

**CITY OF VICTORVILLE  
CITY COUNCIL  
AGENDA**

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

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

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

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

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

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

**PRESENTATION**

PROCLAMATION – COMMUNITY SERVICES DEPARTMENT FOR “PARKS AND RECREATION MONTH”

**PUBLIC COMMENT**

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

**REVISIONS TO AGENDA**

2. PRESENTATION OF REVISIONS TO AGENDA

**PUBLIC HEARINGS**

3. PRESENTATION OF REQUEST FOR A CONTINUANCE OF THE PUBLIC HEARING FOR GENERAL PLAN AMENDMENT GPA-06-003 (C) AND ZONE CHANGE ZC-06-020 – CITY OF VICTORVILLE

4. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE INTRODUCTION OF ORDINANCE NO. 2204 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE GRANTING SPECIFIC PLAN AMENDMENT PLN07-00014, AN AMENDMENT TO SPECIFIC PLAN 05-001 (MOJAVE VISTAS SPECIFIC PLAN), TO ADJUST THE ACREAGE OF PLANNING AREAS 7 AND 10 AND THE OPEN SPACE CONSERVATION AREA – MOJAVE VISTAS, LLC

5. PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE INTRODUCTION OF ORDINANCE NO. 2202 AND THE ADOPTION OF NEGATIVE DECLARATION WITH A DE MINIMIS FINDING

A. ORDINANCE NO. 2202 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE PLN07-00059 TO RECLASSIFY PROPERTY FROM R-3B1/2 (HIGH DENSITY RESIDENTIAL, MINIMUM BUILDING SITE AREA OF ½ ACRE) TO R-3B1 (HIGH DENSITY RESIDENTIAL, MINIMUM BUILDING SITE AREA OF 1 ACRE) – USA SAKAI CORPORATION

B. NEGATIVE DECLARATION WITH A DE MINIMIS FINDING

6. PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 07-282 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE FOR AMENDMENT TO TRACT PLN07-00034, AN AMENDMENT TO LOTS 209 AND 210 OF TRACT 4749 TO ALLOW FOR A REDUCTION IN THE RECORDED FRONT YARD SETBACK (BSL) FROM 50 FEET TO 37 FEET.

7. PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-160 THROUGH 07-165

A. RESOLUTION NO. 07-160 ENTITLED:

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

**B. RESOLUTION NO. 07-161 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972 AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FROM SAID DISTRICT IN ORDER TO FUND THE ONGOING MAINTENANCE OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17661

**C. RESOLUTION NO. 07-162 ENTITLED:**

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

**D. RESOLUTION NO. 07-163 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972 AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FROM SAID DISTRICT IN ORDER TO FUND THE ONGOING MAINTENANCE OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 17063

**E. RESOLUTION NO. 07-164 ENTITLED:**

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

**F. RESOLUTION NO. 07-165 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT NO. 2, UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972 AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FROM SAID DISTRICT IN ORDER TO FUND THE ONGOING MAINTENANCE OF THE STREET LIGHTING ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT(S) 16847

**8. PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-157 and 07-158**

**A. RESOLUTION NO. 07-157 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORT FILED IN SUPPORT OF THE FORMATION OF THE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 6, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

**B. RESOLUTION NO. 07-158 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING FORMATION OF THE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 6, UNDER THE ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972 AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FROM SAID DISTRICT IN ORDER TO FUND THE ONGOING MAINTENANCE OF THE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 6 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT 17046

**9. PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-166 AND 07-167**

**A. RESOLUTION NO. 07-166 ENTITLED:**

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

**B. RESOLUTION NO. 07-167 ENTITLED:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING FORMATION OF THE DRAINAGE FACILITY ASSESSMENT DISTRICT NO. 1, UNDER THE ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972 AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FROM SAID DISTRICT IN ORDER TO FUND THE ONGOING MAINTENANCE OF DRAINAGE FACILITY ASSESSMENT DISTRICT NO. 3 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT 17661

**10. PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 07-110 ENTITLED:**

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

11. PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 07-168 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ESTABLISHING A SCHEDULE OF FEES FOR THE ADMINISTRATION OF SIX SPECIFIED HAZARDOUS WASTE AND HAZARDOUS MATERIALS MANAGEMENT REGULATORY PROGRAMS, AND RESCINDING RESOLUTION 02-057

### **CONSENT CALENDAR**

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

- A.** PRESENTATION OF REQUEST FOR APPROVAL OF COMMERCIAL DEMAND SCHEDULE NO. 1 IN THE AMOUNT OF \$16,453,239.45 COVERING WARRANT NOS. 586899, 587942, 588214, 588336, 588347, 588383, 588444, 586955, 583839, 585003, 585479, 586254, 587600, 588000 AND 588494 THROUGH 589686 INCLUSIVE
- B.** PRESENTATION OF REQUEST FOR APPROVAL OF PAYROLL DEMAND SCHEDULE NO. 12B FOR PAYROLL PERIOD JUNE 2, 2007 THROUGH JUNE 15, 2007, IN THE AMOUNT OF \$1,356,233.22 COVERING WARRANT NOS. 21738 THROUGH 21804 AND ADVICE NOS. 115728 THROUGH 116302 INCLUSIVE
- C.** PRESENTATION OF REQUEST TO ACCEPT THE FOLLOWING STAFF REPORTS:
1. VICTORVILLE POLICE DEPARTMENT – MAY 2007
  2. COMMUNITY SERVICES DEPARTMENT – MAY 2007
  3. PUBLIC WORKS DEPARTMENT – MAY 2007
- D.** PRESENTATION OF REQUEST TO WAIVE SECOND READING AND ADOPT ORDINANCE NO. 2200 BY THE CITY COUNCIL ENTITLED:
- ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, STATE OF CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 07-01 OF THE CITY OF VICTORVILLE, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 07-01

- E.** PRESENTATION OF REQUEST TO AWARD THE ANNUAL RENEWAL OF ORACLE/PEOPLESFT SOFTWARE MAINTENANCE AND SUPPORT IN AN AMOUNT NOT TO EXCEED \$199,658.91
- F.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO AVOTEK FOR THE AVIONICS AND TURBINE TRAINER (FURNISH & DELIVER) IN THE AMOUNT OF \$77,940.96
- G.** PRESENTATION OF REQUEST TO AWARD A ONE-YEAR CONTRACT EXTENSION TO KEMPTON CO. FOR THE ANNUAL CONTRACT OF WEED ABATEMENT IN AN AMOUNT NOT TO EXCEED \$50,000.00
- H.** PRESENTATION OF REQUEST TO AWARD A ONE-YEAR CONTRACT EXTENSION TO WAXIE SANITARY FOR THE ANNUAL CONTRACT FOR JANITORIAL SUPPLIES IN AN AMOUNT NOT TO EXCEED \$52,150.00
- I.** PRESENTATION OF REQUEST TO AWARD A ONE-YEAR CONTRACT EXTENSION ON THE ANNUAL SUPPLY AGREEMENTS TO VARIOUS VENDORS THAT ARE LISTED ON THE AGENDA ITEM
- J.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS BOND FOR LMAD FOR TRACT 16247 – COVENANT DEVELOPMENT, INC.
- K.** PRESENTATION OF REQUEST FOR A 100% BOND RELEASE FOR MONUMENTATION OF TRACT 15456 – FRONTIER HOMES
- L.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE SEWER BONDS FOR TRACTS 15896-1 AND 15896-2 – THE COVENANT GROUP
- M.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BONDS FOR STREET, SEWER, WALLS & FENCES BOND PORTION ONLY (\$1,104,595.07) FOR TRACT 14183 – FORECAST HOMES
- N.** PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE FAITHFUL PERFORMANCE BONDS FOR THE STORM DRAIN FOR TRACTS 16171-1, 16171-2 AND 16171-3 – HORIZON COMMUNITIES
- O.** PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE FAITHFUL PERFORMANCE BOND FOR SEWER FOR TRACT 16247-3 – THE COVENANT GROUP
- P.** PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE FAITHFUL PERFORMANCE BOND FOR DRAINAGE FOR TRACT 16247 – THE COVENANT GROUP

- Q. PRESENTATION OF REQUEST TO APPROVE THE FINAL MAP FOR TRACT 17316 – ALLARD ENGINEERING
- R. PRESENTATION OF REQUEST TO APPROVE THE NOTICE OF COMPLETION FOR THE RE-ROOFING OF SCLA BLDG 762
- S. PRESENTATION OF REQUEST TO ADOPT REVISED RESOLUTION NO. 06-151 UPDATING THE DEVELOPMENT IMPACT FEES

**WRITTEN COMMUNICATIONS**

- 13. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-275 ENTITLED:  
  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE CONFIRMING THE ANNUAL SPECIAL TAX AMOUNTS TO BE LEVIED AGAINST THE PARCELS WITHIN THE COMMUNITY FACILITIES DISTRICT 01-01 FOR THE TAX YEAR 2007-2008
- 14. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-276 ENTITLED:  
  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE CONFIRMING THE ANNUAL SPECIAL TAX AMOUNTS TO BE LEVIED AGAINST THE PARCELS WITHIN THE COMMUNITY FACILITIES DISTRICT 90-1 FOR THE TAX YEAR 2007-2008
- 15. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-283 ENTITLED:  
  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ENTERING INTO THE VEHICLE LEASE AGREEMENT WITH NICB FOR A 2001 TOYOTA HIGHLANDER
- 16. PRESENTATION OF REQUEST TO RENEW THE CONTRACT WITH AT SYSTEMS SECURITY, INC. FOR SECURITY SERVICES AT THE FOXBOROUGH COGENERATION FACILITY CONSTRUCTION SITE IN THE AMOUNT OF \$91,039.00
- 17. PRESENTATION OF REQUEST TO RENEW THE PROFESSIONAL SERVICES AGREEMENT WITH COMPLETE ENERGY CONSULTING, LLC AND AWARD AN ANNUAL CONTRACT FOR NATURAL GAS MANAGEMENT AND CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED \$36,000.00
- 18. PRESENTATION OF REQUEST TO AWARD A SERVICE PROVIDER AGREEMENT TO LIM AND NASCIMENTO ENGINEERING, INC. FOR DESIGN SUPPORT AND PUBLIC INFORMATION IN AN AMOUNT NOT TO EXCEED \$62,000.00

19. PRESENTATION OF REQUEST TO APPROVE THE REIMBURSEMENT AGREEMENT AND ADDITIONAL APPROPRIATION OF ROAD DIF TO SUNCAL FOR THE OVERLAY OF THE CFD 90-1 PORTION OF MOJAVE DRIVE IN AN AMOUNT NOT TO EXCEED \$77,620.00
20. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-281 ENTITLED:  
  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE AUTHORIZING THE MAYOR TO EXECUTE PROGRAM SUPPLEMENT AGREEMENT NO. 014-N TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 08-5380R WITH CALTRANS FOR A NEW TRAFFIC SIGNAL AT BEAR VALLEY ROAD AND TOPAZ ROAD
21. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO COOLEY CONSTRUCTION, INC. FOR ROAD IMPROVEMENTS ON TAMARISK ROAD FROM LINDERO TO PAHUTE ROADS AND LA PAZ DRIVE FROM MOJAVE DRIVE TO PLAZA DRIVE AND DRAINAGE IMPROVEMENTS AT THE AFG GLASS PLANT IN THE AMOUNT OF \$1,072,648.45
22. PRESENTATION OF REQUEST TO IMPLEMENT A PROGRAM TO RECOGNIZE MILITARY PERSONNEL FROM VICTORVILLE WHO ARE SERVING IN WAR ZONES
23. PRESENTATION OF INFORMATION CONCERNING ILLEGAL DUMPING FOR DISCUSSION AND POSSIBLE ACTION BY COUNCIL
24. PRESENTATION OF REQUEST TO APPOINT REPRESENTATIVES TO THE EAST-WEST CORRIDOR COMMISSION

### **COUNCIL REPORTS**

25. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS

### **CLOSED SESSIONS**

26. CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.8:  
  
CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
PROPERTY LOCATION: 13462 Shady Hills Road / APN 0460-242-21  
PROPERTY OWNER: Christopher & Jennifer Massey  
NEGOTIATING PARTIES: Green de Bortnowsky & Quintanilla / Property Owner  
UNDER NEGOTIATION: Acquisition, price and terms of payment
27. CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b) – POTENTIAL CASES

CONFERENCE WITH LEGAL COUNSEL: Two Potential Cases

- 28.** CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

CONFERENCE WITH LEGAL COUNSEL: Existing Litigation

CASE ENTITLED: Cummins Cal Pacific, LLC, a limited liability company vs.  
City of Victorville, a municipality

REAL PARTIES OF INTEREST: Carter & Burgess, Inc., a Texas corporation, and  
DOES 1 through 10 inclusive – Superior Court of State of California, Los  
Angeles – Central District, Case No. BC343279

### **ADJOURNMENT OF MEETING**