bond proceeds and authorization to enter into an agreement with San Bernardino County for the purchase of tooling and equipment necessary to outfit the new Airframe and Powerplant school at SCLA.

**FISCAL IMPACT:**

While it is expected \$500,000 will be spent on tooling and equipment purchases, the attached agreement provides for the County to reimburse the Airport Authority by way of a generous donation from First District Supervisor, Brad Mitzelfelt.

Budget:  
Budget Acct:

**Finance Dept. Use Only**

Additional appropriation

No

Yes/\$Amount

Finance Director Review \_\_\_\_\_

Approval ap/aom

**BACKGROUND:**

On March 20, 2007, the San Bernardino County Board of Supervisors unanimously approved a recommendation from First District Supervisor Brad Mitzelfelt, to allocate \$500,000 of Workforce Investment funds to purchase tooling and equipment necessary to outfit an FAA approved Airframe and Powerplant school at SCLA. The attached contract between the County and the Airport Authority memorializes that commitment.

Under the terms of the agreement, items will be purchased by the Airport Authority. The County will reimburse the full amount of these purchases up to \$500,000. All equipment will be available for use by the school for the life of the program.

It is respectfully requested the Airport Authority authorize the Chairman to execute this agreement on behalf of the Airport Authority.



County of San Bernardino  
**CONTRACT  
PURCHASE ORDERS  
ONLY**

**FOR COUNTY USE ONLY**

<input checked="" type="checkbox"/> New	Vendor Code		Dept.	Purchase Order Number	
<input type="checkbox"/> Change			SC	A	
<input type="checkbox"/> Cancel					
County Department Economic Development Agency			Dept.	Orgn.	Contractor's License No.
County Department Contract Representative Brian McGowan, Assistant County Administrator			Telephone (909) 387-9800		Total Contract Amount \$500,000
Contract Type <input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Encumbered <input type="checkbox"/> Unencumbered <input type="checkbox"/> Other:					
If not encumbered or revenue contract type, provide reason:					
Commodity Code		Contract Start Date	Contract End Date	Original Amount	Amendment Amount
		06/05/2007	06/30/2008	\$500,000	
Fund AAA	Dept. EDF	Organization EDF	Appr. 200	Obj/Rev Source 2135	GRC/PROJ/JOB No. Amount \$500,000
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No. Amount
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No. Amount
Project Name Aviation Training Program			Estimated Payment Total by Fiscal Year		
			FY	Amount	I/D
			06-07	\$500,000	

THIS CONTRACT is entered into in the State of California by and between the County of San Bernardino, Department of Workforce Development, hereinafter called the County, and

Name

Southern California Logistics Airport Authority

hereinafter called

Contractor

Address

14343 Civic Drive

Victorville, CA 92392

Phone

Birth Date

(760) 955-5029

Federal ID No. or Social Security No.

95-2843184

**IT IS HEREBY AGREED AS FOLLOWS:**

**WHEREAS,** The County desires to assist in the implementation of an aviation training program; and

**WHEREAS,** County has been allocated funds by the Workforce Investment Act of 1998 to provide such services; and

**WHEREAS,** County finds Contractor qualified to develop and implement an aviation training program; and

**WHEREAS,** County desires that such services be provided by Contractor and Contractor agrees to perform these services as set forth below;

**NOW THEREFORE,** County and Contractor mutually agree to the following terms and conditions:

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III. **CONTRACTOR GENERAL RESPONSIBILITIES..... 3**

IV. **COUNTY RESPONSIBILITIES ..... 7**

V. **FISCAL PROVISIONS ..... \***

VI. **RIGHT TO MONITOR AND AUDIT ..... \***

VII. **CORRECTION OF PERFORMANCE DEFICIENCIES ..... \***

VIII. **TERM..... \***

IX. **EARLY TERMINATION ..... \***

X. **GENERAL PROVISIONS..... \***

XI. **CONCLUSION..... \***

**ATTACHMENTS**  
**ATTACHMENT A – PROGRAM BUDGET**

## **I. DEFINITIONS**

- A. Allowable Costs - The necessary and reasonable costs incurred in operating a WIA program that are allocable to the corresponding expense categories.
- B. Aviation Training – A training program designed to instruct individuals on specific skills identified as being necessary to meet the needs of aviation-related companies and obtain employment in said companies.
- C. Contractor - An organization selected to enter into an agreement with the County to provide WIA services pursuant to this contract, and assume the other responsibilities delineated under "Contractor Program Responsibilities."
- D. Funding Period - The period of time when WIA funds are available for expenditure.
- E. Workforce Investment Act (WIA) - Signed into law on August 7, 1998, this law replaces the former Job Training Partnership Act (JTPA). WIA reforms Federal job training programs and mandates more comprehensive activities and training programs.

## **II. CONTRACTOR PROGRAM RESPONSIBILITIES**

- A. The Contractor shall work in conjunction with the Victor Valley Aviation Education Consortium to prepare an on-site aviation training facility located at the Southern California Logistics Airport (SCLA).
- B. In the performance of this Contract, Contractor shall purchase necessary tools, classroom equipment, make capital improvements of existing buildings, and/or construct new facilities at SCLA to establish an aviation program at the Airport.
- C. The Contractor shall ensure that all equipment and facilities purchased and/or upgraded under this contract are used for the sole purpose of conducting an on-site aviation training facility.
- D. The Contractor shall develop and implement policies and procedures for maintaining and securing all equipment and capital improvements/construction that are purchased under this contract and shall act in accordance with said policies and procedures.
- E. The Contractor shall notify the County 90 days prior to permanent closure of the on-site training facility.

## **III. CONTRACTOR GENERAL RESPONSIBILITIES**

- A. In the performance of this Contract, Contractor, its agents and employees, shall act in an independent capacity and not as officers, employees, or agents of the County of San Bernardino. Contractor certifies that neither it nor its principals is presently disbarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency as required by Executive Order 12549 and implemented as 45 CFR, Part 76.
- B. Without the prior written consent of the Assistant County Administrator for Economic Development, this Contract is not assignable by Contractor either in whole or in part.
- C. Contractor agrees to provide or has already provided information on former County of San Bernardino administrative officials (as defined below) who are employed by or represent Contractor. The information provided includes a list of former County administrative officials who

terminated County employment within the last five years and who are now officers, principals, partners, associates or members of the business. The information also includes the employment with or representation of Contractor. For purposes of this provision, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, County Administrative Officer or member of such officer's staff, County department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit or Safety Management Unit.

- D. If during the course of the administration of this Contract, the County determines that the Contractor has made a material misstatement or misrepresentation or that materially inaccurate information has been provided to the County, this Contract may be immediately terminated. If this Contract is terminated according to this provision, the County is entitled to pursue any available legal remedies.
- E. Contractor agrees not to enter into any subcontracts for work contemplated under the Contract without first obtaining written approval from the Assistant County Administrator – Economic Development. Any subcontractor shall be subject to the same provisions as Contractor. Contractor shall be fully responsible for the performance of any subcontractor.
- F. Contractor shall maintain all records and books pertaining to the delivery of services under this Contract and demonstrate accountability for contract performance. Said records shall be kept and maintained within the County of San Bernardino. County shall have the right upon reasonable notice and at reasonable hours of business to examine and inspect such records and books.
- Records, should include, but are not limited to, primary source documents. Fiscal records shall be kept in accordance with Generally Accepted Accounting Principles and must account for all funds, tangible assets, revenue and expenditures. Fiscal records must also comply with the appropriate Office of Management and Budget (OMB) Circulars that state the administrative requirements, cost principles and other standards for accountancy.
- All records shall be complete and current and comply with all Contract requirements. Failure to maintain acceptable records per the preceding requirements shall be considered grounds for withholding of payments for billings submitted and for termination of the Contract.
- G. Contractor shall notify County in writing of any change in mailing address and/or physical location within ten (10) days of the change, and shall immediately notify County of changes in telephone or fax numbers.
- H. Contractor shall notify County of any continuing vacancies and any positions that become vacant during the term of this Contract that will result in reduction of services to be provided under this Contract. Upon notice of vacancies, the Contractor shall apprise County of the steps being taken to provide the services and to fill the position as expeditiously as possible. Vacancies and associated problems shall be reported to County on each periodically required report for the duration of said vacancies and/or problems.
- I. Contractor shall make every reasonable effort to prevent employees, consultants or members of its governing bodies from using their positions for purposes that are or give the appearance of being motivated by a desire for private gain for themselves or others, such as those with whom they have family, business, or other ties. In the event County determines a conflict of interest exists, any increase in costs associated with the conflict of interest may be disallowed by County and such conflict may constitute grounds for termination of the Contract. This provision shall not be construed to prohibit employment of persons with whom Contractor's officers, agents, or employees have family, business or other ties so long as the employment of such persons does not result in increased costs over those associated with the employment of any other equally qualified applicants and such persons have successfully competed for employment with other applicants on a merit basis.

- J. Contractor agrees to and shall comply with the following indemnification and insurance requirements:
1. Indemnification - The Contractor agrees to indemnify, defend, and hold harmless the County and its authorized officers, employees, agents and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this Contract from any cause whatsoever, including the acts, errors or omissions of any person and for any costs or expenses incurred by the County on account of any claim therefore, except where such indemnification is prohibited by law.
  2. Insurance - Without in anyway affecting the indemnity herein provided and in addition thereto, the Contractor shall secure and maintain throughout the Contract the following types of insurance with minimum limits as shown:
    - a. Worker's Compensation - A program of Workers' Compensation insurance or a State-approved Self Insurance Program in amount or form to meet all applicable requirements of the Labor Code of the State of California, including Employer's Liability with \$250,000 limits, covering all persons providing services on behalf of the Contractor and all risks to such persons under this Contract.

If Contractor has no employees, it may certify or warrant to County that it does not currently have any employees or individuals who are defined as "employees" under the Labor Code and the requirement for Workers' Compensation coverage will be waived by the County's Risk Manager.

With respect to Contractors that are non-profit corporations organized under California or Federal law, volunteers for such entities are required to be covered by Workers' Compensation insurance. If the County's Risk Manager determines that there is no reasonably priced coverage for volunteers, evidence of participation in a volunteer insurance program may be substituted.
    - b. Comprehensive General and Automobile Liability Insurance - This coverage to include contractual coverage and automobile liability coverage of owned, hired and non-owned vehicles. The policy shall have combined single limits for bodily injury and property damage of not less than one million dollars (\$1,000,000). **If Contractor provides transportation to one or more clients at any time, the automotive liability insurance policy shall have combined single limits for bodily injury and property damage of not less than two million dollars (\$2,000,000).**
    - c. Errors and Omissions Liability Insurance - Combined single limits of \$1,000,000 and \$3,000,000 in the aggregate or  
  
Professional Liability - Professional liability insurance with limits of at least \$1,000,000 per claim or occurrence.
  3. Additional Named Insured - All policies, except for Workers' Compensation, Errors and Omissions and Professional Liability policies, shall contain additional endorsements naming the County and its officers, employees, agents and volunteers as additional named insured with respect to liabilities arising out of the performance of services hereunder.
  4. Waiver of Subrogation Rights - Except for Errors and Omissions Liability and Professional Liability, Contractor shall require the carriers of the above-required coverages to waive all rights of subrogation against the County, its officers, employees, agents, volunteers, contractors and subcontractors.
  5. Policies Primary and Non-Contributory - All policies required above are to be primary and non-contributory with any insurance or self-insurance programs carried or administered by the County.
  6. Proof of Coverage - Contractor shall immediately furnish certificates of insurance to the County Department administering the Contract evidencing the insurance coverage, including endorsements, above required prior to the commencement of performance of services

hereunder, which certificates shall provide that such insurance shall not be terminated or expire without thirty (30) days written notice to the Department, and Contractor shall maintain such insurance from the time Contractor commences performance of services hereunder until the completion of such services. Within sixty (60) days of the commencement of this Contract, the Contractor shall furnish certified copies of the policies and all endorsements.

7. Insurance Review - The above insurance requirements are subject to periodic review by the County. The County's Risk Manager is authorized, but not required, to reduce or waive any of the above insurance requirements whenever the Risk Manager determines that any of the above insurance is not available, is unreasonably priced, or is not needed to protect the interests of the County. In addition, if the Risk Manager determines that heretofore unreasonably priced or unavailable types of insurance coverage or coverage limits become reasonably priced or available, the Risk Manager is authorized, but not required, to change the above insurance requirements, to require additional types of insurance coverage or higher coverage limits, provided that any such change is reasonable in light of past claims against the County, inflation, or any other item reasonably related to the County's risk.

8. Any such reduction or waiver for the entire term of the Contract and any change requiring additional types of insurance coverage or higher coverage limits must be made by amendment to this Contract. Contractor agrees to execute any such amendment within thirty (30) days of receipt.

K. Contractor shall comply with all applicable laws, statutes, ordinances, administrative orders, rules or regulations relating to its duties, obligations and performance under the terms of the Contract and shall procure all licenses and pay all fees and other charges required thereby. Contractor shall maintain all required licenses during the term of this Contract. Failure to comply with the provisions of this section may result in immediate termination of this Contract.

L. Contractor shall comply with all applicable local health and safety clearances, including fire clearances, for each site where services are provided under the terms of this Contract.

M. Contractor agrees to and shall comply with the County's Equal Employment Opportunity Program and Civil Rights Compliance requirements:

1. Equal Employment Opportunity Program: The Contractor agrees to comply with the provisions of the Equal Employment Opportunity Program of the County of San Bernardino and rules and regulations adopted pursuant thereto: Executive Order 11246, as amended by Executive Order 11375, 11625, 12138, 12432, 12250, Title VII of the Civil Rights Act of 1964 (and Division 21 of the California Department of Social Services Manual of Policies and Procedures and California Welfare and Institutions Code, Section 10000), the California Fair Employment and Housing Act, and other applicable Federal, State, and County laws, regulations and policies relating to equal employment or social services to welfare recipients, including laws and regulations hereafter enacted.

The Contractor shall not unlawfully discriminate against any employee, applicant for employment, or service recipient on the basis of race, color, national origin or ancestry, religion, sex, marital status, age, political affiliation or disability. Information on the above rules and regulations may be obtained from County WDD Contracts Unit.

2. Civil Rights Compliance: The Contractor shall develop and maintain internal policies and procedures to assure compliance with each factor outlined by state regulation. These policies must be developed into a Civil Rights Plan, which is to be on file with County WDD Contracts Unit within 30 days of awarding of the Contract. The Plan must address prohibition of discriminatory practices, accessibility, language services, staff development and training, dissemination of information, complaints of discrimination, compliance review, and duties of the Civil Rights Liaison. Upon request, WDD shall supply a sample of the Plan format. The Contractor shall be monitored by WDD for compliance with provisions of its Civil Rights Plan.

- O. Contractor agrees to comply with all applicable provisions of the Americans with Disabilities Act (ADA).
- P. Contractor shall observe the mandatory standards and policies relating to energy efficiency in the State Energy Conservation Plan (Title 20, Division 2, California Code of Regulations).
- Q. If the amount available to Contractor under this Contract, as specified in Section V, Paragraph A, exceeds \$100,000, Contractor agrees to comply with the Clean Air Act (42 USC 7606), Section 508 of the Clean Water Act (33 USC 1368), Executive Order 11738 and Environmental Protection Agency regulations (40 CFR, Part 15).
- R. Contractor shall use recycled and recyclable products, whenever practicable, in fulfilling the terms of this Contract. Recycled printed products shall include a symbol identifying the recycled material.
- S. Contractor understands and agrees that any and all legal fees or costs associated with lawsuits concerning this Contract against the County shall be the Contractor's sole expense and shall not be charged as a cost under this Contract. In the event of any Contract dispute hereunder, each Party to this Contract shall bear its own attorney's fees and costs regardless of who prevails in the outcome of the dispute.

#### IV. COUNTY RESPONSIBILITIES

- A. The County shall act as liaison between the Contractor and the Local Workforce Investment Board.
- B. The County shall provide necessary information and assistance in order to ensure compliance with the Workforce Investment Act of 1998.
- C. The County shall gather and report all required, applicable data to the California Employment Development Department, Workforce Community Division.
- D. The County shall work in collaboration with the Contractor and the Victor Valley Aviation Education Consortium to successfully establish an aviation training program to develop a skilled workforce that meets the needs of aviation-related businesses.

#### V. FISCAL PROVISIONS

- A. The maximum amount of reimbursement under this Contract shall not exceed \$500,000. The consideration to be paid to Contractor, as provided herein, shall be in full payment for all Contractor's services and expenses incurred in the performance hereof, including travel and per diem.
- B. Upon written demonstration of need by Contractor, and at the option of County, funds ~~not to exceed \$100,000~~ may be advanced to Contractor by County upon approval of the Assistant County Administrator – Economic Development for the purchase necessary start-up equipment and supplies.

Paid invoices for start-up expenditures shall be submitted to the County within 90 days of advance. If paid invoices for the full amount of the advance are not received within 90 days of advance, the County will withhold future reimbursements until all paid invoices are received. No advance will increase the amount shown in Paragraph A of this Section

- C. Thereafter, Contractor shall be paid on a Cost-Reimbursement basis for allowable, reasonable and budgeted expenses under the terms and conditions of this Contract. Reimbursement will be based

on attached budget unless changed. The attached budget may be changed by submitting a written request to the County for approval.

- D. Costs for services under the terms of this Contract shall be incurred during the contract period except as approved by County. Contractor shall not use current year funds to pay prior or future year obligations.
- E. Funds made available under this Contract shall not supplant any federal, state or any governmental funds intended for services of the same nature as this Contract. Contractor shall not claim reimbursement or payment from County for, or apply sums received from County with respect to that portion of its obligations that have been paid by another source of revenue. Contractor agrees that it will not use funds received pursuant to this Contract, either directly or indirectly, as a contribution or compensation for purposes of obtaining funds from another revenue source without prior written approval of the County.
- F. County is not liable for the payment of any taxes, other than applicable sales or use tax, resulting from this Contract however designated, levied or imposed, unless County would otherwise be liable for the payment of such taxes in the course of its normal business operations.
- G. Any such advance will cause the amounts payable to Contractor in subsequent months to be reduced to the amount determined by dividing the balance left by the number of months remaining in the Contract term

## **VI. RIGHT TO MONITOR AND AUDIT**

- A. County shall have the absolute right to monitor the performance of Contractor in the delivery of services provided under this Contract.
- B. County or any subdivision or appointee thereof, and the State of California or any subdivision or appointee thereof, including the Auditor General, shall have absolute right to review and audit all records, books, papers, documents, corporate minutes, and other pertinent items as requested, and shall have absolute right to monitor the performance of Contractor in the delivery of services provided under this Contract. Full cooperation shall be given by Contractor in any auditing or monitoring conducted.
- C. Contractor shall cooperate with County in the implementation, monitoring and evaluation of this Contract and comply with any and all reporting requirements established by this Contract.
- D. All records pertaining to service delivery and all fiscal, statistical and management books and records shall be available for examination and audit by County, Federal and State representatives for a period of three years after final payment under the Contract or until all pending County, State and Federal audits are completed, whichever is later. Records of the Contractor which do not pertain to the services under this Contract may be subject to review or audit unless provided in this or another Contract. Technical program data shall be retained locally and made available upon the County's reasonable advance written notice or turned over to County. If said records are not made available at the scheduled monitoring visit, Contractor may, at County's option, be required to reimburse County for expenses incurred due to required rescheduling of monitoring visit(s). Such reimbursement will not exceed \$50 per hour (including travel time) and be deducted from the following month's claim for reimbursement.
- E. Contractor shall provide all reasonable facilities and assistance for the safety and convenience of County's representatives in the performance of their duties. All inspections and evaluations shall be performed in such a manner as will not unduly delay the work of the Contractor.

- F. Upon County request, Contractor shall hire a licensed Certified Public Accountant, approved by the County, who shall prepare and file with County, within 60 days after the termination of the Contract, a certified fiscal audit of related expenditures during the term of the Contract and a program compliance audit.
- G. Pursuant to OMB Circular A-133, Contractors expending \$500,000 or more in Federal funds within the Contractor's fiscal year must have a single audit or program-specific audit performed. A copy of the audit performed in accordance with OMB Circular A-133 shall be submitted to the County within thirty (30) days of completion, but no later than nine months following the end of the Contractor's fiscal year.

## **VII. CORRECTION OF PERFORMANCE DEFICIENCIES**

- A. Failure by Contractor to comply with any of the provisions, covenants, requirements or conditions of this Contract shall be a material breach of this Contract.
- B. In the event of a non-cured breach, County may, at its sole discretion and in addition to any other remedies available at law, in equity, or otherwise specified in this Contract:
  - 1. Afford Contractor thereafter a time period within which to cure the breach, which period shall be established at sole discretion of County; and/or
  - 2. Discontinue reimbursement to Contractor for and during the period in which Contractor is in breach, which reimbursement shall not be entitled to later recovery; and/or
  - 3. Withhold funds pending duration of the breach; and/or
  - 4. Offset against any monies billed by Contractor but yet unpaid by County those monies disallowed pursuant to Item "2" of this paragraph; and/or
  - 5. Terminate this Contract immediately and be relieved of the payment of any consideration to Contractor. In event of such termination, the County may proceed with the work in any manner deemed proper by the County. The cost to the County shall be deducted from any sum due to the Contractor under this Contract and the balance, if any, shall be paid by the Contractor upon demand.

## **VIII. TERM**

This Contract is effective as of **June 5, 2007** and expires **June 30, 2008** but may be terminated earlier in accordance with provisions of Section IX of the Contract. The Contract term may be extended for two additional one-year periods by mutual agreement of the parties.

## **IX. EARLY TERMINATION**

- A. The County may terminate the Contract immediately under the provisions of Section VII, Paragraph B, Item 5 of the Contract. In addition, the Contract may be terminated without cause by the County by serving a written notice to the Contractor thirty (30) days in advance of termination. The Assistant County Administrator – Economic Development is authorized to exercise the County's rights with respect to any termination of this Contract.
- B. Contractor shall only be reimbursed for costs and uncancelable obligations incurred prior to the date of termination. Contractor shall not be reimbursed for costs incurred after the date of termination.

## **X. GENERAL PROVISIONS**

- A. When notices are required to be given pursuant to this Contract, the notices shall be in writing and mailed to the following respective addresses listed below.

Contractor: Southern California Logistics Airport Authority  
14343 Civic Drive  
Victorville, CA 92392

County: County of San Bernardino  
Workforce Development  
Attn: Contracts Unit  
215 North D Street, Suite 301  
San Bernardino, CA 92415-0041

- B. Nothing contained in this Contract shall be construed as creating a joint venture, partnership or employment arrangement between the Parties hereto, nor shall either Party have the right, power or authority to create an obligation or duty, expressed or implied, on behalf of the other Party hereto.
- C. Contractor shall not offer (either directly or through an intermediary) any improper consideration such as, but not limited to, cash, discounts, service, the provision of travel or entertainment, or any items of value to any officer, employee or agent of the County in an attempt to secure favorable treatment regarding this Contract.

The County, by written notice, may immediately terminate any Contract if it determines that any improper consideration as described in the preceding paragraph was offered to any officer, employee or agent of the County with respect to the proposal and award process. This prohibition shall apply to any amendment, extension or evaluation process once a Contract has been awarded.

Contractor shall immediately report any attempt by a County officer, employee or agent to solicit (either directly or through an intermediary) improper consideration from Contractor. The report shall be made to the supervisor or manager charged with supervision of the employee or to the County Administrative Office. In the event of a termination under this provision, the County is entitled to pursue any available legal remedies.

- D. Equipment - All equipment, materials, supplies or property of any kind (including vehicles, publications, copyrights, etc.) which has a single unit cost of five hundred dollars (\$500) or more, including tax, purchased with funds received under the terms of this Contract and not fully consumed in one (1) year shall be the property of the County, unless otherwise required by Funding Source, and shall be subject to the provisions of this paragraph. The disposition of equipment or property of any kind shall be determined by County when the aviation training facility created as a result of this contract is permanently closed. Additional terms are as follows:
1. Before equipment purchases made by Contractor are reimbursed by County, Contractor must submit paid vendor receipts identifying the purchase price, description of the item, serial numbers, model number and location where equipment will be used.
  2. Equipment purchased by Contractor for the purpose of fulfilling the obligations of this contract shall remain available for use by the Contractor as long as the aviation training facility created as a result of this contract remains on-site and active at SCLA.
  3. Upon permanent closure of the aviation training facility created as a result of this Contract, Contractor shall provide a final inventory to County and shall at that time query County as to requirements, including the manner and method in returning said equipment to County if deemed appropriate. Final disposition of such equipment shall be in accordance with instructions from County.

- E. The State and County shall have all ownership rights in software or modifications thereof and associated documentation designed, developed or installed with Federal financial participation. The Federal Government (DOL) reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use and to authorize others to use for Federal Government purposes, such software modification, and documentation. Proprietary software packages that are sold or leased to the general public are not subject to the ownership provisions.
- F. County shall have Power of Attorney to pay delinquent debts and unpaid wages for work provided under this Contract from accounts payable to Contractor in the event debts and wages have not been paid on a current basis.
- G. No waiver of any of the provisions of the Contract shall be effective unless it is made in a writing which refers to provisions so waived and which is executed by the Parties. No course of dealing and no delay or failure of a Party in exercising any right under the Contract shall affect any other or future exercise of that right or any exercise of any other right. A Party shall not be precluded from exercising a right by its having partially exercised that right or its having previously abandoned or discontinued steps to enforce that right.
- H. Any alterations, variations, modifications, or waivers of provisions of the Contract, unless specifically allowed in the Contract, shall be valid only when they have been reduced to writing, duly signed and approved by the Authorized Representatives of both parties as an amendment to this Contract. No oral understanding or agreement not incorporated herein shall be binding on any of the Parties hereto.
- I. If any provision of the Contract is held by a court of competent jurisdiction to be unenforceable or contrary to law, it shall be modified where practicable to the extent necessary so as to be enforceable (giving effect to the intention of the Parties) and the remaining provisions of the Contract shall not be affected.
- J. This Contract shall be governed by and construed in all aspects in accordance with the laws of the State of California without regard to principles of conflicts of laws. The Parties agree to the exclusive jurisdiction of the federal court located in the County of Riverside and the state court located in the County of San Bernardino, for any and all disputes arising under this Contract, to the exclusion of all other federal and state courts.

**XI. CONCLUSION**

- A. This Contract, consisting of 12 pages and Attachment A, is the full and complete document describing services to be rendered by Contractor to County including all covenants, conditions and benefits.
- B. The signatures of the Parties affixed to this Contract affirm that they are duly authorized to commit and bind their respective institutions to the terms and conditions set forth in this document.
- C. **IN WITNESS WHEREOF**, the Purchasing Agent of the County of San Bernardino has caused this Contract to be subscribed on the County's behalf, and Contractor has caused this Contract to be subscribed on its behalf by its duly authorized officers, the day, month and year written.

COUNTY OF SAN BERNARDINO

CONTRACTOR

▶ \_\_\_\_\_  
Paul Biane, Chairman of the Board of Supervisors

▶ \_\_\_\_\_  
*(Authorized signature - sign in blue ink)*

Dated:

\_\_\_\_\_  
Southern California Logistics Airport Authority

Title \_\_\_\_\_ Board Chairman

Dated \_\_\_\_\_

Address \_\_\_\_\_ 14343 Civic Drive  
Victorville, CA 92392

Approved as to Legal Form  
▶ \_\_\_\_\_  
Bart Brizzee, County Counsel  
Date \_\_\_\_\_

Reviewed by Contract Compliance  
▶ \_\_\_\_\_  
Janice Lindsay, WDD Contracts Unit  
Date \_\_\_\_\_

Approved by Department  
▶ \_\_\_\_\_  
Sandy Harmsen, Interim Department Director  
Date \_\_\_\_\_

**ATTACHMENT A  
PROGRAM BUDGET**

**Southern California Logistics Airport Authority Budget**

<b>ITEM DESCRIPTION</b>	<b>COST</b>
<b>Ultrasonic Equipment</b>	<b>\$11,392</b>
<b>Eddy Current Equipment</b>	<b>\$7,280</b>
<b>Fluorescent Penetrant &amp; Magnetic Particle Equipment</b>	<b>\$10,884</b>
<b>AVOK Trainers</b>	<b>\$112,463</b>
<b>Engines</b>	<b>\$199,018</b>
<b>Propellers</b>	<b>\$8,777</b>
<b>Magnetos</b>	<b>\$4,560</b>
<b>Carburetors</b>	<b>\$4,440</b>
<b>Miscellaneous Training Equipment</b>	<b>\$2,470</b>
<b>Sheet Metal Shop Equipment</b>	<b>\$81,839</b>
<b>Capital Improvements</b>	<b>\$56,877</b>
<b>Total</b>	<b>\$500,000</b>

\*Single items costing more than \$5,000 must receive prior approval from Department of Workforce Development.

**VICTORVILLE REDEVELOPMENT AGENCY  
AGENDA**

REGULAR MEETING  
MAY 15, 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

ANY INDIVIDUAL WITH A DISABILITY WHO REQUIRES REASONABLE ACCOMMODATION TO PARTICIPATE IN A RDA 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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VICTORVILLE  
*California*

AGENDA ITEM

RDA MEETING OF: MAY 15, 2007

SUBMITTED BY: Carolee Bates  
Agency Secretary

DATE: 5/7/07

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  
5-15-07

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VICTORVILLE

*California*

AGENDA ITEM

RDA MEETING OF: 5/15/07

SUBMITTED BY: Carolee Bates  
Board Secretary

DATE: 5/7/07

SUBJECT: PRESENTATION OF REVISIONS TO AGENDA

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

CB/dl

Revisions  
#2  
5-15-07

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**CITY OF VICTORVILLE  
CITY COUNCIL  
AGENDA**

REGULAR MEETING  
MAY 15, 2007  
7:00 P.M.

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

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

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

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

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

**PRESENTATIONS**

PROCLAMATION – AMERICAN CANCER SOCIETY, RELAY FOR LIFE OF VICTORVILLE 2007

**PUBLIC COMMENT**

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

**REVISIONS TO AGENDA**

2. PRESENTATION OF REVISIONS TO AGENDA

### CONTINUED APPEAL HEARING

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

A. RESOLUTION NO. 07-102 – GRANTING

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

B. RESOLUTION NO. 07-102 – DENYING

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

### CONSENT CALENDAR

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

A. PRESENTATION OF REQUEST FOR APPROVAL OF COMMERCIAL DEMAND SCHEDULE NO. 19 IN THE AMOUNT OF \$4,862,368.53 COVERING WARRANT NOS. 579868, 580328, 581698, 582524, 586093 AND 586821 THROUGH 587156 INCLUSIVE

B. PRESENTATION OF REQUEST FOR APPROVAL OF PAYROLL DEMAND SCHEDULE NO. 10B FOR PAYROLL PERIOD APRIL 7, 2007 THROUGH APRIL 20, 2007, IN THE AMOUNT OF \$1,268,797.99 COVERING WARRANT NOS. 21520 THROUGH 21569 AND ADVICE NOS. 113410 THROUGH 113986 INCLUSIVE AND VOID OF ADVICE NO. 112930

C. PRESENTATION OF REQUEST TO APPROVE THE FOLLOWING MINUTES:

1. CITY COUNCIL ADJOURNED MEETING HELD FEB. 13, 2007
  2. CITY COUNCIL SPECIAL MEETING HELD FEB. 13, 2007
- D. PRESENTATION OF REQUEST TO ACCEPT THE FOLLOWING STAFF REPORTS:
1. VICTORVILLE POLICE DEPARTMENT – MARCH 2007
  2. COMMUNITY SERVICES DEPARTMENT – MARCH 2007
- E. PRESENTATION OF REQUEST TO APPROVE THE REJECTION OF ALL SUBMITTALS FOR THE PURCHASE OF ONE (1) EACH 250kW AND 125kW TOWABLE DIESEL GENERATORS WITH TRAILER AND FUEL CELLS
- F. PRESENTATION OF REQUEST TO AWARD THE PURCHASE OF ArcGIS SERVER AND ASSOCIATED IMPLEMENTATION SERVICES TO ESRI, INC. IN THE AMOUNT NOT TO EXCEED \$62,169.06, WHICH INCLUDES A 5% CONTINGENCY
- G. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO FISHER SAFETY FOR THE PIGGYBACK PURCHASE OF TWENTY-FIVE (25) SETS OF TURNOUTS IN THE AMOUNT OF \$35,993.08
- H. PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND AND LABOR AND MATERIALS BONDS FOR LMAD – TRACT 15363 PHASE I – INNOVATION 1, LLC
- I. PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND ONLY FOR THE DETENTION BASIN – TRACT 16853 – FRONTIER HOMES
- J. PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE FAITHFUL PERFORMANCE BOND FOR SEWERS - TRACTS 16247-3 TO 6 – COVENANT DEVELOPMENT, INC.

### **WRITTEN COMMUNICATIONS**

5. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO DOWNTOWN FORD SALES, SACRAMENTO, CA FOR THE PIGGYBACK PURCHASE OF ONE (1) FORD F-550 AND ONE (1) FORD F-750 IN THE AMOUNT OF \$96,141.39
  6. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NOS. 07-151 AND 07-152 TO COMMENCE THE PROCESS TO CONSIDER FORMATION OF CFD NO. 07-01 AND TO AUTHORIZE THE COMMUNITY FACILITIES DISTRICT TO INCUR BONDED INDEBTEDNESS
- A. RESOLUTION NO. 07-151 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE DECLARING ITS INTENTION (i) TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 07-01 OF THE CITY OF VICTORVILLE, (ii) TO LEVY A SPECIAL TAX TO PAY FOR CERTAIN FACILITIES AND (iii) TO LEVY A SPECIAL TAX TO PAY DEBT SERVICE ON BONDED INDEBTEDNESS TO FINANCE SUCH CERTAIN PUBLIC FACILITIES AND CALLING A PUBLIC HEARING

**B. RESOLUTION NO. 07-152 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE DECLARING THE INTENTION TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$5,000,000 OF THE PROPOSED COMMUNITY FACILITIES DISTRICT NO. 07-01 OF THE CITY OF VICTORVILLE

7. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO KELLEY GENERAL CONTRACTING, INC. FOR THE PHANTOM PRV RELOCATIONS PROJECT IN THE AMOUNT OF \$147,488.00
8. PRESENTATION OF REQUEST TO ADOPT THE FOLLOWING RESOLUTIONS PERTAINING TO PROPERTY TAX TRANSFERS FROM THE FIRE PROTECTION, RECREATION AND PARK AND SANITARY DISTRICTS

**A. RESOLUTION NO. 07-153 ENTITLED:**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ACCEPTING THE PROPERTY TAX TRANSFER FROM THE VICTORVILLE FIRE PROTECTION DISTRICT

**B. RESOLUTION NO. 07-154 ENTITLED:**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ACCEPTING THE PROPERTY TAX TRANSFER FROM THE VICTORVILLE RECREATION AND PARK DISTRICT

**C. RESOLUTION NO. 07-155 ENTITLED:**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ACCEPTING THE PROPERTY TAX TRANSFER FROM THE VICTORVILLE SANITARY DISTRICT

9. PRESENTATION OF REQUEST TO APPOINT A DELEGATE TO THE DESERT-MOUNTAIN DIVISION OF THE LEAGUE OF CALIFORNIA CITIES

**COUNCIL REPORTS**

10. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS

**CLOSED SESSION**

11. 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: INTERSTATE 15 / LA MESA / NISQUALLI ROAD  
UNDER NEGOTIATION: ACQUISITION, PRICE & TERMS OF PAYMENT

<u>PROPERTY OWNER</u>	<u>APN</u>
GEORGE & HELEN JUE	3029-291-12
ERNESTO & LINDA S. ROBLES, JR.	3092-241-33
LA MESA ROAD SELF STORAGE LTD	3093-101-02
HARRY & RUTH DREB	3093-111-05
AURELIO & PATRICIA NUNEZ AND JOSE & EMMA CARRILLO	3093-111-04
RICHARD M. & DAWN M. KRIER, TRUST	3093-111-03
KONSTANTINOS SILLIAS AND MAGDA SPATHOPOULOS	3093-111-02

12. 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: NORTH OF AIR EXPRESSWAY, EAST OF PHANTOM EAST  
UNDER NEGOTIATION: ACQUISITION, PRICE & TERMS OF PAYMENT

<u>PROPERTY OWNER</u>	<u>APN</u>
JOSEPH & ELAINE VAIL	0472-161-21

**ADJOURNMENT OF MEETING**

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AGENDA ITEM

CITY COUNCIL MEETING OF: MAY 15, 2007

SUBMITTED BY: Carolee Bates  
City Clerk

DATE: 5/7/07

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: 5/15/07

SUBMITTED BY: Carolee Bates  
Board Secretary

DATE: 5/7/07

SUBJECT: PRESENTATION OF REVISIONS TO AGENDA

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

CB/dl

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## AGENDA ITEM

CITY COUNCIL MEETING OF: April 17, 2007

SUBMITTED BY: Bill Webb  
 Director of Development

DATE: April 9, 2007

SUBJECT: **APPEAL HEARING – Tentative Tract Extension TT-06-073 – Advanced Home Builders, Inc.**

RECOMMENDATION: Staff recommends that the City Council deny this appeal, and uphold the Planning Commission's denial.

PROJECT DESCRIPTION: A 3-year extension of time to allow for the recordation of approved Tentative Tract TT-03-043, an 86-lot single-family residential subdivision located on property north of and abutting Abbey Lane, south of Dante Street, east of and abutting Stoddard Wells Road and west of and abutting Interstate 15.

COMMISSION ACTION: On February 28, 2007, the Planning Commission denied the request with a vote of 3 to 0 (Commissioners McEachron and Hinojos being absent), finding that:

- **The site is in a prime commercial location with the relocated interchange;**
- **Residential use is incompatible with the commercial designation;**
- **The site is located at a main entry into the specific plan area; and**
- **The tract design does not take into consideration the planned interchange which bisects it.**

David Nguyen is appealing the decision.

### PERTINENT INFORMATION

Per Staff recommendation, the Planning Commission denied the extension request for the residential tract map, finding it incompatible with its proposed Northern Triangle Specific Plan land use designation of Commercial. The Commission agreed with Staff's determination that due to its close proximity to the future Stoddard Wells freeway interchange that the highest and best use for the land is Commercial.

Their action was consistent with the Council's April 4<sup>th</sup>, 2006, adoption of the Northern Triangle Specific Plan and accompanying interim ordinance requiring the review of all projects for compatibility with the future uses.

The applicant was noticed for all public hearings and workshops held to date.

BW:pi

RESOLUTION NO. 07-102

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

WHEREAS, at its regular meeting held February 28, 2007, the Planning Commission denied Tentative Tract TT-06-073 to allow for a 3-year extension of time to allow for the recordation of approved Tentative Tract 16715 (TT-03-043) on property generally located north of and abutting Abbey Lane, south of Dante Street, east of and abutting Stoddard Wells Road and west of and abutting Interstate 15, County of San Bernardino, State of California, more specifically described as:

A 19.48 acre portion of the South ½ of the Northeast ¼ of the Southwest ¼ of Section 34, Township 6 North, Range 4 West, San Bernardino Base Meridian, County of San Bernardino, State of California; and

WHEREAS, on March 12, 2007, David Nguyen filed an appeal of the Planning Commission's action denying Tentative Tract TT-06-073; and

WHEREAS, an Appeal Hearing was duly held before the City Council of the City of Victorville on the 17<sup>th</sup> day of April, 2007, for the purpose of taking public input relative to the appeal, and after hearing all testimony presented, the Council duly closed the appeal hearing; and

WHEREAS, the City Council, in the exercise of its discretion as the final legislative and adjudicatory body of the City, finds, based on substantial evidence in the record, that the Planning Commission in denying Resolution No. P-07-033, erred in its decision; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Victorville does hereby grant the applicant's appeal, based on substantial evidence, and overturn the decision of the Planning Commission denying Tentative Tract TT-06-073 to allow for a 3-year extension of time to allow for the recordation of approved Tentative Tract 16715 (TT-03-043) on property hereinabove described subject to the following previous and additional conditions of approval:

**PREVIOUS CONDITIONS:**

**PLANNING CONDITIONS:**

1. The applicant shall provide for an on-site paleontological/archaeological inspector to monitor all grading operations, or a letter from said licensed professional indicating that monitoring is not necessary during grading. Further, if disturbed resources are required to be collected and

preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2. The results of said monitoring shall be filed with the Director of Planning or his designee prior to the final approval of the development.

2. Should grading commence after October 12, 2004, a new biological survey shall be filed with the City of Victorville to determine the presence or absence of endangered species on the site. Said survey shall be filed with the Director of Planning or his designee prior to issuance of a grading permit.
3. Immediately prior to the issuance of a grading permit, a biological survey shall be conducted to determine the presence or absence of the burrowing owl. Said survey shall be filed with the Director of Planning or his designee prior to issuing the grading permit. If grading is not conducted within thirty days of the biological survey, the site shall be resurveyed prior to grading to ensure that burrowing owls have not inhabited the site. Any dens or birds encountered shall be dealt with according to established biological protocol in consultation with the California Department of Fish and Game.
4. Unless deemed unnecessary by the Department of Fish and Game (DFG), grading shall not begin before trapping for the Mohave ground squirrel is conducted in accordance with DFG protocol. If the developer does not desire to conduct trapping, the developer shall purchase land from an approved mitigation bank and shall obtain a 2081 Incidental Take Permit from DFG.
5. Prior to issuance of a grading permit the applicant shall obtain coverage under the statewide general National Pollutant Discharge Elimination System (NPDES) permit for control of construction and post-construction related storm water. In addition, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) as required in the NPDES permit and identify site-specific best management practices that will be used.
6. The proposed development shall comply with all applicable development standards of Titles 17 and 18 of the City of Victorville Municipal Code, as well as the Subdivision Map Act of the State of California as amended January 1, 2003.
7. The final map shall be in substantial conformance with the approved revised tentative map dated December 10, 2003.
8. The applicant shall acquire street names from the City's Master Street Name List prior to recordation of any final map. Any street names not within said Master List shall require Planning Commission review and approval.
9. The applicant shall provide the Planning Director or his designee with a lot closure list for all lots within the subdivision at the time of submission of maps for final approval.
10. The final map shall be subject to review and approval by the Director of Planning or his designee prior to recordation.
11. The establishment of any landscape easement within the project area shall be subject to Planning Director review and approval prior to recordation of any final map.

12. All areas within the public right-of-way of Stoddard Wells Road not improved with pavement, curbs, gutters, or sidewalks shall be landscaped. The developer shall provide a means to insure their permanent maintenance as approved by the Director of Parks, Recreation and Community Services or his designee.
13. A six-foot high masonry wall shall be provided along Stoddard Wells Road where the subject property abuts said right-of-way. The actual location of said wall shall be subject to staff review and approval.
14. The applicant shall employ walls, earthen berms, landscaping and/or construction techniques to reduce the exterior noise level to 65dBA and the interior noise level of the proposed residences to 45 dBA subject to review and approval of Planning and Building and Safety Department staff.
15. The City of Victorville's name shall not be used in any Conditions, Covenants, and Restrictions (CC&Rs) associated with this development to which it is not a party.
16. The applicant shall file a Notice of Determination and pay the necessary filing fee to the County of San Bernardino pursuant to Public Resources Code Section 21089(b). This project is not effective until such time as this condition has been satisfied. The applicant shall submit evidence to the City that this condition has been satisfied. Any delay in the applicant's payment of the required fee shall not toll the lapse of approval date nor appeal period of this project.
17. The applicant shall indemnify, protect, and hold harmless the City from any lawsuit due to the applicant's failure to pay the fee imposed by Fish and Game Code Section 711.4.
18. The subdivider shall defend and hold harmless the City of Victorville, its agents, officers and employees from any claim, action or proceeding against the City, its agents, officers and employees to attack, set aside, void or annul, this approval of the City pursuant to Government Code Section 66474.9. The City of Victorville shall promptly notify the subdivider of any claim, action or proceeding and shall cooperate fully in the defense.

#### ENGINEERING CONDITIONS:

1. The applicant shall provide a final map in accordance with the provisions of the Subdivision Map Act, as amended January 1, 2003, and all applicable provisions of Title 17 of Victorville Municipal Code.
2. That the applicant shall comply with all applicable provisions of Title 17 of the Victorville Municipal Code.
3. The subdivision map shall show any easement of record traversing the subject property.
4. The tentative map approval for this subdivision shall expire three (3) years from the date of said approval.
5. The subdivider shall be required to provide public utility, sewer, and/or drainage easements as required by the City Engineer.

6. That the applicant shall dedicate all of the streets shown on the approved tentative map.
7. The applicant shall install all improvements required by Section 17.64.010, 17.64.020, 17.64.030, and 17.64.040 of the Victorville Municipal Code along the frontage of subject property in accordance with the requirements of the City Engineer and the Standard Specifications for Public Works Improvements of the City of Victorville.
8. The applicant shall install sewer, water, gas, underground electricity and telephone. Further the applicant shall install underground communications cable.
9. The applicant shall install streetlights on decorative marbelite standards and relocate existing streetlights as required by the City Engineer.
10. The applicant shall install fire hydrants and/or on site protection as required by the Fire Chief.
11. The applicant's Engineer shall submit a grading plan for the City Engineer's approval and signature. Said grading plan shall address all drainage problems, including nuisance water, within the subject parcels and provide drainage structures of various types, including walls, to adequately handle the on site drainage, that to be accepted from upstream properties and that to be accepted by downstream properties. Hydrologic and hydraulic calculations shall be submitted to support the subdivider's Engineer's design.
12. That the applicant shall install physically handicapped ramps at all intersections.
13. That the subdivider or any successor in interest of any of the parcels to be created by this subdivision shall be responsible for any costs incurred in the relocation of existing utility facilities where such facilities conflict with street improvements installed within offers of dedication required by these conditions of approval when said improvements are caused to be installed.
14. That the applicant shall pay all existing sewer or any other City of Victorville assessments against the subject property.
15. That the applicant shall provide improved secondary access as required by the Fire Chief.
16. The subdivider shall be required to enter into a subdivision agreement as approved by the City of Victorville.
17. The minimum width for any peripheral street shall be the half width plus 12' of pavement plus a standard parkway on the development side.
18. The subdivider shall conduct a grading operation on the subject property in a manner that will not cause sand or dust to blow onto the property of others. An adequate dust palliative shall be used at all times. Upon completion of grading the subdivider shall maintain the site in a manner that will not cause sand or dust to blow onto the property of others until such a time as the subdivision is finalized and the lots are occupied.
19. The applicant shall provide temporary fencing as required by staff to prevent windblown construction debris from leaving the construction site.

20. The applicant shall, prior to the final approval and recordation of the subdivision, make application and gain approval of a development agreement as it relates to fees, including but not limited to sewer and storm drain.
21. The interior streets shall be dedicated 60 feet wide and conform to the typical section per the City's General Plan Circulation Map.

**NEW CONDITIONS:**

**FIRE DEPARTMENT:**

- Approved water supply system, complete with fire hydrants complying with Fire Department Standard No. 5, shall be in place prior to any combustible construction.
- Fencing shall not obstruct Fire Department access to fire hydrants.
- Paved access from 2 points shall be required for completion and occupancy. Plans shall be submitted and approved prior to construction commencement.
- Whenever construction phasing creates dead-end streets greater than 150' in length, temporary turnarounds complying with Fire Department Standard No.1 shall be provided. Any street exceeding 500' will require paved secondary access.
- Due to extended response time, residential sprinkler systems may be required for development of this tract.

RESOLUTION NO. 07-102

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

WHEREAS at a regular meeting held on February 28, 2007, the Planning Commission denied Tentative Tract TT-06-073 to allow for a 3-year extension of time to allow for the recordation of approved Tentative Tract 16715 (TT-03-043) on property located north of and abutting Abbey Lane, south of Dante Street, east of and abutting Stoddard Wells Road and west of and abutting Interstate 15, County of San Bernardino, State of California, more specifically described as:

A 19.48 acre portion of the South ½ of the Northeast ¼ of the Southwest ¼ of Section 34, Township 6 North, Range 4 West, San Bernardino Base Meridian, County of San Bernardino, State of California; and

WHEREAS, on March 12, 2007, David Nguyen, filed an appeal of the Planning Commission's decision denying Resolution P-07-033; and

WHEREAS, an appeal hearing was duly held before the City Council of the City of Victorville on the 17<sup>th</sup> day of April 2007, for the purpose of taking public input relative to the Appeal, and after hearing all testimony presented, the Council duly closed the appeal hearing; and

WHEREAS, the City Council, in the exercise of its discretion as the final legislative and adjudicatory body of the City, finds, based on substantial evidence in the record, that the Planning Commission did not err in denying Resolution No. P-07-033; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Victorville does hereby deny the applicant's appeal, based on substantial evidence, and uphold the decision of the Planning Commission denying Tentative Tract TT-06-073 to allow for a 3-year extension to allow for the recordation of approved Tentative Tract 16715 (TT-03-043) on property located north of and abutting Abbey Lane, south of Dante Street, east of and abutting Stoddard Wells Road and west of and abutting Interstate 15.

April 3, 2007

Mr. David Nguyen  
Advanced Home Builders, Inc.  
8326 Kentland Avenue  
West Hills, CA 91304

Re: Appeal of Tentative Tract TT-06-073

Dear Mr. Applicant:

I am in receipt of your Application for Appeal of the Planning Commission's decision to deny Tentative Tract TT-06-073

Please be advised that this appeal will be scheduled before the City Council at their meeting to be held on Tuesday, April 17, 2007. City Council meetings are held at 7 p.m. in the Board Room of the Mojave Desert Air Quality Management District at 14306 Park Avenue, Victorville, California. An agenda will be mailed to you when the agenda is printed on Thursday, April 12, 2007. Please be advised that the City Council agendas are also available for viewing in their entirety on the City of Victorville's website at [www.ci.victorville.ca.us](http://www.ci.victorville.ca.us).

You or a representative are invited and encouraged to attend this meeting. If you have any questions or need additional information concerning this appeal hearing, you may contact me at 760-955-5026.

Sincerely,

Carolee Bates  
City Clerk

CB/dl

cc: Planning Department  
Greg Uhal

RECEIVED

1:40pm  
mw

MAR 12 2007



# City of Victorville

## Department of Development CITY MANAGER'S OFFICE

Planning • Law • Engineering

1433 Chic Drive  
PO Box 5001  
Victorville, CA 92393-5001  
(760) 945-5135  
Fax (760) 269-0070  
planning@ci.victorville.ca.us

### APPLICATION FOR APPEAL

After you have completed the application, please submit it to the Planning Department for appeals of the Planning Director's decision and to the City Clerk for appeals of the Planning Commission's decision, with the appropriate fee (see below). It will then be scheduled for a hearing for consideration by the appropriate decision-making body.

Name of person filing appeal: DAVID NGUYEN  
Address of person filing appeal: 8326 Kentland Ave, West Hills, CA 91304  
Phone number of person filing appeal: 818/282-0729, 818/340-4863 FAX

#### FEES

Appeal of Planning Director decision to the Planning Commission	\$75
Appeal of Planning Commission decision to the City Council	\$125

Case No. of appeal: TENTATIVE TRACT II-06-073 RESOLUTION NO. P-07-033

What are you appealing (i.e., the entire decision, a condition, etc.):  
WE ARE APPEALING THE ENTIRE DECISION.

Why do you believe there was an error made in the decision?  
WE WERE NOT NOTIFIED OF THE ZONING RECLASSIFICATION. AND CONTINUED WITH OUR ENGINEERING & PLANNING IN CONJUNCTION WITH THE PLANNING DEPT & OTHER CITY DEPARTMENTS. WE HAVE RECEIVED OUR PLAN CHECK REVIEW AS LATE AS JAN. 8, 2007 FROM THE PLANNING DEPT. AND WITH NO INDICATION OF DENIAL OF TRACT MAP.

Signature: [Handwritten Signature]

Date: 3/9/07

FOR OFFICE USE ONLY:

Staff Initials:	Date Appeal Accepted:	Receipt No.:
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Planning

**\*\*\*DUPLICATE\*\*\***

3/12/2007 1:45PM 004 - 0084 - 00016354

Invoice:

DAVID NGUYEN-ADVANCED HOME BUILDERS  
APPEAL TRACT TT-06-073

Receipt Amt:	\$125.00
4004Plan/Zoning Appeals	\$125.00
CK 00007505 ADVANCED HOME B	\$125.00
CHANGE	\$0.00

Thank You  
City of Victorville

## EXCERPT OF THE FEBRUARY 28, 2007 MINUTES

Tentative Tract TT-06-073

"Mr. Borchert outlined the staff report and noted the property was located in the area known as the Northern Triangle Specific Plan. The tract was approved prior to the development of the Northern Triangle Specific Plan and currently conflicted with Staff's recommendation for commercial zoning of that area. Due to that fact, Staff was recommending denial of the extension.

Vice-Chairman Kurth opened the public hearing at 7:09 p.m.

David Wynn addressed the Chair representing Advanced Home Builders, Inc. and stated the reasons why they had taken so long developing the tract. In addition, he stated he had met with Caltrans regarding the proposed interchange that was planned for the area. He then requested that the Commission approve the extension.

Vice-Chairman Kurth stated he sympathized with Mr. Wynn, however the Northern Triangle Specific Plan was a project that had been worked on extensively and there were some substantial projects planned for the area.

Tom Kow, Civil Engineer for the project, addressed the Chair and stated they were in the final phase of final map approval and just needed a few more months to complete the project plans.

Greg Utah with Advanced Home Builders addressed the Chair and stated they were willing to be very flexible with their project to where they could adjust some of the lots to allow for the proposed interchange. He also noted that should the Commission not approve the extension, it could likely bankrupt the company.

Commissioner Metzler questioned what the property was currently zoned and questioned how long ago the Northern Triangle Specific Plan had been approved.

Mr. Borchert stated the property was currently zoned residential, however the General Plan had been changed to a Specific Plan designation approximately a year ago.

There being no further testimony, Vice-Chairman Kurth closed the public hearing at 7:18 p.m.

A motion was made by Commissioner Porter and seconded by Commissioner Metzler to deny Resolution P-07-033 citing the following reasons: 1) the site was at the southern entrance to the recently adopted Northern Triangle Specific Plan and was currently designated as Commercial. Residential uses would not be compatible with the Commercial designation of the specific plan; and 2) the site was located in an area proposed by Caltrans for a relocated Stoddard Wells Road freeway interchange. The revised plans would bisect the tract and approval would conflict with Caltrans plans. The motion carried by a vote of three Commissioners, Commissioners McEachron and Hinojos being absent.

Vice-Chairman Kurth advised the applicant that he could appeal the decision of the Planning Commission to the City Council within 10 days."



# PLANNING COMMISSION STAFF REPORT

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**DATE:** February 28, 2007 **AGENDA NO. 1**

**CASE:** TT-06-073 [TT-03-043(ext), Tract 16715]

**SUBJECT:** A 3-year extension of time to allow for the recordation of approved Tentative Tract TT-03-043, an 86-lot single-family residential subdivision

**APPLICANT:** Advanced Home Builders, Inc.

**LOCATION:** North of and abutting Abbey Lane, south of Dante Street, east of and abutting Stoddard Wells Road and west of and abutting Interstate 15

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## **I. STAFF RECOMMENDATION:**

That the Planning Commission take the following actions:

**DENY** TT-06-073 [TT-03-043(ext), Tract 16715] based on the following:

1. The site is at the southern entrance to the recently adopted Northern Triangle Specific Plan and is currently designated as commercial. Residential uses would not be compatible with the commercial designation of the Specific Plan. (see Exhibit A, attached)
2. The site is located in an area proposed by Caltrans for a relocated Stoddard Wells Road freeway interchange. The revised ramps would bisect this tract and approval would conflict with Caltrans plans. (see Exhibits B and C, attached)

## **II. SUMMARY:**

This item is a request for a 3-year time extension to allow for the recordation of approved tentative tract map 16715 for the development of an 86-lot single-family residential subdivision on approximately 19.48 gross acres in five phases resulting in a density of 4.41 units per acre.

## **III. STAFF ANALYSIS:**

### **1. Tentative Tract.**

The site is within the recently adopted Northern Triangle Specific Plan and has been designated as commercial. (Exhibit A)

The site is adjacent to the freeway and is, along with neighboring properties, in a location that could make a significant commercial entry for the specific plan.

In addition, this site is located in an area proposed by Caltrans for a revised freeway interchange (Exhibits B and C). The revised ramps would bisect this tract. Staff requested a revised map from the applicant that would take this into consideration in the

design of the tract, however, to date no revised map has been submitted. In fact, in a telephone conversation with Staff on January 11, 2007, the applicant's representative, Greg Uhal, stated that a revised map would not be submitted. Consequently, the Engineering Department is not in a position to comment on the project or provide conditions. A memo from Engineering dated December 18, 2006, is attached.

The Commission originally approved Tentative Tract TT-03-043 on December 17, 2003, to allow for a 92-lot single-family residential subdivision. The tentative tract conditions and the subdivision ordinance limited approval of the tentative tract to a period of three (3) years. Without approval of this extension of time, the tentative tract would have expired on January 6, 2007.

The application was submitted prior to the expiration of the tentative map pursuant to Section 66452.6(e) of the Subdivision Map Act, therefore, an automatic 60-day extension was granted. This map will expire on March 7, 2007.

- 2. **Environmental Assessment.** A Mitigated Negative Declaration has been prepared for this project in accordance with Section 15070 of the California Environmental Quality Act (CEQA), however, projects that are rejected or disapproved are exempt from CEQA.

**IV. SITE CHARACTERISTICS:**

	<b>Existing Land Use</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Specific Plan</b>
Site	Vacant	Specific Plan	R-1	Northern Triangle
North	Vacant/Apts	Specific Plan	R-1TB1/2/R-4 <sup>1</sup>	Northern Triangle
South	Vacant/Church	Specific Plan	R-1TB1/2/C-2 <sup>1</sup>	Northern Triangle
East	Interstate 15/Vacant	Specific Plan	R-1TB1/2 <sup>1</sup>	Northern Triangle
West	Industrial	Specific Plan	M-1T <sup>1</sup>	Northern Triangle

<sup>1</sup> The following "T" standards were applied to the zoning:

- 1. Various standards requiring site plan and environmental review, noise standards pertaining to George Air Force Base

**NUMBER OF RADIUS LETTERS MAILED: 14**

JD

STAFF RECOMMENDATION MAY BE ACCEPTED OR REJECTED BY THE PLANNING COMMISSION AFTER ITS OWN ANALYSIS AND CONSIDERATION OF PUBLIC TESTIMONY PRESENTED AT THE HEARING. THE PLANNING COMMISSION DECISION CAN BE APPEALED TO THE CITY COUNCIL WITHIN 10 DAYS OF THE PLANNING COMMISSION ACTION.

RESOLUTION NO. P-07-033

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VICTORVILLE GRANTING TT-06-073, A THREE-YEAR EXTENSION OF TIME TO ALLOW FOR THE RECORDATION OF APPROVED TENTATIVE TRACT TT-03-043 AN 86-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION

WHEREAS, an application has been received from Advanced Home Builders, Inc., regarding property in the City of Victorville, County of San Bernardino, State of California, particularly described as follows:

A 19.48 acre portion of the South ½ of the Northeast ¼ of the Southwest ¼ of Section 34, Township 6 North, Range 4 West, San Bernardino Base Meridian, County of San Bernardino, State of California; and

WHEREAS, a public hearing was held on the 28<sup>th</sup> day of February, 2007, pursuant to Title 7, Division 2, Chapter 3, of the Government Code of the State of California, to hear arguments for and against the issue; and

WHEREAS, a Mitigated Negative Declaration for the proposed tentative tract has been presented to the Planning Commission, and after review and consideration of the environmental information the Planning Commission finds that the proposed tentative tract will not have a significant effect on the environment with the proposed mitigation measures and therefore approved the Mitigated Negative Declaration; and

WHEREAS, the Planning Commission finds that the proposed project will have no adverse effect upon abutting properties;

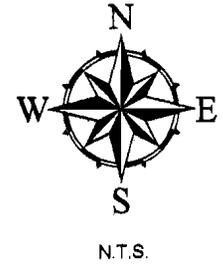
WHEREAS, the Planning Commission finds that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis; and

WHEREAS, the Planning Commission finds that all materials that constitute the record of proceedings upon which its decision is based, shall be located with the City of Victorville Clerk, located at 14343 Civic Drive, Victorville, CA.

WHEREAS, the Planning Commission finds that the proposed project will have no adverse effect upon abutting properties;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission, pursuant to Section 17.20.030 of the Victorville Municipal Code, that a three-year extension of time to allow for the recordation of approved Tentative Tract TT-06-073, an 86-lot single family residential subdivision be granted the applicant for a period of three years subject to the following conditions of approval:

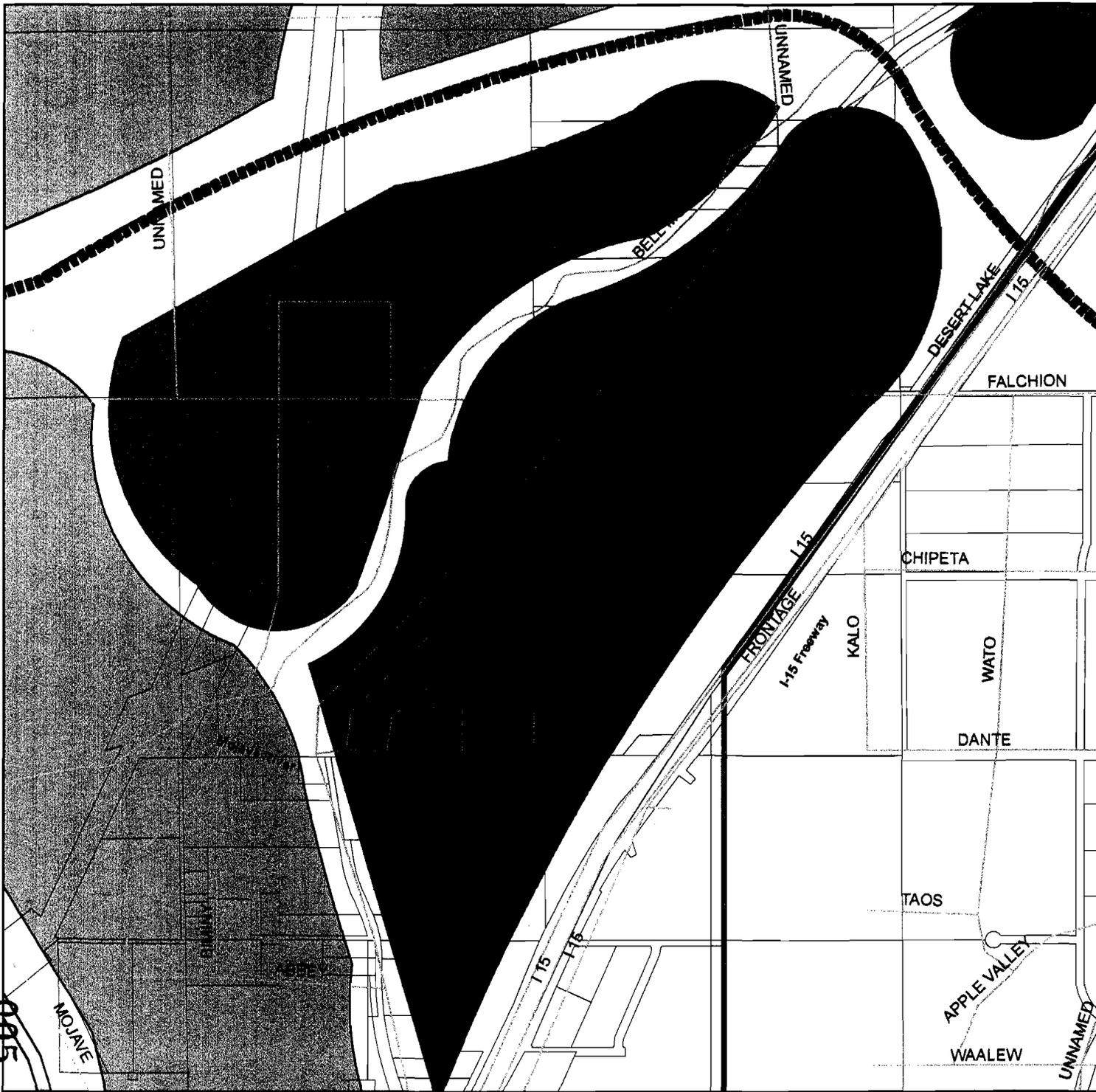
# Northern Triangle



## EXHIBIT A

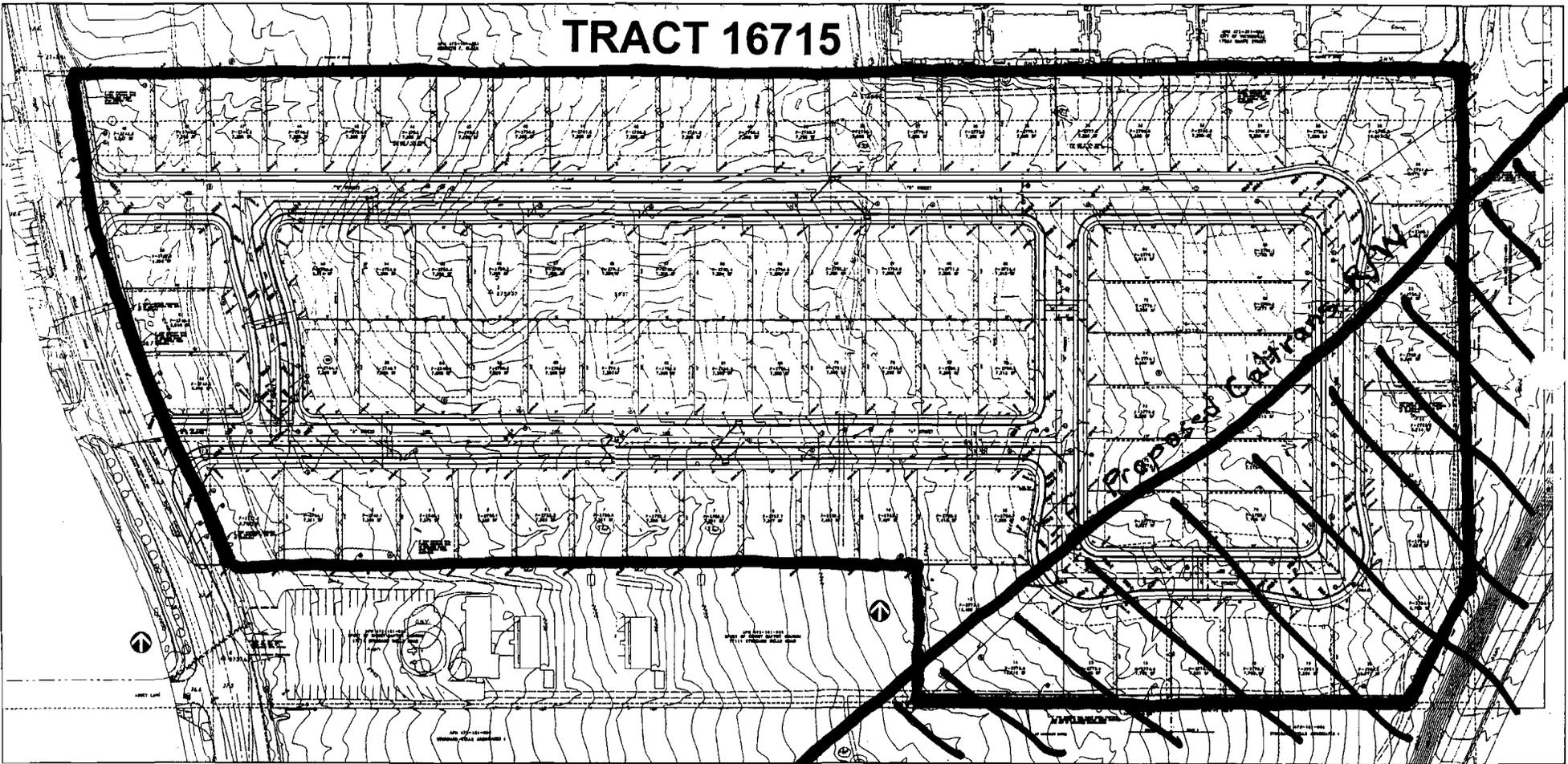
### Legend

-  Proposed 220 Corridor
-  Mojave River
-  Proposed Tentative Tract Extension
-  City Boundary
-  City Sphere of Influence
- Land Use**
-  Light Industrial/ Business Park
-  High Density Residential
-  Medium Density Residential
-  Low Density Residential
-  Regional Commercial
-  Zip Code
-  Revised Parcels
- wly\_sts



505

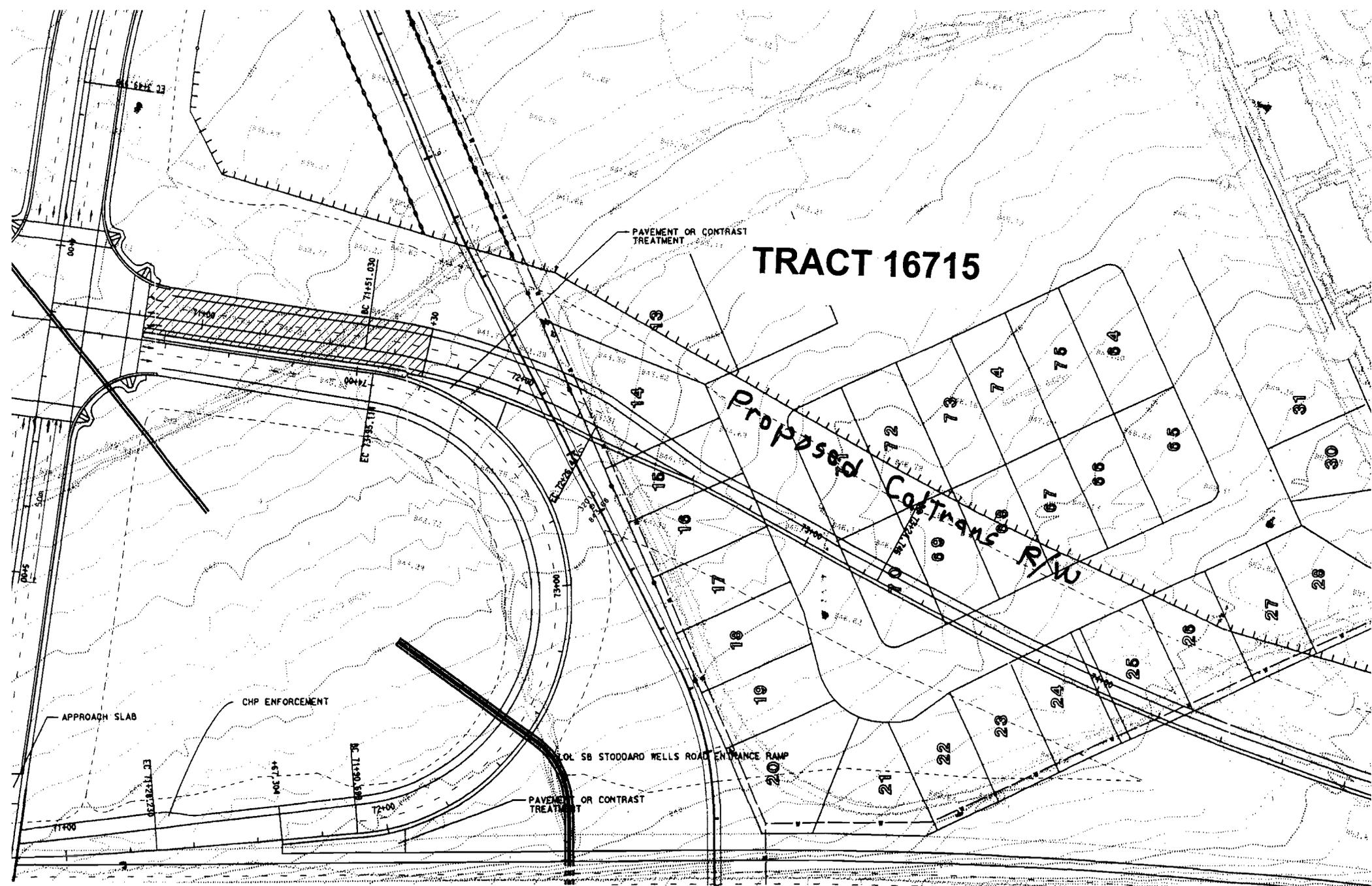
# TRACT 16715



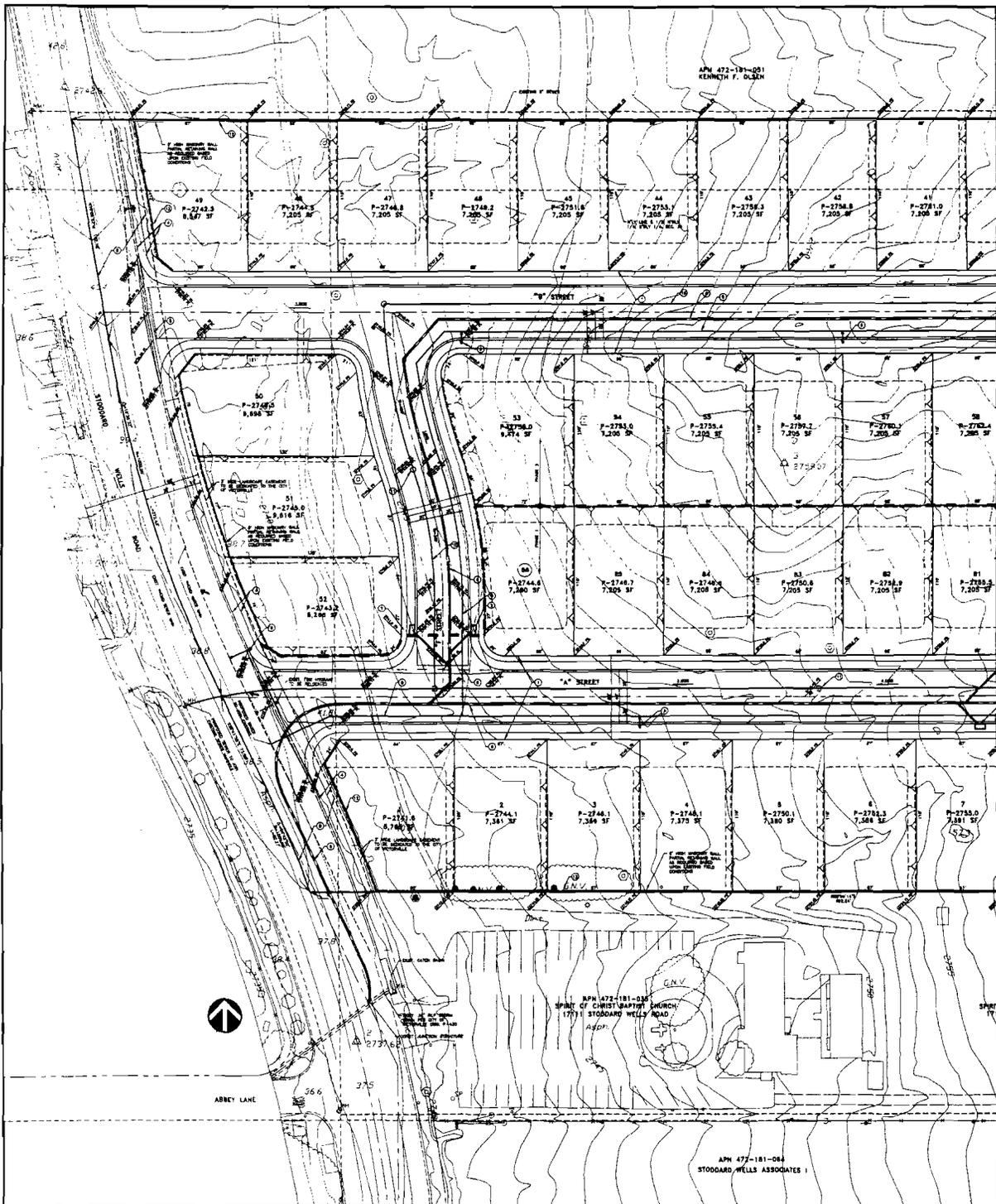
## EXHIBIT B

# TRACT 16715

*Proposed Contingency*



## EXHIBIT C



SEE SHEET NO. 2

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER LYING EAST OF THE CENTERLINE OF STODDARD WELLS ROAD AS IT NOW EXISTS, ALL IN SECTION 34, TOWNSHIP 4 NORTH, RANGE 4 WEST, SAN BERNARDINO BASIN AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND, APPROVED BY THE SURVEYOR GENERAL, DATED SEPTEMBER 3, 1985, EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 1389.48 FEET EAST OF THE 1/4 CORNER BEING ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 34, AND POINT BEING THE CENTERLINE OF STODDARD WELLS ROAD; THENCE NORTH 88°37'31" EAST, 942.84 FEET; THENCE NORTH 00°30'47" EAST, 188 FEET; THENCE SOUTH 88°37'30" WEST, 212.84 FEET; MORE OR LESS, TO THE CENTERLINE OF STODDARD WELLS ROAD TO THE POINT OF BEGINNING, ALSO EXCEPTING THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED FEBRUARY 8, 1986, IN BOOK 4430, PAGE 413 OF OFFICIAL RECORDS.

EASEMENTS OF RECORD

- THE FOLLOWING EASEMENTS OF RECORD ARE TAKEN FROM THE PRELIMINARY TITLE PREPARED BY NORTH AMERICAN TITLE COMPANY, DATED APRIL 18, 2002. THE EASEMENTS ARE SHOWN ON THE MAP AS LETTERED AND CIRCLED.
- (A) VICTOR VALLEY COUNTY WATER DISTRICT EASEMENT FOR WATER SUPPLY AND DISTRIBUTION FACILITIES RECORDED MAY 4, 1948 AS INSTRUMENT NO. 84-08873 OF OFFICIAL RECORDS.
  - (B) CITY OF VICTORVILLE EASEMENT FOR STREET, HIGHWAY, SEWER, DRAINAGE, PUBLIC UTILITIES AND PUBLIC ACCESS RECORDED SEPTEMBER 14, 1988 AS INSTRUMENT NO. 19880117234 OF OFFICIAL RECORDS.

RECORD OWNER/SUBDIVIDER

MR. RAJA EDISEWITA  
3438 HEWAWAY COURT  
CLARKVILLE, CA 91711  
(909) 621-5801

MAP PREPARED BY

CONSTRUCTION RESOURCES GROUP, INC.  
38925 COUNTRY PARK DRIVE  
WILDMAN, CA 92595  
(909) 684-2025  
(909) 684-2025 FAX

PROPERTY SUMMARY

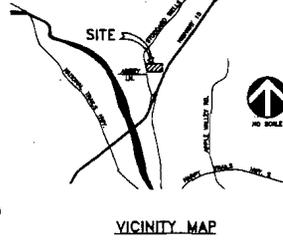
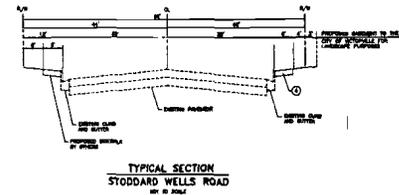
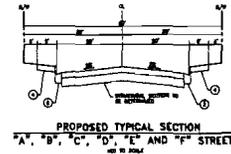
- NET ACREAGE = 30.96 ACRES
- GROSS ACREAGE = 25.42 ACRES
- NO. OF PROPOSED LOTS = 61
- SMALLEST PROPOSED LOT = 7,205 S.F.
- LARGEST PROPOSED LOT = 9,616 S.F.
- EXISTING LAND USE = AGRICULTURE
- EXISTING PROPERTY ZONING = R1 (SINGLE-FAMILY RESIDENTIAL)
- EXISTING GENERAL PLANNING LAND USE = VERY LOW DENSITY
- PROPOSED LAND USE = SINGLE FAMILY DETACHED
- ADJACENT'S PARCEL NUMBER = 472-181-03

FLOOD PLAIN STATEMENT

THE SUBJECT SITE IS LOCATED IN ZONE "X" AS SHOWN ON CLARKVILLE MAP NO. 08077324107, DATED MARCH 16, 1984 WHICH HAS BEEN DETERMINED TO BE OUTSIDE THE 100 YEAR FLOOD PLAIN.

CONSTRUCTION NOTES

- CONST STREET SECTION PER TYPICAL SECTION HEREON
- CONST CURB AND GUTTER PER CITY STANDARDS
- CONST CURB ONLY PER CITY STANDARDS
- CONST SIDEWALK PER CITY STANDARDS
- CONST CROSS GUTTER PER CITY STANDARDS
- CONST STORM DRAIN
- CONST CATCH BASIN
- CONST WATER MARK
- CONST FIRE HYDRANT
- CONST SEWER MANHOLE
- CONST SEWER MANHOLE
- CONST RETAINING WALL



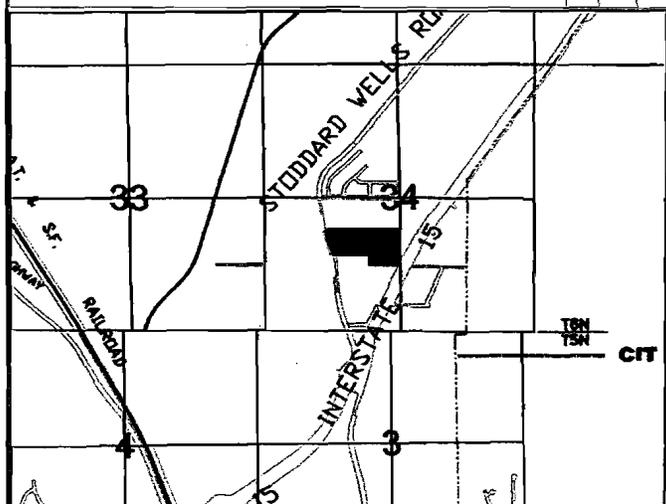
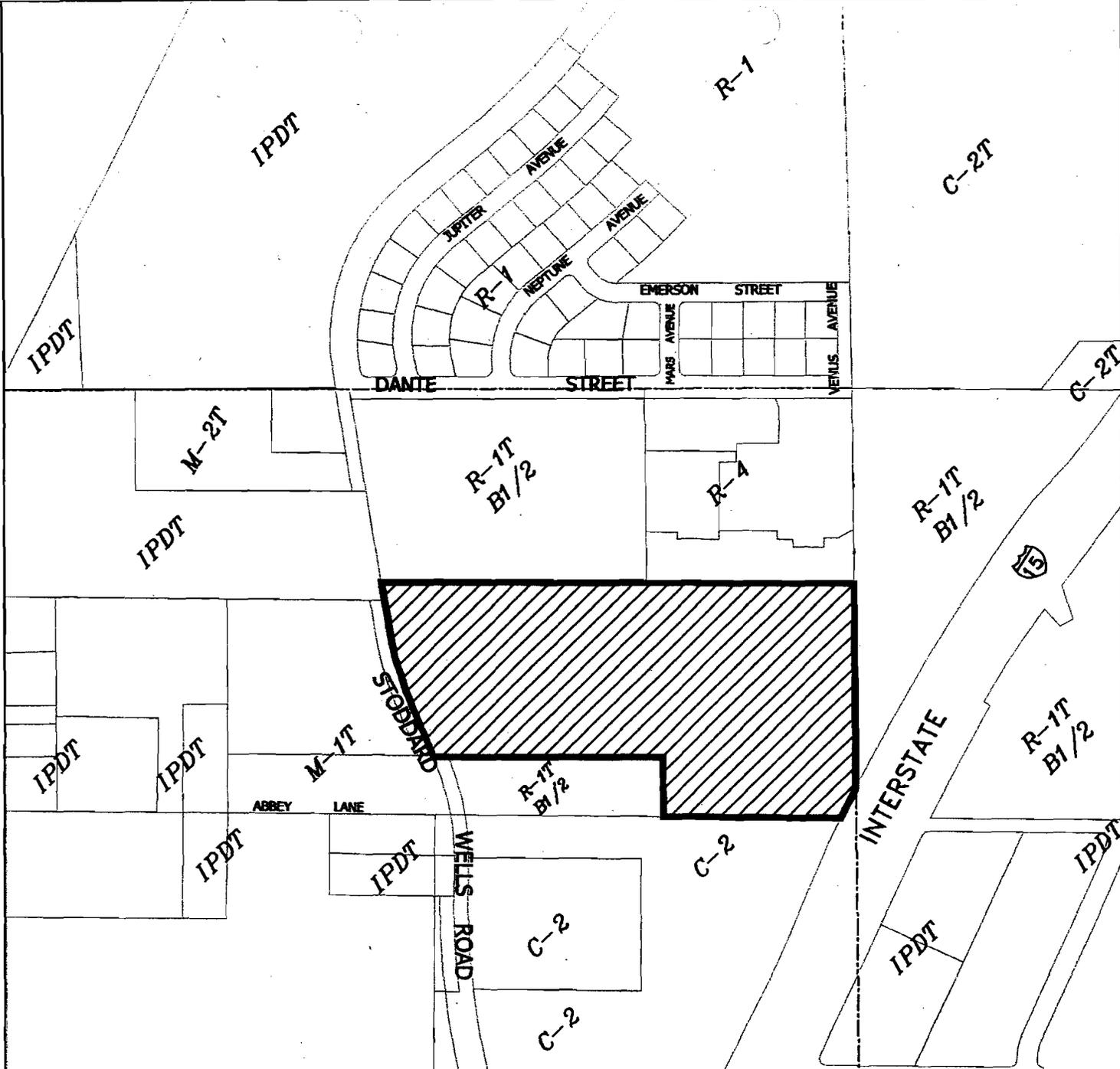
**TENTATIVE TRACT MAP NO. 16715**  
VICTORVILLE, CALIFORNIA  
DECEMBER, 2003

**Construction Resources Group, Inc.**  
Construction, Design and Consulting Services  
15925 Country Park Drive, Wilksman, CA 92595  
Tel: (909) 684-2025 Fax: (909) 684-2078

PROJECT: RESIDENTIAL DEVELOPMENT  
STODDARD WELLS ROAD  
VICTORVILLE, CALIFORNIA  
TENTATIVE TRACT MAP NO. 16715

DATE: \_\_\_\_\_  
CHECKED: DRAPP  
DRAWING FILE: T201  
PROJECT NO.: 09-006  
SHEET NUMBER: 1  
OF 2 SHEETS  
SCALE: 1"=40'





Vicinity Map

Graphics are diagrammatic only - Not to Scale

Title: <b>PROPERTY LOCATION MAP</b>			
Zoning: R-1	Area: ±19.48 Acres		
Assessor Parcel Number: 0472-181-53			
Location: North of and abutting Abbey Lane, south of Dante Street, east of and abutting Stoddard Wells Road, and west of and abutting Interstate 15.			
TR 16715			
Drawn By: BD	Checked By: <i>[Signature]</i>	Date: 02-06-07	Case Number: TT-06-073

Prepared by: City of Victorville Development Department



Tentative Tract Time Extension TT-06-073

CITY OF VICTORVILLE PLANNING DEPARTMENT  
14343 Civic Drive, Victorville, California 92392  
(760) 955-5135 FAX (760) 245-8250

MITIGATED NEGATIVE DECLARATION  
Preparation Date: January 11, 2007

**Name or Title of Project:** TT-06-073 – Proposed Time Extension of approved Tentative Tract TT-03-043 (Tract 16715).

**Location:** North of and abutting Abbey Lane, south of Dante Street, east of and abutting Stoddard Wells Road and west of and abutting Interstate 15.

**Entity or Person Undertaking Project:** Advanced Home Builders, Inc.

**Description of Project:**

TT-06-073 – a 2-year time extension to allow for the recordation of previously approved Tentative Tract 16715 (TT-03-043), an 86-lot single-family residential subdivision on 19.48 gross acres.

**Statement of Findings:** The Planning Commission has reviewed the Initial Study for this proposed project and has found that there are no adverse environmental impacts to either the man-made or physical environmental setting if the following mitigation measures are implemented in conformance with the Mitigation Monitoring Policy, and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

A copy of the Initial Study and other applicable documents used to support the proposed Negative Declaration is available for review at the City of Victorville Planning Department.

**Mitigation Measures:**

1. Prior to issuance of a grading permit the applicant shall obtain coverage under the statewide general National Pollutant Discharge Elimination System (NPDES) permit for control of construction and post-construction related storm water. In addition, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) as required in the NPDES permit and identify site-specific best management practices that will be used.
2. Prior to issuance of a ground disturbance permit the applicant shall conduct a trapping survey for the Mohave ground squirrel in accordance with California Department of Fish and Game protocol. If the trapping survey provides negative results, the applicant shall submit the survey to the Department for concurrence that the applicant may grade within the next year. If the trapping survey provides a positive finding or if the developer decides not to conduct trapping, the following mitigation measures shall apply:
  - a. The applicant shall provide mitigation lands at a ratio of 1:1. These lands will be purchased in an area known to support populations of the species. The mitigation lands will be evaluated to ensure they provide habitat equal to or better than the habitat that will be lost as a result of development of the project site. In addition, CDFG approval of the mitigation lands will be obtained before acquisition is completed, and an Incidental Take Permit will be applied for as part of the overall mitigation process.

- b. Appropriate enhancement and endowment fees will be provided by the project proponent as per CDFG requirements. These fees will be paid on a 1:1 basis prior to commencement of ground disturbing activities.
3. Pre-construction surveys on the site and in the surrounding area out to 500 feet should be conducted no more than 30 days prior to ground disturbing activities. If ground-disturbing activities are delayed for more than 30 days, additional surveys will be required.
4. If owls are observed on the site during future surveys, mitigations which will be required to reduce impacts to less than significant will include the following:
  - a. Occupied burrows should not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the Department verifies through non-invasive methods either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival;
  - b. To offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of burrowing owl habitat per pair or unpaired birds should be acquired and permanently protected;
  - c. Existing unsuitable burrows should be enhanced or new burrows created at a ratio of 2:1 on the protected lands site; and
  - d. The project proponent should provide funding for long-term management and monitoring of the protected land. A monitoring plan for the protected land should be required which includes success criteria, remedial measures, and annual reports to the Department.
5. A noise study shall be performed to determine noise levels at the subject site and to recommend noise mitigation techniques. The applicant shall employ walls, earthen berms, landscaping, construction methods and/or other methods recommended by the noise study to reduce the noise to acceptable levels.
6. The applicant shall provide for an on-site paleontological/archaeological inspector to monitor all grading operations, or a letter from said licensed professional indicating that monitoring is not necessary during grading. Further, if disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2. The results of said monitoring shall be filed with the Director of Planning or his designee prior to the final approval of the development.
7. If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to the State Health and Safety Code.
8. In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.
9. If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians ("Tribe"). If requested by the Tribe, the developer or the project archaeologist shall, in good faith,

consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

Public Review Period: January 16, 2007, thru February 15, 2007.

Tentative Public Hearing Date: February 28, 2007.

Adopted by the Planning Commission on \_\_\_\_\_.

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RYAN McEACHRON, CHAIRMAN  
VICTORVILLE PLANNING COMMISSION

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BILL WEBB  
DIRECTOR OF DEVELOPMENT

jd

**INITIAL STUDY  
ENVIRONMENTAL CHECKLIST FORM**

1. **Project title:** TT-06-073 – Proposed 3-year Time Extension for approved Tentative Tract TT-03-034 (Tract 16601).
2. **Lead agency name and address:** City of Victorville Planning Department, PO Box 5001, Victorville, California 92393-5001.
3. **Contact person and phone number:** John Dubasik, Associate Planner 760-955-5135.
4. **Project location:** North of and abutting Abbey Lane, south of Dante Street, east of and abutting Stoddard Wells Road and west of and abutting Interstate 15.
5. **Project sponsor's name and address:** Advanced Home Builders, Inc., 8326 Kentland Avenue, West Hills, CA 91304.
6. **General Plan designation:** Low Density Residential.
7. **Zoning:** R-1 (Single Family Residential).
8. **Description of project:** (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

TT-06-073 – a 3-year time extension to allow for the recordation of approved Tentative Tract TT-03-043, an 86-lot single-family residential subdivision on 19.48 gross acres.

9. **Surrounding land uses and setting:** The proposed project is bounded on the north by an apartment complex on R-4 zoned land and vacant R-1TB1/2 zoned land, on the south by a church on R-1TB1/2 zoned land and vacant C-2 zoned land, on the east by vacant R-1BT1/2 zoned land and Interstate 15 and on the west by a park on P-C zoned land and a refuse truck facility on M-1T zoned land. The subject property is undeveloped.
10. **Other public agency whose approval is required** General construction storm water permit (NPDES) – State Water Resources Board, California Department of Fish and Game. Recordation of a final map, issuance of building permits and completion of structures to code is required by the City prior to establishment of the use.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTS:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Land Use and Planning	<input type="checkbox"/>	Transportation/Circulation	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Population and Housing	<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Utilities and Service Systems
<input type="checkbox"/>	Geological Problems	<input type="checkbox"/>	Energy and Mineral Resources	<input type="checkbox"/>	Aesthetics
<input type="checkbox"/>	Water	<input type="checkbox"/>	Hazards	<input type="checkbox"/>	Cultural Resources
<input type="checkbox"/>	Air Quality	<input type="checkbox"/>	Noise	<input type="checkbox"/>	Recreation
		<input type="checkbox"/>	Mandatory Findings of Significance		

**DETERMINATION:**

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. (De Minimis)
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated". An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that the proposed project **WILL NOT** have a significant effect on the environment, because no new potentially significant effects have been identified beyond those previously analyzed adequately in an earlier EIR (Final Program Environmental Impact Report for the City's 1997 Comprehensive General Plan Update, State Clearinghouse No. 97011040), pursuant to applicable standards, and no additional mitigation measures beyond those imposed as part of that previous EIR are necessary to be imposed upon the proposed project to reduce mitigable impacts to a insignificant level. Therefore, no additional environmental documentation is necessary.

Signature: John Dubasik Date: January 11, 2007  
 John Dubasik, Associate Planner For: Victorville Planning Department

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

- 1) A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources the lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) "Potentially Significant Impact" is noted if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact". The lead agency describe the mitigation measures, and briefly explains how

they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses", may be cross-referenced).

5) Earlier analyses may be referenced where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.

6) The lead agency incorporates into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated. See the sample question below. A source list is attached, and other sources used or individuals contacted are cited in the discussion.

	<i>Potentially Significant</i>		
	<i>Potentially Significant Impact</i>	<i>Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>
			<i>No Impact</i>

**ENVIRONMENTAL IMPACTS:**

**I. LAND USE AND PLANNING. *Would the proposal***

- a) Conflict with general plan designation or zoning? (1, Figure 3 and 2)
- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? (3, 1)
- c) Be incompatible with existing land use in the vicinity? (4)
- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)? (5)
- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (4)

			X
			X
			X
			X
			X

Comments: The General Plan Land Use Designation for the project site is Low Density Residential and the zoning is R-1 (Single Family Residential). Single-family residences are a permitted use. The General Plan designation and zoning allow for a density of up to five dwelling units per gross acre for the project site. Since the proposed project has a density of approximately 4.4 dwelling units per gross acre, the proposal is consistent with the Victorville General Plan and zoning. The Resource Element of the General Plan does not identify this site as having special environmental significance. The proposal does not create any land use incompatibilities since it is in compliance with the General Plan. While the vacant land could be used for agricultural purposes, the soil at this location is limited by the hazard of soil blowing, slow runoff and low available water capacity. Further, the limited size of the property (approximately 19.48 acres) and its proximity to residential and commercial uses do not make this site viable for agricultural use. Consequently, the property's value for crop production is marginal. Further, the project would not disrupt or divide an established community. No mitigation necessary.

*Potentially Significant*

<i>Potentially Significant Impact</i>	<i>Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
---------------------------------------	---------------------------------------	-------------------------------------	------------------

**II. POPULATION AND HOUSING.** *Would the proposal:*

- a) Cumulatively exceed official regional or local population projections? (6, 4)
- b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? (4)
- c) Displace existing housing, especially affordable housing? (4)

			X
			X
			X

Comments: The proposed project will increase the population by approximately 224 people based on 2.6 people per dwelling unit. The density of the proposal is consistent with the General Plan and zoning designation, therefore, the proposed subdivision does not exceed official regional or local population projections. During the project's construction there will likely increase the need for housing within the community since these uses will employ workers. However, since several apartment complexes and rental units exist within the City, the demand for workers' housing would be satisfied (7, 41). The project site is currently undeveloped, however, because of its proximity to existing developments, development of this project would not involve the major extension of infrastructure. Since the site is currently vacant, it will not displace existing housing. No mitigation necessary.

**III. GEOLOGIC PROBLEMS.** *Would the proposal result in or expose people to potential impacts involving:*

- a) Fault rupture? (8; Figure 1)
- b) Seismic ground shaking? (8, Table 2)
- c) Seismic ground failure, including liquefaction? (5) and 8, 4 and Table 2)
- d) Seiche, tsunami, or volcanic hazard? (8, Table 2)
- e) Landslides or mudflows? (8, 7 and Figure 3)
- f) Erosion, changes in topography or unstable soil conditions from excavation, grading or fill? (8, Figure 3)
- g) Subsidence of land? (3, Figure 8)
- h) Expansive soils? (5)
- i) Unique geologic or physical features? (5)

			X
		X	
			X
			X
			X
			X
			X
			X
			X

Comments: There are no known or suspected fault traces located within the Victorville Planning Area. Additionally, the City Planning Area is not subject to the provisions of Alquist-Priolo Special Studies Zones. The City is located in an area with a high potential for severe ground shaking. However, as a function of development all buildings must comply with the Victorville Municipal Code and the latest adopted version of the Uniform Building Code, which will ensure that the buildings would adequately resist the forces of an earthquake (9, 1). No mitigation necessary.

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Mitigation  
Incorporated

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Less than  
Significant  
Impact

No  
Impact

**IV. WATER.** *Would the proposal result in:*

- a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (11)
- b) Exposure of people or property to water related hazards such as flooding? (10)
- c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? (4)
- d) Changes in the amount of surface water in any water body? (4)
- e) Changes in currents, or the course or direction of water movements? (4)
- f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? (11)
- g) Altered direction or rate of flow of groundwater? (4)
- h) Impacts to groundwater quality? (4)
- i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (11)

		X	
			X
			X
			X
			X
			X
			X
	X		
		X	

Comments: The proposed development may significantly change absorption rates and potential drainage patterns, as well as affect the amount of surface water runoff. However, the project will connect to a storm drainage system that will alleviate any negative impacts due to the increased runoff. In addition, the City has adopted a flood drainage fee that is assessed on all properties in the City and is to be used for constructing drainage structures (20, 1).

Measures that achieve a reduction in pollutants generated by developments after construction will be integrated into the Storm Water Pollution Prevention Plan (SWPPP) that must be prepared for projects in accordance with National Pollutant Discharge Elimination System (NPDES) permitting procedures. All projects are required to comply with NPDES requirements, including permits, prior to issuance of a grading permit. Therefore, the following mitigation measure shall be incorporated to ensure the impact is less than significant:

1. Prior to issuance of a grading permit the applicant shall obtain coverage, if required, under the statewide general National Pollutant Discharge Elimination System (NPDES) permit for control of construction and post-construction related storm water. In addition, if coverage is required, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) as required in the NPDES permit and identify site-specific best management practices that will be used.

Potentially  
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Unless  
Mitigation  
Incorporated  
Potentially  
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Significant  
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No  
Impact

Section 15206 of the CEQA Guidelines scales projects as to having regional significance. CEQA defines projects of state wide regional significance as a residential development of more than 500 dwelling units. The proposed 86-lot single-family residential subdivision does not meet the criteria identified in the CEQA guidelines as regionally significant. Any new construction shall employ all water conservation measures outlined in the State Appliance Efficiency Standards as enforced by the Building Department as part of obtaining a building permit for the development. In addition, all combustible liquids, oils and solvents used in conjunction with the facility shall be handled in accordance with the Uniform Fire Code, which will ensure that groundwater quality is not degraded by this facility (12, 125).

Although the actual water demand for the development is currently unknown, new development creates additional demand for the water purveyor. The Baldy Mesa Water District is the water purveyor for this site and as such may have to purchase replacement water if the district exceeds the free production allowance as stipulated in the final Judgment to the Mojave Basin Area Adjudication which was entered on January 10, 1996. The District charges connection fees based on the amount of usage to help provide for replacement water if needed.

**V. AIR QUALITY. *Would the proposal:***

- a) Violate any air quality standard or contribute to an existing or projected air quality violation? (13, 1)
- b) Expose sensitive receptors to pollutants? (4)
- c) Alter air movement, moisture, or temperature, or cause any changes in climate? (13, 1)
- d) Create objectionable odors? (11)

			X
			X
			X
			X

Comments: The project is consistent with the City's General Plan. All uses identified within the Victorville General Plan are classified as area sources by the Mojave Desert Air Quality Management District. Programs have been established in the 1991 Air Quality Attainment Plan that address emissions caused by area sources. Further, the proposed project does not meet any threshold that requires air quality analysis or mitigation under the Air Quality Attainment Plan. Therefore, the impacts are considered by the Mojave Desert Air Quality Management District to be insignificant (13, 1). Proposed is an 86-lot single-family residential subdivision, other than during construction and vehicular traffic, no permanent objectionable odors will be created. No mitigation necessary.

**VI. TRANSPORTATION/CIRCULATION. *Would the proposal result in:***

- a) Increased vehicle trips or traffic congestion? (11)
- b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (11)
- c) Inadequate emergency access or access to nearby uses? (4)
- d) Insufficient parking capacity on-site or off-site? (11)
- e) Hazards or barriers for pedestrians or bicyclists? (11)

		X	
			X
			X
			X
			X

*Potentially Significant*

<i>Potentially Significant Impact</i>	<i>Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
---------------------------------------	---------------------------------------	-------------------------------------	------------------

- f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (11)
- g) Rail, waterborne or air traffic impacts? (11)

			X
			X

Comments: The City of Victorville General Plan Circulation Element is designed so the master-planned roadways operate at a Level of Service of "C" or better at build-out (14, 8). In evaluating Level of Service, existing land use designations were applied. Development of the project will result in increased generation of vehicular trips; which will impact master planned roadways in the short term. However, this short-term increase will be mitigated through the assessment of development impact fees, which provides funding for the construction of roadways to reduce the impacts of additional vehicular traffic. Section 18.60.90 of the Victorville Municipal Code requires the proposed single-family residences to contain two covered parking spaces per dwelling unit. The proposed 86-lot single-family residential subdivision would be required to have a minimum of 172 parking spaces. No mitigation necessary.

**VII. BIOLOGICAL RESOURCES.** *Would the proposal result in impacts to:*

- a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)? (15)
- b) Locally designated species (e.g., heritage trees)? (15)
- c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? (4)
- d) Wetland habitat (e.g., marsh, riparian, and vernal pool)? (4)
- e) Wildlife dispersal or migration corridors? (15)

	X		
		X	
			X
			X
			X

Comments: Development of the site would consist of the removal of all vegetation and grading of the entire site for single-family residential lots and streets. According to the California Department of Fish and Game (CDFG), five listed or sensitive species, including the desert tortoise, Mohave ground squirrel, burrowing owl, sharp-shinned hawk, and loggerhead shrike may occur within the City limits. A biological survey dated November 15, 2006, was prepared for the project site by Michael Brandman Associates, that found no evidence of the above listed species on the project site. However, the site does support habitat for the Mohave ground squirrel and, since the burrowing owl is migratory and could utilize existing burrows of other animals, the following mitigation measures shall be incorporated to ensure the impact is less than significant:

- 2. Prior to issuance of a ground disturbance permit the applicant shall conduct a trapping survey for the Mohave ground squirrel in accordance with California Department of Fish and Game protocol. If the trapping survey provides negative results, the applicant shall submit the survey to the Department for concurrence that the applicant may grade within the next year. If the trapping survey provides a positive finding or if the developer decides not to conduct trapping, the following mitigation measures shall apply:
  - a. The applicant shall provide mitigation lands at a ratio of 1:1. These lands will be purchased in an area known to support populations of the species. The mitigation lands will be evaluated to

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No  
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ensure they provide habitat equal to or better than the habitat that will be lost as a result of development of the project site. In addition, CDFG approval of the mitigation lands will be obtained before acquisition is completed, and an Incidental Take Permit will be applied for as part of the overall mitigation process.

- b. Appropriate enhancement and endowment fees will be provided by the project proponent as per CDFG requirements. These fees will be paid on a 1:1 basis prior to commencement of ground disturbing activities.
- 3. Pre-construction surveys on the site and in the surrounding area out to 500 feet should be conducted no more than 30 days prior to ground disturbing activities. If ground-disturbing activities are delayed for more than 30 days, additional surveys will be required.
- 4. If owls are observed on the site during future surveys, mitigations which will be required to reduce impacts to less than significant will include the following:
  - a. Occupied burrows should not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the Department verifies through non-invasive methods either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival;
  - b. To offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of burrowing owl habitat per pair or unpaired birds should be acquired and permanently protected;
  - c. Existing unsuitable burrows should be enhanced or new burrows created at a ratio of 2:1 on the protected lands site; and
  - d. The project proponent should provide funding for long-term management and monitoring of the protected land. A monitoring plan for the protected land should be required which includes success criteria, remedial measures, and annual reports to the Department.

In addition, the City enforces a Joshua tree (*Yucca Brevifolia*) preservation ordinance and relocation program which prohibits the removal of the trees without the consent of the City (16, 287).

**VIII. ENERGY AND MINERAL RESOURCES.** *Would the proposal:*

a) Conflict with adopted energy conservation plans? (6, 36)				X
b) Use nonrenewable resources in a wasteful and inefficient manner? (11)				X
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (3, 10)				X

Comments: The proposed project will not significantly increase the use of substantial amounts of fuel or energy, nor create the need to develop new sources of energy since the site is in close proximity to existing development. Further, utilization of energy conservation measures required under the State

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No  
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Appliance Efficiency Standards in Title 20, such as efficient mechanical systems designed in accordance with heating calculations and other code regulations will reduce the use of energy. No mitigation necessary.

**IX. HAZARDS.** *Would the proposal:*

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)? (11)
- b) Possible interference with an emergency response plan or emergency evacuation plan? (8, Figure 5)
- c) The creation of any health hazard or potential health hazard? (11)
- d) Exposure of people to existing sources of potential health hazards? (4)
- e) Increased fire hazard in areas with flammable brush, grass, or trees? (11)

			X
			X
			X
			X
			X

Comments: The proposed project poses a low probability of subjecting the public to health hazards due to its residential use and fire and building code requirements and does not interfere with existing emergency/evacuation plans (8, Figure 5). Prior to the development of the site the ground will be graded which removes all flammable brush, grass, and/or trees. No mitigation necessary.

**X. NOISE.** *Would the proposal result in:*

- a) Increases in existing noise levels? (11)
- b) Exposure of people to severe noise levels? (11)

		X	
		X	

Comments: The City of Victorville General Plan Noise Element identifies residential land uses as being sensitive to noise. Noise levels of up to 65 decibels (dB) are considered normally acceptable without any special noise insulation requirements since normal construction techniques reduce the interior noise level by 20 decibels (dB). The proposed residences will be constructed using normal noise reduction construction techniques. However, the General Plan Noise Element identifies Interstate 15 as a noise source at levels that exceed 65 dBA, therefore, the following mitigation measure shall be incorporated to ensure the impact is less than significant:

- 5. A noise study shall be performed to determine noise levels at the subject site and to recommend noise mitigation techniques. The applicant shall employ walls, earthen berms, landscaping, construction methods and/or other methods recommended by the noise study to reduce the noise to acceptable levels.

**XI. PUBLIC SERVICES.** *Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:*

- a) Fire protection? (11)
- b) Police protection? (11)

		X	
		X	

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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- c) Schools? (11)
- d) Maintenance of public facilities, including roads? (11)
- e) Other government services? (11)

		X	
		X	
		X	

Comments: The proposed development may result in a need for increase in public services. Consequently, the public service agencies may need to increase budgets to commit to those increased services. With regard to capital facilities, development impact fees will be utilized by the public service agencies to ensure the appropriate levels of capital resources necessary to serve the development. Further, the development will be subject to other fees and assessments that will reduce the impact of this development to a level of non-significance (18, 314). No mitigation necessary.

**XII. UTILITIES AND SERVICE SYSTEMS.** *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:*

- a) Power or natural gas? (11)
- b) Communications systems? (11)
- c) Local or regional water treatment or distribution facilities? (11)
- d) Sewer or septic tanks? (11)
- e) Storm water drainage? (11)
- f) Solid waste disposal? (11)
- g) Local or regional water supplies? (11)

			X
			X
			X
			X
			X
			X
			X

Comments: Inasmuch as utilities are already provided near the area, only minor extensions to the proposed development would be required. Consequently, the need for altered utility systems would be insignificant, and no new systems will be necessary. Also see discussion under section IV. WATER. No mitigation necessary.

**XIII. AESTHETICS.** *Would the proposal:*

- a) Affect a scenic vista or scenic highway? (11)
- b) Have a demonstrable negative aesthetic effect? (11)
- c) Create light or glare? (11)

			X
			X
		X	

Comments: The proposed project will not affect any scenic vistas or scenic highways. The proposed project will not have any adverse impact to the aesthetics of the area as the development within the project area will be subject to compliance with the provisions of the Victorville Municipal Code which includes height limitations, landscaping and yard requirements, as well as any other design requirements imposed as part of the review process (19). Further, any light or glare produced shall be oriented so as not to create a nuisance. No mitigation necessary.

**XIV. CULTURAL RESOURCES.** *Would the proposal:*

- a) Disturb paleontological resources? (4)

	X		
--	---	--	--

*Potentially Significant*

	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
--	---	-------------------------------------	------------------

- b) Disturb archaeological resources? (4)
- c) Have the potential to cause a physical change which would affect unique ethnic cultural values? (4)
- d) Restrict existing religious or sacred uses within the potential impact area? (4)

	X		
			X
			X

Comments: The site is not known to be within an area with existing religious or sacred uses. However, because the City of Victorville is in a potential resource rich area as far as paleontological resources are concerned, monitoring of grading activities is a necessary activity associated with any development. Therefore, the following mitigation measures shall be incorporated to ensure the impact is less than significant:

- 6. The applicant shall provide for an on-site paleontological/archaeological inspector to monitor all grading operations, or a letter from said licensed professional indicating that monitoring is not necessary during grading. Further, if disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2. The results of said monitoring shall be filed with the Director of Development or his designee prior to the final approval of the development.
- 7. If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to the State Health and Safety Code.
- 8. In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.
- 9. If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians ("Tribe"). If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

**XV. RECREATION.** *Would the proposal:*

- a) Increase the demand for neighborhood or regional parks or other recreational facilities? (11)
- b) Affect existing recreational opportunities? (11)

		X	
		X	

Comments: The proposed site will be used for an 86-lot single-family residential subdivision that may create additional demand on existing recreational facilities. Consequently, the project will be subject to payment of development impact fees, which will reduce its impact to a level of non-significance (18, 314). No mitigation necessary.

*Potentially Significant*      *Potentially Significant Unless Mitigation Incorporated*      *Less than Significant Impact*      *No Impact*

**MANDATORY FINDINGS OF SIGNIFICANCE.**

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b) Does the project have the potential to achieve short-term, to the disadvantage or long-term, environmental goals?
- c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- d) Does the project have environmental effects that will cause substantial adverse affects on human beings, either directly or indirectly?

			X
			X
		X	
			X

Comments: c) With the increase in building activity recently experienced in the Victor Valley/High Desert area, it is reasonably foreseeable that a large portion of residentially zoned land will develop with single-family homes in the future. However, the City's General Plan anticipated such development and prescribed measures that have been implemented to provide adequate services within the City proper and its sphere of influence.

Regarding biological resources, the City is currently involved in a cumulative impact analysis through our active participation in the development of the West Mojave Habitat Conservation Plan. This plan will mitigate all future development of land within the City and the Victor Valley/High Desert in general through mitigation measures and/or fees that have been reviewed by the Department of Fish and Game. The plan is in the last phase of the approval process. Until such plan is in effect, the City imposes mitigation measures, which along with implementation of 2081 permits, results in the conservation of more suitable habitat outside the city limits of Victorville. In addition, recent biological surveys and trappings detected no Desert Tortoises or Mohave ground squirrels within the southern three-quarters of the City, where most of the development is occurring. Therefore, the cumulative impacts are considered less than significant.

**XVII. EARLIER ANALYSES.**

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case a discussion identifies the following:

- a) **Earlier analyses used.** Earlier analyses are identified and stated where they are available for review.
- b) **Impacts adequately addressed.** Effects from the above checklist that were identified to be within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards are noted with a statement whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated", describe the mitigation measures which are incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project are described.

**Authority:** Public Resources Code Sections 21083 and 21087.

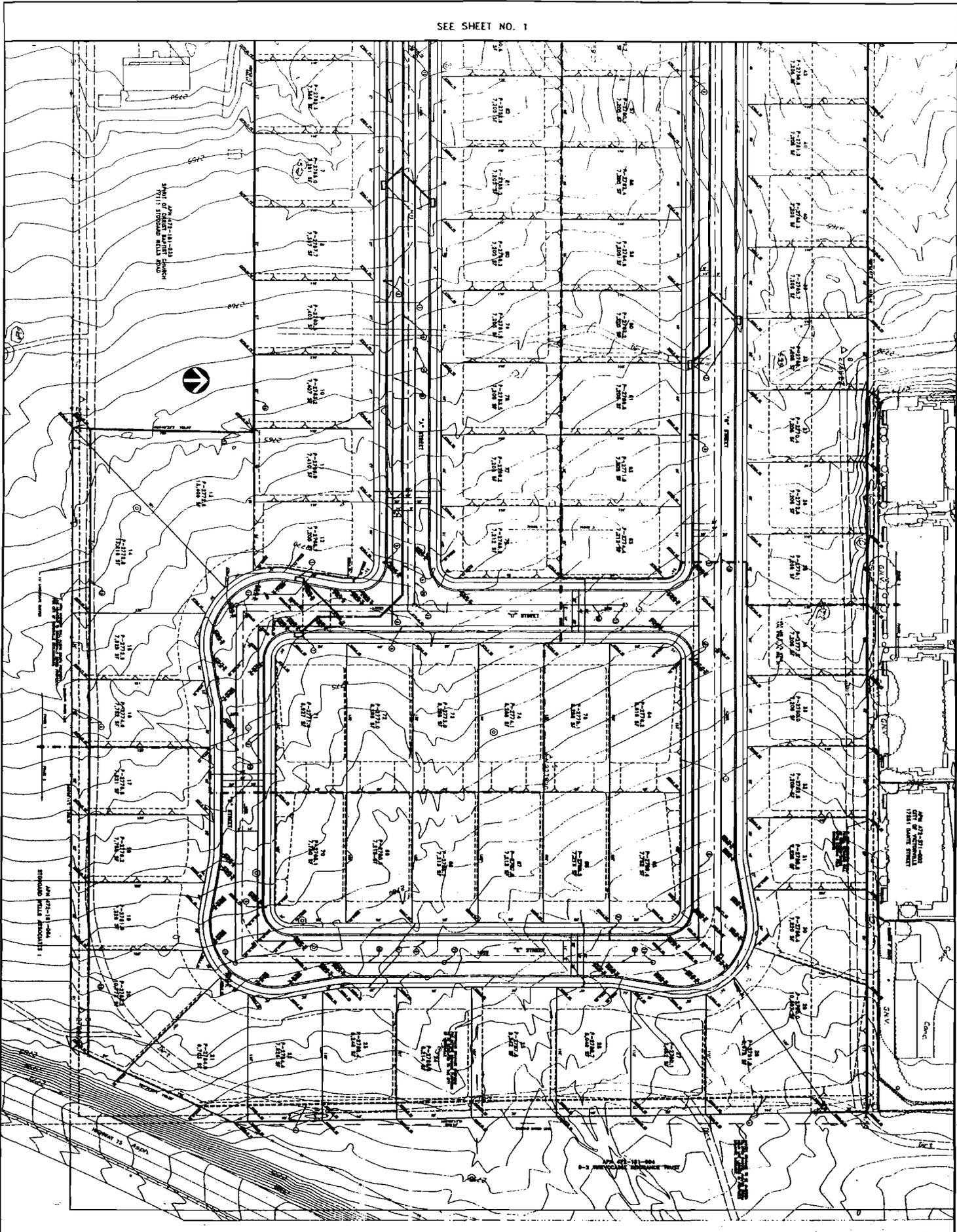
**Reference:** Public Resources Code Sections 21080(c), 21080.1, 21083, 21083.3, 21093, 21094, 21151; *Sundstrum v. County of Mendocino*, 202 CalApp 3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, 222 CalApp 3d 1337 (1990).

**REFERENCES**

- 1. 1997 City of Victorville General Plan Land Use Element.
- 2. City of Victorville Official Zoning Map.
- 3. 1997 City of Victorville General Plan Resource Element.
- 4. Aerial photos of the City of Victorville.
- 5. United States Soil Conservation Service *Soil Survey of San Bernardino County, California*.
- 6. 1997 City of Victorville General Plan Housing Element.
- 7. California Department of Finance Demographic Research Unit Report E-5, January 1, 1999.
- 8. 1997 City of Victorville General Plan Safety Element.
- 9. Latest adopted version of the Uniform Building Code.
- 10. Flood Insurance Rate Map, Community Number 065068, Effective Date March 18, 1996, Federal Emergency Management Agency
- 11. TT-06-073 application filed November 22, 2006.
- 12. 1991 Uniform Fire Code.
- 13. Personal communication with Christian Ihenacho, Supervising Air Quality Planner, Mojave Desert Air Quality Management District on August 30, 1993.
- 14. 1997 City of Victorville General Plan Circulation Element.
- 15. United States Bureau of Land Management California Desert Conservation Area, 1988.
- 16. Chapter 13.33 of the Victorville Municipal Code.
- 17. 1997 City of Victorville General Plan Noise Element.
- 18. Victorville Municipal Code Buildings, and Construction Ordinance, Chapter 15.04.
- 19. Victorville Municipal Code, Chapter 18.16.
- 20. Victorville Municipal Code, Chapter 6.30.



SEE SHEET NO. 1

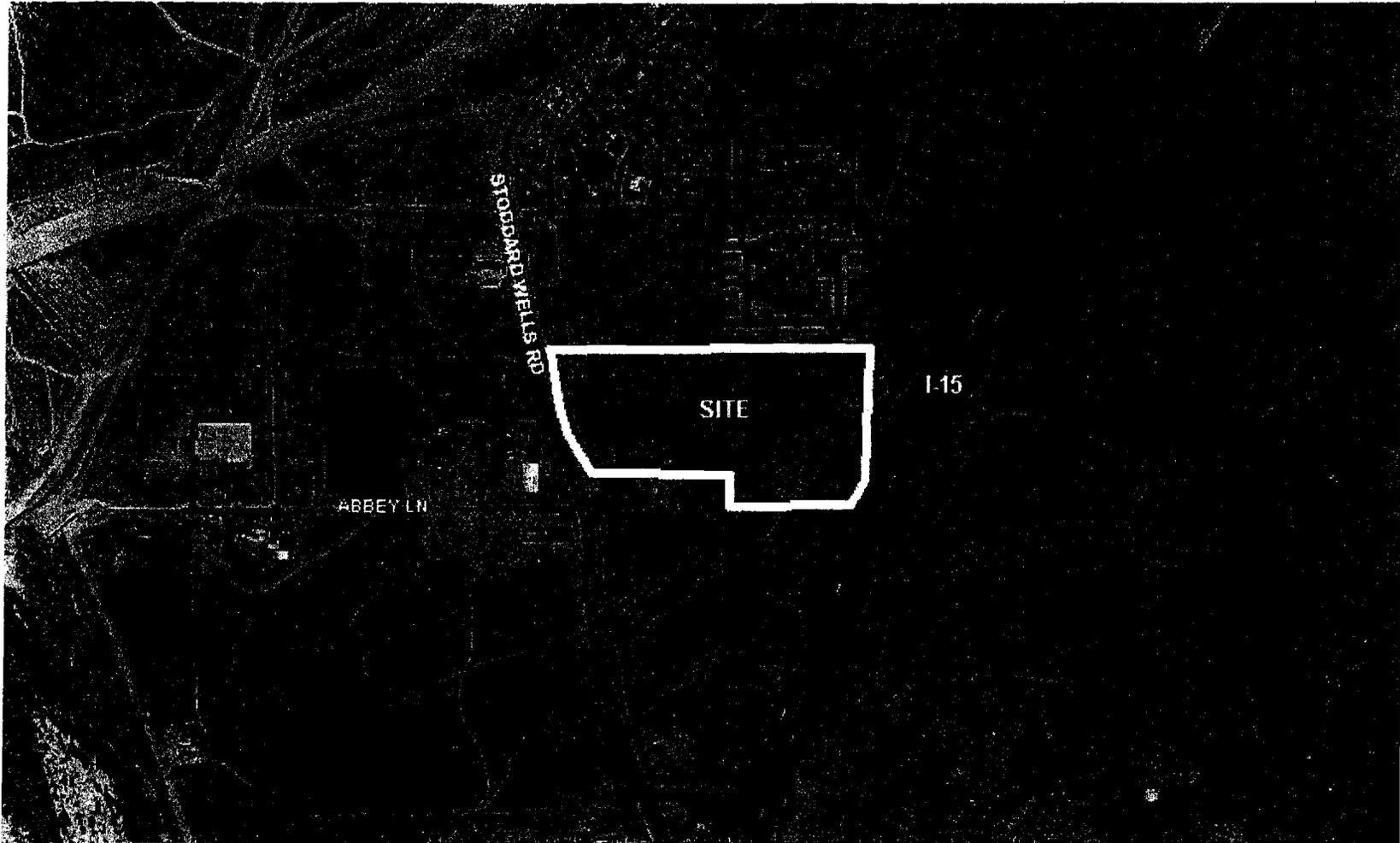


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DESIGNED	
PROJECT NO.	
SCALE	
DATE	

**RESIDENTIAL DEVELOPMENT**  
**STODDARD WELLS ROAD**  
**VICTORVILLE, CALIFORNIA**  
**TENTATIVE TRACT MAP NO. 16715**

NO.	DESCRIPTION	DATE
1		
2		
3		
4		
5		

**Construction Resources Group, Inc.**  
 Construction, Design and Consulting Services  
 35925 County Park Drive Wilkerson, CA 92595  
 Tel: (909)996-3052 Fax: (909)996-2709



Tentative Tract Time Extension TT-06-073

SE NO **TT-06-073**  
 Parcel **472-181-053**

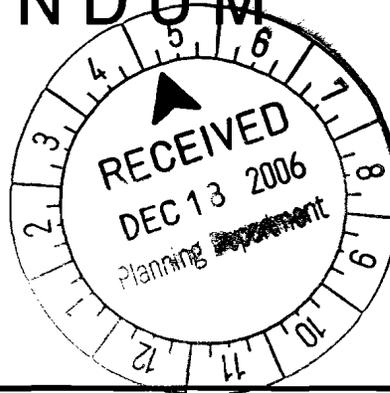
**AGENCY CHECKLIST**

Environmental Assessment  
 Needed   
 Class \_\_\_ Exemption

AGENCY LETTERS TO BE SENT TO:	Sent	Rec'd		Sent	Rec'd
Engineering Department	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Ad Hoc Committees</b>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Golden Mesa	<input type="checkbox"/>	<input type="checkbox"/>
Community Services Department	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Golden Triangle	<input type="checkbox"/>	<input type="checkbox"/>
Development Department – Building Div.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Green Tree East	<input type="checkbox"/>	<input type="checkbox"/>
Victorville Redevelopment Agency	<input type="checkbox"/>	<input type="checkbox"/>	Old Town VV Property Owners	<input type="checkbox"/>	<input type="checkbox"/>
City Manager	<input type="checkbox"/>	<input type="checkbox"/>	Raintree	<input type="checkbox"/>	<input type="checkbox"/>
Police Department	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	South Central #4	<input type="checkbox"/>	<input type="checkbox"/>
Finance Department (Sanitation)	<input type="checkbox"/>	<input type="checkbox"/>	Tatum	<input type="checkbox"/>	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Information Services	<input type="checkbox"/>	<input type="checkbox"/>			
Verizon California, Inc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	City of Hesperia	<input type="checkbox"/>	<input type="checkbox"/>
Southwest Gas Corporation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	City of Adelanto	<input type="checkbox"/>	<input type="checkbox"/>
Southern California Edison	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Town of Apple Valley	<input type="checkbox"/>	<input type="checkbox"/>
Victor Valley Water District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mojave Regional Economic Dev. Council	<input type="checkbox"/>	<input type="checkbox"/>
Valley Mesa Water District	<input type="checkbox"/>	<input type="checkbox"/>	Victor Valley Board of Realtors	<input type="checkbox"/>	<input type="checkbox"/>
Hesperia Water District	<input type="checkbox"/>	<input type="checkbox"/>	Building Industries Association	<input type="checkbox"/>	<input type="checkbox"/>
County Service Area 64	<input type="checkbox"/>	<input type="checkbox"/>	High Desert Council of Engineering	<input type="checkbox"/>	<input type="checkbox"/>
Mojave Water Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Archaeological Information Center	<input type="checkbox"/>	<input type="checkbox"/>
Charter Communications	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Local Agency Formation Commission (LAFCO)	<input type="checkbox"/>	<input type="checkbox"/>
			Southern California Logistics Airport	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Victor Elementary School District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Victorville Chamber of Commerce	<input type="checkbox"/>	<input type="checkbox"/>
VV Union High School District	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Adelanto Elementary School District	<input type="checkbox"/>	<input type="checkbox"/>	<b>Indian Tribes</b>		
Arrowline Joint Unified School District	<input type="checkbox"/>	<input type="checkbox"/>	Morongo Band of Mission Indians	<input type="checkbox"/>	<input type="checkbox"/>
Hesperia Unified School District	<input type="checkbox"/>	<input type="checkbox"/>	San Fernando Band of Mission Indians	<input type="checkbox"/>	<input type="checkbox"/>
Victor Valley College	<input type="checkbox"/>	<input type="checkbox"/>	San Manuel Band of Mission Indians	<input type="checkbox"/>	<input type="checkbox"/>
Victor Valley Wastewater Reclamation Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Serrano Band of Indians	<input type="checkbox"/>	<input type="checkbox"/>
Surrtec Waste Industries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Projects over 50,000 square feet</b>		
U.S. Post Office	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Briggs Law Corporation	<input type="checkbox"/>	<input type="checkbox"/>
Valtrans	<input type="checkbox"/>	<input type="checkbox"/>	Ed Smith	<input type="checkbox"/>	<input type="checkbox"/>
Department of Fish and Game	<input type="checkbox"/>	<input type="checkbox"/>	Sierra Club	<input type="checkbox"/>	<input type="checkbox"/>
Shontan Water Quality Control Board	<input type="checkbox"/>	<input type="checkbox"/>			
Flood Control District	<input type="checkbox"/>	<input type="checkbox"/>			
Mojave Desert Air Quality Management District	<input type="checkbox"/>	<input type="checkbox"/>	<b>Development Agreements</b>		
County Transportation	<input type="checkbox"/>	<input type="checkbox"/>	Century-Crowell – Foxfire	<input type="checkbox"/>	<input type="checkbox"/>
County Health Department	<input type="checkbox"/>	<input type="checkbox"/>	Inco Homes – Mesa Verde; Vista Verde	<input type="checkbox"/>	<input type="checkbox"/>
County Planning Department	<input type="checkbox"/>	<input type="checkbox"/>	Pacific Bay – Brentwood	<input type="checkbox"/>	<input type="checkbox"/>
County Solid Waste Management Department	<input type="checkbox"/>	<input type="checkbox"/>	Southdown – Southwestern Industrial Park	<input type="checkbox"/>	<input type="checkbox"/>

# MEMORANDUM

DATE December 18, 2006  
FROM John A. McGladrey  
City Engineer  
TO Bill Webb  
Director of Development



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SUBJECT **TENTATIVE TRACT TT-06-073, Advanced Home Builders Inc.**  
**(Time extension of TT-03-043, Tract 16715)**

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The captioned Tentative Tract is in conflict with plans provided by Caltrans for the relocated Stoddard Wells Road / I-15 Interchange Project.

The Engineering Department recommends that the applicant work with Caltrans for any project submitted on this site.

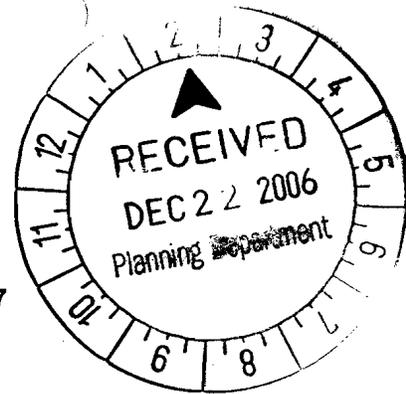
JAMc:MRM:mrm

December 21, 2006

John Becker, Fire Chief  
Bill Webb, Director of Development

**PLANNING COMMISSION MEETING – JANUARY 10, 2007**

Page 2



**TT-06-073 (TRACT 16715)**

**Conditions:**

The Fire Department recommends that the following conditions be attached to the subject Tentative Tract:

- Approved water supply system, complete with fire hydrants complying with Fire Department Standard No. 5, shall be in place prior to any combustible construction.
- Fencing shall not obstruct Fire Department access to fire hydrants.
- Paved access from 2 points shall be required for completion and occupancy. Plans shall be submitted and approved prior to construction commencement.
- Whenever construction phasing creates dead-end streets greater than 150' in length, temporary turnarounds complying with Fire Department Standard No. 1 shall be provided. Any street exceeding 500' will require paved secondary access.
- Due to extended response time, residential sprinkler systems may be required for development of this tract.

**Comments:**

Development of this project will significantly increase the call volume for Engine 312.

Estimated response time 10 minutes.

Fire Department unable to provide a timely response to this area.

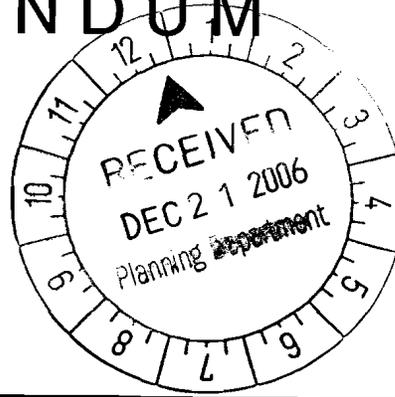
If approved, the City's overall ISO rating could be impacted, resulting in higher insurance rates.

Responses to this area will remove apparatus from the core area of the City, possibly delaying responses to other areas.

This area is outside the ISO Class "3" Area.

# MEMORANDUM

DATE December 19, 2006  
FROM Jon E. Gargan  
Director of Community Services  
TO Bill Webb  
Director of Planning and Development



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SUBJECT **PLANNING COMMISSION MEETING OF JANUARY 10, 2007**

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Case No.: TT-06-073                      Tract 16715  
Applicant: Advanced Home Builders, Inc.

- The Community Services Department has no comments at this time regarding the above-referenced project.
  
- All Landscape and Drainage Maintenance Assessment Districts must meet the requirements as described in the Community Services Department's LMAD and DFAD Specification and Details Booklet.

Should you have any questions regarding the above responses, please contact me or Becky Wasserman at extension 5275.

Submitted by: Ray Salberg   
Golf Course and Grounds Manager

JEG:RAS:bw

# MEMORANDUM



DATE: December 20, 2006

FROM: Kevin Collins, Plan Check Manager, CBO  
Development Department, Building Division 

TO: Development Department, Planning Division

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SUBJECT: Tentative Tract (Time Extension) TT-06-073  
Advanced Home Builders, Inc., Parcel No. 0472-181-53

---

In response to your Request for Comments for the upcoming Planning Commission meeting on January 10, 2007, listed below are comments with regard to the above-entitled matter:

The Building Division has no comments at this time.

KMC;sk



# MEMORANDUM

DATE December 19, 2006  
FROM **MARK A. TAYLOR**, Chief  
Police Department  
TO **BILL WEBB**, Director of Development  
Development Department



---

SUBJECT **REQUEST FOR COMMENTS – PLANNING COMMISSION**

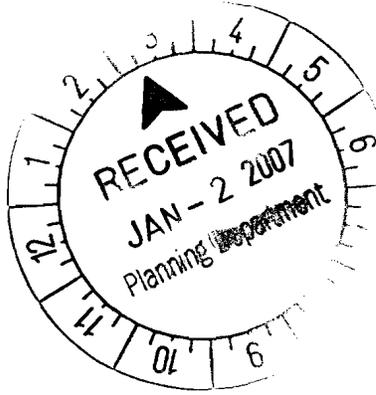
---

As per your request dated December 14, 2006, the Police Department has no adverse comments regarding any of the cases to be heard at the upcoming Planning Commission Meeting on January 10, 2007.

If you have any further questions regarding my position with the above planning commission issues, please contact me at the earliest convenience.

MAT/KL/acr

SP-06-111	CUP-06-077
TT-06-073	SP-06-117
SP-06-112	SP-06-116
TT-06-076	CUP-06-078
GPA-07-001 (A)	SP-06-114
ZC-06-034	SP-06-115
GPA-07-001 (B)	ZC-06-032
ZC-06-033	
TT-06-074	



December 21, 2006

City of Victorville  
14343 Civic Drive  
Victorville, CA 92392-2399

Attention: John Dubasik  
Planning Department

Subject: Tract Map No. 16715  
APN0472-181-53

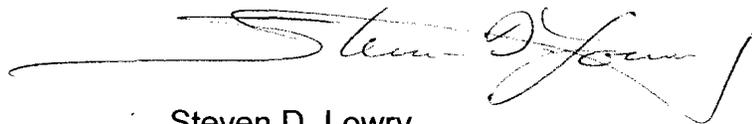
*TI-06-073*

Please be advised that the division of the property shown on Tract Map No. 16715 will not unreasonably interfere with the free and complete exercise of any easements and/or facilities held by Southern California Edison Company within the boundaries of said map.

This letter should not be construed as a subordination of the Company's rights, title and interest in and to said easement(s), nor should this letter be construed as a waiver of any of the provisions contained in said easement(s) or a waiver of costs for relocation of any affected facilities.

In the event that the development requires relocation of facilities, on the subject property, which facilities exist by right of easement or otherwise, the owner/developer will be requested to bear the cost of such relocation and provide Edison with suitable replacement rights. Such costs and replacement rights are required prior to the performance of the relocation.

If you have any questions, or need additional information in connection with the subject subdivision, please contact me at (714) 934-0808.



Steven D. Lowry  
Title and Real Estate Services  
Corporate Real Estate Department



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 15, 2007

**SUBMITTED BY:** Adair M. Patterson *AP*  
Director of Finance

**DATE:** April 25, 2007

**SUBJECT:** **COMMERCIAL DEMAND SCHEDULE**

**RECOMMENDATION:** That the Honorable City Council approve Commercial Demand Schedule No. 19 in the amount of \$4,862,368.53 covering Warrant Nos. 579868, 580328, 581698, 582524, 586093 and 586821 through 587156 inclusive.

**FISCAL IMPACT:** Total amount of warrants: \$4,862,368.53

Budget Amount: \$4,862,368.53  
Budget Account No. Various

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

No

Yes/\$Amount:  
Finance Director Review &  
Approval *AP*

**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

Attachment - Commercial Demand Schedule



Report ID: VVPOS2-SUM.rpt

Commercial Demand

Table with 6 columns: Check No., Date, Vendor, Payment Status, Payment Amount. Contains 90 rows of payment data including vendors like Ticor Title Company, Silva, Francisco, and various service providers.



Table with 6 columns: Check No., Date, Vendor, Payment Status, Payment Amount. Contains 50 rows of payment data.



Table with 6 columns: Check No., Date, Vendor, Payment Status, Payment Amount. Contains 90 rows of payment data.



<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
586977	4/25/2007	0000013729 Spinka, Dave	P	200.00
586978	4/25/2007	0000012400 Sunset Builders	P	11,732.40
586979	4/25/2007	0000016854 Tsai, Mindy	P	313.60
586980	4/25/2007	0000015488 Vincent, Thomas E.	P	1,716.05
586981	4/25/2007	0000016522 Victor Valley College	P	50.00
586982	4/25/2007	0000002505 Victorville Disposal, Inc.	P	563,423.82
586983	4/25/2007	0000002506 Victorville Firemen's Association	P	699.31
586984	4/25/2007	0000000198 City of Victorville, Cash	P	141.63
586985	4/25/2007	0000002504 City of Victorville Sanitation	P	149.95
586986	4/25/2007	0000002504 City of Victorville Sanitation	P	25.03
586987	4/25/2007	0000009136 Water Education Foundation	P	50.00
586988	4/25/2007	0000010340 Woodside Homes	P	27,253.60
586989	4/25/2007	0000010340 Woodside Homes	P	4,464.81
586990	4/25/2007	0000010340 Woodside Homes	P	40,033.98
586991	4/25/2007	0000010340 Woodside Homes	P	12,409.24
586992	4/25/2007	0000010340 Woodside Homes	P	30,748.46
586993	4/25/2007	0000010340 Woodside Homes	P	4,464.73
586994	4/25/2007	0000010340 Woodside Homes	P	40,033.98
586995	4/25/2007	0000016730 Young, Gerald	P	62.07
<b>Check Total:</b>				<u>2,539,595.46</u>



Report ID: VVPOS2-SUM.rpt

Commercial Demand

Check No.	Date	Vendor	Payment Status	Payment Amount
586996	4/25/2007	0000000006 A & L Builders Supply	P	55.78
586997	4/25/2007	0000000047 Aardvark Pumping Service	P	50.39
586998	4/25/2007	0000007343 Abrego, Tamala S	P	106.16
586999	4/25/2007	0000010190 Aircraft Marketing, Inc.	P	133,333.32
587000	4/25/2007	0000010965 Albert Grover & Associates	P	14,672.00
587001	4/25/2007	0000013354 American Rotary Broom Co.	P	2,389.39
587002	4/25/2007	0000016799 AmeriPride Uniform Services	P	167.30
587003	4/25/2007	0000000191 Applied Industrial Tech	P	45.41
587004	4/25/2007	0000012801 Arzola, Mary Ann	P	135.70
587005	4/25/2007	0000016359 AT Systems Security Inc.	P	1,750.73
587006	4/25/2007	0000000038 AT&T	P	19.76
587007	4/25/2007	0000000038 AT&T	P	63.39
587008	4/25/2007	0000000172 Apple Valley Blueprint	P	88.14
587009	4/25/2007	0000000270 Bankcard Services	P	1,191.77
587010	4/25/2007	0000000290 Battery Mart	P	44.10
587011	4/25/2007	0000000312 Best, Best & Krieger	P	8,066.77
587012	4/25/2007	0000016226 Bluewater Energy Solutions, Inc.	P	90,367.22
587013	4/25/2007	0000000456 Calcon Electric Supply	P	56.63
587014	4/25/2007	0000000792 State of California Franchise Tax Board	P	136.48
587015	4/25/2007	0000013383 Cal-State Rent A Fence, Inc.	P	2,317.00
587016	4/25/2007	0000010029 CA Shopping Cart Retrieval	P	699.00
587017	4/25/2007	0000006067 Causey's Heating & Air-Conditioning	P	95.00
587018	4/25/2007	0000005967 Century Forms, Inc.	P	35.75
587019	4/25/2007	0000000425 C.H.J. Incorporated	P	4,302.50
587020	4/25/2007	0000000662 The Counseling Team International	P	950.00
587021	4/25/2007	0000003901 Creative Benefits, Inc.	P	228.00
587022	4/25/2007	0000003901 Creative Benefits, Inc.	P	2,336.50
587023	4/25/2007	0000000712 Daily Press	P	2,197.68
587024	4/25/2007	0000004407 Deery American Corp	P	9,363.52
587025	4/25/2007	0000000743 Dell Marketing L.P.	P	344.76
587026	4/25/2007	0000002977 Theresa M. Dickover	P	181.85
587027	4/25/2007	0000000848 Earthlink Network, Inc.	P	19.95
587028	4/25/2007	0000007289 EDFUND	P	282.89
587029	4/25/2007	0000000875 Endura Steel, Inc.	P	75.11
587030	4/25/2007	0000012508 Environmental Systems Research Institu	P	950.00
587031	4/25/2007	0000017433 Environmental Planning Consultants	P	1,806.28
587032	4/25/2007	0000013349 Epic Land Solutions, Inc.	P	29,288.88
587033	4/25/2007	0000000917 Federal Express Corp.	P	49.18
587034	4/25/2007	0000011539 Ferguson Enterprises, Inc. #677	P	255.14
587035	4/25/2007	0000001740 G.A. Osborne Pipe-Supply	P	14.28
587036	4/25/2007	0000001943 Goodspeed Distributing, Inc.	P	21,963.47
587037	4/25/2007	0000001063 Goodyear Service Store	P	1,152.61
587038	4/25/2007	0000006956 GreenField Compression, Inc.	P	10,985.00
587039	4/25/2007	0000002968 The Grumpy Golfer	P	1,519.28
587040	4/25/2007	0000001100 H & E Home Builders	P	290.15
587041	4/25/2007	0000000278 Hi Desert Alarm	P	953.00
587042	4/25/2007	0000001162 Hi-Desert Communications	P	95.00
587043	4/25/2007	0000004221 Hi Desert Plan Room	P	96.92
587044	4/25/2007	0000001184 High Desert Laser Graphics	P	107.05
587045	4/25/2007	0000001194 Hightech Signs	P	145.46
587046	4/25/2007	0000001218 Home Depot, Inc.	P	728.78
587047	4/25/2007	0000014600 Iteris	P	136,594.68
587048	4/25/2007	0000001318 J & L Windshield Repair	P	49.00



Commercial Demand

Check No.	Date	Vendor	Payment Status	Payment Amount
587049	4/25/2007	0000017309 LawnCare Landscaping	P	19,423.07
587050	4/25/2007	0000010660 Loveland's Automotive Service	P	110.00
587051	4/25/2007	0000005237 Matthew Bender & Co. Inc.	P	4,701.60
587052	4/25/2007	0000001548 McMaster-Carr Supply Co.	P	280.55
587053	4/25/2007	0000017436 MK Diamond Products, Inc.	P	942.21
587054	4/25/2007	0000010969 Musco Sports Lighting, LLC	P	800.00
587055	4/25/2007	0000008713 MW Peltz & Associates	P	10,800.00
587056	4/25/2007	0000001648 NAPA Auto Parts	P	1,337.07
587057	4/25/2007	0000001711 Office Depot	P	1,597.83
587058	4/25/2007	0000002772 OfficeMax	P	102.14
587059	4/25/2007	0000016887 Office Works	P	60.49
587060	4/25/2007	0000002700 Osterbauer Compressor Service, Inc.	P	3,477.98
587061	4/25/2007	0000001789 Parkhouse Tire, Inc.	P	645.69
587062	4/25/2007	0000017095 PB Americas, Inc.	P	8,710.00
587063	4/25/2007	0000014218 Property Specialists	P	4,456.25
587064	4/25/2007	0000016244 PTL Electric, Inc.	P	357.50
587065	4/25/2007	0000001892 Pulmonary Consultants	P	495.00
587066	4/25/2007	0000005711 Quiel Bros.	P	52,775.50
587067	4/25/2007	0000004834 Radio Shack	P	148.42
587068	4/25/2007	0000001930 Rancho Motor Company	P	219.06
587069	4/25/2007	0000016877 Riverside Construction Co., Inc.	P	400,266.54
587070	4/25/2007	0000006401 Robbins Upholstery Service	P	1,111.46
587071	4/25/2007	0000013956 Rogers-Quinn Construction	P	118,559.18
587072	4/25/2007	0000001983 Rono Company	P	517.20
587073	4/25/2007	0000007912 SBC Sheriff's Court Serv.	P	400.40
587074	4/25/2007	0000002071 San Bernardino Co Solid Waste	P	1,651.43
587075	4/25/2007	0000012812 Selltech - Compressor Pump & Engine 1	P	600.42
587076	4/25/2007	0000007647 Signature Signs	P	2,229.60
587077	4/25/2007	0000016524 Silva, Francisco	P	50.00
587078	4/25/2007	0000017447 Simpler Life Emergency Provisions	P	113.31
587079	4/25/2007	0000002188 Southern California Edison	P	6,411.27
587080	4/25/2007	0000014499 Southern California Fleet Services	P	150.00
587081	4/25/2007	0000017439 Srixon Sports USA, Inc.	P	416.20
587082	4/25/2007	0000002227 Staples Credit Plan	P	254.73
587083	4/25/2007	0000002234 The State Chemical Manufacturing, Co.	P	522.37
587084	4/25/2007	0000016245 State Disbursement Unit	P	2.00
587085	4/25/2007	0000007039 Stoodly Industrial & Welding Supply, In	P	14.55
587086	4/25/2007	0000002269 Sunland Ford	P	682.28
587087	4/25/2007	0000002322 Tempo	P	865.08
587088	4/25/2007	0000003171 Tennis & Trophy World	P	201.50
587089	4/25/2007	0000010452 Ticor Title Company of California	P	60.47
587090	4/25/2007	0000009127 Timberline Locksmith	P	77.58
587091	4/25/2007	0000011234 Tire Industry Association	P	75.00
587092	4/25/2007	0000005122 Tolar Mfg. Co. Inc.	P	2,138.84
587093	4/25/2007	0000002372 Transwest Ford Truck Sales	P	51.21
587094	4/25/2007	0000004246 Truesdail Laboratories, Inc.	P	59.00
587095	4/25/2007	0000014613 UniFirst Corporation	P	115.95
587096	4/25/2007	0000002426 United Parcel Service	P	36.67
587097	4/25/2007	0000002430 United Way Desert Communities	P	45.00
587098	4/25/2007	0000002462 Valley Sporting Goods	P	125.31
587099	4/25/2007	0000002472 Vern's Mobile Glass	P	216.00
587100	4/25/2007	0000017450 Victory Christian Center	P	15.00
587101	4/25/2007	0000017127 Vista Performance Group, LLC	P	7,150.00
587102	4/25/2007	0000002443 VVCE, Inc.	P	2,925.00



<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
587103	4/25/2007	0000002507 Victorville Professional Firefighters	P	2,490.28
587104	4/25/2007	0000002499 Victor Valley Water District	P	2,448.54
587105	4/25/2007	0000017164 Walters Power International, LLC	P	36,092.36
587106	4/25/2007	0000011361 Walters Wholesale Electric Co.	P	2,317.83
587107	4/25/2007	0000002554 Waxie Sanitary Supply	P	1,970.88
587108	4/25/2007	0000005219 WCS Dist.	P	151.80
587109	4/25/2007	0000017116 WEB Auto Parts	P	4.99
587110	4/25/2007	0000002579 Western Outdoor Power Equipment Co.	P	168.98
587111	4/25/2007	0000002603 Willdan, Inc.	P	37,440.00
587112	4/25/2007	0000002632 Xerox Corporation	P	182.78
587113	4/25/2007	0000002632 Xerox Corporation	P	3,813.64
587114	4/25/2007	0000015445 Abuan, Anna L.	P	137.20
587115	4/25/2007	0000017449 A.N.E. Enterprises, Inc.	P	50.00
587116	4/25/2007	0000012751 Atkins, Lela	P	296.00
587117	4/25/2007	0000017158 Community Action Partnership of SB C	P	65.00
587118	4/25/2007	0000003095 CSFA	P	30.00
587119	4/25/2007	0000014605 Cunningham-Stevenson, Katrina	P	98.00
587120	4/25/2007	0000015316 Dalin, Kyra	P	913.50
587121	4/25/2007	0000008506 DEO Enterprises	P	9,048.32
587122	4/25/2007	0000014843 Duncan, Penny L.	P	140.00
587123	4/25/2007	0000015258 Fitzgerald-Gutierrez, Jennifer M.	P	283.50
587124	4/25/2007	0000012566 Guerra Fencing Studio	P	395.50
587125	4/25/2007	0000016063 Hamilton-Yates, Carla	P	72.00
587126	4/25/2007	0000001115 Hand of Wisdom	P	192.50
587127	4/25/2007	0000015312 Hilton	P	843.97
587128	4/25/2007	0000012403 Holder, Diane	P	143.50
587129	4/25/2007	0000013828 Jauss, George	P	279.13
587130	4/25/2007	0000015906 Jomaa, Walid	P	565.25
587131	4/25/2007	0000014941 LSI	P	92.98
587132	4/25/2007	0000015310 McBride, Susan L.	P	244.00
587133	4/25/2007	0000013881 Munn-Arvinger, Lee	P	626.50
587134	4/25/2007	0000015817 Nelson, Lisa	P	378.00
587135	4/25/2007	0000016606 Nichols, Lester E., III	P	159.00
587136	4/25/2007	0000017435 Padilla, Jessica	P	227.50
587137	4/25/2007	0000017451 Plasting, Christine	P	100.00
587138	4/25/2007	0000013879 Riding, Paul	P	115.50
587139	4/25/2007	0000011023 RK Gott's Tumbling	P	1,979.78
587140	4/25/2007	0000010792 Roberts, Jon	P	57.45
587141	4/25/2007	0000013956 Rogers-Quinn Construction	P	1,067,032.64
587142	4/25/2007	0000014515 Sauve, Jaime	P	1,659.00
587143	4/25/2007	0000002037 San Bernardino County	P	32.00
587144	4/25/2007	0000014902 Seishin Shotokan Karate, Inc.	P	469.00
587145	4/25/2007	0000010797 Southland Title	P	72.16
587146	4/25/2007	0000015270 Tebbetts-Wallace, Roberta	P	854.06
587147	4/25/2007	0000015270 Tebbetts-Wallace, Roberta	P	854.05
587148	4/25/2007	0000015270 Tebbetts-Wallace, Roberta	P	919.74
587149	4/25/2007	0000002477 Victor Valley African American Chamb	P	1,000.00
587150	4/25/2007	0000012141 Wicker, Tina	P	819.00
587151	4/25/2007	0000002818 Craig Willhite's Instruction	P	591.08



Report ID: VVPOS2-SUM.rpt

City of Victorville Accounts Payable

**Commercial Demand**

Page No. 4  
Run Date 25.Apr.2007  
Run Time 12:49:47 PM

<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
			<b>Check Total:</b>	<u>2,321,683.91</u>



Report ID: VVPOS2-SUM.rpt

Commercial Demand

<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>		<u>Payment Status</u>	<u>Payment Amount</u>
587152	4/25/2007	0000013841	Allied Utility Products	P	89.21
587153	4/25/2007	0000000917	Federal Express Corp.	P	15.95
587154	4/25/2007	0000002924	Cales, Brandon	P	912.00
587155	4/25/2007	0000002037	San Bernardino County	P	48.00
587156	4/25/2007	0000002037	San Bernardino County	P	24.00
<b>Check Total:</b>					<u>1,089.16</u>



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 15, 2007

SUBMITTED BY: Adair Patterson *AP*  
Director of Finance

DATE: April 27, 2007

SUBJECT: PAYROLL WARRANT LIST

RECOMMENDATION: That the Honorable City Council approve Payroll Demand Schedule No. 10B, for Payroll Period April 7, 2007 through April 20, 2007, in the amount of \$1,268,797.99 covering Warrant Nos. 21520 through 21569 and Advice Nos. 113410 through 113986 inclusive and void of Advice No. 112930.

FISCAL IMPACT: Payroll gross total amount  
\$1,268,797.99

Budget Amount: \$1,268,797.99  
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 *AP*

*Adair Patterson*  
\_\_\_\_\_  
DIRECTOR OF FINANCE

AMP/hdk

Attachment - Payroll Warrant List



# City of Victorville

Date: 04/27/07

City Council Payroll Report  
Payroll Period Ending: April 20, 2007

<u>Employee Number</u>	<u>Check #</u>	<u>Total Gross</u>	<u>Check Date</u>
1417	113706	1,762.69	4/27/2007
2541	21550	844.14	4/27/2007
2396	113860	968.10	4/27/2007
1515	21529	1,836.54	4/27/2007
2505	21530	1,562.85	4/27/2007
2501	113568	1,954.23	4/27/2007
1871	113498	1,836.54	4/27/2007
2550	21553	844.14	4/27/2007
2052	113861	472.50	4/27/2007
1883	113931	2,208.54	4/27/2007
2528	21554	754.61	4/27/2007
1970	113601	1,727.15	4/27/2007
2542	21555	818.56	4/27/2007
1305	113932	2,910.74	4/27/2007
2457	113846	735.43	4/27/2007
1097	113602	2,080.23	4/27/2007
1169	113499	1,836.54	4/27/2007
2535	113862	818.56	4/27/2007
1353	113500	1,836.54	4/27/2007
1024	113521	2,937.77	4/27/2007
1005	113431	2,037.31	4/27/2007
2402	113863	389.38	4/27/2007
2537	21551	940.07	4/27/2007
2432	113864	486.02	4/27/2007
2548	21556	70.00	4/27/2007
1007	113432	3,757.00	4/27/2007
2473	113782	1,745.32	4/27/2007
1063	113419	1,836.54	4/27/2007
2357	113468	1,762.69	4/27/2007
1746	113707	2,362.69	4/27/2007
1258	113865	818.56	4/27/2007
2506	113821	137.95	4/27/2007
2354	113501	1,836.54	4/27/2007
1853	113783	2,690.85	4/27/2007
1025	113708	2,312.85	4/27/2007
1520	113603	2,554.31	4/27/2007
2343	113866	818.56	4/27/2007
2326	113847	818.56	4/27/2007
1026	113709	1,954.23	4/27/2007
1949	113490	2,690.85	4/27/2007
2043	113502	2,466.54	4/27/2007
2405	113867	525.00	4/27/2007
2484	21543	249.92	4/27/2007
1061	113420	3,843.31	4/27/2007
2210	113690	4,531.85	4/27/2007
1244	113933	3,142.23	4/27/2007
1099	113604	3,115.99	4/27/2007
1170	113503	5,684.85	4/27/2007
1457	113433	2,520.54	4/27/2007

1027	113710	1,954.23	4/27/2007
2538	113848	818.56	4/27/2007
2329	113868	818.56	4/27/2007
2384	113849	716.24	4/27/2007
1078	113569	3,331.49	4/27/2007
1727	113605	2,199.27	4/27/2007
1243	113934	2,860.23	4/27/2007
1187	113935	3,285.31	4/27/2007
1101	113606	2,570.32	4/27/2007
1966	113711	1,739.01	4/27/2007
2157	113712	1,437.73	4/27/2007
1849	113522	4,102.95	4/27/2007
1212	21567	3,073.00	4/27/2007
2092	113523	2,690.85	4/27/2007
1699	113869	805.77	4/27/2007
1497	113607	2,466.54	4/27/2007
1739	113937	2,509.46	4/27/2007
2475	113820	617.05	4/27/2007
2079	113822	71.68	4/27/2007
2429	113823	17.92	4/27/2007
1261	21557	818.56	4/27/2007
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1697	113469	3,070.69	4/27/2007
2192	113608	1,562.85	4/27/2007
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1103	113609	2,263.92	4/27/2007
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2377	113713	1,562.85	4/27/2007
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1227	21568	3,843.31	4/27/2007
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2499	113526	2,362.69	4/27/2007
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2341	113484	2,726.57	4/27/2007
2524	113672	1,562.85	4/27/2007
2128	113554	1,626.08	4/27/2007
2009	113753	1,626.08	4/27/2007
1091	113427	11,657.62	4/27/2007
2114	113555	3,003.31	4/27/2007
1950	113428	5,379.46	4/27/2007
2096	113754	1,562.85	4/27/2007
1338	113673	2,574.22	4/27/2007
1145	113674	3,139.46	4/27/2007
2313	113911	306.96	4/27/2007
2229	113556	1,562.85	4/27/2007
2418	113912	43.75	4/27/2007
2320	113856	818.56	4/27/2007
1751	113463	3,511.00	4/27/2007
2434	113913	856.93	4/27/2007
1146	113675	2,231.19	4/27/2007
2519	113839	17.92	4/27/2007
1147	113676	2,312.85	4/27/2007
2393	113914	869.72	4/27/2007

1626	113755	3,882.00	4/27/2007
2380	21564	920.88	4/27/2007
1048	113756	3,757.00	4/27/2007
2491	113464	2,206.19	4/27/2007
1342	21528	2,905.00	4/27/2007
2060	113915	157.50	4/27/2007
1049	113757	2,312.85	4/27/2007
2235	113465	2,037.31	4/27/2007
2465	21535	1,634.29	4/27/2007
1964	113677	2,811.31	4/27/2007
1452	113485	3,798.00	4/27/2007
2117	113557	2,652.06	4/27/2007
1938	113916	263.38	4/27/2007
2300	113466	1,954.23	4/27/2007
2374	113594	2,905.00	4/27/2007
2479	113816	999.68	4/27/2007
2428	21548	232.96	4/27/2007
2459	113678	1,502.35	4/27/2007
2435	113840	26.88	4/27/2007
1181	113978	2,940.08	4/27/2007
2002	113558	1,914.08	4/27/2007
1843	113841	310.40	4/27/2007
2249	113559	2,362.69	4/27/2007
1904	113679	2,263.92	4/27/2007
2027	113801	1,952.05	4/27/2007
2352	113517	1,762.69	4/27/2007
1859	113802	5,884.85	4/27/2007
1959	113758	2,007.81	4/27/2007
2054	113496	2,362.69	4/27/2007
1328	113979	2,797.92	4/27/2007
1862	113842	413.86	4/27/2007
2038	113759	1,692.53	4/27/2007
1152	113680	4,721.62	4/27/2007
1051	113760	2,509.31	4/27/2007
1022	113467	2,466.54	4/27/2007
1000	113486	5,884.85	4/27/2007
1747	113681	2,466.54	4/27/2007
1852	113518	2,882.75	4/27/2007
1851	113560	3,210.08	4/27/2007
1454	113519	2,873.62	4/27/2007
1996	113595	2,520.54	4/27/2007
1893	113682	1,874.85	4/27/2007
1155	113803	1,332.68	4/27/2007
1627	113561	3,433.00	4/27/2007
2202	113596	2,312.85	4/27/2007
2197	113761	2,037.31	4/27/2007
1334	113980	2,797.92	4/27/2007
1906	113683	2,575.92	4/27/2007
1707	113487	2,466.54	4/27/2007
2074	113684	1,382.14	4/27/2007
2032	113488	2,690.85	4/27/2007
2395	113781	2,080.23	4/27/2007
2458	113917	786.59	4/27/2007
2291	113843	116.48	4/27/2007
1053	113762	2,762.82	4/27/2007
2404	113918	70.00	4/27/2007
1648	113763	1,954.23	4/27/2007

2257	113857	818.56	4/27/2007
2330	113764	1,562.85	4/27/2007
2490	113919	549.97	4/27/2007
2525	113858	844.14	4/27/2007
2446	113562	1,406.35	4/27/2007
1822	113685	1,836.54	4/27/2007
2042	113497	4,181.46	4/27/2007
1157	113686	1,836.54	4/27/2007
1792	113920	102.32	4/27/2007
2483	113817	468.60	4/27/2007
1581	113687	2,216.38	4/27/2007
1534	113563	2,362.69	4/27/2007
2529	113765	1,562.85	4/27/2007
2408	113818	268.59	4/27/2007
1752	113688	2,263.92	4/27/2007
2267	21565	748.22	4/27/2007
2389	113921	818.56	4/27/2007
1932	113766	1,626.08	4/27/2007
2493	113489	1,914.08	4/27/2007
2460	113859	837.75	4/27/2007
2339	113767	1,562.85	4/27/2007
2344	21566	1,167.09	4/27/2007
2253	113981	2,256.54	4/27/2007
1412	113922	818.56	4/27/2007
2467	113564	2,362.69	4/27/2007
2359	113923	716.24	4/27/2007
2516	113844	17.92	4/27/2007
1176	113982	3,359.62	4/27/2007
2477	113417	2,690.85	4/27/2007
2388	113924	972.04	4/27/2007
1330	113845	137.95	4/27/2007
1177	113983	2,860.23	4/27/2007
1917	113925	760.65	4/27/2007
1056	113768	2,466.54	4/27/2007
2534	113926	818.56	4/27/2007
1057	113769	1,836.54	4/27/2007
2211	113565	2,575.92	4/27/2007
2047	113566	5,884.85	4/27/2007
2138	113429	2,936.31	4/27/2007
1414	113984	2,797.92	4/27/2007
1182	113985	3,435.31	4/27/2007
1211	113986	3,359.62	4/27/2007
2153	113927	91.17	4/27/2007
1343	113597	2,811.31	4/27/2007
1058	113770	1,954.23	4/27/2007
2091	113567	2,690.85	4/27/2007
1977	113928	185.46	4/27/2007
2348	21552	818.56	4/27/2007
2191	113771	1,626.08	4/27/2007
1094	113598	4,021.92	4/27/2007
1545	113430	2,263.92	4/27/2007
1912	113929	667.19	4/27/2007
2481	113819	1,249.28	4/27/2007
1729	113689	2,080.23	4/27/2007
2515	113418	1,762.69	4/27/2007
2203	113772	3,882.00	4/27/2007
2522	113599	2,937.77	4/27/2007

1304	113930	153.48	4/27/2007
1503	113600	2,263.92	4/27/2007
2260	113705	2,413.62	4/27/2007
1205	113520	3,210.08	4/27/2007
		1,268,797.99	

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**ADJOURNED REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF VICTORVILLE  
FEBRUARY 13, 2007**

The adjourned regular meeting of the City Council of the City of Victorville was called to order by Mayor Caldwell at 6:00 p.m. in the Board Room of the Mojave Desert Air Quality Management District, 14306 Park Avenue, Victorville, California.

**ROLL CALL**

**PRESENT:** Councilmembers Almond, Caldwell, Cabriales, Hunter and Rothschild

**LATE:** None

**ABSENT:** None

Also present were Jon Roberts, City Manager; Marcie Wolters, Deputy City Clerk; Francene Millender, HCD Program Manager ; Andre de Bortnowsky, Assistant City Attorney; Diana Ramirez, Director of Human Resources; and Doug Robertson, Deputy City Manager/Acting Director of Municipal Utilities.

**PUBLIC COMMENT**

**PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC**

Norm Miller, Golden Triangle Ad Hoc Committee, addressed the Council requesting a signal light at Topaz and Bear Valley Road due to the many traffic accidents occurring at that intersection.

Susie Hollenbeck, High Desert Homeless Services, invited the Council to support their annual spaghetti dinner.

**PUBLIC HEARING**

**A PUBLIC HEARING CALLED TO RECEIVE CITIZEN AND AGENCY COMMENTS REGARDING THE CITY'S NEEDS AND STRATEGIES FOR THE 2007-2012 CONSOLIDATED PLAN AND FOR THE 2007-2008 ANNUAL ACTION PLAN; AND 2) RECEIVE TESTIMONY AND CONSIDER APPLICATIONS FOR PROJECTS THAT HAVE BEEN SUBMITTED TO THE CITY FOR HCD GRANTS FOR FISCAL YEAR 2007-2008**

Mayor Caldwell opened the public hearing and asked that anyone wishing to speak regarding applications for HCD grants to limit their comments to three minutes.

HCD Program Manager Millender gave a brief explanation of the program and the process the City follows. Ms. Millender is waiting approval by Congress of

resolutions adopting the CDBG and HCD grants and it is reported that the amount approved will be at the 2006 levels. Therefore, should there be any changes to the funding amount it will be brought back to Council. Twenty-five applications were received this year, sixteen of which are public service applications. Any changes from the amount submitted will be brought back to the City Council.

The estimated funds available are as follows:

1.	Public Service Projects		
	Funds Available:		\$139,474
	Funds Requested:		\$258,604
2.	Construction Projects		
	Funds Available:		\$587,651
	Funds Requested:		\$690,800
3.	Housing Projects		
	Funds Available:		\$270,369
	Funds Requested:		\$270,369
4.	CDBG Administrative Projects		
	Funds Available:		\$180,723
	Funds Requested:		\$29,396
5.	CHDO Administrative Projects		
	Funds Available:		\$337,500
	Funds Requested:		\$112,500
6.	Ineligible Projects		
	Funds Requested:		\$50,000

The following organizations addressed the City Council in support of their grant applications for public services:

1. No representative appeared on behalf of Assistance League of Victor Valley
2. No representative appeared on behalf of Catholic Charities
3. No representative appeared on behalf of Greater Victorville Economic Development Resource Center
4. No representative appeared on behalf of Hi Desert Meals on Wheels
5. Anne McFarland – High Desert Domestic Violence Program
6. Susie Hollenbeck – High Desert Homeless Services
7. Deborah Davis – Legal Aid Society
8. Bonnie Gibson-Bryden – Mojave Deaf Services
9. Judy Morris – Moses House Ministries
10. Keith Wilhite – One 2 One Mentors

11. No representative appeared on behalf of Sexual Assault Services
12. Claire Burrus – Victor Valley Domestic Violence – “A Better Way”
13. No representative appeared on behalf of Vista Guidance Centers
14. No representative appeared on behalf of City of Victorville – Community Services Department
15. No representative appeared on behalf of City of Victorville – Police Department
16. No representative appeared on behalf of City of Victorville – Public Works Department

The following grant applications were for construction and community development funds:

17. No representative appeared on behalf of City of Victorville – Community Services Department
18. No representative appeared on behalf of City of Victorville – Development Department – Code Enforcement
19. No representative appeared on behalf of City of Victorville – Development Department – Demo of buildings
20. No representative appeared on behalf of City of Victorville – Fire Department
21. No representative appeared on behalf of City of Victorville – Public Works Department

The following application was for housing funds:

22. No representative appeared on behalf of City of Victorville – Development / Finance Departments – Senior Home Repair Program

The following application was for CDBG administrative funds:

23. No representative appeared on behalf of Inland Fair Housing & Mediation Board

The following application was for CHDO funds:

24. Claire Burrus - Victor Valley Domestic Violence

Victor Valley Community Hospital applied for a grant to cover their Intensive Care Nursery Expansion but the project was deemed ineligible due to the fact that it does not (70%) principally serve low/moderate income persons.

There being no further public testimony, Mayor Caldwell duly closed the public hearing.

Councilmember Rothschild asked about the 20 percent guideline and how it pertains to the funds given to the applicants.

Mayor Caldwell explained that it came about with reference to all five communities in the High Desert participating in this program in an equal and fair manner.

Ms. Millender added that the committee will review all the applications and bring the final recommendation back to Council and allocate the funds at the March 6, 2007 City Council meeting.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Caldwell adjourned the meeting.

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MAYOR OF THE CITY OF VICTORVILLE

ATTEST:

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CITY CLERK

**SPECIAL MEETING OF THE  
CITY COUNCIL OF THE CITY OF VICTORVILLE  
FEBRUARY 13, 2007**

The adjourned regular meeting of the City Council of the City of Victorville was called to order by Mayor Caldwell at 6:45 p.m. in the Board Room of the Mojave Desert Air Quality Management District, 14306 Park Avenue, Victorville, California.

**ROLL CALL**

**PRESENT:** Councilmembers Almond, Caldwell, Cabriales, Hunter and Rothschild

**ABSENT:** None

Also present were Jon Roberts, City Manager; Marcie Wolters, Deputy City Clerk; Francene Millender, HCD Program Manager; Andre de Bortnowsky, Assistant City Attorney; Diana Ramirez, Director of Human Resources; and Doug Robertson, Deputy City Manager/Acting Director of Municipal Utilities

**PUBLIC COMMENT**

**PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC**

Norm Miller, Golden Triangle Ad Hoc Committee, addressed the Council requesting a signal light at Topaz and Bear Valley Road due to the many traffic accidents occurring at that intersection.

Susie Hollenbeck, High Desert Homeless Services, invited the Council to support their annual spaghetti dinner.

**WRITTEN COMMUNICATIONS**

**PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-037**

Mayor Caldwell explained this resolution would respond to a specific request from the Local Agency Formation Commission (LAFCO) and this would be consistent, if adopted, with the way the City has treated its other subsidiary districts, i.e., treating them as enterprise funds and not allowing funds from one agency to flow into the other and vice versa.

Deputy City Manager Robertson and Councilmember Hunter met with Kathleen Rollings-McDonald, the Executive Officer of LAFCO, to submit the City's employee transition plan. Mr. Robertson reported that the issue of separation of finances between the City and the subsidiary districts still remained; hence this resolution. Also, this would address the question of how the City would charge back the water district for the salaries of the water district employees that would become City employees should the

plan be approved by LAFCO. Ms. McDonald said that a resolution will provide background material for future LAFCO Executive Officers and future LAFCO staff members when they are reviewing their municipal service review plans 15 or 20 years from now. They will be able to see what the intent was when the consolidation of the subsidiary district's formation took place. These issues were addressed by Council with the first resolution in May 2005, but this resolution reaffirms the Council's stance.

Mayor Caldwell added that this resolution formalizes a policy that has been in existence since the City first took over a special district; namely the Fire, Parks and Recreation and the Sanitary Districts.

Mr. Robertson added that since that meeting, Ms. McDonald has submitted a supplemental report for LAFCO for their February 21<sup>st</sup> meeting concerning the following: 1) the transferring of employees in the finance function, and 2) transferring customer service over to the City. Mr. Robertson asked Council for direction to respond.

City Manager Roberts relayed to Council that staff recommends the response affirm the position of the employees and that the service levels for all aspects will increase. All water district employees will become City employees and some will stay in their present positions and some will be absorbed in other City positions. All levels of service from billing to new meter hookups will be enhanced with the City's highly sophisticated technical systems and. It is proposed that the City will be able to provide higher quality service plus a lower cost to the customer. All services such as trash, sewer and now water will be available from one entity. It will also be very cost effective because of the elimination of redundant services.

Mayor Caldwell replied that after working on this proposed consolidation for two years, he hoped a decision would be forthcoming. He was informed that additional information from the Victor Valley Water District (VVWD) was being sent to the LAFCO Board for their February 21<sup>st</sup> meeting in addition to any response the Council directs staff to make.

Councilmember Rothschild asked if the interim board was still being suggested and, if so, he opposed it.

City Manager Roberts agreed and added that there are urgent matters that need to be attended to in terms of planning for the reliability and the quality of the water with the type of growth the City is experiencing. This is the basis for the City's application to LAFCO to consolidate the water districts under the City. Any delay in that action impedes the ability to move forward and address those issues. He added that a savings of nearly \$4 million dollars would be realized just by the elimination of the administrative positions. Delaying the implementation of the consolidation leaves not only the City in limbo, but also all the employees of both water districts.

Councilmember Hunter stated that all the reasons for having a transition period would be mute with this resolution addressing the issues of the employees and finances.

It was moved by Councilmember Hunter, seconded by Councilmember Rothschild, to adopt Resolution No. 07-037 along with direction to staff to answer the two additional questions in writing that were raised by Ms. McDonald.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE,  
CALIFORNIA, REGARDING THE CITY'S PLAN TO CHARGE THE  
SUBSIDIARY WATER DISTRICT PROPOSED IN LAFCO APPLICATION 2991  
AND THE SEGREGATION OF THE SUBSIDIARY DISTRICT'S FINANCES

Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Caldwell duly adjourned the meeting.

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MAYOR OF THE CITY OF VICTORVILLE

ATTEST:

\_\_\_\_\_  
CITY CLERK

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# MEMORANDUM



DATE April 24, 2007  
FROM **MARK TAYLOR**, Chief  
Victorville Police Department  
TO **JON ROBERTS**, City Manager  
City of Victorville

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SUBJECT **CITY MANAGER'S REPORT - MARCH 2007**

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## CRIMINAL ACTIVITY:

### PART I CRIMES

#### REPORTED

TOTAL: 457

### PART II CRIMES

TOTAL: 1,142

### ARRESTS

Adult Felony:	<u>210</u>	Juvenile Felony:	<u>29</u>
Adult Misdemeanor:	<u>216</u>	Juvenile Misdemeanor:	<u>57</u>

## PROACTIVE PATROL:

<u>0%</u>	Percentage of time available for proactive patrol.
<u>11,225</u>	Incidents or calls for service - 2007
<u>9,663</u>	Incidents or calls for service - 2006
<u>16% Increase</u>	Percentage Difference
<u>1,628</u>	Reports Taken - 2007
<u>1,544</u>	Reports Taken - 2006
<u>5% Increase</u>	Percentage Difference

## **RESPONSE TIMES** (Minutes - Dispatch to Arrival)

Emergency:	<u>8:45</u>
Priority 1:	<u>8:01</u>
Priority 2:	<u>12:04</u>
Priority 3:	<u>15:02</u>
Priority 4:	<u>11:29</u>

Consent  
#4D1  
5-15-07

**TRAFFIC DIVISION:**

**Traffic Collisions Investigated**

<u>182</u>	Non Injury
<u>45</u>	Injury
<u>2</u>	Fatal

**Citations Issued for the Month**

Total: 1,277

DUI Arrests: 56

Hazardous: 972

Enforcement Index: 21:1

**OVERTIME**

Hours used for month: 2,530.50

**CRIME PREVENTION:**

**Crime Prevention Presentations for the Month**

1. Neighborhood Watch:	<u>2</u>
2. Persons Fingerprinted:	<u>164</u>
3. Other Presentations:	<u>3</u>
4. Community Meetings	<u>4</u>

**VOLUNTEER FORCES:**

**Hours Donated**

Citizen Patrol:	<u>706</u>
Reserve Officers:	<u>321</u>
Explorer Scouts:	<u>638</u>
TOTAL:	<u>1,665</u>

CITY MANAGER'S REPORT - MARCH

**DETECTIVE DIVISION:**

**DETECTIVES**

<u>116</u>	Cases Assigned
<u>          </u>	Cases Self Assigned
<u>82</u>	Cases Cleared
<u>\$</u>	Property Recovery Values
<u>14</u>	Search Warrants

**KEY NOTE INVESTIGATIONS**

- Detectives tracked down a residential burglar after a short foot pursuit. Three suspects were arrested, and detectives were able to clear an additional five burglaries behind the suspects.
- Detectives worked a burglary ring where they identified one juvenile and two adults, all three of whom were gang members. Through the investigation, detectives were able to clear six residential burglaries and property was recovered. The District Attorney's Office filed cases and gang enhancement charges on all three subjects.
- Detectives worked a strong-arm robbery at Food 4 Less. Detectives identified both suspects who were picked from photo lineups. The District Attorney's Office has filed charges for armed robbery on both subjects.
- Detectives investigated a kidnapping case involving East Side Victoria gang members. The victim was abducted from Food 4 Less, driven throughout the city for several hours, and a ransom was demanded of the victim's family. Detectives set up a sting and were able to remove the victim from the suspects in a high-speed pursuit. The pursuit concluded when spike strips were placed in front of the suspect vehicle. Three suspects were arrested, and the District Attorney's Office filed kidnapping charges as well as gang enhancements on all three subjects. The District Attorney has offered a plea bargain to the suspects for twenty years in prison.

CITY MANAGER'S REPORT – MARCH

**GANG SUPPRESSION**

Arrests 80

Gang Cards 105

**VICTORVILLE POLICE GANG UNIT**

- The Victorville Police Gang Unit served 31 search warrants which resulted in the seizure of 6 firearms, as well as quantities of methamphetamine, marijuana, and cocaine. In addition, 50 suspects were charged with PC 186.22, a gang enhancement to their original charge.

**OTHER EVENTS**

- March 2<sup>nd</sup> – Homicide  
On the above date, deputies responded to a report of shots being fired at the Sandbar nightclub located in the 13700 block of Hesperia Road. Two male victims had been shot at the location, one of them fatally. Homicide detectives responded to the location to assist with the investigation. Within a short time a suspect was identified. After several more hours the suspect and accomplice were taken into custody.
- March 6<sup>th</sup> – Fatal Traffic Collision  
On the above date, deputies responded to a report of a vehicle rollover on Amargosa near Tawney Ridge. A northbound vehicle was struck by a westbound vehicle pulling out into the intersection. The northbound vehicle rolled over and two passengers were ejected. One was an adult not wearing a seatbelt, and one was an infant being held by the adult. The adult was pinned under the vehicle and pronounced dead at the scene. The infant was transported to a hospital and survived with major injuries. The Victorville Police Major Accident Investigation Team responded and is investigating the collision.
- March 9<sup>th</sup> – Fatal Traffic Collision  
At about 1120 hours, deputies responded to a report of a traffic collision on Bear Valley near Topaz. A vehicle failed to yield to oncoming traffic at the intersection and began a left turn from Topaz onto Bear Valley. A westbound vehicle hit the first vehicle causing extensive damage. The driver of the first vehicle died from his injuries. The Victorville Police Major Accident Investigation Team responded and is investigating the collision.

# MEMORANDUM



DATE May 2, 2007  
FROM Jon E. Gargan   
Director of Community Services  
TO Carolee Bates  
City Clerk

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SUBJECT **COMMUNITY SERVICES DEPARTMENT - REPORTS**

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Attached are copies of the March 2007 activities and service reports prepared by the Community Services Department. It is requested that these items be forwarded to the City Council for their review.

JEG:mv

Attachments

Consent  
#4D2  
5-15-07

**COMMUNITY SERVICES DEPARTMENT  
FACILITIES REPORT**

<b>REPORT TITLE:</b> Monthly Service Report		<b>DIVISION:</b> Facilities		<b>PAGE:</b> 1 of 1		
<b>SUBMITTED BY:</b> Chuck Reynolds		<b>TITLE:</b> Facilities Manager <i>CR</i>		<b>FOR THE MONTH OF:</b> MARCH 2007		
				<b>DATE:</b> APRIL 4, 2007		
<b>SQUARE FOOTAGE MAINTAINED</b>			333,000 square feet			
			<b>MONTHLY</b>		<b>YEAR-TO-DATE</b>	
			Last Year	This Year	Last Year	This Year
<b>1. FACILITY REPAIRS/SERVICE REQUESTS</b>						
a. City-Wide			64	30	590	631
b. Projects			3	2	15	14.5
<b>2. VANDALISM ACTS REPAIRED</b>			1	3	8	12
<b>3. WEEKEND WORKERS - Total Hours</b>						
a. Number of Workers: _____			0	0	0	0
b. # sent back to Glen Helen: _____			0	0	0	0
<b>4. WEEKDAY WORKERS - Total Hours</b>						
a. Number of Workers: _____			0	0	0	0
<b>5. CCC WORKERS - Total Hours</b>						
a. Number of Workers: _____			0	0	0	0
<b>6. RENTAL UNITS - RESIDENTIAL</b>						
a. Total Units: _____			6			
b. Units Rented: _____			6			
c. Vacant: _____			0			



**GREEN TREE GOLF COURSE  
MONTHLY REPORT OF SERVICES AND ACTIVITIES - FY-06/07**

Submitted by Janie Lynch, Golf Activities Supervisor

For the Month of March 2007

	MONTHLY		YEAR-TO-DATE	
	Last Year	This Year	Last Year	This Year

**GOLF PLAY REVENUE**

Green Fees	\$ 23,300.75	\$ 31,324.00	\$ 265,445.00	\$ 238,356.45
Memberships	\$ 3,574.67	\$ 4,439.29	\$ 33,945.24	\$ 39,327.33
Prime-Time Memberships	\$ 310.00	\$ 545.00	\$ 3,530.00	\$ 4,110.00
Golf Cars Rental	\$ 18,364.75	\$ 23,982.00	\$ 209,721.49	\$ 195,185.00
Private Car - Daily	\$ 375.00	\$ 332.50	\$ 4,694.50	\$ 3,013.00
Private Car - Monthly (From Pro Shop)	\$ 650.00	\$ 350.00	\$ 9,826.50	\$ 4,350.00
Junior Membership	\$ -	\$ -	\$ -	\$ -
<b>SUB TOTAL</b>	<b>\$ 46,575.17</b>	<b>\$ 60,972.79</b>	<b>\$ 527,162.73</b>	<b>\$ 484,341.78</b>

**GOLF SHOP REVENUE**

Club Rental	\$ 235.00	\$ 360.00	\$ 1,845.00	\$ 1,925.00
Lessons	\$ -	\$ -	\$ -	\$ -
Balls	\$ 1,444.40	\$ 2,343.95	\$ 17,038.53	\$ 18,796.97
Clubs	\$ 763.76	\$ 1,111.55	\$ 8,188.26	\$ 10,489.92
Merchandise	\$ 2,390.54	\$ 2,514.16	\$ 27,960.09	\$ 22,386.08
Sales Tax	\$ 356.24	\$ 462.58	\$ 4,117.72	\$ 4,004.96
<b>SUB TOTAL</b>	<b>\$ 5,189.94</b>	<b>\$ 6,792.24</b>	<b>\$ 59,149.60</b>	<b>\$ 57,602.93</b>

**CONCESSION REVENUE**

5% of Gross Sales**	\$ 558.75	\$ 636.59	\$ 8,210.04	\$ 8,031.34
Rent	\$ 1,000.00	\$ 1,000.00	\$ 9,000.00	\$ 9,000.00
<b>SUB TOTAL</b>	<b>\$ 1,558.75</b>	<b>\$ 1,636.59</b>	<b>\$ 17,210.04</b>	<b>\$ 17,031.34</b>

\*\*Concession sales always 30 days in arrears

<b>SUB TOTAL</b>	*	*	*	*
<b>TOTAL REVENUE</b>	<b>\$ 53,323.86</b>	<b>\$ 69,401.62</b>	<b>\$ 603,522.37</b>	<b>\$ 558,976.05</b>

\*Revenue from City Hall not received

**MEMBERSHIP ROUNDS**

Membership	229	343	2,415	2,493
Weekend Prime-Time Members	62	109	706	822
<b>SUB TOTAL</b>	<b>291</b>	<b>452</b>	<b>3,121</b>	<b>3,315</b>

**18 HOLE ROUNDS**

Weekday Rounds	188	236	1,779	1,682
Weekday Non Prime Time	180	173	1,632	1,220
Weekend/Holiday Rounds	133	302	2,321	2,054
Weekend/Holiday Non Prime Time	146	79	915	797
Senior Weekday Rounds	218	246	2,020	1,687
Senior Weekday Non Prime Time	131	77	752	583
Senior Weekend/Holiday Rounds	53	184	1,107	1,096
Senior Weekend/Holiday Non Prime Time	26	38	226	200
Military	62	61	604	325
Junior	17	81	224	180
Discount - Weekday	14	15	205	114
Discount - Weekend	3	3	99	71
Discount-Hotel	5	5	291	154
Tournament Rounds	25	139	1,359	2,221
<b>SUB TOTAL</b>	<b>1,201</b>	<b>1,639</b>	<b>13,534</b>	<b>12,384</b>

**GREEN TREE GOLF COURSE  
MONTHLY REPORT OF SERVICES AND ACTIVITIES - FY-06/07**

Page 2 - Green Tree Golf Course March 2007

	YEAR-TO-DATE		YEAR-TO-DATE	
	Last Year	This Year	Last Year	This Year

**NON-PAID**

Men's Club	0	0	61	70
Women's Club	0	0	57	0
Schools (High School & Middle School Teams)	230	221	348	348
VIP	0	1	4	3
New Resident Courtesy Card	0	0	6	5
Promotional Prizes/Donations	2	2	27	29
<b>SUB TOTAL</b>	<b>232</b>	<b>224</b>	<b>503</b>	<b>455</b>

**9 HOLE ROUNDS**

Weekday Rds	37	45	308	273
Weekday Non Prime Time	68	84	617	619
Weekday Non Prime Time (3 hrs. before sunset)	226	284	2,702	2,593
Weekend/Holiday Rds	10	25	141	177
Weekend/Holiday Non Prime Time	52	64	384	410
Weekend/Holiday NPT (3hrs. before sunset)	77	129	963	859
Senior Weekday Rds	27	55	267	329
Senior Weekday Non Prime Time	97	65	560	596
Senior Weekend/Holiday Rds	2	7	29	34
Senior Weekend/Holiday Non Prime Time	12	30	200	230
Military/Juniors	23	33	186	167
<b>SUB TOTAL (9 HOLE ROUNDS)</b>	<b>631</b>	<b>821</b>	<b>6,357</b>	<b>6,287</b>

<b>TOTAL ROUNDS</b>	<b>2,355</b>	<b>3,136</b>	<b>23,515</b>	<b>22,441</b>
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**CONCESSIONAIRE**

Number of golf-related events	2	1	21	17
Number of non-golf related events onsite	2	2	18	25
Number of non-golf related events offsite	15	11	61	66
<b>Total Number of Events</b>	<b>19</b>	<b>14</b>	<b>100</b>	<b>108</b>

**MEMBERSHIPS**

Dual memberships with Westwinds Golf Course

Total Number	79	86		
New Members	0	2		

**MISCELLANEOUS**

Twilight Cars	537	521	4,767	4,349
Average Daily Play	81	97		
# Tournaments/ # Players (inc. in total rds)	5/138	5/139	71/2588	71/1232

**WEATHER DAYS**

Windy	1	1	8	21
Cold/Hot	9	0	27	48
Rain	6	0	13	7
Slow Play (30 Players or less)	3	1	7	15
# Days Closed	0	0	1	0

**LESSONS**

Lessons - Adults & Youth	0	0	0	0
Clinics - Adults & Youth	0	0	0	0
Junior Golf Program	0	0	0	0

**WESTWINDS GOLF COURSE**  
**MONTHLY REPORT OF SERVICES AND ACTIVITIES FY06/07**

Submitted by Janie Lynch, Golf Activities Supervisor 

For the Month of March 2007

DESCRIPTION	MONTHLY		YEAR-TO-DATE	
	Last Year	This Year	Last Year	This Year
<b>GOLF PLAY REVENUE</b>				
Green Fees	\$ 13,344.00	\$ 20,193.25	\$ 151,228.50	\$ 145,351.25
Memberships	\$ 2,825.33	\$ 1,610.71	\$ 21,504.76	\$ 16,622.67
Prime-Time Memberships	\$ 30.00	\$ 97.50	\$ 517.50	\$ 787.50
Golf Cars Rental	\$ 10,139.50	\$ 16,235.00	\$ 123,250.00	\$ 122,402.51
Private Car - Daily	\$ -	\$ -		\$ -
Private Car - Monthly	\$ -	\$ -	\$ -	\$ 50.00
<b>SUB TOTAL</b>	<b>\$ 26,338.83</b>	<b>\$ 38,136.46</b>	<b>\$ 296,500.76</b>	<b>\$ 285,213.93</b>

<b>GOLF SHOP REVENUE</b>				
Driving Range	\$ 3,659.00	\$ 5,978.50	\$ 35,604.50	\$ 39,580.50
Club Rental	\$ 211.00	\$ 490.60	\$ 2,099.00	\$ 2,783.23
Lessons	\$ 894.00	\$ 1,735.00	\$ 7,244.00	\$ 8,906.55
Balls	\$ 774.93	\$ 1,032.60	\$ 7,077.19	\$ 7,940.96
Clubs	\$ 496.56	\$ 1,116.03	\$ 7,364.84	\$ 12,482.61
Merchandise	\$ 2,029.94	\$ 3,026.64	\$ 17,895.78	\$ 25,885.90
Sales Tax	\$ 255.70	\$ 414.02	\$ 2,527.33	\$ 3,627.03
<b>SUB TOTAL</b>	<b>\$ 8,321.13</b>	<b>\$ 13,793.39</b>	<b>\$ 79,812.64</b>	<b>\$101,206.78</b>

<b>CONCESSION REVENUE</b>				
5% of Gross Sales	\$ 2,289.22	\$ 1,182.54	\$ 6,810.19	\$ 6,845.31
Rent (renovation incomplete)	\$ 500.00	\$ 750.00	\$ 4,500.00	\$ 6,700.00
<b>SUB TOTAL</b>	<b>\$ 2,789.22</b>	<b>\$ 1,932.54</b>	<b>\$ 11,310.19</b>	<b>\$ 13,545.31</b>

<b>REVENUE RECEIVED AT CITY HALL</b>				
<b>SUB TOTAL</b>	*	*	*	*
<b>TOTAL REVENUE</b>	<b>\$ 37,449.18</b>	<b>\$ 53,862.39</b>	<b>\$ 387,623.59</b>	<b>\$ 399,966.02</b>

\*Revenue from City Hall not received

<b>MEMBERSHIP ROUNDS</b>				
Membership	224	142	1799	1238
Weekend Prime-Time Members	6	22	159	185
<b>SUB TOTAL</b>	<b>230</b>	<b>164</b>	<b>1958</b>	<b>1423</b>

Weekday Rounds	44	63	611	613
Weekday Non Prime Time	49	48	473	352
Weekend/Holiday Rounds	65	112	915	907
Weekend/Holiday Non Prime Time	44	56	461	481
Senior Weekday Rounds	84	158	1,099	918
Senior Weekday Non Prime Time	23	30	250	191
Senior Weekend/Holiday Rounds	44	70	559	557
Senior Weekend/Holiday Non Prime Time	15	24	112	94
Military	19	13	255	149
Junior	18	19	129	129
Discount - Weekday	3	0	22	2
Discount - Weekend	0	0	96	6
Hotel	0	0	2	2
Tournament Rounds	52	92	303	578
<b>SUB TOTAL</b>	<b>460</b>	<b>685</b>	<b>5,287</b>	<b>4979</b>

**WESTWINDS GOLF COURSE**  
**MONTHLY REPORT OF SERVICES AND ACTIVITIES FY06/07**

Page 2 - Westwinds Golf Course

March 2007

DESCRIPTION	MONTHLY		YEAR-TO-DATE	
	Last Year	This Year	Last Year	This Year

**NON-PAID**

Men's Club	0	0	0	0
Women's Club	0	0	0	0
Schools (Hook, Mesa Linda, & AAE Middle School)	61	88	93	109
New Resident Courtesy Cards	0	1	2	3
VIP	0	0	3	0
Promotional Prizes/Donations	0	5	13	18
<b>SUB TOTAL</b>	<b>61</b>	<b>94</b>	<b>111</b>	<b>130</b>

**9 HOLE ROUNDS**

Weekday Rds.	84	105	1,033	997
Weekday Non Prime Time	188	189	1,461	1393
Weekday Non Prime Time (3 hrs before sunset)	194	274	2,122	2273
Weekend/Holiday Rds	49	131	807	791
Weekend/Holiday Non Prime Time	83	234	1,083	1213
Weekend/Holiday NPT(3 hrs before sunset)	94	96	931	845
Senior Weekday Rds	101	203	1,156	1213
Senior Weekday Non Prime Time	144	108	1,066	967
Senior Weekend/Holiday Rds	18	43	417	265
Senior Weekend/Holidays Non Prime Time	20	70	298	342
Military	24	23	271	160
Juniors	44	77	500	482
<b>SUB TOTAL</b>	<b>1,043</b>	<b>1,553</b>	<b>11,145</b>	<b>10941</b>

<b>TOTAL ROUNDS</b>	<b>1,794</b>	<b>2,496</b>	<b>18,501</b>	<b>17473</b>
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**CONCESSIONAIRE**

Number of golf-related events	1	1	7	11
Number of non-golf related events onsite	0	0	8	1
Number of non-golf related events offsite	0	0	15	3
Total Number of Events	1	1	30	15

**MEMBERSHIPS**

Total Number	79	86		
New Members	0	2		

**MISCELLANEOUS**

Twilight Cars	310	436	3,369	3382
Average Daily Play	60	80		565
# Tournaments/ # Players (inc. in total rds)	2/52	3/92	18/444	21/578

**WEATHER DAYS**

Windy	5	2	18	14
Cold/Hot	6	0	25	26
Rain	2	0	7	4
Slow Play (30 Players or less)	6	2	13	18
# Days Closed	0	0	0	0

**LESSONS**

Adult Group Lessons	2/18	6/24	18/134	22/115
Adult Private	10	26	107	107
Youth Group	4/30	3/23	21/161	26/206
Youth Private	6	12	43	43
Lessons - Tiny Tots	2/14	3/21	13/81	15/86

CITY OF VICTORVILLE, COMMUNITY SERVICES DEPARTMENT

GREEN TREE GOLF COURSE

**GOLF MARSHAL REPORT**

Submitted by: Janie Lynch, Golf Activities Supervisor 

For the month March 2007

	MONTHLY		YEAR TO DATE	
	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR
Trespassing	19	75	413	523
Trespassing Golfers	5	11	63	62
Public Service	20	125	177	456
Dogs on Course	23	43	354	366
Vandalism	0	2	31	17
Burglary Reported	0	0	0	0
Issued Warning Violation	0	3	0	6
Improper Dress	1	10	43	60
Check Receipts	50	213	616	1073
Riding Without Paying	6	12	44	65
Parked Improperly	33	118	460	634
Players Without Own Clubs	6	7	71	67
Practicing on Course	44	85	329	357
Under Age Driver	1	4	48	49
Three Players in Cart	2	0	22	7
Three Bags on Cart	0	0	3	1
Food Products } Clubhouse	0	15	1	51
Illegal Drink Cooler } Confirmation	21	34	151	236
Beverage Products } Products	15	21	109	132
Construction Vehicles on Course	1	6	12	84
More than Five Players	0	8	24	22
Slow Play	19	20	235	195
Special Problems - Comments	0	0	7	5

Other services provided by Golf Marshals on a daily basis:

- Check rest rooms
- Pick up broken tees on tees
- Repair ball mark on greens
- Pick up debris on course
- Rake Sand Traps
- Fill Divots (tees & fairways) with soil mix
- Empty trash containers at tees
- Hand water

CITY OF VICTORVILLE, COMMUNITY SERVICES DEPARTMENT

WESTWINDS GOLF COURSE

**GOLF MARSHAL REPORT**

Submitted by: Janie Lynch, Golf Activities Supervisor 

For the month March 2007

	MONTHLY		YEAR TO DATE	
	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR
Trespassing	0	0	13	13
Trespassing Golfers	0	1	8	9
Public Service	25	60	192	252
Dogs on Course	2	4	15	19
Vandalism	0	1	3	4
Burglary Reported	0	0	0	0
Issued Warning Violation	0	0	0	1
Improper Dress	4	4	59	63
Check Receipts	52	132	451	536
Riding Without Paying	5	12	65	72
Parked Improperly	44	139	400	490
Players Without Own Clubs	7	9	90	93
Practicing on Course	31	40	262	235
Under Age Driver	7	17	74	97
Three Players in Cart	0	0	24	24
Three Bags on Cart	0	0	6	6
Food Products } Clubhouse	0	15	2	18
Illegal Drink Cooler } Confirmation	13	19	101	112
Beverage Products } Products	20	35	92	114
Construction Vehicles on Course	0	4	0	4
More than Five Players	0	5	7	13
Slow Play	13	25	221	236
Special Problems - Comments	0	1	0	6

Other services provided by Golf Marshals on a daily basis:

- Check rest rooms
- Pick up broken tees on tees
- Repair ball mark on greens
- Pick up debris on course
- Rake Sand Traps
- Fill Divots (tees & fairways) with soil mix
- Empty trash containers at tees
- Hand water

CITY OF VICORVILLE  
COMMUNITY SERVICES  
MONTHLY REPORT OF SERVICE AND ACTIVITIES

DIVISION: WESTWINDS GOLF COURSE  
SUBMITTED BY: <sup>40</sup> Edward Ontiveros, Leadworker

MONTH OF: March 2007  
DATE: April 18, 2007

**A. DAILY MAINTENANCE**

1. Irrigation system repair
2. General Cleanup - trash receptables, rest rooms and clubhouse.
3. Watering as needed/hand and spot watering.
4. Regular mowing schedule.

GOLF COURSE TREES MAINTENANCE	MONTHLY		YEAR TO DATE	
	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR
# Planted	0	0	0	0
# Removed	0	0	10	4
# Trimmed	15	20	167	205
# Transplanted	0	0	0	0
# Sprayed	0	0	40	20
Joshua Tree Relocation	0	0	0	0

**B. IRRIGATION**

MAIN LINE	LATERAL LINE	HEAD REPAIR OR REPLACEMENT	CLOCK REPAIR	VALVE REPAIR	PUMP REPAIR
0	1	7	0	2	1

**C. SPECIAL PROJECTS**

1. Tree Trimming (continuous)
2. Fungicide Applications (on-going, as needed)

**D. VANDALISM**

1. Graffiti removal (constant)
2. Repair of damaged greens (on-going)

**E. CONSTRUCTION**

1. Sand trap edging and addition of sand (on-going)
2. Cart Path on #2 Green

**F. WEEKEND WORKERS**

1. Perimeter Trimming/weed abatement/painting/drain installation (on-going)

TOTAL MAN HOURS	MONTHLY		YEAR TO DATE	
	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR
Weekday Workers	448	423	3029	3367.5
Weekend Workers	312	261	1344	1857.5
CCC				
JTPA				
Community Service				
Maintenance Aides				

CITY OF VICORVILLE  
COMMUNITY SERVICES  
MONTHLY REPORT OF SERVICE AND ACTIVITIES

DIVISION: GREEN TREE GOLF COURSE

MONTH OF: March 2007

SUBMITTED BY: Jeff Jackson, Golf Maint. Supervisor 

DATE: March 25, 2007

**A. DAILY MAINTENANCE**

1. Irrigation system repair
2. General Cleanup - trash receptables, rest rooms and clubhouse.
3. Watering as needed/hand and spot watering.
4. Regular mowing schedule.

GOLF COURSE TREES MAINTENANCE	MONTHLY		YEAR TO DATE	
	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR
# Planted	0	0	0	1
# Removed	15	2	53	60
# Trimmed	200	15	847	680
# Transplanted	0	0	0	1
# Sprayed	0	0	9	23
Joshua Tree Relocation	0	0	0	0

**B. IRRIGATION**

MAIN LINE	LATERAL LINE	HEAD REPAIR OR REPLACEMENT	CLOCK REPAIR	VALVE REPAIR	PUMP REPAIR
0	0	20	6	4	0

**C. SPECIAL PROJECTS**

1. Tree Trimming (continuous)
2. Fungicide Applications (on-going, as needed)

**D. VANDALISM**

1. Graffiti removal (constant)
2. Repair of damaged greens (on-going)

**E. CONSTRUCTION**

1. Sand trap edging and addition of sand (on-going)
2. Cart Path on #2 Green

**F. WEEKEND WORKERS**

1. Perimeter Trimming/weed abatement/painting/drain installation (on-going)

TOTAL MAN HOURS	MONTHLY		YEAR TO DATE	
	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR
Weekday Workers	1188	756	5716.75	7386
Weekend Workers	496.5	341	4081.5	4203
CCC	0	0	0	0
JTPA	0	0	0	0



# Recreation Division Monthly Report of Services and Activities

Reviewed by Recreation Services Manager: *J. Galus*

## Enrollment Totals Mar-07

Total Participants Enrolled	# of Participants			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
Programs and Classes	2,791	2,194	37,033	35,213
Youth Sports	584	587	1,545	1,749
<b>Total</b>	<b>3,375</b>	<b>2,781</b>	<b>38,578</b>	<b>36,962</b>
Total Teams Enrolled	# of Teams			
Adult Sports	52	105	180	220

## Highlights Mar-07

**Teen Expo 3/17/07:** Approximately 300+ teens and family members received information on education, health services, job ventures, and recreational clubs/organizations in the High Desert. Entertainment was provided by Phat Cat Swinger and Desert Pageants in addition to a teen lounge area with a smoothie bar provided by Toad A Lee Coffee.

**Tot Olympics 3/31/07:** It was a fun day for all Olympians ages 3-5. There were some new events added. The hurdles were a big hit! Kids received a real medal and certificate and took pictures with Bubba the Bear! We received lots of positive feedback!



### Inside This Report:

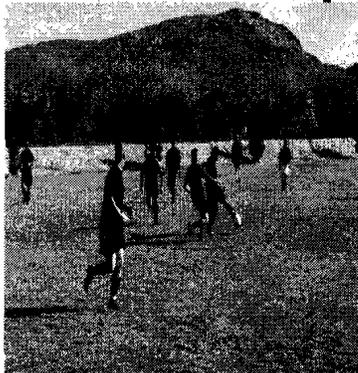
- 1 Totals & Highlights
- 2 Adult & Youth Sports
- 3 Programs & Classes
- 4 Events & Excursions
- 5 Rentals
- 6 Miscellaneous
- 7 Assisted Sports  
Groups & Aquatics

### A Look Ahead

- Juneteenth  
June 16, 2007

**Adult Sports**

**Mar-07**



Adult Sports	# of Teams			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
Coed Volleyball	0	0	11	5
Coed Indoor Soccer	0	0	0	0
Men's Soccer	8	17	13	30
Men's 5 on 5 Basketball	0	* 8	0	8
Men's 40+ Basketball	0	0	0	0
Men's Softball	16	24	64	69
Coed Softball	12	18	45	52
Women's Softball	0	0	0	0
Women's Basketball	0	0	0	0
Flag Football	6	8	11	8
Women's Soccer	10	20	28	37
Wiffleball	0	0	0	0
Tournaments	0	0	8	11
<b>SUBTOTAL</b>	<b>52</b>	<b>95</b>	<b>180</b>	<b>220</b>

**Youth & Pee Wee Sports**

**Mar-07**



Youth Sports	# of Participants			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
Teen Basketball	100	79	134	213
Youth Basketball	464	429	793	859
Girls Basketball	N/A	59	N/A	59
Flag Football	N/A	N/A	220	250
Volleyball	N/A	N/A	N/A	N/A
T-Ball	N/A	N/A	N/A	N/A
<b>SUBTOTAL</b>	<b>564</b>	<b>567</b>	<b>1147</b>	<b>1381</b>

Pee Wee Sports	# of Participants			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
Basketball	N/A	N/A	144	140
Soccer	N/A	N/A	101	99
T-Ball	N/A	N/A	N/A	60
Indoor T-Ball	N/A	N/A	59	N/A
Sports Sampler	20	20	94	69
<b>SUBTOTAL</b>	<b>20</b>	<b>20</b>	<b>398</b>	<b>368</b>

\* Indicates new sports enrollment for the current month



Programs/Classes	# of Participants			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
Kids Klub (Spring Break)	N/A	N/A	537	491
Jr. Kids Klub	N/A	N/A	69	104
Youth Contract Classes	605	595	4814	5089
Adult Contract Classes	* 2	0	* 70	118
Tiny Tots	123	120	1083	1081
Tater Tots***	45	60	264	466
Teenie Tots	15	15	133	131
Just Baby & Me**	12	N/A	82	8
Sunbears (summer only)	N/A	N/A	N/A	28
Honey Bears (new class. Beg. 9/06)	N/A	27	N/A	168
Alpha Bears**	28	27	196	177
Freaky Fridaze	39	28	588	144
Rockview Campfire Series	0	0	97	0
<b>SUBTOTAL</b>	<b>869</b>	<b>872</b>	<b>7933</b>	<b>8005</b>

\* Adult participants were enrolled in classes categorized as "Youth Contract Classes"

\*\*Started in September 2005

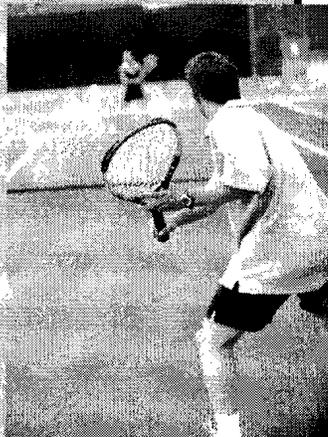
\*\*\*Class resumed in October 2005

Open Gym/Hook & Westwinds	# of Participants			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
Hook Community Center	71	71	558	724
Westwinds Sports Center	288	323	2359	** 1968
<b>SUBTOTAL</b>	<b>359</b>	<b>394</b>	<b>2917</b>	<b>2692</b>

\*Hook Open Gym eliminated Mon. & Weds. ID now required for participation at both sites.

\*\*Basketball practice reduced usage.

\*\*\*Closed for rehab.



Racquetball and Tennis Pebble Beach	# of Participants			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
Racquetball Member Play	513	361	3374	3766
Racquetball Non-Member Play	121	122	896	1091
Racquetball Tournaments	N/A	N/A	12	0
Racquetball Lessons	4	N/A	28	0
Tennis Tournaments	0	0	0	0
Tennis Lessons	0	4	55	99
<b>SUBTOTAL</b>	<b>638</b>	<b>487</b>	<b>4365</b>	<b>4956</b>

Westwinds Sports Center	# of Participants			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
Racquetball	512	421	2487	3274
Exercise Equipment	17	20	135	120
<b>SUBTOTAL</b>	<b>529</b>	<b>441</b>	<b>2622</b>	<b>3394</b>





PARK/FIELD RENTALS/USES	# of Rentals/Uses			
	Monthly		Year-to-Date	
	Last Year *	This Year	Last Year *	This Year
Center Street	65	62	185	289
Eva Dell	42	37	229	291
Hook	179	150	1251	1189
Liberty	6	64	233	467
Doris Davies Park	1	2	26	91
Doris Davies Tennis Courts/Lights	13	19	210	153
Schmidt	109	85	399	456
Westwinds Sports Field	31	22	184	82
Rockview	0	5	13	35
<b>TOTAL</b>	<b>446</b>	<b>* 446</b>	<b>2730</b>	<b>* 3053</b>
FACILITY RENTALS/USES				
Hook Community Center	141	157	1738	1132
Rockview Nature Center	0	5	15	33
VAC Auditoriums	53	66	558	458
Westwinds Activities Center	27	17	153	110
Westwinds Sports Center	9	20	136	92
<b>TOTAL</b>	<b>230</b>	<b>* 265</b>	<b>2600</b>	<b>* 1825</b>
POOL RENTALS				
Pebble Beach	5	0	268	93
Village	0	0	12	1
Village Pool with Rec Center	0	0	177	50
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>457</b>	<b>* 144</b>

\*Last year's figure include all FUA's. This year's figures include all FUA'S, including gathering permits and Recreation Programs. Picnic rental FUA'S required only for Doris Davies, Schmidt and Rockview Parks.



	# Participants			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
<b>Volunteers</b>				
Youth Sport Coaches	110	49	182	209
Pee Wee Sport Coaches	N/A	8	28	22
R.A.T. Pack**	16	25	30	78
Jr. Lifeguards	N/A	N/A	37	18
<b>TOTAL</b>	126	66	277	327

\* New Coaches

	# Hours			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
<b>Volunteers</b>				
Youth Sport Coaches	550.00	343.00	2948.00	5029.00
Pee Wee Sport Coaches	N/A	32.00	216.00	185.00
R.A.T. Pack**	18.00	1.00	151.00	82.00
Jr. Lifeguards	N/A	N/A	1211.25	379.00
<b>TOTAL</b>	568.00	376.00	4526.25	4900.00

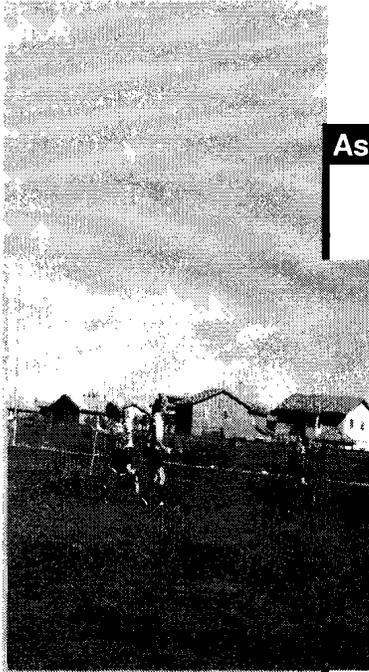
	# Participants			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
<b>Work Programs</b>				
Victor Valley College Students	0	0	0	0
Workability	0	0	0	6
<b>TOTAL</b>	0	0	0	6

	# Hours			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
<b>Work Programs</b>				
Victor Valley College Students	0.00	0.00	0.00	0.00
Workability	0.00	0.00	0.00	148.00
<b>TOTAL</b>	0.00	0.00	0.00	148.00

\*\*\*"Responsibly Active Teens", formerly Volun"Teens"

**Assisted Sports Groups**

**Mar-07**



	# of Participants	
	Last Year	This Year
<b>Assisted Sports Groups (YTD)</b>		
Amer. Youth Soccer Org. (Sept-Feb)	1200	850
Jr. All Amer. Football (Sept-Dec)	N/A	N/A
Little League (Mar-July)	1070	1250
National Jr. Basketball (Dec-March)	150	N/A
Victorville Youth Football (Aug-Dec)	250	300
Victorville Youth Soccer (Aug-Mar)	600	525
<b>TOTAL</b>	<b>3270</b>	<b>2925</b>

**Aquatics**

**Mar-07**



	# of Participants			
	Monthly		Year-to-Date	
	Last Year	This Year	Last Year	This Year
<b>Aquatics Pebble Beach Pool</b>				
Recreation Swim	N/A	N/A	10245	10059
Evening Rec Swim	N/A	N/A	811	602
Lap Swim	230	N/A	2495	1115
Swim Classes	N/A	N/A	919	519
Individual Lessons	N/A	N/A	42	0
Water Polo *	N/A	N/A	N/A	0
Aquatics Contract Classes	166	N/A	2113	905
<b>SUBTOTAL</b>	<b>396</b>	<b>0</b>	<b>16625</b>	<b>13200</b>
<b>Aquatics Village Pool</b>				
Recreation Swim	N/A	N/A	1976	1425
Swim Classes	N/A	N/A	557	955
Individual Lessons	N/A	N/A	31	96
Community Water Safety	N/A	N/A	7	0
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>2571</b>	<b>2476</b>
<b>Aquatics Victor High Sch. Pool</b>				
Swim Classes	N/A	N/A	N/A	421
Individual Lessons	N/A	N/A	N/A	69
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>490</b>

\* This activity is no longer offered.



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 15, 2007

SUBMITTED BY: Adair M. Patterson *ap/aw*  
Director of Finance

DATE: May 1, 2007

SUBJECT: **Reject All Submittals For Furnish and Deliver One (1) Each 250kW and 125kW Towable Diesel Generators w/Trailer and Fuel Cell, Project #ES07-024**

RECOMMENDATION: That the Honorable City Council approve the rejection of all submittals for the purchase of one (1) each 250kW and 125kW Towable Diesel Generators with trailer and Fuel Cells.

FISCAL IMPACT:

Budget Amount:

Budget Account No.:

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

No  
 Yes/\$Amount:

Finance Director Review and  
Approval *ap/aw*

DISCUSSION

The City of Victorville received seven (7) submittals for the above project on February 27, 2007. Upon review of all the documentation submitted, the Victorville Municipal Utilities Services Department determined that the current specifications did not request that the equipment should run on Bio-20 (Biodiesel). Therefore, the offers received did not specify whether the equipment would be compatible with the City of Victorville plans to reduce the usage of diesel fuel and increase usage of Bio-20. As a result, the Municipal Utilities Services Department is recommending rejection of all submittals for the purchase of the 250 and 125 kW generators with trailer and fuel cells.

The Victorville Municipal Utility Services Department and Purchasing Division staff recommend City Council reject all submittals and authorize City staff to revise the RFP scope requirements and proceed with soliciting the new RFP package.

*X*  
AMP/es *es*

cc: Dana Wellborn, Acting Director of Municipal Utilities Services

# MEMORANDUM



RECEIVED  
APR 26 2007  
PURCHASING

**DATE:** April 26, 2007  
**FROM:** Dana Wellborn *DW*  
Acting Director, VMUS  
**TO:** John Mendiola  
Purchasing Manager

---

**SUBJECT: Withdrawal of RFP of 125kW and 250kW Generators**

---

In regard to the RFP in reference, we have decided to not proceed with the purchase of this equipment. We plan to submit a new request with revised specifications at a later date.

The reason for our decision is based on Inland Energy's recommendation to decline these bids because the bid specifications did not request that the equipment should run with Bio-20 (Biodiesel). Therefore, the offers we received do not specify whether the equipment would be compatible with our plans to reduce the usage of diesel fuel and increase the usage of Bio-20.

It would be greatly appreciated if you could request this removal of that item from the City Council Agenda.

Thank you for your assistance in this matter,

DW/jg



**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 15, 2007

**SUBMITTED BY:** Christopher P. Stathis *CPS*  
Director of Information Systems

**DATE:** May 3, 2007

**SUBJECT:** The purchase of ArcGIS Server and Implementation Services

**RECOMMENDATION:** That the Honorable City Council award the purchase of ArcGIS Server and associated implementation services to ESRI, Inc., in the amount not to exceed \$62,169.06, which includes a 5% contingency.

**FISCAL IMPACT:** \$ 62,169.06

Budget Amount: \$80,000

Budget Account No.: 540510-60300-30200-30310-52217  
& 521009-60300-30200-30310-52193 & 521006-60300-  
30200-30310-52234

**DISCUSSION:** This purchase will allow the Information Services Department to provide an enterprise level Geographic Information System for the City Departments. This system encompasses the software necessary to help maintain GIS data and map layers, as well as provide a web interface for City Staff to access the data and mapping analysis. The installation services included in this purchase will bring the City of Victorville GIS to a minimum level of operability determined by the GIS Project Team. This purchase coincides with recommendations in the 2005 GIS Master Plan by Mende Consulting.

Submitted by: Brandon Cales, IS Coordinator

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

No  
 Yes/\$Amount:

Finance Director Review and  
Approval *ap/son*

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CITY COUNCIL MEETING OF: May 15, 2007

SUBMITTED BY: Adair M. Patterson *AP*  
Director of Finance

DATE: May 7, 2007

SUBJECT: Award of Contract (Piggyback Purchase) Protective Clothing for Structural Firefighting (Turnouts)

RECOMMENDATION: That the Honorable City Council award a contract to Fisher Safety for the piggyback purchase of (25) Twenty-five sets of Turnouts for the amount of \$35,993.08

FISCAL IMPACT: \$35,993.08

Budget Amount: \$40,000.00  
Budget Account No.: 521014-44900-55300-55023-5227 = 80%  
521014-20100-55300-55023-52227=20%

DISCUSSION:

In August 2005 the City of Glendale competitively purchased Protective Clothing for Structural Firefighting (Turnouts) and through negotiation by staff, Fisher Safety has agreed to allow the City of Victorville to utilize the purchase contract of City of Glendale for the purchase of Turnouts at the price agreed upon with the City of Glendale. Fischer Scientific has also agreed to honor last year's pricing.

According to the Purchasing Division, this concession to utilize another governmental agency's contract fulfills the legal obligation to advertise and receive competitive bids. Sufficient funds are available to cover the cost of this purchase.

*ju*  
**AMP/jvm/cc**  
cc: John Becker, Fire Chief

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

No  
 Yes/\$Amount:

Finance Director Review and Approval *AP*



# MEMORANDUM

**DATE:** May 3, 2007

**FROM:** John Becker  
Fire Chief

**TO:** Adair M. Patterson  
Director of Finance

05/07/07  
John M

CELESTE  
5-7-07

RECEIVED  
MAY 03 2007  
PURCHASING

**SUBJECT: REQUEST FOR PURCHASING SERVICES**

**GENERAL INFORMATION:**

- Request for: \_\_\_\_\_ RFP (Request for Proposal) (under \$25,000)  
 \_\_\_\_\_ RFP (Request for Proposal) (over \$25,000)  
 \_\_\_\_\_ Sealed Bid Package (under \$25,000)  
 X  Sealed Bid Package (over \$25,000)  
 \_\_\_\_\_ Purchasing (Buyer) Assistance (Quotes, research, etc.)

Project Name: Assistance to Firefighters Grant – Paid Call Firefighter safety equipment. -

Department Contact Person: \_Warren Peterson Phone: 955-5230 - Carl Warren  
once the P.O. is ready

**BUDGET INFORMATION:**

Amt. Budgeted for this Purchase/Project \$ \$34,792.11

Budget Code(s):	Percent:
521014-44900-55300-55023-52227	80%
521014-20100-55300-55023-52227	20%

**SPECIFICATIONS/VENDORS:**  attached

Please attach typed specifications (hardcopy as well as on disk) together with any drawings or diagrams. If available, include a list of any suggested sources, contractors, vendors with complete addresses, phone numbers and contact persons.

**TIMELINE:**  attached

Realizing that in most cases a formal sealed bid requires a minimum of 45 days - please indicate any critical dates, or timeline information pertinent to this bid/purchase.

**SPECIAL NOTES:**

Piggyback on earlier purchase of same equipment and specifications from Fisher Scientific; P. O. 1765.

F I S H E R S C I E N T I F I C  
Q U O T A T I O N

MAY 1, 2007

PAGE: 1

CITY OF VICTORVILLE  
FIRE DEPT  
14343 CIVIC DR

FISHER SCIENTIFIC COMPANY LLC  
9999 VETERANS MEMORIAL DR  
HOUSTON TX 77038

VICTORVILLE CA 92392  
ATTN: WARREN PEATERSON

(800) 766-7000

CUST REF NBR Q-GEAR

ACCOUNT NBR: 592646-001  
QUOTE NBR: 7121-8351-00  
TERMS: NET 30 DAYS  
DUE DATE:

REQUESTOR: MIKE MCBRIDE  
PHONE: 7604976622  
FOB: DEST  
AUTHORIZED BY: LORI X 4629

\*\*\* PRICES ARE FIRM THRU 05/31/07 \*\*\*  
PLEASE REFER TO THE QUOTE NBR ON ALL CORRESPONDENCE  
THANK YOU FOR YOUR INTEREST IN FISHER SCIENTIFIC COMPANY LLC  
SAFETY REP: MIKE MCBRIDE

NBR	QTY	UN	CATALOG NBR	DESCRIPTION	UNIT PRC	EXTD PRC
1	25	EA	NON-CATALOG	LTO-54I2 TAILS YELLOW VNDR NBR = 0061647 VNDR CAT NBR = CAVICT0031	748.06	18,701.50
2	25	EA	NON-CATALOG	BPR-54I2 PANT YELLOW VNDR NBR = 0061647 VNDR CAT NBR = CAVICT0032	588.11	14,702.75
				MERCHANDISE TOTAL		33,404.25
				EST. SALES TAX		2,588.83
				TOTAL		35,993.08

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 15, 2007

**SUBMITTED BY:** Jon E. Gargan   
Director of Community Services

**DATE:** May 2, 2007

**SUBJECT:** REQUESTING THE 80% RELEASE OF THE FAITHFUL PERFORMANCE, LABOR AND MATERIALS BONDS FOR THE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR TRACT 15363 PHASE I.

Faithful Performance Bond: SU5003188 / \$72,044.01  
Labor and Materials Bond: / \$36,022.01

Developer: Innovation 1, LLC  
517 North Mountain Avenue, Suite  
201  
Upland, CA 91786

**RECOMMENDATION:** That the City Council approve the 80% release of the Faithful Performance, Labor and Materials Bonds in the amount of \$108,066.02.

**FISCAL IMPACT:** None

Budget Amount: \_\_\_\_\_ Budget  
Account No. \_\_\_\_\_

—Finance Dept. Use Only—

Additional Appropriation:

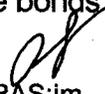
No

Yes \$Amount: \_\_\_\_\_ Finance Director

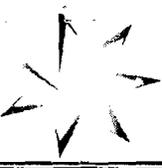
Review &

Approval 

**DISCUSSION:** The developer, Innovation 1, LLC., has completed the required landscaping improvements along Mojave Drive and Ferndale Road for Phase I of Tract 15363. Therefore, it is recommended that 80% of the Faithful Performance, Labor and Materials Bonds be released at this time, as per (Ordinance 999 § 1 (part) 1985. The remaining 20% of the bonds will be held until the one-year warranty period has been fulfilled. A request for the full release of the bonds will be submitted for the City Council meeting of November 6, 2007, at the end of the required six-month waiting period. Copies of the bonds and a site map are on file with the City Clerk and are available for review.

  
JEG:RAS:jm

Consent  
#4H  
5-15-07



# ARCH INSURANCE COMPANY

Bond Number : SU 5003188

## SUBDIVISION BOND LABOR & MATERIAL/PAYMENT

 **COPY**

KNOW ALL MEN BY THESE PRESENTS: That we, Innovation 1, LLC as Principal, and ARCH INSURANCE COMPANY, as Surety, are held and firmly bound unto City of Victorville as Obligee, in the sum of Forty-Five Twenty-Seven & 51/100ths & N0/100ths DOLLARS (\$45,027.51) lawful money of the United States of America, for the payment of which sum well and truly to be made, We bind ourselves jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That, Whereas, said Principal has entered into a Subdivision Agreement with the Obligee, dated 00/00/00, in which said Principal agrees to construct designated public improvements, as follows:

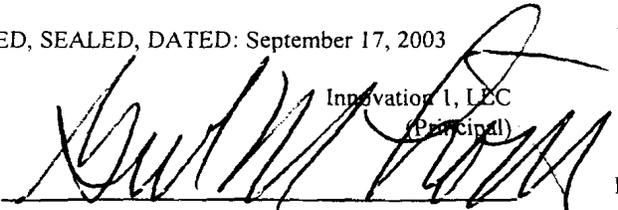
### LANDSCAPE IMPROVEMENTS FOR TRACT 15363-1

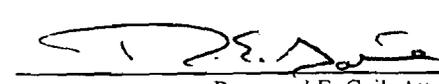
and, as a condition of approving said Subdivision, the Principal is required to give Labor and Material Payment Bond as herein provided.

NOW, THEREFORE, if said Principal and/or contractor or subcontractor fails to pay for any materials, provisions, or rented equipment used in, upon, or for or about the construction of the public improvements for performance of the work to be done, or any work or labor done of any kind, in or on such improvements, said surety will pay the same in an amount not exceeding the sum set forth above.

This bond shall insure to the benefit of the contractor, his subcontractors, and to persons renting equipment or furnishing labor and materials to them for the improvements.

SIGNED, SEALED, DATED: September 17, 2003

By:   
Innovation 1, LLC  
(Principal)

By:   
Arch Insurance Company  
(Surety)  
Raymond E. Gail, Attorney In Fact

**DIRECT CORRESPONDENCE TO:**  
ARCH INSURANCE COMPANY, PO BOX 41375, 7470 N. FIGUEROA ST., LOS ANGELES, CA 90041  
PHONE (323) 257-8291 • FAX (323) 256-7218

**CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT**

State of California

County of San Bernardino

On September 17, 2003 before me Shannon Lopez, Notary Public

Personally appeared Gerald M. Lavitt

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.

Shannon Lopez

**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

**CAPACITY CLAIMED BY SIGNER**

**DESCRIPTION OF ATTACHED DOCUMENT**

- INDIVIDUAL
- CORPORATE OFFICER

\_\_\_\_\_  
Title(s)

Subdivision Bond - Pmt  
Title or Type of Document

- PARTNERS  LIMITED GENERAL

- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

1  
Number of Pages

9-17-03  
Date of Document

SIGNER IS REPRESENTING:

\_\_\_\_\_

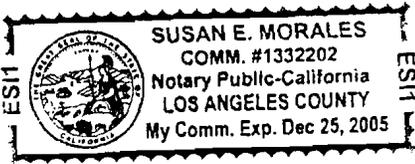
\_\_\_\_\_  
Signer(s) other than Named Above

**CALIFORNIA ALL - PURPOSE ACKNOWLEDGMENT**

State of California  
County of Los Angeles

On SEP 17 2003 before me, Susan E. Morales/Notary Public  
NAME, TITLE OF OFFICER  
personally appeared Raymond E. Gail  
NAME OF SIGNER(S)

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.

Susan E. Morales  
(SIGNATURE OF NOTARY)

**OPTIONAL**

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**CAPACITY CLAIMED BY SIGNER**

**DESCRIPTION OF ATTACHED DOCUMENT**

- INDIVIDUAL/OWNER
- CORPORATE OFFICER

\_\_\_\_\_  
TITLE(S)

\_\_\_\_\_  
TITLE OR TYPE OF DOCUMENT

- PARTNER(S)     LIMITED
- GENERAL

\_\_\_\_\_  
NUMBER OF PAGES

- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

\_\_\_\_\_  
DATE OF DOCUMENT

**SIGNER IS REPRESENTING:**  
NAME OF PERSON(S) OR ENTITY(IES)

American Motorists Insurance Company  
Arch Insurance Company



# ARCH INSURANCE COMPANY

FIRST TERM PREMIUM FULLY EARNED

Bond Number : SU 5003188

## SUBDIVISION BOND FAITHFUL PERFORMANCE

 **COPY**

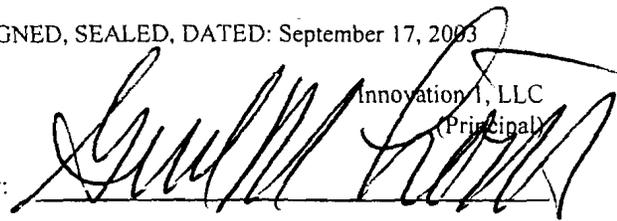
KNOW ALL MEN BY THESE PRESENTS: That, Innovation 1, LLC, as Principal, and the ARCH INSURANCE COMPANY, a corporation organized and existing under the laws of the State of MISSOURI and authorized to transact surety business in the State of California as Surety, are held and firmly bound unto City of Victorville, as Obligee, in the sum of Ninety Thousand Fifty-Five & 02/100ths DOLLARS (\$90,055.02), for which the payment whereof, well and truly to be made, said Principal and Surety bind themselves, their heirs, administrators, successors, and assigns, jointly and severally, firmly by these presents.

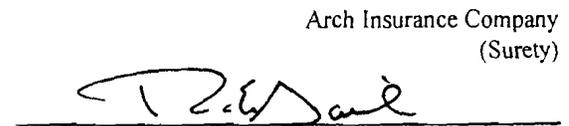
THE Condition of the foregoing obligation is such that, whereas the above bounden Principal has entered into a contract/agreement, dated 00/00/00, with the Obligee to do and perform the following work; to wit:

### LANDSCAPE IMPROVEMENT FOR TRACT 15363-1

NOW, THEREFORE, if the above bounden Principal shall well and truly perform the work contracted to be performed under said contract, then this obligation shall be void; otherwise to remain in full force and effect.

SIGNED, SEALED, DATED: September 17, 2003

By:   
Innovation 1, LLC  
(Principal)

Arch Insurance Company  
(Surety)  
By:   
Raymond E. Gail, Attorney In Fact

**CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT**

State of California

County of San Bernardino

On September 17, 2003 before me Shannon Lopez, Notary Public

Personally appeared Gerald M. Lavitt

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.

Shannon Lopez

OPTIONAL

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**CAPACITY CLAIMED BY SIGNER**

**DESCRIPTION OF ATTACHED DOCUMENT**

- INDIVIDUAL
- CORPORATE OFFICER

\_\_\_\_\_  
Title(s)

Subdivision Bond - Perf.  
Title or Type of Document

- PARTNERS  LIMITED
- ATTORNEY-IN-FACT  GENERAL

1  
Number of Pages

- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

9.17.03  
Date of Document

SIGNER IS REPRESENTING:

\_\_\_\_\_

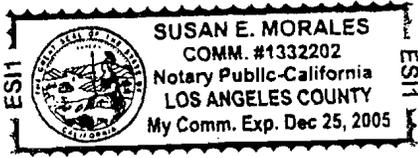
\_\_\_\_\_  
Signer(s) other than Named Above

**CALIFORNIA ALL - PURPOSE ACKNOWLEDGMENT**

State of California  
County of Los Angeles

On SEP 17 2003 before me, Susan E. Morales/Notary Public  
NAME, TITLE OF OFFICER  
personally appeared Raymond E. Gail  
NAME OF SIGNER(S)

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.  
Susan E. Morales  
(SIGNATURE OF NOTARY)

**OPTIONAL**

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- GENERAL

\_\_\_\_\_  
NUMBER OF PAGES

- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

\_\_\_\_\_  
DATE OF DOCUMENT

**SIGNER IS REPRESENTING:**  
NAME OF PERSON(S) OR ENTITY(IES)

American Motorists Insurance Company  
Arch Insurance Company

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**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 15, 2007**

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

**DATE:** April 23, 2007

**SUBJECT:** Release of 80% of the Detention Basin Bond and acceptance of the work into the public maintenance system for Tract 16853.

**RECOMMENDATION:** Approval of 80% of Release of the Faithful Performance Bond only for Detention Basin and acceptance of the 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 Detention Basin bond for Tract 16853. The Detention Basin 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 16853 Detention Basin Bond No. 864636S**



**Daybreak Communities, LLC**

March 12, 2007

HAND DELIVERED

Helen Wilson, P.E.  
Associate Civil Engineer  
Engineering Department, City of Victorville  
14206 Amargosa Road  
Victorville, CA 92392

RECEIVED  
MAR 12 2007  
ENGINEERING DEPT.

**Re: Daybreak Communities, LLC – Tract 16853, Daybreak III  
Bond Reduction – Detention Basin**

Dear Ms. Wilson:

As the owner and developer for Tract 16853, Frontier Homes has a bond for work to be completed at the above-referenced project:

Bond No.: 864636S  
Amount: \$78,100.00 – Performance Bond  
Amount: \$39,050.00 – Labor and Materials  
Improvement: Detention Basin

The Detention Basin improvement has been completed and inspected for release. Therefore we respectfully request that the City reduce the bond to eighty percent (80%) with a one year warranty. Once the bond is officially exonerated, please provide our office with written confirmation.

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.

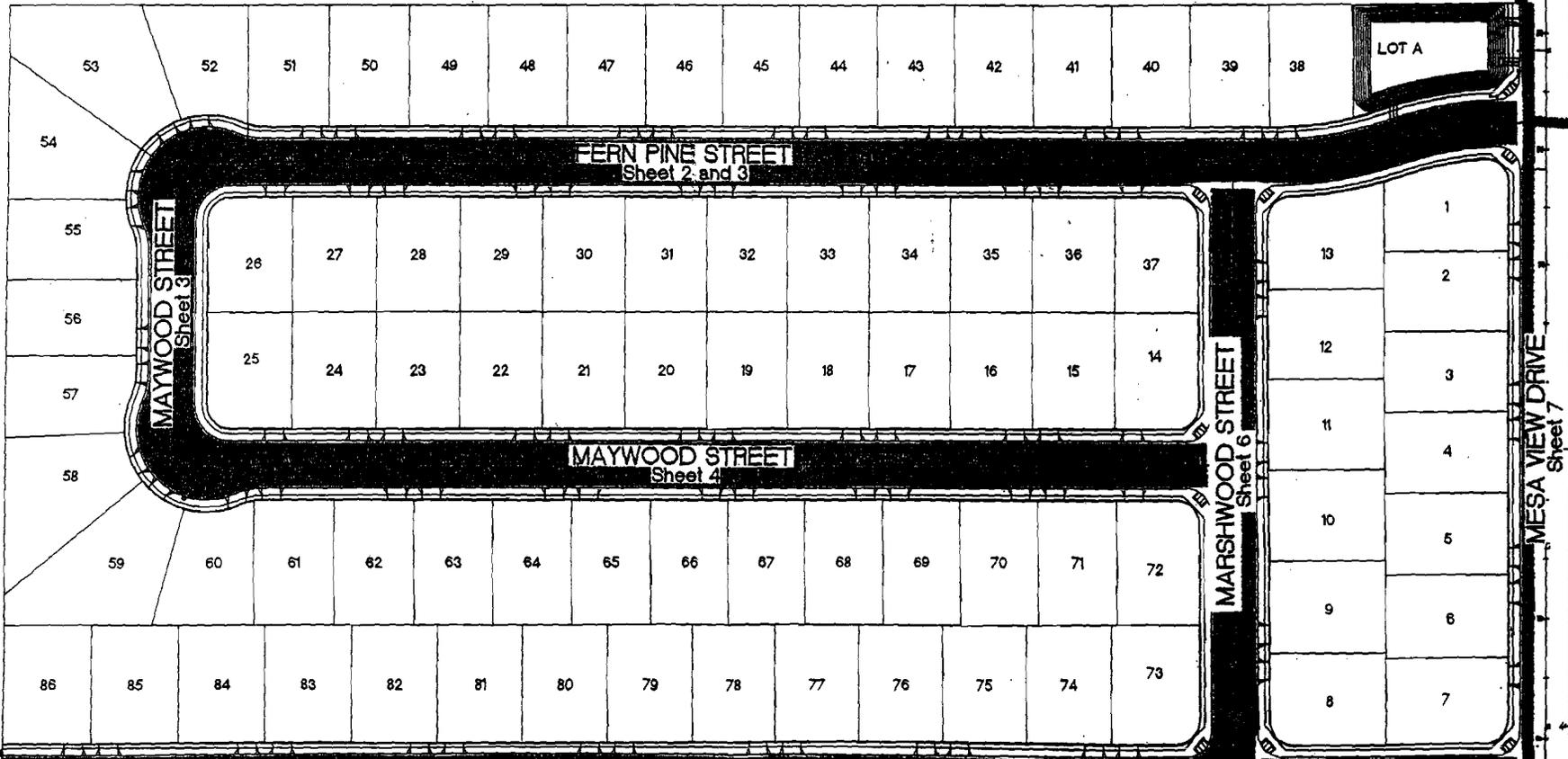
Sincerely,

Kimberly Ikona  
Frontier Homes  
Planning Specialist – Bond Exonerations

# TRACT 16853



R-1 VACANT



EXISTING TRACT No. 16138-1

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 15, 2007

SUBMITTED BY:

John A. McGee  
City Engineer

DATE: May 3, 2007

SUBJECT: Release of the remaining 20% of the Sewer Bonds for Tract 16247-3 to 6.

RECOMMENDATION: Approval of the remaining 20% release of the Faithful Performance Bonds for the Sewer.

FISCAL IMPACT: None

Finance Dept. Use Only  
Additional Appropriation  
? No \_\_\_\_\_  
? Yes/\$ Amount \_\_\_\_\_  
Finance Director Review  
\$ Approval \_\_\_\_\_

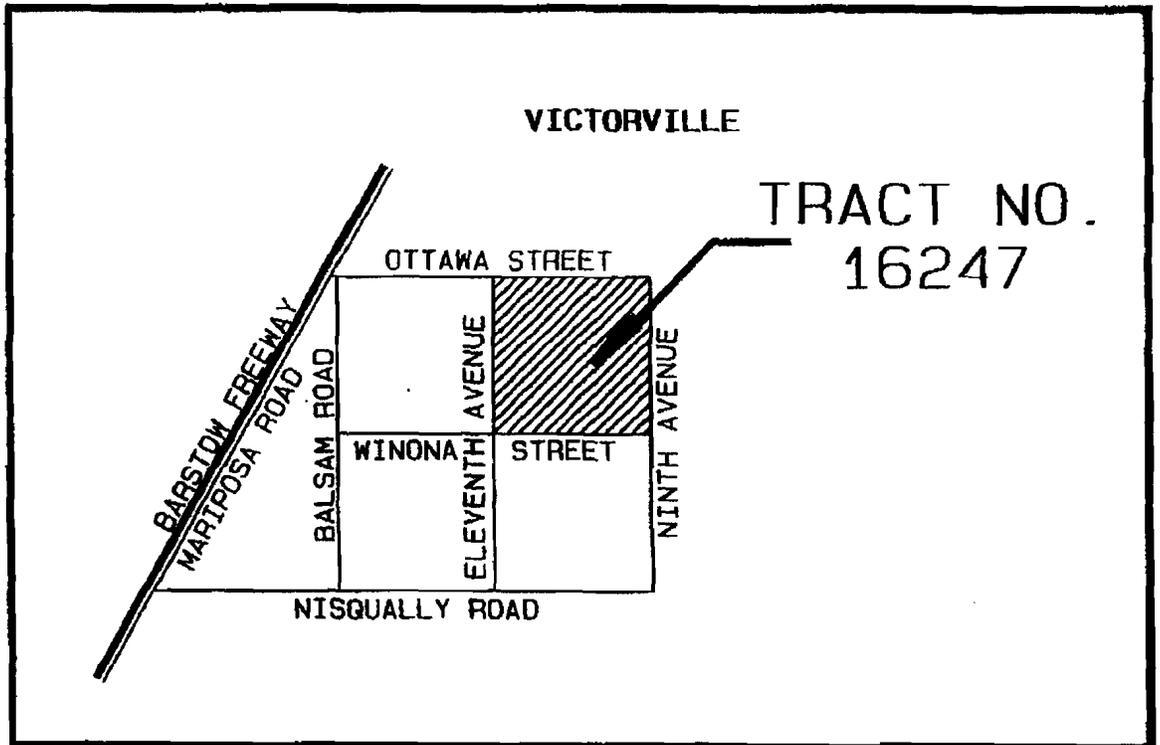
DISCUSSION: Covenant Development, Inc. has requested an exoneration of the sewers for Tract 16247-3 to 6. This work has been completed satisfactorily and the warranty period has been met. Therefore, the Engineering Department recommends release of the remaining 20% for the Sewer Bonds.

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  
/engineeringnas/development/planchecklists/agendaitems/16247-3TO6.20%release.SP.51507

Consent  
#4J  
5-15-07



VICINITY MAP  
N.T.S.



# COVENANT DEVELOPMENT, INC.

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 15, 2007

**SUBMITTED BY:** Adair M. Patterson  
Director of Finance

Date: May 1, 2007

**SUBJECT:** Award of Contract CP07-026 (Piggyback Purchase) of one Ford F-550 and one Ford F-750 Cab & Chassis**RECOMMENDATION:** That the Honorable City Council award a contract to Downtown Ford Sales, Sacramento, CA, for the piggyback purchase of (1) Ford F-550 and (1) Ford F-750 in the amount of \$96,141.39.**FISCAL IMPACT:** \$96,141.39  
Budget Amount: \$283,000.00  
Budget Account No.:  
540400 76947 70628 70710 52216**DISCUSSION:**

The Utilities Department has requested the Fleet Division of the Public Works Department to Purchase (1) Ford F-550 and (1) Ford F-750 Cab and Chassis to be used as Natural Gas Utilities truck, made to resemble the Southwest Gas Utilities Trucks to maintain natural gas lines. Standardization with Southwest Gas Company trucks (Ford F550 and Ford F750 cab and chassis) would ensure that spare parts are readily available and the maintenance and repairs can be completed locally. Standardization is also vital in the event that mutual aid with other local companies is necessary to resolve or avoid a potential catastrophe.

The Purchasing Division and Public Works Department have discussed the advantage of the State of California contract available through the California Department of General Services (DGS) from Downtown Ford Sales, Sacramento, CA. According to the Purchasing Division, utilizing the DGS state contract fulfills the legal obligation to advertise and receive competitive bids.

Department of General Services (DGS), contract #1-07-23-20, Contract period: January 25, 2007, through September 30, 2007.

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

No

Yes/\$ Amount:

Finance Director Review and  
Approval ap/aw

CITY OF

VICTORVILLE



(760) 955-5000  
FAX (760) 245-7243  
E-mail: [vville@ci.victorville.ca.us](mailto:vville@ci.victorville.ca.us)

14343 Civic Drive  
P.O. Box 5001  
Victorville, CA 92393-5001

Sufficient funds are available to cover the cost of this project.

AMP/cp 

Cc: Rod E. Sorensen, Interim Director of Public Works

# SOLE SOURCE/BRAND REQUEST

When a request is made for a non-competitive purchase and the specifications limit the bidding to one source and/or one brand or trade name, the requesting department must complete the following.

1. Please check one:

- a.  SOLE SOURCE: Item is available from one source only. Item is one-of-a kind and is not sold through distributors. Manufacturer is exclusive distributor.
- b.  SOLE BRAND: Various sources can supply the specified model and brand and competitive bids will be solicited for the requested brand only. Meets form, fit and function - nothing else will do.
- c.  STANDARDIZATION REQUEST: The City of Victorville Director (*of Utilities*) requires the item(s) to standardize parts; design; quality; training; etc...

2. What are the unique performance features of the product / brand requested that are not available in any other product / brand? (For services: What unique qualifications, rights, licenses does this vendor possess?)

The gas division of Victorville Municipal Utility Services (VMUS) has been modeled after local industry leaders. Through extensive research and direct contact with Southwest Gas Company we have identified the industry standards for gas service vehicles. These include a Ford cab and chassis, with a custom body built by Sierra Truck Body & Equipment.

3. Why are the unique performance features REQUIRED (not merely preferred), and how would your requirement be inhibited without this particular service/item?

VMUS has purchased tools and equipment according to the industry standard. The truck bodies by Sierra Truck Body & Equipment are custom built to house these tools and equipment. In addition, the size and performance of the Ford cab and chassis allows for adequate space for the custom body and the power necessary to haul gas tools and equipment. The inability to transport these tools and equipment in an organized fashion would restrict daily operations and hinder our ability to efficiently respond to gas emergencies.

4. If justification is based on matching and/or interdependent with existing equipment (refer to 1.c.), list the quantity, manufacturer, brand, and model of the existing equipment, and why the matching is required.

The Ford cab and chassis will vary by function. Hit Trucks are built using the F-550 model, and Crew Trucks are built using the F-750 model. Sierra Truck Body & Equipment has detailed specifications on file for Hit Trucks and Crew Trucks based on the type of tools and equipment needed. These components are the industry standard in Southern California. Standardization would ensure that spare parts are readily available and that maintenance and repairs can be completed locally. Standardization is also vital in the event that mutual aid with other local companies is necessary to resolve or avoid a potential catastrophe.

I am aware of City of Victorville's policy for competitive bidding and the established criteria for sole source/sole brand purchasing. I feel confident that this request for sole source/sole brand procurement meets City of Victorville's criteria and will withstand an audit or a vendor protest.

REQUESTOR: Jenele Davidson DATE: 2-7-07

DIRECTOR: [Signature] DATE: 2-7-07

STATE OF CALIFORNIA

DEPARTMENT OF GENERAL SERVICES - PROCUREMENT DIVISION

<b>Contract (Mandatory): 1-07-23-20 Rev.: C</b>	
<b>VEHICLES: TRUCKS, VANS, AND UTILITY VEHICLES SUPPLEMENT NO. 3</b>	
EFFECTIVE DATES:	1/25/2007 Through 9/30/2007
SUPERSEDES CONTRACT NO. :	1-06-23-20
AREA:	STATEWIDE (FOUR FOB POINTS)
DISTRIBUTION:	STATE AND LOCAL AGENCIES
BUYER NAME:	MARC ANDERSON
BUYER PHONE:	916-375-5955

VENDOR ID:	7554
NAME:	DOWNTOWN FORD SALES
ADDRESS:	525 N 16TH ST SACRAMENTO, CA 95814
CONTACT:	DAVE FORBESS 916-442-6931
FAX:	916-491-3138
TERMS OF PAYMENT:	\$500/EA-20 DAYS
FOB:	Destination
MINIMUM ORDER:	1 VEHICLE

VENDOR ID:	52534
NAME:	INTERNATIONAL TRUCK & ENGINE
ADDRESS:	3017 DOUGLAS BLVD STE 300 ROSEVILLE, CA 95661
CONTACT:	ERNIE REED 916-774-7571
FAX:	916-774-7516
TERMS OF PAYMENT:	NET - 45 DAYS
FOB:	Destination
MINIMUM ORDER:	1 VEHICLE

VENDOR ID:	117856
NAME:	FOLSOM LAKE FORD
ADDRESS:	12755 FOLSOM BLVD FOLSOM, CA 95630
CONTACT:	DAN RAIMONDI 916-353-2000
FAX:	916-353-2078
TERMS OF PAYMENT:	\$500/EA-20 DAYS
FOB:	Destination
MINIMUM ORDER:	1 VEHICLE

VENDOR ID:	148277
NAME:	SENATOR FORD INC
ADDRESS:	3801 FLORIN RD SACRAMENTO, CA 95823
CONTACT:	TIM CREEDON, EXT 855 916-391-3000
FAX:	916-391-7026
TERMS OF PAYMENT:	\$500/EA-20 DAYS
FOB:	Destination
MINIMUM ORDER:	1 VEHICLE

VENDOR ID:	168006
NAME:	BROADWAY MOTORS
ADDRESS:	2560 WEBSTER ST OAKLAND, CA 94612
CONTACT:	DAN DURIGAN 510-832-8800
FAX:	510-839-5095
TERMS OF PAYMENT:	\$200/EA-20 DAYS
FOB:	Destination
MINIMUM ORDER:	1 VEHICLE

VENDOR ID:	186026
NAME:	HOBLIT MOTORS
ADDRESS:	46 5TH ST COLUSA, CA 95932
CONTACT:	DWANE GALATTI 530-666-7931
FAX:	530-666-7992
TERMS OF PAYMENT:	\$500/EA-20 DAYS
FOB:	Destination
MINIMUM ORDER:	1 VEHICLE

VENDOR ID:	224224
NAME:	HUNTER, H W, INC
ADDRESS:	1130 AUTO MALL DR LANCASTER, CA 93534
CONTACT:	PAUL HARPER 661-948-8411
FAX:	661-723-3873
TERMS OF PAYMENT:	\$500/EA-20 DAYS
FOB:	Destination
MINIMUM ORDER:	1 VEHICLE

VENDOR ID:	668319
NAME:	SWIFT CHRYSLER DODGE

# PURCHASE ORDER REQUEST

Confirming  Yes  No

Date Required April 16, 2007

Account Number 540400-76947-70628-70710-52216

To be used for Purchase of (1) Ford F-550 with cab steps and trailer package and (1) Ford F-750

cab and chassis with air brakes, plumbed for trailer air brakes and 120" cab to axle.  
If confirming, why \_\_\_\_\_

## BIDS RECEIVED

Downtown Ford Sales 525 N. 16th Street Sacramento, CA 95814		
(916) 442-6931		
\$96,141.39		

**2008 FORD F550 4X2 REGULAR CAB CHASSIS - DIESEL**  
**STATE OF CALIFORNIA CONTRACT #1-07-23-20**

153	Sacramento	\$30448.00	Fresno	\$30505.00	155
			Los Angeles	\$30515.00	156

<b>MAJOR STANDARD EQUIPMENT</b>		
2WD, 165" WHEELBASE (84" CA), 17,950 GVW, CLOTH/VINYL BENCH SEAT, XL TRIM, AM/FM STEREO, 6.4L V8 DIESEL ENGINE, 5-SPEED AUTOMATIC TRANS, PTO, AIR CONDITIONING, TELESCOPING TRAILER TOW MIRRORS, SPEED CONTROL/TILT WHEEL.		
<b>AVAILABLE OPTIONS</b>	<b>PRICE</b>	<b>√</b>
60" CA (141" WB)	(152.00)	
108" CA (189" WB)	116.00	
120" CA (201" WB)	192.00	
SUPER CAB, 60" CA (162" WB)	2094.00	
CREW CAB, 60" CA (176" WB)	3017.00	
CREW CAB, 84" CA (200" WB)	3196.00	
4X4	4322.00	
POWER WINDOWS, DOOR LOCKS, MIRRORS	667.00	
19000# GVW	410.00	
CLOTH 40/20/40 BENCH SEAT	397.00	
CAB STEPS	345.00	
TOW COMMAND SYSTEM	325.00	
LIMITED SLIP AXLE	329.00	
AM/FM/CD, 585	269.00	
TRAILER TOW PACKAGE, N/A W/TOW COMMAND SYSTEM	145.00	
SLIDING REAR WINDOW, 433	118.00	
CHROME BUMPERS, 17F	118.00	
VINYL SEATING	70.00	
DAYTIME RUNNING LIGHTS, 942	41.00	
ENGINE BLOCK HEATER, 41H	32.00	
UTILITY BODY, ROYAL 40-VDO-132	6971.00	
DUMP BODY, RUGBY, 4-YARD W/FOLD DOWN SIDES (165" WB)	10125.00	
DUMP BODY, RUGBY, 3-YARD W/FOLD DOWN SIDES (165" WB)	9727.00	
DUMP BODY, RUGBY, 4-YARD (165" WB)	9543.00	
DUMP BODY, RUGBY, 3-YARD (165" WB)	9146.00	
MATERIAL RACK	995.00	
TOOL BOX, UNDER BODY 36"	495.00	
F650 W/ALLISON AUTOMATIC TRANS, CALL FOR PRICING		
F750 W/ALLISON AUTOMATIC TRANS, CALL FOR PRICING		
<b>SPECIALIZED BODIES FOR TURN KEY VEHICLE AVAILABLE ON ALL F-SERIES</b>		
<b>BODY MANUFACTURERS AVAILABLE: ARBORTECH, AUTOCRANE, RUGBY, CRYSTEEL, KNAPPEIDE, HARBOR, WALTCO, ROYAL, SCHELI, PACIFIC, STAHL, SUPREME, CTEC</b>		

**DOWNTOWN FORD SALES**

525 N. 16TH STREET, SACRAMENTO, CA 95814

PH: (916) 442-6931, FAX: (916) 491-3138

CONTACT: DAVE FORBESS -or- SANDRA SCOTT

[daveforbess@downtownfordsales.com](mailto:daveforbess@downtownfordsales.com) [sandrascott@downtownfordsales.com](mailto:sandrascott@downtownfordsales.com)

# THIS IS YOUR QUOTE

DF418073

DOWNTOWN FORD SALES  
525 N16th Street, Sacramento, CA. 95814  
916-442-6931 fax 916-491-3138

## QUOTATION

### Customer

Name CITY OF VICTORVILLE  
Address  
City CA  
Phone TONY COLVER FAX 760-955-5199

Date 4/18/2007  
REP FORBESS  
Phone  
FOB

Qty	Description	Unit Price	TOTAL
1	2008 FORD F750 CAB CHASSIS	\$45,021.00	\$45,021.00
1	CHANGE WHEELBASE TO 194" (176" STD)	\$308.00	\$308.00
1	AIR BRAKES	\$1,210.00	\$1,210.00
1	UPGRADE ENGINE TO CAT 275 HP, (CUMMINS 200HP STD)	\$6,325.00	\$6,325.00
1	HD DRIVESHAFT	\$165.00	\$165.00
1	ALLISON 3000 TRANS (ALLISON 2500 STD)	\$3,773.00	\$3,773.00
1	BACK UP ALARM	\$99.00	\$99.00
1	200 AMP LEECE-NEVILLE ALTERNATOR	\$649.00	\$649.00
1	65 GALLON FUEL TANK	\$170.00	\$170.00
1	CONVEX MIRRORS	\$38.00	\$38.00
1	MUD FLAPS	\$71.00	\$71.00

\$57,829.00

### Payment Details

- 
- 
- 

SHIPPING	\$200.00
Taxes 7.75	\$4,481.75
TIRE FEE	\$10.50
<b>TOTAL</b>	<b>\$62,521.25</b>

Office Use Only

**TERMS: \$500 DISCOUNT FOR PAYMENT WITHIN 20 DAYS**

PRICING BASED UPON STATE OF CALIFORNIA CONTRACT

1-06-23-20 → confirmed via email w/Dave Forbess @  
07 Downtown Ford. ep5/11/07 9:34am

Prepared For:

Prepared By:

Dave Forbess  
DOWNTOWN FORD SALES  
525 N 16TH  
SACRAMENTO, California, 95814  
Phone: 916-442-6931  
Fax: 916-491-3138

Ship To:

TONY COLVER  
CITY OF VICTORVILLE  
14343 CIVIC DRIVE  
VICTORVILLE, CA, 92392

*Selected Options*

2008 Ford F-750

Regular Cab XL (F75)

## Vehicle Snapshot

**Engine:** Caterpillar (7.2L) C7 275 HP @ 2200 RPM, Governed @ 2400 RPM  
**Transmission:** Allison 3000 5-Speed, RDS Series On-Off  
**Rear Axle Ratio:** 5.29  
**Brakes:** Air Brakes - Straight Truck  
**GVWR:** 31,000 lbs

Code	Description	Class	MSRP
F75	<b>Base Vehicle Price (F75)</b>	STD	48,965.00
<b>Wheelbase</b>			
	194" Wheelbase/120" CA/75" AF/308" OAL	OPT	341.00
<b>1 - Frame</b>			
535	<b>Single Channel - Straight 'C' 15.14 SM, 80,000 PSI</b> <i>High strength low alloy steel; 10.250" x 3.092" x 0.375" (260.4mm x 78.5mm x 9.5mm), 437.9" (11122mm) maximum OAL.</i>	STD	N/C
<b>2 - Axle, Front/Suspension, Front</b>			
43B	<b>I-Beam Type - 10,000 lb. Cap. I-100SG</b> <i>Steering Wheel - Two Spoke, Black PVC, 17.5" Dia. : Includes Ross TAS-66 power steering gear.</i>	STD	N/C
61C	<b>Taper-Leaf Springs, Parabolic - 10,000 lb. Cap</b> <i>Includes shock absorbers.</i>	STD	N/C
<b>3 - Axle, Rear/Suspension, Rear</b>			
47G	<b>21,000 lb. Single-Speed - Spicer 21060S</b> <i>Single reduction with 190 wheel ends. NOTE: When specifying an axle ratio, check performance guidelines for startability and gradeability.</i>	STD	N/C
68R	<b>Multi-Leaf Springs - Vari-Rate Suspension 23,500 lb. Cap</b> <i>Includes 4500 lb. auxiliary rubber spring.</i>	STD	N/C
961	<b>Shock Absorbers, Rear - Double Acting</b>	OPT	79.00

Prices and content availability as shown, are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information. Reference C105206408 12/7/2006

*Selected Options Continued*

Prepared By: Dave Forbess  
Dealership: DOWNTOWN FORD SALES

Code	Description	Class	MSRP
X58	<b>5.29 Axle Ratio</b>	OPT	N/C
<b>4 - Brakes/Brake Equipment</b>			
67C	<b>Air Brakes - Straight Truck</b> <i>Air Compressor, Caterpillar, 16.1 CFM Capacity. Meritor Q-Plus with ABS, Bendix Anti-Lock Brake System, 4-channel. Includes 15" x 4" front brakes, dual direct reading air pressure gauges, front and rear dust shields, brake lines color coded nylon, instrument panel mounted yellow knob parking brake control valve, automatic slack adjusters front and rear, two rear spring parking brake chambers, three drain valve(s) and two air tanks (Reference Body Builders Book for location). Rear brake size and components dependant on axle selection.</i>	OPT	1,341.00
<b>5 - Engine/Engine Equipment</b>			
99V	<b>Caterpillar (7.2L) C7 275 HP @ 2200 RPM, Governed @ 2400 RPM</b> <i>Starting Motor - 12-Volt, 41 MT, Delco-Remy America Inc Type 400 : Less thermal overcrank protection.; Radiator - Modine, 717 Sq In Cross Flow, 4.25" Core w/In-Tank Trans Cooler; Mainshaft Driveline, 1710. 50 State 275 HP @ 2200 RPM, 800 lb-ft Torque @ 1440 RPM, 2400 RPM Governed Speed; 275 Peak HP (Max), with electronic controls. Includes Borg Warner SABS viscous screw on type fan clutch, Donaldson single stage dry type air cleaner with restriction indicator and Racor non-heated engine mounted fuel/water separator with sight glass. Torque: 800 ft.lbs. @ 1440 rpm.</i>	OPT	7,012.00
	<b>Emissions Surcharge</b>	OPT	5,000.00
<b>6 - Transmission/Clutch</b>			
52P	<b>Mainshaft Driveline, SPL140 ILO 1710 Series</b>	OPT	183.00
<b>6a - Allison Vocational Transmission</b>			
44J	<b>Allison 3000 5-Speed, RDS Series On-Off</b> <i>RDS Series On-Off. Rated: close ratio, 370 HP input power, 1100 lb-ft input torque, 33,000 lbs GVW and 2 year model warranty. PTO provision standard. Includes shift key pad.</i>	OPT	4,183.00
<b>6b - Allison Programming I/O</b>			
94B	<b>Allison Programming I/O Rugged Duty Series - General Purpose/Construction</b> <i>For programming content specifics, please refer to HELP.</i>	OPT	N/C
<b>7 - Exhaust</b>			
91B	<b>Single, Horizontal, Aftertreatment Device, Frame Mounted Outside Right Rail, Under Cab</b> <i>Includes horizontal tailpipe, right side outlet.</i>	OPT	N/C
<b>8 - Electrical/Alternator/Battery</b>			
17M	<b>Back-Up Alarm - Electric, 102 dBA</b>	OPT	110.00
17T	<b>200 Amp, Leeco-Neville Self Excite, Pad Mounted, Alternator 14951PA, 12 Volt with Brushes.</b>	OPT	720.00
63E	<b>12-Volt, Motorcraft, Two-625 CCA, 1250 CCA Total, Temporary Mounted Battery</b>	OPT	N/C

Prices and content availability as shown, are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information. Reference C.T05206408 12/7/2005

*Selected Options Continued*Prepared By:  
Dealership:Dave Forbess  
DOWNTOWN FORD SALES

Code	Description	Class	MSRP
	<i>Includes steel battery box with plastic lid.</i>		
<b>9 - Fuel Tanks</b>			
658	<b>Tank - Steel (Shallow) 65 U.S. gal. (246 L.) - Single</b> <i>LH rectangular steel, top draw, 13" tank depth, mounted left side under cab.</i>	OPT	189.00
	<b>10 Gal. Single Tank Fuel Fill, Mandatory Charge Applied, Based On Tank Selection</b>	OPT	0.00
<b>10 - Seats</b>			
88N	<b>Driver, 40%, Reclining, Mortar Cloth w/Marta Cloth Insert</b> <i>Hi-back with integral headrest, folding/reclining back, no arm rest, non-suspension. Seats are color coordinated to cab trim level. All seats include seat belts.</i>	OPT	98.00
85N	<b>2 Passenger, 20/40, Folding, Mortar Cloth w/Marta Cloth Insert</b> <i>Hi-back with integral headrest, folding back, bucket folding outboard, intermediate folding center back creates arm rest with cup holder, non-suspension.</i>	OPT	366.00
<b>11 - Cab Equipment</b>			
680A	<b>XL Trim Package</b> <i>(88H) Driver Captains Chair, 40%, Reclining, G-Grain Vinyl w/G-Grain Vinyl Insert: Hi-back with integral headrest, folding/reclining back, arm rests, non-suspension. Seats are color coordinated to cab trim level. All seats include seat bolts.; (85A) 2 Passenger, 70% Bench, Folding, G-Grain Vinyl w/G-Grain Vinyl Insert: Intermediate folding back, no arm rest, non-suspension. Includes molded cloth headliner, RH and LH coat hooks, cloth sunvisors with passenger side mirror, exterior body color painted back panel, door trim panels with reflector, manual Air Conditioning, Bright Front Headlight Bezel, Chrome Grille and Chrome Front Bumper. Flint Gray interior color.</i>	OPT	N/C
57E	<b>Licenso Plate Holder, Front</b> <i>Includes upper and lower mounting plate hardware, mounted in existing holes in front bumper.</i>	OPT	N/C
54A	<b>Mirrors, Dual Stainless Steel - Rectangular, 7 1/2" x 16 1/2"</b> <i>West Coast style, 102" wide spacing.</i>	STD	N/C
54C	<b>Mirrors, 2 Auxiliary Convex - Stainless Steel</b> <i>8" dia., mounted below primary mirrors.</i>	OPT	43.00
165	<b>Mud Flap Holder Without Flaps</b> <i>Spring loaded, painted black, with red and white reflective tape.</i>	OPT	79.00
166	<b>Mud Flaps, Rear</b> <i>Black rubber, anti-sail, without logo.</i>	OPT	67.00
587	<b>Radio AM/FM Stereo - Visteon w/Clock</b> <i>Includes two speakers.</i>	STD	N/C
<b>12 - Front Wheels/Tires</b>			
647	<b>Wheels, Front 22.5x7.5 Painted Steel Disc, 10-Hole</b> <i>(285.75MM BC) hub piloted, flanged nut, metric mount, 7.50 DC rims; with steel hubs, 5 hand hold, white.</i>	STD	N/C
TDB	<b>Tires, Front Two 11R22.5H Hankook AH12 (503 rev/mile)</b>	STD	N/C

Prices and content availability as shown, are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information. Reference: CT05208408 12/7/2006

Prepared For:

Prepared By:

Dave Forbess  
 DOWNTOWN FORD SALES  
 525 N 16TH  
 SACRAMENTO, California, 95814  
 Phone: 916-442-6931  
 Fax: 916-491-3138

Ship To:  
 TONY COLVER  
 CITY OF VICTORVILLE  
 14343 CIVIC DRIVE  
 VICTORVILLE, CA, 92392



*Dimensions & Capacities*

**2008 Ford F-750**

Regular Cab XL (F75)  
 Value

**Description**

**Dimensions and Capacities**

Output .....	275 hp @ 2,200 rpm
Torque .....	800 lb.-ft. @ 1,440 rpm
1st gear ratio .....	3.490
2nd gear ratio .....	1.860
3rd gear ratio .....	1.410
4th gear ratio .....	1.000
5th gear ratio .....	0.750
Reverse gear ratio .....	5.030
Curb weight .....	10,287 lbs.
Payload .....	22,160 lbs.
Front curb weight .....	6,494 lbs.
Rear curb weight .....	3,793 lbs.
Front axle capacity .....	10,000 lbs.
Rear axle capacity .....	21,000 lbs.
Front spring rating .....	10,000 lbs.
Rear spring rating .....	23,500 lbs.
Front tire/wheel capacity .....	12,400 lbs.
Rear tire/wheel capacity .....	21,420 lbs.
Maximum GVWR .....	33,000 lbs.
Front legroom .....	40.7 "
Front headroom .....	41.3 "
Front hiproom .....	67.4 "
Front shoulder room .....	68.0 "
Length .....	308.0 "
Body width .....	96.7 "
Height .....	94.3 "
Wheelbase .....	194.0 "
Cab to axle .....	120.0 "
Axle to end of frame .....	75.0 "
Radiator area .....	717.0 "
Frame rail depth .....	10.3 "
Frame rail width .....	3.1 "

Prices and content availability as shown, are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information. Reference CT05208408 12/7/2006

*Dimensions & Capacities Continued*

Prepared By:

Dave Forbess

Dealership:

DOWNTOWN FORD SALES

Description	Value
<b>Dimensions and Capacities</b>	
Frame rail thickness .....	0.38 "
Max RBM (in.-lbs.) .....	1,275,200.0
Frame rail section .....	9.5 "
Turning radius (to curb) .....	26.8 '
Turning radius (to bumper) .....	28.2 '
Front frame height loaded .....	34.9 "
Front frame height unloaded .....	37.6 "
Rear frame height loaded .....	36.2 "
Rear frame height unloaded .....	40.4 "

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.  
 Reference: CT05206408 12/7/2006

# THIS IS YOUR QUOTE

DF326075

DOWNTOWN FORD SALES  
 525 N16th Street, Sacramento, CA. 95814  
 916-442-6931 fax 916-491-3138

## QUOTATION

**Customer**

Name CITY OF VICTORVILLE  
 Address  
 City CA  
 Phone TONY COLVER FAX 76-955-5199

Date 3/26/2007  
 REP FORBESS  
 Phone  
 FOB

Qty	Description	Unit Price	TOTAL
1	2008 FORD F550 CAB/CHASSIS 165WB DIESEL	\$30,515.00	\$30,515.00
1	CAB STEPS	\$345.00	\$345.00
1	TRAILER PACKAGE (INCLUDES WIRING FOR TRAILER BRAKES ONLY HITCH IS NOT INCLUDED)	\$145.00	\$145.00

**Payment Details**

- 
- 
- 

		\$31,005.00
	SHIPPING	\$200.00
Taxes	7.75	\$2,402.89
	TIRE FEE	\$12.25
	<b>TOTAL</b>	<b>\$33,620.14</b>

Office Use Only

**TERMS: \$500 DISCOUNT FOR PAYMENT WITHIN 20 DAYS**

PRICING BASED UPON STATE OF CALIFORNIA CONTRACT  
 1-07-23-20

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 15, 2007

SUBMITTED BY:      Adair Patterson   
Director of Finance

DATE: May 15, 2007

SUBJECT: PRESENTATION OF (1) RESOLUTION NO. 07-151 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE DECLARING ITS INTENTION (i) TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 07-01 OF THE CITY OF VICTORVILLE, (ii) TO LEVY A SPECIAL TAX TO PAY FOR CERTAIN FACILITIES AND (iii) TO LEVY A SPECIAL TAX TO PAY DEBT SERVICE ON BONDED INDEBTEDNESS TO FINANCE SUCH CERTAIN PUBLIC FACILITIES AND CALLING A PUBLIC HEARING AND (2) RESOLUTION NO. 07-152 - DECLARING THE INTENTION TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$5,000,000 OF THE PROPOSED COMMUNITY FACILITIES DISTRICT NO. 07-01 OF THE CITY OF VICTORVILLE

RECOMMENDATION:      That the Honorable City Council adopt Resolution No. 07-151, and Resolution No. 07-152 to commence the process to consider formation of Community Facilities District No. 07-01 and to authorize the Community Facilities District to incur bonded indebtedness.

FISCAL IMPACT:      Western Pacific Housing, Inc. has proposed that the City Council consider formation of a community facilities district over Tract Map No. 17157 to finance City Facilities. On April 17, 2007, the City Council approved a Fee Deposit and Reimbursement Agreement by and between Western Pacific Housing, Inc. and the City. Western Pacific Housing, Inc. has executed the Fee Deposit and Reimbursement Agreement, paid a deposit of \$25,000 for costs relating to the proposed Community Facilities District and submitted a Petition requesting formation of the Community Facilities District. The Resolutions commence the process to consider formation of Community Facilities District No. 07-01 and call a public hearing relating to such formation. There is no adverse fiscal impact to City's General Fund.

DISCUSSION:  
The Applicant has proposed that the City formed a new Community Facilities District, tentatively named Community Facilities District No. 07-01 of the City of Victorville, to provide funds to the City for construction of City facilities. If the Community Facilities District is formed, the Applicant would also enter into a Fee Credit Agreement to provide for credits against City facilities fees in an amount equal to the proceeds available for such purposes from bond proceeds. As permitted by the *Goals and Policies for Community Facilities Districts and Assessment Districts* (Revised

--Finance Dept. Use Only--	
Additional Appropriation:	
<input checked="" type="checkbox"/>	No
<input type="checkbox"/>	Yes/\$Amount:
Finance Director Review and Approval 	

May 2, 2006), the Community Facilities District will provide funds to the City for facilities encompassed within any development impact, capacity or connection fees representing such public facilities. These may include eligible roadway, parks and recreation projects, fire and police safety projects and public buildings. The specific facilities or types of facilities will be determined at the time indebtedness is incurred by the Community Facilities District. Staff recommends that the City Council approve the Resolutions to initiate the process to consider formation of the Community Facilities District.

AMM/lis

c:\amm\Agenda Item for Resolution 07-151/152

## RESOLUTION NO. 07-151

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE DECLARING ITS INTENTION (i) TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 07-01 OF THE CITY OF VICTORVILLE, (ii) TO LEVY A SPECIAL TAX TO PAY FOR CERTAIN FACILITIES AND (iii) TO LEVY A SPECIAL TAX TO PAY DEBT SERVICE ON BONDED INDEBTEDNESS TO FINANCE SUCH CERTAIN PUBLIC FACILITIES AND CALLING A PUBLIC HEARING**

**WHEREAS**, the City Council (the “City Council”) of the City of Victorville (the “City”) has been advised that a property owner has submitted a Petition (including Consent and Waiver) (the “Petition”) in which it has requested that an area more particularly described therein be established as the Community Facilities District and that a rate and method of apportionment of special tax to be levied therein be established, in order to finance certain road and related improvements pursuant to the terms and provisions of the “Mello-Roos Community Facilities Act of 1982” (the “Act”) being Chapter 2.5, Part 1, Division 2, Title 5 of the Code; and

**WHEREAS**, the Petition is signed by the owner of more than ten percent of the land within the boundaries of the territory which is proposed for inclusion in proposed Community Facilities District No. 07-01 of the City of Victorville (the “Community Facilities District”), which Petition meets the requirements of Sections 53318 and 53319 of the Government Code of the State of California (the “Code”); and,

**WHEREAS**, the City Council desires to institute proceedings to consider the establishment of the proposed Community Facilities District and the authorization of the levy of special taxes therein; and

**WHEREAS**, Section 53314.9 of the Code provides that, at any time either before or after the formation of a community facilities district, the legislative body may accept advances of funds from any source, including, but not limited to, private persons or private entities and may provide, by resolution, for the use of those funds for any authorized purpose, including, but not limited to, paying any cost incurred by the local agency in creating a community facilities district; and

**WHEREAS**, Section 53314.9 of the Code further provides that the legislative body may enter into an agreement, by resolution, with the person or entity advancing the funds, to repay all or a portion of the funds advanced, as determined by the legislative body, with or without interest, under all of the following conditions: (a) the proposal to repay the funds is included in both the resolution of intention to establish a community facilities district adopted pursuant to Section 53321 of the Code and in the resolution of formation to establish a community facilities district pursuant to Section 53325.1 of the Code, (b) any proposed special tax is approved by the qualified electors of the community facilities district pursuant to the Act, and (c) any agreement shall specify that if the qualified electors of the community facilities district do not approve the proposed special tax, the local agency shall return any funds which have not been committed for any authorized purpose by the time of the election to the person or entity advancing the funds; and

**WHEREAS**, on April 17, 2007, the City Council approved a Fee Deposit and Reimbursement Agreement (the “Deposit Agreement”) by and between Western Pacific Housing, Inc., a Delaware corporation (the “Property Owner”), and the City, and the Property Owner subsequently entered into the

VIC07-01 – RESO INTENTd.doc/MC

Deposit Agreement that provides for the advancement of funds by the Property Owner to be used to pay costs incurred in connection with the creation of the Community Facilities District and provides for the reimbursement to the Property Owner of such funds advanced, without interest, from the proceeds of the bonds issued by the Community Facilities District; and

**WHEREAS**, Section 53314.9 of the Act provides that land devoted primarily to agricultural, timber or livestock uses and being used for the commercial production of agricultural, timber or livestock products may be included in a community facilities district only if such land is contiguous to other land which is included within the described exterior boundaries of the community facilities district and only if the legislative body finds that the land will be benefited by any of the types of public facilities and services proposed to be included within the district; and

**WHEREAS**, certain of the land within the proposed District, which land is contiguous to other land which is included within the described exterior boundaries of the proposed District, is devoted primarily to agricultural or livestock uses and being used for the commercial production of agricultural or livestock products, and the City Council desires to make such finding with respect to such land; and

**WHEREAS**, the City Council has determined that it is advisable to establish an appropriations limit, as defined by Article XIII B, Section 8(h) of the California Constitution, for said Community Facilities District; and

**WHEREAS**, the City Council has determined to institute proceedings to provide for formation of Community Facilities District and has determined to set a date, time and place for a public hearing relating thereto;

**NOW, THEREFORE, IT IS HEREBY RESOLVED, FOUND, DETERMINED AND ORDERED** by the City Council of the City of Victorville as follows:

Section 1. All of the above recitals are true and correct.

Section 2. The Petition of the landowner within the proposed Community Facilities District is hereby accepted and the City Council hereby determines that the public convenience and necessity require that all of said property referenced in said Petition be incorporated within the Community Facilities District and proceedings are initiated pursuant to the authorization of the Act to establish the Community Facilities District.

Section 3. The name of the proposed community facilities district shall be "Community Facilities District No. 07-01 of the City of Victorville." The boundaries of the territory included in Community Facilities District are more particularly described and shown on that certain map (the "Map") entitled "Boundary Map – Community Facilities District No. 07-01 of the City of Victorville, County of San Bernardino, State of California," a copy of which is attached hereto as Exhibit A and incorporated herein and made a part hereof.

Section 4. The City Council has previously adopted local goals and policies for community facilities district financings as required by Code Section 53312.7.

Section 5. Any expenditures with respect to the Community Facilities District shall be payable solely and exclusively from payments received from the petitioners for formation of the Community Facilities District, from the proceeds of bonds issued by Community Facilities District or the proceeds of

a special tax levied in the Community Facilities District. The City shall not be obligated to pay any expenditure except from such contribution.

It is the intention of the City Council to, and the City Council hereby proposes to, establish the Community Facilities District. At the conclusion of the public hearing described below, the City Council shall determine whether to form the Community Facilities District and establish the rate and method of apportionment of special tax to be applicable within the Community Facilities District.

Section 6. The Clerk of the City Council is hereby authorized and directed to endorse the Certificate on the Map evidencing the date and adoption of this Resolution and is further authorized and directed to file said with the Office of the Recorder of the County in accordance with the provisions of Section 3110 and 3112.5 of the California Streets and Highways Code within 15 days of the adoption of this Resolution and not later than 15 days prior to the date of the public hearing relating to the proceedings as set forth in Section 15 hereof.

Section 7. The public facilities (the "Facilities") proposed to be financed by the Community Facilities District pursuant to the Act, are described under the caption "Facilities" on Exhibit B hereto, which is by this reference incorporated herein. The proposed Facilities have a useful life of five years or longer. The proposed Facilities are facilities which the City is authorized by law to construct, acquire, own, operate, maintain or contribute revenue to. The City Council hereby finds and determines that the description of the Facilities herein is sufficiently informative to allow taxpayers within the Community Facilities District to understand what the funds of Community Facilities District may be used to finance. The incidental expenses proposed to be incurred are identified under the caption "Incidental Expenses" on Exhibit B hereto.

It is the intention of the City Council that the Community Facilities District be authorized to levy a special tax to pay for the Facilities, including the payment of interest on and principal of bonds proposed to be issued to finance the Facilities and the repayment of funds advanced to the Community Facilities District.

The Facilities are necessary to meet increased demand placed upon the City and other public agencies as a result of development occurring within the Community Facilities District. The costs hereby authorized to be paid include incidental expenses and all costs associated with the establishment of the Community Facilities District, the issuance of bonds, the determination of the amount of any special taxes to be levied, the cost of collecting any special taxes and costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District.

Section 8. The Director of Finance of the City shall coordinate a study by interested City departments and other public agencies of the Community Facilities District and, at or prior to the public hearing on formation of the Community Facilities District, cause a report (the "Public Report") to be prepared which shall contain a brief description of the Facilities by type which will in his or her opinion be required to meet adequately the needs of the Community Facilities District and an estimate of the costs of providing those Facilities, including the costs of environmental evaluations of such Facilities and an estimate of the incidental expenses related thereto that shall be considered by the City Council. Reference is hereby made to the Public Report and, upon its presentation, it shall be made a part of the record of the public hearing held to consider formation of the Community Facilities District.

Section 9. It is the intention of the City Council that, except where funds are otherwise available, a special tax sufficient to pay for the Facilities, including the payment of interest on and

principal of bonds proposed to be issued to finance the Facilities and the repayment of funds advanced to or on behalf of the Community Facilities District, the replenishment of any reserve fund established for the bonds, the annual administration expenses of the City and the Community Facilities District in determining, apportioning, levying and collecting such special taxes, will be levied annually within the boundaries of the Community Facilities District secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District. The rate, method of apportionment and manner of collection of such proposed special tax for the Community Facilities District is set forth in Exhibit C, attached hereto and incorporated herein and made a part hereof. Exhibit C provides sufficient detail to allow each landowner or resident within the Community Facilities District to estimate the maximum amount that such person will have to pay.

The special tax will be collected in the same manner and at the same time as *ad valorem* property taxes and subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes as such procedure may be modified by law or by the City Council from time to time; *provided, however* the special tax may be billed and collected at a different time or in a different manner if necessary for the Community Facilities District to meet its financial obligations and if so billed and collected, a delinquent penalty of 10% of the special tax will attach at 5:00 p.m. on the date the special tax becomes delinquent and interest at 1.5% per month of the special tax will attach on the July 1 after the delinquency date and the first of each month thereafter until redeemed.

The special tax as apportioned to each parcel pursuant to Exhibit C is apportioned on the basis of benefit as permitted by Section 53325.3 of the Act and the apportionment of the special tax is not on or based upon the value or ownership of real property. In the event that property within the Community Facilities District is acquired or dedicated to a public agency subsequent to the date of formation of the Community Facilities District, it may become exempt and no longer subject to the special tax pursuant to the rate and method of apportionment attached hereto as Exhibit C. The special tax obligation on any parcel, if the City Council so elects, may be prepaid and eliminated according to the methodology and conditions specified by the City Council in the rate and method of apportionment by payment of the amount so calculated to the City or its designated paying agent for the Community Facilities District and utilized to pay for Facilities or to call or defease bonds to the full extent of such payment on the earliest date on which such call or defeasance can be accomplished.

The maximum special tax applicable to a parcel to be used for private residential purposes, as set forth in Exhibit C, is specified as a dollar amount which shall be calculated and established not later than the date on which the parcel is first subject to tax because of its use of private residential purposes and such amount shall not be increased over time by an amount in excess of 2 percent per year to the extent permitted by the rate and method of apportionment. Such special tax shall be levied for a period not to exceed Fiscal Year 2047-48 or the final maturity of any bonds, whichever is sooner, and under no circumstances will such special tax be increased as a consequence of delinquency or default by the owner of any other parcel or parcels within the Community Facilities District by more than ten percent (10%) per year; except that a special tax that was levied on or before the final tax year and that remains delinquent may be collected in subsequent years. For purposes of this paragraph, a parcel shall be considered "used for private residential purpose" not later than the date on which an occupancy permit for private residential use is issued.

Section 10. It is the intention of the City Council, pursuant to Section 53317.3 of the Act, to levy the proposed special tax on property that is not otherwise exempt from the proposed special tax and that is acquired by a public entity through a negotiated transaction, or by gift or devise.

Section 11. It is the intention of the City Council, pursuant to Section 53317.5 of the Act, to treat any special tax levied against property that is acquired by a public entity through eminent domain proceedings as if it were a special annual assessment pursuant to Section 1265.250 of the Code of Civil Procedure of the State of California.

Section 12. It is the intention of the City Council, pursuant to Section 53340.1 of the Act, to levy the proposed special tax on the leasehold or possessory interests in property owned by a public agency, which property is otherwise exempt from the special tax.

Section 13. The City Council hereby finds that the land in the Community Facilities District devoted primarily to agricultural or livestock uses and being used for the commercial production of agricultural or livestock products will be benefited by the Facilities.

Section 14. The City Council hereby declares that the public convenience and necessity require and it is necessary that a bonded indebtedness be incurred to finance all or a portion of the Facilities, including planning work directly related to the Facilities and all related incidental expenses, as authorized by the Act, as more specifically described in proceedings relating to the Community Facilities District.

Section 15. The aggregate amount of the proposed bonded indebtedness to be incurred for the Community Facilities District (including incidental expenses as authorized by the Act) shall not exceed \$5,000,000. Pursuant to Section 53351(c) of the Act, the City Council hereby declares its intention that the Community Facilities District will pay for the bonded indebtedness to finance or refinance the Facilities.

Section 16. Notice is given that on the 19th day of June, 2007, at the hour of 7:00 o'clock p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers, 14306 Park Avenue, Victorville (temporary location), California 92392, a public hearing will be held at which the City Council shall consider the formation of the Community Facilities District, the proposed levy of the special tax within the Community Facilities District, the proposed rate and method of apportionment of special tax, the necessity to incur bonded indebtedness, the proposed appropriations limit for the Community Facilities District and all other matters as set forth in this Resolution. At the above-mentioned time and place for such public hearing, any persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District, may appear and be heard, and the testimony of all interested persons or taxpayers for or against the formation of the Community Facilities District, the boundaries of the Community Facilities District, or the acquisition, installation or construction of the Facilities, the necessity to incur bonded indebtedness, the proposed appropriations limit for the Community Facilities District or on any other matters set forth herein, will be heard and considered.

Any protests may be made orally or in writing, except that any protests pertaining to the regularity or sufficiency of such proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the Clerk of the City on or before the time fixed for such public hearing, and any written protest may be withdrawn in writing at any time before the conclusion of such public hearing.

If written protests against the formation are filed by fifty percent (50%) or more of the registered voters, or six (6) registered voters, whichever is greater, residing within the Community Facilities District or by the owners of one-half (½) or more of the initial area of land in the territory

proposed to be included within the Community Facilities District, and such protests are not withdrawn so as to reduce the protests to less than a majority, no further proceedings shall be undertaken for a period of one year from the date of decision of the City Council.

Section 17. If, following the public hearing described herein, the City Council determines to form the Community Facilities District and proposes to levy a special tax within the Community Facilities District and to incur bonded indebtedness, the City Council shall then submit the levy of the special tax and the necessity to incur bonded indebtedness to the qualified electors within the boundaries of the Community Facilities District. If at least twelve (12) persons, who need not necessarily be the same twelve (12) persons, have been registered to vote within the boundaries of the Community Facilities District for each of the ninety (90) days preceding the close of the public hearing, the vote shall be by registered voters of the Community Facilities District with each voter having one (1) vote. Otherwise, the vote shall be a mailed ballot election, consistent with Section 53327.5 of the Act, by the landowners of the Community Facilities District who are the owners of record at the close of the public hearing, with each landowner having one (1) vote for each acre or portions of an acre of land owned within the Community Facilities District. The number of votes to be voted by a particular landowner shall be specified on the ballot provided to that landowner.

Section 18. Notice of the time and place of the public hearing shall be given by the Clerk of the City Council in the following manner: A Notice of Public Hearing in the form required by Section 53322 of the Act shall be published in *The Daily Press*, a newspaper of general circulation published in the area of the Community Facilities District, which such publication shall be made pursuant to Section 6061 of the Code, and shall be completed at least seven (7) days prior to the date set for such public hearing; further, a Notice of Public Hearing in the form referenced in Section 53322.4 of the Act shall be sent by first-class mail, postage prepaid, to each registered voter and to each landowner within the Community Facilities District, as shown on the last equalized assessment roll or other records of the County unless said mailing is waived by 100% of the registered voters and landowners within the proposed Community Facilities District. Said mailing shall be completed not less than fifteen (15) days prior to the date of such public hearing unless such time frame is waived.

Section 19. Section 53314.9 of the Act provides that, at any time either before or after the formation of a community facilities district, the legislative body of the local agency conducting the proceedings to form such community facilities district may accept advances of funds from any source, including, but not limited to, private persons or private entities and may provide, by resolution, for the use of those funds for any authorized purpose, including, but not limited to, paying any costs incurred by such local agency in creating such community facilities district. The City Council has previously approved a form of the Deposit Agreement. The Community Facilities District may repay the funds received pursuant to the Deposit Agreement if the City Council determines to form the Community Facilities District and if the voters of the Community Facilities District approve the proposed special tax and bonds at the election to be conducted pursuant to the Act.

Section 20. Based on information furnished to the City, it is anticipated that there will be less than 12 registered voters within the boundaries of the Community Facilities District and that the election will be among landowner voters. Contingent on such finding, the City Council hereby appoints the City Clerk, or such officer or employee as the City Council shall designate, to serve as the election official (the "Election Official") for the election pursuant to Code Section 53326. Pursuant to Section 53326(d), the City Council may determine to distribute the ballots for such election by mail or other delivery service.

Section 21. In the opinion of the City Council, the public interest will not be served by allowing the property owners within the Community Facilities District to enter into a contract in accordance with subdivision (a) of Section 53329.5 of the Act and, accordingly, the City Council hereby provides that such property owners may not enter into a contract in accordance with said subdivision.

Section 22. Pursuant to the Local Agency Special Tax and Bond Accountability Act, Section 50075.1 *et seq.* of the Code, (a) the ballot measure referred to herein shall contain a statement indicating the specific purposes of the special taxes, (b) the special taxes shall be applied only to the purposes specified in the ballot measure, (c) there shall be created by the Community Facilities District an account into which proceeds of the special tax levies will be deposited, and (d) the Director of Finance is hereby directed to cause an annual report to be provided to the City Council as required by Section 50075.3 of the Code.

Section 23. Except to the extent limited in any bond resolution, fiscal agent agreement or trust indenture related to the issuance of bonds, the City Council hereby reserves to itself all rights and powers set forth in Section 53344.1 of the Act relating to tenders in full or partial payment of bonds.

Section 24. The City Council hereby determines that the formation of the Community Facilities District, the levy of special taxes and the issuance of bonds for facilities are not a “project” (as defined in Section 15378 of the California Environmental Quality Act Guidelines) in accordance with Section 15061 of the California Environmental Quality Act (“CEQA”) and are therefore exempt from the requirements of CEQA. Applicable CEQA requirements shall be satisfied prior to the issuance of bonds by the Community Facilities District. Pursuant to CEQA Guidelines, the Director of Finance, or her written designee, is hereby directed to cause a Notice of Exemption to be prepared, executed and filed in regard to the foregoing determination.

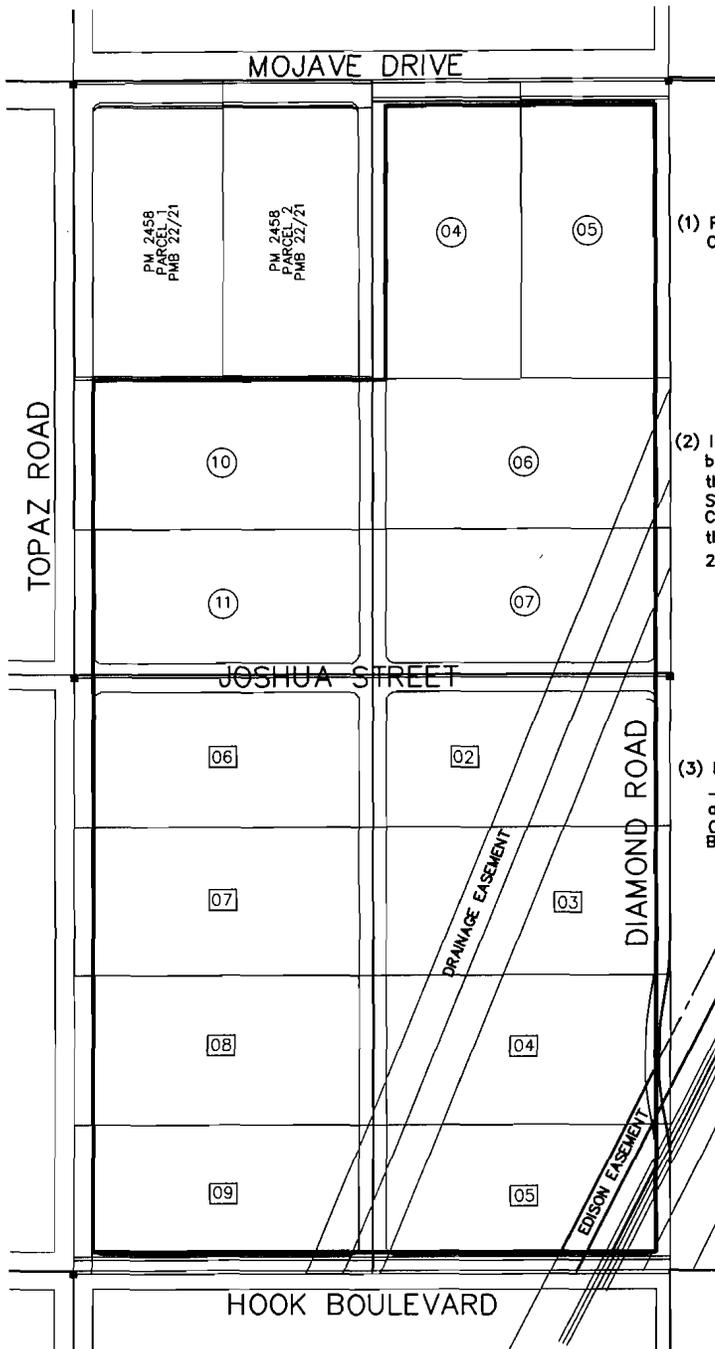
Section 25. The officers of the City Council and their authorized representatives, are, and each of them acting alone is, hereby authorized to execute any and all documents and agreements and do and perform any and all acts and things, from time to time, consistent with this Resolution and necessary or appropriate to carry the same into effect and to carry out its purpose.

Section 26. This Resolution shall take effect immediately upon its adoption.

**EXHIBIT A**

**BOUNDARY MAP OF  
COMMUNITY FACILITIES DISTRICT NO. 07-01**

BOUNDARY MAP-COMMUNITY FACILITIES DISTRICT NO 07-01  
OF THE CITY OF VICTORVILLE,  
COUNTY OF SAN BERNARDINO,  
STATE OF CALIFORNIA



(1) Filed in the Office of the Clerk of the City Council of the City of Victorville this \_\_\_\_ day of \_\_\_\_ 2007.

\_\_\_\_\_  
Carolee Bates  
City Clerk, City of Victorville, State of California

(2) I hereby certify that the within map showing proposed boundaries of Community Facilities District No. 07-01 of the City of Victorville, in the City of Victorville, County of San Bernardino, State of California, was approved by the City Council of the City of Victorville at a regular meeting thereof, held on the \_\_\_\_ day of \_\_\_\_ 2007, by its Resolution No. \_\_\_\_.

\_\_\_\_\_  
Carolee Bates  
City Clerk, City of Victorville, State of California

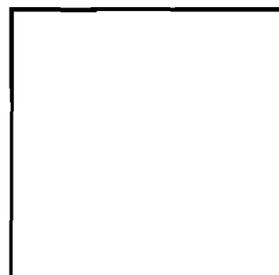
(3) Filed this \_\_\_\_ day of \_\_\_\_ 2007 at the hour of \_\_\_\_ o'clock \_\_\_\_ M. in Book \_\_\_\_ of Maps of Assessment and Community Facilities Districts at page \_\_\_\_ in the Office of the County Recorder in the County of San Bernardino, State of California.

\_\_\_\_\_  
County Recorder of the County of San Bernardino,  
State of California

Fee: \_\_\_\_\_

LEGEND

- CFD Boundary
- Parcel Boundary
- 3104-011-XX Parcel Designation
- 3104-021-XX Parcel Designation



## **EXHIBIT B**

### **DESCRIPTION OF FACILITIES**

The proposed project involves creation of a Mello-Roos Community Facilities District to finance the acquisition and construction of public facilities, and include all facilities authorized by the Act. All facilities shall have a useful life in excess of five years. The improvements which can be acquired and constructed include, but are not limited to, the following: facilities which may be encompassed within any development impact, capacity or connection fees representing such public facilities. See those eligible roadway, parks and recreation projects, fire and police safety projects and public buildings described in the Development Impact Fee Update Study prepared by Agajanian & Associates dated April 12, 2003 and City Council Resolution No. 02-38 adopted May 7, 2002, as each may be amended or updated from time to time.

#### **Financing Costs and Incidentals:**

Costs and expenses necessary to form the Community Facilities District, authorize the special tax and the issuance of notes or bonds, including environmental proceedings, preliminary engineering, soils engineering and testing, aerial photography, construction surveys, staking, insurance and bonding, city plan check and inspection fees, other public agency plan check or inspection fees, construction and project management, property owner and agency coordination, title reports, title insurance, appraisals, market absorption studies, special tax consultants, city administrative charges, legal costs, reserve funds, interest during construction, underwriter's discounts, underwriter's counsel, rating agency, bond insurance, credit support, trustee fees and expenses, fiscal or paying agent fees and expenses, printing and mailing costs for disclosure statements, and note and bond printing.

**EXHIBIT C**

**RATE AND METHOD OF APPORTIONMENT  
OF SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 07-01**

**RATE AND METHOD OF APPORTIONMENT FOR  
COMMUNITY FACILITIES DISTRICT NO. 07-01  
OF THE CITY OF VICTORVILLE**

The following sets forth the Rate and Method of Apportionment for the levy and collection of Special Taxes in Community Facilities District No. 07-01 of the City of Victorville (“CFD No. 07-01”). The Special Tax shall be levied on and collected in CFD No. 07-01 each Fiscal Year, in an amount determined through the application of the Rate and Method of Apportionment described below. All of the real property within CFD No. 07-01, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

**SECTION A  
DEFINITIONS**

The terms hereinafter set forth have the following meanings:

**“Acre” or “Acreage”** means the land area of an Assessor’s Parcel as shown on an Assessor’s Parcel Map, or if the land area is not shown on an Assessor’s Parcel Map, the land area shown on the applicable final map, parcel map, condominium plan, or other recorded County parcel map or instrument. The square footage of an Assessor’s Parcel is equal to the Acreage multiplied by 43,560.

**“Act”** means the Mello-Roos Communities Facilities Act of 1982, as amended, being Chapter 2.5, Part 1 of Division 2 of Title 5 of the Government Code of the State of California.

**“Administrative Expenses”** means the following actual or reasonably estimated costs directly related to the administration of CFD No. 07-01: the costs of computing the Special Taxes and preparing the Special Tax collection schedules (whether by CFD No. 07-01, the City or designee thereof or both); the costs of collecting the Special Taxes (whether by CFD No. 07-01, the City, the County or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including legal counsel) in the discharge of the duties required of it under the Indenture; the costs to CFD No. 07-01, the City or any designee thereof of complying with arbitrage rebate requirements; the costs to CFD No. 07-01, the City or any designee thereof of complying with disclosure requirements of CFD No. 07-01, the City or obligated persons associated with applicable federal and state securities laws and the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of CFD No. 07-01, the City or any designee thereof related to an appeal of the Special Tax; the costs associated with the release of funds from an escrow account; and CFD No. 07-01 or the City’s annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated by the CFD Administrator or advanced by CFD No. 07-01 or the City for any other administrative purposes of CFD No. 07-01, including attorney’s fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

**“Approved Property”** means all Assessor’s Parcels of Taxable Property: (i) that are included in a Final Map that was recorded prior to the January 1<sup>st</sup> preceding the Fiscal Year in which the Special Tax is being levied, and (ii) that have not been issued a building permit on or before May 1<sup>st</sup> preceding the Fiscal Year in which the Special Tax is being levied.

**“Assessor’s Parcel”** means a lot or parcel of land designated on an Assessor’s Parcel Map with an assigned Assessor’s Parcel Number.

**“Assessor’s Parcel Map”** means an official map of the Assessor of the County designating parcels by Assessor’s Parcel Number.

**“Assessor’s Parcel Number”** means that number assigned to an Assessor’s Parcel by the County for purposes of identification.

**“Assigned Special Tax”** means the Special Tax of that name described in Section D below.

**“Backup Special Tax”** means the Special Tax of that name described in Section E below.

**“Bonds”** means any obligation to pay or repay a sum of money, including obligations in the form of bonds, notes, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts, or any refunding thereof, to which Special Taxes within CFD No. 07-01 have been pledged.

**“Building Square Footage” or “BSF”** means the square footage of assessable internal living space, exclusive of garages or other structures not used as living space, as determined by reference to the building permit application for such Assessor’s Parcel.

**“Calendar Year”** means the period commencing January 1 of any year and ending the following December 31.

**“CFD Administrator”** means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement, and providing for the levy and collection of the Special Taxes.

**“CFD No. 07-01”** means Community Facilities District No. 07-01 established by the City under the Act.

**“City”** means the City of Victorville.

**“City Council”** means the City Council of the City of Victorville, or its designee.

**“County”** means the County of San Bernardino.

**“Developed Property”** means all Assessor’s Parcels of Taxable Property that: (i) are included in a Final Map that was recorded prior to the January 1<sup>st</sup> preceding the Fiscal Year in which the Special Tax is being levied, and (ii) a building permit for new construction was issued on or before May 1<sup>st</sup> preceding the Fiscal Year in which the Special Tax is being levied.

**“Exempt Property”** means all Assessor’s Parcels designated as being exempt from Special Taxes as provided for in Section J.

**“Final Map”** means a subdivision of property by recordation of a final map, parcel map, or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 1352 that creates individual lots for which building permits may be issued without further subdivision.

**“Fiscal Year”** means the period commencing on July 1 of any year and ending the following June 30.

**“Indenture”** means the indenture, fiscal agent agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

**“Land Use Type”** means any of the types listed in Table 1 of Section D.

**“Legislative Body”** means the City Council of the City of Victorville, acting as the Legislative Body of CFD No. 07-01, or its designee.

**“Maximum Special Tax”** means the maximum Special Tax, determined in accordance with Section C that can be levied by CFD No. 07-01 in any Fiscal Year on any Assessor’s Parcel.

**“Non-Residential Property”** means all Assessor’s Parcels of Developed Property for which a building permit was issued for any type of non-residential use.

**“Partial Prepayment Amount”** means the amount required to prepay a portion of the Special Tax obligation for an Assessor’s Parcel, as described in Section H.

**“Prepayment Amount”** means the amount required to prepay the Special Tax obligation in full for an Assessor’s Parcel, as described in Section G.

**“Proportionately”** means that the ratio of the actual Special Tax levy to the applicable Assigned Special Tax is equal for all applicable Assessor’s Parcels. In the case of Developed Property subject to the apportionment of the Special Tax under step four of Section F, “Proportionately” in step four means that the quotient of (a) actual Special Tax less the Assigned Special Tax divided by (b) the Backup Special Tax less the Assigned Special Tax, is equal for all applicable Assessor’s Parcels.

**“Provisional Undeveloped Property”** means all Assessor’s Parcels of Taxable Property that would otherwise be classified as Exempt Property pursuant to the provisions of Section J, but cannot be classified as Exempt Property because to do so would reduce the Acreage of all Taxable Property below the required minimum Acreage set forth in Section J.

**“Residential Property”** means all Assessor’s Parcels of Developed Property for which a building permit has been issued for purposes of constructing one or more residential dwelling units.

**“Special Tax”** means any of the special taxes authorized to be levied within CFD No. 07-01 pursuant to the Act.

**“Special Tax Requirement”** means the amount required in any Fiscal Year to pay: (i) the debt service or the periodic costs on all outstanding Bonds due in the Calendar Year that commences in such Fiscal Year, (ii) Administrative Expenses, (iii) the costs associated with the release of funds from an escrow account, (iv) any amount required to establish or replenish any reserve funds established in association with the Bonds, (v) an amount equal to any anticipated shortfall due to Special Tax delinquencies in the prior Fiscal Year, and (vi) the collection or accumulation of funds for the acquisition or construction of facilities authorized by CFD No. 07-01 provided that the inclusion of such amount does not cause an increase in the levy of the Special Tax on Undeveloped Property as set forth in Step Three of Section F, less (vii) any amounts available to pay debt service or other periodic costs on the Bonds pursuant to the Indenture.

**“Taxable Property”** means all Assessor’s Parcels within CFD No. 07-01, which are not Exempt Property.

**“Trustee”** means the trustee, fiscal agent, or paying agent under the Indenture.

**“Undeveloped Property”** means all Assessor’s Parcels of Taxable Property, which are not Developed Property, Approved Property, or Provisional Undeveloped Property.

**“Unit”** means each separate residential unit that comprises an independent facility capable of conveyance or rental separate from adjacent residential dwelling units.

## **SECTION B CLASSIFICATION OF ASSESSOR’S PARCELS**

Each Fiscal Year, beginning with Fiscal Year 2007-08, each Assessor’s Parcel within CFD No. 07-01 shall be classified as Taxable Property or Exempt Property. In addition, each Assessor’s Parcel of Taxable Property shall be further classified as Developed Property, Approved Property, Undeveloped Property or Provisional Undeveloped Property. Additionally, each Assessor’s Parcel of Developed Property shall further be classified as Residential Property or Non-Residential Property, and each Assessor’s Parcel of Residential Property shall be assigned to its appropriate Assigned Special Tax rate based on its Building Square Footage.

## **SECTION C MAXIMUM SPECIAL TAX**

### **1. Developed Property**

The Maximum Special Tax for each Assessor’s Parcel of Residential Property in any Fiscal Year shall be the greater of (i) the Assigned Special Tax or (ii) the Backup Special Tax.

For each Fiscal Year after the Fiscal Year in which the final series of Bonds has been issued as certified by an authorized representative of the Community Facilities District, the Assigned Special Tax for Developed Property for such Fiscal Year may be reduced to an amount equal to the amount calculated by reducing the amounts set forth in Table 1 below by the same percentage reduction which results in the sum of the aggregate Assigned Special

Tax on Developed Property at such reduced Assigned Special Tax for Developed Property together with the amount calculated by reducing the amounts for Approved Property and Undeveloped Property pursuant to Section D (2) below by the same percentage reduction equaling or exceeding for each subsequent Fiscal Year the sum of (i) the debt service or the periodic cost on all outstanding Bonds due in the Calendar Year that commences in such Fiscal Year (i.e., the amount referenced in clause (i) of the definition of Special Tax Requirement) times 1.10 plus (ii) an amount equal to \$27,000 with respect to the calculation for Fiscal Year 2007-08, and an amount equal to increasing \$27,000 by 2% of the amount in effect for the previous Fiscal Year for each Fiscal Year subsequent to Fiscal Year 2007-08. No such reductions shall occur unless the reduction is at least 3% of each of the amounts set forth in Table 1. The reductions provided for pursuant to this paragraph shall be reflected in an amended notice of Special Tax lien which the Legislative Body shall cause to be recorded following execution of a certificate in substantially the form attached hereto as Exhibit "A."

Prior to the issuance of Bonds, the Legislative Body may by Resolution reduce the Assigned Special Tax for Developed Property, Approved Property, Undeveloped Property and Provisional Undeveloped Property for the next Fiscal Year in which the Special Tax levy will be levied and for each subsequent Fiscal Year by an equal percentage provided the Legislative Body is presented a report which indicates the estimated amount of Bond proceeds available for facilities and the assumptions on which such estimate is based and provided such report presents information regarding the reduction of the amounts set forth in Table 1 below by the same percentage and such reduction results in the sum of the estimated aggregate Assigned Special Tax on Developed Property at such reduced Assigned Special Tax for Developed Property together with the estimated amount calculated by reducing the amounts for Approved Property and Undeveloped Property pursuant to Section D (2) below by the same percentage reduction equaling or exceeding for each subsequent Fiscal Year the sum of (i) the debt service or the periodic cost on the Bonds proposed to be issued in the Calendar Year that commences in the Fiscal Year of the reduction (or such later date, as applicable) (i.e., the amount referenced in clause (i) of the definition of Special Tax Requirement) times 1.10 plus (ii) an amount equal to \$27,000 with respect to the calculation for Fiscal Year 2007-08, and an amount equal to increasing \$27,000 by 2% of the amount in effect for the previous Fiscal Year for each Fiscal Year subsequent to Fiscal Year 2007-08. The reductions provided for pursuant to this paragraph shall be reflected in an amended notice of Special Tax lien which the Legislative Body shall cause to be recorded following adoption of a Resolution of the Legislative Body and execution of a certificate in substantially the form attached hereto as Exhibit "A."

2. **Multiple Land Use Type**

In some instances an Assessor's Parcel of Developed Property may contain more than one Land Use Type. The Maximum Special Tax levied on an Assessor's Parcel shall be the sum of the Maximum Special Tax for all Land Use Types located on the Assessor's Parcel. The CFD Administrator's allocation to each type of property shall be final.

3. **Approved Property, Undeveloped Property and Provisional Undeveloped Property**

The Maximum Special Tax for each Assessor's Parcel classified as Approved Property, Undeveloped Property, or Provisional Undeveloped Property in any Fiscal Year shall be the applicable Assigned Special Tax.

**SECTION D  
ASSIGNED SPECIAL TAX**

**1. Developed Property**

Each Fiscal Year, each Assessor's Parcel of Single Family Property or Non-Residential Property shall be subject to an Assigned Special Tax. The Assigned Special Tax applicable to an Assessor's Parcel of Developed Property for Fiscal Year 2007-08 shall be determined pursuant to Table 1 below.

**TABLE 1  
ASSIGNED SPECIAL TAX RATES  
FOR DEVELOPED PROPERTY FOR FISCAL YEAR 2007-08**

<b>Land Use Type</b>	<b>Building Square Footage</b>	<b>Rate</b>
Residential Property	< 2,401	\$802 per Unit
Residential Property	2,401 – 2,700	\$858 per Unit
Residential Property	2,701 – 3,000	\$886 per Unit
Residential Property	3,001 – 3,300	\$959 per Unit
Residential Property	> 3,300	\$1,014 per Unit
Non-Residential Property	N/A	\$5,484 per Acre

**2. Approved Property, Undeveloped Property and Provisional Undeveloped Property**

Each Fiscal Year, each Assessor's Parcel of Approved Property, Undeveloped Property and Provisional Undeveloped Property shall be subject to an Assigned Special Tax. The Assigned Special Tax rate for an Assessor's Parcel classified as Approved Property, Undeveloped Property and Provisional Undeveloped Property for Fiscal Year 2007-08 shall be \$5,484 per Acre.

For each Fiscal Year after the Fiscal Year in which the final series of Bonds has been issued as certified by an authorized representative of the Community Facilities District or prior to the issuance of Bonds, the Assigned Special Tax for Approved Property, Undeveloped Property and Provisional Undeveloped Property may be reduced by the same percentage reduction as is calculated with respect to Developed Property as set forth in Section C(1) – “Developed Property” above; provided, however, that no such reduction shall occur unless the reduction is at least 3%. The reductions provided for pursuant to this paragraph shall be reflected in an amended notice of Special Tax lien which the Legislative Body shall cause to be recorded following execution of a certificate in substantially the form attached hereto as Exhibit “A.”

**3. Increase in the Assigned Special Tax**

On each July 1, commencing July 1, 2008, the Assigned Special Tax rate for Developed Property, Approved Property, Undeveloped Property and Provisional Undeveloped Property shall be increased by two percent (2.00%) of the amount in effect in the prior Fiscal Year.

**SECTION E  
BACKUP SPECIAL TAX**

At the time a Final Map is recorded, the Backup Special Tax for all Assessor’s Parcels of Developed Property classified or reasonably expected to be classified as Residential Property within such Final Map area shall be determined by (i) multiplying (a) the Maximum Special Tax rate for Undeveloped Property by (b) the total Acreage of Taxable Property in such Final Map area, excluding Acreage classified as Provisional Undeveloped Property, Acreage classified or reasonably expected to be classified as Non-Residential Property and any Acreage reasonably expected to be classified as Exempt Property in such Final Map area, and (ii) dividing the results in (i) by the total number of Units of Residential Property reasonably expected to be constructed within such Final Map area. The resulting quotient shall be the Backup Special Tax for each Assessor’s Parcel of Residential Property within such Final Map area.

The Backup Special Tax shall not apply to Non-Residential Property.

Notwithstanding the foregoing, if Assessor’s Parcels of Developed Property which are classified or to be classified as Residential Property are subsequently changed or modified by recordation of a lot line adjustment or similar instrument, then the Backup Special Tax for the area that has been changed or modified shall be recalculated, based on the methodology above, to equal the amount of the Backup Special Tax that would have been generated if such change did not take place.

On each July 1, commencing July 1, 2008, the Backup Special Tax rate shall be increased by two percent (2.00%) of the amount in effect in the prior Fiscal Year

**SECTION F**  
**METHOD OF APPORTIONMENT OF THE SPECIAL TAX**

Commencing Fiscal Year 2007-08 and for each subsequent Fiscal Year, the Legislative Body shall levy Special Taxes on all Taxable Property in accordance with the following steps:

- Step One: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property at 100% of the applicable Assigned Special Tax rates in Table 1 prior to issuance of Bonds and thereafter at up to 100% of the applicable Assigned Special Tax rates to satisfy the Special Tax Requirement.
- Step Two: If additional moneys are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Approved Property at up to 100% of the Maximum Special Tax applicable to each such Assessor's Parcel as needed to satisfy the Special Tax Requirement.
- Step Three: If additional moneys are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the Maximum Special Tax applicable to each such Assessor's Parcel as needed to satisfy the Special Tax Requirement.
- Step Four: If additional moneys are needed to satisfy the Special Tax Requirement after the first three steps have been completed, then the Special Tax on each Assessor's Parcel of Developed Property whose Maximum Special Tax is the Backup Special Tax shall be increased Proportionately from the Assigned Special Tax up to 100% of the Backup Special Tax as needed to satisfy the Special Tax Requirement.
- Step Five: If additional moneys are needed to satisfy the Special Tax Requirement after the first four steps have been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Undeveloped Property up to 100% of the Maximum Special Tax applicable to each such Assessor's Parcel as needed to satisfy the Special Tax Requirement.

Notwithstanding the above, under no circumstances will the Special Tax levied against any Assessor's Parcel of Residential Property for which an occupancy permit for private residential use has been issued be increased by more than ten percent as a consequence of delinquency or default by an owner of any other Assessor's Parcel within CFD No. 07-01.

## SECTION G PREPAYMENT OF SPECIAL TAX

The following additional definitions apply to this Section G:

**“CFD Public Facilities”** means \$3,245,000 expressed in 2007 dollars, which shall increase by the Construction Inflation Index on July 1, 2008, and on each July 1 thereafter, or such lower amount (i) determined by the Legislative Body as sufficient to provide the public facilities under the authorized bonding program for CFD No. 07-01, or (ii) determined by the Legislative Body concurrently with a covenant that it will not issue any more Bonds to be supported by Special Taxes levied under this Rate and Method of Apportionment.

**“Construction Fund”** means an account specifically identified in the Indenture or functionally equivalent to hold funds, which are currently available for expenditure to acquire or construct public facilities eligible under CFD No. 07-01.

**“Construction Inflation Index”** means the annual percentage change in the Engineering News-Record Building Cost Index for the City of Los Angeles, measured as of the Calendar Year which ends in the previous Fiscal Year. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the Legislative Body that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of Los Angeles.

**“Future Facilities Costs”** means the CFD Public Facilities minus public facility costs available to be funded through existing construction or escrow accounts or funded by the Outstanding Bonds, and minus public facility costs funded by interest earnings on the Construction Fund actually earned prior to the date of prepayment.

**“Outstanding Bonds”** means all previously issued Bonds issued and secured by the levy of Special Taxes which will remain outstanding after the first interest and/or principal payment date following the current Fiscal Year, excluding Bonds to be redeemed at a later date with the proceeds of prior prepayments of Special Taxes.

The Special Tax obligation of an Assessor’s Parcel of Developed Property, or an Assessor’s Parcel of Approved Property or Undeveloped Property for which a building permit has been issued, or an Assessor’s Parcel of Provisional Undeveloped Property may be prepaid in full, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor’s Parcel at the time the Special Tax obligation would be prepaid. The Prepayment Amount for an Assessor’s Parcel eligible for prepayment shall be determined as described below.

An owner of an Assessor’s Parcel intending to prepay the Special Tax obligation shall provide the CFD Administrator with written notice of intent to prepay. Within 30 days of receipt of such notice the CFD Administrator shall notify such owner of the Prepayment Amount of such Assessor’s Parcel. The CFD Administrator may charge a reasonable fee for providing this service. Prepayment must be made not less than 45 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given by the Trustee pursuant to the Indenture.

The Prepayment Amount for each applicable Assessor's Parcel shall be calculated according to the following formula (capitalized terms defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance Cost
plus	Administrative Fee
less	Reserve Fund Credit
<u>less</u>	<u>Capitalized Interest Credit</u>
equals	Prepayment Amount

As of the date of prepayment, the Prepayment Amount shall be calculated as follows:

1. For an Assessor's Parcel of Developed Property, compute the Assigned Special Tax and Backup Special Tax, if any, applicable to the Assessor's Parcel. For an Assessor's Parcel of Approved Property or Undeveloped Property for which a Building Permit has been issued, compute the Assigned Special Tax and the Backup Special Tax as though it was already designated as Developed Property based upon the building permit issued for that Assessor's Parcel. For an Assessor's Parcel of Provisional Undeveloped Property compute the Assigned Special Tax for that Assessor's Parcel.
2. For each Assessor's Parcel of Developed Property, Approved Property, Undeveloped Property or Provisional Undeveloped Property to be prepaid, (a) divide the Assigned Special Tax computed pursuant to paragraph 1 for such Assessor's Parcel by the sum of the estimated Assigned Special Tax applicable to all Assessor's Parcels of Taxable Property at build out, as reasonably determined by the Legislative Body, and (b) divide the Backup Special Tax computed pursuant to paragraph 1 for such Assessor's Parcel by the sum of the estimated Backup Special Tax applicable to all Assessor's Parcels of Taxable Property at build out, as reasonably determined by the Legislative Body.
3. Multiply the larger quotient computed pursuant to paragraph 2(a) or 2(b) by the Outstanding Bonds. The product shall be the "Bond Redemption Amount."
4. Multiply the Bond Redemption Amount by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed with the proceeds of the Bond Redemption Amount. This product is the "Redemption Premium."
5. Compute the Future Facilities Cost.

6. Multiply the larger quotient computed pursuant to paragraph 2(a) or 2(b) by the amount determined pursuant to paragraph 5 to determine the Future Facilities Cost to be prepaid (the “Future Facilities Amount”).
7. Compute the amount needed to pay interest on the Bond Redemption Amount to be redeemed with the proceeds of the Prepayment Amount until the earliest redemption date for the Outstanding Bonds.
8. Determine the actual Special Tax levied on the Assessor’s Parcel in the current Fiscal Year which has not yet been paid.
9. Estimate the amount of interest earnings to be derived from the reinvestment of the Bond Redemption Amount plus the Redemption Premium until the earliest redemption date for the Outstanding Bonds.
10. Add the amounts computed pursuant to paragraph 7 and 8 and subtract the amount computed pursuant to paragraph 9. This difference is the “Defeasance Cost.”
11. Estimate the administrative fees and expenses associated with the prepayment, including the costs of computation of the Prepayment Amount, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption. This amount is the “Administrative Fee.”
12. Calculate the “Reserve Fund Credit” as the lesser of: (a) the expected reduction in the applicable reserve requirements, if any, associated with the redemption of Outstanding Bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirements in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the applicable reserve funds on the prepayment date. Notwithstanding the foregoing, if the reserve fund requirement is satisfied by a surety bond or other instrument at the time of the prepayment, then no Reserve Fund Credit shall be given. Notwithstanding the foregoing, the Reserve Fund Credit shall in no event be less than 0.
13. If any capitalized interest for the Outstanding Bonds will not have been expended as of the date immediately following the first interest and/or principal payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the larger quotient computed pursuant to paragraph 2(a) or 2(b) by the expected balance in the capitalized interest fund or account under the Indenture after such first interest and/or principal payment. This amount is the “Capitalized Interest Credit.”
14. The Prepayment Amount is equal to the sum of the Bond Redemption Amount, the Redemption Premium, the Future Facilities Amount, the

Defeasance Cost, and the Administrative Fee, less the Reserve Fund Credit and the Capitalized Interest Credit.

15. From the Prepayment Amount, the amounts computed pursuant to paragraphs 3, 4, 10, 12, and 13 shall be deposited into the appropriate fund as established under the Indenture and used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to paragraph 6 shall be deposited into the Construction Fund. The amount computed pursuant to paragraph 11 shall be retained by CFD No. 07-01.

The Special Tax prepayment amount may be insufficient to redeem a full \$5,000 increment of Bonds. In such cases, the increment above \$5,000 or integral multiple thereof will be retained in the appropriate fund established under the Indenture to be used with the next prepayment of Bonds or to make debt service payments.

With respect to a Special Tax obligation that is prepaid pursuant to this Section G, the Legislative Body shall indicate in the records of CFD No. 07-01 that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such prepayment to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Special Taxes shall cease.

Notwithstanding the foregoing, no prepayment will be allowed unless the amount of the Special Tax that may be levied on Taxable Property, net of Administrative Expenses, shall be at least 1.1 times the regularly scheduled annual interest and principal payments on all currently Outstanding Bonds in each future Fiscal Year.

## SECTION H PARTIAL PREPAYMENT OF SPECIAL TAX

The Special Tax obligation of an Assessor's Parcel of Developed Property, or an Assessor's Parcel of Approved Property or Undeveloped Property for which a building permit has been issued or is expected to be issued, or an Assessor's Parcel of Provisional Undeveloped Property, as calculated in this Section H below, may be partially prepaid, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Special Tax obligation would be prepaid.

The Partial Prepayment Amount shall be calculated according to the following formula:

$$PP = (P_G - A) \times F + A$$

The terms above have the following meanings:

- PP = the Partial Prepayment Amount.
- $P_G$  = the Prepayment Amount calculated according to Section G.
- F = the percent by which the owner of the Assessor's Parcel is partially prepaying the Special Tax obligation.
- A = the Administrative Fee calculated according to Section G.

The owner of any Assessor's Parcel who desires such prepayment shall notify the CFD Administrator of such owner's intent to partially prepay the Special Tax and the percentage by which the Special Tax shall be prepaid. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of the Special Tax for an Assessor's Parcel within 30 days of the request and may charge a reasonable fee for providing this service. With respect to any Assessor's Parcel that is partially prepaid, the Legislative Body shall (i) distribute the funds remitted to it according to Section G, and (ii) indicate in the records of CFD No. 07-01 that there has been a partial prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act within thirty (30) days of receipt of such partial prepayment of the Special Tax obligation to indicate the obligation of such Assessor's Parcel to pay such prepaid portion of the Special Tax shall cease.

Notwithstanding the foregoing, no partial prepayment will be allowed unless the amount of Special Tax that may be levied on Taxable Property after such partial prepayment, net of Administrative Expenses, shall be at least 1.1 times the regularly scheduled annual interest and principal payments on all currently Outstanding Bonds in each future Fiscal Year.

## **SECTION I TERMINATION OF SPECIAL TAX**

For each Fiscal Year that any Bonds are outstanding, the Special Tax shall be levied on all Assessor's Parcels subject to the Special Tax. The Special Tax shall cease not later than the 2047-48 Fiscal Year, however, the Special Taxes will cease to be levied in an earlier Fiscal Year if the CFD Administrator has determined (i) that all required interest and principal payments on the CFD No. 07-01 Bonds have been paid; (ii) all authorized facilities for CFD No. 07-01 have been acquired and all reimbursements to the developer have been paid, (iii) no delinquent Special Taxes remain uncollected and (iv) all other obligations of CFD No. 07-01 have been satisfied.

## **SECTION J EXEMPTIONS**

The Legislative Body shall classify as Exempt Property (i) Assessor's Parcels which are owned by, irrevocably offered for dedication, encumbered by or restricted in use by the State of California, federal or other local governments, including school districts, (ii) Assessor's Parcels which are used as places of worship and are exempt from *ad valorem* property taxes because they are owned by a religious organization, (iii) Assessor's Parcels which are owned by, irrevocably offered for dedication, encumbered by or restricted in use by a homeowners' association, (iv) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, (v) Assessor's Parcels which are privately owned and are encumbered by or restricted solely for public uses, or (vi) Assessor's Parcels restricted to other types of public uses determined by the Legislative Body, provided that no such classification would reduce the sum of all Taxable Property to less than 40.94 Acres.

Notwithstanding the above, the Legislative Body shall not classify an Assessor's Parcel as Exempt Property if such classification would reduce the sum of all Taxable Property to less than 40.94 Acres. Assessor's Parcels which cannot be classified as Exempt Property because such classification would reduce the Acreage of all Taxable Property to less than 40.94 Acres will be classified as Provisional Undeveloped Property, and will be subject to Special Taxes pursuant to Step Five in Section F.

## **SECTION K MANNER OF COLLECTION OF SPECIAL TAX**

The Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes and shall be subject to the same penalties, the same procedure, sale and lien priority in the case of delinquency; provided, however, that CFD No. 07-01 may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of 10% of the Special Tax will attach at 5:00 p.m. on the date the Special Tax becomes delinquent and interest at 1.5% per month of the Special Tax will attach on the July 1<sup>st</sup> after the delinquency date and the first of each month thereafter until redeemed.

## **SECTION L APPEALS**

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator not later than twelve months after having paid the first installment of the Special Tax that is disputed. The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made (except for the last year of levy), but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

The Legislative Body may interpret this Rate and Method of Apportionment for purposes of clarifying any ambiguity and make determinations relative to the annual administration of the Special Tax and any landowner or resident appeals. Any decision of the Legislative Body shall be final and binding as to all persons.

**EXHIBIT "A"**

**CFD NO. 07-01 CERTIFICATE**

1. Pursuant to Section C of the Rate and Method of Apportionment of Special Tax (the "RMA"), Community Facilities District No. 07-01 of the City of Victorville ("CFD No. 07-01") hereby provides for a reduction in the Maximum Special Tax for Developed Property within CFD No. 07-01:

(a) The information in Table 1 of Section D, relating to the Assigned Special Tax Rates for Developed Property within CFD No. 07-01, shall be modified as follows:

<b>Land Use Type</b>	<b>Building Square Footage</b>	<b>Rate</b>
Residential Property	< 2,401	\$ per Unit
Residential Property	2,401 – 2,700	\$ per Unit
Residential Property	2,701 – 3,000	\$ per Unit
Residential Property	3,001 – 3,300	\$ per Unit
Residential Property	> 3,300	\$ per Unit
Non-Residential Property	N/A	\$ per Acre

(b) The information in Section 2 of Section D, relating to the Approved Property, Undeveloped Property and Provisional Undeveloped Property within CFD No. 07-01, shall be modified as follows:

Each Fiscal Year, each Assessor's Parcel of Approved Property, Undeveloped Property and Provisional Undeveloped Property shall be subject to an Assigned Special Tax. The Assigned Special Tax rate for an Assessor's Parcel classified as Approved Property, Undeveloped Property and Provisional Undeveloped Property for Fiscal Year 20\_\_ - \_\_ shall be \$\_\_\_\_\_ per Acre.

2. The modifications herein are made [prior] [subsequent] to the final issuance of Bonds.

3. Upon execution of the Certificate (upon approval by Resolution of the Legislative Body of CFD No. 07-01), CFD No. 07-01 shall cause an amended notice of Special Tax lien for CFD No. 07-01 to be recorded reflecting the modifications set forth herein.

By execution hereof, the undersigned acknowledges, on behalf of CFD No. 07-01, receipt of this Certificate and modification of the RMA as set forth in this Certificate.

COMMUNITY FACILITIES DISTRICT NO. 07-01  
OF THE CITY OF VICTORVILLE

By: \_\_\_\_\_

Date: \_\_\_\_\_

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**RESOLUTION NO. 07-152**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE  
DECLARING THE INTENTION TO INCUR BONDED INDEBTEDNESS IN AN  
AMOUNT NOT TO EXCEED \$5,000,000 OF THE PROPOSED COMMUNITY  
FACILITIES DISTRICT NO. 07-01 OF THE CITY OF VICTORVILLE**

**WHEREAS**, this City Council (the “City Council”) has this date adopted its Resolution stating its intention to form Community Facilities District No. 07-01 of the City of Victorville (the “Community Facilities District”) pursuant to the Mello-Roos Community Facilities Act of 1982 (the “Act”) being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the “Code”), and such community facilities district may finance road facilities, appurtenances and other public improvements as authorized in the proceedings (the “Facilities”); and

**WHEREAS**, it is the intention of the City Council to finance all or a portion of the Facilities through the issuance of bonds, the payment of interest on and principal of which will be secured by such special tax, all as authorize pursuant to the Act; and

**WHEREAS**, in order to finance said Facilities, it is necessary to incur bonded indebtedness for the proposed Community Facilities District in an amount not to exceed \$5,000,000.

**NOW, THEREFORE, IT IS HEREBY RESOLVED, FOUND, DETERMINED AND ORDERED** by the City Council of the City of Victorville as follows:

**Section 1.** All of the above recitals are true and correct.

**Section 2.** It is necessary to incur bonded indebtedness with respect to property within the boundaries of the proposed Community Facilities District, in an amount not to exceed \$5,000,000 to finance said Facilities and incidental expenses as authorized by the proceedings relating to Community Facilities District.

**Section 3.** The bonded indebtedness described in Section 2 is proposed to be incurred for the purpose of payment of the costs of the Facilities and incidental expenses, including costs incidental to or connected with the accomplishment of said purposes and of the financing thereof, such as reserve funds for the bonds, the financing of costs associated with the issuance of the bonds and all other costs and expenses necessary to finance the Facilities which are permitted to be financed pursuant to the Act.

**Section 4.** This City Council, acting as the Legislative Body for the Community Facilities District (the “Legislative Body”), intends to authorize the issuance and sale of one or more series of the bonds in the maximum aggregate principal amount of \$5,000,000, bearing interest payable semi-annually or in such other manner as the Legislative Body shall determine, at a rate not to exceed the maximum rate of interest as may be authorized by applicable law at the time of sale of such bonds, and maturing not to exceed thirty-five (35) years from the date of the issuance of said bonds.

**Section 5.** Tuesday, June 19, 2007, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers, 14306 Park Avenue, Victorville (temporary location), California 92392, and the same are hereby appointed and fixed as the time and place when and where the Legislative Body will conduct a public hearing on the proposed debt issue for the Community Facilities District and consider and finally determine whether the public interest, convenience and necessity require the issuance of bonds of the Community Facilities District. At the above-mentioned time and place for such public hearing, any persons interested, including all taxpayers, property owners and registered voters within the Community Facilities District, may appear and be heard, and the testimony of all interested persons or taxpayers for or against the necessity to incur bonded indebtedness for the Community Facilities District or on any other matters set forth herein, will be heard and considered.

Any protests may be made orally or in writing, except that any protests pertaining to the regularity or sufficiency of such proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the City Clerk on or before the time fixed for such public hearing, and any written protest may be withdrawn in writing at any time before the conclusion of such public hearing.

If written protests against incurring bonded indebtedness are filed by fifty percent (50%) or more of the registered voters, or six (6) registered voters, whichever is greater, residing within the Community Facilities District or by the owners of one-half ( $\frac{1}{2}$ ) or more of the initial area of land in the territory proposed to be included within the Community Facilities District, and such protests are not withdrawn so as to reduce the protests to less than a majority, no further proceedings shall be undertaken for a period of one year from the date of decision of the City Council.

**Section 6.** The Clerk of the City Council is hereby directed to cause notice of said public hearing to be given by publication one time in the *The Daily Press*, a newspaper of general circulation circulated within the Community Facilities District. The publication of said notice shall be completed at least seven (7) days before the date herein set for said public hearing. Said notice shall contain the information prescribed by Section 53346 of the Code.

**Section 7.** The officers of the City Council and their authorized representatives, are, and each of them acting alone is, hereby authorized to execute any and all documents and agreements and do and perform any and all acts and things, from time to time, consistent with this Resolution and necessary or appropriate to carry the same into effect and to carry out its purpose.

**Section 8.** This Resolution shall take effect immediately upon its adoption.



**AGENDA ITEM**

**CITY COUNCIL MEETING OF: May 15, 2007**

**SUBMITTED BY:** John A. McGlade   
City Engineer **DATE:** May 7, 2007

**SUBJECT:** Award of contract to Kelley General Contracting, Inc. for the Phantom PRV Relocations Project in the amount of \$147,488.00

**RECOMMENDATION:** Award of contract to Kelley General Contracting, Inc. for the Phantom PRV Relocations Project in the amount of \$147,488.00

**FISCAL IMPACT:** \$147,488.00

Budget Amt: \$1,800,000

EDA Grant #07-49-05631: \$132,739.20  
52901-70622

Matching amount. \$14,748.80  
24350-70622

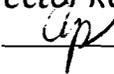
Finance Dept. Use Only

Additional Appropriation

No \_\_\_\_\_

Yes/\$ Amt \_\_\_\_\_

Finance Director Review

\$ Approval 

**DISCUSSION:**

On May. 7, 2007 the Engineering Dept. opened bids for the Phantom PRV Relocations Project. A total of three bids were received ranging from \$134,080.00 to \$174,475.00.

Mike Stanton Construction, Inc.	\$174,475.30
Ahrens Corporation	\$158,561.00
Kelley General Contracting, Inc. (Low bidder)	\$134,080.00

**Total estimated project cost:**

Construction contract (SM):	\$134,080.00
Contingencies, 15%:	\$13,408.00
<b><u>Construction Total:</u></b>	<b><u>\$147,488.00</u></b>

The City Engineering Department recommends award of contract to Kelley General Contracting, Inc. and requests appropriation of \$14,748.80 matching funds.

Monday, May 07, 2007

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5-15-07

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: May 15, 2007

**SUBMITTED BY:** Douglas B. Robertson *ASR* DATE: May 8, 2007  
Deputy City Manager

**SUBJECT:** Presentation of Resolutions Accepting the Property Tax Transfers from the Fire Protection, Recreation and Park, and Sanitary Districts

**RECOMMENDATION:** Approve the Resolutions and direct staff to file them with LAFCO

**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:**

The Victorville Fire Protection District was established as a subsidiary district of the City in 1977. The Victorville Recreation and Park District was established as a subsidiary district of the City in 1978. The Victorville Sanitary District was established as a subsidiary district of the City in 1982. As subsidiary districts, they have been governed by the Victorville City Council sitting as their respective boards. Over time, these districts have become increasingly intertwined with the City from an operational standpoint, although they have remained separate from a financial standpoint.

At the April 19, 2005 meeting of the Victorville City Council, Council approved Resolution No. 05-70 initiating the dissolution of the three subsidiary districts. LAFCO designated the actions as Nos. 3071, 3072, and 3073. As the successor agency, the City of Victorville will be responsible for all rights, responsibilities, properties, equipment, contracts, obligations, assets, liabilities, and functions, upon dissolution of the three subsidiary districts. These resolutions approve and accept the property tax previously assigned to the subsidiary districts for the continued operation of those functions.

Staff is requesting approval of the Resolutions and direction to submit the necessary documents to LAFCO as required.

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**RESOLUTION NO. 07-153**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
VICTORVILLE ACCEPTING THE PROPERTY TAX  
TRANSFER FROM THE VICTORVILLE FIRE  
PROTECTION DISTRICT**

**WHEREAS**, the Victorville Fire Protection District was established as a subsidiary district of the City of Victorville on June 27, 1977; and

**WHEREAS**, in April 2005, Resolution No. 05-70 of the City of Victorville requested LAFCO initiate proceedings for the dissolution of the Fire Protection District and fully integrate its funding mechanisms and functions with the City; and

**WHEREAS**, the San Bernardino Local Agency Formation Commission (LAFCO) has designated this request as LAFCO No. 3071; and

**WHEREAS**, pursuant to Section 99 of the Revenue and Taxation Code, prior to the issuance of a Certificate of Filing by the Local Agency Formation Commission Executive Officer, the governing bodies of all local agencies whose service area or service responsibilities will be altered by a proposed jurisdictional change shall negotiate and determine by resolution the amount of property tax revenues to be exchanged between and among such local agencies; and

**WHEREAS**, except as provided in Section 99.01 of the Revenue and Taxation Code, in the event that a jurisdictional change would affect the service area or service responsibility of one or more special districts, the Board of Supervisors shall, on behalf of the district or districts, negotiate any exchange of property tax revenues; and

**WHEREAS**, the annual tax increment generated in the area subject to the jurisdictional change and attributable to the local agencies whose service area or service responsibilities will be altered by the proposed jurisdictional change shall be allocated in future years pursuant to the provisions of Section 98 of the Revenue and Taxation Code.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Victorville does hereby approve and accept the negotiated exchange of property tax revenue between the Victorville Fire Protection District and the City of Victorville, attached hereto as Exhibit "A" and incorporated herein by reference, resulting from the dissolution of the Victorville Fire Protection District.

**LAFCO 3071**  
**Dissolution of Victorville Fire Protection District**

**EXHIBIT A**

TRA SERIES	12000, 21000, 114000	TOTALS
ASSESSED VALUE (net of RDA Increment)	\$ 4,603,857,876	\$ 4,603,857,876
TAX REVENUE (net of RDA Increment)	\$ 46,038,579	\$ 46,038,579

	<u>CHANGE IN BASE YEAR 2006-07</u>	<u>CHANGE IN BASE YEAR 2006-07</u>
<b><u>TRANSFER FROM</u></b>		
<b>County:</b>		
General Operations	\$ -	\$ -
Flood Control Zones 4	\$ -	\$ -
Flood Control Admin 3 - 6	\$ -	\$ -
Library	\$ -	\$ -
<b>Total County</b>	<u>\$ -</u>	<u>\$ -</u>

<b>Other Affected Agencies:</b>		
Victorville Fire Protection District	\$ 2,701,981	\$ 2,701,981
<b>Total Other Affected Agencies</b>	<u>\$ 2,701,981</u>	<u>\$ 2,701,981</u>
<b>TOTAL TRANSFER FROM</b>	<u>\$ 2,701,981</u>	<u>\$ 2,701,981</u>

<b><u>TRANSFER TO</u></b>		
City of Victorville (Successor agency)	\$ 2,701,981	\$ 2,701,981
<b>TOTAL TRANSFER TO</b>	<u>\$ 2,701,981</u>	<u>\$ 2,701,981</u>

## RESOLUTION NO. 07-154

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ACCEPTING THE PROPERTY TAX TRANSFER FROM THE VICTORVILLE RECREATION AND PARK DISTRICT

**WHEREAS**, the Victorville Recreation and Park District was established as a subsidiary district of the City of Victorville on July 31, 1978; and

**WHEREAS**, in April, 2005, Resolution No. 05-70 of the City of Victorville requested LAFCO initiate proceedings for the dissolution of the Recreation and Park District and fully integrate its funding mechanisms and functions with the City; and

**WHEREAS**, the San Bernardino Local Agency Formation Commission (LAFCO) has designated this request as LAFCO No. 3072; and

**WHEREAS**, pursuant to Section 99 of the Revenue and Taxation Code, prior to the issuance of a Certificate of Filing by the Local Agency Formation Commission Executive Officer, the governing bodies of all local agencies whose service area or service responsibilities will be altered by a proposed jurisdictional change shall negotiate and determine by resolution the amount of property tax revenues to be exchanged between and among such local agencies; and

**WHEREAS**, except as provided in Section 99.01 of the Revenue and Taxation Code, in the event that a jurisdictional change would affect the service area or service responsibility of one or more special districts, the Board of Supervisors shall, on behalf of the district or districts, negotiate any exchange of property tax revenues; and

**WHEREAS**, the annual tax increment generated in the area subject to the jurisdictional change and attributable to the local agencies whose service area or service responsibilities will be altered by the proposed jurisdictional change shall be allocated in future years pursuant to the provisions of Section 98 of the Revenue and Taxation Code.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Victorville does hereby approve and accept the negotiated exchange of property tax revenue between the Victorville Recreation and Park District and the City of Victorville, attached hereto as Exhibit "A" and incorporated herein by reference, resulting from the dissolution of the Victorville Recreation and Park District.

**LAFCO 3072**  
**Dissolution of Victorville Recreation and Park District**

**EXHIBIT A**

<b>TRA SERIES</b>	<b>12000, 114000</b>	<b>TOTALS</b>
<b>ASSESSED VALUE (net of RDA Increment)</b>	\$ 5,624,276,815	\$ 5,624,276,815
<b>TAX REVENUE (net of RDA Increment)</b>	\$ 56,242,768	\$ 56,242,768

	<u>CHANGE IN BASE YEAR 2006-07</u>	<u>CHANGE IN BASE YEAR 2006-07</u>
<b><u>TRANSFER FROM</u></b>		
<b>County:</b>		
General Operations	\$ -	\$ -
Flood Control Zones 4	\$ -	\$ -
Flood Control Admin 3 - 6	\$ -	\$ -
Library	\$ -	\$ -
<b>Total County</b>	<u>\$ -</u>	<u>\$ -</u>

<b>Other Affected Agencies:</b>		
Victorville Recreation and Park District	\$ 2,850,340	\$ 2,850,340
<b>Total Other Affected Agencies</b>	<u>\$ 2,850,340</u>	<u>\$ 2,850,340</u>

<b>TOTAL TRANSFER FROM</b>	<u>\$ 2,850,340</u>	<u>\$ 2,850,340</u>
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<b><u>TRANSFER TO</u></b>		
City of Victorville (Successor agency)	\$ 2,850,340	\$ 2,850,340
<b>TOTAL TRANSFER TO</b>	<u>\$ 2,850,340</u>	<u>\$ 2,850,340</u>

**RESOLUTION NO. 07-155**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
VICTORVILLE ACCEPTING THE PROPERTY TAX  
TRANSFER FROM THE VICTORVILLE SANITARY  
DISTRICT**

**WHEREAS**, the Victorville Sanitary District was established as a subsidiary district of the City of Victorville on June 28, 1982; and

**WHEREAS**, in April, 2005, Resolution No. 05-70 of the City of Victorville requested LAFCO initiate proceedings for the dissolution of the Sanitary District and fully integrate its funding mechanisms and functions with the City; and

**WHEREAS**, the San Bernardino Local Agency Formation Commission (LAFCO) has designated this request as LAFCO No. 3073; and

**WHEREAS**, pursuant to Section 99 of the Revenue and Taxation Code, prior to the issuance of a Certificate of Filing by the Local Agency Formation Commission Executive Officer, the governing bodies of all local agencies whose service area or service responsibilities will be altered by a proposed jurisdictional change shall negotiate and determine by resolution the amount of property tax revenues to be exchanged between and among such local agencies; and

**WHEREAS**, except as provided in Section 99.01 of the Revenue and Taxation Code, in the event that a jurisdictional change would affect the service area or service responsibility of one or more special districts, the Board of Supervisors shall, on behalf of the district or districts, negotiate any exchange of property tax revenues; and

**WHEREAS**, the annual tax increment generated in the area subject to the jurisdictional change and attributable to the local agencies whose service area or service responsibilities will be altered by the proposed jurisdictional change shall be allocated in future years pursuant to the provisions of Section 98 of the Revenue and Taxation Code.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Victorville does hereby approve and accept the negotiated exchange of property tax revenue between the Victorville Sanitary District and the City of Victorville, attached hereto as Exhibit "A" and incorporated herein by reference, resulting from the dissolution of the Victorville Sanitary District.

**LAFCO 3073**  
**Dissolution of Victorville Sanitary District**

**EXHIBIT A**

<b>TRA SERIES</b>	<b>12000</b>	<b>TOTALS</b>
<b>ASSESSED VALUE (net of RDA Increment)</b>	<b>\$ 4,462,091,193</b>	<b>\$ 4,462,091,193</b>
<b>TAX REVENUE (net of RDA Increment)</b>	<b>\$ 44,620,912</b>	<b>\$ 44,620,912</b>

	<u>CHANGE IN BASE YEAR 2006-07</u>	<u>CHANGE IN BASE YEAR 2006-07</u>
<b><u>TRANSFER FROM</u></b>		
<b>County:</b>		
General Operations	\$ -	\$ -
Flood Control Zones 4	\$ -	\$ -
Flood Control Admin 3 - 6	\$ -	\$ -
<b>Total County</b>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>
<b>Other Affected Agencies:</b>		
Victorville Sanitary District	\$ 1,456,362	\$ 1,456,362
<b>Total Other Affected Agencies</b>	<u><u>\$ 1,456,362</u></u>	<u><u>\$ 1,456,362</u></u>
<b>TOTAL TRANSFER FROM</b>	<u><u>\$ 1,456,362</u></u>	<u><u>\$ 1,456,362</u></u>

<b><u>TRANSFER TO</u></b>		
City of Victorville (Successor agency)	\$ 1,456,362	\$ 1,456,362
<b>TOTAL TRANSFER TO</b>	<u><u>\$ 1,456,362</u></u>	<u><u>\$ 1,456,362</u></u>

CITY OF  
VICTORVILLE



760.955.5000  
FAX 760.245.7243  
vville@ci.victorville.ca.us  
http://ci.victorville.ca.us

14343 Civic Drive  
P.O. Box 5001  
Victorville, California 92393-5001

CITY COUNCIL MEETING OF: 5/15/07

SUBMITTED BY: Carolee Bates *cb*  
City Clerk

DATE: 5/8/07

SUBJECT: APPOINTMENT OF DELEGATE TO DESERT-MOUNTAIN DIVISION OF  
THE LEAGUE OF CALIFORNIA CITIES

RECOMMENDATION: That the City Council appoint a delegate to replace  
Councilmember Hunter on the Desert-Mountain Division of the League of California  
Cities.

FISCAL IMPACT: None.

Finance Department Use Only

Budget Amount:  
Budget Account No.:

Additional Appropriation:

No  
 Yes/\$ Amt.:

Finance Director Approval: \_\_\_\_\_

DISCUSSION: Councilmember Hunter has resigned as the City's delegate to the  
Desert-Mountain Division of the League of California Cities. It is therefore necessary for  
the City Council to replace Councilmember Hunter on this committee. For Council's  
information, Councilmember Rothschild currently serves as the alternate on the Desert-  
Mountain Division.

/cb

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5-15-07

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**AGENDA ITEM**

CITY COUNCIL MEETING OF: MAY 15, 2007

SUBMITTED BY: Carolee Bates  
City Clerk

DATE: 5/7/07

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.

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

\_\_\_\_\_ No  
\_\_\_\_\_ Yes/\$Amount

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

CB/dl

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