

**CITY OF VICTORVILLE  
CITY COUNCIL  
AGENDA**

REGULAR MEETING  
AUGUST 7, 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

**PUBLIC COMMENT**

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

**REVISIONS TO AGENDA**

2. PRESENTATION OF REVISIONS TO AGENDA

**PUBLIC HEARINGS**

3. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 07-171 THROUGH 07-186
  - A. RESOLUTION NO. 07-171 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. 07-172 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 15065

**C. RESOLUTION NO. 07-173 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. 07-174 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 15081

**E. RESOLUTION NO. 07-175 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. 07-176 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 16715

**G. RESOLUTION NO. 07-177 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

**H. RESOLUTION NO. 07-178 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 16890

**I. RESOLUTION NO. 07-179 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

**J. RESOLUTION NO. 07-180 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 16900

**K. RESOLUTION NO. 07-181 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

**L. RESOLUTION NO. 07-182 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 16951

**M. RESOLUTION NO. 07-183 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

**N. RESOLUTION NO. 07-184 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 17556

**O. RESOLUTION NO. 07-185 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

**P. RESOLUTION NO. 07-186 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 TRACTS 15083-1 & 2

4. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 07-285 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE FINDING AND DECLARING THAT THE PUBLIC CONVENIENCE AND NECESSITY JUSTIFY AND REQUIRE THE GRANTING OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SHERIF EL SHAMY DBA HIGH DESERT TRANSPORTATION SERVICES

5. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE INTRODUCTION OF ORDINANCE NO. 2205 ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE AMENDING CHAPTER 13.03 TO THE VICTORVILLE MUNICIPAL CODE RELATING TO NUISANCE VEHICLES AND PROVIDING FOR THE SEIZURE AND FORFEITURE OF VEHICLES USED FOR THE PURPOSE OF ILLEGAL DUMPING

### CONSENT CALENDAR

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

- A. PRESENTATION OF REQUEST FOR APPROVAL OF COMMERCIAL DEMAND SCHEDULE NO. 2 IN THE AMOUNT OF \$10,330,330.61 COVERING WARRANT NOS. 586606, 589238, 584396, 585887, 585888, 585919, 586198, 588388, 589393 AND 589687 THROUGH 590480 INCLUSIVE
- B. PRESENTATION OF REQUEST FOR APPROVAL OF PAYROLL DEMAND SCHEDULE NO. 1A FOR PAYROLL PERIOD JUNE 16, 2007 THROUGH JUNE 29, 2007, IN THE AMOUNT OF \$1,304,208.68 COVERING WARRANT NOS. 21805 THROUGH 21866 AND ADVISE NOS. 116303 THROUGH 116898 INCLUSIVE
- C. PRESENTATION OF REQUEST FOR APPROVAL OF PAYROLL DEMAND SCHEDULE NO. 1B FOR PAYROLL PERIOD JUNE 30, 2007 THROUGH JULY 13, 2007, IN THE AMOUNT OF \$1,566,191.82 COVERING WARRANT NOS. 21867 THROUGH 22099 AND ADVISE NOS. 116899 THROUGH 117623 INCLUSIVE, VOID OF WARRANT NOS. 21932 AND 21935, AND VOID OF ADVISE NOS. 117481 THROUGH 117623

- D. PRESENTATION OF REQUEST TO ACCEPT THE STAFF REPORT FROM INFORMATION SERVICES FOR THE 2<sup>ND</sup> QUARTER IN 2007
- E. PRESENTATION OR REQUEST TO APPROVE THE FOLLOWING MINUTES:
  - 1. ADJOURNED MEETING HELD APRIL 3, 2007
  - 2. REGULAR MEETING HELD APRIL 3, 2007
- F. PRESENTATION OF REQUEST TO WAIVE SECOND READING AND ADOPT ORDINANCE NOS. 2202 AND 2204
  - 1. 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
  - 2. 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
- G. PRESENTATION OF REQUEST FOR COUNCIL TO APPROVE THE INVESTMENT POLICY
- H. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO GEORGE BRYANT CONSTRUCTION FOR ASBESTOS ABATEMENT AND BUILDING DEMOLITION IN THE AMOUNT OF \$81,090.00
- I. PRESENTATION OF REQUEST TO APPROVE THE WRITE OFF OF \$27,433.61 WORTH OF UNCOLLECTIBLE DEBTS AND BANKRUPTCIES
- J. PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE STREET/SIGNAL BONDS FOR TRACT 16138 – K HOVNANIAN
- K. PRESENTATION OF REQUEST FOR A PARTIAL RELEASE OF THREE LAND DIVISION IMPROVEMENT CONSTRUCTION AGREEMENTS FOR PARCEL 1 OF PARCEL MAP NO. 16280 – CHICAGO TITLE
- L. PRESENTATION OF REQUEST FOR A FULL RELEASE OF THE LABOR/MATERIALS AND THE FAITHFUL PERFORMANCE BONDS FOR THE LMAD FOR TRACT 15186-PHASE 5 – CENTURY VINTAGE HOMES

- M.** PRESENTATION OF REQUEST TO RELEASE 20% OF THE FAITHFUL PERFORMANCE BONDS FOR STREET/SEWER/STORM DRAIN BONDS FOR TRACT 16282 – YCH COMMUNITIES
  
- N.** PRESENTATION OF REQUEST TO APPROVE THE NOTICE OF COMPLETION FOR THE INSTALLATION OF A TRAFFIC SIGNAL AT SENECA ROAD/CIVIC DRIVE; ROY ROGERS DRIVE/I-15 RAMPS; SIGNAL INTERCONNECT CABLE INSTALLATION; AND SIGNAL POLE REPLACEMENT PROJECT AT AMARGOSA ROAD/N.E. MALL ENTRANCE

**WRITTEN COMMUNICATIONS**

- 7.** PRESENTATION OF REQUEST TO APPROVE THE AMENDMENT TO THE FEE CREDIT AGREEMENT-FIRE FACILITY FOR THE CROSSINGS SPECIFIC PLAN
  
- 8.** PRESENTATION OF REQUEST FOR COUNCIL TO APPROVE THE SUPERSEDING FREEWAY AGREEMENT BETWEEN THE CITY OF VICTORVILLE AND THE STATE OF CALIFORNIA FOR THE LA MESA ROAD / NISQUALLI ROAD / I-15 INTERCHANGE IMPROVEMENTS AND TO AUTHORIZE STAFF TO MAKE MINOR CHANGES AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT
  
- 9.** PRESENTATION OF REQUEST TO APPOINT VOTING DELEGATE AND ALTERNATE FOR THE 2007 LEAGUE ANNUAL CONFERENCE
  
- 10.** PRESENTATION OF REQUEST TO APPROPRIATE \$74,000 FROM STORM DRAIN FEE NORTH AND CENTRAL AND TO AWARD A SERVICE PROVIDER AGREEMENT TO TAIT & ASSOCIATES, INC. FOR THE STORM DRAIN CROSSING OF US-395, NORTH OF PALMDALE ROAD IN AN AMOUNT NOT TO EXCEED \$67,300
  
- 11.** PRESENTATION OF REQUEST TO AWARD A CONTRACT FOR PROFESSIONAL SERVICES TO ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE TAMARISK ROAD – LA PAZ DRIVE – AFG DRAINAGE IMPROVEMENTS PROJECT IN THE AMOUNT OF \$60,480.00
  
- 12.** PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 07-299 ENTITLED:  
  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE AMENDING TRAFFIC REGULATIONS ON CERTAIN STREETS WITHIN THE CITY BY ESTABLISHING A FOUR-WAY STOP INTERSECTION – FIRST AVENUE AND SILICA ROAD

## COUNCIL REPORTS

13. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS

## CLOSED SESSIONS

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

PROPERTY LOCATION: Ramona Avenue

PROPERTY OWNER: Hi Desert Kia

NEGOTIATING PARTIES: RDA / Community Services

UNDER NEGOTIATION: Acquisition, price and terms of payment

15. CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b) – POTENTIAL CASES

CONFERENCE WITH LEGAL COUNSEL: Two Potential Cases

16. CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

CONFERENCE WITH LEGAL COUNSEL: Existing Litigation

CASE ENTITLED: John Martin v. City of Victorville

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

PROPERTY LOCATION: Parcel 1, APN 0472-101-49 & Parcel 2, APN 0472-101-48

PROPERTY OWNER: Sully Miller Contracting Company

NEGOTIATING PARTIES: Owner / Green de Bortnowsky & Quintanilla

UNDER NEGOTIATION: Terms of proposed agreement

## ADJOURNMENT OF MEETING