

**SOUTHERN CALIFORNIA
LOGISTICS RAIL AUTHORITY
AGENDA**

REGULAR MEETING
AUGUST 1, 2006
7:00 P.M.

MOJAVE DESERT AIR QUALITY
MANAGEMENT DISTRICT - BOARDROOM
14306 PARK AVENUE
www.ci.victorville.ca.us

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
STAND IN THE COUNCIL CHAMBERS LOBBY AND GIVE IT TO THE BOARD
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

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

WRITTEN COMMUNICATIONS

2. PRESENTATION OF REQUEST TO APPROVE A PROFESSIONAL SERVICES
CONTRACT WITH VENABLE, LLP IN THE AMOUNT OF \$5,000.00 PER
MONTH

***ADJOURNMENT

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AGENDA ITEM

SCLRA MEETING OF: AUGUST 1, 2006

SUBMITTED BY: Carolee Bates
Authority Secretary

DATE: 7-25-06

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

SCLRA MEETING OF: 8/1/06

SUBMITTED BY: Jon B. Roberts
Executive Director

DATE: 7/26/06

SUBJECT: APPROVAL OF PROFESSIONAL SERVICES CONTRACT WITH
VENABLE, LLP

RECOMMENDATION: That the Board approve the professional services contract.

FISCAL IMPACT: \$5,000 per month. \$55,000 for services from August 1, 2006 –
June 30, 2007

Budget Amount:
Budget Acct. No.:

--Finance Department Use Only--
Additional Appropriation:

No
 Yes/\$ Amt.:

Finance Director Review and Approval _____

DISCUSSION: Venable, LLP is a firm based out of Washington, D.C. The agreement would be for the purpose of providing legal services for major projects and to represent the City with State and Federal agencies.

/cb

SOUTHERN CALIFORNIA LOGISTICS AIRPORT AUTHORITY
18374 PHANTOM, VICTORVILLE, CA 92394
TEL 760.246.6115 FAX 760.246.3108
www.logisticsairport.com

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8-1-06

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**SOUTHERN CALIFORNIA LOGISTICS
AIRPORT AUTHORITY AGENDA**

REGULAR MEETING
AUGUST 1, 2006
7:00 P.M.

MOJAVE DESERT AIR QUALITY
MANAGEMENT DISTRICT - BOARDROOM
14306 PARK AVENUE
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

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

WRITTEN COMMUNICATIONS

2. PRESENTATION OF REQUEST TO APPROVE A PROFESSIONAL SERVICES
CONTRACT WITH VENABLE, LLP IN THE AMOUNT OF \$5,000.00 PER
MONTH
3. PRESENTATION OF REQUEST TO DENY A CLAIM AGAINST THE CITY NO.
06-04d – VAL PETERSON, INC.

CLOSED SESSION

4. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9
(B) CONFERENCE WITH LEGAL COUNSEL: THREATENED LITIGATION -
ONE POTENTIAL CASE

*****ADJOURNMENT



AGENDA ITEM

SCLAA MEETING OF: AUGUST 1, 2006

SUBMITTED BY: Carolee Bates
Authority Secretary

DATE: 7-25-06

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

SOUTHERN CALIFORNIA LOGISTICS AIRPORT AUTHORITY
18374 PHANTOM, VICTORVILLE, CA 92394
TEL 760.246.6115 FAX 760.246.3108
www.logisticsairport.com

Public Comment
#1
8-1-06

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AGENDA ITEM

SCLAA MEETING OF: 8/1/06

SUBMITTED BY: Jon B. Roberts
Executive Director

DATE: 7/26/06

SUBJECT: APPROVAL OF PROFESSIONAL SERVICES CONTRACT WITH
VENABLE, LLP

RECOMMENDATION: That the Board approve the professional services contract.

FISCAL IMPACT: \$5,000 per month. \$55,000 for services from August 1, 2006 –
June 30, 2007

Budget Amount:
Budget Acct. No.:

--Finance Department Use Only--
Additional Appropriation:

No
 Yes/\$ Amt.:

Finance Director Review and Approval _____

DISCUSSION: Venable, LLP is a firm based out of Washington, D.C. The agreement would be for the purpose of providing legal services for major projects and to represent the City with State and Federal agencies.

/cb

SOUTHERN CALIFORNIA LOGISTICS AIRPORT AUTHORITY
18374 PHANTOM, VICTORVILLE, CA 92394
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#2
8-1-06

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AGENDA ITEM

SCLAA MEETING OF: August 1, 2006

SUBMITTED BY: Jon B. Roberts
SCLA Executive Director
By: Charles J. Buquet
Risk Manager

JBR/CJB/mw

DATE: July 21, 2006

SUBJECT: PRESENTATION OF REQUEST FOR DENIAL OF CLAIMS AGAINST
THE CITY NO. 06-04d VAL PETERSON, INC.

RECOMMENDATION: That your Honorable Board Members deny Claim No. 06-04d
Val Peterson, Inc. with referral to staff.

FISCAL IMPACT:

Budget Amount:
Budget Acct. No.:

---Finance Dept. Use Only---

Additional Appropriation:

No _____

Yes _____ / \$Amt.: _____

Finance Director Review &

Approval _____

DISCUSSION:

Claim No. 06-04d was received by the City on July 18, 2006 from the Law Firm of Peckar & Abramson on behalf of their client Val Peterson, Inc. This claim involve hanger construction contract payment dispute at SCLA.

JBR/CJB/mw
Attachments



Peckar & Abramson

A Professional Corporation • Attorneys & Counselors at Law

06-04d

8105 Irvine Center Drive
Suite 900
Irvine, CA 92618
tel. 949.608.3100
fax 949.936.2677

RECEIVED
JUL 18 2006
AIRPORT DEPT.

July 14, 2006

Via Certified Mail

San Francisco

Mr. Peter Soderquist
Director
Southern California Logistics Airport
18374 Phantom St.
Victorville, CA 92394

Los Angeles

New York

New Jersey

Miami

Mr. Jon Roberts
City Manager
City Manager's Office
Department of City Administration
City of Victorville
14343 Civic Drive
Victorville, CA 92393-5001

Fort Lauderdale

Washington, DC

London

www.pecklaw.com

**Presentation of Claim for Money Damages
(Govt. Code § 910 et seq.; Govt. Code § 37201 et seq.)**

To: Southern California Logistics Airport Authority

Claimant: Val Peterson, Inc.
8920 West Tropicana Ave.
Suite 102
Las Vegas, Nevada 89147

Occurrence/Transaction:

Southern California Logistics Airport Development Project
Location: 18374 Phantom West Street, Victorville, CA
City of Victorville City Hall
Location: 14343 Civic Drive
Victorville, CA 92393-5001
Date ranges of involvement by City of Victorville:
Approximately January 1, 2006 to the present

Description of injury/damage:

Val Peterson, Inc. ("VPI") is a subcontractor who has provided construction-related services at the Southern

Peckar & Abramson

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Messrs. Peter Soderquist and Jon Roberts

July 14, 2006

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California Logistics Airport Development ("SCLA Project"), but has not been paid for doing so. Lack of payment to VPI is due in whole or in part to a willful failure on the part of the Southern California Logistics Airport Authority ("SCLAA") to comply with certain public works statutes and competitive bidding laws applicable to the SCLA Project, which failure has resulted in substantial economic injury and damages to VPI.

Name(s) of City Employee(s):

Jon Roberts, City Manager of the City of Victorville (the "City") and administrator of SCLAA; previous and/or current members of the City Council as yet unidentified; and others unknown.

Amount Claimed:

In excess of the minimum amount required for filing a civil action of Unlimited Jurisdiction the Superior Court for the State of California.

This office is authorized to submit this claim on behalf of VPI. This claim relates to and arises from the SCLA Project referenced above. The SCLA Project is located within the City's boundaries and is being financed in whole or in part by the City. VPI's claim is based upon SCLAA's willful failure to comply with public works statutes and competitive bidding laws applicable to the SCLA Project, which failure has resulted in substantial economic injury and damages to Val Peterson, Inc. ("VPI").

In general, VPI asserts that on September 30, 2005, SCLAA, a joint powers authority under the administration of the City Manager, entered into a ground lease ("Ground Lease") of certain real property upon which the SCLA Project is located. Pursuant to the Ground Lease, SCLAA leased an interest in said real property to CBS Aviation Development, LLC, an entity affiliated with California Building Systems, Inc. ("CBS, Inc."). CBS, Inc. entered into an agreement with VPI whereby VPI was to provide earthwork excavation/grading services at that SCLA Project in return for monetary compensation. VPI subsequently provided the earthwork excavation/grading services contracted for by CBS, Inc. Said services were necessary for the construction of certain large aircraft hangars and other structures at that SCLA Project, which hangars and structures are in the nature of public improvements.

Payment for VPI's services at the SCLA Project have come due, but VPI has not received payment for said services. VPI has learned that no payment bond for VPI's work was obtained and posted by CBS, Inc. or CBS Aviation Development, LLC, in connection with VPI's work at the SCLA Project. VPI is informed and believes and thereon alleges that the City and SCLAA has improperly attempted to circumvent the statutory requirements obligating it to require a payment bond for public works contracts

Peckar & Abramson

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Messrs. Peter Soderquist and Jon Roberts

July 14, 2006

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having a consideration of \$25,000.00 or more. The public work undertaken by CBS, Inc. was significantly in excess of \$25,000.00 and SCLAA knew this fact when it entered into the Ground Lease.

On or about February 17, 2006, after entering into the Ground Lease, SCLAA and CBS Aviation Development, LLC amended the Ground Lease to release the portions of the affected property from the Ground Lease, thereby returning CBS Aviation Development, LLC's interest in said portions of property to the SCLAA. VPI is informed and believes that, as to some or all of the portions of real property that remain covered by the Ground Lease as amended, CBS Aviation Development, LLC has already subleased them back to the City, or will do so in the future.

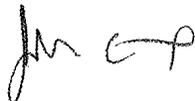
Under the totality of the facts and circumstances surrounding the above-referenced transactions, the Ground Lease, the amendment thereto, and any other relevant contracts and agreements were designed to improperly attempt to circumvent the payment bond requirements and other legal requirements pertaining to public works contracts. VPI is also informed and believes that SCLAA should have required CBS Aviation Development, LLC to deposit a payment bond for the public improvements VPI and other constructed as a condition of approving the SCLA Project.

Unless resolved by SCLAA now, VPI will sue SCLAA to recover on this claim in a court of general jurisdiction, as an unlimited civil case, after the expiration of SCLAA's statutory time period allowed to review this claim.

VPI hereby reserves all its rights and remedies, both legal and equitable, in connection with the submission of this claim. VPI submits this claim without waiver of or prejudice to its other claims related to the SCLA Project, and without waiver of or prejudice to any other causes of action which support and relate to this claim.

Pursuant to Gov. Code § 910(b), all notices regarding this claim should be sent to John C. Pytel, Esq. at our offices located at 8105 Irvine Center Drive, Suite 900, Irvine, California 92618.

PECKAR & ABRAMSON, P. C.



By: John C. Pytel

JCP:io

cc: Val Peterson, Inc. (via regular U.S. Mail only)

Peckar & Abramson

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Messrs. Peter Soderquist and Jon Roberts
July 14, 2006
Page 4

bcc: Val Peterson (via regular U.S. Mail Only)
John Zanoni (via regular U.S. Mail only)

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**VICTORVILLE REDEVELOPMENT AGENCY
AGENDA**

REGULAR MEETING
AUGUST 1, 2006
7:00 P.M.

MOJAVE DESERT AIR QUALITY
MANAGEMENT DISTRICT - BOARDROOM
14306 PARK AVENUE
www.ci.victorville.ca.us

THE REDEVELOPMENT AGENCY MEETING IS SCHEDULED TO BEGIN AT
7:00 P.M. OR AS SOON THEREAFTER AS POSSIBLE UPON THE
CONCLUSION OF THE MEETING OF THE SOUTHERN CALIFORNIA
LOGISTICS AIRPORT AUTHORITY

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

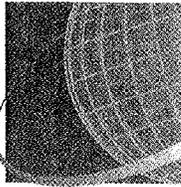
INVOCATION & PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

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VICTORVILLE
California

AGENDA ITEM

RDA MEETING OF: AUGUST 1, 2006

SUBMITTED BY: Carolee Bates
Agency Secretary

DATE: 7-25-06

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
8-1-06

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**CITY OF VICTORVILLE
CITY COUNCIL
AGENDA**

REGULAR MEETING
AUGUST 1, 2006
7:00 P.M.

MOJAVE DESERT AIR QUALITY
MANAGEMENT DISTRICT - BOARDROOM
14306 PARK AVENUE
www.ci.victorville.ca.us

THE CITY COUNCIL MEETING IS SCHEDULED TO BEGIN AT 7:00 P.M.
OR AS SOON THEREAFTER AS POSSIBLE UPON THE CONCLUSION OF THE
MEETING OF THE VICTORVILLE REDEVELOPMENT AGENCY

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

PUBLIC HEARINGS

2. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST
THE ADOPTION OF RESOLUTION NO. 06-139 AND NEGATIVE
DECLARATION
 - A. RESOLUTION NO. 06-139 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE,
CALIFORNIA, REQUESTING THE LOCAL AGENCY FORMATION
COMMISSION TO TAKE PROCEEDINGS FOR REORGANIZATION TO
INCLUDE ANNEXATIONS TO THE CITY OF VICTORVILLE, VICTORVILLE
FIRE PROTECTION DISTRICT, VICTORVILLE PARK AND RECREATION
DISTRICT AND THE VICTORVILLE SANITARY DISTRICT

B. NEGATIVE DECLARATION

3. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 06-103 AND 06-104

A. RESOLUTION NO. 06-103 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. 06-104 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 LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 6 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACTS 16900, 16905 AND 16951

4. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE INTRODUCTION OF ORDINANCE NO. 2170 ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE AMENDING SECTION 2.20.200(A) OF THE VICTORVILLE MUNICIPAL CODE RELATING TO PUBLIC PARTICIPATION IN CITY COUNCIL MEETINGS

CONSENT CALENDAR

5. 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 \$6,638,969.39 COVERING WARRANT NOS. 572957, 576171, 576446 AND 576452 THROUGH 576878 INCLUSIVE

B. PRESENTATION OF REQUEST TO ACCEPT THE PUBLIC WORKS DEPARTMENT STAFF REPORT – JUNE 2006

C. PRESENTATION OF SECOND READING AND ADOPTION BY CITY COUNCIL FOR THE FOLLOWING ORDINANCES:

1. ORDINANCE NO. 2153 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-007 TO RECLASSIFY PROPERTY FROM R-3 (HIGH DENSITY RESIDENTIAL – MAXIMUM OF 15 DWELLING UNITS PER ACRE) TO R-1 (SINGLE-FAMILY RESIDENTIAL – 5 DWELLING UNITS PER ACRE) – GLOBAL LEGACY

2. ORDINANCE NO. 2154 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-05-029 TO RECLASSIFY PROPERTY FROM R-2T (MEDIUM DENSITY RESIDENTIAL – TRANSITIONAL) TO R-4 (VERY HIGH-DENSITY RESIDENTIAL) – AMERICAN HERITAGE COMMUNITIES, LLC

3. ORDINANCE NO. 2155 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-05-022 TO RECLASSIFY PROPERTY FROM R-1T (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL), R-2T (MEDIUM-DENSITY RESIDENTIAL – TRANSITIONAL) AND C-2T (GENERAL COMMERCIAL – TRANSITIONAL) TO SPECIFIC PLAN – LP HIGH DESERT LAND COMPANY, LLC

4. ORDINANCE NO. 2156 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE GRANTING SPECIFIC PLAN 05-002 (PARKVIEW SPECIFIC PLAN), TO ALLOW FOR THE DEVELOPMENT OF A 177-ACRE COMMUNITY OF SINGLE-FAMILY RESIDENTIAL DWELLING UNITS AND 12.89 ACRES OF PARK/PASEOS – LP HIGH DESERT LAND COMPANY, LLC

5. ORDINANCE NO. 2157 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-019 TO RECLASSIFY PROPERTY FROM R-1TB1/2 (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL – ½ ACRE MINIMUM BUILDING SITE) TO R-1 (SINGLE-FAMILY RESIDENTIAL) – GBR DEVELOPMENT CO., LLC

6. ORDINANCE NO. 2158 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-005 TO RECLASSIFY PROPERTY FROM R-3T (HIGH-DENSITY RESIDENTIAL – TRANSITIONAL – MAXIMUM OF 15 DWELLING UNITS PER ACRE) TO R-1 (SINGLE-FAMILY RESIDENTIAL – MAXIMUM OF 5 DWELLING UNITS PER ACRE) – CORNERSTONE DEVELOPMENT COMPANY, LLC

7. ORDINANCE NO. 2159 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-014 TO RECLASSIFY PROPERTY FROM R-1TB1/2 (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL – ½ ACRE MINIMUM LOT SIZE) AND C-2T (GENERAL COMMERCIAL – TRANSITIONAL) TO C-2 (GENERAL COMMERCIAL) – ROLO DEVELOPMENT

8. ORDINANCE NO. 2160 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-015 TO RECLASSIFY PROPERTY FROM R-1 (SINGLE-FAMILY RESIDENTIAL) AND C-2T (GENERAL COMMERCIAL – TRANSITIONAL) TO C-2 (GENERAL COMMERCIAL) – PALMDALE COMMERCE CENTER, LLC

9. ORDINANCE NO. 2161 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-012 TO RECLASSIFY PROPERTY FROM SPECIFIC PLAN 90-002 (MIDTOWN SPECIFIC PLAN) TO C-2 (GENERAL COMMERCIAL) – CIVIC ROGERS, LLC

10. ORDINANCE NO. 2162 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE GRANTING AN EIGHTH AMENDMENT TO SPECIFIC PLAN 90-002 (MIDTOWN SPECIFIC PLAN), TO ELIMINATE PLANNING AREAS 13, 18, 19 AND 20 FROM THE SPECIFIC PLAN – CIVIC ROGERS, LLC

11. ORDINANCE NO. 2163 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-010 TO RECLASSIFY PROPERTY FROM C-2 (GENERAL COMMERCIAL) TO R-4 (VERY HIGH-DENSITY RESIDENTIAL) – MICHAEL RAMIREZ

12. ORDINANCE NO. 2164 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-009 TO RECLASSIFY PROPERTY FROM R-1T (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL) AND SPECIFIC PLAN 90-001 (SOUTHDOWN INDUSTRIAL PARK SPECIFIC PLAN) TO M-2 (HEAVY INDUSTRIAL) – SERVICE ROCK PRODUCTS

13. ORDINANCE NO. 2165 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE GRANTING A FIFTH AMENDMENT TO SPECIFIC PLAN 90-001 (SOUTHDOWN INDUSTRIAL PARK SPECIFIC PLAN), TO ALLOW FOR THE REMOVAL OF 10.6 ACRES FROM THE SPECIFIC PLAN AREA – SERVICE ROCK PRODUCTS

14. ORDINANCE NO. 2166 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-05-020 TO RECLASSIFY PROPERTY FROM R-1 (SINGLE-FAMILY RESIDENTIAL) AND R-1T (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL) TO SPECIFIC PLAN – MCRAE GROUP

15. ORDINANCE NO. 2167 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE GRANTING SPECIFIC PLAN 05-001 (MOJAVE VISTAS SPECIFIC PLAN), TO ALLOW FOR THE DEVELOPMENT OF A 224-ACRE COMMUNITY OF SINGLE-FAMILY RESIDENTIAL UNITS, A 12-ACRE SCHOOL SITE, TWO 3-ACRE PARK SITES AND 30 ACRES OF CONSERVATION AREA – MC RAE GROUP

16. ORDINANCE NO. 2168 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-018 TO RECLASSIFY APPROXIMATELY 11 ACRES OF PROPERTY FROM R-1T(4) (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL – FOUR DWELLING UNITS PER ACRE) TO C-2 (GENERAL COMMERCIAL), APPROXIMATELY 34 ACRES OF LAND FROM C-2T (GENERAL COMMERCIAL – TRANSITIONAL) AND C-4T (HIGHWAY AND SERVICE COMMERCIAL – TRANSITIONAL) TO C-2 (GENERAL COMMERCIAL) AND APPROXIMATELY 49 ACRES FROM R-1T(4) (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL – FOUR

DWELLING UNITS PER ACRE) TO PUD (PLANNED UNIT DEVELOPMENT) – UNITED ENGINEERING GROUP

17. ORDINANCE NO. 2169 ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, REPEALING SECTION 13.02.150 OF THE VICTORVILLE MUNICIPAL CODE AND REPLACING IT WITH A NEW SECTION 13.02.150 OF THE VICTORVILLE MUNICIPAL CODE

- D. PRESENTATION OF REQUEST TO RENEW A PROFESSIONAL SERVICES CONTRACT FOR ECONOMIC DEVELOPMENT DEPARTMENT MARKETING SERVICES WITH CHABIN CONCEPTS, INC IN AN AMOUNT NOT TO EXCEED \$60,000.00
- E. PRESENTATION OF REQUEST TO APPROVE THE RELEASE OF A MONUMENTATION BOND FOR TRACT 14059 – HORIZON COMMUNITIES
- F. PRESENTATION OF REQUEST TO APPROVE THE RELEASE OF A MONUMENTATION BOND FOR TRACT 16446 – JD PIERCE COMPANY
- G. PRESENTATION OF REQUEST TO APPROVE THE FULL RELEASE OF THE LABOR AND MATERIALS BOND FOR LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR TRACT 16247-2 – COVENANT DEVELOPMENT, INC.
- H. PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BONDS FOR LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR TRACT 16242 – EMPIRE HOMES
- I. PRESENTATION OF REQUEST TO RELEASE LABOR AND MATERIALS PORTION OF STREET BONDS FOR TRACTS 16172-1 AND 16172-2 – HORIZON COMMUNITIES
- J. PRESENTATION OF REQUEST TO RELEASE LABOR AND MATERIALS PORTION OF STREET BONDS FOR TRACTS 14059-1(AB&CD) AND 14059-2(AB&CD) – HORIZON COMMUNITIES
- K. PRESENTATION OF REQUEST TO RELEASE LABOR AND MATERIALS PORTION OF STREET BOND FOR TRACT 14059-2(CD) – HORIZON COMMUNITIES
- L. PRESENTATION OF REQUEST TO RELEASE 80% OF THE STREET BOND AND ACCEPTANCE OF WORK INTO THE PUBLIC

MAINTENANCE SYSTEM FOR TRACT 16171-1 – HORIZON
COMMUNITIES

- M. PRESENTATION OF REQUEST TO RELEASE 80% OF THE STREET, STORM DRAIN AND SEWER BONDS AND ACCEPT THE WORK INTO THE PUBLIC MAINTENANCE SYSTEM FOR TRACT 16632 – HOWARD ROBERTS
- N. PRESENTATION OF REQUEST TO RELEASE REMAINING 20% OF THE STREET AND SEWER BONDS FOR TRACT 16280-1 – WOODSIDE HOMES
- O. PRESENTATION OF REQUEST TO RELEASE 80% OF THE SEWER BOND AND ACCEPT THE WORK INTO THE PUBLIC MAINTENANCE SYSTEM FOR TRACT 15413-6 – LAKEVIEW HOMES
- P. PRESENTATION OF REQUEST TO RELEASE 60% OF THE STREET BOND FOR TRACT 15413-6 – LAKEVIEW HOMES
- Q. PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE SEWER BONDS FOR TRACTS 14059-1(CD) AND 14059-2(AB) – HORIZON COMMUNITIES
- R. PRESENTATION OF REQUEST TO APPROVE THE FEE CREDIT AGREEMENTS FOR DRAINAGE FEES IN THE AMOUNT OF \$263,204.70 TOWARDS TRACT 15598 FOR THE INSTALLATION OF A PORTION OF THE MASTERPLANNED D-02 DRAINAGE FACILITIES – PULTE HOMES
- S. PRESENTATION OF REQUEST TO APPROVE THE SUBSTITUTION OF BONDS FOR TRACTS 16994 AND 14933 – HOWARD ROBERTS DEVELOPMENT COMPANY
- T. PRESENTATION OF REQUEST TO ACCEPT THE NOTICE OF COMPLETION FOR THE LA BRISA SEWER PROJECT

WRITTEN COMMUNICATIONS

- 6. PRESENTATION TO COUNCIL OF PROPOSED TERMS AND CONDITIONS FOR THE WATER DISTRICT CONSOLIDATION
 - 7. PRESENTATION TO COUNCIL OF MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE
-

8. PRESENTATION TO COUNCIL OF REPORT ON THE CITY OF VICTORVILLE POLICE DEPARTMENT'S PARTICIPATION WITH THE 23RD NATIONAL NIGHT OUT PROGRAM
 9. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO CUTTING EDGE COMPANY FOR THE SYCAMORE SIDEWALK PROJECT IN THE AMOUNT OF \$371,928.00
 10. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-138 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE VACATION (ABANDONMENT) OF A PORTION OF LANDSCAPE EASEMENT WITHIN LOT 18 OF TRACT MAP NO. 18218
 11. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-140 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE AUTHORIZING THE CITY ENGINEER TO ACQUIRE PROPERTY FOR RIGHT OF WAY VALUED AT LESS THAN \$10,000.00 FOR CAPITAL IMPROVEMENT PROJECTS
 12. PRESENTATION OF REQUEST TO APPROVE AMENDMENT TO SERVICE PROVIDER AGREEMENT FOR THE CITYWIDE TRAFFIC MODEL WITH PARSONS BRINCKERHOFF QUADE AND DOUGLAS, INC. FOR AN INCREASE OF \$63,500.00 AND A TOTAL NOT TO EXCEED \$313,468.00 AND TO APPROPRIATE \$164,000.00 FROM DEVELOPMENT IMPACT FEES
 13. PRESENTATION OF REQUEST TO AWARD A SERVICE PROVIDER AGREEMENT FOR RIGHT OF WAY SERVICES FOR THE LA MESA ROAD/NISQUALLI ROAD/I-15 INTERCHANGE TO EPIC LAND SOLUTIONS, INC. IN AN AMOUNT NOT TO EXCEED \$512,000.00 SUBJECT TO CALTRAN'S ACCEPTANCE OF EPIC LAND SOLUTIONS INC. AS A QUALIFIED CONSULTANT AND TO APPROPRIATE \$563,000.00 FROM DEVELOPMENT IMPACT FEES
 14. PRESENTATION OF REQUEST TO APPROVE A PROFESSIONAL SERVICES CONTRACT WITH VENABLE, LLP IN THE AMOUNT OF \$5,000.00 PER MONTH
 15. PRESENTATION OF REQUEST TO APPOINT VOTING DELEGATE AND ALTERNATE FOR THE 2006 LEAGUE ANNUAL CONFERENCE
-

16. PRESENTATION OF REQUEST TO DENY CLAIM AGAINST THE CITY NO. 06-04d – VAL PETERSON, INC. WITH REFERRAL TO STAFF

COUNCIL REPORTS

17. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS

CLOSED SESSION

18. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957.6
CONFERENCE WITH LABOR NEGOTIATORS/AGENCY DESIGNATED REPRESENTATIVES
EMPLOYEES: CITY OF VICTORVILLE EMPLOYEES
19. CLOSED SESSION AGENDA ITEM PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (A)
CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION
SUBJECT OF CASE: VICTORVILLE PROFESSIONAL FIREFIGHTERS ASSOCIATION V. CITY OF VICTORVILLE – CASE NO. CV 06-03935

***ADJOURNMENT TO 5:30 P.M., TUESDAY, AUGUST 8, 2006 AT THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT FOR A DEVELOPMENT IMPACT FEES WORKSHOP

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AGENDA ITEM

CITY COUNCIL MEETING OF: AUGUST 1, 2006

SUBMITTED BY: Carolee Bates
City Clerk

DATE: 7-25-06

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: August 1, 2006

SUBMITTED BY:

Bill Webb 
Director of Planning

DATE: July 24, 2006

SUBJECT:

PROPOSED WESTSIDE ANNEXATION; ADOPTION OF ANNEXATION RESOLUTION AND ADOPTION OF NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT AND PREZONING

RECOMMENDATION: Staff recommends the adoption of Resolution 06-139, requesting LAFCO action, and the adoption of the Negative Declaration.

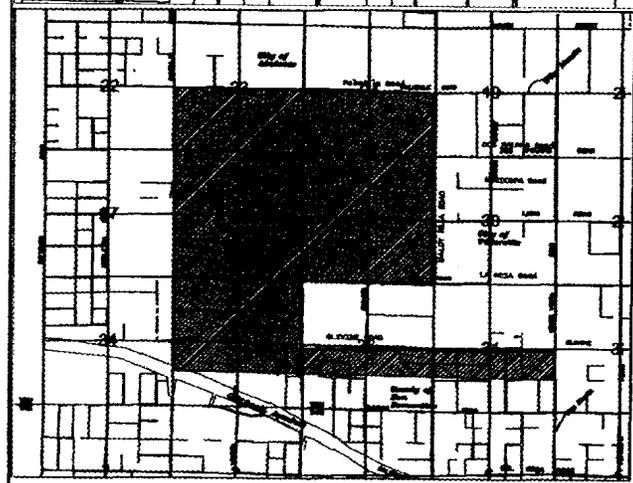
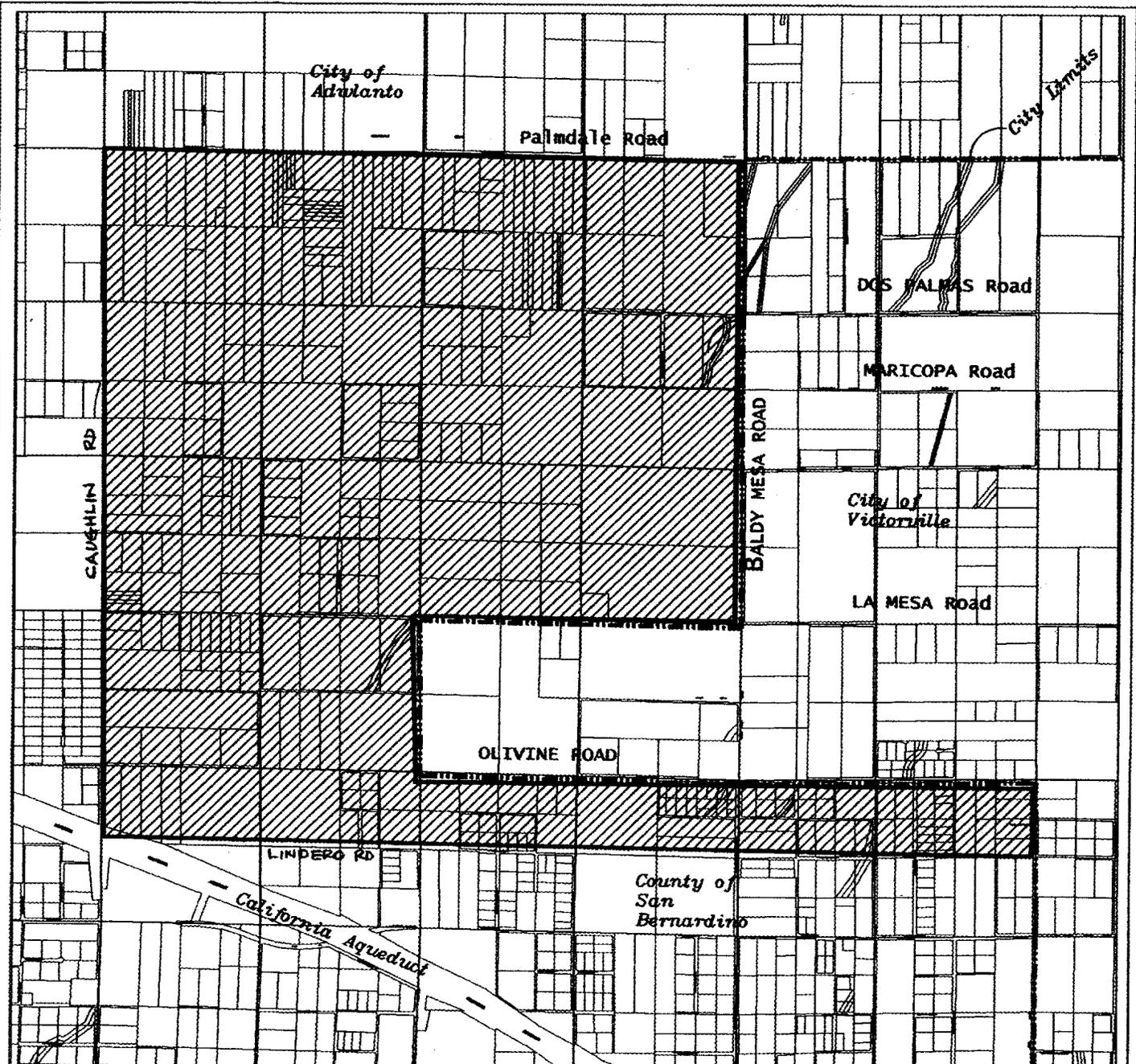
FISCAL IMPACT: Typical costs associated with providing City services. (See attached memos)

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

DISCUSSION: For the past several years, various property owners in the western sphere area have been discussing a potential annexation into the City. Recently, Victoria Homes has taken the lead in gathering support for the annexation and also providing the required information for the annexation. They have provided a synopsis (attached) of the steps they have taken to meet with property owners and gain support for a successful annexation.

The area consists of approximately 2,720 acres, which is mostly undeveloped, however, a small number of single family homes exists within the area. The current General Plan designation is Very Low Density Residential (2 du/ac), however, Staff is in the process of amending this to reflect more appropriate designations. The initial study discussion and negative declaration are based on a preliminary proposal which is attached to the study.

Council Policy (CP-90-8) states that the applicant is responsible for all LAFCO fees and that the City will process the prezoning and LAFCO application at no charge. The representatives for Victoria Homes are aware of this and are prepared to pay the required LAFCO fees.



Vicinity Map

Title: PROPERTY LOCATION MAP			
Zoning: ANNEXATION PREZONING	Area: ±		
Assessor Parcel Number: VARIES			
Location: BALDY MESA PLANNING AREA			
Drawn By: NL	Checked By:	Date: 6-13-06	Case Number: GPA-06-003(C) & ZC-06-020

Graphics are diagrammatic only - Not to Scale

Prepared by: City of Victorville Planning Department

RESOLUTION NO. 06-139

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR REORGANIZATION TO INCLUDE ANNEXATIONS TO THE CITY OF VICTORVILLE, VICTORVILLE FIRE PROTECTION DISTRICT, VICTORVILLE PARK AND RECREATION DISTRICT AND THE VICTORVILLE SANITARY DISTRICT.

WHEREAS, the City of Victorville desires to initiate proceedings pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of approximately 2,720 acres, north of and abutting Lindero Road, south of Palmdale Road, east of and abutting Caughlin Road, and west of and abutting the existing City of Victorville boundary; and

WHEREAS, the territory to be annexed appears to meet the definition of being "legally inhabited" based upon the number of dwelling units within the area and a description of the boundaries of the territory is set forth in Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, the proposal is consistent with the existing sphere of influence of the City of Victorville; and

WHEREAS, it is desired to provide that the proposed annexation be subject to the following terms and conditions: The standard Local Agency Formation Commission terms and conditions; and

WHEREAS, the reasons for this proposed annexation are as follows:

1. Request of a majority of the property owners within the boundaries of the annexation area;
2. To allow for more appropriate land uses with City of Victorville development standards in order to ensure compatibility with properties within the City; and
3. The City of Victorville can provide the services necessary to development in accordance with the proposed General Plan land use designations and zoning; and

WHEREAS, the City Council, after review and consideration of the environmental information as part of General Plan Amendment GPA-06-003(C) pre-zoning Zone Change ZC-06-020, determined that the proposal will not have a significant effect on the environment, and pursuant to the California Environmental Quality Act, adopted a Negative Declaration:

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

That the Local Agency Formation Commission of the County of San Bernardino is hereby requested to take proceedings for the annexation of territory as described in Exhibit "A", according to the terms and conditions stated above and in the manner provided by the Cortese/Know/Hertzberg Local Government Reorganization Act of 2000.

PASSED, APPROVED AND ADOPTED this 1st day of August, 2006.

MAYOR OF THE CITY OF VICTORVILLE

ATTEST:

CITY CLERK

APPROVED AS TO FORM AND CONTENT:

CITY ATTORNEY

I, CAROLEE BATES, City Clerk of the City of Victorville and ex-officio Clerk to the City Council of said City, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 06-139 which was adopted at a meeting held on the 1st day of August, 2006, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY CLERK OF THE CITY OF VICTORVILLE

LAFCO _____
City of Victorville Annexation No. _____

Those parcels of land located in Section 31 of Township 5 North, Range 5 West and Sections 23, 24, 25, 26, 35 & 36 of Township 5 North, Range 6 West, San Bernardino Meridian, in the County of San Bernardino, State of California, described as follows:

Beginning at a point in the existing City of Victorville boundary per "Reorganization No. 1989-3 (LAFCO 2567)", said point being the Northwest Corner of Southwest Quarter of the Southwest Quarter of Section 32, Township 5 North, Range 5 West, San Bernardino Meridian;

Thence westerly, along the north line of the South One-Half of the South One-Half of Section 31, Township 5 North, Range 5 West, San Bernardino Meridian, to the Northwest Corner of the Southwest Quarter of the Southwest Quarter of said Section 31;

Thence westerly, along the north line of the South One-Half of the South One-Half of Section 36, Township 5 North, Range 6 West, San Bernardino Meridian, to the Northwest Corner of the Southwest Quarter of the Southwest Quarter of said Section 36;

Thence westerly, along the north line of the South One-Half of the South One-Half of Section 35, Township 5 North, Range 6 West, San Bernardino Meridian, to the Northwest Corner of the Southwest Quarter of the Southwest Quarter of said Section 35;

Thence northerly, along the west line of said Section 35 to the Northwest Corner of said Section 35;

Thence northerly, along the west line of Section 26, Township 5 North, Range 6 West, San Bernardino Meridian, to the Northwest Corner of said Section 26;

Thence northerly, along the west line of Section 23, Township 5 North, Range 6 West, San Bernardino Meridian, to the West Quarter Corner of said Section 23;

Thence easterly, along the north line of the South One-Half of said Section 23, to the East Quarter Corner of said Section 23;

Thence easterly, along the north line of the South One-Half of Section 24, Township 5 North, Range 6 West, San Bernardino Meridian, to the East Quarter Corner of said Section 24, said point being a point in the existing City of Victorville boundary per "Reorganization No. 1990-5 (LAFCO 2631);

Thence along the existing boundary of the City of Victorville as established by "Reorganization No. 1990-5 (LAFCO 2631), "Reorganization No. 1990-4 (LAFCO 2630), and "Reorganization No. 1989-3 (LAFCO 2567) through its various courses in a generally southerly and easterly direction to the Northwest Corner of Southwest Quarter of the Southwest Quarter of Section 32, Township 5 North, Range 5 West, San Bernardino Meridian, being the Point of Beginning.



Prepared by Mark R. Miller
L.S. 6827, Expires 09/30/06

21 JUL 06

Date prepared



MEMORANDUM



DATE: May 9, 2006
FROM: John Becker, Fire Chief
TO: Chris Borchert, Assistant Director of Planning

SUBJECT: PROPOSED ANNEXATION - NORTH OF LINDERO STREET

The proposed annexation is outside the service area provided by the Fire Department. Annexation of undeveloped land has minimal impact; however, to develop this land, a fire station and related staffing will be required.

I am including cost estimates bases on today's dollars for development and staffing of a station to serve this area.

Land Purchase – ¾ acre	\$100,000
Architectural Services	\$90,000 - \$100,000
Utilities	\$150,000
Fire Apparatus	\$350,000
Furnishings, Equipment, Contingency	\$125,000
Construction	<u>\$2,200,000</u>
Fixed Costs	\$3,025,000

Staffing \$1.2 Million per year

While Fire DIF will repay most of the fixed costs, staffing is provided directly by the City General Fund. In order to provide staffing, some method, such as a CFD, must be established to provide for continued operation of a station without dependence on the General Fund.

Development of this area without adequate fire protection will impact the City's I.S.O. rating significantly. Developers could be required to design and construct as station as a condition of approval, and a CFD or similar method should be adopted to provide staffing.

/rjm

MEMORANDUM

DATE May 18, 2006
FROM **MARK A. TAYLOR**, Captain
Police Department
TO **BILL WEBB**, Director of Development
Department of Development



SUBJECT **PROPOSED ANNEXATION NORTH OF LINDERO ROAD, SOUTH OF PALMDALE ROAD,
WEST OF THE EXISTING CITY BOUNDARY AND EAST OF CAUGHLIN ROAD**

This is in response to your questions reference the proposed annexation north of Lindero Road, south of Palmdale Road, west of the existing city boundary and east of Caughlin Road.

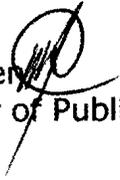
1. The Police Department currently covers the surrounding areas 24 hours a day, 7 days a week.
2. Services will be available in this area immediately.
3. This issue is not applicable to the Police Department.
4. We estimate there will be no additional cost due to the fact the surrounding area is already covered by the Police Department.
5. This issue is not applicable to the Police Department.
6. This issue is not applicable to the Police Department.

MAT/KL/pw



City of Victorville

DATE: May 23, 2006

FROM: Rod E. Sorensen 
Acting Director of Public Works

TO: Chris Borchert
Assistant Director of Planning



SUBJECT: Response to Proposed Annexation North of Lindero Road, South of Palmdale Road, West of Existing City Boundary, and East of Caughlin Road

In response to your memo dated May 8, 2006, which references the above subject, please see the attached memorandums from Joe Flores and Louie Rodriguez.

It is our desire to have the developer provide three acres of land for use by Public Works and Community Services staff for routine operations. Specifically, the land will be used to park equipment, store street debris, and used as an area to collect and sort such recyclables as street sweepings, tires, tree trimmings, etc.

In addition, we would like the developer to purchase this property using the credit the City will provide to them on the DIF fees. These three acres shall also be partially developed with a surrounding wall and gate, and utilities installed to the property line.

If you have any questions in regard to this matter, please contact Mike Jenks at 243-6323. Thank you for your assistance with this request.

RES:MLJ:pg
Attachment

cc: Mike Jenks, Assistant Director of Public Works
Joe Flores, Public Works Manager
Louie Rodriguez, Public Works Supervisor
Tony Colver, Public Works Supervisor
Georgia Graham, Management Specialist
Brian Schneider, Management Analyst

MEMORANDUM



DATE: May 15, 2006

FROM: Louie M. Rodriguez 
Public Works Supervisor

TO: Mike L. Jenks
Assistant Director of Public Works

SUBJECT: ANNEXATION INFORMATION REQUEST

In response to the questions posed in the attached memorandum from Chris Borchert, Assistant Director of Planning, I would like to offer the following information:

1. The Public Works Department, TAC Division, is willing and able to provide immediate maintenance and services to the proposed area.
 - Traffic Control will provide maintenance on all future traffic control devices
 - Graffiti abatement will be provided and included into the normal schedule
 - Animal Care & Control will enforce the Health and Safety Code 121690, as well as, promote animal welfare and public safety. AC&C will also provide proper Vector control as needed and will enforce Victorville Municipal Code, Section 12.12.100, entitled "Removal of Vehicles from Streets"
 - Traffic Signal will provide maintenance immediately upon installation of new traffic signals
2. These services will be ongoing and will commence immediately upon annexation.
3. Not Applicable to Public Works
4. Estimated cost for the services outlined above, will be minimal at this time, however; as the area develops, additional staffing and services may be affected. The use of property will aid in maintenance responses in the proposed annexation area.
5. Not Applicable to Public Works
6. Not Applicable to Public Works

Please contact me if you have any additional questions or concerns regarding the proposed annexation application.

LMR:sc



MEMORANDUM

DATE: May 25, 2006

FROM: Joe Flores 
Public Works Manager

TO: Rod Sorensen
Acting Director of Public Works

SUBJECT: PROPOSED ANNEXATION NORTH OF LINDERO ROAD, SOUTH OF PALMDALE ROAD, WEST OF THE EXISTING CITY BOUNDARY AND EAST OF CAUGLIN ROAD

I have reviewed the issues addressed in subject memorandum from Chris Borchert, Assistant Director of Planning. I would like to offer the following information.

Plan for Service - Items 1 through 4:

A. Upon annexation:

- Standby response to emergency situations during non-duty hours
- Grading of dedicated dirt roads and shoulders

B. Upon acceptance of development by Engineering Department:

- Street sweeping of curbs, gutters, and intersections
- Response to citizen's concerns

C. One year after infrastructure has been accepted by the Engineering Department – maintenance and repair requirements in the City's rights-of-way:

- Asphalt pavement, streets – potholes
- Concrete repair – sidewalks, curbs, gutters, and cross-gutters
- Drainage Maintenance – drainage channels, detention basins, catch basins, drain pipes, and manholes
- Sanitary sewers – pipes and manholes
- Vegetation Control – weed removal and herbicide application

D. Five years, plus or minus, after infrastructure has been accepted by Engineering Department, maintenance and repair requirements will include all of the above listed activities, plus:

Memo to Rod Sorensen, re: Proposed Annexation
May 25, 2006
Page 2

- Asphalt pavement – streets will require a slurry or cape seal to ensure pavement meets its expected 20 – 30 years effective life.
- Sanitary sewers and storm drain manholes and pipelines and closed circuit TV inspection.

It is difficult to place a cost for these services at this time. However, the hourly rate for a Maintenance Worker II, Step 9, including taxes, workman's compensation, and fringe benefits will be at \$32.87 per hour during fiscal year 2006-2007. The hourly rate for an Equipment Operator, Step 9, including taxes, workman's compensation, and fringe benefits will be \$38.34 per hour during fiscal year 2006-2007. The estimated cost to sweep one mile of curb and gutter is \$29.00.

Items 5 and 6 of subject memorandum are not applicable to the Public Works Department.

Please contact me should you have any questions.

JPF:so

Enclosure

cc: Mike Jenks, Assistant Director of Public Works

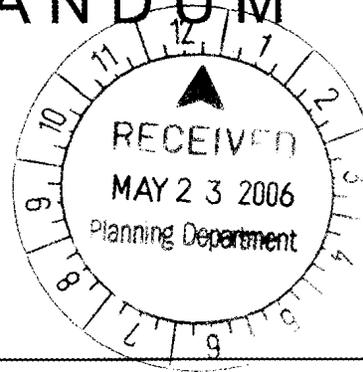
MEMORANDUM



DATE: May 17, 2006

FROM: Adair Patterson *AP*
Director of Finance

TO: Chris Borchert
Assistant Director of Planning



SUBJECT: PLAN FOR SERVICES—PROPOSED ANNEXATION AREA

Per your request, following is the Plan For Services for the Sanitation Division of the Finance Department.

1. Trash and recycling collection services will be provided to all occupied residential and commercial premises. Single-family homes will receive standard, curbside barrel service. Commercial locations will utilize dumpsters ranging in size from 1.5 to 4 cubic yards. Services would be provided by the City's franchised hauler Victorville Disposal Company.
2. Service can be provided immediately.
3. No upgrades of any facilities would be required.
4. Costs to extend services would be paid for by charging users a service fee. The City of Victorville Finance Department, Sanitation Division, would bill customers for the service.
5. N/A
6. N/A

If you have any further questions regarding this matter, please contact Dana Armstrong, Solid Waste Manager, at (760) 955-5086.

Submitted by: Dana Armstrong, Solid Waste Manager

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

Draft NEGATIVE DECLARATION with a de minimis finding
Preparation Date: June 12, 2006

Name or Title of Project: General Plan Amendment GPA-06-003(C); Zone Change ZC-06-020

Location: North of and abutting Lindero Road, south of and abutting Palmdale Road, east of and abutting Caughlin Road, and west of and abutting the existing City of Victorville boundary.

Entity or Person Undertaking Project: City of Victorville
14343 Civic Drive
Victorville, California 92392

Description of Project: An amendment to the General Plan Land Use Element, as well as any other affected elements, and to allow for the pre-zoning of 2,720 acres within the City's sphere of influence to designate approximately 400 acres as Low Density Residential with R-1 zoning; 710 acres as Low Density Residential with R-1B10,000 zoning; 170 acres as Very Low Density Residential with R-1B1/2 zoning; 170 acres as High Density Residential; 230 acres as Light Industrial with an IPD district; 320 acres as Commercial with C-2, General Commercial zoning; 95 acres as Public/Institutional with Public/Civic zoning and 625 acres as Estate Specific Plan with Specific Plan zoning, all within the City's sphere of influence, with such zoning to take effect upon annexation; and annexation to the City of Victorville, Victorville Sanitary District and Victorville Fire Protection District. The area consists of mostly vacant land with some scattered single family residences in the northern portion, with higher number of single family along the southern portion.

Statement of Findings: The Planning Commission and City Council have reviewed the Initial Study for this proposed project and have found there are no adverse environmental impacts to the environmental setting 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.

Further, pursuant to Fish and Game Code Section 711.4, a "de minimis" finding is hereby made based upon the fact that no development is proposed at this time.

Public Review Period: June 19, 2006 to July 18, 2006

Public Hearing Date: August 1, 2006

Adopted by the City Council on _____.

MIKE ROTHSCHILD, MAYOR
VICTORVILLE CITY COUNCIL

BILL WEBB
DIRECTOR OF DEVELOPMENT

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM**

1. **Project title:** GPA-06-003(C) and ZC-06-020 and Annexation to the City of Victorville, Victorville Sanitary District, Victorville Parks & Recreation District and Victorville Fire Protection District.
 2. **Lead agency name and address:** City of Victorville Development Department, Planning Division, PO Box 5001, Victorville, California 92393-5001.
 3. **Contact person and phone number:** Chris Borchert (760) 955-5135.
 4. **Project location:** North of and abutting Lindero Road, south of and abutting Palmdale Road, east of and abutting Caughlin Road, and west of and abutting the existing City of Victorville boundary.
 5. **Project sponsor's name and address:** City of Victorville, P.O. Box 5001, 14343 Civic Drive, Victorville, CA 92393-5001.
 6. **General plan designation:** The existing County of San Bernardino designations for the property include roughly 2,360 acres of RL – Rural Living (2.5 acre min.) and 360 acres of RS-1 – Single Family Residential (7,200s.f.). The existing designation in the City of Victorville Sphere of Influence is Very Low Density Residential (2 DU/AC). Proposed are various single and multi-family residential densities, general commercial and light industrial designations.
 7. **Zoning:** The County designations are discussed above. The proposed City zoning districts include R-1, Single Family Residential with a minimum lot size of 7,200 square feet; R-1B10,000, Single Family Residential with a minimum lot size of 10,000 s.f.; R-1B1/2, Single Family Residential with a minimum lot size of one-half acre; C-2 (General Commercial), Multi-family residential, Mixed use, and Public/Civic.
 8. **Description of project:** An amendment to the General Plan Land Use Element, as well as any other affected elements, to allow for the pre-zoning of 2,720 acres within the City's sphere of influence to designate approximately 400 acres as Low Density Residential with R-1 zoning; 710 acres as Low Density Residential with R-1B10,000 zoning; 170 acres as Very Low Density Residential with R-1B1/2 zoning; 170 acres as High Density Residential; 230 acres as Light Industrial with an IPD district; 320 acres as Commercial with C-2, General Commercial zoning; 95 acres as Public/Institutional with Public/Civic zoning and 625 acres as Estate Specific Plan with Specific Plan zoning, all within the City's sphere of influence, with such zoning to take effect upon annexation; and annexation to the City of Victorville, Victorville Sanitary District, Victorville Fire Protection District and Victorville Park & Recreation District. The area consists of mostly vacant land with some scattered single family residences in the northern portion, with higher number of single family along the southern portion.
 9. **Surrounding land uses and setting:** The properties to the north of Palmdale Road are within the City of Adelanto, are mostly vacant and have commercial and residential zoning. The properties to the south are County and zoned for low density residential with a number of existing residences present. The property to the east is within the City and is mostly vacant land with single family residential zoning. The properties to the west are Rural Living and mostly vacant.
 10. **Other public agency whose approval is required** (e.g., permits, financing approval, or participation agreement) Approval by LAFCO, Mojave Desert Air Quality Management District, Baldy Mesa Water District, Snowline School District, Southern California Edison, and Southwest Gas.
-

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.

Signature: Chris Borchert Date: June 12, 2006

Chris Borchert, Assistant Director For: Victorville Development Department, Planning Division

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.

ENVIRONMENTAL IMPACTS:

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

- a) Conflict with general plan designation or zoning? (1, Figure 15 and 2, Sheet 4)
- 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, Sheet K7)
- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)? (5, 22 and Maps 24, 25)
- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (4, Sheet K7)

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
a)				X
b)			X	
c)			X	
d)				X
e)				X

Comments: a) The site is designated RL - Rural Living and RS-1 (County zoning) and approval of the proposed pre-zoning would allow for future single and multi-family residential, commercial and light industrial development, along with parks and schools. The proposed zoning is done in a manner whereby major intersections have commercial designations and zoning, surrounded by a multi-family potentially mixed use designation, then single family. The zoning was done to buffer existing designations and uses. b) The properties are currently shown as being within the Phelan Community Plan, however, LAFCO has stated that the City Sphere of Influence takes precedence over the Community Plan. c) Large blocks of commercial with a high density residential buffer are proposed where existing rural residences exist. The impact is seen as less than significant as the development of this area is not likely to occur for many years. d) The Resource Element of the General Plan does not identify this site as having special environmental significance. The area has never historically been used for agricultural purposes and the proposed zoning does not disrupt or divide an established community.

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, Sheet K7)
- c) Displace existing housing, especially affordable housing? (4, Sheet K7)

a)			X	
b)				X
c)				X

Comments: a) The City is currently in the process of updating the General Plan to include local population projections. The recent residential boom and zone changes to increase density from 2 to 5 units per acre have already increased the population projections. The entire area is currently designated as 2 units per acre, which would result in 5,440 units or a population of 15,776. The proposed zoning would allow for 9,830 units or a population of 28,507, an increase of 12,731 people over current zoning. This increase is considered less than significant over an area of 2,720 acres. b) The proposed zoning will not induce substantial growth, the current growth trend is for

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development to travel west with the infrastructure. c) The proposal does not displace any housing.

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, 22 and Maps 24, 25 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, 22 and Maps 24, 25)
- i) Unique geologic or physical features? (5, 22 and Maps 24, 25)

			X
			X
			X
			X
			X
			X
			X
			X
			X
			X

Comments: Approval of the proposed project would not cause any physical changes in the environment and therefore will have no impact with regard to geological problems.

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

- a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (11, graphic)
- b) Exposure of people or property to water related hazards such as flooding? (10, Panes 5795 and 5815)
- c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? (4, Sheet K7)
- d) Changes in the amount of surface water in any water body? (4, Sheet K7)
- e) Changes in currents, or the course or direction of water movements? (4, Sheet K7)
- 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, Sheet K7)
- h) Impacts to groundwater quality? (4, Sheet K7)
- i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (11)

			X
			X
			X
			X
			X
			X
			X
			X
			X
			X

Comments: Approval of the proposed project would not cause any physical changes in the environment and therefore will have no impact upon water resources.

Potentially
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Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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V. AIR QUALITY. *Would the proposal:*

- a) Violate any air quality standard or contribute to an existing or projected air quality violation? (16, 1)
- b) Expose sensitive receptors to pollutants? (4, Sheet K7)
- c) Alter air movement, moisture, or temperature, or cause any changes in climate? (16, 1)
- d) Create objectionable odors? (11)

			X
			X
			X
			X

Comments: Approval of the proposed project would not cause any physical changes in the environment and therefore will have no impact upon air quality since no development is proposed at this time. The proposed project does not meet any threshold which 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 (16, 1).

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

- a) Increased vehicle trips or traffic congestion? (11, graphic)
- b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (11, graphic)
- c) Inadequate emergency access or access to nearby uses? (4, Sheet K7)
- d) Insufficient parking capacity on-site or off-site? (11, graphic)
- e) Hazards or barriers for pedestrians or bicyclists? (11, graphic)
- f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (11, graphic)
- g) Rail, waterborne or air traffic impacts? (11, graphic)

			X
			X
			X
			X
			X
			X
			X

Comments: Approval of the proposed project would not cause any physical changes in the environment and therefore will have no impact upon transportation/circulation.

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)? (18)
- b) Locally designated species (e.g., heritage trees)? (18)
- c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? (4, Sheet K7)
- d) Wetland habitat (e.g., marsh, riparian, and vernal pool)? (4, Sheet K7)
- e) Wildlife dispersal or migration corridors? (18)

			X
			X
			X
			X
			X

Comments: Approval of the proposed project would not cause any physical changes in the environment and therefore will have no impact upon biological resources.

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

- a) Conflict with adopted energy conservation plans? (6, 36)
- b) Use nonrenewable resources in a wasteful and inefficient manner? (11, graphic)

			X
			X

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- 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: Approval of the proposed project would not cause any physical changes in the environment and therefore will have no impact upon energy and mineral resources.

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, Sheet K7)
- e) Increased fire hazard in areas with flammable brush, grass, or trees? (11)

			X
			X
			X
			X
			X

Comments: Approval of the proposed project would not cause any physical changes in the environment and therefore will have no impact with regard to hazards and the exposure to people. Any potential impacts on the health of the public will be analyzed as part of a site plan and/or conditional use permit which would allow for development of the property.

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: Approval of the proposed project would not cause any physical changes in the environment and therefore will have no impact with regard to noise sources. Future development of the area will be required to comply with noise ordinances to lessen the impact of exposure to people.

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)
- c) Schools? (11)
- d) Maintenance of public facilities, including roads? (11)
- e) Other government services? (11)

		X	
		X	
		X	
		X	
			X

Comments: Future development of the area will result in an increase of the above mentioned services. The area will be annexed into the Victorville Fire Protection District which will help to mitigate associated costs. In addition, the development impact fees will help to offset the impact and costs to the police and road maintenance. The Snowline School District is in the process of revising their current fee requirement to meet the demands of the current growth within the City and annexation of this area has been discussed with them. Further, no development will occur as a result of the proposed re-designation of the property without subsequent discretionary review. 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 any future development. (21, 314).

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

Comments: Annexation to the City of Victorville would allow for the extension of sewer service to the area upon need, however, inasmuch as no development is proposed at this time and subsequent discretionary review will be necessary prior to development, no impacts to utilities will result from this proposal.

XIII. AESTHETICS. *Would the proposal:*

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

Comments: Approval of the proposed pre-zoning would not result in any physical changes in the environment and therefore will not have any adverse impact to the aesthetics of the area as any future development, which will be subject to subsequent discretionary review, occurring within the project area will be subject to compliance with the provisions of the Victorville Municipal Code, which includes height limitations and yard requirements, as well as any other design requirements imposed as part of the site plan permit review process (22).

XIV. CULTURAL RESOURCES. *Would the proposal:*

a) Disturb paleontological resources? (4, Sheet K7)				X
b) Disturb archaeological resources? (4, Sheet K7)				X
c) Have the potential to cause a physical change which would affect unique ethnic cultural values? (4, Sheet K7)				X
d) Restrict existing religious or sacred uses within the potential impact area? (4, Sheet K7)				X

Comments: Approval of the proposed project would not cause any physical changes in the environment and therefore will have no impact upon cultural resources.

XV. RECREATION. *Would the proposal:*

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

Comments: The increase in residential density will increase the demand for neighborhood parks when developed, however, this impact is less than significant due to the provision of approximately 170 acres of land for public/civic purposes. This land will be used for schools and also parks. The proposed project will not create additional demand on existing recreational facilities since development will not occur until the required subsequent discretionary review of a site plan and/or conditional use permit.

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

XVI. 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 which will cause substantial adverse affects on human beings, either directly or indirectly?

			X
			X
			X
			X

Comments: The proposed General Plan amendment does not have the potential to cause physical changes in the environment. The area currently has the ability and potential to develop under zoning standards in place under the County of San Bernardino. The area is within the Sphere of Influence for the City of Victorville and a future request for annexation is probable. However, even if annexed into the City, the proposal to change the general plan designation does not have the potential to degrade the environment any worse than currently planned.

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:

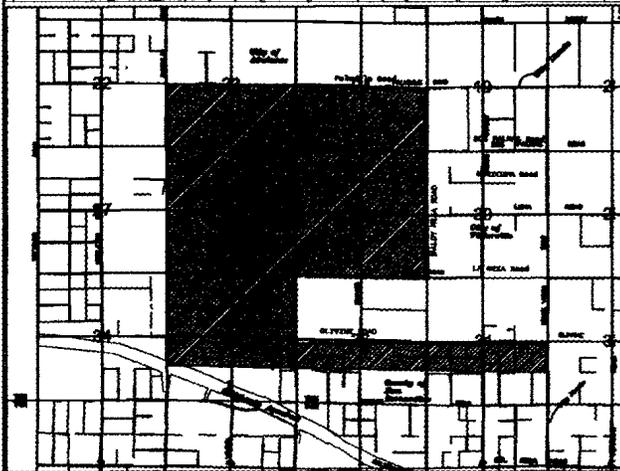
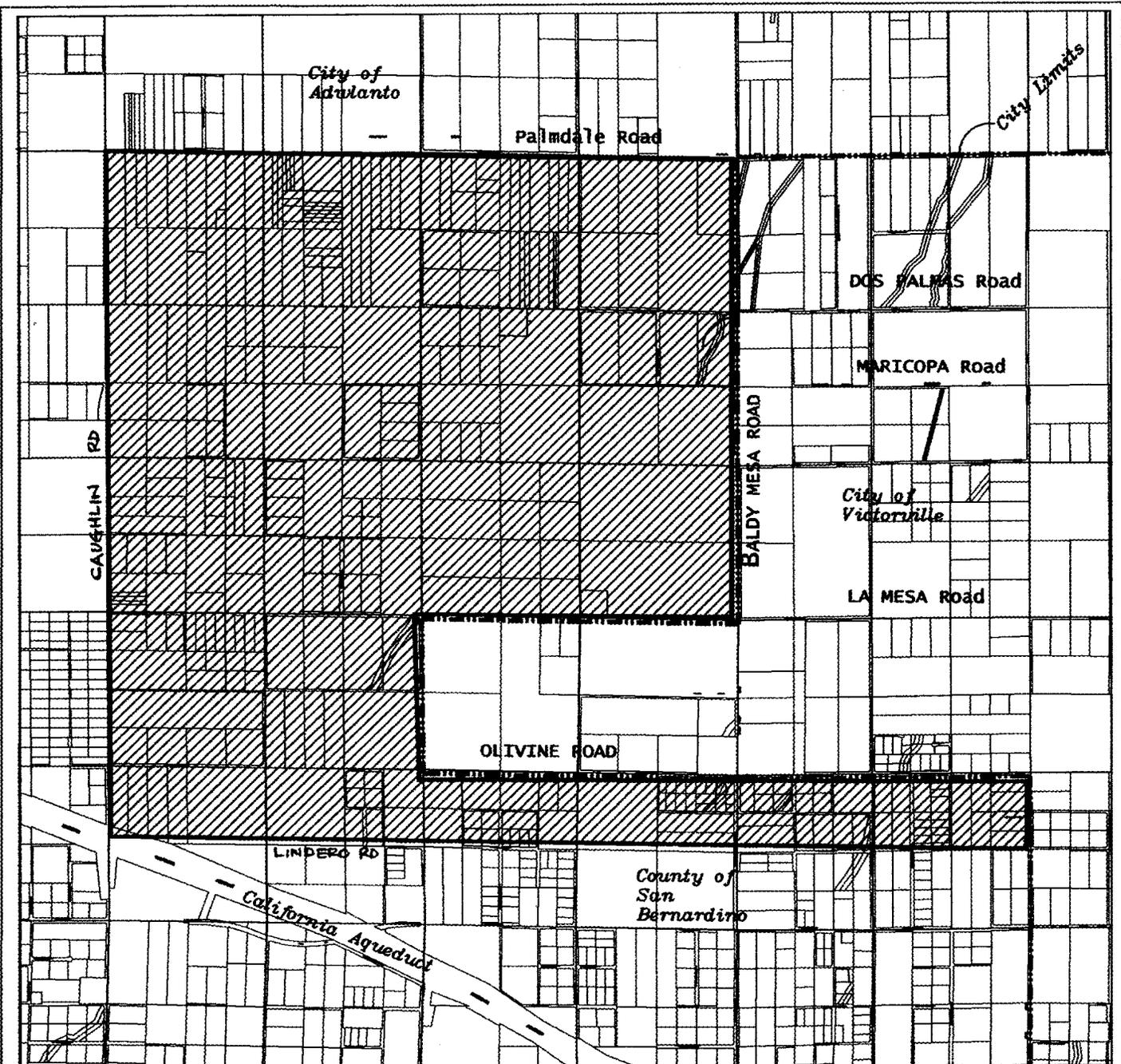
- a) **Earlier analyses used.** Earlier analyses are identified and stated where they are available for review.
- b) **Impacts adequately addressed.** Effects from the above checklist that were identified to be within the scope of and adequately analyzed in an earlier document pursuant to applicable 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, 2005.
5. United States Soil Conservation Service *Soil Survey of San Bernardino County, California*.
6. 2000 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 065 068, Effective Date March 18, 1996, Federal Emergency Management Agency
11. GPA-06-003 and ZC-06-020 application filed May 11, 2006.
12. Mojave Water Agency letter dated July 13, 1993.
13. Mojave Water Agency letter dated March 27, 1996.
14. *Deleted*.
15. 1991 Uniform Fire Code.
16. Personal communication with Christian Ihenacho, Supervising Air Quality Planner, Mojave Desert Air Quality Management District on August 30, 1993.
17. 1997 City of Victorville General Plan Circulation Element.
18. United States Bureau of Land Management California Desert Conservation Area, 1988.
19. Chapter 13.33 of the Victorville Municipal Code.
20. 1997 City of Victorville General Plan Noise Element.
21. Victorville Municipal Code Buildings, and Construction Ordinance, Chapter 15.04.
22. Victorville Municipal Code Zoning Ordinance, Chapter 18.30.
23. Victorville Municipal Code, Chapter 6.30.

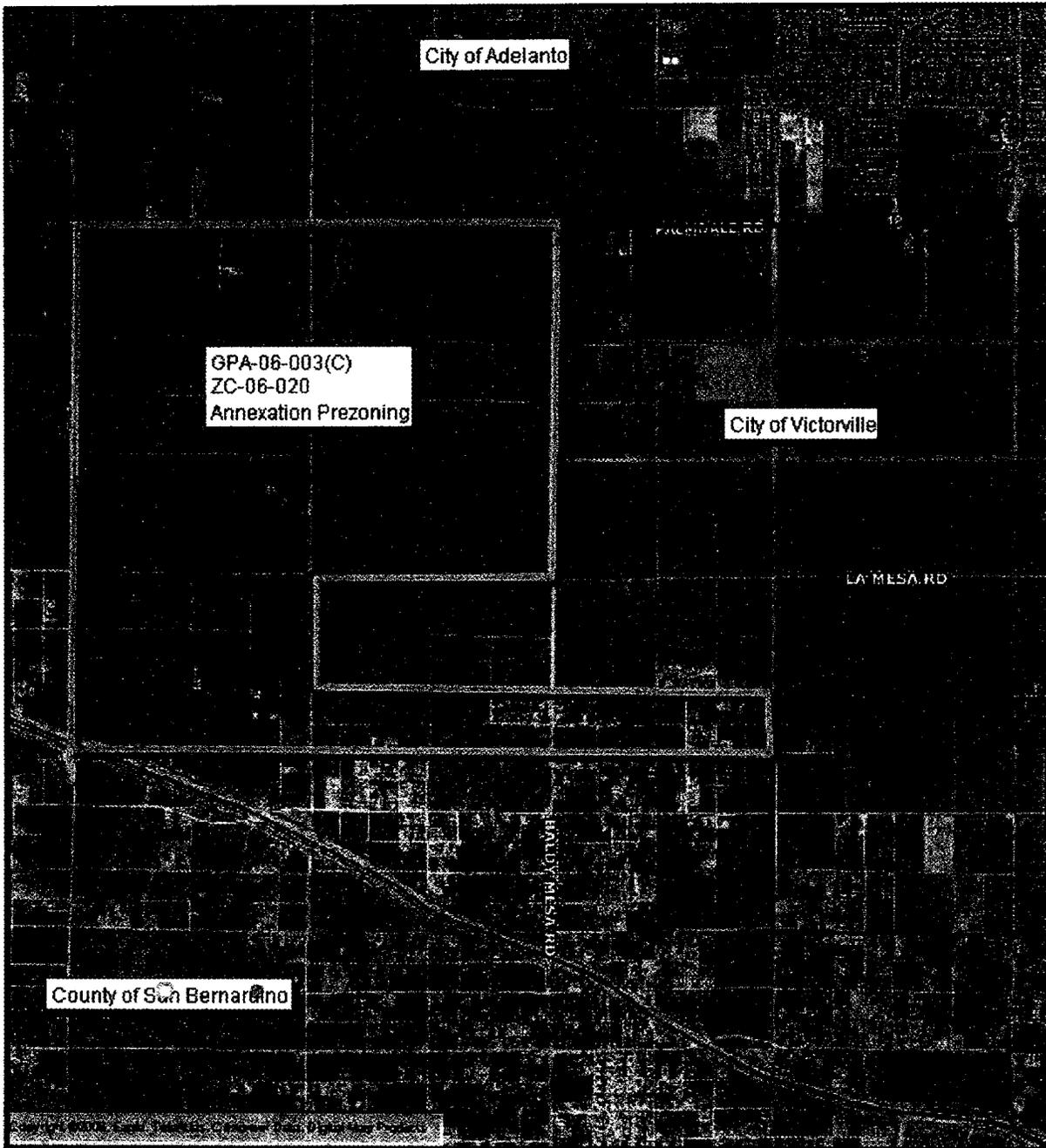


Vicinity Map

Title:		PROPERTY LOCATION MAP	
Zoning:	ANNEXATION	Area:	±
	PREZONING		
Assessor Parcel Number:	VARIES		
Location:	BALDY MESA PLANNING AREA		
Drawn By:	Checked By:	Date:	Case Number:
NL		6-13-06	GPA-06-003(C) & ZC-06-020

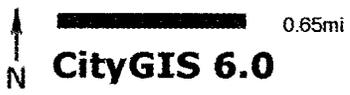
Graphics are diagrammatic only - Not to Scale

Prepared by: City of Victorville Planning Department



GPA-06-003(C) & ZC-06-020

Annexation Rezoning



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AGENDA ITEM

CITY COUNCIL MEETING OF: AUGUST 1, 2006

SUBMITTED BY:

Jon E. Gargan
Director of Community Services

DATE: July 12, 2006

SUBJECT:

Resolution Number 06-103 approving the Engineer's Reports and Resolution Number 06-104 ordering the annexation of Tracts 16900, 16905 and 16951 into the Landscape Maintenance Assessment District No. 6 that incorporates the areas along the arterial roads required per the conditions of approval.

RECOMMENDATION:

It is recommended that Resolution Numbers 06-103 and 06-104 be approved at this time.

FISCAL IMPACT: None

Budget Amount: None
Budget Account No.

— Finance Dept. Use Only —
Additional Appropriation:

___ No

___ Yes/\$Amount: _____

Finance Director Review & Approval _____

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

Rubicon Development Intl., LLC (same owner but formerly referenced as Real Estate Development Partners, LLC.); Ryland Homes of California, Inc.; and Silica 176 Group, LLC; respectively, the developers and owners of the subject properties, filed formal Petitions to initiate the annexation process of the above referenced tracts into Landscape Maintenance Assessment District No. 6. Following staff review, an Engineer's Report was prepared to establish the assessment fees for this district and a public hearing was scheduled per annexation procedures. It is now recommended that Resolution Numbers 06-103 and 06-104 be approved at this time.

JEG:RS:bw *JB*

Attachments: Resolution 06-103 / Engineer's Report
Resolution 06-104 / Ordering Annexation
Petitions

RESOLUTION NO. 06-103

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

WHEREAS, the Developers submitted formal Petitions proposing the formation of Landscape Maintenance Assessment District No. 6, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") in order to create a revenue source to fund the ongoing maintenance of the landscape and irrigation required by the City to be installed by the Developer as a condition of approval of Tract Numbers 16900, 16905 and 16951; and

WHEREAS, the Petitions caused the City Engineer to prepare reports which comply with the provision set forth at Article 4 of Chapter 1 of the Act and has filed the same with the City Clerk; and

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

NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

Section 1 APPROVAL OF ENGINEER'S REPORT

The Engineer's Reports prepared in connection with the proposed formation of Landscape Maintenance Assessment District No. 6, an assessment district proposed to be formed under the Landscaping and Lighting Act of 1972 (the "Act") for the purpose of creating a revenue source to fund the ongoing maintenance of landscape and irrigation described in said Reports hereby accepted and approved containing a full and detailed description of the improvements, the boundaries of the District and any zones therein, the proposed assessments upon assessable lots and parcels of land within the District and meeting all other criteria of the Act applicable to the Engineer's Reports.

Section 2 CITY CLERK

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

**ENGINEER'S REPORT
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 6**

PURPOSE

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

BACKGROUND

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

The district is being formed to provide funding for the maintenance of slopes, fences, walls, and landscaping within the proposed District boundaries.

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

Following the approval of this Report, the City Council will hold a Public Hearing to provide an opportunity for any interested party to be heard. At the conclusion of the Public Hearing, the City Council may adopt a Resolution confirming the formation of the District.

REPORT

A. PLANS AND SPECIFICATIONS

The improvements are the operation, maintenance, rehabilitation and servicing of landscaping, lighting and appurtenant facilities including but not limited to personnel, electricity, water, contracting services, landscaping, planting, shrubbery, trees, irrigation system, hardscape, fixtures, sidewalk and walls resulting from landscaping growth and appurtenant facilities in the public right-of-way, medians, parkways, and dedicated easements within the boundaries of the Assessment District.

B. ASSESSMENT ROLE

1. Number of parcels to be assessed: **95**
 - a. Tract 16900 @ 18 \$2,240.10
 - b. Tract 16905 @ 60 \$7,467.00
 - c. Tract 16951 @ 17 \$2,115.65
2. Amount each parcel is to be assessed: **\$124.45**
3. **TOTAL ASSESSMENT \$11,822.75**
4. Diagram of the assessment district showing all parcels to be assessed is attached, as well as a list of APN's of all assessed parcels.

C. METHOD OF APPORTIONMENT

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

D. SUMMARY OF ASSESSMENTS

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

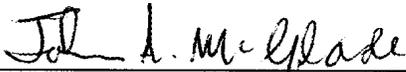
E. PROPERTY OWNERS LIST

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

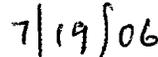
F. ASSESSMENT DIAGRAM

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

Approved and Signed By:



John A. McGlade, City Engineer



Date

TRACT 16900

Legal Description

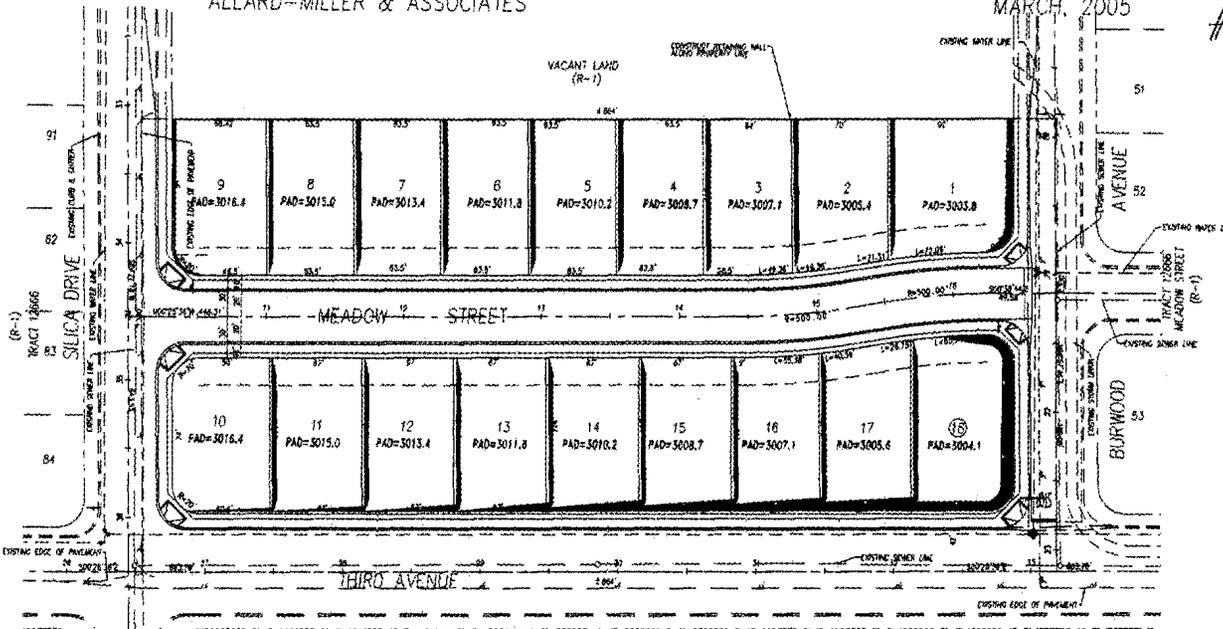
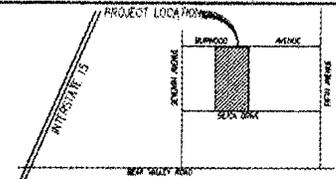
A subdivision of the east $\frac{1}{2}$, of the southeast $\frac{1}{4}$, of the southeast $\frac{1}{4}$, of the northwest $\frac{1}{4}$, of section 33, T.5N., R.4W., S.B.M.

APN

3091-391-02

IN THE CITY OF VICTORVILLE
TENTATIVE TRACT MAP NO. 16900
 BEING A SUBDIVISION OF THE E. 1/2 OF THE S.E. 1/4 OF THE
 N.W. 1/4 OF SECTION 33, T5N, R4W, S.B.M.
 IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.
 ALLARD-MILLER & ASSOCIATES

MARCH, 2005



ADDRESSES:
 PARCELS 9-18

LEGAL DESCRIPTION:
 BEING A SUBDIVISION OF THE E. 1/2 OF THE S.E. 1/4 OF THE N.W. 1/4 OF SECTION 33, T5N, R4W, S.B.M. IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

ZONING:
 PRESENT: R1
 FUTURE: R1

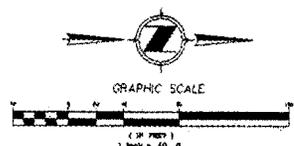
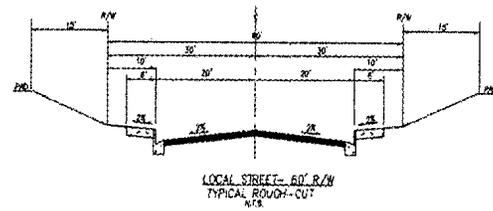
ENGINEER:
 ALLARD-MILLER & ASSOCIATES
 2500 WEST SIDE STREET
 VICTORVILLE, CA 92396
 TEL: 760-941-1100
 FAX: 760-941-1102

ASSESSOR'S PARCEL NO.:
 5091-281-07

OWNER/DEVELOPER:
 THIRD SILICA, LLC
 DANIEL OLSON
 800 EAST ORANGE BLVD
 SUITE 100
 CORONA, CA 92626
 714-739-3800

LOT STATISTICS

LOT NO.	AREA IN SQ. FT.	LOT NO.	AREA IN SQ. FT.
1	8,885	10	7,840
2	7,847	11	7,812
3	7,281	12	7,812
4	7,219	13	7,812
5	7,215	14	7,807
6	7,214	15	7,808
7	7,219	16	7,820
8	7,216	17	8,016
9	7,801	18	8,001



PRELIMINARY
 NOT FOR CONSTRUCTION

- CITY OF VICTORVILLE UTILITY NOTIFICATION LIST**
- WEST VALLEY WATER DISTRICT
 17125 TRAIL STREET
 VICTORVILLE, CA 92392
 (760) 941-4274
 - SANBORN'S GAS CORPORATION
 12001 BUSINESS ROAD
 VICTORVILLE, CA 92392
 (760) 941-4035
 - SOUTHERN CALIFORNIA Edison COMPANY
 12255 VICTORVILLE ROAD
 VICTORVILLE, CA 92392
 (951) 402-4150
 - VEHICLE TELEPHONE
 11185 PINE STREET
 VICTORVILLE, CA 92392
 (760) 941-0771
 - CITY OF VICTORVILLE (OWNER)
 VICTORVILLE, CA 92392
 (760) 941-5107
 - VICTORVILLE FIRE DEPARTMENT
 12001 BUSINESS ROAD
 VICTORVILLE, CA 92392
 (760) 941-2500
 - CHAPTER COMMUNICATIONS CO
 12001 BUSINESS ROAD
 VICTORVILLE, CA 92392
 (760) 941-2518
 - UNDERGROUND SERVICE ALERT
 (800) 225-4000



REV.	REVISION DESCRIPTION	DATE	DRAWN	CITY	DATE

BENCHMARK:
 "4-11" CITY OF VICTORVILLE

**CITY OF VICTORVILLE
 ENGINEERING DEPARTMENT**

APPROVED:
 JOHN A. WELSH, CIVIL ENGINEER
 DATE: 3/23/05

Allard-Miller & Associates
 Civil Engineering & Planning
 2500 WEST SIDE STREET
 VICTORVILLE, CA 92396
 (760) 941-1100

**CITY OF VICTORVILLE
 CALIFORNIA**

TENTATIVE TRACT MAP
 TRACT NO. 16900

SCALE: 1" = 10'
 DATE: MARCH 2005
 DRAWING NO.: 16900-01

TENTATIVE TRACT NO. 16905

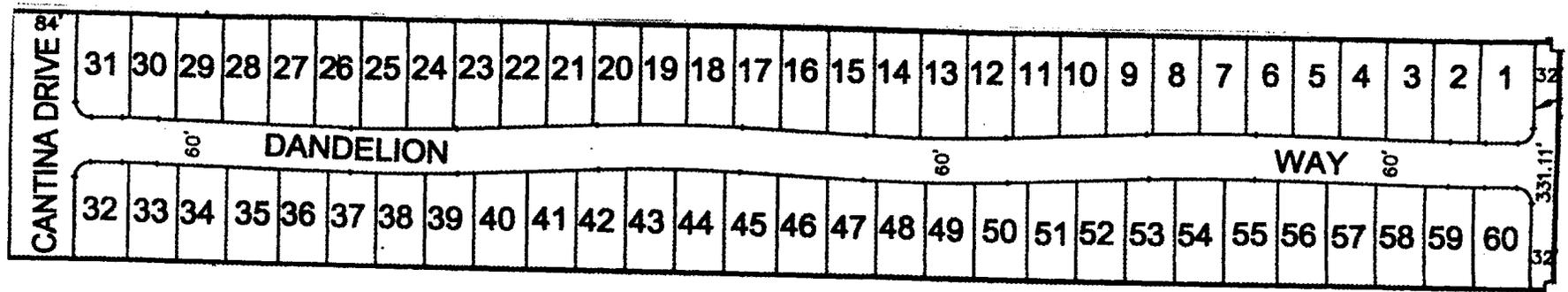
IN THE CITY OF VICTORVILLE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

BEING A PROPOSED SUBDIVISION OF A PORTION OF THE S 1/2 OF THE N1/2
OF THE N1/2 OF THE NW1/2 OF SECTION 27, T5N, R5W, S.B.M.

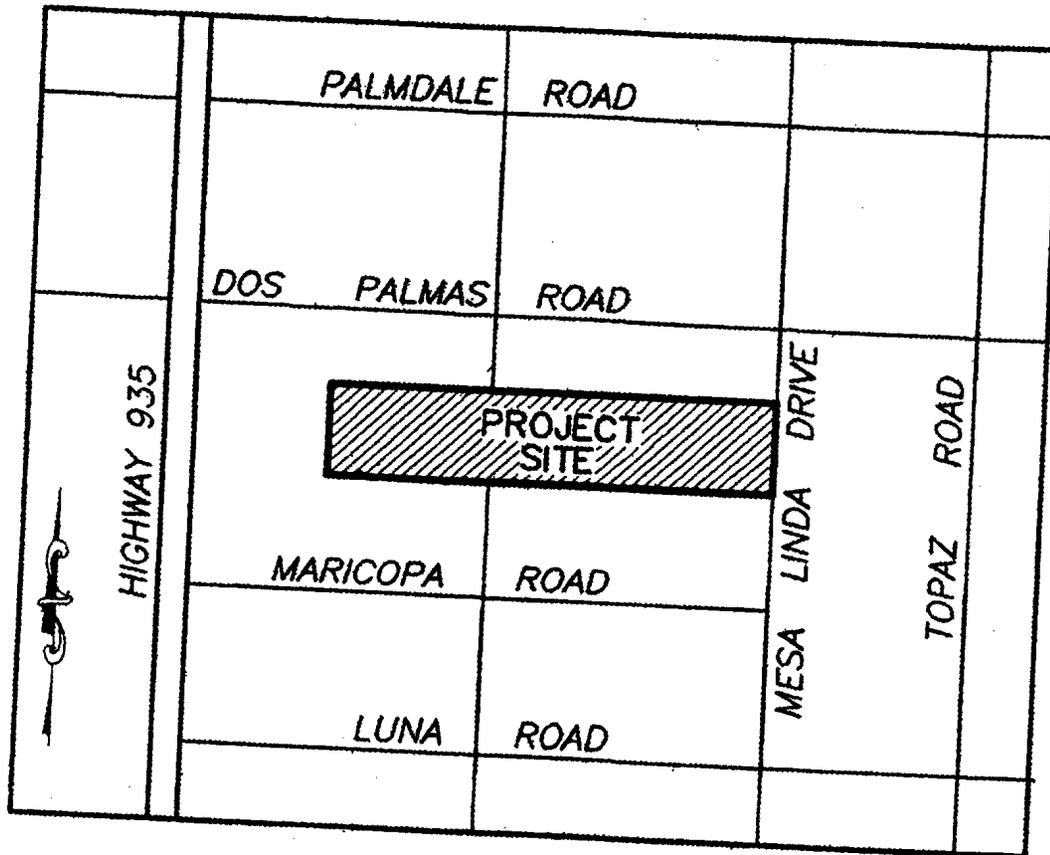
APN NO. : 3096-381-02

TRACT 16905

VICTORVILLE 60



MESA LINDA AVENUE



VICINITY MAP
NOT TO SCALE

TR16905

EXHIBIT "B"

TR16951

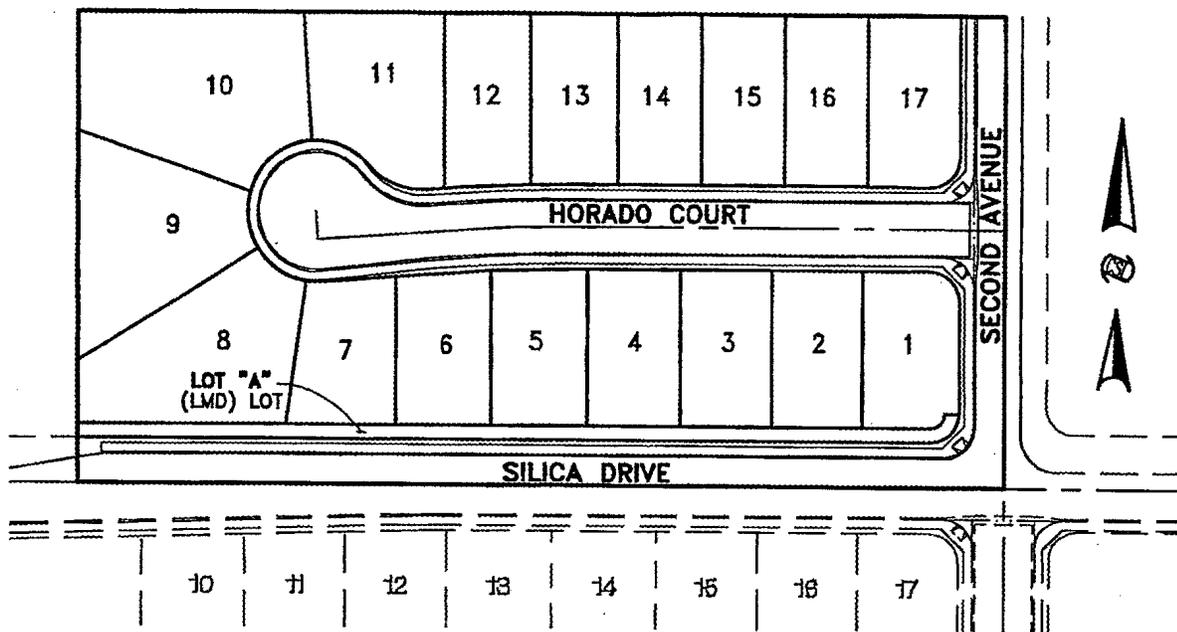
LEGAL DESCRIPTION

Real property in the City of Victorville, County of San Bernardino, State of California is described as follows:

THE SOUTH ½ OF THE SOUTH ½ OF THE EAST ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE.

EXHIBIT "D"

TRACT NO. 16951



TENTATIVE TRACT 16174

NO SCALE

RESOLUTION NO. 06-104

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 LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 6 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACTS 16900, 16905 and 16951.

WHEREAS, the Landscaping and Lighting Act of 1972 (the "Act, California Streets and Highways §22500 et seq.) authorizes the formation of an assessment district for the purpose of funding the construction and maintenance of public improvements including landscape and irrigation; and

WHEREAS, the Developers submitted formal Petitions proposing 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 (the "Act") in order to create a revenue source to fund the ongoing maintenance of landscape and irrigation required by the City to be installed by the Developer as a condition of Tract Numbers 16900, 16905 and 16951; and

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

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

WHEREAS, there being no majority protest against the proposed assessment, the City Council is authorized to order the formation of Landscape Maintenance Assessment District No. 6 for the ongoing maintenance of the landscape and irrigation described in Resolution No. 06-104.

NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

Section 1 PROPOSED FORMATION OF DISTRICT

The Landscape Maintenance Assessment District No. 6 (the "District"), an assessment district under the Landscaping and Lighting Act of 1972 (the "Act, California Streets and Highways §22500 et seq.), is hereby formed within the City of Victorville ("City")

Section 2 IMPROVEMENTS

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

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

Section 3 DISTRICT BOUNDARIES

(a) The District shall be designated as Landscape Maintenance Assessment District No. 6 and the proposed District shall have one (1) initial benefit zone, consisting of Tract Map Numbers 16900, 16905 and 16951 on file with the City.

(b) The exterior boundaries of the proposed District shall be coterminous with the boundary of Tract Map Numbers 16900, 16905 and 16951 and shall be depicted on the Diagram of the Assessment District Boundaries, which is included as part of the Engineer's Reports for Landscape Maintenance Assessment District No. 6, copies of which shall be filed with and maintained by the City Clerk upon completion.

Section 4 LEVY AND COLLECTION OF ASSESSMENTS

That the assessments upon the assessable lots and parcels of land within the District shall be levied and collected as set forth in the Report filed by the City Engineer in support of the formation of the Landscape Maintenance Assessment District No. 6, a copy of which is on file with the City Clerk.

Section 5 CITY CLERK

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

EXHIBIT "A"

PETITION

A PETITION TO THE CITY COUNCIL OF THE CITY OF VICTORVILLE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, IS PETITIONING SAID COUNCIL TO INITIATE PROCEEDINGS FOR ANNEXATION TO THE VICTORVILLE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 6, AN ASSESSMENT DISTRICT ESTABLISHED PURSUANT TO THE "LANDSCAPING AND LIGHTING ACT OF 1972" AS SET FORTH IN PART 2 OF DIVISION 15 (SECTIONS 22500 ET SEQ.) OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA.

WITNESSETH

- A. WHEREAS, the petitioner, Real Estate Development Partners, LLC (30211 Avenida De Las Banderas Ste. 200, Rancho Santa Margarita, CA 92688), is the sole owner of that certain real property located in the City of Victorville, county of San Bernardino, State of California, more particularly described as follows:

Tract No. 16900

See Exhibit "B", attached hereto and made a part thereof, hereinafter referred to as the "Property"; and

- B. WHEREAS, the Developer is developing a portion of the Property as Sunset Meadows (hereinafter referred to as the "Project"); and
- C. WHEREAS, pursuant to the "Landscaping and Lighting Act of 1972" as set forth in Part 2 of Division 15 (Sections 22500 et seq.) of the Streets and Highways Code of the State of California, the City may annex territory to an assessment district to provide for the continued maintenance, operations and servicing of the Improvement Areas and Landscape Improvements, and for the payment of the costs and expenses incurred for such maintenance, operation and servicing; and
- D. WHEREAS, the Developer is the owner of all the real property to be benefited by the Improvement Areas, and the maintenance, operation and servicing thereof.

NOW, THEREFORE, in furtherance of the foregoing recitals, the Developer does hereby petition the City as follows:

1. In order to assure the continued maintenance, operation and servicing of the Improvement Areas and Landscape Improvements, and the payment of the costs and expenses incurred for such maintenance, operation and servicing, the Developer hereby requests that the City annex the Property to Victorville Landscape Maintenance Assessment District No. 6 (hereinafter referred to as the "District") pursuant to the "Landscaping and Lighting Act of 1972", as set forth in Part 2 of Division 15 (Sections 22500 et seq.) of the Streets and Highways Code of the State of California, in accordance with this Petition.
2. The Developer requests that the territory to be annexed to the District consists of all the

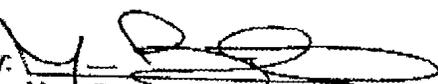
Property referenced in Paragraph A of the recitals hereinabove.

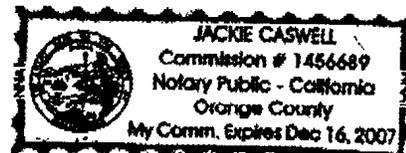
3. As the sole owner(s) of all the real property to be annexed into the district, the Developer hereby waives all statutory hearings of objections and protests by interested property owners to the proposed annexation.
4. In consideration of the approval of the District by the City, the Developer hereby proposes as follows:
 - a. To improve the Improvement Areas with the Landscape Improvements (including, but not limited to, ground cover, shrubbery, trees and other landscaping, irrigation equipment and separate water meters) as may be reasonably required by the City and to bear all costs of constructing or otherwise installing the Landscape Improvements;
 - b. To construct and install each phase of the Landscape Improvements as Developer improves each tentative tract within the Project contiguous to each such landscape improvement phase. Each landscape improvement phase shall be completed prior to the first close of escrow for the sale of any lot in the contiguous tentative tract, or the Developer shall have plans approved for the entire subdivision and provide a bond satisfactory to the City that will ensure construction of the improvements required for that landscape improvement phase.
 - c. To consent to the establishment and payment of an assessment for the proposed annexation of the Property into the District in an amount reasonably determined by the City to cover all costs and expenses incurred for the continued maintenance, operation and servicing of the Landscape Improvements for fiscal year .
5. The Developer hereby requests that the Property be annexed to the District as set forth hereinabove to satisfy the City's landscape condition and allow the recordation of the final tract map(s) for the Project, as referenced in Paragraph 4.b of the recitals hereinabove.
6. There will be no change of ownership of said property in Tract prior to the Public Hearing.
7. This is an overlying tract. When development occurs within the District, assessments will be levied for the individual development.
8. The Developer hereby requests that a Public Hearing be scheduled for _____.
9. This Petition is binding upon the Developer and shall be further binding upon the heirs, successors, assigns and transferee of said real property.

ALL SIGNATURES TO BE NOTARIZED

Real Estate Development Partners, LLC

By:


Marc Berkowitz, Member



Notary:



ALL PURPOSE ACKNOWLEDGMENT

State of California
County of Orange } ss.

On May 30th 2006 before me, Jackie Caswell, a Notary Public, personally appeared, Marc Berkowitz, 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.

Seal

Signature

Jackie Caswell



◆◆◆ **COMPLETING THE FOLLOWING INFORMATION IS NOT LEGALLY MANDATED** ◆◆◆
The information set forth below is an effort to protect members of the public, the Notary Public, or other officer from unauthorized use of this form. Please note: the capacity(ies) of the signers are NOT certified by the Notary Public or other officer and have not and will not be verified in any way by the Notary Public or other officer.

ATTENTION: THE IDENTIFIABLE ATTRIBUTES OF THE ATTACHED DOCUMENT ARE AS LISTED BELOW

Type or Title of Document: Petition

Date of Document: 6/30/2006 Number of pages (including attached exhibits) _____

Name(s) of Creditable Witness(es), if any: _____

The Signer(s) claimed the following capacity(ies)

Signatory's Name: Marc Berkowitz

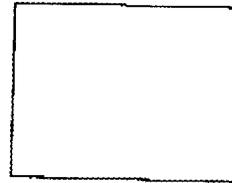
- Individual
- Corporate Officer: (Position) _____
- Partner: (Limited) (General) _____
- L.L.C.: (Position) member
- Trustee
- Attorney in Fact
- Conservator
- Guardian
- Other: _____



THUMBPRINT: Identify below only if the print is OTHER THAN RIGHT thumbprint of the signer: _____

Signatory's Name: _____

- Individual
- Corporate Officer: (Position) _____
- Partner: (Limited) (General) _____
- L.L.C.: (Position) _____
- Trustee
- Attorney in Fact
- Conservator
- Guardian
- Other: _____



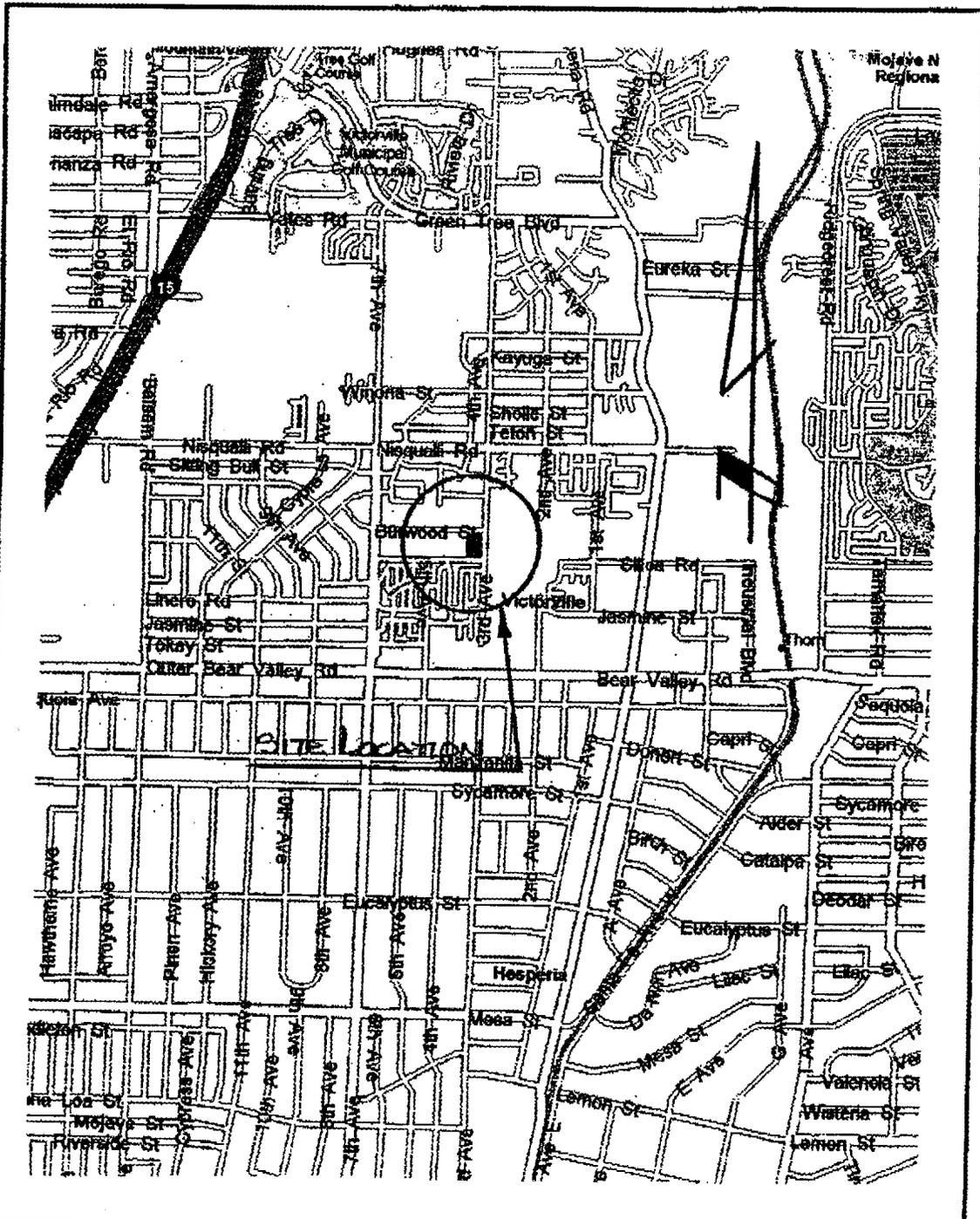
THUMBPRINT: Identify below only if the print is OTHER THAN RIGHT thumbprint of the signer: _____

Legal Description

A subdivision of the east $\frac{1}{2}$, of the southeast $\frac{1}{4}$, of the southeast $\frac{1}{4}$, of the northwest $\frac{1}{4}$, of section 33, T.5N., R.4W., S.B.M.

APN

3091-391-02



PATEL AND ASSOCIATES, INC. GEOTECHNICAL AND ENVIRONMENTAL ENGINEERS P.O. BOX 1121 VICTORVILLE, CALIF. 92393 (760) 243-1436 Fax (760) 243-1471	Victorville	Project No. 08721004
	18 Lot Subdivision	
	TRACT 16900	
	VICINITY MAP	Figure No. 1

Proposed length of assessment area

469.2 Ft.

Proposed width of assessment area

10 Ft.

Proposed square footage of assessment area

4,632 Sq. Ft. (.11 Acre)

EXHIBIT "A"

PETITION

A PETITION TO THE CITY COUNCIL OF THE CITY OF VICTORVILLE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, IS PETITIONING SAID COUNCIL TO INITIATE PROCEEDINGS FOR ANNEXATION TO THE VICTORVILLE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 6, AN ASSESSMENT DISTRICT ESTABLISHED PURSUANT TO THE "LANDSCAPING AND LIGHTING ACT OF 1972" AS SET FORTH IN PART 2 OF DIVISION 15 (SECTIONS 225500 ET SEQ.) OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA.

WITNESSETH

- A. **WHEREAS**, the petitioner, Ryland Homes of California, Inc., a Delaware Corporation, whose address is 1250 Corona Pointe, Suite 100 Corona, Ca 92879, is the sole owner of that certain real property located in the City of Victorville, county of San Bernardino, State of California, more particularly described as follows:

Tract No. 16905

See Exhibit "B", attached hereto and made a part thereof, hereinafter referred to as the "Property"; and

- B. **WHEREAS**, the Developer is developing a portion of the Property as Ryland Homes (hereinafter referred to as the "Project"); and
- C. **WHEREAS**, pursuant to the "Landscaping and Lighting Act of 1972" as set forth in Part 2 of Division 15 (Sections 22500 et seq.) of the Streets and Highways Code of the State of California, the City may annex territory to an assessment district to provide for the continued maintenance, operations and servicing of the Improvement Areas and Landscape Improvements, and for the payment of the costs and expenses incurred for such maintenance, operation and servicing; and
- D. **WHEREAS**, the Developer is the owner of all the real property to be benefited by the Improvement Areas, and the maintenance, operation and servicing thereof.

NOW, THEREFORE, in furtherance of the foregoing recitals, the Developer does hereby petition the City as follows:

1. In order to assure the continued maintenance, operation and servicing of the Improvement Areas and Landscape Improvements, and the payment of the costs and expenses incurred for such maintenance, operation and servicing, the Developer hereby requests that the City annex the Property to Victorville Landscape Maintenance Assessment District No. 6 (hereinafter referred to as the "District") pursuant to the "Landscaping and Lighting Act of 1972", as set forth in Part 2 of Division 15 (Sections 22500 et seq.) of the Streets and Highways Code of the State of California, in accordance with this Petition.
2. The Developer requests that the territory to be annexed to the District consists of all the Property referenced in Paragraph A of the recitals hereinabove.

3. As the sole owner(s) of all the real property to be annexed into the district, the Developer hereby waives all statutory hearings of objections and protests by interested property owners to the proposed annexation.
4. In consideration of the approval of the District by the City, the Developer hereby proposes as follows:
 - a. To improve the Improvement Areas with the Landscape Improvements (including, but not limited to, ground cover, shrubbery, trees and other landscaping, irrigation equipment and separate water meters) as may be reasonably required by the City and to bear all costs of constructing or otherwise installing the Landscape Improvements;
 - b. To construct and install each phase of the Landscape Improvements as Developer improves each tentative tract within the Project contiguous to each such landscape improvement phase. Each landscape improvement phase shall be completed prior to the first close of escrow for the sale of any lot in the contiguous tentative tract, or the Developer shall have plans approved for the entire subdivision and provide a bond satisfactory to the City that will ensure construction of the improvements required for that landscape improvement phase.
 - c. To consent to the establishment and payment of an assessment for the proposed annexation of the Property into the District in an amount reasonably determined by the City to cover all costs and expenses incurred for the continued maintenance, operation and servicing of the Landscape Improvements for fiscal year .
5. The Developer hereby requests that the Property be annexed to the District as set forth hereinabove to satisfy the City's landscape condition and allow the recordation of the final tract map(s) for the Project, as referenced in Paragraph 4.b of the recitals hereinabove.
6. There will be no change of ownership of said property in Tract prior to the Public Hearing.
7. This is an overlying tract. When development occurs within the District, assessments will be levied for the individual development.
8. The Developer hereby requests that a Public Hearing be scheduled for _____.
9. This Petition is binding upon the Developer and shall be further binding upon the heirs, successors, assigns and transferee of said real property.

ALL SIGNATURES TO BE NOTARIZED

RYLAND HOMES OF CALIFORNIA, INC.,
a Delaware corporation

By: _____
Dan Boyd

Its: Assistant Vice President

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

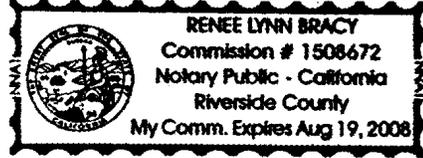
State of California }
County of Riverside } ss.

On May 24, 2006 before me, Renee Lynn Bracy, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Daniel Boyd
Name(s) of Signer(s)

- personally known to me
- 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.
Renee Lynn Bracy
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

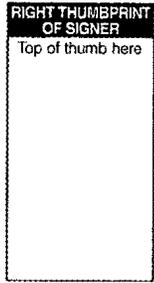
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____

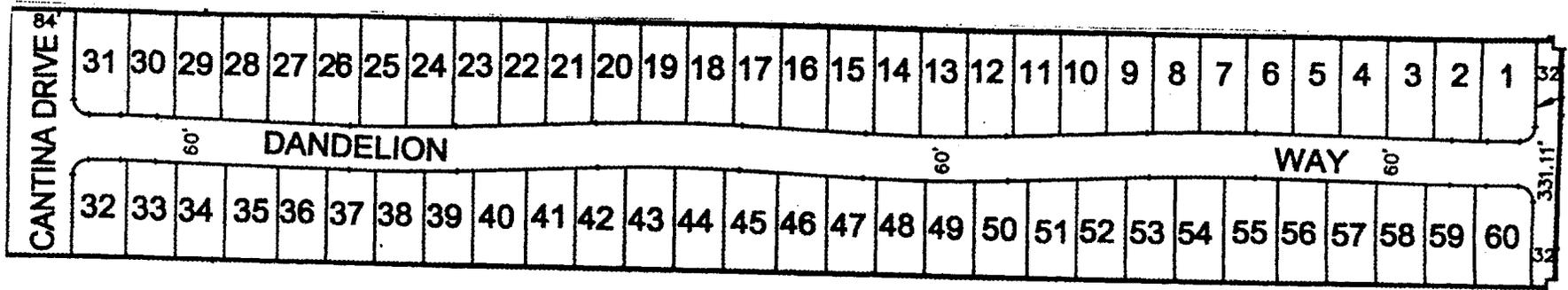


TENTATIVE TRACT NO. 16905
IN THE CITY OF VICTORVILLE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
BEING A PROPOSED SUBDIVISION OF A PORTION OF THE S 1/2 OF THE N1/2
OF THE N1/2 OF THE NW1/2 OF SECTION 27, T5N, R5W, S.B.M.

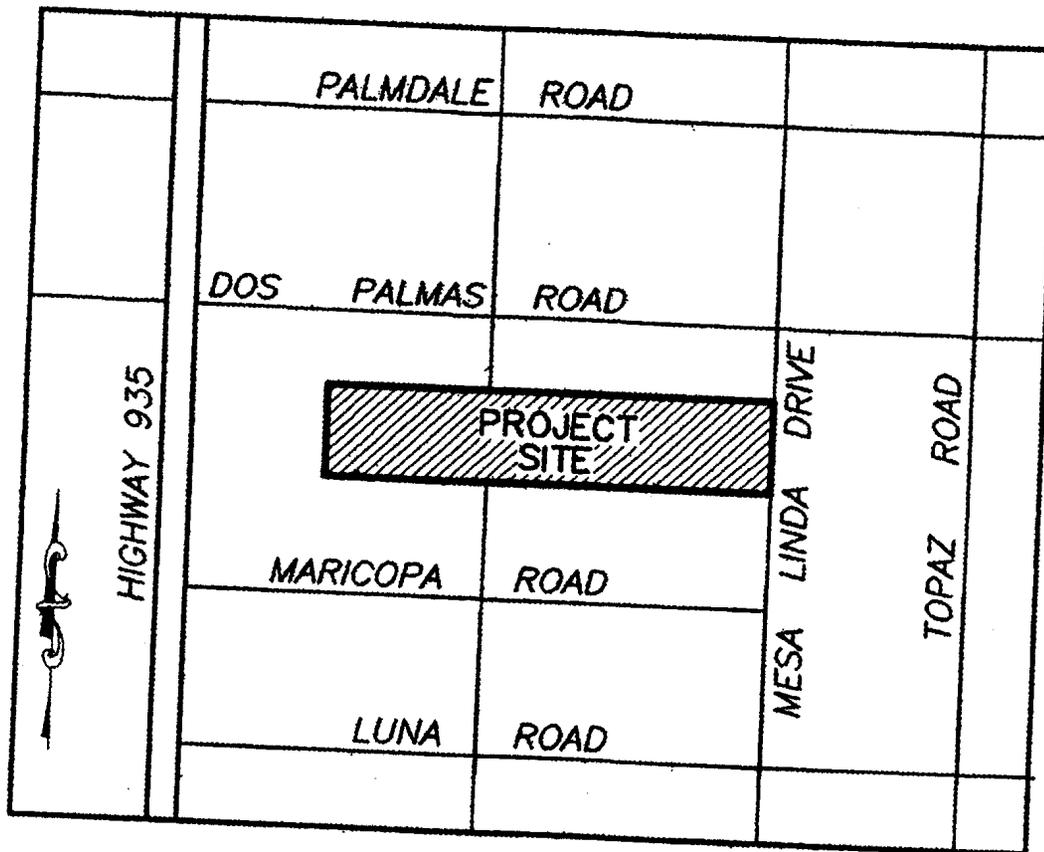
APN NO. : 3096-381-02

TRACT 16905

VICTORVILLE 60



MESA LINDA AVENUE



VICINITY MAP
NOT TO SCALE

LMAD AREA

Length- 331 feet

Width- 84 feet

EXHIBIT "A"

PETITION

A PETITION TO THE CITY COUNCIL OF THE CITY OF VICTORVILLE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, IS PETITIONING SAID COUNCIL TO INITIATE PROCEEDINGS FOR ANNEXATION TO THE VICTORVILLE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 6, AN ASSESSMENT DISTRICT ESTABLISHED PURSUANT TO THE "LANDSCAPING AND LIGHTING ACT OF 1972" AS SET FORTH IN PART 2 OF DIVISION 15 (SECTIONS 225500 ET SEQ.) OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA.

WITNESSETH

- A. **WHEREAS**, the petitioner, Silica 176 Group, LLC, Delaware limited liability company, whose address is 700 Corporate Center Drive, Suite 201, Pomona, California 91768 is the sole owner of that certain real property located in the City of Victorville, county of San Bernardino, State of California, more particularly described as follows:

Tentative Tract No. 16951

See Exhibit "B", attached hereto and made a part thereof, hereinafter referred to as the "Property"; and

- B. **WHEREAS**, the Developer is developing a portion of the property as (hereinafter referred to as the "Project"); and
- C. **WHEREAS**, pursuant to the "Landscaping and Lighting Act of 1972" as set forth in Part 2 of Division 15 (Sections 22500 et seq.) of the Streets and Highways Code of the State of California, the City may annex territory to an assessment district to provide for the continued maintenance, operations and servicing of the Improvement Areas and Landscape Improvements, and for the payment of the costs and expenses incurred for such maintenance, operation and servicing; and
- D. **WHEREAS**, the Developer is the owner of all the real property to be benefited by the Improvement Areas, and the maintenance, operation and servicing thereof.

NOW, THEREFORE, in furtherance of the foregoing recitals, the Developer does hereby petition the City as follows:

1. In order to assure the continued maintenance, operation and servicing of the Improvement Areas and Landscape Improvements, and the payment of the costs and expenses incurred for such maintenance, operation and servicing, the Developer hereby requests that the City establish Victorville Landscape Maintenance Assessment District No. [REDACTED] (hereinafter referred to as the "District") pursuant to the "Landscaping and Lighting Act of 1972", as set forth in Part 2 of Division 15 (Sections 22500 et seq.) of the Streets and Highways Code of the State of California, in accordance with this Petition.
2. The Developer requests that the territory to be annexed to the District consists of all the Property referenced in Paragraph A of the recitals hereinabove.

3. As the sole owner(s) of all the real property to be annexed into the district, the Developer hereby waives all statutory hearings of objections and protests by interested property owners to the proposed annexation.
4. In consideration of the approval of the District by the City, the Developer hereby proposed as follows:
 - a. To improve the Improvement Areas with the Landscape Improvements (including, but not limited to, ground cover, shrubbery, trees and other landscaping, irrigation equipment and separate water meters) as may be reasonably required by the City and to bear all costs of constructing or otherwise installing the Landscape Improvements;
 - b. To construct and install each phase of the landscape improvements as Developer improves each tentative tract within the Project contiguous to each such landscape improvement phase. Each landscape improvement phase shall be completed prior to the first close of escrow for the sale of any lot in the contiguous tentative tract, or the Developer shall have plans approved for the entire subdivision and provide a bond satisfactory to the City that will ensure construction of the improvements required for that landscape improvement phase.
 - c. To consent to the establishment and payment of an assessment for the proposed annexation of the Property into the District in an amount reasonably determined by the City to cover all costs and expenses incurred for the continued maintenance, operation and servicing of the Landscape Improvements for fiscal year .
5. The Developer hereby requests that the District be established as set forth hereinabove to satisfy the City's landscape condition and allow the recordation of the final tract map(s) for the Project, as referenced in Paragraph 4.b of the recitals hereinabove.
6. There will be no change of ownership of said property in Tract prior to the Public Hearing.
7. This is an overlying tract. When development occurs within the District, assessments will be levied for the individual development.
8. A Public Hearing will be scheduled for ([REDACTED]). The map can record earlier, but the District will be formed with the requirement that all of the aforementioned conditions are met.
9. This agreement is binding upon the parties hereto and shall be further binding upon the heirs, successors, assigns and transferee of said real property.

ALL SIGNATURES TO BE NOTARIZED

Notary Page Attached

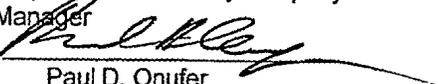
Silica 176 Group, LLC

A Delaware limited liability company

By: Ion Communities, LLC

A California limited liability company

Its' Manager

By: 

Paul D. Onufer

Its' Managing Member

STATE OF CALIFORNIA)
COUNTY OF Los Angeles)^{ss}

On Dec. 6, 2005, before me, Christine L. Collins
a Notary Public in and for said State, personally appeared Paul D. Onufer
personally know to me (or proved to me on the basis of satisfactory evidence) to be the
person whose name is subscribed to the within instrument, and acknowledged to me that he
executed the same in his authorized capacity, and that by his signature on the instrument
the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Christine L. Collins
Notary Public



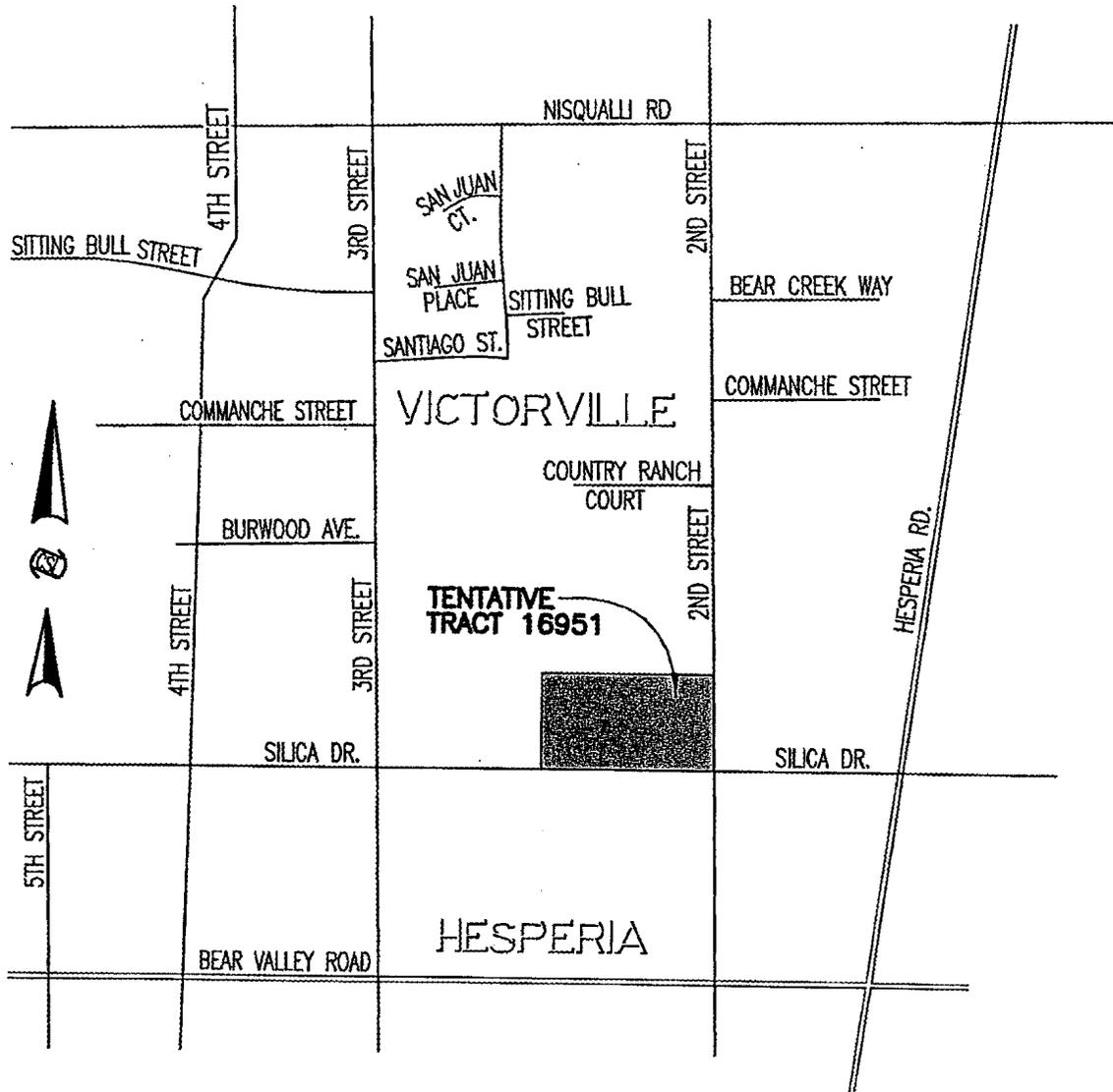
EXHIBIT "B"

LEGAL DESCRIPTION

Real property in the City of Victorville, County of San Bernardino, State of California is described as follows:

THE SOUTH ½ OF THE SOUTH ½ OF THE EAST ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE.

EXHIBIT "C"

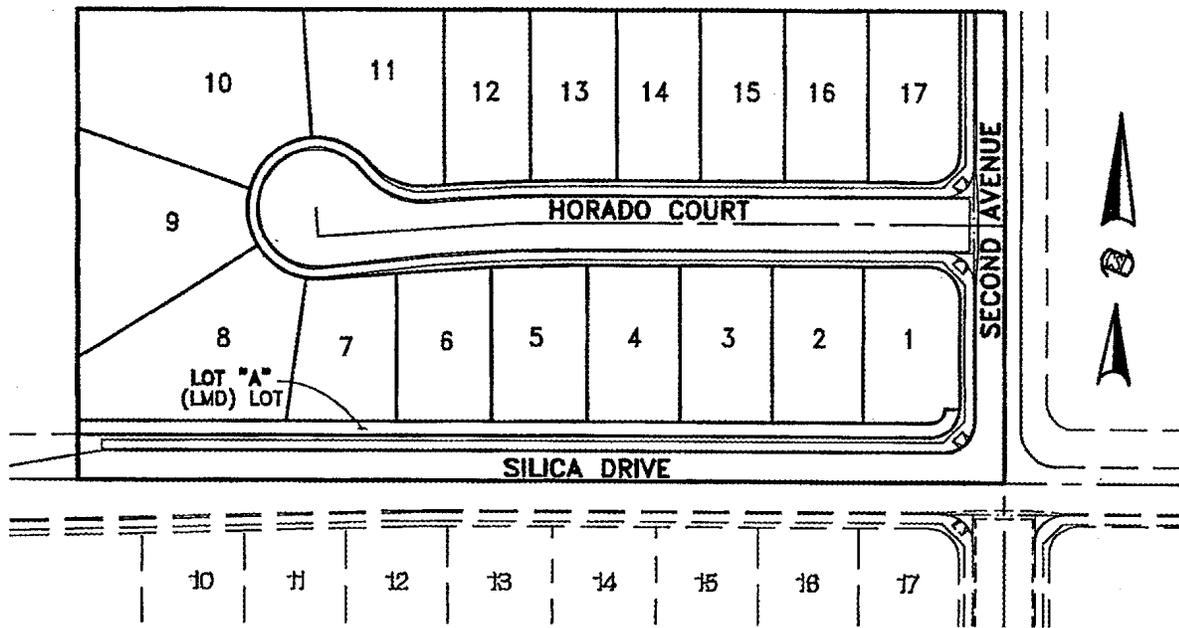


TRACT 16951 VICINITY MAP

NOT TO SCALE
THOMAS BROS. 2005 EDITION
PAGE 4386, GRID E-5

EXHIBIT "D"

TRACT NO. 16951



TENTATIVE TRACT 16174

NO SCALE

Becky Wasserman

From: Lola Reid [Lreid@ioncommunities.com]
Sent: Friday, June 02, 2006 4:56 PM
To: Becky Wasserman
Subject: RE: Tract 16951

The Length is 650 ft; the width is 10 ft and the sq. footage is ~~7232~~. ⁶⁵⁰⁰

Thanks!
Lola

APN# 3091-141-03

-----Original Message-----

From: Becky Wasserman [mailto:BWasserman@ci.victorville.ca.us]
Sent: Friday, June 02, 2006 2:29 PM
To: Lola Reid
Subject: Tract 16951

Lola,

Received a copy of an annexation petition packet for LMAD # 6.

I will need the original. Also, please provide the approximate length, width & sq. footage of proposed LMAD area(s).

Thanks

Becky Wasserman
Management Technician
Phone: 760-955-5275
Fax: 760-269-0030
bwasserman@ci.victorville.ca.us



AGENDA ITEM

CITY COUNCIL MEETING OF: 8/1/06

SUBMITTED BY: Andre de Bortnowsky
City Attorney

DATE: 7/25/06

SUBJECT: PUBLIC HEARING – INTRODUCTION OF ORDINANCE NO. 2170 –
PUBLIC PARTICIPATION IN CITY COUNCIL MEETINGS

RECOMMENDATION: That the City Council introduce Ordinance No. 2170 at the
close of the public hearing.

FISCAL IMPACT: None.
Budget Amount:
Budget Acct. No.:

--Finance Department Use Only--
Additional Appropriation:

___ No
___ Yes/\$ Amt.:

Finance Director Review and Approval ___

DISCUSSION: Attached is proposed Ordinance No. 2170 which amends Section
2.20.200(a) of the Victorville Municipal Code relating to public participation in City
Council meetings by reducing the time limit for each individual to speak from five
minutes to three minutes.

/cb
Attachment

ORDINANCE NO. 2170

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE AMENDING SECTION 2.20.200(A) OF THE VICTORVILLE MUNICIPAL CODE RELATING TO PUBLIC PARTICIPATION IN CITY COUNCIL MEETINGS

WHEREAS, the City Council of the City of Victorville (the "City Council") desires to conduct its meetings in a manner which is open to the public and encourages the participation of interested persons; and

WHEREAS, the City Council desires to provide the public the opportunity to address the City Council on any item of interest that is within the subject matter jurisdiction of the City Council; and

WHEREAS, the City Council desires to conduct its meetings in an efficient and time-effective manner; and

WHEREAS, the City Council recognizes that it must limit the time an individual has for public comment in order to facilitate these desires; and

WHEREAS, California Government Code Section 54954.3(b) permits the legislative body of a city to adopt reasonable regulations on public comment, including, but not limited to, regulations limiting the time allocated for public testimony for each individual speaker; and

WHEREAS, the City Council desires to reduce the time limit for each individual to speak from five minutes to three minutes; and

WHEREAS, the City Council finds and determines that imposing such limit on the time that an individual has to address the City Council is critical to accommodating the right to public comment for all residents of the City.

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

Section 1.

Section 2.20.200(A) of the Victorville Municipal Code is hereby amended as follows:

2.20.200 Addressing the council.

A. Manner of Addressing Council. Each person desiring to address the council shall step up to the microphone in the front of the rail, state his name and address for the record, state the agenda item he wishes to discuss, state whom

he is representing, if he is representing an organization or other persons, and unless further time is granted by a majority vote of the council, shall limit his remarks to three minutes. All remarks shall be addressed to the council as a whole and not to any member thereof and no questions shall be asked a councilman or a member of the city staff or member of the audience without permission of the presiding officer. Any person desiring to address the council on a subject not on the agenda shall first present his request to the city clerk in accordance to Section 2.20.200(D) unless it is deemed an emergency.

SECTION 2.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses, phrase, or portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 3.

This ordinance shall take effect thirty (30) days after its final passage.

SECTION 4.

The City Clerk of the City of Victorville is hereby directed to certify to the passage and adoption of this Ordinance and to cause it to be published as required by law.

[END OF THIS PAGE]

First read at a regular meeting of the City Council held on the _____ day of _____, 2006 and adopted and ordered published at a regular meeting of said Council held on the _____ day of _____, 2006.

Mike Rothschild, Mayor

ATTEST:

Carolee Bates, City Clerk

APPROVED AS TO FORM:

City Attorney

P:\APPS\WPDATA\VVCA\0001\DOC\117 Ordinance Amending Public Participation Time Limits.doc

draft



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: Adair M. Patterson *AP* **DATE:** July 19, 2006
Director of Finance

SUBJECT: **COMMERCIAL DEMAND SCHEDULE**

RECOMMENDATION: That the Honorable City Council approve Commercial Demand Schedule No. 2 in the amount of \$6,638,969.39 covering Warrant Nos. 572957, 576171, 576446 and 576452 through 576878 inclusive.

FISCAL IMPACT: Total amount of warrants: \$6,638,969.39

Budget Amount: \$6,638,969.39
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/ts
c:\files\amm\demand.com

Attachment - Commercial Demand Schedule

Consent
#5A
8-1-06



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>	
572957	4/5/2006	0000015407	Morris, Nathan Vern	V	-13.13
576452	7/6/2006	0000001930	Rancho Motor Company	P	38,809.12
576453	7/12/2006	0000007343	Abrego, Tamala S	P	115.00
576454	7/12/2006	0000015459	ADT Security Services, Inc.	P	762.18
576455	7/12/2006	0000005131	Advanta Bank Corp.	P	321.85
576456	7/12/2006	0000000073	Air Cold Supply	P	50.99
576457	7/12/2006	0000000106	Allfence	P	250.00
576458	7/12/2006	0000006783	Amies Communications	P	2,858.75
576459	7/12/2006	0000000033	A.M. Player	P	67.21
576460	7/12/2006	0000012007	Applied Business Software	P	2,398.20
576461	7/12/2006	0000000191	Applied Industrial Tech	P	354.37
576462	7/12/2006	0000000206	Arrowhead Mountain Spring Water	P	608.39
576463	7/12/2006	0000012801	Arzola, Mary Ann	P	147.00
576464	7/12/2006	0000004857	Avila, Cynthia	P	12.50
576465	7/12/2006	0000015931	Baker, Donna	P	13.50
576466	7/12/2006	0000000265	Baldy Mesa Water District	P	2,049.20
576467	7/12/2006	0000015929	Baran, Scott	P	10.50
576468	7/12/2006	0000006991	B & B Cycles	P	3,255.25
576469	7/12/2006	0000000287	Beaman Bros. Plumbing & Heating	P	129.87
576470	7/12/2006	0000000292	Bear Valley Fabricators &	P	25.00
576471	7/12/2006	0000000312	Best, Best & Krieger	P	12,384.59
576472	7/12/2006	0000000309	Best Buy Co., Inc.	P	10.78
576473	7/12/2006	0000010670	Blue Shield of Cal. Life & Health	P	7,780.72
576474	7/12/2006	0000014495	BNSF Railway Co.	P	7,550.76
576475	7/12/2006	0000015930	Brown, Aerial	P	693.15
576476	7/12/2006	0000002807	State of California Conservation	P	28,913.08
576477	7/12/2006	0000000792	State of California Franchise Tax Board	P	163.23
576478	7/12/2006	0000010630	California Overnight	P	56.05
576479	7/12/2006	0000010816	California Resource Recovery Assoc.	P	5,000.00
576480	7/12/2006	0000002720	California Tool & Welding Supply	P	43.51
576481	7/12/2006	0000014820	Cal-State Auto Parts	P	21.66
576482	7/12/2006	0000009344	Carter & Burgess, Inc.	P	46,264.40
576483	7/12/2006	0000006067	Causedy's Heating & Air-Conditioning	P	469.61
576484	7/12/2006	0000000618	CDW Government, Inc.	P	8,948.16
576485	7/12/2006	0000006675	Central Sierra Child Support Agency	P	139.00
576486	7/12/2006	0000005967	Century Forms, Inc.	P	227.44
576487	7/12/2006	0000015919	Champion Electric, Inc.	P	15,700.00
576488	7/12/2006	0000000425	C.H.J. Incorporated	P	3,113.26
576489	7/12/2006	0000012938	Cingular Wireless	P	448.51
576490	7/12/2006	0000012938	Cingular Wireless	P	304.92
576491	7/12/2006	0000005970	Clear Channel Communications	P	340.00
576492	7/12/2006	0000015910	Collins, John	P	21.86
576493	7/12/2006	0000000631	Conrad and Assoc. L.L.P.	P	14,000.00
576494	7/12/2006	0000010538	Conroy's Flowers	P	58.17
576495	7/12/2006	0000004583	Converse Consultants, Inc.	P	667.15
576496	7/12/2006	0000014582	Copeland Lowery Jacquez	P	12,000.00
576497	7/12/2006	0000008518	Core Net Global	P	9,000.00
576498	7/12/2006	0000014808	Corporate Express	P	83.08
576499	7/12/2006	0000000303	Costco	P	5,924.37
576500	7/12/2006	0000000662	The Counseling Team International	P	450.00
576501	7/12/2006	0000003901	Creative Benefits, Inc.	P	2,208.16
576502	7/12/2006	0000006348	Daily Journal Corporation	P	129.00
576503	7/12/2006	0000000712	Daily Press	P	1,617.73



<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
576504	7/12/2006	0000000737 John C. Davis	P	9,291.93
576505	7/12/2006	0000000743 Dell Marketing L.P.	P	32,174.29
576506	7/12/2006	0000008506 DEO Enterprises	P	9,982.85
576507	7/12/2006	0000000761 Desert Stationers	P	1,002.33
576508	7/12/2006	0000006024 Dewey Pest Control	P	125.00
576509	7/12/2006	0000008893 DGA Consultants, Inc.	P	136,804.36
576510	7/12/2006	0000013146 DGMDRM Corporate Safety, Inc.	P	3,440.00
576511	7/12/2006	0000002977 Theresa M. Dickover	P	197.00
576512	7/12/2006	0000013382 Direct TV	P	84.96
576513	7/12/2006	0000014524 Dorado, Marisol	P	15.00
576514	7/12/2006	0000000820 Driver Alliant Insurance Services	P	150.91
576515	7/12/2006	0000007289 EDFUND	P	166.54
576516	7/12/2006	0000000854 EDMO Distributors, Inc.	P	5,353.02
576517	7/12/2006	0000013680 ELifeguard, Inc.	P	162.95
576518	7/12/2006	0000000875 Endura Steel, Inc.	P	173.80
576519	7/12/2006	0000004553 Enviro Chek	P	3,621.42
576520	7/12/2006	0000000917 Federal Express Corp.	P	99.12
576521	7/12/2006	0000000920 Federal Signal Corp.	P	930.63
576522	7/12/2006	0000011539 Ferguson Enterprises, Inc. #677	P	466.96
576523	7/12/2006	0000010838 Fire & Pump Service Group c/o Chemg	P	79,017.96
576524	7/12/2006	0000009437 Fore-Par	P	442.12
576525	7/12/2006	0000001015 Gall's Inc.	P	22.57
576526	7/12/2006	0000001740 G.A. Osborne Pipe-Supply	P	758.77
576527	7/12/2006	0000004364 Gapelu, Shivonn	P	159.50
576528	7/12/2006	0000015348 George Bryant Construction, Inc.	P	2,898.60
576529	7/12/2006	0000011349 Gilbarco Inc.	P	99.00
576530	7/12/2006	0000015928 Gill, Denise	P	12.50
576531	7/12/2006	0000002719 Gold Star Equipment Rentals	P	405.89
576532	7/12/2006	0000011689 Golf Ventures West	P	318.54
576533	7/12/2006	0000001943 Goodspeed Distributing, Inc.	P	90,451.95
576534	7/12/2006	0000001063 Goodyear Service Store	P	147.86
576535	7/12/2006	0000001076 Grainger, Inc.	P	614.13
576536	7/12/2006	0000011211 Great America Leasing Corp.	P	433.50
576537	7/12/2006	0000006269 Green, de Bortnowsky & Quintanilla, LJ	P	6,500.00
576538	7/12/2006	0000001089 Greiner Pontiac Buick	P	368.99
576539	7/12/2006	0000005697 Verizon	P	22,247.37
576540	7/12/2006	0000010761 Verizon Internet Solutions	P	92.89
576541	7/12/2006	0000001100 H & E Home Builders	P	426.61
576542	7/12/2006	0000001137 Health Net	P	196,284.62
576543	7/12/2006	0000001155 Hesperia Hose Supply	P	179.16
576544	7/12/2006	0000000278 Hi Desert Alarm	P	484.00
576545	7/12/2006	0000001162 Hi-Desert Communications	P	11,957.31
576546	7/12/2006	0000004221 Hi Desert Plan Room	P	70.50
576547	7/12/2006	0000001184 High Desert Laser Graphics	P	21.88
576548	7/12/2006	0000002687 High Desert Stamp & Engraving	P	49.03
576549	7/12/2006	0000006707 Joseph M. Ho, M.D., Inc.	P	6,250.00
576550	7/12/2006	0000015249 Holland & Knight LLP	P	3,761.30
576551	7/12/2006	0000001218 Home Depot, Inc.	P	179.59
576552	7/12/2006	0000013386 HSBC Business Solutions	P	103.72
576553	7/12/2006	0000008055 IKON Office Solutions, Inc.	P	1,720.23
576554	7/12/2006	0000008055 IKON Office Solutions, Inc.	P	1,776.80
576555	7/12/2006	0000003877 Industrial Shoe Company	P	2,921.74
576556	7/12/2006	0000014580 Innovative Printing Concept	P	174.96
576557	7/12/2006	0000009938 Interstar Technologies Inc.	P	2,063.84



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Commercial Demand

<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
576558	7/12/2006	0000007761 I O S Capital	P	658.60
576559	7/12/2006	0000003039 Jim's Ott's Pots	P	70.78
576560	7/12/2006	0000013912 Jin, Wonsen	P	15.00
576561	7/12/2006	0000013738 Johnson Controls	P	1,278.56
576562	7/12/2006	0000012411 Johnson Power Systems	P	132,704.96
576563	7/12/2006	0000002755 Kaiser Foundation Health Plan, Inc.	P	34,746.48
576564	7/12/2006	0000001358 Kaman Industrial Technologies Corp.	P	18.84
576565	7/12/2006	0000015911 Karen's Kar Klearing Service	P	476.00
576566	7/12/2006	0000004807 KONE, Inc.	P	242.42
576567	7/12/2006	0000008560 LeHigh Safety Shoe Co.	P	3,542.31
576568	7/12/2006	0000004986 Leslie's Pool Supplies	P	136.19
576569	7/12/2006	0000008210 Lowe's	P	63.38
576570	7/12/2006	0000011722 Lowe's	P	831.83
576571	7/12/2006	0000013967 Lowe's	P	37.58
576572	7/12/2006	0000001489 M&D Fire Equipment Company, Inc.	P	64.45
576573	7/12/2006	0000002716 MANPOWER	P	1,168.28
576574	7/12/2006	0000000361 Mark Brown & Associates, Inc.	P	250.00
576575	7/12/2006	0000015915 Mayer Hoffman McCann P.C.	P	1,500.00
576576	7/12/2006	0000015932 McAllister, Johnnie	P	15.00
576577	7/12/2006	0000010739 McGraw, Deborah	P	215.50
576578	7/12/2006	0000001548 McMaster-Carr Supply Co.	P	148.06
576579	7/12/2006	0000013288 MDA	P	168.00
576580	7/12/2006	0000001562 Metrocall	P	184.88
576581	7/12/2006	0000015496 Micon Construction	P	11,956.50
576582	7/12/2006	0000009334 Mitchell I	P	1,589.21
576583	7/12/2006	0000005448 MWB Business Systems	P	845.27
576584	7/12/2006	0000004894 New Jersey Family Support Pmt	P	152.00
576585	7/12/2006	0000014758 Nova Electric	P	537,646.77
576586	7/12/2006	0000005085 Nutty Bolts, Screws & Fas	P	22.39
576587	7/12/2006	0000001711 Office Depot	P	1,245.46
576588	7/12/2006	0000002772 OfficeMax	P	594.06
576589	7/12/2006	0000011594 County of Orange	P	176.00
576590	7/12/2006	0000001789 Parkhouse Tire, Inc.	P	578.95
576591	7/12/2006	0000009637 Parsons Brinckerhoff	P	15,971.14
576592	7/12/2006	0000002992 Public Entity Risk Management Authori	P	18,012.00
576593	7/12/2006	0000002992 Public Entity Risk Management Authori	P	18,012.00
576594	7/12/2006	0000011559 Premiumwear, Inc	P	87.60
576595	7/12/2006	0000001866 Printmart	P	19.78
576596	7/12/2006	0000013149 Project Partners	P	5,374.04
576597	7/12/2006	0000001886 Prudential Overall Supply	P	65.46
576598	7/12/2006	0000001760 PTL Electric	P	137.50
576599	7/12/2006	0000014577 PureRite Drinking Water	P	133.50
576600	7/12/2006	0000014506 Qwest	P	62.70
576601	7/12/2006	0000010446 Raymond, Julie	P	50.00
576602	7/12/2006	0000015481 Richmond American Homes of Calif., Ir	P	250.84
576603	7/12/2006	0000002389 Ron Turley Associates, Inc.	P	1,550.00
576604	7/12/2006	0000002746 Roto-Rooter Plumbers	P	150.00
576605	7/12/2006	0000002019 Safelite Glass Corp.	P	190.35
576606	7/12/2006	0000002042 San Bernardino County Auditor	P	64,854.75
576607	7/12/2006	0000002042 San Bernardino County Auditor	P	150.00
576608	7/12/2006	0000002066 San Bernardino County Child Support	P	2,113.33
576609	7/12/2006	0000015927 Scholastic Inc.	P	143.89
576610	7/12/2006	0000009852 Schuller, Virginia	P	25.00
576611	7/12/2006	0000002155 Smart & Final	P	490.98



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Commercial Demand

Check No.	Date	Vendor	Payment Status	Payment Amount
576612	7/12/2006	0000002188 Southern California Edison	P	119,089.37
576613	7/12/2006	0000015926 Sophisticated Hair	P	185.00
576614	7/12/2006	0000008323 Spectrum Communications Cabling Ser	P	34,492.54
576615	7/12/2006	0000002217 Sprint	P	577.92
576616	7/12/2006	0000002238 Stater Bros. Markets	P	9.37
576617	7/12/2006	0000014875 Stathis, Jacqueline	P	606.50
576618	7/12/2006	0000004812 Stericycle Inc.	P	279.02
576619	7/12/2006	0000002266 The Sun - San Bernardino	P	165.60
576620	7/12/2006	0000012420 Sunshine Golf	P	181.09
576621	7/12/2006	0000002204 Southwest Gas Corporation	P	25.00
576622	7/12/2006	0000015922 Tam, Darla	P	25.00
576623	7/12/2006	0000002360 Town & Country Tire	P	116.85
576624	7/12/2006	0000002419 Underground Service Alert	P	28.80
576625	7/12/2006	0000014613 UniFirst Corporation	P	70.00
576626	7/12/2006	0000002426 United Parcel Service	P	97.93
576627	7/12/2006	0000003089 United Rentals, Inc.	P	1,394.55
576628	7/12/2006	0000002430 United Way Desert Communities	P	45.00
576629	7/12/2006	0000002401 USA Bluebook	P	230.30
576630	7/12/2006	0000015923 Visolyaputra, Sasirus	P	25.00
576631	7/12/2006	0000008512 Visual Information Systems Co.	P	2,100.00
576632	7/12/2006	0000002784 Victor Valley Florist, Inc.	P	193.95
576633	7/12/2006	0000002507 Victorville Professional Firefighters	P	2,412.39
576634	7/12/2006	0000002499 Victor Valley Water District	P	2,491.86
576635	7/12/2006	0000002498 Victor Valley Wastewater Reclamation	P	1,033,927.75
576636	7/12/2006	0000012329 Wallace, Raquel	P	70.50
576637	7/12/2006	0000002533 Wal-Mart Store #01-1588	P	268.58
576638	7/12/2006	0000011361 Walters Wholesale Electric Co.	P	157.07
576639	7/12/2006	0000015921 Wampler, Stacy	P	26.00
576640	7/12/2006	0000015924 Washington, Darnell	P	796.67
576641	7/12/2006	0000002554 Waxie Sanitary Supply	P	4,572.89
576642	7/12/2006	0000002571 West Group Publishing Company	P	129.32
576643	7/12/2006	0000004704 Woodruff, Cindy	P	6.00
576644	7/12/2006	0000002632 Xerox Corporation	P	87.00
576645	7/12/2006	0000002632 Xerox Corporation	P	141.48
576646	7/12/2006	0000015908 Aaron, Madinah	P	98.00
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576648	7/12/2006	0000013889 ASCAP	P	672.00
576649	7/12/2006	0000004297 Becker, John	P	90.98
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576651	7/12/2006	0000012716 Bowen, Robert	P	359.00
576652	7/12/2006	0000000392 CAEHA	P	50.00
576653	7/12/2006	0000013794 California Alcoholic Beverage Control	P	300.00
576654	7/12/2006	0000000556 Chicago Title Co.	P	22.53
576655	7/12/2006	0000015835 Coen, Marlene	P	873.60
576656	7/12/2006	0000015917 Colonial Williamsburg Lodge	P	751.60
576657	7/12/2006	0000015507 Cummings, Deborah	P	374.35
576658	7/12/2006	0000000741 Joe De George Sports	P	680.00
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576660	7/12/2006	0000000872 Embassy Suites	P	748.54
576661	7/12/2006	0000012136 IAMC	P	1,035.00
576662	7/12/2006	0000001265 Independent Banking Services	P	495.00
576663	7/12/2006	0000013457 Jenkins, George A.	P	752.33
576664	7/12/2006	0000015920 Key Governmental Finance, Inc.	P	276,568.58
576665	7/12/2006	0000011765 Laidlaw Education Services	P	291.00



<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
576666	7/12/2006	0000013707 Land America Gateway Title	P	100.00
576667	7/12/2006	0000015933 Lane, Barbara	P	145.00
576668	7/12/2006	0000015913 Marjon Mobile Homes	P	2,000.00
576669	7/12/2006	0000007082 McCray, Sue	P	701.40
576670	7/12/2006	0000001611 Moore, Chris	P	75.00
576671	7/12/2006	0000015407 Morris, Nathan Vern	P	13.13
576672	7/12/2006	0000013880 Murphy, Michael	P	70.00
576673	7/12/2006	0000015477 Phat Cat Swinger, LLC	P	800.00
576674	7/12/2006	0000013466 Quarles, Marcus	P	117.32
576675	7/12/2006	0000009317 Robertson, Doug	P	39.50
576676	7/12/2006	0000015925 Ruiz, Darryl R.	P	800.00
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576678	7/12/2006	0000008951 Shyr, Su-Jan	P	1,000.00
576679	7/12/2006	0000015450 Sierra, Ramon	P	40.00
576680	7/12/2006	0000014132 Sparks-Copeland, Francesca	P	70.00
576681	7/12/2006	0000002502 Victorville Chamber of Commerce	P	495.00
576682	7/12/2006	0000002506 Victorville Firemen's Association	P	305.00
576683	7/12/2006	0000002504 City of Victorville Sanitation	P	306.42
576684	7/12/2006	0000002879 Victor Valley Transit Authority	P	910.00
576685	7/12/2006	0000010051 Wyndham Hotel	P	511.10
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576688	7/19/2006	0000009439	Alarmax Distributors, Inc.	P	84.05
576689	7/19/2006	0000013354	American Rotary Broom Co.	P	695.17
576690	7/19/2006	0000000171	Aon Risk Services, Inc.	P	56.75
576691	7/19/2006	0000000191	Applied Industrial Tech	P	1,660.02
576692	7/19/2006	0000015955	Atwood, Dixie	P	26.00
576693	7/19/2006	0000003042	Apple Valley Communications Inc.	P	35.00
576694	7/19/2006	0000015958	Ballew, Marie	P	27.00
576695	7/19/2006	0000009758	Benton, Dawn Jr.	P	164.00
576696	7/19/2006	0000000311	Best Access Systems/	P	97.44
576697	7/19/2006	0000000309	Best Buy Co., Inc.	P	1,574.38
576698	7/19/2006	0000000254	BNY Western Trust Company	P	2,077.60
576699	7/19/2006	0000014821	Brownlee, David	P	229.42
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576702	7/19/2006	0000004242	California Bio-Mass, Inc.	P	165.83
576703	7/19/2006	0000003245	California Department of Justice	P	1,108.00
576704	7/19/2006	0000000781	State of California Board of	P	1,192.59
576705	7/19/2006	0000010630	California Overnight	P	55.18
576706	7/19/2006	0000002720	California Tool & Welding Supply	P	7.80
576707	7/19/2006	0000014939	Capital Pacific Homes	P	1,380.03
576708	7/19/2006	0000006067	Causey's Heating & Air-Conditioning	P	1,619.18
576709	7/19/2006	0000000618	CDW Government, Inc.	P	16,851.73
576710	7/19/2006	0000005967	Century Forms, Inc.	P	113.63
576711	7/19/2006	0000000554	Chevron USA, Inc.	P	47.70
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576714	7/19/2006	0000000623	Comser Co.	P	7.42
576715	7/19/2006	0000009742	Conklin, Sheridan D.	P	119.50
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576721	7/19/2006	0000010768	DataQuick	P	94.50
576722	7/19/2006	0000006705	Davis, Donna	P	27.00
576723	7/19/2006	0000000743	Dell Marketing L.P.	P	97.04
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576726	7/19/2006	0000000764	Desert Truck Supply	P	196.99
576727	7/19/2006	0000015942	Diaz, Armando	P	35.00
576728	7/19/2006	0000009465	Digital Map Products	P	11,250.00
576729	7/19/2006	0000007371	Discount School Supplies	P	344.62
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576731	7/19/2006	0000002996	Dube, Mac	P	164.00
576732	7/19/2006	0000007782	Elkhart Brass Mfg. Co., Inc.	P	58.70
576733	7/19/2006	0000000875	Endura Steel, Inc.	P	51.85
576734	7/19/2006	0000014805	Envirotek	P	248.60
576735	7/19/2006	0000015957	Exit Realty	P	160.00
576736	7/19/2006	0000015956	Fansler, Susan	P	27.00



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576738	7/19/2006	0000000952 Fisher Scientific	P	2,493.06
576739	7/19/2006	0000013384 Fish Window Cleaning	P	125.00
576740	7/19/2006	0000001015 Gall's Inc.	P	999.71
576741	7/19/2006	0000001740 G.A. Osborne Pipe-Supply	P	31.63
576742	7/19/2006	0000001943 Goodspeed Distributing, Inc.	P	35,909.00
576743	7/19/2006	0000001074 Graham Equipment	P	1,134.62
576744	7/19/2006	0000003047 Graves & King	P	33,246.23
576745	7/19/2006	0000006956 GreenField Compression, Inc.	P	1,843.26
576746	7/19/2006	0000001100 H & E Home Builders	P	83.90
576747	7/19/2006	0000015754 H2O To Go	P	95.00
576748	7/19/2006	0000001104 Haaker Equipment Co.	P	1,115.99
576749	7/19/2006	0000000278 Hi Desert Alarm	P	325.00
576750	7/19/2006	0000008848 Hi Desert Fire Protection Service	P	91.00
576751	7/19/2006	0000001194 Hightech Signs	P	1,417.38
576752	7/19/2006	0000001218 Home Depot, Inc.	P	518.68
576753	7/19/2006	0000015785 Howard Roberts Development	P	343.80
576754	7/19/2006	0000001271 Infotox, Inc.	P	2,302.50
576755	7/19/2006	0000015949 Inglefield, Sharon	P	48.00
576756	7/19/2006	0000012353 InterACT Public Safety Systems	P	4,325.00
576757	7/19/2006	0000015950 Isaac, Christine	P	18.50
576758	7/19/2006	0000015822 ITC-Diligence, Inc.	P	1,000.00
576759	7/19/2006	0000001059 Joe A. Gonsalves & Son	P	2,770.00
576760	7/19/2006	0000015938 Johnson, Jill	P	15.00
576761	7/19/2006	0000012411 Johnson Power Systems	P	38,790.00
576762	7/19/2006	0000001359 Kamper's Korner	P	483.79
576763	7/19/2006	0000008167 Robert J. Leone	P	137.30
576764	7/19/2006	0000004986 Leslie's Pool Supplies	P	386.15
576765	7/19/2006	0000010660 Loveland's Automotive Service	P	55.00
576766	7/19/2006	0000001489 M&D Fire Equipment Company, Inc.	P	36.00
576767	7/19/2006	0000002716 MANPOWER	P	641.75
576768	7/19/2006	0000015951 Manzo, Joseph B.	P	210.00
576769	7/19/2006	0000015936 Martinez, Adriana	P	15.00
576770	7/19/2006	0000015395 Medrano's Paving Company	P	41,562.90
576771	7/19/2006	0000015952 Midland Radio Corporation	P	275.26
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576777	7/19/2006	0000002772 OfficeMax	P	128.73
576778	7/19/2006	0000013436 Oracle USA, Inc.	P	9,135.07
576779	7/19/2006	0000009132 Penton Media, Inc.	P	3,750.00
576780	7/19/2006	0000013733 Peralta, Cecilio	P	28.00
576781	7/19/2006	0000002992 Public Entity Risk Management Authori	P	20,792.31
576782	7/19/2006	0000003033 Pitney Bowes	P	589.00
576783	7/19/2006	0000002877 Preferred Benefit Insurance Admin., Inc	P	22,616.68
576784	7/19/2006	0000015937 Protz, Jennifer	P	96.46
576785	7/19/2006	0000001886 Prudential Overall Supply	P	277.71
576786	7/19/2006	0000014577 PureRite Drinking Water	P	42.50
576787	7/19/2006	0000001916 R.D.O. Equipment Co.	P	230.33
576788	7/19/2006	0000012436 R.J.B. Trucking	P	217.50
576789	7/19/2006	0000006401 Robbins Upholstery Service	P	311.63
576790	7/19/2006	0000013956 Rogers-Quinn Construction	P	6,601.78



<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
576791	7/19/2006	0000013956 Rogers-Quinn Construction	P	247,253.33
576792	7/19/2006	0000002389 Ron Turley Associates, Inc.	P	1,850.00
576793	7/19/2006	0000001987 Rotary Club - Victorville	P	129.00
576794	7/19/2006	0000002019 Safelite Glass Corp.	P	154.05
576795	7/19/2006	0000002016 Safety-Kleen Corp.	P	157.42
576796	7/19/2006	0000002017 Safeway Sign Co.	P	1,604.40
576797	7/19/2006	0000002042 San Bernardino County Auditor	P	20,843.26
576798	7/19/2006	0000008057 Selectron Technologies, Inc.	P	42,364.00
576799	7/19/2006	0000003029 SERCO	P	15,823.00
576800	7/19/2006	0000015945 Shiva Management	P	3,750.00
576801	7/19/2006	0000007829 Siemens	P	283.42
576802	7/19/2006	0000002155 Smart & Final	P	122.79
576803	7/19/2006	0000013725 SMASH Athletics	P	4,339.20
576804	7/19/2006	0000002188 Southern California Edison	P	7,699.61
576805	7/19/2006	0000002215 Spray Doctor	P	137.92
576806	7/19/2006	0000002217 Sprint	P	965.73
576807	7/19/2006	0000002238 Stater Bros. Markets	P	51.55
576808	7/19/2006	0000002204 Southwest Gas Corporation	P	37,268.23
576809	7/19/2006	0000015475 Tecra Tools, Inc.	P	219.65
576810	7/19/2006	0000002322 Tempo	P	2,541.88
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576813	7/19/2006	0000008558 Torsey, Anita	P	35.00
576814	7/19/2006	0000006279 Turf Star, Inc.	P	193.46
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576816	7/19/2006	0000014613 UniFirst Corporation	P	37.12
576817	7/19/2006	0000002426 United Parcel Service	P	44.59
576818	7/19/2006	0000005441 U.S. Customs Service	P	785.32
576819	7/19/2006	0000009311 U.S. Treasury	P	610.81
576820	7/19/2006	0000002462 Valley Sporting Goods	P	301.48
576821	7/19/2006	0000014088 Vejar, Herminia	P	500.00
576822	7/19/2006	0000012106 Video Vision	P	95.81
576823	7/19/2006	0000011599 Victor Valley Community Hosp. Found	P	100.00
576824	7/19/2006	0000002862 Victor Valley Towing, Inc.	P	154.25
576825	7/19/2006	0000002499 Victor Valley Water District	P	10,476.37
576826	7/19/2006	0000002533 Wal-Mart Store #01-1588	P	11.77
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576828	7/19/2006	0000015839 Wayne's Towing	P	50.00
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576831	7/19/2006	0000006388 Wilson, Brandi	P	170.00
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576835	7/19/2006	0000015339 Aragon, Esperanza	P	862.00
576836	7/19/2006	0000015960 Bazurto, Theresa	P	245.14
576837	7/19/2006	0000004297 Becker, John	P	32.61
576838	7/19/2006	0000015944 Ben Clark Public Safety Training Cente	P	523.00
576839	7/19/2006	0000011179 Jason Bullard Officiating	P	56.00
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576841	7/19/2006	0000002236 State Water Resources Control Board	P	640.00
576842	7/19/2006	0000009344 Carter & Burgess, Inc.	P	18,301.02
576843	7/19/2006	0000013168 Collins, Liliana	P	126.11
576844	7/19/2006	0000015337 Comstock, Aaron	P	95.00



<u>Check No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Payment Status</u>	<u>Payment Amount</u>
576845	7/19/2006	0000015959 Constantino-Lee, Rose	P	92.37
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576849	7/19/2006	0000005185 Francis, Norm	P	102.00
576850	7/19/2006	0000015953 Juana Gomez Gaspar and the	P	7,500.00
576851	7/19/2006	0000002940 Graham, Georgia	P	92.00
576852	7/19/2006	0000001174 High Desert Hispanic Chamber of	P	15,000.00
576853	7/19/2006	0000004305 ICSC	P	50.00
576854	7/19/2006	0000011765 Laidlaw Education Services	P	340.50
576855	7/19/2006	0000001494 Maintenance Superintendent Associatio	P	20.00
576856	7/19/2006	0000001494 Maintenance Superintendent Associatio	P	20.00
576857	7/19/2006	0000001595 Mojave Basin Area Watermaster	P	666.26
576858	7/19/2006	0000001644 NACA	P	495.00
576859	7/19/2006	0000001672 National Recreation & Park Association	P	130.00
576860	7/19/2006	0000010040 PAL Humane Society	P	40.00
576861	7/19/2006	0000010040 PAL Humane Society	P	90.00
576862	7/19/2006	0000015939 Penny Saver	P	25.00
576863	7/19/2006	0000015935 PLC Education Foundation, Inc.	P	179.00
576864	7/19/2006	0000013614 Redwood Energy Marketing, LLC	P	230,584.15
576865	7/19/2006	0000013956 Rogers-Quinn Construction	P	2,225,280.02
576866	7/19/2006	0000013956 Rogers-Quinn Construction	P	59,416.05
576867	7/19/2006	0000015253 Romero, Joel Reyes Jr. II	P	294.70
576868	7/19/2006	0000002050 San Bernardino County Recorder	P	32.00
576869	7/19/2006	0000014877 Schaefer Engineering & Design	P	1,200.00
576870	7/19/2006	0000007006 Sexual Assault Services	P	1,231.56
576871	7/19/2006	0000014132 Sparks-Copeland, Francesca	P	70.00
576872	7/19/2006	0000002204 Southwest Gas Corporation	P	36,853.47
576873	7/19/2006	0000015934 Tumbleson, Tasha	P	50.00
576874	7/19/2006	0000002477 Victor Valley African American Chamb	P	15,000.00
576875	7/19/2006	0000000198 City of Victorville, Cash	P	181.48
576876	7/19/2006	0000002504 City of Victorville Sanitation	P	91.88
576877	7/19/2006	0000011775 Weiss, Melinda	P	27.96
576878	7/19/2006	0000015946 Yoon, Tae Keun	P	149.10
Check Total:				<u>3,403,589.23</u>



MEMORANDUM

DATE: July 21, 2006

FROM: Joe Flores 
Public Works Manager

TO: Rod Sorensen
Acting Director of Public Works

SUBJECT: PUBLIC WORKS DEPARTMENT - REPORTS

Attached are reports of service provided by the Public Works Department as of June 2006, for FY03-04 thru FY05-06. It is requested that these items be included in the City Council Agenda of August 1, 2006, and forwarded to the City Council for their review.

DH:so

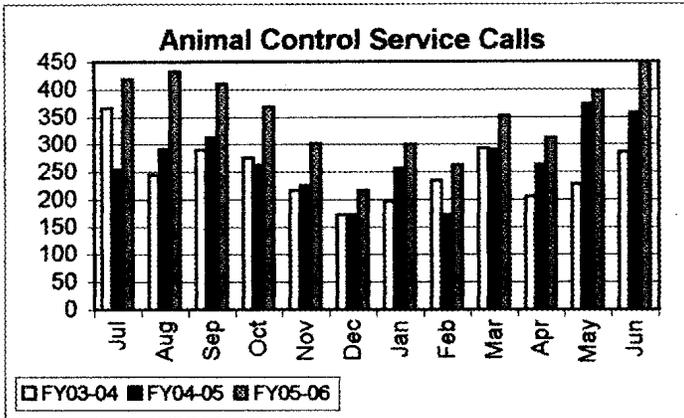
Enclosure

cc: Mike Jenks, Assistant Director of Public Works
Managers

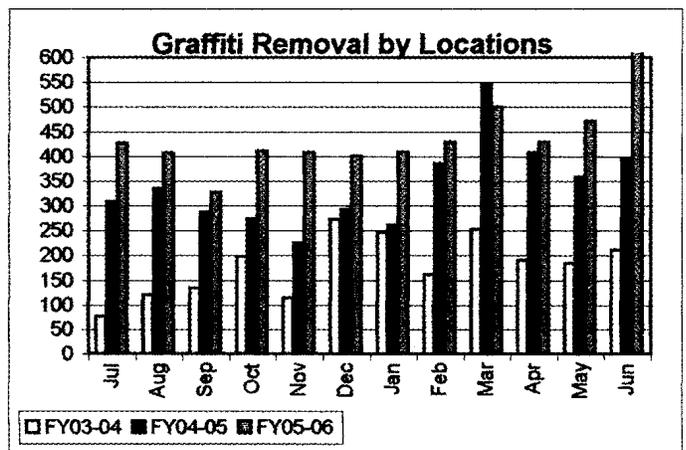
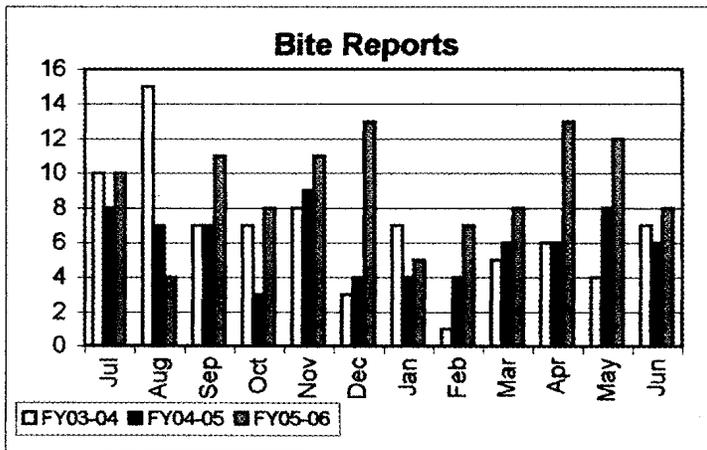
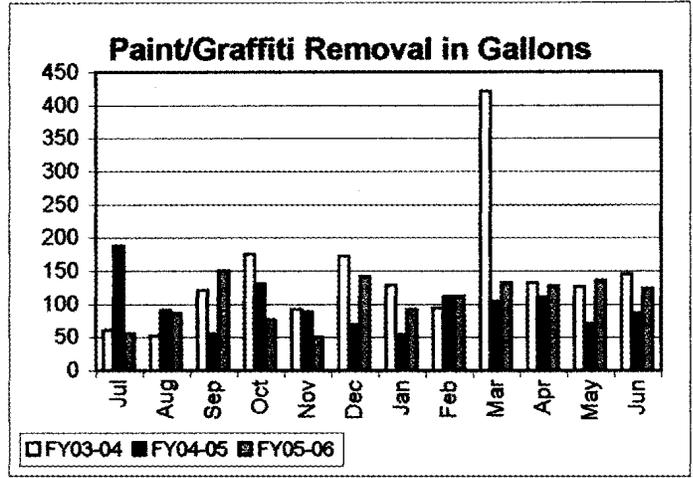
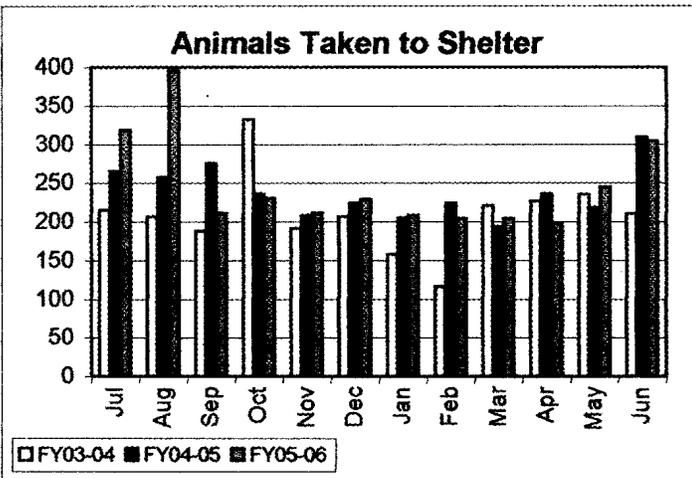
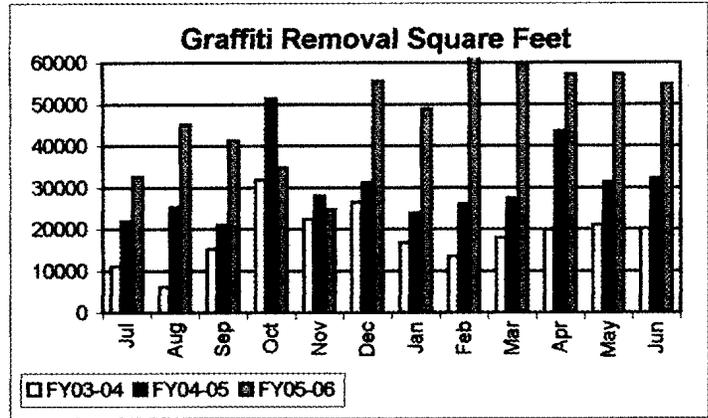
Consent
#5B
8-1-06

**Public Works Monthly Report
As of June 2006**

Animal Control:

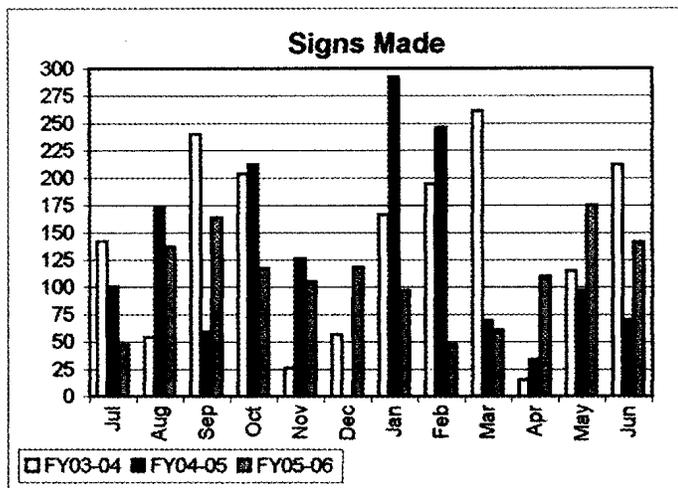


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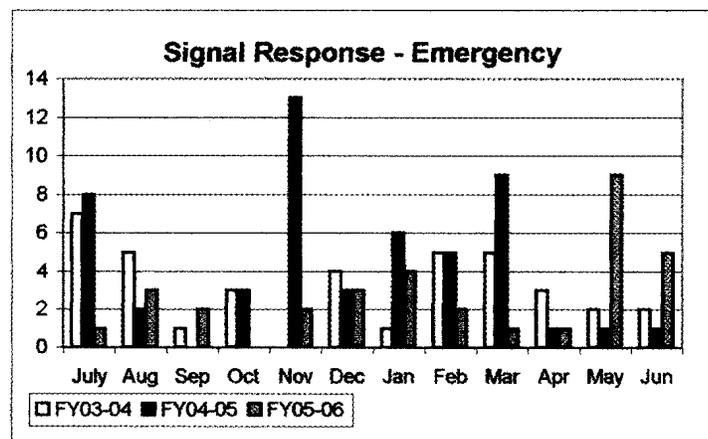
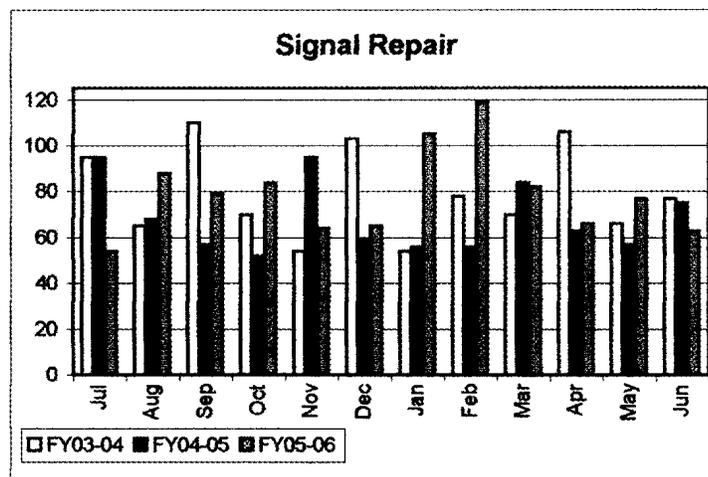
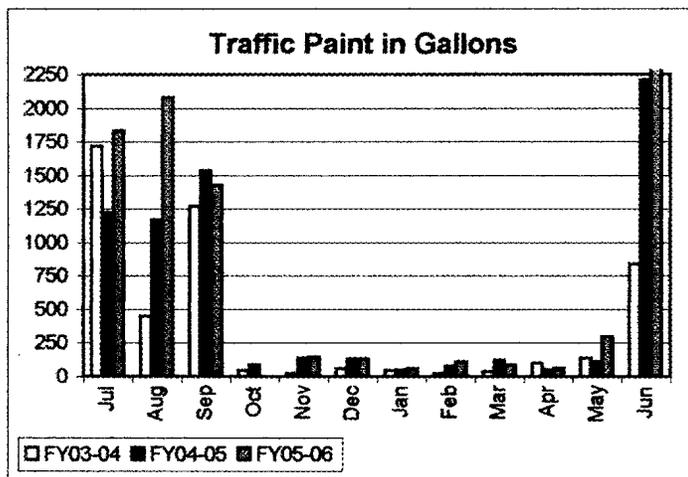
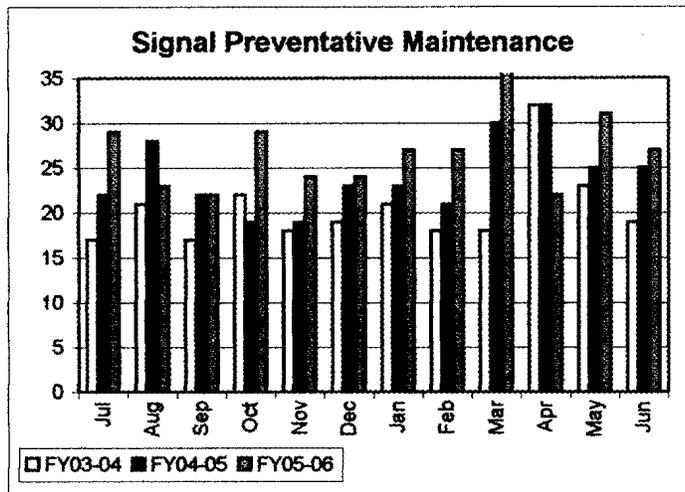


**Public Works Monthly Report
As of June 2006**

Traffic Control:



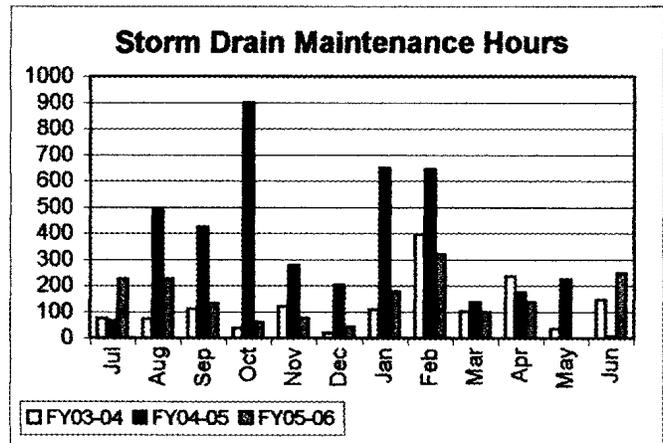
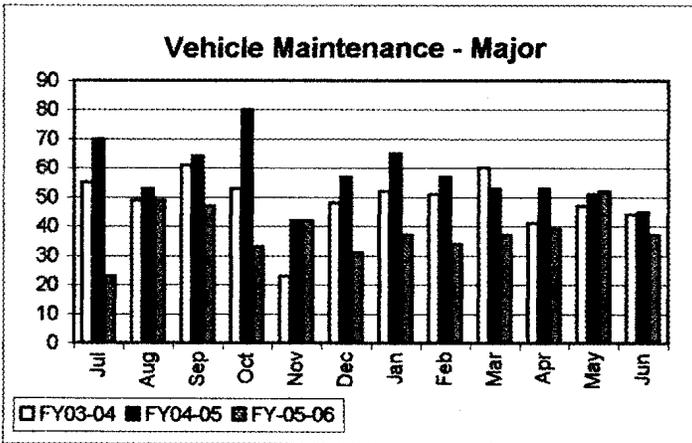
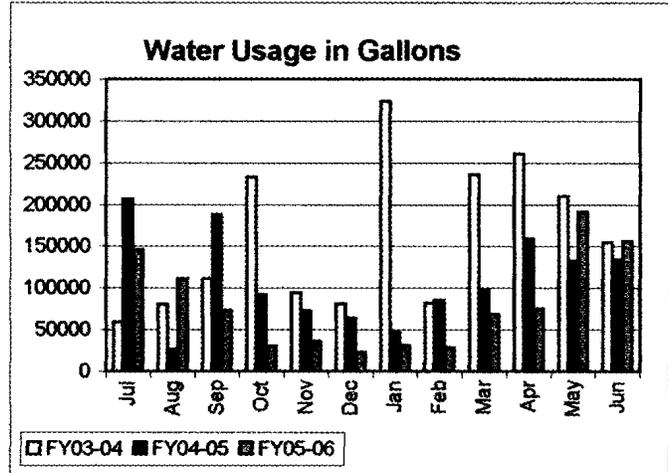
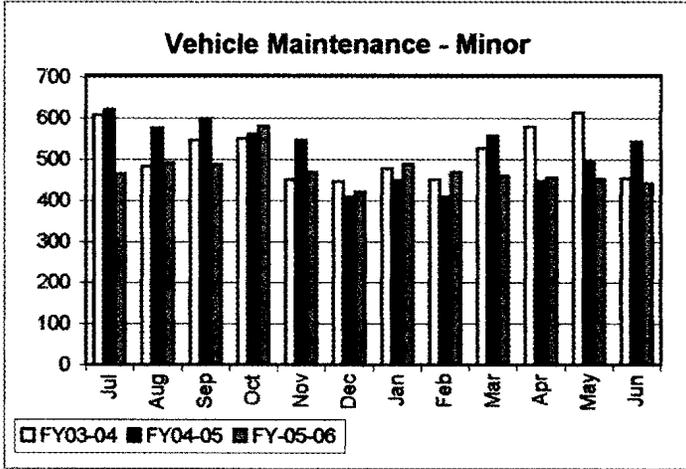
Signals:



**Public Works Monthly Report
As of June 2006**

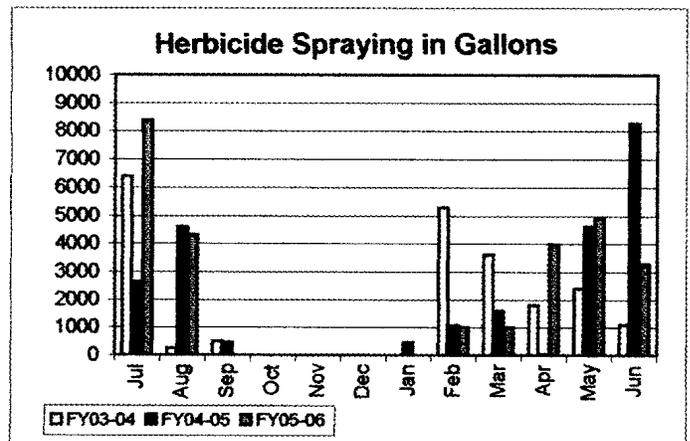
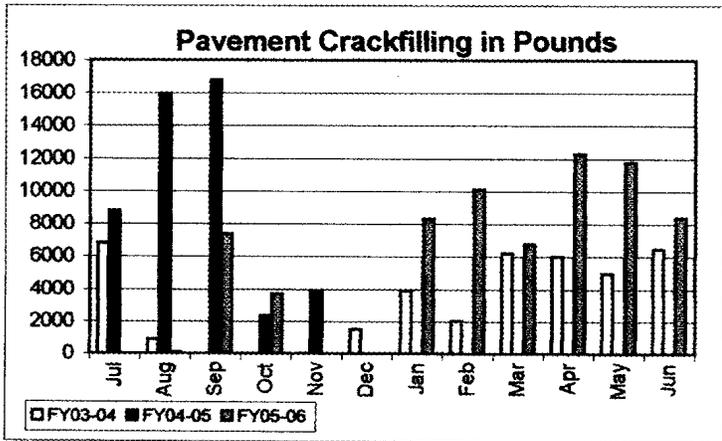
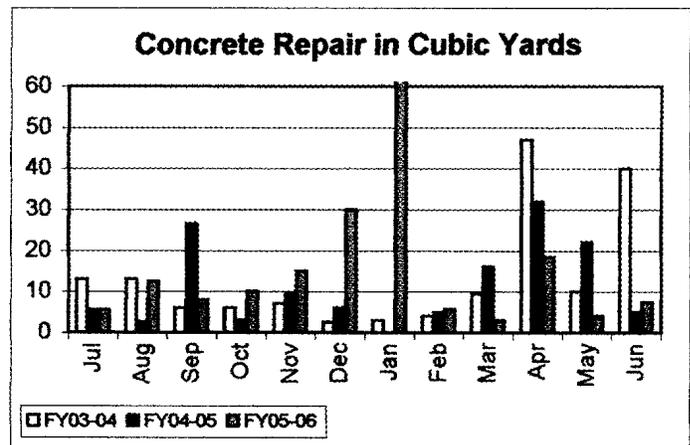
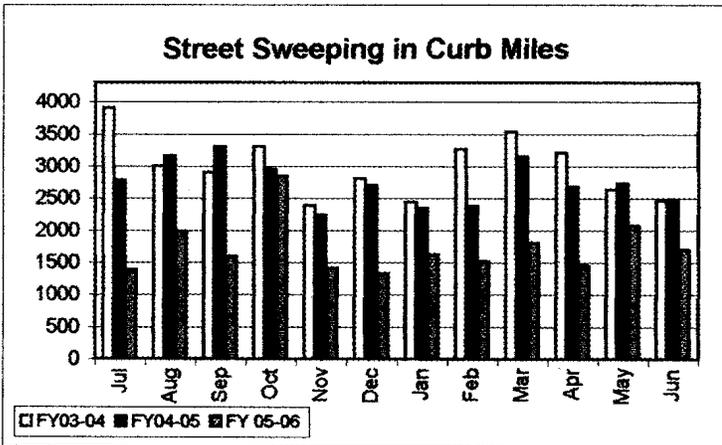
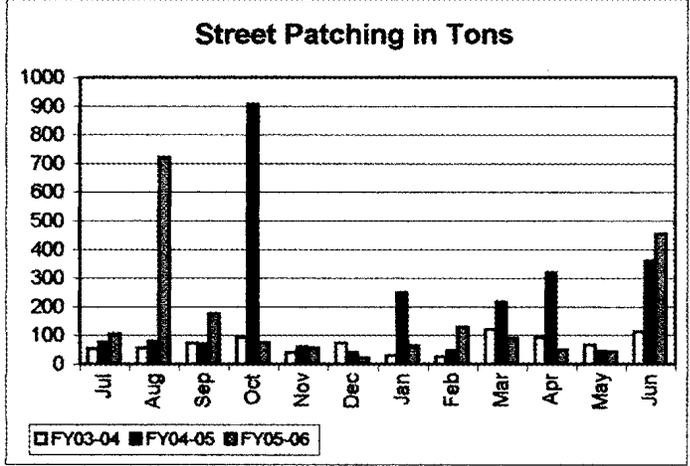
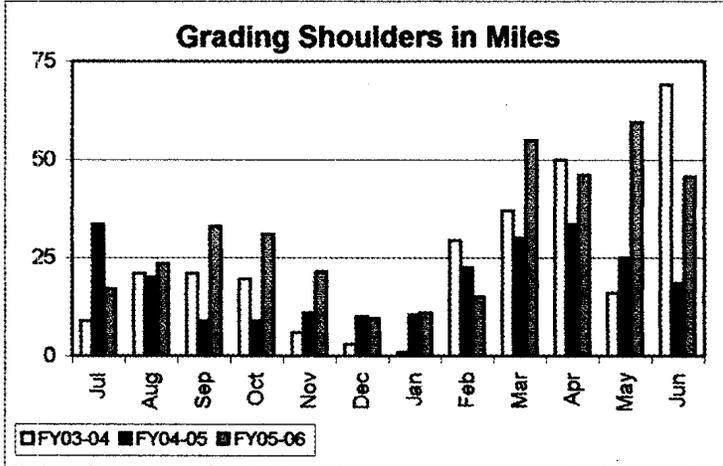
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**Public Works Monthly Report
As of June 2006**

Street Maintenance:



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AGENDA ITEM

CITY COUNCIL MEETING OF: 8/1/06

SUBMITTED BY: Carolee Bates 
City Clerk

DATE: 7/25/06

SUBJECT: PRESENTATION OF ORDINANCES FOR SECOND READING AND ADOPTION BY THE CITY COUNCIL

RECOMMENDATION: That the City Council waive further reading and adopt the following Ordinances:

- Ordinance No. 2153 – ZC-06-007 – Global Legacy
- Ordinance No. 2154 – ZC-05-029 – American Heritage Communities, LLC
- Ordinance No. 2155 – ZC-05-022 – LP High Desert Land Company, LLC
- Ordinance No. 2156 – SP-05-002 – LP High Desert Land Company, LLC
- Ordinance No. 2157 – ZC-06-019 – GBR Development Co., LLC
- Ordinance No. 2158 – ZC-06-005 – Cornerstone Development Company, LLC
- Ordinance No. 2159 – ZC-06-014 – Rolo Development
- Ordinance No. 2160 – ZC-06-015 – Palmdale Commerce Center, LLC
- Ordinance No. 2161 – ZC-06-012 – Civic Rogers, LLC
- Ordinance No. 2162 – SP 90-002 – Civic Rogers, LLC
- Ordinance No. 2163 – ZC-06-010 – Michael Ramirez
- Ordinance No. 2164 – ZC-06-009 – Service Rock Products
- Ordinance No. 2165 – SP 90-001 – Service Rock Products
- Ordinance No. 2166 – ZC-05-020 – McRae Group
- Ordinance No. 2167 – SP 05-001 – McRae Group
- Ordinance No. 2168 – ZC-06-018 – United Engineering Group
- Ordinance No. 2169 – Replacing Section 13.02.150 of the Victorville Municipal Code

DISCUSSION: At a regular City Council meeting held July 18, 2006, the City Council conducted public hearings and introduced the above-referenced Ordinances. Accordingly, these Ordinances are presented for second reading and possible adoption at this time.

/cb
Attachments

Consent
#5C1-17
8-1-06

ORDINANCE NO. 2153

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-007 TO RECLASSIFY PROPERTY FROM R-3 (HIGH DENSITY RESIDENTIAL – MAXIMUM OF 15 DWELLING UNITS PER ACRE) TO R-1 (SINGLE-FAMILY RESIDENTIAL – 5 DWELLING UNITS PER ACRE) – GLOBAL LEGACY

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-124, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

The South 2/3 of Parcel 3 of Parcel Map 1978 per map recorded in Book 16, page 75, inclusive, records in the City of Victorville, San Bernardino County, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-06-007 be adopted, reclassifying property from R-3 (High Density Residential – Maximum of 15 Dwelling Units per Gross Acre) to R-1 (Single-Family Residential – Maximum of 5 Dwelling Unit per Gross Acre) on property generally located at the northwest corner of Nyack Road and Johnstown Road.

ORDINANCE NO. 2154

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-05-029 TO RECLASSIFY PROPERTY FROM R-2T (MEDIUM DENSITY RESIDENTIAL – TRANSITIONAL) TO R-4 (VERY HIGH-DENSITY RESIDENTIAL) – AMERICAN HERITAGE COMMUNITIES, LLC

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-126, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

The North ½ of the East ½ of the Southeast ¼ of the Southeast ¼ of Section 30, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California, and Parcels 1 and 2 of Parcel Map 2839 per map recorded in Book 26, page 53, inclusive, records in the City of Victorville, San Bernardino County, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-05-029 be adopted, reclassifying property from R-2T (Medium Density Residential - Transitional) to R-4 (Very High-Density Residential) on property generally located north of La mesa Road, south of Luna Road, east of and abutting Joshua Road and west of and abutting the logical extension of Aster Road.

ORDINANCE NO. 2155

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-05-022 TO RECLASSIFY PROPERTY FROM R-1T (SINGLE-FAMILY RESIDENTIAL - TRANSITIONAL), R-2T (MEDIUM-DENSITY RESIDENTIAL - TRANSITIONAL) AND C-2T (GENERAL COMMERCIAL - TRANSITIONAL) TO SPECIFIC PLAN - LP HIGH DESERT LAND COMPANY, LLC

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-129, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

The Southwest ¼ of the Southeast ¼ of Section 30, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California, and Government Lots 1 and 2 of the Southwest ¼ of Section 30, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-05-022 be adopted, reclassifying property from R-1T (Single-Family Residential - Transitional), R-2T (Medium-Density Residential - Transitional) and C-2T (General Commercial - Transitional) to Specific Plan on property generally located at the northeast corner of Baldy Mesa Road and La Mesa Road.

ORDINANCE NO. 2156

AN ORDINANCE OF THE CITY OF VICTORVILLE GRANTING SPECIFIC PLAN 05-002 (PARKVIEW SPECIFIC PLAN), TO ALLOW FOR THE DEVELOPMENT OF A 177-ACRE COMMUNITY OF SINGLE-FAMILY RESIDENTIAL DWELLING UNITS AND 12.89 ACRES OF PARK/PASEOS – LP HIGH DESERT LAND COMPANY, LLC

LP High Desert Land Company, LLC has initiated a request for Specific Plan 05-002 to re-designate property from R-1T (Single-Family Residential – Transitional), R-2T (Medium-Density Residential - Transitional) and C-2T (General Commercial – Transitional) to Specific Plan to adopt the Parkview Specific Plan, a 177-acre community of single-family residential dwelling units and 12.89 acres of park/paseos on property in the City of Victorville, County of San Bernardino, State of California, particularly described as follows:

The Southwest ¼ of the Southeast ¼ of Section 30, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California, and Government Lots 1 and 2 of the Southwest ¼ of Section 30, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California; and; and

Pursuant to Title 7, Division 1, Chapter 3 of the Government Code of the State of California, a public hearing was conducted on the 14th day of June, 2006, to hear arguments for and against the Specific Plan, and after hearing all testimony offered, the Planning Commission adopted Resolution No. P-06-130, which recommended to the City Council the adoption of Specific Plan 05-002.

WHEREAS, a Negative Declaration for the proposed Specific Plan has been presented to the Planning Commission, and each member having reviewed and considered the information therein, and the Planning Commission having determined that the proposed Specific Plan will not have an effect on the environment and therefore recommends adoption by the City Council.

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

SECTION 1. That the Parkview Specific Plan, a 177-acre community of single-family residential dwelling units and 12.89 acres of park/paseos on property generally located at the northeast corner of Baldy Mesa road and La Mesa Road, be adopted.

ORDINANCE NO. 2157

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-019 TO RECLASSIFY PROPERTY FROM R-1TB1/2 (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL – ½ ACRE MINIMUM BUILDING SITE) TO R-1 (SINGLE-FAMILY RESIDENTIAL) – GBR DEVELOPMENT CO., LLC

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-137, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

The Southwest ¼ of the Southeast ¼ of Section 30, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California, and Government Lots 1 and 2 of the Southwest ¼ of Section 30, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-06-005 be adopted, reclassifying property from R-1TB1/2 (Single-Family Residential – Transitional – ½ Acre Minimum Building Site) to R-1 (Single-Family Residential) on property generally located at the southwest corner of Maricopa Road and Braceo Street.

ORDINANCE NO. 2158

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-005 TO RECLASSIFY PROPERTY FROM R-3T (HIGH-DENSITY RESIDENTIAL – TRANSITIONAL – MAXIMUM OF 15 DWELLING UNITS PER ACRE) TO R-1 (SINGLE-FAMILY RESIDENTIAL – MAXIMUM OF 5 DWELLING UNITS PER ACRE) – CORNERSTONE DEVELOPMENT COMPANY, LLC

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-137, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

The Southwest ¼ of the Southeast ¼ of Section 30, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California, and Government Lots 1 and 2 of the Southwest ¼ of Section 30, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-06-005 be adopted, reclassifying property from R-3T (High-Density Residential – Transitional – Maximum of 15 Dwelling Units per Acre) to R-1 (Single-Family Residential – Maximum of 5 Dwelling Units per Acre) on property generally located on the southwest corner of Hesperia Road and Chalon Road.

ORDINANCE NO. 2159

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-014 TO RECLASSIFY PROPERTY FROM R-1TB1/2 (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL – ½ ACRE MINIMUM LOT SIZE) AND C-2T (GENERAL COMMERCIAL – TRANSITIONAL) TO C-2 (GENERAL COMMERCIAL) – ROLO DEVELOPMENT

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-140, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

The Northwest ¼ of the Northwest ¼ of Section 15, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-06-014 be adopted, reclassifying property from R-1TB1/2 (Single-Family Residential – Transitional – ½ Acre Minimum Lot Size) and C-2T (General Commercial – Transitional) to C-2 (General Commercial) on property generally located on the southeast corner of Mojave Drive and Highway 395.

ORDINANCE NO. 2160

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-015 TO RECLASSIFY PROPERTY FROM R-1 (SINGLE-FAMILY RESIDENTIAL) AND C-2T (GENERAL COMMERCIAL - TRANSITIONAL TO C-2 (GENERAL COMMERCIAL) - PALMDALE COMMERCE CENTER, LLC

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-142, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

A portion of the South ½ of the Southeast ¼ of the Southeast ¼ of Section 3, Township 4 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-05-015 be adopted, reclassifying property from R-1 (Single-Family Residential) and C-2T (General Commercial – Transitional) to C-2 (General Commercial) on property generally located north of Dos Palmas Road, south of and abutting Palmdale Road, east of Cobalt Road and west of Amethyst Road.

ORDINANCE NO. 2161

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-012 TO RECLASSIFY PROPERTY FROM SPECIFIC PLAN 90-002 (MIDTOWN SPECIFIC PLAN) TO C-2 (GENERAL COMMERCIAL) – CIVIC ROGERS, LLC

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-151, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

Parcels 1 through 6 of Parcel Map No. 17016 per map recorded in Book 209, pages 88 and 89; Parcel 4 of Parcel Map No. 13879 per map recorded in Book 162, pages 84 through 88; and Parcel 13 of Parcel Map No. 13880 per map recorded in Book 168, pages 17 through 21, inclusive, records in the City of Victorville, San Bernardino County, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-06-012 be adopted, reclassifying property from Specific Plan 90-002 (Midtown Specific Plan) to C-2 (General Commercial) on property generally located north of Valley Park Lane, south of Roy Rogers Drive and east of Amargosa Road.

ORDINANCE NO. 2162

AN ORDINANCE OF THE CITY OF VICTORVILLE GRANTING AN EIGHTH AMENDMENT TO SPECIFIC PLAN 90-002 (MIDTOWN SPECIFIC PLAN), TO ELIMINATE PLANNING AREAS 13, 18, 19 AND 20 FROM THE SPECIFIC PLAN – CIVIC ROGERS, LLC

Civic Rogers, LLC has initiated a request for an eighth amendment to Specific Plan 90-002 to eliminate Planning Areas 13, 18, 19 and 20 from the Specific Plan, on property in the City of Victorville, County of San Bernardino, State of California, particularly described as follows:

Parcels 1 through 6 of Parcel Map No. 17016 per map recorded in Book 209, pages 88 and 89; Parcel 4 of Parcel Map No. 13879 per map recorded in Book 162, pages 84 through 88; and Parcel 13 of Parcel Map No. 13880 per map recorded in Book 168, pages 17 through 21, inclusive, records in the City of Victorville, San Bernardino County, State of California; and

Pursuant to Title 7, Division 1, Chapter 3 of the Government Code of the State of California, a public hearing was conducted on the 14th day of June, 2006, to hear arguments for and against the Specific Plan Amendment, and after hearing all testimony offered, the Planning Commission adopted Resolution No. P-06-152, which recommended to the City Council the adoption of the Specific Plan Amendment.

WHEREAS, a Negative Declaration for the proposed Specific Plan Amendment has been presented to the Planning Commission, and each member having reviewed and considered the information therein, and the Planning Commission having determined that the proposed Specific Plan Amendment will not have an effect on the environment and therefore recommends adoption by the City Council.

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

SECTION 1. That the eighth amendment to Specific Plan 90-002 (Midtown Specific Plan), to eliminate Planning Areas 13, 18, 19 and 20 from the Specific Plan on property generally located north of Valley Park Lane, south of Roy Rogers Drive, and east of Amargosa Road, be adopted.

ORDINANCE NO. 2163

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-010 TO RECLASSIFY PROPERTY FROM C-2 (GENERAL COMMERCIAL) TO R-4 (VERY HIGH-DENSITY RESIDENTIAL) – MICHAEL RAMIREZ

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-154, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

The Northwest ¼ of the Southwest ¼ of the Southwest ¼ of Section 29, Township 5 North, Range 4 West, San Bernardino Meridian, County of San Bernardino, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-06-010 be adopted, reclassifying property from C-2 (General Commercial) to R-4 (Very High Density Residential) on property generally located at the southeast corner of Winona Street and Balsam Road.

ORDINANCE NO. 2164

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-009 TO RECLASSIFY PROPERTY FROM R-1T (SINGLE-FAMILY RESIDENTIAL - TRANSITIONAL) AND SPECIFIC PLAN 90-001 (SOUTHDOWN INDUSTRIAL PARK SPECIFIC PLAN) TO M-2 (HEAVY INDUSTRIAL) – SERVICE ROCK PRODUCTS

Pursuant to Title 7, Division 1, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-166, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

A portion of the most northerly corner, Lot 206, Tract 7652 of Section 4, Township 5 North, Range 4 West, San Bernardino Base and Meridian, in the City of Victorville, County of San Bernardino, State of California
Parcel 1 of Parcel Map 14999 per map recorded in Book 183, pages 58 through 60, inclusive, records in the City of Victorville, San Bernardino County, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-06-009 be adopted, reclassifying property from R-1T (Single-Family Residential - Transitional) and Specific Plan 90-001 (Southdown Industrial Park) to M-2 (Heavy Industrial) on property generally located on the southwest corner of National Trails Highway (Route 66) and Rancho Road.

ORDINANCE NO. 2165

AN ORDINANCE OF THE CITY OF VICTORVILLE GRANTING A FIFTH AMENDMENT TO SPECIFIC PLAN 90-001 (SOUTHDOWN INDUSTRIAL PARK SPECIFIC PLAN), TO ALLOW FOR THE REMOVAL OF 10.6 ACRES FROM THE SPECIFIC PLAN AREA – SERVICE ROCK PRODUCTS

Service Rock Products has initiated a request for a fifth amendment to Specific Plan 90-001 (Southdown Industrial Park) to remove 10.6 acres from the specific plan area on property in the City of Victorville, County of San Bernardino, State of California, particularly described as follows:

A portion of the most northerly corner, Lot 206, Tract 7652 of Section 4, Township 5 North, Range 4 West, San Bernardino Base and Meridian, in the City of Victorville, County of San Bernardino, State of California
Parcel 1 of Parcel Map 14999 per map recorded in Book 183, pages 58 through 60, inclusive, records in the City of Victorville, San Bernardino County, State of California; and

Pursuant to Title 7, Division 1, Chapter 3 of the Government Code of the State of California, a public hearing was conducted on the 14th day of June, 2006, to hear arguments for and against the Specific Plan, and after hearing all testimony offered, the Planning Commission adopted Resolution No. P-06-167, which recommended to the City Council the adoption of Specific Plan Amendment SPA-90-001 (A-5).

WHEREAS, a Negative Declaration for the proposed Specific Plan has been presented to the Planning Commission, and each member having reviewed and considered the information therein, and the Planning Commission having determined that the proposed Specific Plan will not have an effect on the environment and therefore recommends adoption by the City Council.

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

SECTION 1. That the fifth amendment to Specific Plan 90-001 (Southdown Industrial Park), to remove 10.6 acres from the specific plan area on property generally located at the southwest corner of National Trails Highway (Route 66) and Rancho Road, be adopted.

ORDINANCE NO. 2166

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-05-020 TO RECLASSIFY PROPERTY FROM R-1 (SINGLE-FAMILY RESIDENTIAL) AND R-1T (SINGLE-FAMILY RESIDENTIAL - TRANSITIONAL) TO SPECIFIC PLAN – MCRAE GROUP

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 14th day of June 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-05-307, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

That portion of Section 4, Township 5 North, Range 4 West, San Bernardino Base and Meridian, in the City of Victorville, County of San Bernardino, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-05-020 be adopted, reclassifying property from R-1 (Single-Family Residential) and R-1T (Single-Family Residential - Transitional) to Specific Plan on property generally located north of Interstate 15, south of Rancho Road and west of National Trails Highway.

ORDINANCE NO. 2167

AN ORDINANCE OF THE CITY OF VICTORVILLE GRANTING SPECIFIC PLAN 05-001 (MOJAVE VISTAS SPECIFIC PLAN), TO ALLOW FOR THE DEVELOPMENT OF A 224-ACRE COMMUNITY OF SINGLE-FAMILY RESIDENTIAL UNITS, A 12-ACRE SCHOOL SITE, TWO 3-ACRE PARK SITES AND 30 ACRES OF CONSERVATION AREA – MC RAE GROUP

The McRae Group has initiated a request for Specific Plan 05-001 to re-designate property from Low Density Residential to Specific Plan to adopt the Mojave Vistas Specific Plan, a 224-acre community of single-family residential units, a 12-acre school site, two 3-acre park sites and 30 acres of conservation area on property in the City of Victorville, County of San Bernardino, State of California, particularly described as follows:

That portion of Section 4, Township 5 North, Range 4 West, San Bernardino Base and Meridian, in the City of Victorville, County of San Bernardino, State of California; and

Pursuant to Title 7, Division 1, Chapter 3 of the Government Code of the State of California, a public hearing was conducted on the 14th day of June, 2006, to hear arguments for and against the Specific Plan, and after hearing all testimony offered, the Planning Commission adopted Resolution No. P-05-308, which recommended to the City Council the adoption of Specific Plan 05-001.

WHEREAS, a Negative Declaration for the proposed Specific Plan has been presented to the Planning Commission, and each member having reviewed and considered the information therein, and the Planning Commission having determined that the proposed Specific Plan will not have an effect on the environment and therefore recommends adoption by the City Council.

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

SECTION 1. That the Mojave Vistas Specific Plan, a 224-acre community of single-family residential units, a 12-acre school site, two 3-acre park sites and 30 acres of conservation area on property generally located north of Interstate 15, south of Rancho Road and west of National Trails Highway (Route 66), be adopted.

ORDINANCE NO. 2168

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-018 TO RECLASSIFY APPROXIMATELY 11 ACRES OF PROPERTY FROM R-1T(4) (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL - FOUR DWELLING UNITS PER ACRE) TO C-2 (GENERAL COMMERCIAL), APPROXIMATELY 34 ACRES OF LAND FROM C-2T (GENERAL COMMERCIAL – TRANSITIONAL) AND C-4T (HIGHWAY AND SERVICE COMMERCIAL – TRANSITIONAL) TO C-2 (GENERAL COMMERCIAL) AND APPROXIMATELY 49 ACRES FROM R-1T(4) (SINGLE-FAMILY RESIDENTIAL – TRANSITIONAL - FOUR DWELLING UNITS PER ACRE) TO PUD (PLANNED UNIT DEVELOPMENT) – UNITED ENGINEERING GROUP

Pursuant to Title 7, Division I, Chapter 4, Article 2 of the Government Code of the State of California, a Public Hearing was held on the 12th day of July 2006, to hear arguments for and against the issue, and after hearing all testimony offered, the Planning Commission approved Resolution No. P-06-190, which recommended to the City Council the adoption of the zone change on property in the City of Victorville, County of San Bernardino, State of California hereinafter described as:

A portion of the Northwest ¼ and the Southwest ¼ of the Southwest ¼ of Section 22, Township 5 North, Range 5 West, San Bernardino Meridian, County of San Bernardino, State of California, and
Parcel 2 of Parcel Map 13312 per map recorded in Book 152, pages 27 through 29, inclusive, records in the City of Victorville, San Bernardino County, State of California; and

WHEREAS, The City Council finds that the proposed zone change is consistent with the General Plan; and

WHEREAS, The City Council finds that the site is adequate in size to accommodate the proposed land use; and

WHEREAS, The City Council finds that the proposed use will have no adverse effect upon abutting property; and

WHEREAS, a Negative Declaration for the proposed Zone Change has been presented to the Planning Commission, and each member having reviewed and considered the information contained therein, and the Planning Commission having determined that the proposed Zone Change will not have a significant effect on the environment and therefore recommends adoption by the City Council,

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

SECTION 1. That Zone Change ZC-06-018 be adopted, reclassifying approximately 11 acres of property from R-1T(4) (Single-Family Residential – Transitional - Four Dwelling Units per Acre) to C-2 (General Commercial), approximately 34 acres of land from C-2T (General Commercial – Transitional) and C-4T (Highway and Service Commercial – Transitional) to C-2 (General Commercial) and approximately 49 acres from R-1T(4) (Single-Family Residential – Transitional - Four Dwelling Units per Acre) to PUD (Planned Unit Development) on property

generally located north of and abutting Dos Palmas Road, south of and abutting Palmdale Road, east of Highway 395 and west of Mesa Linda Avenue.

ORDINANCE NO. 2169

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE,
CALIFORNIA, REPEALING SECTION 13.02.150 OF THE VICTORVILLE
MUNICIPAL CODE AND REPLACING IT WITH A NEW SECTION 13.02.150
OF THE VICTORVILLE MUNICIPAL CODE**

WHEREAS, the City Council of the City of Victorville desires to maintain public and private properties and public rights-of way in a safe condition; and

WHEREAS, the City Council of the City of Victorville recognizes that obstructions in public rights- of-way may unreasonably interfere with the flow of pedestrian or vehicular traffic and cause nuisances; and

WHEREAS, the City Council desires to restrict unreasonable interference with the flow of pedestrian or vehicular traffic, including, but not limited to, ingress into and egress from any residence or place of business, or from the street to the sidewalk, or from the sidewalk to the street by persons exiting or entering parked or standing vehicles; and

WHEREAS regulating obstructions in public rights-of-way may reduce unnecessary exposure of the public to personal injury or property damage; and

WHEREAS, the residents of the City of Victorville live with the nuisance created in their neighborhoods by overgrown vegetation, weeds, dry grass, dead trees, dead shrubs and the like, and they have brought this matter to the attention of their local elected officials; and

WHEREAS, persons who allow overgrown vegetation, weeds, dry grass, dead trees, dead shrubs and the like on their properties jeopardize the public health, safety and welfare of the residents of the City; and

WHEREAS, persons who allow overgrown vegetation, weeds, dry grass, dead trees, dead shrubs and the like on their properties contribute to blight, decreasing property values, and the general decay of neighborhoods in the City; and

WHEREAS, California Government Code Section 38771 permits the legislative body of a city to declare what constitutes a nuisance; and

WHEREAS, the City Council finds and determines that declaring the following conditions as nuisances is critical to preserving the public health, safety and welfare of all residents and visitors of the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VICTORVILLE,
CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. That Section 3.02.150 of the Victorville Municipal Code is hereby repealed in its entirety.

Section 2. That a new Section 13.02.150 of the Victorville Municipal Code is hereby added which shall read as follows:

13.02.150 Nuisances affecting health, safety, and welfare.

The following are nuisances affecting public health, safety, and welfare:

(a) All trees, hedges, billboards or other obstructions which prevent persons from having a clear view of traffic approaching an intersection from cross streets in sufficient time to bring a motor vehicle driven at a reasonable speed to a full stop before the intersection is reached;

(b) All limbs of trees which are ~~less~~ fewer than eight feet above the surface of any street or sidewalk;

(c) All explosives, inflammable liquids and other dangerous substances stored in any manner or in any amount in violation of any law;

(d) All buildings and alterations to buildings made or erected in violation of the regulations concerning manner or materials of construction;

(e) Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks or public grounds except under such conditions as are provided by law;

(f) Any use of property abutting upon a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the streets and sidewalks;

(g) All dangerous unguarded machinery in any public place or so situated or operated on private property as to attract the public;

(h) All other conditions or things which are liable to cause injury to the person or property of anyone;

(i) Overgrown, dead, diseased, or decayed vegetation, including but not limited to grass, trees, shrubs, plants, and weeds, which are injurious to the public health, safety and welfare.

(j) Overgrown, dead, diseased, or decayed vegetation, including but not limited to grass, trees, shrubs, plants, and weeds, causing detriment to neighboring properties and/or property values.

SECTION 3: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses, phrase, or portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 4: This ordinance shall take effect thirty (30) days after its final passage.

SECTION 5: The City Clerk of the City of Victorville is hereby directed to certify to the passage and adoption of this Ordinance and to cause it to be published as required by law.

First read at a regular meeting of the City Council held on the _____ day of

_____, 2006 and adopted and ordered published at a regular meeting of said

Council held on the _____ day of _____, 2006.

Mike Rothschild, Mayor

ATTEST:

Carolee Bates, City Clerk

APPROVED AS TO FORM:

City Attorney

APPROVED AS TO CONTENT:

Bill Webb, Director of Development

REVIEWED:

Jon Roberts, City Manager



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: Adair Patterson *ap/aom*
Director of Finance

DATE: July 21, 2006

SUBJECT: **Renewal of Professional Services Contract for Economic Development Department Marketing Services, # JM03-075**

RECOMMENDATION: That the Honorable City Council award a contract to Chabin Concepts, Inc. in the amount not-to-exceed \$60,000.00 for the above referenced renewal contract.

FISCAL IMPACT: \$60,000.00
VB039, VH039, VW039 = 1/3 ea.

BUDGETED AMOUNT: \$60,000.00

DISCUSSION: The City of Victorville originated a contract with Chabin Concepts, Inc. in 2003/2004 and renewed the contract for 2004/2005 and 2005/2006. The Economic Development Department has recommended renewal of the contract for the Fiscal Year 2006/2007 based on satisfactory performance for a not-to-exceed amount of \$60,000.00. Attached is the Agreement for Professional Services along with Chabin Concepts fee sheet.

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

Purchasing Division and the Economic Development Department have reviewed the agreement and fee sheet and recommend the contract be renewed and awarded to Chabin Concepts, Inc.

AMP/jvm

c:/my documents/projects/JM03-075ChabinContractRenewal2007/AgendaItemJM03-075

cc: Keith Metzler, Director of Economic Development

Consent
#5D
8-1-06

AGREEMENT FOR PROFESSIONAL SERVICES

City of Victorville and Chabin Concepts, Inc.

THIS AGREEMENT FOR PROFESSIONAL SERVICES is made and entered into in the County of Butte State of California by and between the City of Victorville ("Client") and Chabin Concepts, Inc., ("Chabin"), a California corporation.

WHEREAS, the Client desires to engage Chabin to perform certain technical and professional services and identified as:

Economic Development Services

WHEREAS, the principals of Chabin are fully qualified and desire to accept such engagement;

NOW, THEREFORE, the parties agree as follows:

I. Parties and Representatives of this Agreement

The parties to and representatives of the parties who are primarily responsible for the administration of this agreement and to whom formal notices, demands, and communications shall be given are as follows:

- | | |
|--|--|
| A. Keith Metzler
City of Victorville
14343 Civic Drive
PO Box 5001
Victorville, CA 92392
Federal Tax I.D. _____ | Phone: 760-955-5000
Fax: 760-269-0083 |
| B. Audrey Taylor, President
Chabin Concepts, Inc.
2515 Ceanothus Avenue, Suite 100
Chico, CA 95973
Federal Tax I.D. 68-0190084 | Phone: 530-345-0364
Fax: 530-345-6417 |

Formal notices, demands and communications to be given hereunder by either party shall be made in writing and may be affected by personal delivery or by first-class, postage-prepaid mail.

If the name of the principal representative designated to receive notices, demands, or communications or the address of such person is changed; written notice shall be given within ten working days of said change.

II. Term of Agreement

AGREEMENT FOR PROFESSIONAL SERVICES

City of Victorville and Chabin Concepts, Inc.

This agreement shall be effective as of July 1, 2006 and shall continue until June 30, 2007 unless terminated by either party as outlined Section XI: "Termination."

III. Description of Work

The Client hereby engages Chabin and Chabin accepts such engagement to provide economic development services including:

- Assistance with Economic Development Website
- Assistance with Marketing
- Collateral Development
- Prospecting
- Trade Show Support

IV. Completion of Work

Chabin shall complete the services described no later than June 30, 2007.

If, at any time, the work is delayed by the Client or due to any other cause which is unforeseeable and beyond the control and not attributable to the fault or negligence of Chabin, Chabin may request of the Client an extension of time to complete the project. Such request shall not be unreasonably denied.

If the tasks outlined are altered by the Client following execution of this agreement, Chabin may request of the Client an extension of time to complete the project. Such request shall not be unreasonably denied.

Any additional tasks and/or any alterations in the project requested by the Client, verbally or in writing, may entitle Chabin to additional compensation. Any extension of time requested or granted by the Client may entitle Chabin to additional compensation if, as a consequence of such extension, additional work must be performed.

V. Data Provided to Chabin

The Client shall provide to Chabin, without charge, all information such as; data, reports, lists, records, maps, photographs, and other information now existing, available, or which can be created within a reasonable period of time which may facilitate the timely performance of the work described. The Client shall cooperate in a reasonable manner with Chabin in the carrying out of the work prescribed by this agreement. The Client shall provide the requested data within ten days of Chabin's request.

VI. Ownership of Documents

AGREEMENT FOR PROFESSIONAL SERVICES

City of Victorville and Chabin Concepts, Inc.

All brochures, forms, surveys, reports, studies, plans, maps, documents, etc. prepared by Chabin in the course of performing the work required by this agreement shall be the property of the Client. Chabin may make and retain copies of documents prepared or obtained pursuant to this agreement; provided however that any such documents designated as confidential by the Client shall not be disclosed to any person without the Client's prior consent.

VII. Independent Contractor

In performing the services provided herein, Chabin is an independent contractor and not an employee of the Client. Chabin shall determine the manner in which it performs the services provided herein and shall be solely responsible for reporting the compensation it receives for State and Federal Income Tax purposes. Chabin shall have no power or authority to incur any debt, obligation, or liability on behalf of the Client.

VIII. Personnel

All services required under this agreement will be performed by Chabin or under Chabin's direct supervision and all personnel shall possess the qualifications, permits, and licenses required by State law to perform such services.

Chabin shall be responsible for the satisfactory work performance of all personnel engaged in performing services required by this agreement and compliance with all reasonable performance standards established by the Client.

Chabin shall be responsible for payment of all employees' and subcontractors' wages and benefits, and shall comply with all requirements pertaining to employer's liability, workers compensation, unemployment, and Social Security insurances.

IX. Compensation

The Client shall pay to Chabin for all services performed pursuant to this Agreement an amount not to exceed \$60,000 (Sixty-thousand dollars). All services in this agreement will be invoiced at Chabin's regular hourly rates (Exhibit "A").

The estimated cost of the project is based on best guess of time required to complete work elements requested by Client. Chabin will do everything possible to complete tasks with the proposed budget allocated. Any additional compensation as provided for in Section IV, "Completion of Work", shall be based on an hourly rate for staff time plus expenses. Hourly rates and administrative expenses are itemized in Exhibit "A", Chabin Rates and Fees Schedule." Additional services would only be undertaken at the request and approval of the Client.

The Client agrees that invoices are due and payable upon receipt and satisfactory completion of the invoiced task(s). According to Government Code 906, any invoices remaining unpaid after thirty days may be charged interest at the rate of 1.5 percent per month on the unpaid amount.

AGREEMENT FOR PROFESSIONAL SERVICES

City of Victorville and Chabin Concepts, Inc.

X. Indemnity and Insurance

Chabin shall maintain in effect appropriate levels of liability and workers' compensation insurance.

Chabin shall indemnify, hold harmless, and defend the Client, its elected or appointed officials, employees, agents, and volunteers, from and against any and all claims, demands, actions, damages, injuries, and liability, direct or indirect arising out of the performance of this Agreement or its failure to comply with any of its obligations contained in this agreement, except for any such claim arising out of the sole negligence or willful misconduct of the Client, its officers, agents, employees or volunteers.

XI. Termination

Parties of this agreement may terminate this agreement at any time without cause by giving thirty (30) days written notice to second party of such termination and specifying the effective date thereof. In the event this Agreement is terminated, the Client shall pay to Chabin an amount equal to the percentage of the task(s), satisfactorily completed, that Chabin is then currently undertaking.

XII. Non-Discrimination and Equal Employment Opportunity

In the performance of this agreement, Chabin shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, religion, ancestry, sex, national origin, handicap, or age.

XIII. Delegation and Assignment

Chabin shall not delegate or assign its responsibilities or rights hereunder, either in whole or in part, without the prior consent of the Client; provided, however, that claims for money due or to become due to Chabin from the Client under this agreement may be assigned to a bank, trust company, or other financial institution without such approval.

XIV. Entire Agreement and Amendments

This agreement supersedes all prior proposals, agreements, and understandings, between the parties.

XV. Resolution of Disputes

Disputes regarding the interpretation or application of any provisions of this agreement shall, to the extent reasonably feasible, be resolved through good faith negotiations between the parties.

In the event negotiations are not successful, any controversy involving a question of fact arising under this agreement shall be determined by arbitration. All arbitration shall be by three arbitrators, one of whom shall be appointed by Chabin, one by the Client, and the third selected jointly by the other two arbitrators. The arbitrators shall in all cases be familiar with the industry of the parties to this agreement. The determination of the arbitrators shall be binding and final.

AGREEMENT FOR PROFESSIONAL SERVICES
City of Victorville and Chabin Concepts, Inc.

The prevailing party in any action under this agreement shall be entitled to recover attorney fees from the other party.

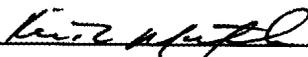
XVI. Venue

Venue for any action under this agreement shall be in Butte County, California, United States of America.

XVII. Governing Law

The laws of the State of California shall govern this agreement.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed and attested by their representative officers thereunto duly authorized. The Agreement documents constitute the entire Agreement between the parties hereto with respect to the matters covered thereby. All prior negotiations, representations and agreements with respect thereto not incorporated in such Agreement documents are hereby canceled. This agreement can be modified or amended only by a document duly executed on behalf of the parties hereto.

 Date: July 19th 2006
City of Victorville
Keith Metzler, Director or Economic Development

_____ Date: _____
Chabin Concepts, Inc.
Audrey E. Taylor, President

**AGREEMENT FOR PROFESSIONAL SERVICES
City of Victorville and Chabin Concepts, Inc.**

Exhibit A: Chabin Concepts Rates & Fees

AGREEMENT FOR PROFESSIONAL SERVICES
City of Victorville and Chabin Concepts, Inc.

**CHABIN CONCEPTS SCHEDULE OF RATES
& FEES**

Hourly Rates

Senior Staff.....	\$175/hour
Professional Staff.....	\$150/hour
Design/Development Staff.....	\$140/hour
Research Staff	\$100/hour
Support Staff.....	\$90/hour
Travel Rates.....	50% of hourly rate
Administrative Fee (project management).....	10%

Related Expenses

Mileage (standard mileage rate)	\$.445/mile
Copies (black/white)	\$.13/each
Copies (color).....	\$.35/each
CD	\$5.00/each
Per Diem Out of Pocket Travel Expenses	\$60/day
Hotel/Flight/Car Rental.....	Reimburse at Cost
Phones, Faxes, Postage	Reimburse at Cost
Special Supplies	Reimburse at Cost
Industry Mailing List.....	(Quote Price)
Industry Telemarketing List	(Quote Price)
Industry Demographic List	(Quote Price)

Monthly Retainer

All Staff.....	Negotiable
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Services provided on the monthly retainer basis entitles client to a negotiated, set number of hours per month for Senior, Professional, Design/Development, and/or Support staff time. Any services requested beyond these hours will be invoiced at the hourly rate. Additional requested site visits will be invoiced at the hourly rate.



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. Glade
City Engineer

DATE: July 21, 2006

SUBJECT: Release Monumentation Bond for Tract 14059.

RECOMMENDATION: Approval of Release of Monumentation Bond.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: Horizon Communities has requested the release of Monumentation Bond for Tract 14059. The Monumentation has been checked and found to be in order. The Engineering Dept. is requesting release of Bond No. 157905 (\$9,900.00).



July 17, 2006

Helen Wilson
City of Victorville
Engineering Department
14343 Civic Drive
Victorville, Ca 92392

Reference: Bond Meeting
All Projects

Here's a summary of reductions and/or exonerations that we are requesting for our bonds:

GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2137027	1	\$ 463,238.38	Streets - Faithful Performance	80%	\$ 370,590.70	First Reduction
2168877	2 & 3	\$ 527,292.70	Streets - Faithful Performance	80%	\$ 421,834.16	First Reduction

GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
166067	1	\$ 163,920.00	Streets - Labor and Material	100%	\$ 163,920.00	Only Reduction
184002	2	\$ 147,959.00	Streets - Labor and Material	100%	\$ 147,959.00	Only Reduction
166066	1	\$ 4,800.00	Monuments	100%	\$ 4,800.00	Only Reduction
cash	2	\$ 6,500.00	Monuments	100%	\$ 6,500.00	Only Reduction

ROGERS RANCH - TRACT 14059

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
196542	1CD	\$ 10,070.00	Sewer - Faithful Performance	20%	\$ 2,014.00	Final Reduction
2133612	2AB	\$ 10,611.92	Sewer - Faithful Performance	20%	\$ 2,122.38	Final Reduction
2133624	2CD	\$ 33,174.90	Sewer - Labor and Material	100%	\$ 33,174.90	Only Reduction
157907	1AB	\$ 153,694.00	Streets - Labor and Material	100%	\$ 153,694.00	Only Reduction
196541	1CD	\$ 80,863.00	Streets - Labor and Material	100%	\$ 80,863.00	Only Reduction
2133611	2AB	\$ 53,439.92	Streets - Labor and Material	100%	\$ 53,439.92	Only Reduction
2133623	2CD	\$ 132,498.03	Streets - Labor and Material	100%	\$ 132,498.03	Only Reduction
157905	ALL	\$ 9,900.00	Monuments	100%	\$ 9,900.00	Only Reduction

Also, these are reductions that are coming up very soon. Due to the amount of time it takes to process these reductions/exonerations, it may be easier to process them with the other releases.

GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2137028	1	\$ 66,167.20	Sewer - L & M	9/16/2006	100%	\$ 66,167.20	Only Reduction
2168878	2&3	\$ 67,987.70	Sewer Streets - PPL & M	9/16/2006	100%	\$ 67,987.70	Only Reduction
2137029	1	\$ 109,582.00	Storm Drain - L & M	9/16/2006	100%	\$ 109,582.00	Only Reduction
2168879	2&3	\$ 56,468.50	Storm Drain - L & M	9/16/2006	100%	\$ 56,468.50	Only Reduction

GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2125810	3	\$ 151,150.20	Streets - L & M	8/21/2006	100%	\$ 151,150.20	Only Reduction
2125813	4	\$ 53,156.05	Streets - L & M	8/21/2006	100%	\$ 53,156.05	Only Reduction

ROGERS RANCH - TRACT 14059

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2133624	2CD	\$ 66,349.80	Sewer - FP	9/8/2006	20%	\$ 13,269.96	Final Reduction
157907	1AB	\$ 307,389.00	Streets - FP	8/19/2006	20%	\$ 61,477.80	Final Reduction
196541	1CD	\$ 161,725.00	Streets - FP	8/19/2006	20%	\$ 32,345.00	Final Reduction
2133611	2AB	\$ 106,879.83	Streets - FP	8/29/2006	20%	\$ 21,375.97	Final Reduction
2133623	2CD	\$ 264,996.05	Streets - FP	9/16/2005	20%	\$ 52,999.21	Final Reduction

Please feel free to contact me for any reason at (909) 434-3775.

Thank you!



Tammy Spratt



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. McGlade
City Engineer  DATE: July 24, 2006

SUBJECT: Release Monumentation Bond for Tract 16446.

RECOMMENDATION: Approval of release of Monumentation Bond.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: JD Pierce Company has requested the release of Monumentation Bond for Tract 16446. The Monumentation has been checked and found to be in order. The Engineering Dept. is requesting release of Bond No. 836886S.

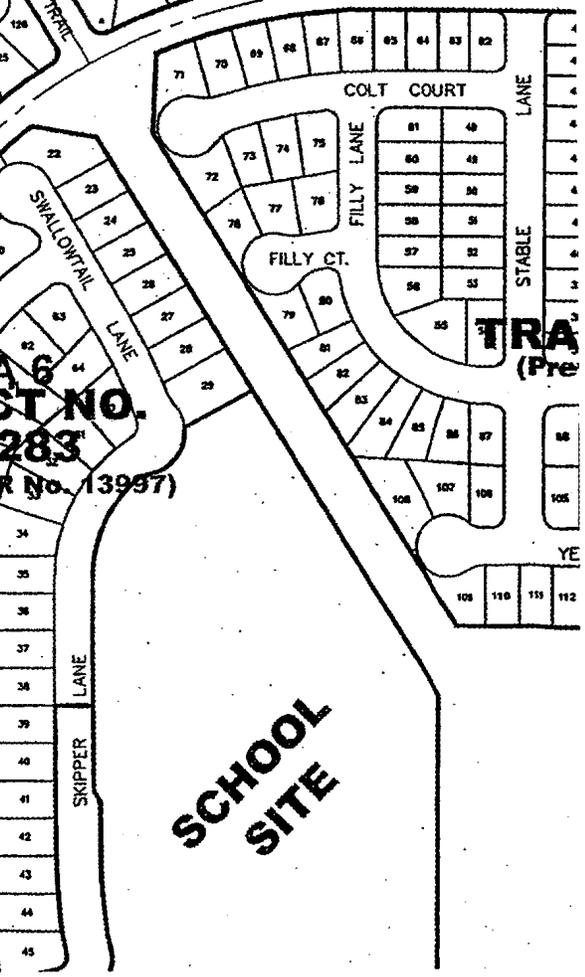
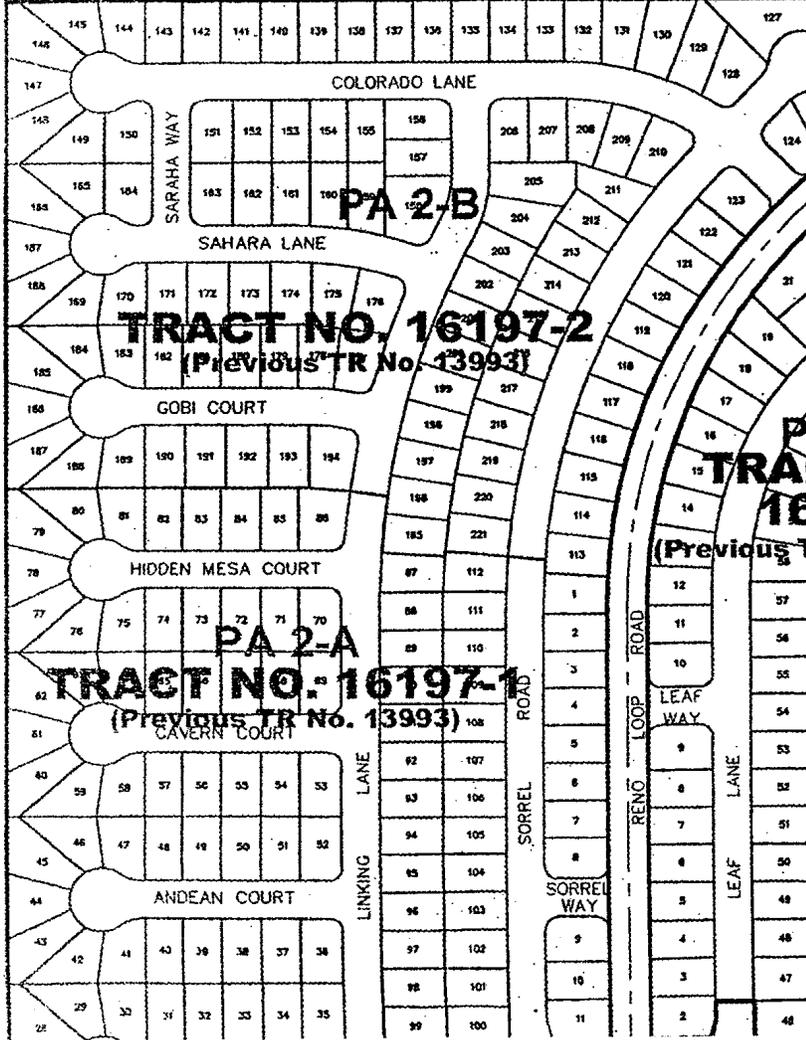
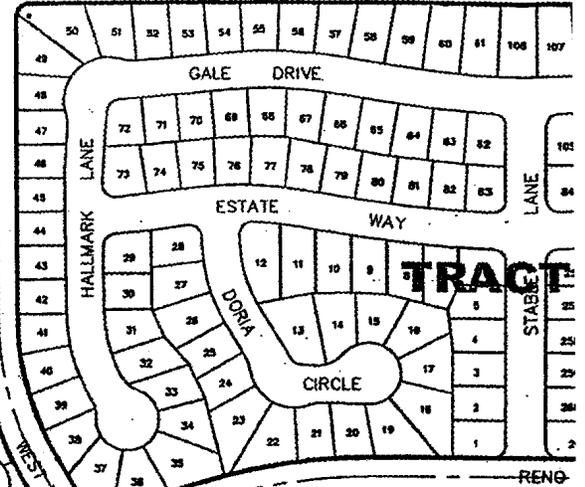
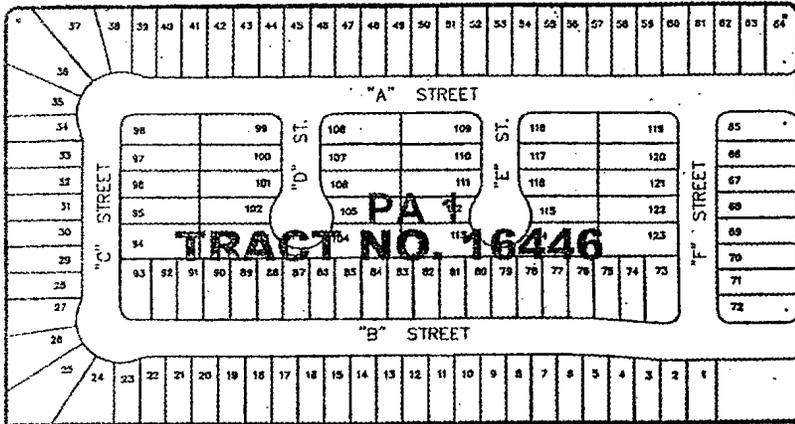


MOJAVE DRIVE

C/L MOJAVE DRIVE

AMETHYST RD

C/L AMETHYST ROAD



SCHOOL SITE



AGENDA ITEM

CITY COUNCIL MEETING OF: AUGUST 1, 2006

SUBMITTED BY: Jon E. Gargan
Director of Community Services

DATE: July 6, 2006

SUBJECT: REQUESTING THE FULL RELEASE OF THE LABOR AND MATERIALS BOND FOR THE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR TRACT 16247-2.

Labor and Materials Bond: B36005285 / \$8,944.65

Developer: Covenant Development, Inc.
29995 Technology Drive, Ste 201
Murrieta, CA 92563

RECOMMENDATION: That the City Council approve the full release of the Labor and Materials Bond in the amount of \$8,944.65.

FISCAL IMPACT: None

Budget Amount: _____ Budget
Account No. _____

---Finance Dept. Use Only---

Additional Appropriation:

No

Yes/\$Amount: _____ Finance Director

Review &

Approval ap

DISCUSSION: At their meeting of February 7, 2006, the City Council approved the 80% release of the Faithful Performance Bond for the above referenced tract, as per (Ordinance 999 § 1 (part) 1985. As the required six-month waiting period has been fulfilled, it is now requested that the Labor and Materials Bond be released in full. The remaining 20% of the Faithful Performance Bond will be held until the one-year warranty period has been fulfilled. A copy of the bond and a site map is attached for review.

JEG:RAS:bw

Attachments

Consent
#5G
8-1-06



Bond No: B36005285
Premium Included
In Performance Bond.

**SUBDIVISION IMPROVEMENTS
LABOR AND MATERIAL BOND**

KNOW ALL MEN BY THESE PRESENTS:

That we, Covenant/Victorville 203, LLC
_____, as Principal,
and Gulf Insurance Company, a corporation organized and doing business under and by virtue of
the laws of the State of Connecticut and duly licensed to conduct a general surety business in the
State of California as Surety, are held and firmly bound unto _____
The City of Victorville _____ as Obligee,
in the sum of Eight thousand nine hundred forty four 65/100***
(\$ 8,944.65) Dollars, for which payment, well and truly to be made, we bind ourselves,
our heirs, executors and successors, jointly and severally firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

WHEREAS, the above named Principal, has entered into an agreement or agreements which are
made a part of this bond, with the Obligee for the improvements in the subdivision designated as
(Tract/ Parcel) Map No. 16247
_____ as required by the Government Code of California.

NOW THEREFORE, the condition of this obligation is such, that if the above Principal fails to
make payment to any contractor, his subcontractors, or to persons renting equipment or
furnishing labor and materials to them for the improvement required by said agreement or
agreements, the Surety on this bond will pay the same, in an amount not exceeding the sum
specified in this bond.

This bond is executed and filed to comply with Section 66499 through and including Section
66499.10 of the Government Code of California as improvement security, and shall inure to the
benefit of any and all contractors, their subcontractors and persons renting equipment or
furnishing labor or materials to them for the improvement. Notice of extension of time for
completion is waived by the Surety.

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the
corporate seal and the name of the said Surety is hereto affixed and attested by its duly authorized
Attorney-in-Fact on _____ April 15 _____, 2003

Covenant/Victorville 203, LLC

Gulf Insurance Company

By: Patricia J. Sandrock
Patricia J. Sandrock, Attorney-in-Fact

By: _____

STATE OF California

COUNTY OF Orange

SS.

On April 15, 2003

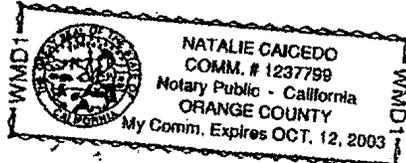
PERSONALLY APPEARED Patricia J. Sandrock, before me, Natalie Caicedo

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

WITNESS my hand and official seal.

Signature

[Handwritten signature]



This area for Official Notarial Seal

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

- INDIVIDUAL
- CORPORATE OFFICER

TITLE(S)

- PARTNER(S)
- LIMITED
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____
- GENERAL

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

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

Gulf Insurance Company

**GULF INSURANCE COMPANY
HARTFORD, CONNECTICUT
POWER OF ATTORNEY**

ORIGINALS OF THIS POWER OF ATTORNEY ARE PRINTED ON BLUE SAFETY PAPER WITH TEAL INK.

KNOW ALL MEN BY THESE PRESENTS: That the Gulf Insurance Company, a corporation duly organized under the laws of the State of Connecticut, having its principal office in the city of Irving, Texas, pursuant to the following resolution, adopted by the Finance & Executive Committee of the Board of Directors of the said Company on the 10th day of August, 1993, to wit:

"RESOLVED, that the President, Executive Vice President or any Senior Vice President of the Company shall have authority to make, execute and deliver a Power of Attorney constituting as Attorney-in-Fact, such persons, firms, or corporations as may be selected from time to time; and any such Attorney-in-Fact may be removed and the authority granted him revoked by the President, or any Executive Vice President, or any Senior Vice President, or by the Board of Directors or by the Finance and Executive Committee of the Board of Directors.

RESOLVED, that nothing in this Power of Attorney shall be construed as a grant of authority to the attorney(s)-in-fact to sign, execute, acknowledge, deliver or otherwise issue a policy or policies of insurance on behalf of Gulf Insurance Company.

RESOLVED, that the signature of the President, Executive Vice President or any Senior Vice President, and the Seal of the Company may be affixed to any such Power of Attorney or any certificate relating thereto by facsimile, and any such powers so executed and certified by facsimile signature and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond and documents relating to such bonds to which they are attached."

Gulf Insurance Company does hereby make, constitute and appoint

Keith E. Sandrock

Patricia J. Sandrock

Natalie Caicedo

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred in its name, place and stead, to sign, execute, acknowledge and deliver in its behalf, as surety, any and all bonds and undertakings of suretyship, and to bind Gulf Insurance Company thereby as fully and to the same extent as if any bonds, undertakings and documents relating to such bonds and/or undertakings were signed by the duly authorized officer of the Gulf Insurance Company and all the acts of said attorney(s)-in-fact, pursuant to the authority herein given, are hereby ratified and confirmed.

The obligation of the Company shall not exceed five million (5,000,000) dollars.

IN WITNESS WHEREOF, the Gulf Insurance Company has caused these presents to be signed by any officer of the Company and its Corporate Seal to be hereto affixed.

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS



GULF INSURANCE COMPANY

Lawrence P. Minter

Lawrence P. Minter
Executive Vice President

On this 1st day of October, AD 2001, before me came Lawrence P. Minter, known to me personally who being by me duly sworn, did depose and say: that he resides in the County of Bergen, State of New Jersey; that he is the Executive Vice President of the Gulf Insurance Company, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instruments is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name, thereto by like order.

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS



Angie Mahabir-Begazo

ANGIE MAHABIR-BEGAZO
Notary Public, State of New York
No. 01MA6019988
Qualified in Kings County
Commission Expires February 16, 2007

I, the undersigned, Senior Vice President of the Gulf Insurance Company, a Connecticut Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force.

Signed and Sealed at the City of New York.



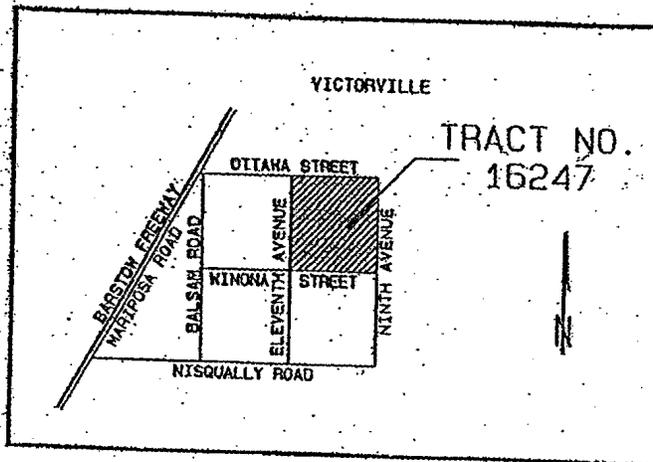
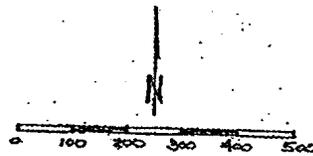
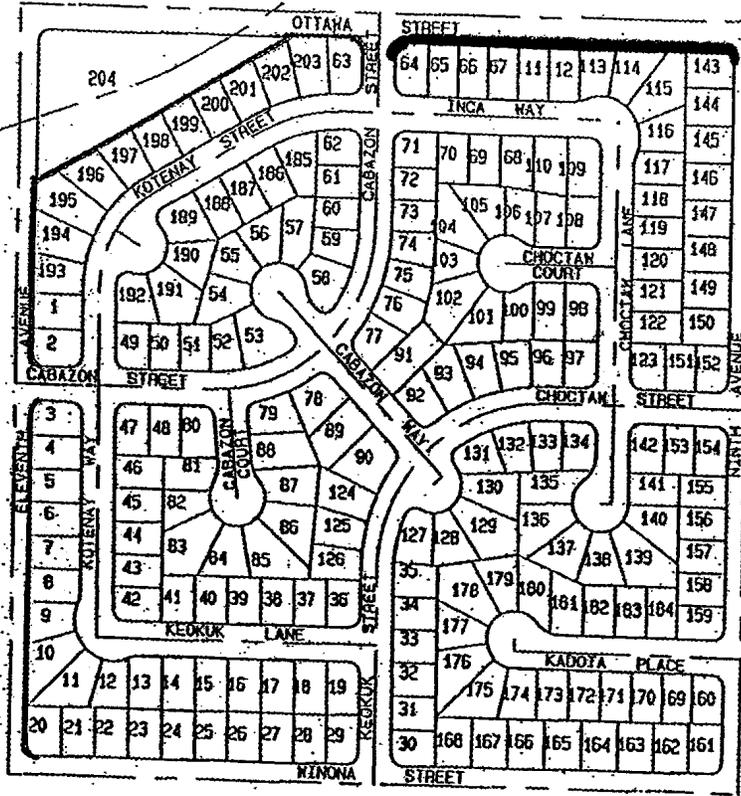
Dated the 15 day of April, 20 03

George Biancardi

George Biancardi
Senior Vice President

TRACT NO. 16247

PHASE II



VICINITY MAP
N.T.S.

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AGENDA ITEM

CITY COUNCIL MEETING OF: AUGUST 1, 2006

SUBMITTED BY: Jon E. Gargan  DATE: July 12, 2006
Director of Community Services

SUBJECT: REQUESTING THE 80% RELEASE OF FAITHFUL PERFORMANCE BONDS FOR THE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR TRACT 16242.

TRACT NUMBER	BOND NUMBER	FAITHFUL PERFORMANCE	LABOR AND MATERIALS
16242-1	B3 6008517	\$35,062.50	\$17,531.25
16242-3	B3 6008518	\$83,866.00	\$41,943.00
TOTALS		\$118,928.50	\$59,474.25

Developer: Empire Homes
Attn: Katherine Romero
20 Corporate Park, Suite 240
Irvine, CA 92606

RECOMMENDATION: That the City Council approve the 80% release of the Faithful Performance Bonds in the amount of \$95,142.80.

FISCAL IMPACT: None

Budget Amount: _____ Budget
Account No. _____

---Finance Dept. Use Only---

Additional Appropriation:

No

Yes/\$Amount: _____ Finance Director

Review & Approval 

DISCUSSION: The developer, Empire Homes, has completed the required landscaping improvements along the east side of Richmond Avenue between Sycamore Street and Sierra Road for Tract 16242. Therefore, it is recommended that 80% of the Faithful Performance 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 Labor and Materials Bonds will be submitted for the first City Council meeting in January 2007 at the end of the required six-month waiting period. A vicinity map and copies of the bonds are attached for review.

JEG:RS 

Attachments

Consent
#5H
8-1-06

COPY

BOND NO. B3 6008517
INITIAL PREMIUM: \$617.00---
SUBJECT TO RENEWAL.

**SUBDIVISION IMPROVEMENTS
PERFORMANCE BOND**

KNOW ALL MEN BY THESE PRESENTS:

That we, Empire Homes Victorville 158, L.P., a California Limited Partnership, as Principal, and GULF INSURANCE COMPANY, a corporation organized and doing business under and by virtue of the laws of the State of Connecticut and duly licensed to conduct a general surety business in the State of California as Surety, are held and firmly bound unto City of Victorville 14343 Civic Dr. Victorville, CA 92393 as Obligee in the sum of Thirty Five Thousand Sixty Two Dollars 50/100 (\$35,062.50---) Dollars, for which payment well and truly to be made, we bind ourselves, our heirs, executors and successors, jointly and severally firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

WHEREAS, the above named Principal, as a condition of the filing of the final subdivision map of (Tract/ Parcel) Map No. 16242-1 entered into an agreement or agreements with said Obligee to complete the improvements specified in said agreement or agreements.

NOW THEREFORE, the condition of this obligation is such, that if the above Principal shall well and truly perform said agreement or agreements during the original term thereof or of any extension of said term that may be granted by the Obligee with or without notice to the Surety, this obligation shall be void, otherwise it shall remain in full force and effect.

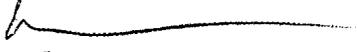
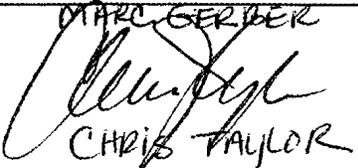
IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact at Henderson, NV this 2nd day of October, 2003

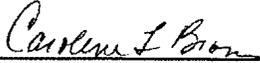
"PRINCIPAL"

"SURETY"

Empire Homes Victorville 158, L.P., a California Limited Partnership

GULF INSURANCE COMPANY

BY: 
MARC GERBER

CHRIS TAYLOR

BY: 
Caroline L. Brown, Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

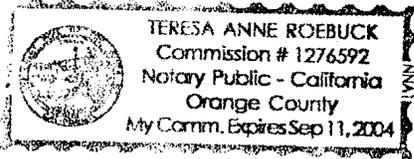
State of California

County of Orange

On October 3, 2003 before me, Teresa Anne Roebuck, Notary Public,
personally appeared CHRIS TAYLOR AND MARC GERBER

personally known -OR-

proved to me on the basis of satisfactory evidence to be the persons whose name are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signature on the instrument the person or the entity upon behalf of which the persons acted, executed the instrument.



WITNESS my hand and official seal.

Teresa Anne Roebuck
Signature of Notary

OPTIONAL

Description of Attached Document

Title or Type of Document: BOND

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Chris Taylor

- Individual
- Corporate Officer _____
- Partner - Limited General
- Attorney-in-fact
- Trustee
- Guardian or Conservator
- Other _____

Signer's Name: Marc Gerber

- Individual
- Corporate Officer _____
- Partner - Limited General
- Attorney-in-fact
- Trustee
- Guardian or Conservator
- Other _____

Signer is representing:
Empire Homes Inc., General Partner
Empire Homes Victorville 158 L.P.

Signer is representing:
Empire Homes Inc., General Partner
Empire Homes Victorville 158 L.P.

**GULF INSURANCE COMPANY
HARTFORD, CONNECTICUT
POWER OF ATTORNEY**

ORIGINALS OF THIS POWER OF ATTORNEY ARE PRINTED ON BLUE SAFETY PAPER WITH TEAL INK.

KNOW ALL MEN BY THESE PRESENTS: That the Gulf Insurance Company, a corporation duly organized under the laws of the State of Connecticut, having its principal office in the city of Irving, Texas, pursuant to the following resolution, adopted by the Finance & Executive Committee of the Board of Directors of the said Company on the 10th day of August, 1993, to wit:

"RESOLVED, that the President, Executive Vice President or any Senior Vice President of the Company shall have authority to make, execute and deliver a Power of Attorney constituting as Attorney-in-Fact, such persons, firms, or corporations as may be selected from time to time; and any such Attorney-in-Fact may be removed and the authority granted him revoked by the President, or any Executive Vice President, or any Senior Vice President, or by the Board of Directors or by the Finance and Executive Committee of the Board of Directors.

RESOLVED, that nothing in this Power of Attorney shall be construed as a grant of authority to the attorney(s)-in-fact to sign, execute, acknowledge, deliver or otherwise issue a policy or policies of insurance on behalf of Gulf Insurance Company.

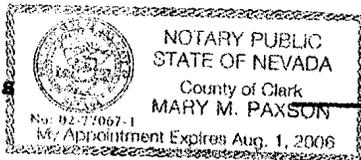
ACKNOWLEDGMENT OF CORPORATE SURETY

STATE OF NEVADA)
County of Clark) ss

On this 2nd day of October, 2003, before me

appeared Caroline L. Brown to me personally known, who being by me duly sworn, did say that he is the aforesaid officer or attorney in fact of the GULF INSURANCE COMPANY a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by the aforesaid officer, by authority of its Board of Directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.

My Commission Expires



Mary M Paxson

Notary Public

August 1, 2006 Clark County, Nevada

that it was so attested by order of the Board of Directors of said corporation and that he signed his name, attested by this...

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss



Angie Mahabir-Begazo

ANGIE MAHABIR-BEGAZO
Notary Public, State of New York
No. 01MA6019988
Qualified in Kings County
Commission Expires February 16, 2007

I, the undersigned, Senior Vice President of the Gulf Insurance Company, a Connecticut Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force.

Signed and Sealed at the City of New York.



Dated the 2nd day of October, 2003

George Biancardi

George Biancardi
Senior Vice President

BOND NO: B3 6008517

PREMIUM INCLUDED
IN PERFORMANCE BOND.

SUBDIVISION IMPROVEMENTS
LABOR AND MATERIAL BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, Empire Homes Victorville 158, L.P., a California Limited Partnership, as Principal, and GULF INSURANCE COMPANY a corporation organized and doing business under and by virtue of the laws of the State of Connecticut and duly licensed to conduct a general surety business in the State of California as Surety, are held and firmly bound unto City of Victorville 14343 Civic Dr. Victorville, CA 92393 as Oblige, in The sum of Seventeen Thousand Five Hundred Thirty One Dollars 25/100 (\$17,531.25) Dollars, for which payment, well and truly to be made, we bind ourselves, our heirs executors and successors, jointly and severally firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

WHEREAS, the above named Principal, has entered into an agreement or agreements which are made a part of this bond, with the City of Victorville, as Oblige for the improvements in the subdivision designated as (Tract Parcel) Map No. 16242-1, as required by the Government Code of California.

NOW THEREFORE, the condition of this obligation is such, that if the above Principal fails to make payment to any contractor, his subcontractors, or to persons renting equipment or furnishing labor and materials to them for the improvement required by said agreement or agreements, the Surety on this bond will pay the same, in an amount not exceeding the sum specified in this bond.

This bond is executed and filed to comply with Section 66499 through and including Section 66499. 10 of the Government Code of California as improvement security, and shall inure to the benefit of any and all contractors, their subcontractors and persons renting equipment or furnishing labor or materials to them for the improvement. Notice of extension of time for completion is waived by the Surety.

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact at Henderson, NV this 2nd day of October 2003

"PRINCIPAL"

"SURETY"

Empire Homes Victorville 158, L.P., a California Limited Partnership

GULF INSURANCE COMPANY

BY: MARC GERBER

BY: Caroline L. Brown

Caroline L. Brown, Attorney-in-Fact

CHRIS TAYLOR

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On October 3, 2003 before me, Teresa Anne Roebuck, Notary Public, personally appeared CHRIS TAYLOR AND MARC GERBER

personally known -OR-

proved to me on the basis of satisfactory evidence to be the persons whose name are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signature on the instrument the person or the entity upon behalf of which the persons acted, executed the instrument.



WITNESS my hand and official seal.

Teresa Anne Roebuck
Signature of Notary

OPTIONAL

Description of Attached Document

Title or Type of Document: BOND

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Chris Taylor

- Individual
- Corporate Officer _____
- Partner - Limited General
- Attorney-in-fact
- Trustee
- Guardian or Conservator
- Other _____

Signer's Name: Marc Gerber

- Individual
- Corporate Officer _____
- Partner - Limited General
- Attorney-in-fact
- Trustee
- Guardian or Conservator
- Other _____

Signer is representing:
Empire Homes Inc., General Partner
Empire Homes Victorville 158 L.P.

Signer is representing:
Empire Homes Inc., General Partner
Empire Homes Victorville 158 L.P.

GULF INSURANCE COMPANY
HARTFORD, CONNECTICUT

POWER OF ATTORNEY

ORIGINALS OF THIS POWER OF ATTORNEY ARE PRINTED ON BLUE SAFETY PAPER WITH TEAL INK.

KNOW ALL MEN BY THESE PRESENTS: That the Gulf Insurance Company, a corporation duly organized under the laws of the State of Connecticut, having its principal office in the city of Irving, Texas, pursuant to the following resolution, adopted by the Finance & Executive Committee of the Board of Directors of the said Company on the 10th day of August, 1993, to wit:

"RESOLVED, that the President, Executive Vice President or any Senior Vice President of the Company shall have authority to make, execute and deliver a Power of Attorney constituting as Attorney-in-Fact, such persons, firms, or corporations as may be selected from time to time; and any such Attorney-in-Fact may be removed and the authority granted him revoked by the President, or any Executive Vice President, or any Senior Vice President, or by the Board of Directors or by the Finance and Executive Committee of the Board of Directors.

RESOLVED, that nothing in this Power of Attorney shall be construed as a grant of authority to the attorney(s)-in-fact to sign, execute, acknowledge, deliver or otherwise issue a policy or policies of insurance on behalf of Gulf Insurance Company.

RESOLVED, that the signature of the President, Executive Vice President or any Senior Vice President, and the Seal of the Company may be affixed to any such Power of Attorney or any certificate relating thereto by facsimile, and any such powers so executed and certified by facsimile signature and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond and documents relating to such bonds to which they are attached."

Gulf Insurance Company does hereby make, constitute and appoint

ACKNOWLEDGMENT OF CORPORATE SURETY

STATE OF NEVADA)

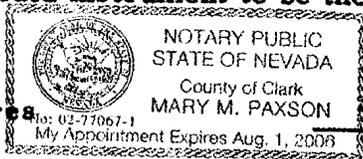
County of Clark)

SS

On this 2nd day of October, 2003, before me

appeared Caroline L. Brown to me personally known, who being by me duly sworn, did say that he is the aforesaid officer or attorney in fact of the GULF INSURANCE COMPANY a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by the aforesaid officer, by authority of its Board of Directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.

My Commission Expires



Mary M. Paxson

Notary Public

August 1, 2006 Clark County, Nevada

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS



ANGIE MAHABIR-BEGAZO
Notary Public, State of New York
No. 01MA6019988
Qualified in Kings County
Commission Expires February 16, 2007

I, the undersigned, Senior Vice President of the Gulf Insurance Company, a Connecticut Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force.

Signed and Sealed at the City of New York.



Dated the 2nd day of October, 20 03

George Biancardi



Gulf Insurance Group
125 Broad Street, 8th Floor
New York NY 10004
Phone: 212.291.3000

IMPORTANT DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

On November 26, 2002, President Bush signed into law the Terrorism Risk Insurance Act of 2002 (the "Act"). The Act establishes a short-term program under which the Federal Government will share in the payment of covered losses caused by certain acts of international terrorism. We are providing you with this notice to inform you of the key features of the Act, and to let you know what effect, if any, the Act will have on your premium.

Under the Act, insurers are required to provide coverage for certain losses caused by international acts of terrorism as defined in the Act. The Act further provides that the Federal Government will pay a share of such losses. Specifically, the Federal Government will pay 90% of the amount of covered losses caused by certain acts of terrorism that is in excess of Gulf Insurance Group's statutorily established deductible for that year. The Act also caps the amount of terrorism-related losses for which the Federal Government or an insurer can be responsible at \$100,000,000,000.00, provided that the insurer has met its deductible.

Please note that passage of the Act does not result in any change in coverage under the attached policy or bond (or the policy or bond being quoted). Please also note that no separate additional premium charge has been made for the terrorism coverage required by the Act. The premium charge that is allocable to such coverage is inseparable from and imbedded in your overall premium, and is no more than one percent of your premium.

www.gulfinsurance.com

COPY

BOND NO. B3 6008518
INITIAL PREMIUM: \$1,476.00---
SUBJECT TO RENEWAL.

**SUBDIVISION IMPROVEMENTS
PERFORMANCE BOND**

KNOW ALL MEN BY THESE PRESENTS:

That we, Empire Homes Victorville 158, L.P., a California Limited Partnership, as Principal, and GULF INSURANCE COMPANY, a corporation organized and doing business under and by virtue of the laws of the State of Connecticut and duly licensed to conduct a general surety business in the State of California as Surety, are held and firmly bound unto City of Victorville 14343 Civic Dr. Victorville, CA 92393 as Obligee in the sum of Eighty Three Thousand Eight Hundred Sixty Six Dollars 00/100 (\$83,866.00---) Dollars, for which payment well and truly to be made, we bind ourselves, our heirs, executors and successors, jointly and severally firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

WHEREAS, the above named Principal, as a condition of the filing of the final subdivision map of (Tract/ Parcel) Map No. 16242-3 entered into an agreement or agreements with said Obligee to complete the improvements specified in said agreement or agreements.

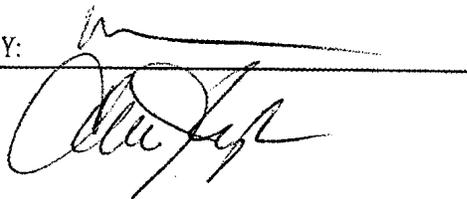
NOW THEREFORE, the condition of this obligation is such, that if the above Principal shall well and truly perform said agreement or agreements during the original term thereof or of any extension of said term that may be granted by the Obligee with or without notice to the Surety, this obligation shall be void, otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact at Henderson, NV this 2nd day of October, 2003

"PRINCIPAL"

Empire Homes Victorville 158, L.P., a
California Limited Partnership

BY:



"SURETY"

GULF INSURANCE COMPANY

BY:

Caroline L. Brown
Caroline L. Brown, Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

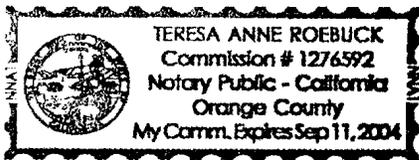
State of California

County of Orange

On October 3, 2003 before me, Teresa Anne Roebuck, Notary Public, personally appeared CHRIS TAYLOR AND MARC GERBER

personally known -OR-

proved to me on the basis of satisfactory evidence to be the persons whose name are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signature on the instrument the person or the entity upon behalf of which the persons acted, executed the instrument.



WITNESS my hand and official seal.

Teresa Anne Roebuck
Signature of Notary

OPTIONAL

Description of Attached Document

Title or Type of Document: *Performance* BOND

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Chris Taylor

- Individual
- Corporate Officer _____
- Partner - Limited General
- Attorney-in-fact
- Trustee
- Guardian or Conservator
- Other _____

Signer's Name: Marc Gerber

- Individual
- Corporate Officer _____
- Partner - Limited General
- Attorney-in-fact
- Trustee
- Guardian or Conservator
- Other _____

Signer is representing:
Empire Homes Inc., General Partner
Empire Homes Victorville 158 L.P.

Signer is representing:
Empire Homes Inc., General Partner
Empire Homes Victorville 158 L.P.

**GULF INSURANCE COMPANY
HARTFORD, CONNECTICUT
POWER OF ATTORNEY**

ORIGINALS OF THIS POWER OF ATTORNEY ARE PRINTED ON BLUE SAFETY PAPER WITH TEAL INK.

KNOW ALL MEN BY THESE PRESENTS: That the Gulf Insurance Company, a corporation duly organized under the laws of the State of Connecticut, having its principal office in the city of Irving, Texas, pursuant to the following resolution, adopted by the Finance & Executive Committee of the Board of Directors of the said Company on the 10th day of August, 1993, to wit:

"RESOLVED, that the President, Executive Vice President or any Senior Vice President of the Company shall have authority to make, execute and deliver a Power of Attorney constituting as Attorney-in-Fact, such persons, firms, or corporations as may be selected from time to time; and any such Attorney-in-Fact may be removed and the authority granted him revoked by the President, or any Executive Vice President, or any Senior Vice President, or by the Board of Directors or by the Finance and Executive Committee of the Board of Directors.

RESOLVED, that nothing in this Power of Attorney shall be construed as a grant of authority to the attorney(s)-in-fact to sign, execute, acknowledge, deliver

ACKNOWLEDGMENT OF CORPORATE SURETY

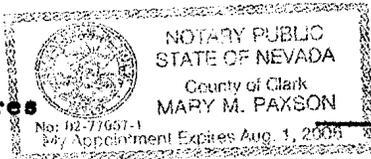
STATE OF NEVADA)

ss

County of Clark)

On this 2nd day of October, 2003, before me

appeared Caroline L. Brown to me personally known, who being by me duly sworn, did say that he is the aforesaid officer or attorney in fact of the **GULF INSURANCE COMPANY** a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by the aforesaid officer, by authority of its Board of Directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.



Mary M Paxson

My Commission Expires

August 1

2006

Clark

Notary Public
County, Nevada

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS



Angie Mahabir-Begazo
ANGIE MAHABIR-BEGAZO
Notary Public, State of New York
No. 01MA6019988
Qualified in Kings County
Commission Expires February 16, 2007

I, the undersigned, Senior Vice President of the Gulf Insurance Company, a Connecticut Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force.

Signed and Sealed at the City of New York.



Dated the 2nd day of October, 2003

George Biancardi

George Biancardi
Senior Vice President

BOND NO: B3 6008518

PREMIUM INCLUDED
IN PERFORMANCE BOND.

SUBDIVISION IMPROVEMENTS
LABOR AND MATERIAL BOND

KNOW ALL MEN BY THESE PRESENTS:

That we Empire Homes Victorville 158, L.P., a California Limited Partnership, as Principal, and GULF INSURANCE COMPANY a corporation organized and doing business under and by virtue of the laws of the State of Connecticut and duly licensed to conduct a general surety business in the State of California as Surety, are held and firmly bound unto City of Victorville 14343 Civic Dr. Victorville, CA 92393 as Obligee, in The sum of Forty One Thousand Nine Hundred Forty Three Dollars 00/100 (\$41,943.00---) Dollars, for which payment, well and truly to be made, we bind ourselves, our heirs executors and successors, jointly and severally firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

WHEREAS, the above named Principal, has entered into an agreement or agreements which are made a part of this bond, with the City of Victorville, as Obligee for the improvements in the subdivision designated as (Tract Parcel) Map No. 16242-3, as required be the Government Code of California.

NOW THEREFORE, the condition of this obligation is such, that if the above Principal fails to make payment to any contractor, his subcontractors, or to persons renting equipment or furnishing labor and materials to them for the improvement required by said agreement or agreements, the Surety on this bond will pay the same, in an amount not exceeding the sum specified in this bond.

This bond is executed and filed to comply with Section 66499 through and including Section 66499. 10 of the Government Code of California as improvement security, and shall inure to the benefit of any and all contractors, their subcontractors and persons renting equipment or furnishing labor or materials to them for the improvement. Notice of extension of time for completion is waived by the Surety.

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact at Henderson, NV
this 2nd day of October 2003

"PRINCIPAL"

"SURETY"

Empire Homes Victorville 158, L.P., a California Limited Partnership

GULF INSURANCE COMPANY

BY: _____

BY: _____

Caroline L. Brown
Caroline L. Brown, Attorney-in-Fact



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

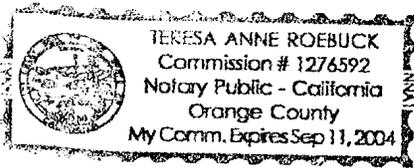
State of California

County of Orange

On October 3, 2003 before me, Teresa Anne Roebuck, Notary Public, personally appeared CHRIS TAYLOR AND MARC GERBER

personally known -OR-

proved to me on the basis of satisfactory evidence to be the persons whose name are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signature on the instrument the person or the entity upon behalf of which the persons acted, executed the instrument.



WITNESS my hand and official seal.

Teresa Anne Roebuck
Signature of Notary

OPTIONAL

Description of Attached Document

Title or Type of Document: BOND

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Chris Taylor

- Individual
- Corporate Officer _____
- Partner - Limited General
- Attorney-in-fact
- Trustee
- Guardian or Conservator
- Other _____

Signer's Name: Marc Gerber

- Individual
- Corporate Officer _____
- Partner - Limited General
- Attorney-in-fact
- Trustee
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Empire Homes Inc., General Partner
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**GULF INSURANCE COMPANY
HARTFORD, CONNECTICUT
POWER OF ATTORNEY**

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"RESOLVED, that the President, Executive Vice President or any Senior Vice President of the Company shall have authority to make, execute and deliver a Power of Attorney constituting as Attorney-in-Fact, such persons, firms, or corporations as may be selected from time to time; and any such Attorney-in-Fact may be removed and the authority granted him revoked by the President, or any Executive Vice President, or any Senior Vice President, or by the Board of Directors or by the Finance and Executive Committee of the Board of Directors.

RESOLVED, that nothing in this Power of Attorney shall be construed as a grant of authority to the attorney(s)-in-fact to sign, execute, acknowledge, deliver or otherwise issue a policy or policies of insurance on behalf of Gulf Insurance Company.

RESOLVED, that the signature of the President, Executive Vice President or any Senior Vice President, and the Seal of the Company may be affixed to any such Power of Attorney or any certificate relating thereto by facsimile, and any such powers so executed and certified by facsimile signature and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond and documents relating to such bonds to which they are attached."

ACKNOWLEDGMENT OF CORPORATE SURETY

STATE OF NEVADA)

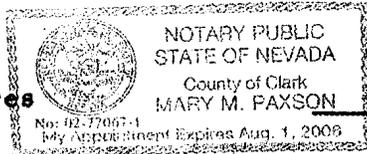
ss

County of Clark)

On this 2nd day of October, 2003, before me

appeared Caroline L. Brown to me personally known, who being by me duly sworn, did say that he is the aforesaid officer or attorney in fact of the **GULF INSURANCE COMPANY** a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by the aforesaid officer, by authority of its Board of Directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.

My Commission Expires



Mary M. Paxson
Notary Public

August 1, 2006 Clark County, Nevada

Qualified in Kings County
Commission Expires February 16, 2007

I, the undersigned, Senior Vice President of the Gulf Insurance Company, a Connecticut Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force.

Signed and Sealed at the City of New York.

Dated the 2nd day of October, 2003



George Biancardi

George Biancardi
Senior Vice President



Gulf Insurance Group
125 Broad Street, 8th Floor
New York NY 10004
Phone: 212.291.3000

IMPORTANT DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

On November 26, 2002, President Bush signed into law the Terrorism Risk Insurance Act of 2002 (the "Act"). The Act establishes a short-term program under which the Federal Government will share in the payment of covered losses caused by certain acts of international terrorism. We are providing you with this notice to inform you of the key features of the Act, and to let you know what effect, if any, the Act will have on your premium.

Under the Act, insurers are required to provide coverage for certain losses caused by international acts of terrorism as defined in the Act. The Act further provides that the Federal Government will pay a share of such losses. Specifically, the Federal Government will pay 90% of the amount of covered losses caused by certain acts of terrorism that is in excess of Gulf Insurance Group's statutorily established deductible for that year. The Act also caps the amount of terrorism-related losses for which the Federal Government or an insurer can be responsible at \$100,000,000,000.00, provided that the insurer has met its deductible.

Please note that passage of the Act does not result in any change in coverage under the attached policy or bond (or the policy or bond being quoted). Please also note that no separate additional premium charge has been made for the terrorism coverage required by the Act. The premium charge that is allocable to such coverage is inseparable from and imbedded in your overall premium, and is no more than one percent of your premium.

www.gulfinsurance.com



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

*SUBMITTED BY: John A. [Signature] Wade
City Engineer*

DATE: July 24, 2006

SUBJECT: Release of Labor and Materials portion of the Street Bonds for Tract 16172-1 and 16172-2.

RECOMMENDATION: Approval of the release of the Labor and Material portion of the street bonds.

FISCAL IMPACT: None

*Finance Dept. Use Only
Additional Appropriation*

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: Horizon Communities has constructed the streets for Tracts 16172-1 & 16172-2. The streets were accepted for maintenance at the City Council meeting of July 19, 2005. No claims for the work have been submitted and therefore the Labor and Materials portion of the bonds are recommended to be released.

Tract 16172-1 Labor & Materials Bond No. 166067

Tract 16172-2 Labor & Materials Bond No. 184002



July 17, 2006

Helen Wilson
City of Victorville
Engineering Department
14343 Civic Drive
Victorville, Ca 92392

Reference: Bond Meeting
All Projects

Here's a summary of reductions and/or exonerations that we are requesting for our bonds:

GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2137027	1	\$ 463,238.38	Streets - Faithful Performance	80%	\$ 370,590.70	First Reduction
2168877	2 & 3	\$ 527,292.70	Streets - Faithful Performance	80%	\$ 421,834.16	First Reduction

GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
166067	1	\$ 163,920.00	Streets - Labor and Material	100%	\$ 163,920.00	Only Reduction
184002	2	\$ 147,959.00	Streets - Labor and Material	100%	\$ 147,959.00	Only Reduction
166066	1	\$ 4,800.00	Monuments	100%	\$ 4,800.00	Only Reduction
cash	2	\$ 6,500.00	Monuments	100%	\$ 6,500.00	Only Reduction

ROGERS RANCH - TRACT 14059

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
196542	1CD	\$ 10,070.00	Sewer - Faithful Performance	20%	\$ 2,014.00	Final Reduction
2133612	2AB	\$ 10,611.92	Sewer - Faithful Performance	20%	\$ 2,122.38	Final Reduction
2133624	2CD	\$ 33,174.90	Sewer - Labor and Material	100%	\$ 33,174.90	Only Reduction
157907	1AB	\$ 153,694.00	Streets - Labor and Material	100%	\$ 153,694.00	Only Reduction
196541	1CD	\$ 80,863.00	Streets - Labor and Material	100%	\$ 80,863.00	Only Reduction
2133611	2AB	\$ 53,439.92	Streets - Labor and Material	100%	\$ 53,439.92	Only Reduction
2133623	2CD	\$ 132,498.03	Streets - Labor and Material	100%	\$ 132,498.03	Only Reduction
157905	ALL	\$ 9,900.00	Monuments	100%	\$ 9,900.00	Only Reduction

Also, these are reductions that are coming up very soon. Due to the amount of time it takes to process these reductions/exonerations, it may be easier to process them with the other releases.

GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2137028	1	\$ 66,167.20	Sewer - L & M	9/16/2006	100%	\$ 66,167.20	Only Reduction
2168878	2&3	\$ 67,987.70	Streets - L & M <i>Street Streets - FP & M</i>	9/16/2006	100%	\$ 67,987.70	Only Reduction
2137029	1	\$ 109,582.00	Storm Drain - L & M	9/16/2006	100%	\$ 109,582.00	Only Reduction
2168879	2&3	\$ 56,468.50	Storm Drain - L & M	9/16/2006	100%	\$ 56,468.50	Only Reduction

GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2125810	3	\$ 151,150.20	Streets - L & M	8/21/2006	100%	\$ 151,150.20	Only Reduction
2125813	4	\$ 53,156.05	Streets - L & M	8/21/2006	100%	\$ 53,156.05	Only Reduction

ROGERS RANCH - TRACT 14059

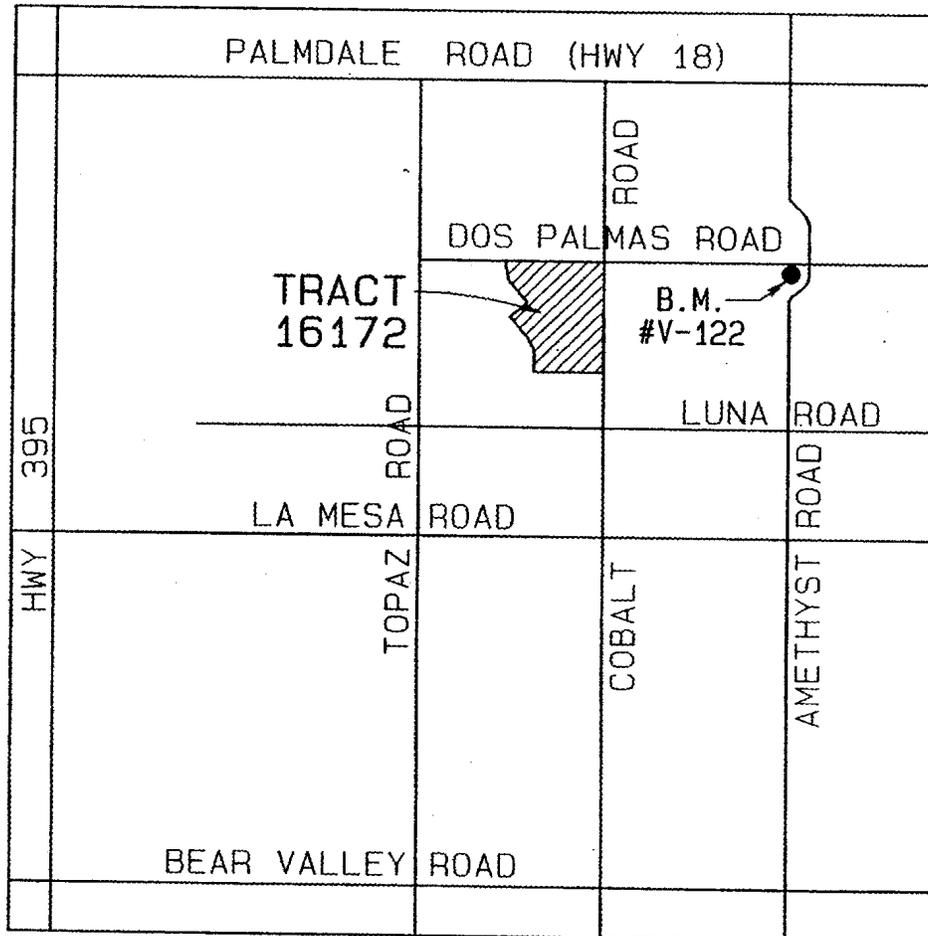
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2133624	2CD	\$ 66,349.80	Sewer - FP	9/8/2006	20%	\$ 13,269.96	Final Reduction
157907	1AB	\$ 307,389.00	Streets - FP	8/19/2006	20%	\$ 61,477.80	Final Reduction
196541	1CD	\$ 161,725.00	Streets - FP	8/19/2006	20%	\$ 32,345.00	Final Reduction
2133611	2AB	\$ 106,879.83	Streets - FP	8/29/2006	20%	\$ 21,375.97	Final Reduction
2133623	2CD	\$ 264,996.05	Streets - FP	9/16/2005	20%	\$ 52,999.21	Final Reduction

Please feel free to contact me for any reason at (909) 434-3775.

Thank you!



Tammy Sprött



VICINITY MAP
N.T.S.



0

ESTIMATE OF QUANTITIES

	DESCRIPTION	UNITS	PHASE 1	PHASE 2
1	12" A.C. WATERMAIN	L.F.	275.00'	315.00'
2	8" A.C. WATERMAIN	L.F.	838.00'	4504.00'



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. 
City Engineer

DATE: July 24, 2006

SUBJECT: Release of Labor and Materials portion of the Street Bonds for Tracts 14059-1(AB&CD) and 14059-2(AB&CD).

RECOMMENDATION: Approval of the Release of the Labor and Material portion of the Street Bonds.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: Horizon Communities has constructed the streets for Tract 14059-1 and 14059-2. The streets were accepted for maintenance at the City Council meeting of July 19, 2005. No claims for the work have been submitted and therefore the Labor and Materials portion of the bonds are recommended to be released.

Tract 14059-1(AB) Street Bond No. 157907

Tract 14059-1(CD) Street Bond No. 196541

Tract 14059-2(AB) Street Bond No. 2133611

Tract 14059-2(CD) Street Bond No. 2133623



July 17, 2006

Helen Wilson
City of Victorville
Engineering Department
14343 Civic Drive
Victorville, Ca 92392

Reference: Bond Meeting
All Projects

Here's a summary of reductions and/or exonerations that we are requesting for our bonds:

GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2137027	1	\$ 463,238.38	Streets - Faithful Performance	80%	\$ 370,590.70	First Reduction
2168877	2 & 3	\$ 527,292.70	Streets - Faithful Performance	80%	\$ 421,834.16	First Reduction

GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
166067	1	\$ 163,920.00	Streets - Labor and Material	100%	\$ 163,920.00	Only Reduction
184002	2	\$ 147,959.00	Streets - Labor and Material	100%	\$ 147,959.00	Only Reduction
166066	1	\$ 4,800.00	Monuments	100%	\$ 4,800.00	Only Reduction
cash	2	\$ 6,500.00	Monuments	100%	\$ 6,500.00	Only Reduction

ROGERS RANCH - TRACT 14059

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
196542	1CD	\$ 10,070.00	Sewer - Faithful Performance	20%	\$ 2,014.00	Final Reduction
2133612	2AB	\$ 10,611.92	Sewer - Faithful Performance	20%	\$ 2,122.38	Final Reduction
2133624	2CD	\$ 33,174.90	Sewer - Labor and Material	100%	\$ 33,174.90	Only Reduction
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196541	1CD	\$ 80,863.00	Streets - Labor and Material	100%	\$ 80,863.00	Only Reduction
2133611	2AB	\$ 53,439.92	Streets - Labor and Material	100%	\$ 53,439.92	Only Reduction
2133623	2CD	\$ 132,498.03	Streets - Labor and Material	100%	\$ 132,498.03	Only Reduction
157905	ALL	\$ 9,900.00	Monuments	100%	\$ 9,900.00	Only Reduction

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GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
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GALAXY II - TRACT 16172

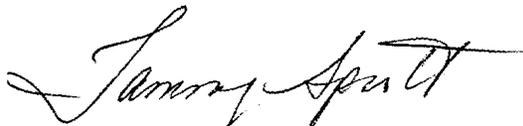
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ROGERS RANCH - TRACT 14059

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
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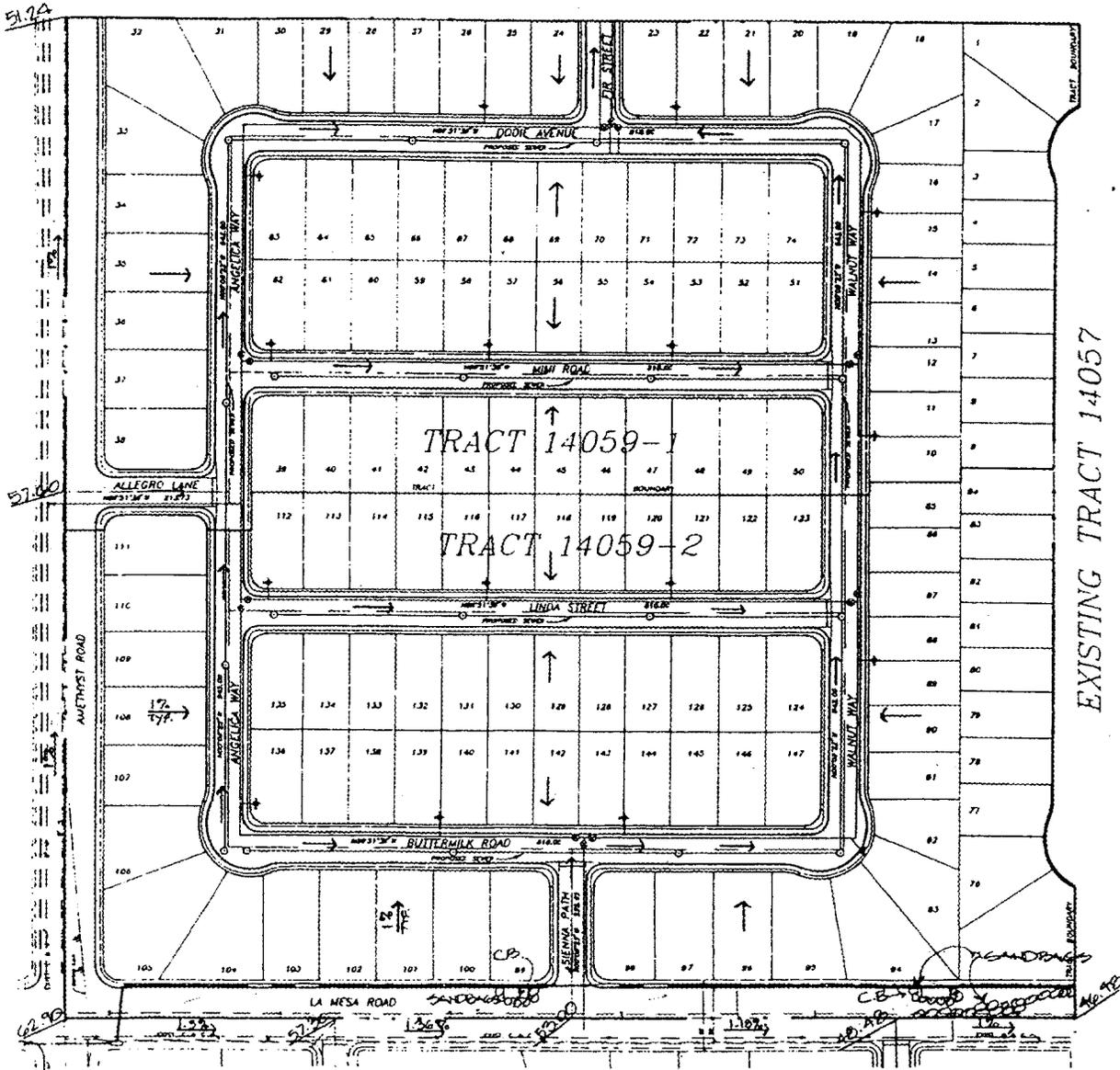
Please feel free to contact me for any reason at (909) 434-3775.

Thank you!



Tammy Spott

FUTURE TRACT 14060



EXISTING TRACT 14057



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. McGlade
City Engineer

DATE: July 24, 2006

SUBJECT: Release of Labor and Materials portion of the Sewer Bond for Tract 14059-2(CD).

RECOMMENDATION: Approval of the release of the Labor and Material portion of the sewer bond.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: Horizon Communities has constructed the sewer for Tract 14059-2(CD). The sewers were accepted for maintenance at the City Council meeting of July 19, 2005. No claims for the work have been submitted and therefore the Labor and Materials portion of the bonds are recommended to be released.

Tract 14059-2(CD) Labor & Materials Bond No. 2133624



July 17, 2006

Helen Wilson
City of Victorville
Engineering Department
14343 Civic Drive
Victorville, Ca 92392

Reference: Bond Meeting
All Projects

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GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
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166066	1	\$ 4,800.00	Monuments	100%	\$ 4,800.00	Only Reduction
cash	2	\$ 6,500.00	Monuments	100%	\$ 6,500.00	Only Reduction

ROGERS RANCH - TRACT 14059

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
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2133623	2CD	\$ 132,498.03	Streets - Labor and Material	100%	\$ 132,498.03	Only Reduction
157905	ALL	\$ 9,900.00	Monuments	100%	\$ 9,900.00	Only Reduction

Also, these are reductions that are coming up very soon. Due to the amount of time it takes to process these reductions/exonerations, it may be easier to process them with the other releases.

GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2137028	1	\$ 66,167.20	Sewer - L & M	9/16/2006	100%	\$ 66,167.20	Only Reduction
2168878	2&3	\$ 67,987.70	Sewer Streets - L & M	9/16/2006	100%	\$ 67,987.70	Only Reduction
2137029	1	\$ 109,582.00	Storm Drain - L & M	9/16/2006	100%	\$ 109,582.00	Only Reduction
2168879	2&3	\$ 56,468.50	Storm Drain - L & M	9/16/2006	100%	\$ 56,468.50	Only Reduction

GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2125810	3	\$ 151,150.20	Streets - L & M	8/21/2006	100%	\$ 151,150.20	Only Reduction
2125813	4	\$ 53,156.05	Streets - L & M	8/21/2006	100%	\$ 53,156.05	Only Reduction

ROGERS RANCH - TRACT 14059

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2133624	2CD	\$ 66,349.80	Sewer - FP	9/8/2006	20%	\$ 13,269.96	Final Reduction
157907	1AB	\$ 307,389.00	Streets - FP	8/19/2006	20%	\$ 61,477.80	Final Reduction
196541	1CD	\$ 161,725.00	Streets - FP	8/19/2006	20%	\$ 32,345.00	Final Reduction
2133611	2AB	\$ 106,879.83	Streets - FP	8/29/2006	20%	\$ 21,375.97	Final Reduction
2133623	2CD	\$ 264,996.05	Streets - FP	9/16/2005	20%	\$ 52,999.21	Final Reduction

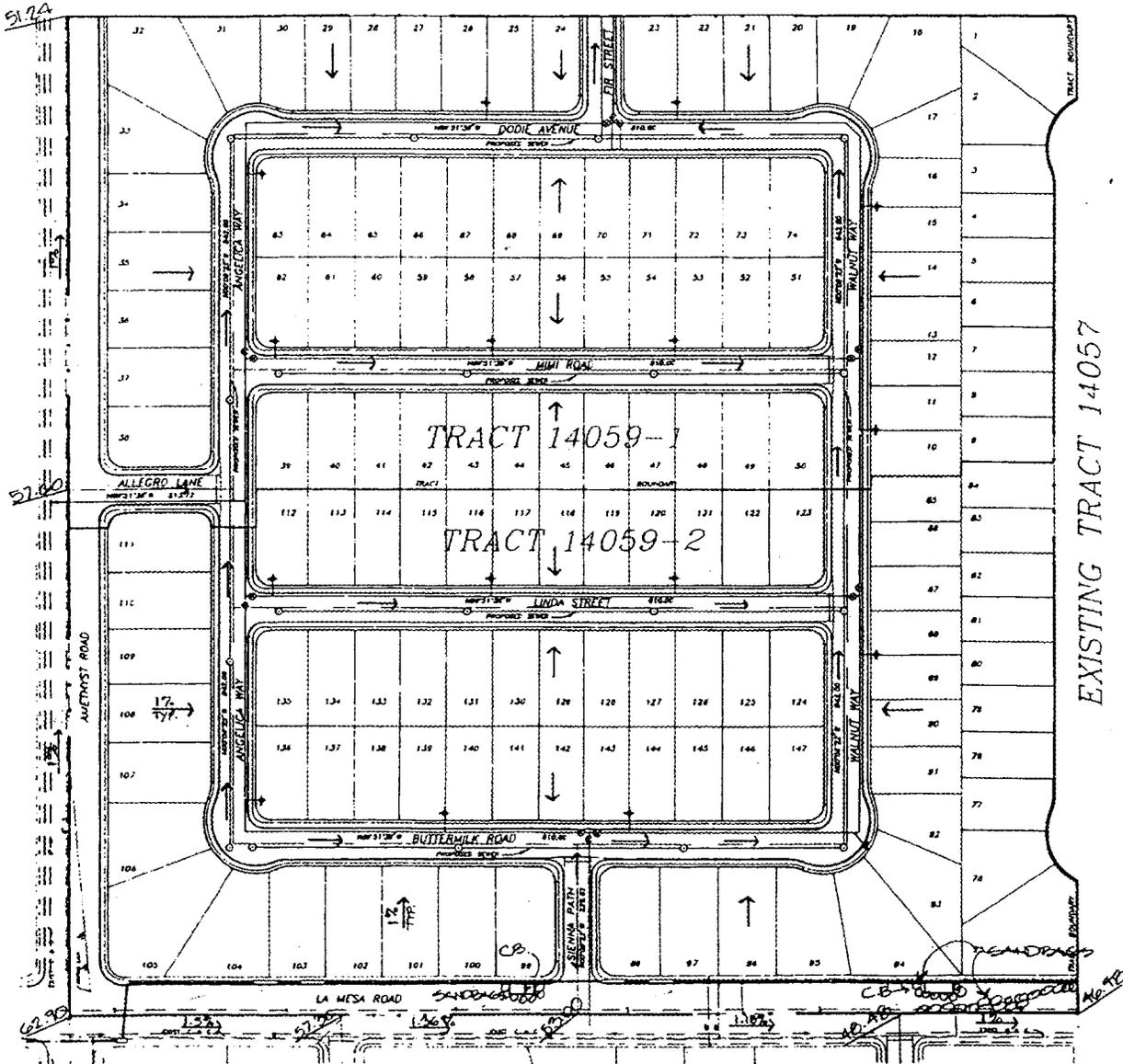
Please feel free to contact me for any reason at (909) 434-3775.

Thank you!



Tammy Spott

FUTURE TRACT 14060





A G E N D A I T E M

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. McClellan
City Engineer

DATE: July 21, 2006

SUBJECT: Release of 80% of the Street Bond and acceptance of the work into the public maintenance system for Tract 16171-1.

RECOMMENDATION: Approval of 80% of Release of the Faithful Performance Bond only for streets and acceptance of the work.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: Horizon Communities has requested an 80% release of the Street Bond for Tract 16171-1. The street 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 for streets. The remaining 20% will be held for the one-year warranty period.

Tract 16171-1 Street Bond No. 2137027



July 17, 2006

Helen Wilson
City of Victorville
Engineering Department
14343 Civic Drive
Victorville, Ca 92392

Reference: Bond Meeting
All Projects

Here's a summary of reductions and/or exonerations that we are requesting for our bonds:

GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2137027	1	\$ 463,238.38	Streets - Faithful Performance	80%	\$ 370,590.70	First Reduction
2168877	2 & 3	\$ 527,292.70	Streets - Faithful Performance	80%	\$ 421,834.16	First Reduction

GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
166067	1	\$ 163,920.00	Streets - Labor and Material	100%	\$ 163,920.00	Only Reduction
184002	2	\$ 147,959.00	Streets - Labor and Material	100%	\$ 147,959.00	Only Reduction
166066	1	\$ 4,800.00	Monuments	100%	\$ 4,800.00	Only Reduction
cash	2	\$ 6,500.00	Monuments	100%	\$ 6,500.00	Only Reduction

ROGERS RANCH - TRACT 14059

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
196542	1CD	\$ 10,070.00	Sewer - Faithful Performance	20%	\$ 2,014.00	Final Reduction
2133612	2AB	\$ 10,611.92	Sewer - Faithful Performance	20%	\$ 2,122.38	Final Reduction
2133624	2CD	\$ 33,174.90	Sewer - Labor and Material	100%	\$ 33,174.90	Only Reduction
157907	1AB	\$ 153,694.00	Streets - Labor and Material	100%	\$ 153,694.00	Only Reduction
196541	1CD	\$ 80,863.00	Streets - Labor and Material	100%	\$ 80,863.00	Only Reduction
2133611	2AB	\$ 53,439.92	Streets - Labor and Material	100%	\$ 53,439.92	Only Reduction
2133623	2CD	\$ 132,498.03	Streets - Labor and Material	100%	\$ 132,498.03	Only Reduction
157905	ALL	\$ 9,900.00	Monuments	100%	\$ 9,900.00	Only Reduction

Also, these are reductions that are coming up very soon. Due to the amount of time it takes to process these reductions/exonerations, it may be easier to process them with the other releases.

GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2137028	1	\$ 66,167.20	Sewer - L & M	9/16/2006	100%	\$ 66,167.20	Only Reduction
2168878	2&3	\$ 67,987.70	Sewer Streets - P P C & M	9/16/2006	100%	\$ 67,987.70	Only Reduction
2137029	1	\$ 109,582.00	Storm Drain - L & M	9/16/2006	100%	\$ 109,582.00	Only Reduction
2168879	2&3	\$ 56,468.50	Storm Drain - L & M	9/16/2006	100%	\$ 56,468.50	Only Reduction

GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2125810	3	\$ 151,150.20	Streets - L & M	8/21/2006	100%	\$ 151,150.20	Only Reduction
2125813	4	\$ 53,156.05	Streets - L & M	8/21/2006	100%	\$ 53,156.05	Only Reduction

ROGERS RANCH - TRACT 14059

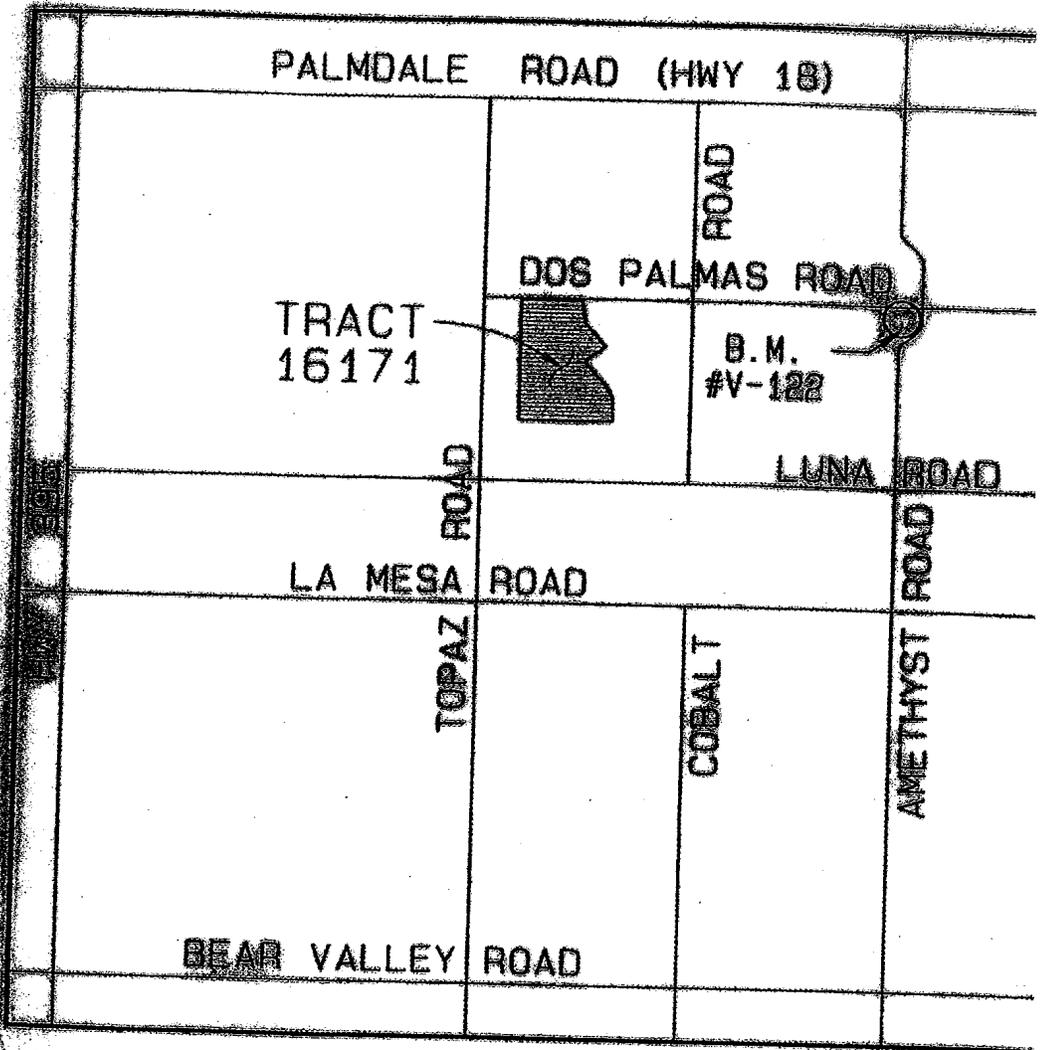
<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2133624	2CD	\$ 66,349.80	Sewer - FP	9/8/2006	20%	\$ 13,269.96	Final Reduction
157907	1AB	\$ 307,389.00	Streets - FP	8/19/2006	20%	\$ 61,477.80	Final Reduction
196541	1CD	\$ 161,725.00	Streets - FP	8/19/2006	20%	\$ 32,345.00	Final Reduction
2133611	2AB	\$ 106,879.83	Streets - FP	8/29/2006	20%	\$ 21,375.97	Final Reduction
2133623	2CD	\$ 264,996.05	Streets - FP	9/16/2005	20%	\$ 52,999.21	Final Reduction

Please feel free to contact me for any reason at (909) 434-3775.

Thank you!



Tammy Spott



VICINITY MAP
N.T.S.



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. 
City Engineer

DATE: July 24, 2006

SUBJECT: Release of 80% of the Street, Storm Drain and Sewer Bonds and acceptance of the work into the public maintenance system for Tract 16632.

RECOMMENDATION: Approval of 80% of release of the Faithful Performance Bond only for streets, storm drains and sewers and acceptance of the work.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

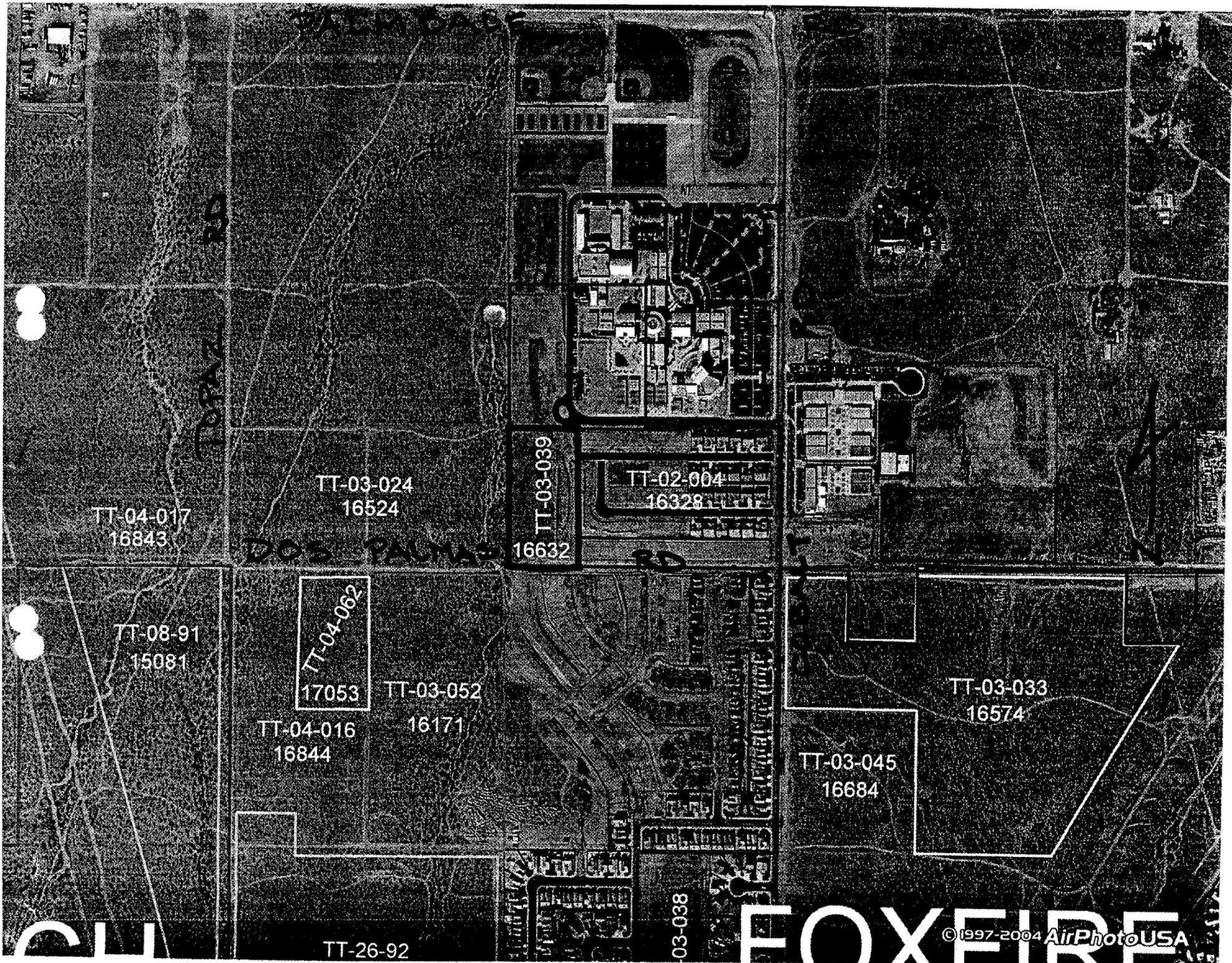
Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: Howard Roberts has requested an 80% release of the Street, Storm Drain and Sewer Bonds for Tract 16632. The street and sewer 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 for streets, storm drain and sewers. The remaining 20% will be held for the one-year warranty period.

Tract 16632, Street, Sewer & Storm Drain Bond No. 104359560 (Amount to be 80% reduced is \$673,805.00)



TT-04-017
16843

TT-03-024
16524

TT-03-039
16632

TT-02-004
16328

TT-08-91
15081

TT-04-062
17053

TT-03-052
16171

TT-04-016
16844

TT-03-033
16574

TT-03-045
16684

CU

TT-26-92

03-038

FOX FIRE

©1997-2004 AirPhotoUSA



HOWARD ROBERTS DEVELOPMENT COMPANY

2/24/2006

City of Victorville
Attn: Helen Wilson
Engineering Department
14343 Civic Drive
Victorville, CA 92393-5001

Subject: Bond Releases

Dear Helen,

The following projects have been completed. Please release the following bonds:

Bond #	Project
103918156	The Collection Tr# 16328-1 & 2 Subdivision 100% Performance, Monument
103918157	The Collection Tr# 16328-1 & 2 Subdivision 100% Performance and 50% Payment Landscape & Irrigation
104182046	Spring Valley Ridge Tr# 16063-1 Subdivision
1041111450	The Collection Tr# 16328-2 Subdivision Improvements – Street Improvements
1041111451	The Collection Tr# 16328-2 Subdivision Improvements – Sewer Improvements
1041111452	The Collection Tr#16328-2 Landscape Improvements

104359560 The Collection
 Tr#16632
 Subdivision 100% Performance and 50% Payment

SU5016062 Spring Valley Ridge
 Tr#16063-2
 Street Improvements

SU5016063 Spring Valley Ridge
 Tr#16063-2
 Sewer Improvements

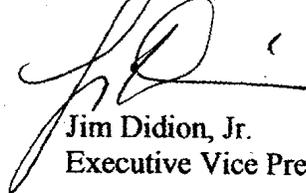
SU5016064 Spring Valley Ridge
 Tr#16063-2
 Storm Drain Improvements

SU5016065 Spring Valley Ridge
 Tr#16063-2
 Subdivision Improvements

SU5016066 Spring Valley Ridge
 Tr#16063-2
 Subdivision – Monument

Please let me know if you need any additional information. I appreciate your assistance getting these released.

All the best,



Jim Didion, Jr.
Executive Vice President



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. 
City Engineer DATE: July 24, 2006

SUBJECT: Release of the remaining 20% of the Street and Sewer Bonds for Tract 16280-1.

RECOMMENDATION: Approval of the remaining 20% release of Faithful Performance Bonds for Street and Sewer and the associated Labor and Materials Bonds.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

Finance Director Review

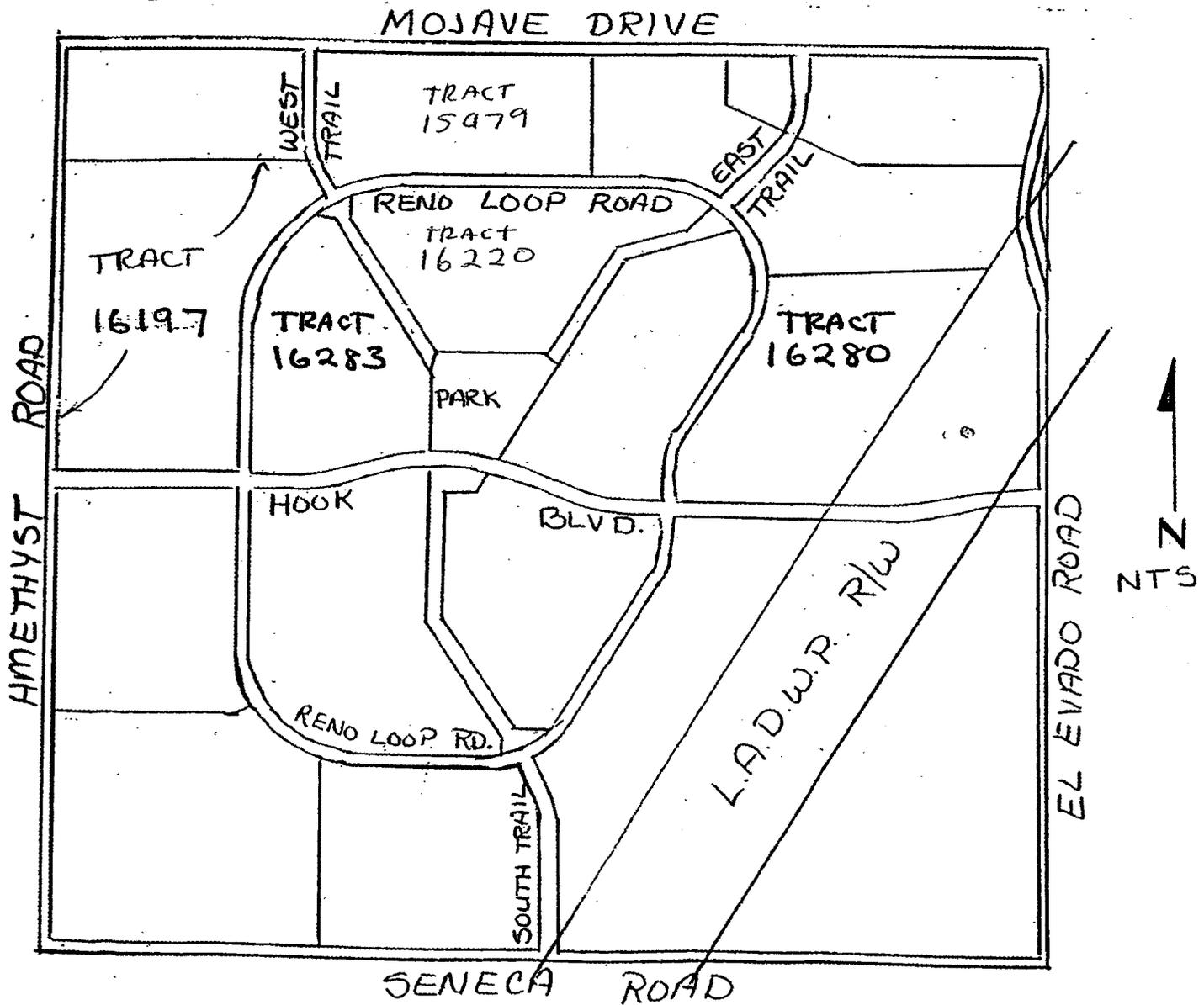
\$ Approval _____

DISCUSSION: Woodside Homes has requested an exoneration of the Street and Sewer Bonds for Tract 16280-1. This work has been completed satisfactorily, the warranty period has been met and Engineering Dept. recommends release of the remaining 20% for Streets and of the Faithful Performance Bond and associated Labor and Material Bonds.

Tract 16280-1 Street Bond No. 871740S

Tract 16280-1 Sewer Bond No. 871738S

TRACTS 16283, 16197 & 16280



December 9, 2005

City of Victorville
Attn: Helen Wilson
14343 Civic Dr.
Victorville, CA 92393

Dear Helen:

Woodside Homes hereby requests final release of Bond No. 871794S and Bond No. 871738S. Both bonds were reduced to 20% for one-year warranty period on October 5, 2004. The bonds and reduction letters are enclosed. Please contact me if you have any questions.

Sincerely,



Ryan Webber
Project Manager

TRACT 16280-1
16197-1
SEWER

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AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. McQuade
City Engineer

DATE: July 24, 2006

SUBJECT: Release of 80% of the Sewer Bond and acceptance of the work into the public maintenance system for tract 15413-6..

RECOMMENDATION: Approval of 80% of Release of the Faithful Performance Bond only for sewers and acceptance of the work.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: Lakeview Homes has requested an 80% release of the Sewer Bond for Tract 15413-6. The sewer 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 for sewers. The remaining 20% will be held for the one-year warranty period.

Tract 15413-6 Sewer Bond No. 276045 (\$72,659.40)

LAKEVIEW HOMES

Fujimoto Construction Inc.
13547 Lakeside Drive
Victorville, CA 92392

Office: 760.243.4084 ~ FAX: 760.243.7782

RECEIVED
JUN 23 2006
ENGINEERING DEPT.

June 15, 2006

City of Victorville
ATTN: Helen Wilson
Engineering Department
14343 Civic Drive
Victorville, CA 92392

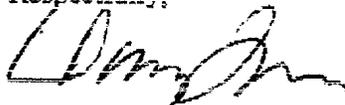
Regarding: Tract 15413-6

Dear Ms. Wilson:

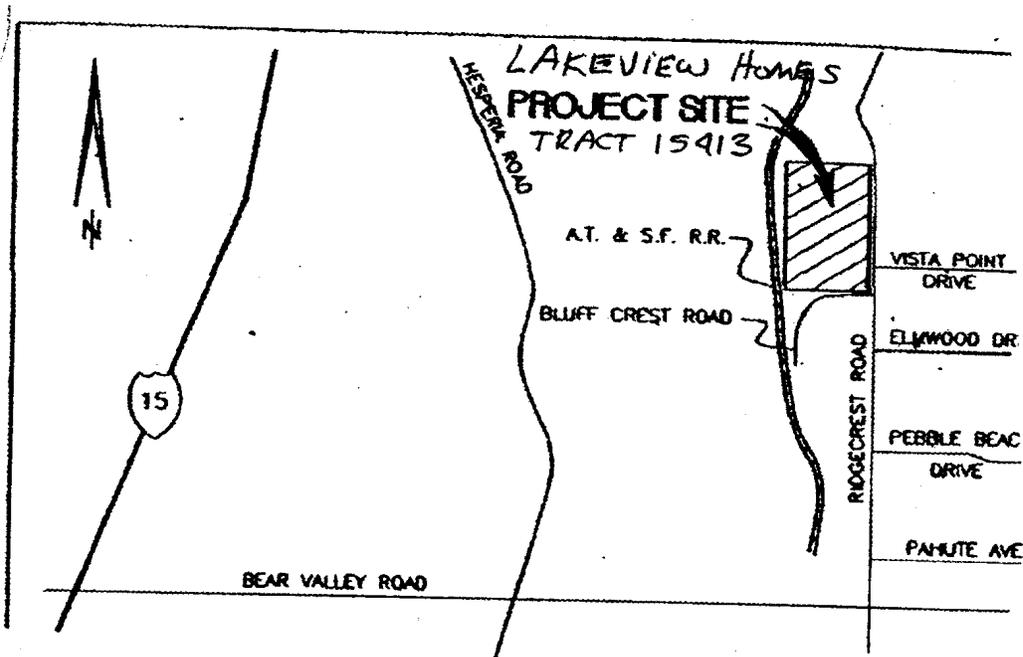
We are requesting a partial release of 60% of the bond for the above listed project. We are requesting a partial release at this time because sewer, curb and gutter are 100% complete and street improvements are 80% complete. Should you have any questions regarding this matter, please contact me at the number listed above.

Thank you for your prompt attention.

Respectfully,



Gary Fujimoto



TRACT 15413

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AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

*SUBMITTED BY: John A. McGlade
City Engineer*

DATE: July 24, 2006

SUBJECT: *Release of 60% of the Street Bond Tract 15413-6..*

RECOMMENDATION: *Approval of 60% of Release of the Faithful Performance Bond only for streets.*

FISCAL IMPACT: *None*

*Finance Dept. Use Only
Additional Appropriation*

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: *Lakeview Homes has requested a 60% release of the Street Bond, Faithful Performance only for Tract 15413-6. The street work is complete except for the final lift of paving. The Developer will still be responsible for the maintenance of the streets.*

Tract 15413-6 Street Bond No. 276046 (\$318,819.10)

LAKEVIEW HOMES

Fujimoto Construction Inc.
13547 Lakeside Drive
Victorville, CA 92392
Office: 760.243.4084 - FAX: 760.243.7782

RECEIVED
JUN 23 2006
ENGINEERING DEPT.

June 15, 2006

City of Victorville
ATTN: Helen Wilson
Engineering Department
14343 Civic Drive
Victorville, CA 92392

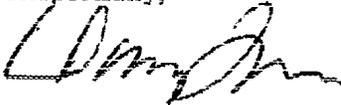
Regarding: Tract 15413-6

Dear Ms. Wilson:

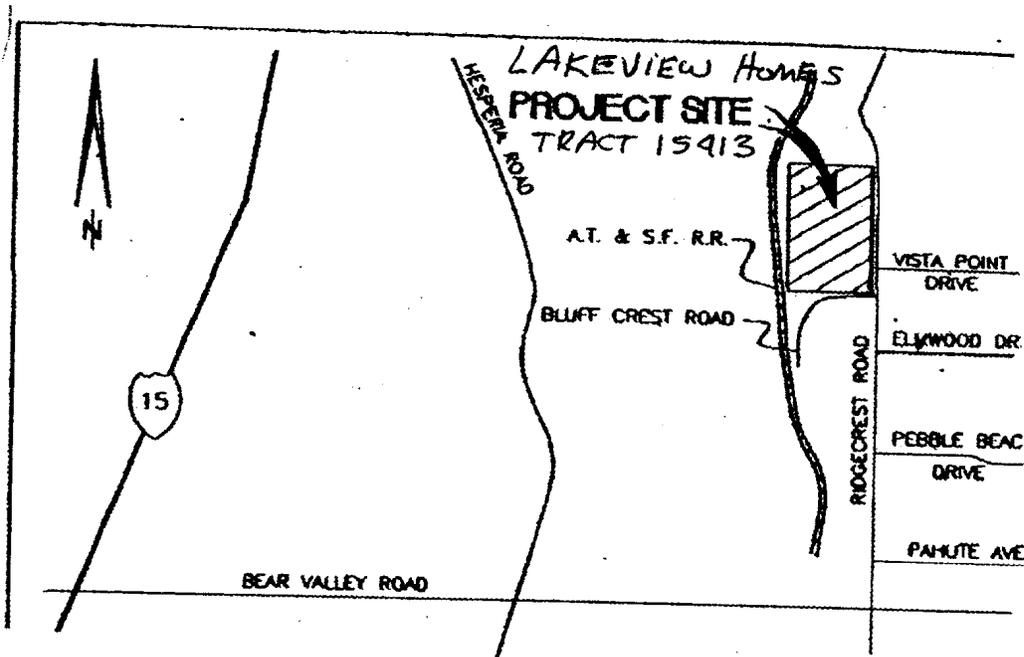
We are requesting a partial release of 60% of the bond for the above listed project. We are requesting a partial release at this time because sewer, curb and gutter are 100% complete and street improvements are 80% complete. Should you have any questions regarding this matter, please contact me at the number listed above.

Thank you for your prompt attention.

Respectfully,



Gary Fujimoto



TRACT 15413

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AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. 
City Engineer

DATE: July 24, 2006

SUBJECT: Release of the remaining 20% of the Sewer Bonds for Tracts 14059-1(CD) and 14059-2(AB).

RECOMMENDATION: Approval of the remaining 20% release of the Faithful Performance Bond for sewer.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: Horizon Communities has requested an exoneration of the Sewer Bonds for Tract 14059-1(CD) and 14059-2(AB). This work has been completed satisfactorily, the warranty period has been met and the Engineering Dept. recommends release of the remaining 20% for Streets of the Faithful Performance Bond.

Tract 14059-1(CD) Sewer Bond No. 196542

Tract 14059-2(AB) Sewer Bond No. 2133612



July 17, 2006

Helen Wilson
City of Victorville
Engineering Department
14343 Civic Drive
Victorville, Ca 92392

Reference: Bond Meeting
All Projects

Here's a summary of reductions and/or exonerations that we are requesting for our bonds:

GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2137027	1	\$ 463,238.38	Streets - Faithful Performance	80%	\$ 370,590.70	First Reduction
2168877	2 & 3	\$ 527,292.70	Streets - Faithful Performance	80%	\$ 421,834.16	First Reduction

GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
166067	1	\$ 163,920.00	Streets - Labor and Material	100%	\$ 163,920.00	Only Reduction
184002	2	\$ 147,959.00	Streets - Labor and Material	100%	\$ 147,959.00	Only Reduction
166066	1	\$ 4,800.00	Monuments	100%	\$ 4,800.00	Only Reduction
cash	2	\$ 6,500.00	Monuments	100%	\$ 6,500.00	Only Reduction

ROGERS RANCH - TRACT 14059

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
196542	1CD	\$ 10,070.00	Sewer - Faithful Performance	20%	\$ 2,014.00	Final Reduction
2133612	2AB	\$ 10,611.92	Sewer - Faithful Performance	20%	\$ 2,122.38	Final Reduction
2133624	2CD	\$ 33,174.90	Sewer - Labor and Material	100%	\$ 33,174.90	Only Reduction
157907	1AB	\$ 153,694.00	Streets - Labor and Material	100%	\$ 153,694.00	Only Reduction
196541	1CD	\$ 80,863.00	Streets - Labor and Material	100%	\$ 80,863.00	Only Reduction
2133611	2AB	\$ 53,439.92	Streets - Labor and Material	100%	\$ 53,439.92	Only Reduction
2133623	2CD	\$ 132,498.03	Streets - Labor and Material	100%	\$ 132,498.03	Only Reduction
157905	ALL	\$ 9,900.00	Monuments	100%	\$ 9,900.00	Only Reduction

Also, these are reductions that are coming up very soon. Due to the amount of time it takes to process these reductions/exonerations, it may be easier to process them with the other releases.

GALAXY III - TRACT 16171

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2137028	1	\$ 66,167.20	Sewer - L & M	9/16/2006	100%	\$ 66,167.20	Only Reduction
2168878	2&3	\$ 67,987.70	Sewer Streets - FP L & M	9/16/2006	100%	\$ 67,987.70	Only Reduction
2137029	1	\$ 109,582.00	Storm Drain - L & M	9/16/2006	100%	\$ 109,582.00	Only Reduction
2168879	2&3	\$ 56,468.50	Storm Drain - L & M	9/16/2006	100%	\$ 56,468.50	Only Reduction

GALAXY II - TRACT 16172

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2125810	3	\$ 151,150.20	Streets - L & M	8/21/2006	100%	\$ 151,150.20	Only Reduction
2125813	4	\$ 53,156.05	Streets - L & M	8/21/2006	100%	\$ 53,156.05	Only Reduction

ROGERS RANCH - TRACT 14059

<u>Bond #</u>	<u>Ph. #</u>	<u>Total Value</u>	<u>Description</u>	<u>Due</u>	<u>Reduce %</u>	<u>Reduce \$</u>	<u>Comments</u>
2133624	2CD	\$ 66,349.80	Sewer - FP	9/8/2006	20%	\$ 13,269.96	Final Reduction
157907	1AB	\$ 307,389.00	Streets - FP	8/19/2006	20%	\$ 61,477.80	Final Reduction
196541	1CD	\$ 161,725.00	Streets - FP	8/19/2006	20%	\$ 32,345.00	Final Reduction
2133611	2AB	\$ 106,879.83	Streets - FP	8/29/2006	20%	\$ 21,375.97	Final Reduction
2133623	2CD	\$ 264,996.05	Streets - FP	9/16/2005	20%	\$ 52,999.21	Final Reduction

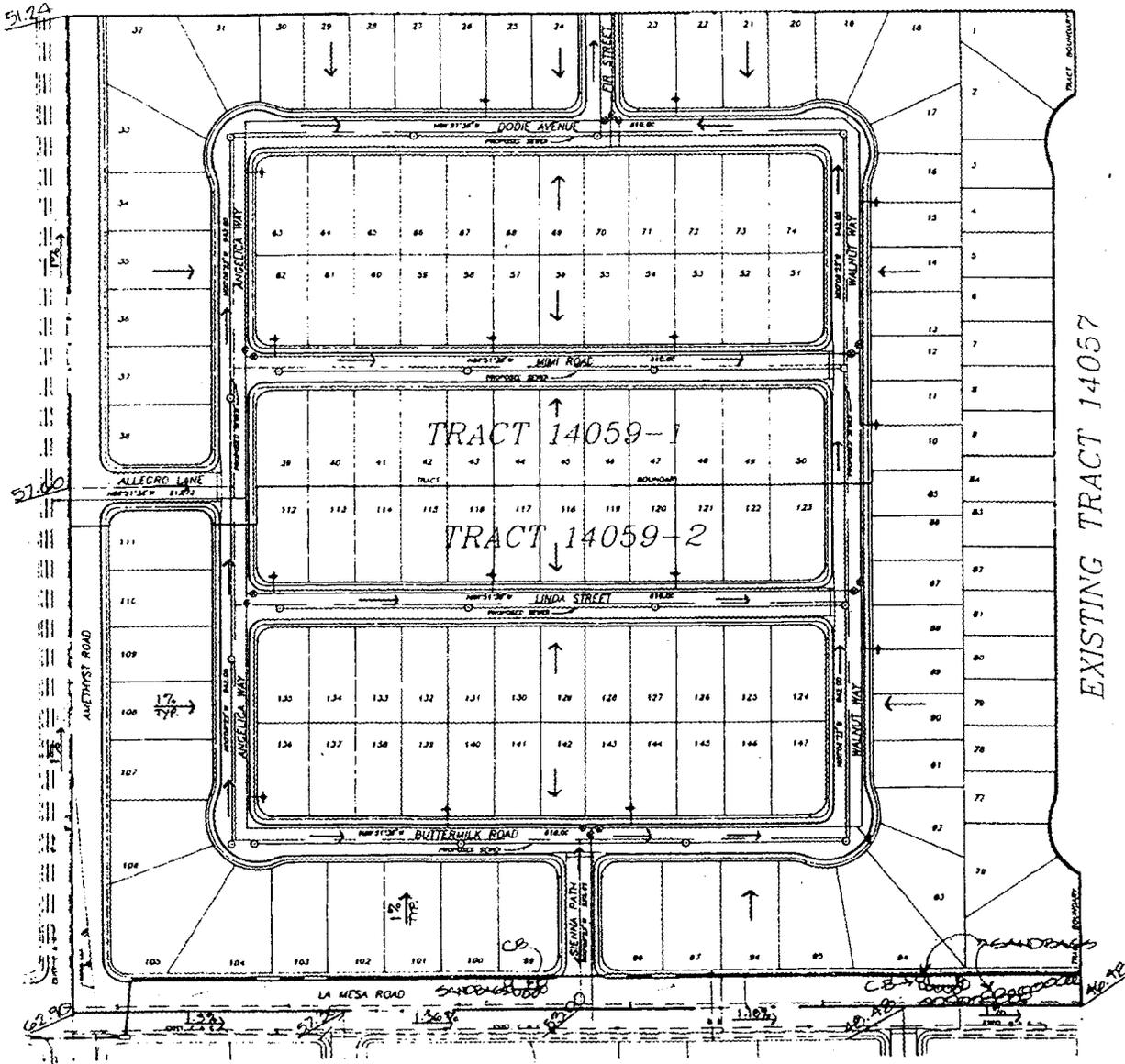
Please feel free to contact me for any reason at (909) 434-3775.

Thank you!



Tammy Spott

FUTURE TRACT 14060





AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. McGlade
City Engineer

DATE: July 24, 2006

SUBJECT: Drainage Fee Credit Agreements with Pulte Homes, Tract 15598.

RECOMMENDATION: That City Council approve the Fee Credit Agreements for the drainage fees in the amount of \$263,204.70 towards Tract 15598 for the installation of a portion of the masterplanned D-02 Drainage Facilities.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

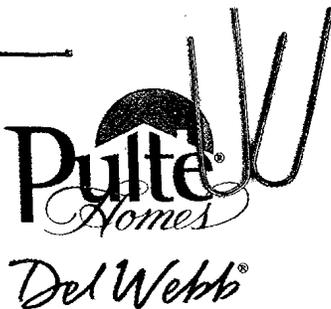
Finance Director Review

\$ Approval _____

DISCUSSION: Pulte Homes the owner/developer of Tract 15598 located south of Rancho Rd. is required to install the D-02 masterplanned drainage facilities which runs through the above mentioned tracts to comply with the Conditions of approval. The developer has requested reimbursement for the cost of the drainage improvements pursuant to Municipal Code Chapter 17.84 and California Government Code 66485 and 66486. The reimbursement will be accomplished by the credit of the drainage fees. The actual amount of the credit is considerably less than the actual costs of design and construction of the drainage improvements. The total number of lots is 458.

The final approval of the Fee Credit Agreement will be subject to receiving an executed Fee Credit Agreement from Pulte Homes and subject to receiving certified payrolls from the contractor that performed the work.

TRACT 15598



March 3, 2005

Mrs. Helen Wilson, P.E.
City of Victorville
14343 Civic Drive
Victorville, CA 92392-2399

Dear Mrs. Wilson:

Pulte Homes is prepared to proceed constructing the 3 bridges per the City requirements, one bridge located within the boundaries of Tract 15598, and two being at off-site locations along the future alignment of Rancho Road. Pulte is proceeding with the understanding that we are to receive credit against our eventual Impact Fees when we pay for our building permits. We are also prepared to grade, and construct the on-site channel per plan for the City under the same understanding of credits to storm drain acreage fees.

Our bridge costs are \$945,900, grading costs for Rancho Road are \$61,545.00, the street improvements are \$242,879.95, and our utilities will be \$90,000 (no formal quote yet). This comes to a total of \$1,370,324.95. The current impact fee in the City of Victorville is \$3,947.00 per unit, making our total over 458 lots to be \$1,807,726.00. As we had previously discussed, we can rebate the impact fee up to 65%, 65% of this is \$1,175,021.90. This still has Pulte paying an additional \$195,303.05 for items offsite of our project.

Our Channel costs are: grading at \$61,545, lining at \$387,125, and rip-rap at \$153,000 (from eng estimate approved by City), for a total of \$601,670. The impact fee for Storm Drainage is \$295,982.50, again having Pulte paying a large sum, at \$305,687.50. We would like to ensure we are eligible for a 100% recovery of the Storm Drain Impact fee.

As a developer who is prepared to construct this infrastructure for the City of Victorville, I would like to request additional credits for works done. If possible, I would like to recoup my costs from any unused fees paid into the City from Tract 13894, or any surplus fees available from the developer(s) benefiting from our works, allowing Pulte to carry a credit applicable towards future projects, and/or by releasing me from my obligation to bond for all works to be done.

Could you please confirm that we are in fact eligible for the total I have noted, and comment on the availability of surplus fees as requested.

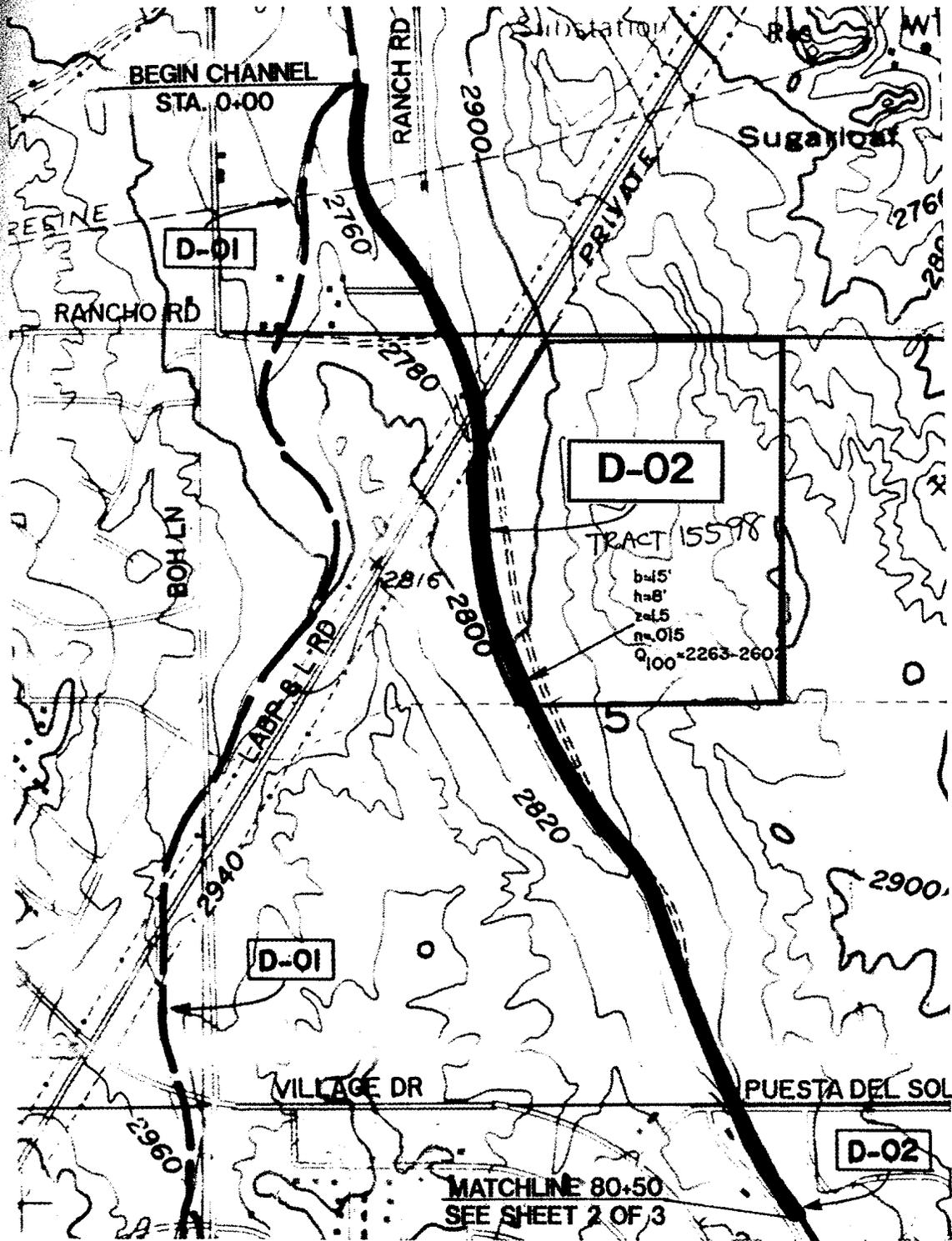
If you have any questions in regards to this letter, or require anything further, please do not hesitate to call me at (951) 271-5738.

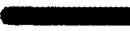
Sincerely,

Andrew Mulder
Project Manager
Pulte Homes - Del Webb

Cc Shawn McGlade, P.E., L.S.

North Inland Empire Division
1351 Pomona Road, Suite 200
Corona, California 92882
909-271-5800 Phone
909-271-5860 Fax



LEGEND		PROPOSED FACILITY		FLOODPLAIN
		FACILITY SHOWN ELSEWHERE		FLOODWAY
		WATERSHED BOUNDARY		DETENTION BASIN

VICTORVILLE
 MASTER PLAN
 OF DRAINAGE

COMPREHENSIVE STORM DRAIN PLAN
 LINE D-02
 SHEET 1 OF 3


 SCALE
 1"=1000'

 WILLIAMSON & SCHMID



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. 
City Engineer

DATE: July 24, 2006

SUBJECT: Substitution of Bonds for Tracts 16994 and 14933.

RECOMMENDATION: Approval of the bond substitution.

FISCAL IMPACT: None

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: Howard Roberts Development Company is requesting approval to substitute bonds for Tracts 16994 and 14933. They are buying the subject tracts from Victor Investments. The bond substitution shall be subject to Howard Roberts entering into a subdivision agreement for each tract and receiving the new bonds.



HOWARD ROBERTS DEVELOPMENT COMPANY

July 20, 2006

Ms. Helen Wilson
 City of Victorville
 What is the address?
 Victorville, CA 92392

RE: Bond substitution tracts 16994 and 14933

Dear Helen:

We are in escrow to purchase the above noted recorded maps. We expect to close escrow in late August and will be substituting our bonds for the Seller's security after we close. Attached is a list of security by tract that the City currently holds which includes both bonds and letters of credit. We plan on substituting bonds in all cases. Unless I hear from you otherwise, we will be providing you with bonds in the amounts noted below. Please let me know if you need additional information on this substitution and what the anticipated time frame is to accomplish the substitution after you have received the bonds.

14933 Monument Bond	\$14,610
14933 Landscaping District Performance Bond	40,112
14933 Sub Improvement Bond – Performance	1,099,487
14933 Sub Improvement Bond – L&M (50%)	549,744
16994 Monument Bond	\$7,763
16994 Landscaping District Performance Bond	20,056
16994 Sub Improvement Bond – Performance	476,817
16994 Sub Improvement Bond – L&M (50%)	238,408

Very truly yours,

Howard Roberts Development Company

Brent Anderson
 Project Manager

cc: James Didion, David Cooke

VICTOR INVESTMENTS LLC
210A Santa Barbara St
Santa Barbara, CA 93101
805-705-0500

May 23, 2006

James M. Didion
Executive Vice President
Howard Roberts Development
1706 Plum Lane, Suite 109
Redlands, California 92374

Re: 14933 and 16994 Bond replacement

Dear James:

The following is a list of Bonds and Letters of Credit that will have to be replaced at the close of escrow:

14933 Monument Bond	14,610.00
16994 Monument Bond	7,763.00
16994 ¹⁴⁹³³ Landscaping District Performance Bond	40,112.00
16994 Landscaping District Performance Bond	20,056.00
14933 Subdivision Improvement Letter of Credit	1,649,230.37
16994 Subdivision Improvement Letter of Credit	715,225.43

The replacement of these Bonds and Letters of Credit will have to be addressed in the Purchase and Sale Agreement.

Please let me know if you have any questions.

Sincerely,


Chuck Coleman

PSOMAS

4179 Riverboat Road Suite 200 Salt Lake City, UT 84123 801.270.5777 801.270.5782 Fax www.psomas.com

1-Feb-06
 City of Victorville
 14343 Civic Drive
 Victorville, CA 92392-2399

RE: Preliminary Cost Estimate for Tract Number 14933, to be used for plan check fee calculations and Bonding.

ITEMIZED DESCRIPTION	QUANTITY	UNITS	UNIT COST	COST
----------------------	----------	-------	-----------	------

STREET IMPROVEMENTS

6" Curb and Gutter	6,972	Linear Feet	\$10.00	\$69,720.00
8" Curb and Gutter	587	Linear Feet	\$12.00	\$6,804.00
Cross Gutter	1,800	Square Feet	\$5.00	\$9,000.00
6' Sidewalk	44,982	Square Feet	\$4.00	\$179,928.00
3" Asphalt over 8" Base	167,127	Square Feet	\$2.65	\$442,886.55
Street Lights	11	Each	\$1,500.00	\$16,500.00
Street Signage and Striping	1	Lump Sum	\$4,500.00	\$4,500.00
PAVING AND SURFACING SUBTOTAL				\$729,338.55
10% Contingency				= \$72,933.86

SANITARY SEWER SYSTEMS

1. 8" PVC SDR 35 Sewer Line (5-10' deep)	3,705	Linear Feet	\$27.00	\$100,035.00
2. 4' Manhole	14	Each	\$3,500.00	\$49,000.00
3. 4" PVC Sewer Laterals	84	Each	\$840.00	\$70,580.00
SANITARY SEWER SYSTEMS SUBTOTAL				\$219,595.00
10% Contingency				= \$21,959.50

OTHER STREET IMPROVEMENTS

Rectangular Concrete Channel	105	Linear Feet	\$400.00	\$42,000.00
Curb Inlet Structure	2	Each	\$4,300.00	\$8,600.00
OTHER STREET IMPROVEMENTS SUBTOTAL				\$50,600.00
10% Contingency				= \$5,060.00

TOTAL STREET AND SEWER IMPROVEMENTS = \$1,089,486.91

50% Labor and Materials = \$549,743.45

TOTAL LOC \$1,649,230.36

PSOMAS

4179 Riverboat Road Suite 200 Salt Lake City, UT 84123 801.270.5777 801.270.5782 Fax www.psomas.com

1-Feb-06
 City of Victorville
 14343 Civic Drive
 Victorville, CA 92392-2399

RE: Preliminary Cost Estimate for Tract Number 16994, to be used for plan check fee calculations and Bonding.

ITEMIZED DESCRIPTION	QUANTITY	UNITS	UNIT COST	COST
----------------------	----------	-------	-----------	------

STREET IMPROVEMENTS

6" Curb and Gutter	2,876	Linear Feet	\$10.00	\$26,760.00
8" Curb and Gutter	582	Linear Feet	\$12.00	\$6,984.00
Cross Gutter	552	Square Feet	\$5.00	\$2,760.00
6" Sidewalk	19,548	Square Feet	\$4.00	\$78,192.00
3" Asphalt over 8" Base	80,823	Square Feet	\$2.65	\$214,180.95
Street Lights	9	Each	\$1,500.00	\$13,500.00
Street Signage and Striping	1	Lump Sum	\$2,250.00	\$2,250.00
PAVING AND SURFACING SUBTOTAL =				\$344,626.95
10% Contingency =				\$34,462.70

SANITARY SEWER SYSTEMS

8" PVC SDR 35 Sewer Line (5-10' deep)	1,109	Linear Feet	\$27.00	\$29,943.00
4' Manhole	5	Each	\$3,500.00	\$17,500.00
4" PVC Sewer Laterals	35	Each	\$840.00	\$29,400.00
SANITARY SEWER SYSTEMS SUBTOTAL =				\$76,843.00
10% Contingency =				\$7,884.30

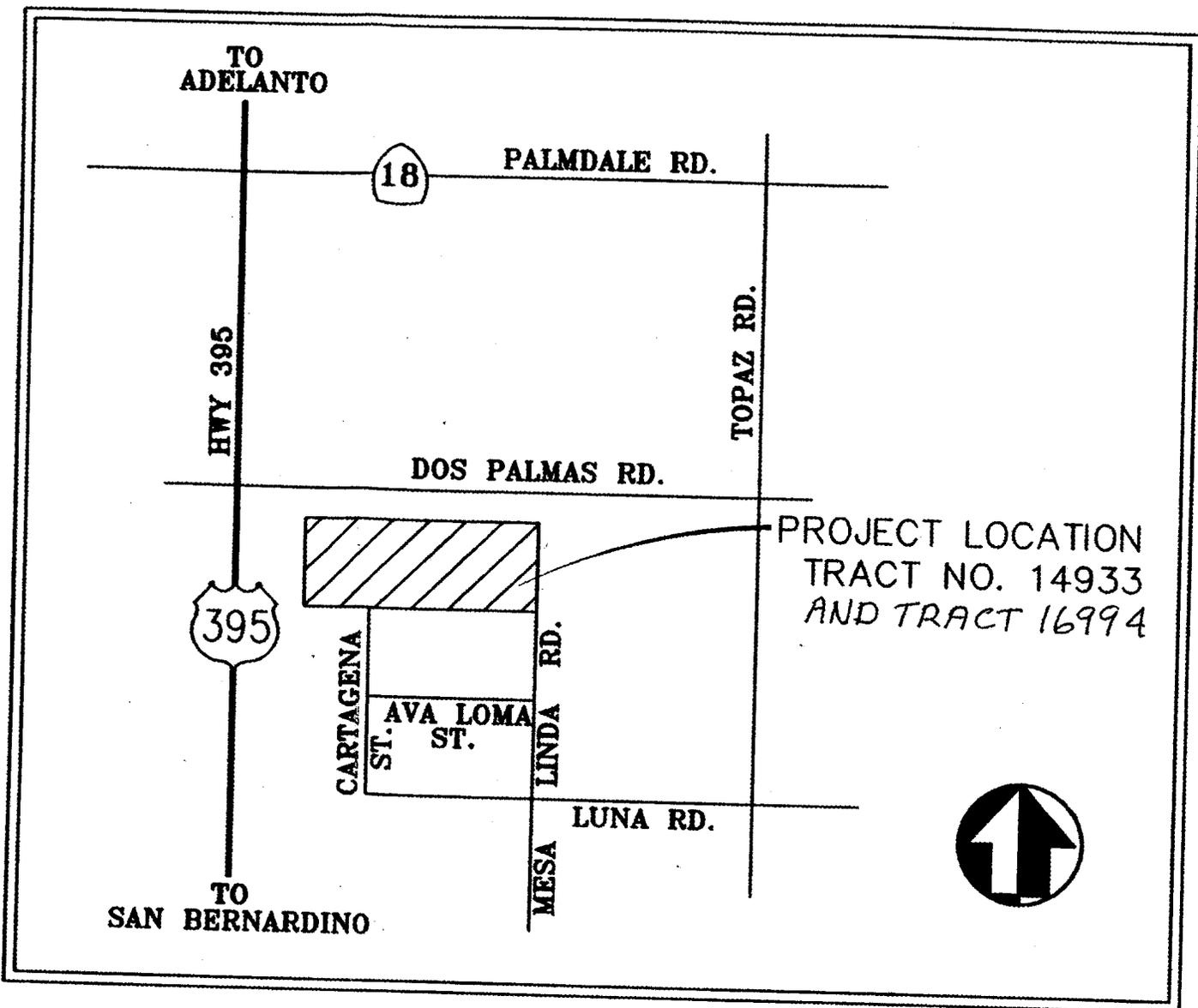
OTHER IMPROVEMENTS

Curb Outlet Structure	1	Each	\$4,300.00	\$4,300.00
Dual 18" PVC storm drain pipes	120	Linear Feet	\$35.00	\$4,200.00
Angled drainage Inlet structure	1	Lump Sum	\$3,500.00	\$3,500.00
OTHER STREET IMPROVEMENTS SUBTOTAL =				\$12,000.00
10% Contingency =				\$1,200.00

TOTAL STREET AND SEWER IMPROVEMENTS = \$476,816.95

50% LABOR AND MATERIALS = \$238,408.47

TOTAL LOC = \$715,225.42



VICINITY MAP



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. [Signature]
City Engineer

DATE: July 11, 2006

SUBJECT: Notice of Completion, La Brisa Sewer Project.

RECOMMENDATION: That City Council accept as completed the La Brisa Sewer Project.

FISCAL IMPACT: None

Budget Amount:
Budget Acct. No.:

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

DISCUSSION: The above captioned project has been satisfactorily completed and inspected. The Engineering Department would recommend acceptance of the project and the filing of the Notice of Completion.

Recording Requested By:

CITY OF VICTORVILLE

And When Recorded Mail To:

City of Victorville
14343 Civic Drive
Victorville, CA 92392

Space above this line for Recorder's Use

PUBLIC CONTRACT
NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The work of improvement set forth in the contract documents for **La Brisa Sewer** was successfully completed on **July 9, 2006**.
2. The full name and address of the contractor is: **DDH Apple Valley Construction**
9312 Deep Creek Rd.
Apple Valley, CA 92308
3. The location of the project is **La Brisa Road from El Evado Road to the end of the cul-de-sac to the West.**
4. Any communications relating to the subject work of improvement shall be directed to the Engineering Department, City of Victorville, 14343 Civic Drive, California 92392.

Dated: 7/18/06

City of Victorville, Property Owner

John A. McGlade

John A. McGlade, City Engineer,
RCE 40935, Exp. 3/31/07

The CITY OF VICTORVILLE in accordance with minute action taken this _____ day of _____, 20____ hereby accepts for maintenance the above work of improvements as set forth in the contract documents and all change orders applicable thereto subject to the guarantees as set forth in said contract documents.

Dated: _____

Mike Rothschild
MAYOR OF THE CITY OF VICTORVILLE

ATTEST:

CITY CLERK

STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO }
CITY OF VICTORVILLE }

On _____ before me, _____ Notary Public,
personally appeared _____

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

WITNESS my hand and official seal.

Signature _____

THIS AREA FOR OFFICIAL NOTARIAL SEAL.

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AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: Douglas B. Robertson  DATE: July 26, 2006
Deputy City Manager

SUBJECT: **Presentation of Proposed Terms and Conditions for the Water District Consolidation**

RECOMMENDATION: Direct staff to file the proposed Terms and Conditions and direct staff to amend the Plan of Service and Resolution No. 05-71 as necessary

FISCAL IMPACT: none at this time

Budget Amount:
Budget Account No.:

DISCUSSION:

On June 6, 2006, staff was directed by LAFCO staff to submit proposed Terms and Conditions for LAFCO #2991, "Consolidation of the Baldy Mesa Water District and Victor Valley Water District and establishment of the successor district as a subsidiary district of the City of Victorville." Based upon two examples transmitted by LAFCO staff and previous direction from City Council, staff prepared the attached. These terms and conditions, along with similar documents from BMWD and VVWD will be used to recommend terms and conditions to the LAFCO Board for inclusion in the final determination on this action.

Staff is requesting direction to submit the terms and conditions to LAFCO and amend the Plan for Service Report and Resolution No. 05-71 as necessary to be in conformance with the attached.

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

_____ No
_____ Yes/\$Amount:

Finance Director Review and
Approval _____

TERMS AND CONDITIONS

CONSOLIDATION OF THE BALDY MESA WATER DISTRICT AND VICTOR VALLEY WATER DISTRICT AND FORMATION OF A SUBSIDIARY DISTRICT OF THE CITY OF VICTORVILLE

GENERAL TERMS AND CONDITIONS

1. Effective Date of Reorganization

The effective date for LAFCO 2991 shall be the date of recordation.

2. Designation of the Consolidated District

The Baldy Mesa Water District (BMWD) and Victor Valley Water District (VVWD) shall be consolidated into a successor agency to be known as the Victorville Water District (VWD), subject to the terms and conditions contained herein.

3. Rules and Regulations

Until revised by the Board of Directors of the successor agency, BMWD's and VVWD's policies and practices and Administrative Code existing on the day before the effective date shall govern the activities of the successor agency upon consolidation.

4. Fees, Charges, Assessments and Rates

The successor agency has the discretionary authority to impose and collect all charges, fees, and assessments previously approved by either BMWD or VVWD. Nothing in these terms and conditions shall limit the ability of the Board of Directors of the successor agency to establish and levy charges, fees, and assessments as it determines necessary, in accordance with then current water service agreements.

5. Jurisdiction of LAFCO

Subject to the statutory rights of BMWD and VVWD as set forth in Government Code Section 56839, LAFCO shall retain jurisdiction prior to recordation to hear and amend, if necessary, any terms or conditions that requires agreement among parties.

6. Protest Period

The protest period for LAFCO 2991 shall be fifteen (15) days.

7. Formation of Improvement Zones

The VWD shall form two separate improvement zones for the express purpose of keeping separate the existing capital funds, property tax, and debt obligations of BMWD and VVWD.

TRANSFER OF RESPONSIBILITIES, ASSETS, AND LIABILITIES

8. Transfer of Assets

Assets of the two districts including cash reserves, buildings and other real property, water production equipment (pumps, storage tanks, etc.), transmission lines and rights-of-way, rolling stock, tools, and office furniture, fixtures, and equipment, etc. shall be transferred to the new district, exclusively for the benefit of the new district's ratepayers.

9. Transfer of Liabilities, Contracts and Obligations

All incidental liabilities, such as accounts payables, contract obligations, retiree medical benefits, and customer deposits shall be transferred to the new district.

10. Long Term Debt

This proposed consolidation may not, by statute, alter debt obligations in any fashion. VVWD has no long term debt obligations.

The debt obligations of BMWD (Assessment District #1, Assessment District #2R, Certificates of Participation, Notes Payable) shall remain with the ratepayers obligated to repay those debts.

11. No Impairment of Bondholder Rights

This Reorganization shall not impair any rights of any bondholder or creditor of VVWD or BMWD.

12. Segregation of Capital Funds

The VWD shall provide evidence to the satisfaction of LAFCO that separate account(s) for capital funds held by the VWD transferred from BMWD and from VVWD have been established and are maintained for the restricted purpose of use in each respective improvement zone.

13. Transfer of Property Tax Revenues

VVWD currently receives no property tax revenues.

The VWD shall provide evidence to the satisfaction of LAFCO that separate account(s) for property tax funds held by the VWD transferred from BMWD have been established and are maintained for the restricted purpose of use in each respective improvement zone.

14. Transfer of Water Rights

The Water Rights for BMWD and VVWD shall be transferred to the new district, exclusively for the benefits of the new district's ratepayers.

15. Water Advisory Commission

At the first meeting of the Victorville Water District, the board of the subsidiary district shall name a Water Advisory Commission to consist of two former members of the BMWD Board of Directors, two former members of the VVWD Board of Directors, and a fifth member shall be selected from the public.

EMPLOYEE TRANSITION PLAN

16. Transfer of Employees

The employees of BMWD and VVWD will become employees of the City of Victorville, performing the same or similar services after the effective date of the consolidation as were performed prior to the effective date, either for the City of Victorville or for VWD via contract with the City.

There will be a 90-day transition period for evaluation and staff reorganization and re-assignment. During this period, the employees shall be offered employment in accordance with existing compensation and benefits of City of Victorville employees of the same or nearly same job classification. Each employee shall receive salary and benefits of equal or greater monetary value than they currently receive.

AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: Douglas B. Robertson  **DATE:** July 24, 2006
Deputy City Manager

SUBJECT: **Presentation of Municipal Service Review and Sphere of Influence Update**

RECOMMENDATION: Direct staff to complete and file the Municipal Service Review and Sphere of Influence Update and further direct staff to begin negotiations with the County regarding expansion of the sphere of influence as presented in the Sphere of Influence Update

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:

Last summer, staff received notification from LAFCO that it was beginning the five year Municipal Service Review and Sphere of Influence Update. Final determinations regarding the size and location of the expansion of the sphere of influence were held up due to negotiations with Adelanto and Helendale. Specifically, the southern boundary of the proposed Helendale Community Services District overlapped the area being considered for sphere expansion. On June 21, 2006, the LAFCO Board determined the southern boundary Helendale Community Service District boundary to be coterminous with the Helendale School District. This eliminated the overlap and allowed the completion of the Municipal Service Review and Sphere of Influence Update.

Staff and consultants from Economic and Planning Systems and Burr Consulting have completed the draft documents as attached. Staff is requesting direction to file the documents and begin negotiations with the County regarding the expansion of the sphere of influence.



Economic &
Planning Systems

Real Estate Economics
Regional Economics
Public Finance
Land Use Policy

LAFCO REVIEW DRAFT REPORT

CITY OF VICTORVILLE

SPHERE OF INFLUENCE UPDATE AND
MUNICIPAL SERVICE REVIEW

Prepared for:

The City of Victorville

Prepared by:

Economic & Planning Systems, Inc.
In association with Burr Consulting

July 2006

EPS #15117

BERKELEY
2501 Ninth St., Suite 200
Berkeley, CA 94710-2515
www.epsys.com

Phone: 510-841-9190
Fax: 510-841-9208



SACRAMENTO
Phone: 916-649-8010
Fax: 916-649-2070

DENVER
Phone: 303-623-3557
Fax: 303-623-9049





Economic &
Planning Systems

Real Estate Economics
Regional Economics
Public Finance
Land Use Policy

LAFCO REVIEW DRAFT REPORT

CITY OF VICTORVILLE

SPHERE OF INFLUENCE UPDATE AND MUNICIPAL SERVICE REVIEW

Prepared for:

The City of Victorville

Prepared by:

Economic & Planning Systems, Inc.
In association with Burr Consulting

July 2006

EPS #15117

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Fax: 916-649-2070

DENVER
Phone: 303-623-3557
Fax: 303-623-9049

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EXECUTIVE SUMMARY

The City of Victorville Sphere of Influence (SOI) totals 98.5 square miles consisting of 74 square miles located within the City limits and the remainder in the unincorporated area. The City recommends expansion of its northern SOI to include an additional 37,000 acres, of which about 20,000 acres are developable and the remainder is open space. SOI expansion is recommended to promote logical and orderly development, to allow a single multipurpose agency—the City—to establish community service priorities, and to promote cohesive master planning of infrastructure extension not only in the SOI expansion area but also in the City and its existing SOI.

Development is anticipated to increase the City's population from the current level of approximately 95,000 to a level of 134,000 by 2020, and to a total of as much as 340,000 by buildout within the General Plan area. Annexation and development of the SOI expansion area could increase the City's population by an additional 153,000 by buildout.

The City provides a full range of services to its residents, while other providers serve adjacent SOI areas as summarized in **Table 1**. Infrastructure requirements to accommodate future development are shown in **Table 2**.

The City has adequate capacity to serve existing development within its boundaries, and is engaged in ongoing efforts to extend infrastructure and upgrade service levels to keep pace with rapid growth. Future development in many SOI areas will require the extension of services and infrastructure. The City has policies and programs in place to provide for the financing of needed improvements consistent with the timing of new development, as described in the service evaluation in **Chapter IV**. Financing mechanisms include developer construction and funding, development impact fees, assessments, utility rates and charges, grants, and General Fund resources.

The ability of the City to effectively serve existing and future development and opportunities for improvements are described in **Chapter V**, which includes Municipal Service Review (MSR) determinations.

WATER

Water treatment capacity must be expanded for the City and the water districts currently serving the City to provide water at water quality standards. Because of overdraft of the groundwater basin, water service providers are now required to replace a portion of water production for replenishing the basin. An aggressive water conservation program needs to be implemented by the water providers. Recycled water distribution infrastructure and service areas within the City need to be expanded to conserve on potable water. The City provides direct service to SCLA and has adequate supply to meet SCLA demand. The City will purchase water rights to meet buildout SCLA demand.

**Table 1
Summary of Existing Services and Providers
City of Victorville**

Service	Providers Serving Victorville SOI		Serving SOI Expansion Area
	Existing Providers Within City Limits	Existing Providers Outside City Limits	Existing Providers Oro Grande
Government (including land use planning, finance, administration, public works, etc.)	City of Victorville	San Bernardino County	San Bernardino County
Water	City of Victorville (SCLA), Baldy Mesa Water District, Victor Valley Water District, CSA 64 (Spring Valley Lake)	Baldy Mesa Water District, Victor Valley Water District, CSA 42 (Oro Grande), CSA 64 (Spring Valley Lake)	CSA 42 (Oro Grande)
Wastewater Collection	Victorville Sanitary District	CSA 42 (Oro Grande), CSA 64 (Spring Valley Lake), Septic (elsewhere)	CSA 42 (Oro Grande)
Wastewater Treatment	Victor Valley Wastewater Reclamation Authority	Victor Valley Wastewater Reclamation Authority	Victor Valley Wastewater Reclamation Authority
Storm Water Drainage	City of Victorville	San Bernardino County Flood Control District/San Bernardino County	San Bernardino County Flood Control District/San Bernardino County
Roads Maintenance	City of Victorville	San Bernardino County	San Bernardino County
Street Lighting	City of Victorville, Southern California Edison	CSA 42 (Oro Grande), Private (Spring Valley Lake), None (elsewhere)	CSA 42 (Oro Grande), None (elsewhere)
Police	San Bernardino County Sheriff - Victorville Station, California Highway Patrol - Victorville	San Bernardino County Sheriff -Victor Valley Station, California Highway Patrol - Victorville	San Bernardino County Sheriff -Victor Valley Station, California Highway Patrol - Victorville
Fire	Victorville Fire Protection District	Victorville Fire Protection District (Eastern Island), San Bernardino County Consolidated Fire District (CSA 70), CSA 38	San Bernardino County Consolidated Fire District (CSA 70)
Solid Waste	Burtec Waste Industries, Inc.	CSA 42, Various private providers	CSA 42, Various private providers
Parks and Recreation	Victorville Recreation and Park District	Victorville Recreation and Park District, San Bernardino County, CSA 42	San Bernardino County, CSA 42
Schools	Victor Valley Union High School District, Victor Elementary School District, Adelanto School District, Hesperia School District, Snowline School District	Victor Valley Union High School District, Victor Elementary School District, Oro Grande School District, Snowline School District	Oro Grande School District
Mosquito Abatement	City of Victorville	San Bernardino County	San Bernardino County
Airport	SCLAA, Access through CSA 60 (Apple Valley)	Access through SCLAA and CSA 60 (Apple Valley)	Access through SCLAA and CSA 60 (Apple Valley)
Resource Conservation	Mojave Desert Resource Conservation District	Mojave Desert Resource Conservation District	Mojave Desert Resource Conservation District
Telephone	Various private providers	Various private providers	Various private providers
Electricity & Natural Gas	Southern California Electric, Southwest Gas Corporation, City of Victorville	Southern California Electric, Southwest Gas Corporation	Southern California Electric, Southwest Gas Corporation

Sources: City of Victorville, San Bernardino County and Economic & Planning Systems, Inc.

Table 2
Service Levels, Capacity Needs and Improvement Plans
City of Victorville Sphere of Influence

Service	Current (2006) Capacity/ Level of Service within City Limits	Current (2006) Service within Sphere of Influence	Capacity Required to Serve Sphere of Influence Buildout	Plan for Improvements/ Increased Capacity	Primary Funding Sources
Wastewater Collection	Victorville Sanitary District is one of four members of the Victor Valley Wastewater Reclamation Authority (VWVRA), a regional wastewater collection and treatment agency. 86 percent of the City's residential population is connected to the regional sewage system. Existing average flow from the City was 8.3 mgd during the first half of 2006.	The Victorville Sanitary District does not perform wastewater collection services outside the City's boundaries. CSA 42 collects wastewater from the Oro Grande community to the northeast, and CSA 64 collects wastewater from the Spring Valley Lake area. These two CSAs are also members of the VWVRA. Flows are introduced to regional interceptors and carried to the regional treatment facility. A small number of private septic tanks exist within the City, unincorporated islands and surrounding unincorporated areas.	The VWVRA anticipates needing treatment capacity for 22 mgd in wastewater flows from the Victorville SOI area by buildout. Apple Valley and Hesperia flows will be treated at two 4-mgd subregional facilities by 2009. The City will require collection system capacity improvements to convey approximately 20 mgd in average daily flow by buildout.	<i>Master Plan of Sewers, 1991</i> update in progress.	Connection fees, service charges, property taxes
Wastewater Treatment	Victor Valley Wastewater Reclamation Authority's treatment plant capacity is currently 12.5 mgd. Construction is underway to increase capacity at the regional treatment plant to 18 mgd by mid-2008.			<i>VWVRA Sewerage Facilities Plan Update, 2005.</i> Construction is underway to increase treatment plant capacity to 14.5 mgd by 2007 and to 18 mgd by mid-2008. Planned subregional facilities will reduce capacity needs at the main treatment plant.	
Water Supply and Distribution	The City, Victor Valley Water District, the Baldy Mesa Water District and CSA retail water within the City limits. Some areas along National Trails Highway and a small area between Hesperia Rd and I-15 rely on private wells. The City supplies reclaimed water to the SCLA West Winds Golf Course and water from City wells to Green Tree Golf Course for irrigation purposes. Reclaimed water is treated at tertiary levels by VWVRA. Excess capacity is available for additional reclaimed water uses.	Victor Valley Water District, the Baldy Mesa Water District and CSA retail water within the City's SOI. In addition to use of groundwater pumping allotments, the suppliers rely on transfers to replenish the basin. Due to water quality issues, there are regional water treatment infrastructure needs. There is no current reclaimed water service within the SOI area outside the City limits.	Development of additional water supplies, including purchased, imported and reclaimed water sources will be required to service buildout. Water treatment infrastructure is also required to ensure adequate water quality in future years.	<i>Southern California Logistics Airport Specific Plan Water Master Plan, 2005</i>	Water service charges, connection fees, SCLA bond from tax increment, grants
Police	Priority one response time average is 3.4 minutes. Currently there are 0.84 sworn officers per 1,000 residents.	The Sphere of Influence is served by the San Bernardino County Sheriff's Dept. Law enforcement and traffic control is also provided by California Highway Patrol. Currently, there are 0.84 sworn officers per 1,000 residents in the unincorporated area.	The City will need to expand its contract service staffing and will need another satellite police facility to serve growth through buildout. The City consistently expands contract service sworn staffing levels twice annually to accommodate service needs related to new growth.	Staffing is updated through the Budget process twice annually. Facility needs are updated annually in the Capital Improvement Program for a five-year planning horizon.	Victorville general fund, development impact fees
Fire	Victorville Fire Protection District maintains an ISO rating of 3. Average response times are 6-7 minutes.	Victorville Fire Protection District has primary first-in responsibility for the Coad Road Island and a segment of I-15 north of city limits, and provides mutual aid response to Mountain View Acres, Oro Grande. Otherwise, fire service outside City limits is provided by the San Bernardino County Fire Department and by mutual aid agreement. The ISO rating is 9 in most adjacent unincorporated areas but is more favorable in locations within five miles of a fire station and with adequate fire flow.	The Victorville Fire Protection District will require new fire stations and an expanded staff to serve General Plan buildout. Four new fire stations are currently being planned. Additional stations will be developed as needed to service growth.	Staffing is updated through the Budget process twice annually. Facility needs are updated annually in the Capital Improvement Program for a five-year planning horizon. Four new fire stations are currently being planned. As development occurs in the northern SOI area, service needs would be met along the I-66 corridor by the planned Village Drive or expanded SCLA stations, and along the I-15 corridor by the planned Stoddard Wells/Dante Road station.	Property taxes, Victorville general fund, development impact fees
Storm Drainage	The policy on regional drainage facilities is to convey 100-year storm flows. The policy on local drainage facilities is to design arterial roads with capacity for 100-year flows contained below the street pavement, collector streets with capacity for 10-year flows contained below the street pavement, and local streets with the capacity for 100-year flows contained within three inches above curb elevation.	Capacity of drainage facilities in County areas is unknown. The County does not require drainage improvements in the westernmost unincorporated island area.	New development must install storm drains meeting City capacity requirements. Existing development with infrastructure not meeting City standards would require upgrade.	Victorville <i>Master Plan of Drainage, 1992</i> currently being updated.	Developers, Drainage Fee District, Measure I (for portions within street right of way), Redevelopment Agency (when related to project)
Roads	Victorville strives to maintain LOS C on arterial streets and LOS D at intersections.	San Bernardino County provides roads maintenance in the unincorporated areas within the SOI. CSA 64 provides street cleaning to the unincorporated community of Spring Valley Lake.	Individual developers are required to plan for and fund local streets and off-site minor collector streets. The City will need to complete improvements on expressways, arterials, major collectors, and intersections as development occurs.	Victorville <i>Pavement Management System Report, 2005</i> ; Victorville <i>General Plan Circulation Element</i> last updated 2002.	Development impact fees, Measure I road funds, Bridge Development Fee, gas taxes, grants
Street Lighting	Street lights are in good condition. Street lighting services are available citywide. Southern California Edison maintains lights in 98 percent of the City. The City maintains the lights in 2 percent of the City in southern Victorville.	Street lighting is available in Oro Grande through CSA 42 and in Spring Valley Lakes through private arrangements. Other areas are not served.	Additional lighting needs are anticipated in currently unserved areas. New development must install street lighting on abutting arterial streets.	Updated annually in the Capital Improvement Program for a five-year planning horizon.	Assessments, electricity rates (Edison)
Parks and Recreation	Victorville Recreation and Park District provides 2.1 acres of park space per 1,000 residents. The service level goals are 3.0 acres of park per 1,000 residents, and every residence within 1 mile of a park or open space.	Victorville Recreation and Park District serves the unincorporated communities of Mountain View Acres, Coad Road Island and Spring Valley Lake. Spring Valley Lake includes a private 10-acre park, a 200-acre lake, and a 164-acre golf course. CSA 42 provides Oro Grande with a community center.	To accommodate build-out growth, the City would need 54 additional park acres in the existing SOI, and as many as 575 additional park acres in the SOI expansion area.	Victorville <i>Master Plan for Community Services, 2006.</i> Currently, 121 acres are in development, and 620 acres have been identified for future purchase and development. Development impact fees fund 3.0 park acres per 1,000 new residents.	Property taxes, Victorville general fund, user fees, donations, grants, and development impact fees (City only).

Sources: City of Victorville, San Bernardino County, VWVRA and Economic & Planning Systems, Inc.

The City has drafted its SCLA Water Master Plan, although the plan has not yet been adopted. The City has also proposed to LAFCO that the two water districts currently serving the City—the Baldy Mesa Water District and the Victor Valley Water District—be consolidated and transferred to the City to improve efficiency, facility-sharing, and accountability. Water infrastructure is extended to new development and financed primarily through connection fees paid to the districts and the Southern California Logistics Airport Authority (SCLAA). Additional financing sources include service charges, grants and bonded indebtedness.

WASTEWATER COLLECTION AND TREATMENT

Wastewater collection and treatment capacity is frequently expanded to serve new development. The City, as a member of the Victor Valley Wastewater Reclamation Authority (VWVRA), is undertaking several measures to expand capacity to serve projected growth through buildout, including current and planned expansions of treatment capacity at the regional treatment plant, construction of subregional facilities, and relatively frequent monitoring and planning efforts. The City has proposed water reorganization in part to reduce barriers to the distribution of recycled water (at tertiary treatment levels). Developers are required to fund the construction of required sewer infrastructure improvements on their properties. Connection fees finance infrastructure extension to the abutting street. Sewer service charges are the primary revenue stream used to finance wastewater operating costs. The unincorporated island areas within the SOI rely on septic systems; conversion of such areas to public sewer systems could potentially be financed through a combination of loans and supplemental sewer charges or through connection fees. The City plans for infrastructure needs through annual updates to its five-year capital improvement plan, and through long-range wastewater master planning.

STORM DRAINAGE

The City maintains infrastructure, including drains, pipes, channels and natural drainage courses, to discharge storm water runoff. The City plans facility improvements to open channels, underground pipes and detention basins to reduce runoff flow. Generally, the facilities installed by developers are in good condition, but many natural drainage courses need improvements in Victorville and neighboring Hesperia. Most drainage lines will not operate at full capacity until vacant portions of land are developed and infrastructure completed. The City's storm water discharge permit was most recently renewed in 2004, indicating the City is in compliance with National Pollutant Discharge Elimination System (NPDES) requirements. The City's gravity drainage system capacity and condition are currently undergoing hydraulic study, with a Storm Drain Master Plan scheduled for completion in 2007. Drainage infrastructure is financed by private developers through requirements to build drainage systems and, in the southerly and westerly portions of the City, to pay development impact fees for regional facilities. Operating costs are financed by monthly service charges collected through refuse collection bills.

STREETS

The City maintains approximately 363 miles of streets. The City's policy is to maintain a street Level of Service (LOS) C for arterial streets and D for intersections. Areas currently lacking this capacity include portions of Bear Valley Road, the major east-west arterial for the City. The City plans to implement street improvements at I-15 interchanges to meet the City's LOS policies. New streets to serve new development will be funded through development impact fees and requirements that developers provide appropriate street infrastructure and needed rights-of-way. New interchanges and freeway projects will be developed through additional funds from regional, state, and federal sources. Street maintenance and repair funding sources include gas tax revenues and Measure I sales tax funds, both of which grow as development proceeds. The City is currently completing a new citywide traffic model to project future circulation needs through 2030 and assess street network problem areas in the City and SOI.

STREET LIGHTS

Southern California Edison operates and maintains street lights within City boundaries directly. There are no street lighting deficiencies, according to the City's Department of Public Works. Developers are required to install street lighting on new development. Financing sources include street lighting assessments and general fund revenues. Approximately one-quarter of the City in South Victorville pays street lighting assessments.

FIRE PROTECTION

The City of Victorville provides fire protection within its boundaries and, through mutual aid agreements, the City serves small unincorporated islands in the SOI, a commercial property northeast of the City, and Oro Grande. The City will be responsible for serving annexed areas that are currently the responsibility of the County. Four additional stations are currently in the planning phase, and will need to be constructed and equipped to serve additional development prior to buildout.¹ Additional fire stations will be needed to serve buildout growth in the existing SOI and SOI expansion area. The costs of building and equipping new stations will be funded by the City's development impact fees.

POLICE PROTECTION

The City of Victorville provides police services through a contract with the San Bernardino County Sheriff's Department and will extend services to newly annexed

¹ Development Impact Fee Update Study, May 5, 2005.

areas. The City has consistently increased sworn staffing levels twice annually for the last decade to ensure that adequate service levels are maintained as the City grows rapidly. The City plans to continue increasing sworn staffing levels to accommodate growth. Additional capital costs for facilities and equipment associated with providing this level of service to new development will be funded by development impact fees; additional operating costs are funded by general fund revenues.

PARKS AND RECREATION

The City of Victorville manages parks, open space, community centers, pools, sports centers and other recreational resources within the City and serves the unincorporated SOI areas of Mountain View Acres and Spring Valley Lake. The City currently has 2.1 acres of park land per 1,000 residents. The City's goal is a minimum of three acres per resident, and availability of parkland or open space within one mile of every Victorville residence. There is a shortage of park space currently in the western and southeastern portions of the City. However, the City has identified 121.1 acres of additional park and recreation facilities that are currently in development, including several in the western portion of the City. With expected growth, the City will need at least 438 additional park acres through buildout to serve currently unincorporated areas in the existing SOI and SOI expansion area. The City has identified 620 additional acres for future purchase and development, including joint use agreements with local school districts, about half of which is already in the planning stage. Development impact fees fund acquisition and development of park land. Property taxes and use fees fund park maintenance and recreation programming.

I. INTRODUCTION

San Bernardino LAFCO's policies and procedures, which conform to the requirements of California's Government Code, require the preparation of an SOI Review for each SOI in the County. In addition, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, which amended the Government Code, requires the preparation of an MSR prior to approval of any changes to an SOI (Government Code 56425 et. seq.)

A primary purpose of the MSR is to document the agency's capacity to provide services to current and future development within its SOI and recommended SOI expansion area. This information is intended to assist LAFCO in establishing an agency's SOI and in the consideration of proposals affecting the agency.

Chapter II provides a review of governance and local accountability at the City of Victorville. **Chapter III** discusses growth, sphere of influence findings, and proposed expansion of the Victorville sphere of influence. The adequacy of infrastructure and services to meet the needs of current and future populations and new development are documented in **Chapter IV**. MSR determinations for the City of Victorville are included in **Chapter V**.

This document is intended to provide the MSR documents required by LAFCO, and to assist LAFCO in determining appropriate options not only for the Victorville SOI but also for adjacent jurisdictions and proposed entities.

II. GOVERNANCE

This chapter explains the governance structure relevant to service delivery in the SOI area with an emphasis on the City and its subsidiary districts. Other government agencies are briefly mentioned. The chapter provides the data and analysis for the agency-wide MSR determinations regarding Local Accountability and Governance.

GOVERNANCE OVERVIEW

The City of Victorville is a general law city that operates under the Council-Manager form of government, with five elected Council Members served by a full-time City Manager and staff.

The City provides or arranges for the provision of all municipal services.

Victorville provides services through a variety of arrangements—direct service provision, joint powers authority (JPA), contract services agreements and franchise agreements.

Direct service provision arrangements involve services provided by City staff and governed directly by the Council, including services provided by the following subsidiary districts and component units:

- The Victorville Sanitary District, a subsidiary district established in 1982,² is responsible for the wastewater collection system in most of the City.³
- The Victorville Fire Protection District, a subsidiary district established in 1977,⁴ provides fire protection and emergency medical services to the City, the unincorporated islands and some territory adjacent to I-15 north of the City.
- The Victorville Recreation and Park District, a subsidiary district established in 1977,⁵ provides park maintenance and recreation programming services to the

² The District was originally formed under the Sanitary District Act of 1923. It was reorganized and established as a subsidiary district of the City of Victorville in June 1982 (LAFCO #2081A).

³ Approximately 98.4% of properties in the City are within the Victorville Sanitary District bounds, as measured by assessed value in each of the respective agencies' bounds.

⁴ The District was originally formed as an independent fire protection district. The District and the City entered into a contract for services in January 1976. The District was reorganized and established as a subsidiary district of the City of Victorville in June 1977 (LAFCO #1664).

⁵ The District was originally formed as an independent district. After detaching approximately 34 square miles in land from the District, LAFCO reorganized and established it as a subsidiary district of the City of Victorville in July 1978 (LAFCO #1677).

City, the unincorporated community of Spring Valley Lake and all three unincorporated island areas.

- The Redevelopment Agency, a component unit formed in 1980, plans and implements rehabilitation and improvement of areas of the City.
- The Southern California Logistics Airport Authority (SCLAA), a component unit formed in 1998 by the City and the Redevelopment Agency, coordinates planning and development of the former George Air Force Base.
- The Southern California Logistics Rail Authority (SCLRA), a component unit formed in 2001 by the City, the Redevelopment Agency and SCLAA coordinates planning of rail facilities at the former George Air Force Base.

The City has formed several benefit assessment districts to finance services and infrastructure. The City's street lighting benefit assessment district maintains and services street lights in the older portions of the City through assessments paid by benefiting property owners. Two Community Facilities Districts exist through which property owners in two developments contribute to pay off debt issued to build the infrastructure serving these particular developments.

The City is jointly responsible for certain regional services as a member of several JPAs, which are joint ventures governed by boards consisting of representatives of member municipalities. The City provides services through the following joint ventures:

- The VVWRA provides wastewater treatment and disposal services to the high desert region. The Authority was formed in 1999 between the cities of Victorville, Adelanto and Hesperia, the town of Apple Valley and the County.
- The Regional Fire Protection Authority (RFPA) provides emergency dispatch and mutual aid coordination to the area. The Authority was formed in 1979 between the City of Victorville, Apple Valley Fire Protection agency and Hesperia Fire Protection District.
- The Victor Valley Economic Development Authority was formed in 1992 to provide the mechanism and funding to acquire the George Air Force Base, facilitate its reuse and promote economic development in adjacent areas.
- The Victor Valley Transit Authority provides public transit services to the Victor Valley with connecting services to other areas.
- The Mojave Desert and Mountain Integrated Waste Management Authority operates a recycling processing center in which the City owns a 50 percent interest.

Victorville arranges for law enforcement, selected maintenance and other services through contract service agreements. Through franchise agreements, the City grants electricity, natural gas, solid waste, cable and other utilities rights to use City rights-of-way to provide these services within the City.

Although the City provides water service to the Southern California Logistics Airport in addition to recycled water, two independent districts—Baldy Mesa CWD and Victor Valley CWD— provide water service to the remainder of the City.

LOCAL ACCOUNTABILITY AND GOVERNANCE

This section provides an evaluation of the accessibility and level of public participation associated with the City's decision-making processes.

The five members of the governing body—the Victorville City Council—are elected at-large by the voters to serve four-year terms. The terms are staggered with three of the five Council members elected in general presidential election years and the remaining two elected at the general election in the next even year.

The Victorville voter turnout rate at the most recent (November 2004) election was 71 percent, comparable to the countywide voter turnout rate.⁶ Over the past decade, there have been five elections. There have been no uncontested elections for the Victorville governing body members.

The City Council meets twice monthly—on the first and third Tuesday of each month. Council agendas are posted 72 hours in advance of the meeting at City Hall and on the City's web site. Council meetings are open to the public. The Planning Commission also holds agendaized, public meetings twice monthly. The City is compliant with all other provisions of the Ralph M. Brown Act.

The City assesses constituent needs based on observation and direct input from the public at the City's service counters or at public meetings. City staff is accessible. City Hall is open Monday through Thursday from 7:30 a.m. to 5:30 p.m. and from 7:30 a.m. to 4:30 p.m. on alternating Fridays. Comprehensive contact and service information is posted on the City's web site and available by telephone or at City Hall.

Constituent input is encouraged. Complaints and commendations may be submitted by telephone, e-mail, internet, in writing, or in person. Complaints are handled through the chain of command in each department, ultimately by the department head. Complaints not resolved by the department head are resolved by direct involvement of the City Manager or the Deputy City Manager in consultation with the department head.

The City updates constituents through a quarterly newsletter informing the public about current topics, through its web site, and through regular media coverage from the *Daily Press* and *Sun* newspapers.

Public input into the City's budget decision-making is encouraged. Council reviews the budget annually and at mid-year. Budgeting as well as major projects are presented in a

⁶ San Bernardino County Registrar of Voters

workshop setting typically just prior to a regularly scheduled Council meeting to allow for maximum participation from the public and Council members.

GOVERNMENT STRUCTURE OPTIONS

This section identifies government structure options and considers the advantages and disadvantages of those options to provide the best possible public services.

SUBSIDIARY DISTRICT DISSOLUTION

Dissolution of the three city subsidiary districts is a government structure option. The Council adopted dissolution resolutions for the three districts in 2005.

The successor agency is designated as the City.⁷ All property in the Victorville Sanitary District and most property in the Victorville Fire Protection District and the Victorville Recreation and Park District lies within the City's current boundaries. As the successor agency, each district's assets would transfer to the City and the City would be empowered to act as the dissolved district "for the sole and exclusive purpose of winding up the affairs of the dissolved district."⁸

LAFCO has the option to transfer future ad valorem property taxes generated outside City boundaries to the City or the County. This would affect the Coad Road island and an area along I-15 north of the City for the Victorville Fire Protection District. For the Victorville Recreation and Park District, it would affect the Spring Valley Lake unincorporated area, the three unincorporated islands and Mojave Narrows Regional Park.

LAFCO may also establish terms relating to the continuation of services outside City boundaries and the continuation of taxes and fees. If, following dissolution, the City wishes to (or is required to) provide service outside its bounds, the City may be required to apply to LAFCO for approval of out-of-area service.

Advantages and Disadvantages

Dissolution advantages may include:

- 1) enhanced transparency of the government structure to constituents, and
- 2) minor cost avoidance opportunities for the City through the combination of administrative functions, such as budgeting, accounting, and financial reporting.

⁷ Government Code §57451.

⁸ Government Code §57453.

Disadvantages include the costs and effort associated with processing the dissolution. In the case of VFPD and particularly VRPD, disadvantages may also include the financial implications of the City serving adjacent unincorporated areas without property tax funding from the areas, if LAFCO does not transfer the current district property taxes to the City.

Current Status of Subsidiary Districts

The City Council adopted resolutions in 2005 initiating dissolution of the three subsidiary districts with the City named as the successor agency. City staff is scheduled to complete related service plans and documentation by August 2006.

REORGANIZATION OF WATER DISTRICTS

The City filed application with LAFCO for 1) consolidation of the Baldy Mesa CWD and the Victor Valley CWD, and 2) establishment of a subsidiary district of the City as the successor district.⁹

The primary reasons for proposing the reorganization are to consolidate government functions, increase efficiency, achieve cost savings, and promote sharing of water treatment and other facilities.

Advantages and Disadvantages

Reorganization advantages include:

- 1) opportunities to enhance water conservation to ensure adequate water supplies in this high-growth area,
- 2) opportunities to develop shared water infrastructure to meet the water quality needs of constituents throughout this rapidly growing area,
- 3) avoidance of conflicts between land use and infrastructure decisions,
- 4) operational cost savings of at least 5 percent,
- 5) enhanced accountability through transparent governance,
- 6) enhanced accountability through high-turnout general elections,
- 7) equitable rates through rate restructuring, and
- 8) improved management efficiency through single governing entity and management.

Reorganization disadvantages may include transition costs as well as implications for the currently seated district board members.

⁹ City of Victorville, Resolution No. 05-71, April 19, 2005; LAFCO # 2991.

The Baldy Mesa CWD has assented to the reorganization under the conditions that the City appoint a water advisory board, absorb District employees, and provide comparable compensation packages to absorbed District employees.¹⁰ The Victor Valley CWD has opposed the reorganization and proposed that LAFCO retain the district's independent status and that seven areas be annexed.¹¹

Current Status of Water Districts' Reorganization

The City's application is under review by LAFCO. The City is revising its Plan for Service Report in response to comments received from LAFCO. The revised Plan was submitted to LAFCO in December 2005.

ANNEXATIONS

There are several potential annexation areas within the City's existing SOI and other potential annexation areas beyond it.

Potential annexation areas within the existing SOI are described below.

- Mountain View Acres (southern section)—The 1,006-acre unincorporated island is surrounded by the City.¹² The 2000 Census counted 2,521 residents in the area, although the area has grown subsequently. There is remaining growth potential on vacant lots. This area is likely to be relatively expensive for the County to service because of its distance from other unincorporated areas. The area lacks public sewer and sidewalk infrastructure.
- Mountain View Acres (northern section)—The 308-acre unincorporated island on the west side is surrounded by the City. The 2000 Census enumerated 669 residents in the area; subsequent growth is likely lower than in western Victorville as a whole. The area lacks public sewer, paved streets and sidewalk infrastructure.
- Coad Road Island—The 96-acre unincorporated island on the east side is surrounded by the City. The 2000 Census enumerated 28 residents in the area and found that eight of 21 housing units in the area were unoccupied. The area is likely to be a service challenge for law enforcement and potentially other municipal services. The area lacks public sewer, paved streets and sidewalk infrastructure.
- Spring Valley Lake—The 1,461-acre unincorporated community lies between the City and the Mojave River. The grounds include a 243-acre lake and a country club. The 2000 Census enumerated 6,566 residents in the area. Although nearly

¹⁰ Baldy Mesa Water District, Resolution No. 2005-40, July 7, 2005.

¹¹ Victor Valley Water District, Resolution No. B-776-05, July 6, 2005; Victor Valley Water District Plan of Service, September 2005.

¹² Mountain View Acres CDP land area and population source is the 2000 Census.

built out, there is remaining growth potential through infill on vacant lots. Water and wastewater services are provided through a CSA.

- Baldy Mesa—This area in the City’s western SOI area is occupied by low-density residential uses. The area is approximately 4,215 acres, according to Census data. The 2000 Census enumerated 655 residents in the area. The area relies on the Baldy Mesa Water District (BMWD) for water service. In the past, annexation interest has originated adjacent to this area outside the SOI. Currently, there is annexation interest in the area. Residents of the area may wish to annex to the City once water services are reorganized.
- SCLA Vicinity—This SOI area includes the territory between SCLA and Route 66 southwest of Oro Grande. The City has received annexation inquiries from scattered property owners in this area. In the past, difficulties parceling land together has proved an impediment to cost-effective extension of infrastructure to the area. This area is expected to attract developer interest in achieving the land parceling needed to extend infrastructure within the next five years for a variety of reasons. Growth and development in adjacent areas has increased value in the area. In order to further the City’s policy objective of strengthening the economic base, it is important to the City that future growth and annexations include this and other areas with job creation potential.¹³
- Northeastern SOI Area—This SOI area includes territory west of I-15. The area is mostly undeveloped and is primarily planned for open space uses. A landfill, hardware store, pipe shop and airport are located in the area. The City has received annexation inquiries in the past from the area. In the past, difficulties parceling land together has proved an impediment to cost-effective extension of infrastructure to the area. Annexation of this area is unlikely in the next five years. The area has long-term annexation potential.

In considering annexation policy, the City evaluates service needs, infrastructure extension costs and available financing, and the expected contributions of potential annexation areas toward the economic base and high quality development. Given the rapid pace of recent and anticipated growth in Victorville and adjacent areas, the City faces a dynamic market with strong demand particularly in the northern and western portions of the City.

The City anticipates future demand for municipal services in the SCLA vicinity and north along Route 66 will bring additional interest in not only annexation of existing SOI areas but expansion of the SOI to accommodate annexation interest and logical growth further north.

¹³ City of Victorville General Plan, Land Use Element, 1997, pages 51-54.

III. CITY OF VICTORVILLE SPHERE OF INFLUENCE UPDATE

CURRENT SPHERE OF INFLUENCE

The City of Victorville's existing city limits encompass 74 square miles. The City's SOI, which was originally established by LAFCO in 1972,¹⁴ includes an additional 25 square miles, as shown in **Figure 1**. Existing and future development within the SOI are described in greater detail below.

The SOIs of two of the City's three subsidiary districts are identical to the City's SOI, and were established in 1973.¹⁵ The Victorville Fire Protection District SOI extends east of I-15 in a small area in the vicinity of Stoddard Wells.¹⁶ The boundaries of each of the districts differ from the City boundaries, as shown in Figures 3, 4 and 5.

PROPOSED SPHERE OF INFLUENCE AMENDMENT

The City of Victorville recommends a sphere expansion to the north of its existing sphere. The SOI expansion area is bounded by Topaz on the west, the existing City SOI on the south, and I-15 on the east, meeting Barstow's SOI in the north. The SOI expansion area encompasses approximately 37,000 acres, of which approximately 20,000 acres are developable and the remainder is open space.

Sphere expansion is recommended so that the City may plan and promote logical and orderly development in the area, to allow a single multipurpose agency—the City—to establish community service priorities in the area, and to promote cohesive master planning of infrastructure extension not only in the SOI expansion area but also in the City and its existing SOI. Victorville is best situated to serve future population and economic growth that will be attracted to the affordable land in this area.

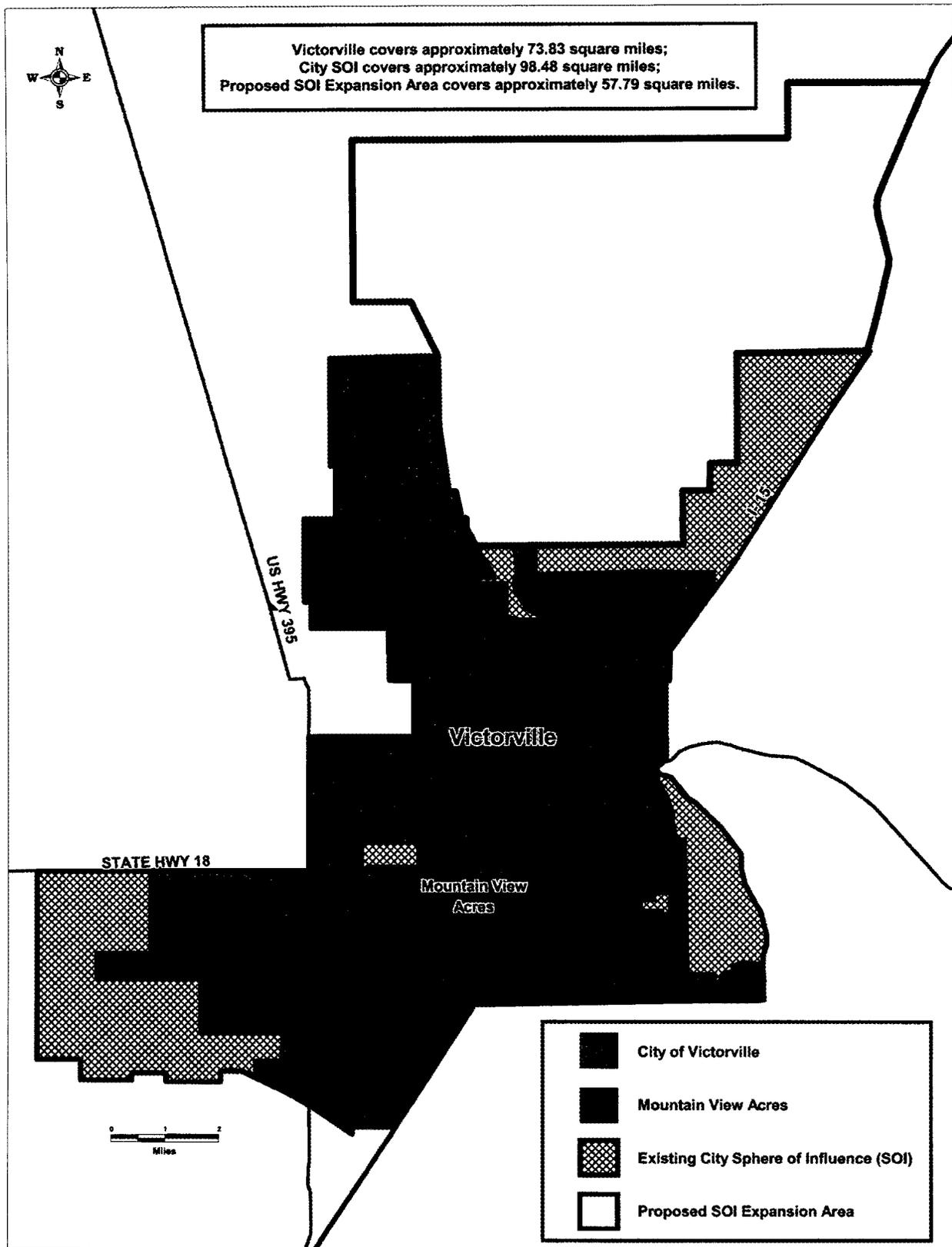
On August 1, the Council instructed staff to begin negotiations with County representatives regarding the proposed sphere boundaries. Once the City and County reach an agreement on the boundaries, the proposal will be forwarded to the Commission for review.

¹⁴ LAFCO 1147, Resolution No. 762, adopted June 28, 1972.

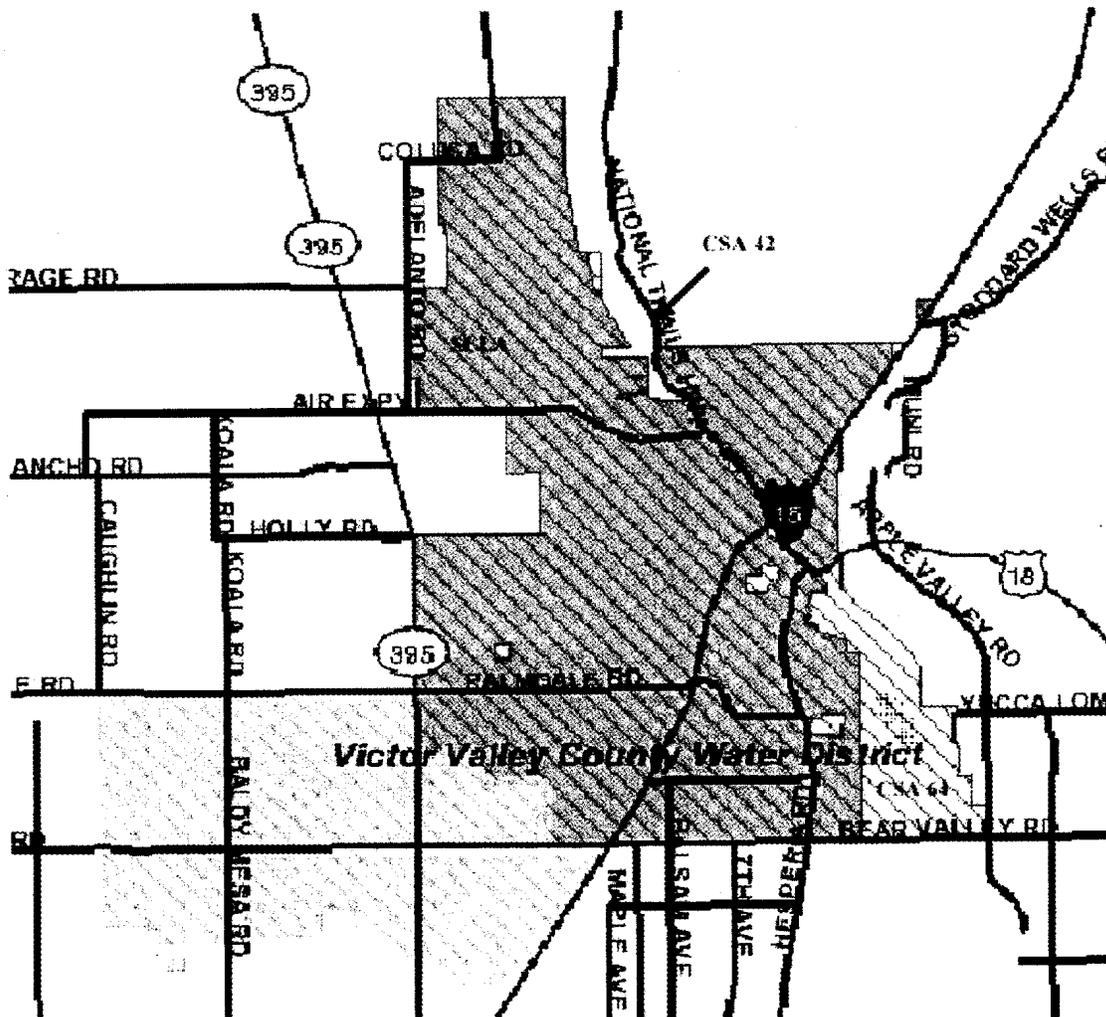
¹⁵ The SOIs were adopted as LAFCO 1306/Resolution 943 (Victorville Recreation and Park District) and LAFCO 1307/Resolution 944 (Victorville Sanitary District) on May 9, 1973.

¹⁶ LAFCO 1305/Resolution 942 (Victorville Fire Protection District). The VFPD SOI extends into the Town of Apple Valley near Stoddard Wells Road, and includes a segment along the eastern side of I-15.

**Figure 1:
Victorville City Limits with Existing and Proposed Spheres of Influence**



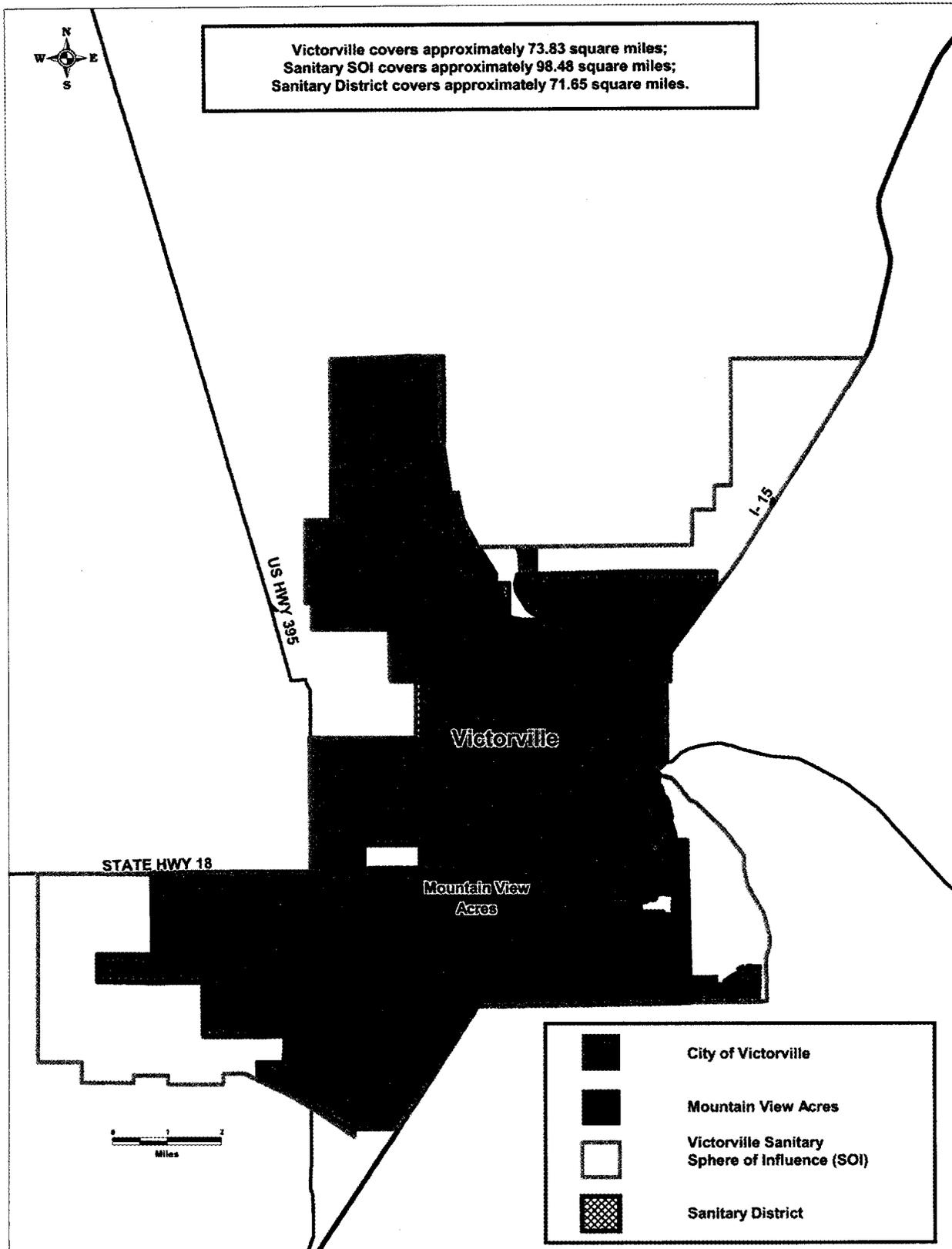
**Figure 2:
City of Victorville Water District Boundary Map**



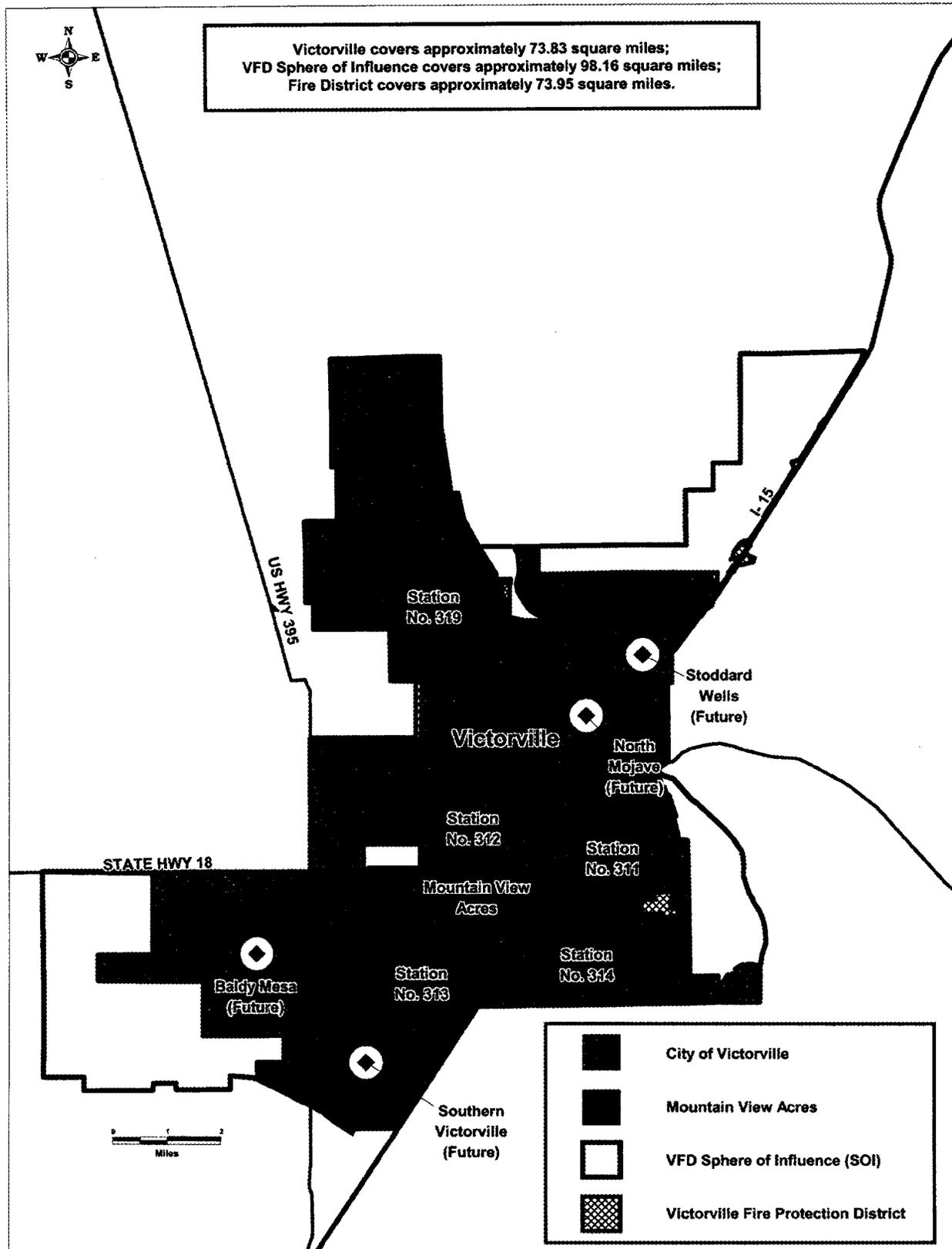
	Baldy Mesa County Water District
	Baldy Mesa County Water District Sphere
	Hesperia Water District
	Hesperia Water District Sphere

	Victor Valley County Water District
	Victor Valley County Water District Sphere

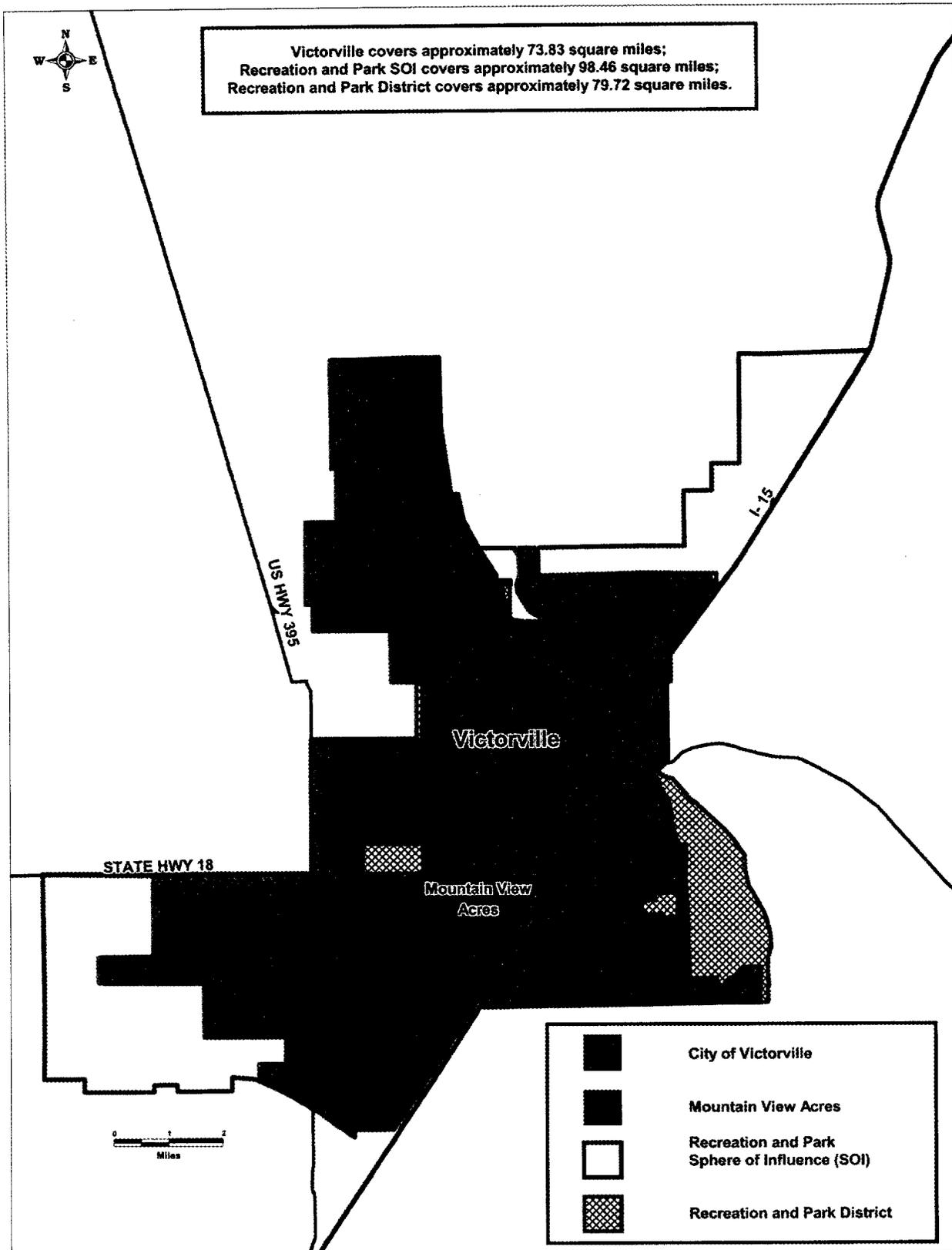
**Figure 3:
Victorville Sanitary District and Sphere of Influence**



**Figure 4:
Victorville Fire Protection District and Sphere of Influence
and Existing and Proposed Future Fire Stations**



**Figure 5:
Victorville Recreation and Park District and Sphere of Influence**



PRESENT AND PROPOSED LAND USES

The City of Victorville consists of a variety of land uses including residential (mostly low to medium density), open space, commercial and industrial.¹⁷

The City's General Plan designates land use for the City and unincorporated areas within the City's existing SOI. The plan has designated 54 percent of the territory as residential, 19 percent industrial, 12 percent commercial, and the remainder for open space, public institutional use and other uses including streets and easements.

A number of the City's planning areas include unincorporated territory within the City's SOI. Land use within these unincorporated areas is coordinated by both the County and City. When appropriate, the County may require development to conform to city development policies and standards. The County's policy is to incorporate the master plans and general plans of adjacent municipalities into its County General Plan.¹⁸ The County is currently updating its General Plan and developing a framework for cooperation among cities and the County in determining appropriate land use policy with SOIs.

Land use within unincorporated areas of the City's SOI and SOI expansion area is discussed below.

BALDY MESA

This planning area is located southwest of the City, west of U.S. Highway 395 and south of Palmdale Road. Approximately half of the area has been annexed into the City. The first annexation occurred in 1990 and the latest occurred in 1992. The southwestern portion of this planning area is unincorporated territory within the City's SOI. This area remains sparsely developed with single-family homes. Present land uses include mostly vacant land, scattered single-family housing and minimal agricultural use. The area is designated very low-density residential, except for one block which is designated for public institutional use. Planned land use consists of single-family residential and service commercial uses.

SPRING VALLEY LAKE

This area is located in the southeastern SOI area between the City of Victorville and Apple Valley. The southern portion of the area was annexed into the City in 1991 and is the site of Victor Valley College and a small amount of commercial development. The

¹⁷ City Planning Department, estimated land uses as of September 27, 2004.

¹⁸ San Bernardino County General Plan 1989, II-D6-53

unincorporated area consists of the Spring Valley Lake residential subdivision as well as the Spring Valley Lake Country Club and other recreation facilities, including a 200-acre lake, 164-acre golf course and private parks. In addition, there are 840 acres of regional parkland in the Mojave Narrows Regional Park. No changes are anticipated in planned land use.

MOUNTAIN VIEW ACRES AND UNINCORPORATED ISLANDS

The Mountain View Acres area is made up of two unincorporated islands within the West Bear Valley planning area and West City planning area of the City. The islands are located north and south of Palmdale Road and northwest of I-15. The larger island located south of Palmdale Road consists of approximately 1,006 acres or 1.5 square miles of populated land the City and County have designated for very low-density residential development. The smaller island is approximately 308 acres located north of Palmdale Road, which the City and County have also designated very low-density residential.

An unincorporated island of approximately 96 acres of sparsely developed land is located in the East Bear Valley planning area, west of the Spring Valley Lake community and south of Coad Road. The City and the County have designated most of this island area for light industrial use and a smaller portion for commercial purposes.

NORTH MOJAVE

This area is located in the northern portion of the City's SOI. Sixteen percent of this City planning area is unincorporated. The relatively small area west of the National Trails Highway (Route 66) is occupied by vacant land and scattered single-family homes. This area is designated for light industrial and open space purposes. The City has designated a small portion of the unincorporated area adjacent to I-15 for commercial use. Otherwise, the City has designated most of the unincorporated area for urban conservation and will re-evaluate land use as portions of the area become annexed. Planned land uses consist of conservation area, industrial and commercial.

QUARTZITE

This area is located in the northeastern SOI area along the western side of I-15. The area is unincorporated and mostly undeveloped except for the Victorville landfill which is owned by San Bernardino County and operated by a county contractor. There is a hardware store, pipe shop, and small airport just outside the City limits. There were no residents in the area as of the 2000 Census. The City has designated 94 percent of the area as residential urban conservation, which allows the City to preserve the area for future urban land uses. The City's policy for the area is to reevaluate land use designation as portions of the area become annexed. Planned land uses consist of conservation area, industrial and commercial.

SOI EXPANSION AREA

In the northern SOI expansion area, present land uses are primarily open space and vacant. There are 26.25 square miles of open space in the West Mojave Plan conservation area. In the Oro Grande community, there is a small strip of residential and commercial development, including a cement plant.

Planned land uses include open space, residential, and commercial. Planned residential areas encompass 21.25 square miles, most of which is expected to be designated for low-density residential use. Some pockets of multi-family residential use are also anticipated. Planned commercial areas encompass 10 square miles, most of which is expected to be clustered at I-15 interchanges along the eastern side of the SOI expansion area. The City anticipates a modest amount of commercial activity in the western and central portions of the SOI expansion area, with approximately 0.5 square miles of commercial areas located on major streets.

PRESENT AND PROBABLE SERVICE NEEDS

The need for municipal services and facilities has grown rapidly in recent years along with rapid growth in the City's population and economic base. Increasing needs for public services and facilities will continue, as development within the SOI proceeds.

Within the City's existing boundaries, comprehensive public services are needed and provided. Recent growth has increased the service needs. Between 1990 and 2004, the population within City boundaries doubled. Anticipated growth will increase the needs for public facilities and services. For facilities planning purposes, the City expects a 3.0 percent annual growth rate between 2005 and 2020.¹⁹ In the short term, the growth rate is expected to be higher. In the past five years, the City population has grown 7.3 percent annually.²⁰ This trend is expected to continue in the short term because of economic factors and the relatively large number of planned housing units with adopted tract maps.²¹ Over the long term, the growth rate is expected to slow. Within its current boundaries, the population is expected to grow to over 300,000 by buildout.

¹⁹ Both the *Victorville Development Impact Fee Update Study* (May 5, 2005) and the *VVWRA Sewer Facilities Plan Update* (August 2005) project a 3.0 percent annual growth rate between 2005 and 2020. By comparison, SCAG's *Regional Transportation Plan* (2004) anticipates a 2.1 percent annual growth rate in Victorville over the same period.

²⁰ According to the California Department of Finance, the City population grew from 66,939 in January 2001 to 95,145 in January 2006, which is equivalent to a 7.3 percent annual population growth rate.

²¹ The City Planning Department reported that there were 24,048 planned housing units with approved tract maps as of September 30, 2005. There were 28,300 occupied housing units in the City limits in January 2006, according to the California Department of Finance. A portion of properties with approved tract maps are likely to be developed in the short term, with the portion developed greater if housing demand growth continues to be strong and long-term interest rates remain at current levels.

Within the SOI, there are developed communities with a present need for public services and facilities and developing communities with a probable need. There are presently nearly 12,000 residents in the unincorporated areas within the City's existing SOI. By buildout, the population in these future annexation areas is projected by the County to grow to 30,000 or more.²² Additional public services and facilities will be needed to service growth.

BALDY MESA

The present need for public services and facilities is minimal because of the low population. The probable need is extensive with future development and population growth. Additional police and fire support, street maintenance and infrastructure, public sewer infrastructure, and street lighting will be necessary.

SPRING VALLEY LAKE

The present need is extensive as the area is well populated at this time. Comprehensive public services and facilities are provided in the SOI community by the City, the County and privately. Recreation services and infrastructure (golf course, tennis courts, and lake) are privately funded and maintained with additional recreation opportunities offered by the Victorville Recreation and Park District. The probable need for public services could be extensive if these were to change from private to public.

MOUNTAIN VIEW ACRES

The Mountain View Acres community has a present need for public services and facilities, and receives services presently through the City and the County. The community needs public sewer, paved streets and street lighting infrastructure.

COAD ROAD ISLAND

The Coad Road island area has a present need for public services and facilities, and receives services presently through the City and the County. The community lacks public sewer, paved streets, and street lighting infrastructure, and will need these facilities in the future because of anticipated growth.

²² San Bernardino County. *General Plan Land Use Background Report: Introduction and General Plan Land Use Background Report*, October 31, 2005.

Table 3
Population, Housing and Employment
City of Victorville Sphere of Influence

	Existing	2020 Projection	Buildout
Incorporated Area¹			
Residents	95,145	133,814	310,147
Housing Units	28,300	44,964	119,747
Employees	38,108	68,611	90,415
Land Area (acres)			47,462
Unincorporated - Existing SOI²			
Residents	11,896	16,354	29,937
Housing Units	4,219	5,735	10,616
Employees	1,529	2,050	2,312
Land Area (acres)			15,565
TOTAL-EXISTING SOI³			
Residents	107,041	150,168	340,084
Housing Units	32,519	50,699	130,363
Employees	39,637	70,661	92,727
Land Area (acres)			63,027
Unincorporated - SOI Expansion Area⁴			
Residents	774	NA	153,407
Housing Units	200	NA	54,400
Employees	50	NA	100,787
Land Area (acres)			36,703
Residential			13,600
Commercial/Industrial			6,080
Open Space			17,023

Sources: City of Victorville, California Dept. of Finance, Census, SCAG, VVWRA, San Bernardino County

(1) Existing population and housing figures for the incorporated area are based on 2006 figures from California Dept. of Finance. Population growth projections through 2020 are based on the City's May 2005 Development Impact Fee Study. Employees are from SCAG's RTP 2004 projections. Buildout population and housing units are from the City's General Plan. Buildout employment is the SCAG projection for 2030.

(2) Existing residents and housing units in unincorporated areas within the existing SOI is from 2000 Census data. Population and housing growth for Spring Valley Lake is based on growth rates from Victor Valley Wastewater Reclamation Authority (VVWRA, 2005). Population and housing growth for other unincorporated areas is based on RTP 2004 SCAG growth projections for the particular census tract. Buildout population is from the County's 2005 General Plan Land Use Background Report. Employment estimates and projections represent SCAG estimates for the unincorporated part of the relevant census tracts.

(3) Existing SOI is the sum of the incorporated area and the unincorporated area in the existing SOI.

(4) Existing population and housing for Oro Grande is based on Victor Valley Wastewater Reclamation Authority Sewerage Facilities Plan Update, 2005. Buildout population estimate is the product of 13,600 residential acres and a projected average density of 4 dwelling units per acre. Employment estimate for Oro Grande was made based on site visit. Buildout employment is the product of 6,080 acres (less a 10% deduction for streets and easements), 40% maximum footprint, 43,560 square feet per buildable acre, and average employment densities in San Bernardino County for low-rise office, regional retail and other retail and service uses (SCAG, 2001, Table II-A).

NORTHERN SOI

In the northern existing sphere area, the present need is limited. The probable need is significant, particularly in the SCLA vicinity and along I-15. The probable need is limited on open space lands.

SOI EXPANSION AREA

In the northern SOI expansion area, the present need is limited to the Oro Grande community and vicinity, a portion of which receives water, sewer, park and street lighting through CSA 42. The probable need could be significant, particularly in the developable portions of the SOI expansion area where there is potential for significant residential and commercial growth.

SOCIAL AND ECONOMIC COMMUNITIES OF INTEREST

The current SOI includes areas determined to represent social and economic communities of interest.

Social communities of interest in the existing SOI include Mountain View Acres, Spring Valley Lake, Baldy Mesa, and Oro Grande. Economic communities of interest in the existing SOI include SCLA users and supporting businesses in adjacent areas.

The City faces tremendous growth pressure, with growth areas concentrated in the western and northern portions of the City and SOI.

The City recommends SOI expansion north of the existing SOI. Communities of interest in the SOI expansion area include Oro Grande. The community of Oro Grande lies just north of the City's current SOI, east of the National Trails Highway. The estimated population is 774 residents. The community also contains a cement plant, a small amount of commercial property and an elementary school. Other social communities of interest north of the existing SOI include development along Route 66 between Oro Grande and Helendale.

Economic communities of interest north of the City's current SOI include current and future business activity in the vicinity of SCLA, along Route 66 and along I-15. Gravel mining operations might also be considered a community of interest in the SOI expansion area.

IV. PRESENT CAPACITY AND PROBABLE FUTURE PROVISION OF PUBLIC FACILITIES AND SERVICES

OVERVIEW

The City of Victorville provides a broad range of public services and infrastructure to its residents. These services would be extended to serve future areas annexed to the City.

The City currently has adequate capacity to serve existing development within its boundaries. Future demands for infrastructure improvements and additional services will be funded in a variety of ways, including developer funding and construction, bonds supported by utility rates, General Fund contributions towards capital improvements, and State and Federal grants. Operating costs will be funded through utility rates, assessments, General Fund revenues, and other dedicated revenues. The following sections describe current service levels and capacity within the City, as well as within its SOI, and identify future services and infrastructure necessary to serve development within future annexation areas.

WATER SUPPLY

Water treatment capacity must be expanded for the City and the water districts currently serving the City to provide water at water quality standards. Because of overdraft of the groundwater basin, water service providers are now required to replace a portion of water production for replenishing the basin. An aggressive water conservation program needs to be implemented by the water providers. Recycled water distribution infrastructure and service areas within the City need to be expanded to conserve on potable water. The City provides direct service to SCLA and has adequate supply to meet SCLA demand. The City will purchase water rights to meet buildout SCLA demand.

The City has drafted its SCLA Water Master Plan, although the plan has not yet been adopted. The City has also proposed to LAFCO that the two water districts be consolidated and transferred to the City to improve efficiency, facility-sharing, and accountability.²³ Water infrastructure is extended to new development and financed primarily through connection fees paid to the districts and the Southern California Logistics Airport Authority (SCLAA). Additional financing sources include service charges, grants and bonded indebtedness.

²³ Economic & Planning Systems, Inc. *LAFCO Review Draft: Plan for Water Service Report*. Prepared for the City of Victorville, December 2005.

The municipal water providers to City territory will need an additional 26,000 acre-feet of water supply to accommodate planned growth for which approved tract maps have been issued. As much as 70,000 acre-feet of water supply will be needed by the providers collectively to accommodate Victorville buildout. These additional supplies will come from the development of new groundwater sources, water treatment technologies, increased conservation, and purchase of imported water.

The water providers lack a specific plan for acquisition of the future expansion of water supply. Several water agencies project growth substantially lower than the City and County are projecting for the area. Water supply planning collaboration between water retailers and land use authorities should be encouraged.

WATER SERVICE TO THE CITY

Water services in the City of Victorville are provided by the City, the Victor Valley CWD, the Baldy Mesa CWD, and the Spring Valley Lake CSA (CSA 64). A sub-regional agency, the Mojave Water Agency is a water wholesaler and provides oversight for water use in the north County area. **Figure 2** depicts the service areas of current water providers.

- The City provides water service to SCLA, and supplies recycled water to the West Winds Golf course in SCLA for landscaping purposes.
- The Victor Valley Water District (VVWD) serves most of the territory within the City's boundary, except SCLA, Baldy Mesa and Victor Valley College. VVWD also serves a small commercial development located northeast of City limits in the City's SOI area.
- The BMWD serves the southwestern portion of the City in addition to the Baldy Mesa SOI area outside City limits.
- The Oro Grande CSA (CSA 42) serves approximately 127 residences in the Oro Grande community to the north of the City within the City's existing SOI.
- The Spring Valley Lake CSA (CSA 64) serves the Victor Valley College within City limits and the Spring Valley Lake community within the City's eastern SOI area.

**Table 4
Municipal Water Providers
City of Victorville Sphere of Influence**

	City	Victor Valley Water District	Baldy Mesa Water District	CSA 42	CSA 64
Potable Water Service Area					
Within City Bounds	SCLA	Most of City, except SCLA, Baldy Mesa and Victor Valley College	Baldy Mesa	Oro Grande	Victor Valley College
Within City SOI	None	Mountain View Acres, unincorporated islands, hardware store northeast of City	Baldy Mesa	Oro Grande	Spring Valley Lake
Recycled Water Service Area	West Winds Golf Course (SCLA)	None	None	None	None
Water Supply					
Sources	Groundwater supplied by City of Adelanto and Victor Valley Water District	Groundwater wells (11,900 af); purchased water for replenishment (7,562 af)	Groundwater wells	Groundwater wells	Groundwater wells
Production FY 03-04 (acre-feet) (1)	547	19,785	4,660	125	3,785
Free Production Allowance (2)	1,823	12,823	2,053	326	2,676
Water Demand					
Service Connections	100	21,835	6,250	127	3,567
Volume (acre-feet)	500	19,462	4,660	135.6 (3)	3,785
Peak Day Demand		30 mgd			
Staffing (FTEs)	3.5	72	22	NA	NA

Sources: City of Victorville, Mojave Basin Area Watermaster, Victor Valley Water District, Economic & Planning Systems, Inc.

(1) Verified production in acre-feet for FY 2003-04 from 11th Annual Report of the Mojave Basin Area Watermaster, April 1, 2005.

(2) Free production allowance in acre-feet for FY 2003-04 is the minimum water supply allotted. Additional supply is acquired through provision of replacement water through water purchases or transfers in order to prevent overdraft of the groundwater basin.

(3) Estimated based on VVWRD existing wastewater flow of 0.05 mgd using Mayer, et al., 2001.

There are approximately 32,000 water service connections within the City's SOI. VVWD serves over two-thirds of those connections. BMWD serves one-fifth of the connections. The remainder is served by CSA 42, CSA 64 and the City.

The City has recently submitted an application to consolidate the VVWD and BMWD with the City to form a single water service provider for the entire City and adjacent unincorporated territory within the City's SOI.²⁴

The source of groundwater supplies is the Mojave River Groundwater Basin, which is broken into five sub-areas. The total municipal safe yield of the groundwater sub-area basin is 59,287 acre-feet per year.²⁵ Over the past 50 years, the water level in the regional aquifer has been in a steady decline and generally is in a state of overdraft.²⁶

The groundwater basin is adjudicated to address overdraft and allocate supply. The Mojave Basin Area Watermaster allots each of the providers a free production allowance. Providers may extract more than that allowance by offering replacement supplies through water transfers, carryovers or purchase. Approximately two-thirds of the water supply serving Victorville and its SOI area in FY 03-04 consisted of the free production allowances, with the remainder constituting replacement supplies.

SCLA Water Service

The City maintains the water delivery system at SCLA, located in the northwestern portion of the City, which supplies domestic water purchased from City of Adelanto wells. There is an interconnection to the VVWD. A City-owned reclaimed water main delivers treated water from the Victor Valley Wastewater Reclamation Authority to the West Winds Golf Course at SCLA for irrigation use. Much of the water distribution system is the infrastructure installed during the development of the former George Air Force Base. Subsequent improvements include a new loop main on Phantom Road that connects to Air Expressway.

The SCLA water system is allocated a production allowance of 1,823 acre-feet per year, but actual use is lower (547 acre-feet in FY 2003-04). The existing production capacity exceeds the average demand. In addition, there is excess capacity for reclaimed water uses. In the future, SCLA water demand is expected to increase with expansion in the SCLA employment base. Currently, there are approximately 2,500 jobs based at SCLA. For capital planning purposes, the City assumes there may be 22,000 jobs at SCLA by 2030. The City projects future SCLA water demand at approximately 4,500 acre-feet, and plans to purchase water rights to meet future needs.²⁷

²⁴ See the LAFCO Review Draft of the Victorville Water Plan for Service report, May 13, 2005

²⁵ Mojave Water Agency, 2004 Regional Water Management Plan, Appendix C-11.

²⁶ Mojave Water Agency, 2004 Regional Water Management Plan, p. 4-13.

²⁷ Interview with City of Victorville Engineer Sean McGlade, October 24, 2005.

The SCLA water system has experienced water quality problems with organics and the City is exploring water treatment options.²⁸ Water quality concerns include naturally-occurring arsenic; new standards limiting arsenic concentrations may require future regional water treatment plant solutions.

The SCLA system maintains a minimum pressure of 60 pounds per square inch (psi) with a minimum domestic fire flow of 1,500 gallons per minute at 20 psi. Water pressure in the existing system will not accommodate SCLA growth through buildout. Additional infrastructure needs will be financed through water connection fees.

The infrastructure condition is assessed based on field inspections conducted by the Public Works Department and assessments conducted by the Engineering Department. The Engineering Department assesses needs for repair, rehabilitation and improvements to the system. The City conducts master planning and capital improvement planning for the water system. The most recent capital improvement plan was adopted in FY 2005-06 with a five-year planning horizon. The SCLA Specific Plan Water Master Plan has been recently prepared, and will become publicly available upon adoption by Council.

Recent improvements to the SCLA water distribution system include a new main loop on Phantom Road that connects to Air Expressway.²⁹ The City's capital improvement program identifies \$3 million for storage tanks and a transmission line and \$1.1 million for new wells, with a total of \$9.2 million of capital improvements for the next five years.³⁰ Long-term SCLA capital improvement plans include moving water lines as SCLA streets are moved, construction of additional water distribution infrastructure as development proceeds, and purchase of additional water rights.³¹

Funding sources for the SCLA water system include bonds and grants.³²

WATER SERVICE TO SOI (OUTSIDE CITY LIMITS)

Water service outside of the city limits is provided by the Mojave Water Agency, the BMWD, CSA 42 (Oro Grande) and CSA 64 (Spring Valley Lake). The Mojave Water Agency is the High Desert's main water supplier, responsible for managing groundwater resources in the Mojave River Basin and Morongo Basin, and providing alternate water sources to the region as needed. It also contracts with the State Water Project to deliver water from the California Aqueduct.

²⁸ Ibid, p. 8-16.

²⁹ LAFCO, Municipal Service Review Survey Form.

³⁰ 5 Year Capital Improvement Program, FY 05-06 – FY 09-10, p. 17.

³¹ Interview with City of Victorville Engineer Sean McGlade, October 24, 2005.

³² City of Victorville Water Department reports that there are no connection fees for SCLA.

CSA 64 serves 3,736 customers in Spring Valley Lake and maintains five active wells and three reservoirs, with a total capacity of 2.7 million gallons.³³ CSA 42 serves 127 customers in Oro Grande and maintains four active wells and one 246,000-gallon storage tank.³⁴ In the future, these areas may be annexed to the City and water service transferred.

Proposed Service Following Annexation

If the two current water service districts become consolidated with the City services, the new entity would provide services to areas annexed to the City.

OTHER WATER SERVICE (OUTSIDE CURRENT SOI)

Water service outside the current SOI is provided by the City of Adelanto, and in the Oro Grande community service is provided by CSA 42, which serves 127 customers and maintains four active wells, and CSA 70, which serves 2,325 customers and maintains seven active wells and provides five million gallons of storage.³⁵

WASTEWATER COLLECTION AND TREATMENT

Wastewater collection and treatment capacity is frequently expanded to serve new development. The City, as a member of the Victor Valley Wastewater Reclamation Authority (VWRA), is undertaking several measures to expand capacity to serve projected growth through buildout, including current and planned expansions of treatment capacity at the regional treatment plant, construction of subregional facilities, and relatively frequent monitoring and planning efforts. The City has proposed water reorganization in part to reduce barriers to the distribution of recycled water (at tertiary treatment levels). Connection fees finance infrastructure extension. Developers are required to fund the construction of sewer infrastructure improvements on their properties. Property taxes and sewer service charges are used to finance wastewater operating costs. The unincorporated island areas within the SOI rely on septic systems; conversion of such areas to public sewer systems could potentially be financed through a combination of loans and supplemental sewer charges or through connection fees. The City plans infrastructure needs through annual updates to its five-year capital improvement plan and through long-term sewer master planning.

³³ Consumer Confidence Reports, 2005

³⁴ San Bernardino County, Special Districts Department, FY 04-05 Budget

³⁵ Ibid.

WASTEWATER SERVICE TO THE CITY

The City of Victorville is one of four members of the VVWRA, a regional wastewater treatment agency. The VVWRA treats and disposes of sewage collected within the City of Victorville.

Victorville's wastewater collection system includes 365 miles of collector lines.³⁶ The Victorville Sanitary District, a subsidiary district of the City, includes most of the territory within the City of Victorville. Approximately 98.4 percent of properties in the City are within Victorville Sanitary District bounds.³⁷ See **Figure 3** for the Victorville Sanitary District service area. Services provided by the VSD include operation, maintenance, repair and cleaning of sewer collection lines in order to accommodate their designed capacity and to prevent stoppages and backups.

The VSD's wastewater collection system includes 365 miles of collector lines, 7,500 manholes, a pump station located near Stoddard Wells Road that serves the area east of the Mojave River, and two lift stations, one of which is located at SCLA.³⁸ Collector lines are connected to the VVWRA regional interceptor system at six metering points throughout the City and two metering points within the Southern California Logistics Airport.³⁹ CSA 64 provides wastewater collection services to Victor Valley College and the neighborhoods east of Ridgecrest Road and south of the Spring Valley Lake community. The remaining population uses private septic systems. The expansion needs and condition of the City sewer system is currently being identified in the Updated Sewer Master Plan. The City addresses problem areas through its master planning process.

The City's five-year capital improvement program identifies \$13.2 million in sewer facility improvements. Planned sewer collection system improvements include pipes, services laterals, trunk lines, manholes and pump stations. According to the City Public Works Department, groundwater levels are too low for infiltration and inflow to be a problem in the collection system. The City's design criteria for the capacity of the sanitary sewer collection system is that a main sewer line peak maximum flow is 50 percent of capacity, trunk line peak is 75 percent of capacity and the minimum velocity for main flow is two feet per second.⁴⁰

The VVWRA operates one wastewater treatment plant located five miles north of the City of Victorville and one mile east of SCLA. The facility treats and disposes of water collected through a regional interceptor system. The current capacity of the facility is

³⁶ City of Victorville, Department of Public Works, July 2006

³⁷ This estimate is based on FY 2005-06 assessed value in the City of Victorville and the Victorville Sanitary District bounds.

³⁸ City of Victorville, Public Works Department, Utility Division

³⁹ VVWRA consultants meter flow at these points quarterly.

⁴⁰ Technically, the design criterion for main wastewater lines is half the pipe capacity and for trunk lines is three-quarters of the pipe depth, according to City Engineer Sean McClade.

12.5 million gallons per day (mgd) and construction has begun to expand the capacity to 14.5 mgd. Further expansion of the facility's capacity began in 2006, during which the facility's capacity is being expanded to 18 mgd. The VVWRA regional interceptor system will need improvements and capacity enhancements to convey the 18 mgd to the treatment plant. Depending on the extent of future development in areas north of the existing SOI, there may be additional treatment and/or collection system capacity enhancement needs.⁴¹

Existing average daily flows from the City of Victorville were 8.79 mgd in April 2006, while average flow was 8.3 mgd during the first half of 2006. Peak flows are estimated to be 15.52 mgd. Treated wastewater is disposed of either by discharge into the Mojave River or to percolation ponds. The agency has begun to explore water reclamation opportunities, with plans to build a wastewater treatment plant at Yates Road to provide reclaimed water for use at parks and golf courses, and currently provides reclaimed water to SCLA for landscape irrigation purposes.⁴²

NPDES⁴³ regulates discharge into the Mojave River. Land discharge is regulated by a separate Waste Discharge Requirement permit. The VVWRA Regional Treatment Plant is currently authorized to discharge 12.3 mgd, with a permitted capacity increase to 14.5 mgd in 2007 upon completion of capacity expansion work.

To handle anticipated demand, the VVWRA is planning to build four new sub-regional treatment facilities with two located within the City of Victorville. Construction of the facilities should begin in 2008 and be completed by 2010. Another two sub-regional facilities are projected to be built by 2010. These facilities will have a wastewater treatment capacity of 7.0 to 8.5 mgd and produce recycled water for Victorville and surrounding communities. The VVWRA currently delivers recycled water to the Westwinds Golf Course located at the Southern California Logistics Airport. The recycled water is delivered through three miles of pipeline from the wastewater treatment plant on Shay Road. In addition, the VVWRA accepts septage for the disposal of septic tank and chemical toilet waste. The plant accepts and treats approximately 6.6 million gallons of this waste annually.⁴⁴

Wastewater operations are funded by user fees and property taxes. Sewer service charges are \$12.74 monthly per household. Connection fees include a City fee for the collection system of \$350 per household and a VVWRA fee of approximately \$1,500 per household.

⁴¹ Interview with City of Victorville Engineer Sean McClade, October 24, 2005.

⁴² City of Victorville, City Engineer.

⁴³ The Lahotan Regional Water Quality Control Board (LRWQCB) regulates water quality in Victorville and all of California east of the Sierra Nevada crest under the authority of the Federal Clean Water Act and California's Porter-Cologne Water Quality Control Act. The LRWQCB issues wastewater discharge permits through the NPDES.

⁴⁴ Mojave River Watershed, SWMP, July 2003, p. 1-7.

The VVWRA projected wastewater flows in 2020, with an expected population of 155,418 in Victorville including SCLA, at an average daily flow of 15.04 mgd. Projected flows in 2025 are 18.25 mgd at a population of 180,172.⁴⁵ Connection fees, user fees and private developers will fund future wastewater facilities and service. Other funding options available include community financing districts and redevelopment funds.

WASTEWATER SERVICE TO SOI (OUTSIDE CITY LIMITS)

The wastewater collection services outside the City's boundaries are provided by CSA 42, CSA 64 and private septic systems. The Victorville Sanitary District does not provide services outside the City boundaries. Wastewater treatment and disposal for the CSAs is also provided by the VVWRA. CSA 42 collects wastewater from 250 Equivalent Dwelling Units (EDUs) in the Oro Grande community. The VVWRA currently treats an average flow of 0.05 mgd from CSA 42 with projected flows expected to increase to 0.06 by 2020. The current VVWRA projection does not anticipate growth or new development in the Oro Grande community. CSA 64 collects wastewater from 3,960 EDUs in the Spring Valley Lake area. VVWRA treats an average flow of 0.988 mgd (s of April 2006) with projected flows expected to increase to 1.37 mgd by 2020. Future growth in the CSA will include the increased buildout of the Spring Valley Lake community and growth of facilities and student population at the Victor Valley Community College.⁴⁶ Flows are connected to regional interceptors and carried to the regional treatment facility. The remainder of the City SOI is served by private septic systems.

Including the CSAs 64 and 42, projected VVWRA flows will reach 16.5 mgd by 2020.⁴⁷ The VVWRA projections also took into account flow contributions from septic abandonment and commercial, industrial and institutional sources.

Proposed Service Following Annexation

The VSD would be responsible for service to areas annexed to the City. If the VSD is dissolved as currently proposed by the City, the City would have primary responsibility for providing service.

As growth occurs in the proposed SOI expansion area to the north of the City, areas that are now on septic or completely undeveloped will be sewered upon development, and a new lift station will need to be constructed to move wastewater uphill to the treatment

⁴⁵ Victor Valley Wastewater Reclamation Authority, Sewerage Facilities Plan Update, Year 2005 Amendment

⁴⁶ Victor Valley Wastewater Reclamation Authority, Sewerage Facilities Plan Update, Year 2005 Amendment

⁴⁷ Victor Valley Wastewater Reclamation Authority, Sewerage Facilities Plan Update, Year 2005 Amendment

plant.⁴⁸ Existing unsewered areas may approve assessments to finance the cost of converting from septic to the public sewer system. For example, the City recently approved such an assessment district in the La Brisa neighborhood.

STORM DRAINAGE

The City maintains infrastructure, including drains, pipes, channels and natural drainage courses, to discharge storm water runoff. The City plans facility improvements to open channels, underground pipes and detention basins to reduce runoff flow. Generally, the facilities installed by developers are in good condition, but many natural drainage courses need improvements in Victorville and neighboring Hesperia. Most drainage lines will not operate at full capacity until vacant portions of land are developed and infrastructure completed. The City's storm water discharge permit was most recently renewed in 2004, indicating the City is in compliance with National Pollutant Discharge Elimination System (NPDES) requirements. The City's gravity drainage system capacity and condition are currently undergoing hydraulic study, with a Storm Drain Master Plan scheduled for completion in 2007. Drainage infrastructure is financed by private developers through requirements to build drainage systems and to pay development impact fees for regional facilities. Operating costs are financed by monthly service charges collected through refuse collection bills.

STORM DRAINAGE SERVICE TO THE CITY

Storm drainage for 25,800 acres of Victorville is provided by drains, pipes, channels and natural drainage courses.⁴⁹ The two major watersheds within the City include Victorville and Hesperia, where the mountainous areas south of the City drain into Mojave River. There are six systems (A through F) and 26 drainage lines identified in the Victorville Master Plan of Drainage. There are two systems (J and I) and four drainage lines identified in the Hesperia Master Plan of Drainage that continue through Victorville.⁵⁰

Storm drains collect runoff in catch basins or inlets, convey it through pipelines, and discharge it via gravity into drainage channels or natural drainage courses into Mojave River, the California Aqueduct, the lakes within the Mojave Narrows Regional Park, or Spring Valley Lake. There are no storm water lift stations in the City. The number of catch basins, miles of storm pipes and channels under City responsibility will be

⁴⁸ Interview with City Engineer, Sean McClade, July 12, 2006.

⁴⁹ The general area served by the storm drain system is within the following boundaries: Beginning at a point approximately 0.75 miles east and 0.5 miles north of the intersection of Phantom West St. and Air Expressway, southeasterly on the Mojave River, and continuing on the BNSF railroad, Ridgecrest Rd., Bear Valley Rd., US 395, Hopland St., Amethyst Rd., Rancho Rd., and El Evado Rd., Phantom West St., back to the point of beginning. This boundary includes an area of approximately 25,800 acres or 40 square miles.

⁵⁰ From the City of Victorville, Department of Public Works.

quantified when it completes the Citywide Master Plan of Drainage. The City's Public Works Department maintains the City's storm drainage system.

The overall condition of the storm drain system varies. The facilities that have been installed by developers are generally in good condition. Many natural drainage courses need to be improved to be consistent with the Victorville and Hesperia Master Plans of Drainage. Most of the drainage lines have not been improved to their ultimate condition. Until the vacant portions of land have been developed, most of the drainage lines will not be fully improved to their ultimate capacity.⁵¹ Planned facility improvements include open channels, underground systems of culverts and pipes, and detention basins to reduce flow rates.⁵²

The City is currently completing a Citywide Master Plan of Drainage, which will include all major drainages within the City's SOI, a review of improvements in place, proposed improvements and changes in drainage patterns because of development since the last master plans were completed, a hydrology study of drainages and hydraulic analysis of various lines, a capital improvement program for upgrades to increase capacity of existing infrastructure and for new infrastructure, and update a development impact fee for the development share of the capital projects.⁵³

All new development in Victorville must comply with minimum requirements of the National Flood Insurance Program (NFIP), which provides communities with federally-backed flood insurance and enforces floodplain management ordinances to reduce future flood damage. Runoff water is regulated by the National Pollution Discharge Elimination System (NPDES) Non-point Source Program, administered by the California Regional Water Quality Control Board (RWQCB). RWQCB most recently renewed the City's Stormwater Permit in 2004. The City's policy on regional drainage facilities is to convey 100-year storm flows. The local drainage policy is to design arterial roads with 100-year flows below the street pavement, collector streets with 10-year flows below the street pavement and local streets with 100-year flows contained within three inches above curb elevation.⁵⁴

Storm drainage services are funded by private development, charges for service, development impact fees, Measure I funds and Redevelopment Agency funds when related to a specific project. The City charges a \$4 monthly fee on all developed property with the City's refuse collection fees.

The City of Victorville's municipal code requires all new development to construct necessary drainage facilities to serve the new development.⁵⁵ Within the Citywide Master Plan of Drainage planning area in the southerly and westerly areas of the City,

⁵¹ Ibid.

⁵² LAFCO, Municipal Service Review Survey Form.

⁵³ From the City of Victorville, Department of Public Works.

⁵⁴ City of Victorville, Department of Public Works.

⁵⁵ Victorville Municipal Code, Chapter 9.32.

there are regional drainage infrastructure fees charged. However, developers of master-planned facilities are eligible for fee credits. Outside the drainage planning area, developments are conditioned upon installation of all drainage infrastructure.⁵⁶ New development will pay storm drain development impact fees to fund new stormwater infrastructure.

STORM DRAINAGE SERVICE TO SOI (OUTSIDE CITY LIMITS)

The San Bernardino County Flood Control District (SBCFCD) and the San Bernardino County Public Works Department Storm Water Pollution Prevention program provide storm drainage services outside of the city limits. The SBCFCD facilities include dams, conservation basins, debris basins, channels and storm drains. The SBCFCD is divided into six geographic zones funded primarily by property taxes. Zone 4 covers Victorville and the rest of the Mojave River Valley region. The SBCFCD is countywide and has a budget of \$120 million.⁵⁷ The SBCFCD is currently planning a Master Plan of Drainage for the Baldy Mesa area.

Major drainage infrastructure upgrades are expected to be needed in the westernmost unincorporated island area. The County does not require drainage improvements in the area. Homes on half-acre lots outside the natural drainage course receive permits, but others complain about drainage running through their yards. Once the roads in such areas are paved, runoff will increase. This has happened in previously annexed areas. The problem is not as concentrated in Mountain View Acres.⁵⁸

The storm flow capacity and development requirements in these areas are unknown.

Proposed Service Following Annexation

Following annexation, the City would have primary responsibility for service to the annexed areas. The areas would be subject to all requirements applicable within City boundaries. Annexation areas with greater drainage needs may be subject to regional drainage infrastructure fees to ensure adequate financing of drainage infrastructure needs.

⁵⁶ From the City of Victorville, Department of Public Works.

⁵⁷ San Bernardino County, Special Districts Department, FY 04-05 Budget

⁵⁸ Interview with City of Victorville Engineer Sean McGlade, October 24, 2005.

STREETS

STREET SERVICES TO THE CITY

The City of Victorville maintains 376 miles of streets,⁵⁹ consisting of 77.1 million square feet of pavement surface area, three bridge structures, 62 traffic signals, sign and pavement markings, and crosswalks. Existing facilities are estimated to be worth \$279 million.

The Victorville General Plan requires a street LOS C for arterial streets and LOS D for intersections.⁶⁰ Currently, there are areas below this standard including portions of Bear Valley Road, the major east-west arterial for the entire City and neighboring jurisdictions. The most frequent low LOS occurrences occur near the freeway and other major intersections. An increase in traffic volumes is expected to lower LOS at intersections along I-15. The City plans to implement mitigation measures at intersections along I-15 in order to operate at LOS D or better.⁶¹ The City is currently completing a new citywide traffic model to project future circulation needs to 2030 and assess street-related needs in the City and SOI.

At SCLA, street capacity enhancements are needed to accommodate development. The airport grid system of roads at SCLA does not facilitate anticipated SCLA growth with some roads requiring relocation or replacement.

Approximately \$140 million in existing deficiencies have been identified.⁶² According to the City's Pavement Condition Index Report, 12 percent of pavement service area is in need of major rehabilitation or reconstruction. The LOS C operation is the standard to which all roadways are measured with regard to both current and future roadway facility needs.⁶³ Planned road system improvements include the number of lanes in road segments, future interchange locations, future bridges and specific intersection needs.⁶⁴ Planned improvements to existing streets are intended to raise the LOS to acceptable levels on existing streets. Funding sources include private development, development impact fees, San Bernardino County Measure I sales tax funds, the State Gas Tax, grants and related Redevelopment Agency projects.

I-15 interchanges are expected to experience high traffic congestion as a result of projected growth in the Victor Valley. To accommodate residential and job growth by 2020, it is estimated that \$326 million of street improvements will be needed. The City's

⁵⁹ City of Victorville Comprehensive Annual Financial Report, FY 04-05

⁶⁰ City of Victorville General Plan, Circulation Element, p. 22 and LAFCO, Municipal Service Review Survey Form.

⁶¹ Draft Project Report on Route 15 Between Bear Valley Road and Palmdale Road, January 2005, p10-11

⁶² 5 Year Capital Improvement Program, FY 05-06 – FY 09-10

⁶³ Victorville Development Impact Fee Update Study, May 2005, p 9.

⁶⁴ LAFCO, Municipal Service Review Survey Form.

development impact fee for roadway projects was developed to provide the necessary funding for roadway improvements on arterials, overpasses and interchanges. The City requires all new development to provide all collectors and local streets. New development is also required to construct sidewalks and related public facilities (fire hydrants and street lights) for any arterial that abuts the development. The roadway development impact fee is expected to generate \$250.5 million in funding, which will cover 70 percent of the total cost.⁶⁵

Additional funding sources for existing deficiencies will come from San Bernardino County Measure I sales tax funds, the State gas tax, assessment districts, State and Federal grants and interest income.

STREET SERVICES IN SOI (OUTSIDE CITY LIMITS)

Street services outside of the City are provided by San Bernardino County. The County of San Bernardino maintains 2,826 centerline street miles throughout the unincorporated areas of the County. The County funds road maintenance and construction with State gas tax funds, a countywide sales tax surcharge (Measure I), transportation facilities fees and grant funds.⁶⁶ Transportation facilities fees are collected from new development for construction of roads in an established area. The County has approved transportation facilities fees in the Oro Grande area within the SOI. In the Spring Valley Lake area, CSA 64 provides street cleaning services.

Proposed Service Following Annexation

Following annexation, the City would have primary responsibility for street service to the annexed SOI areas. Annexation areas would require paving of dirt roads and, depending on any specific plan requirements, may also require curbs, gutters and sidewalks. For new development occurring after annexation, the developer is required to extend roads and install improvements fronting the property, and pays development impact fees for roadway improvements on arterials, overpasses and interchanges. For existing development in annexation areas, there may be infrastructure financing shortfalls. Developed annexation areas would have the option to approve assessments in order to fund urban service levels—paved roads, curbs, gutters and sidewalks.

⁶⁵ Victorville Development Impact Fee Update Study, May 2005, p 9.

⁶⁶ Department of Public Works, Information on County Roads, May 2001

Table 5
Summary of Capital Facility Costs to Serve Growth
City of Victorville

Category	Through 2010 (1)	Through 2020 (2)	Through 2020 (3)
Community Facilities			
Fire		\$18,934,000	\$20,250,000
Police		7,607,200	9,600,000
Parks		81,270,000	82,750,000
General Government		76,062,448	85,482,000
TOTAL		\$183,873,648	\$198,082,000
Street and Utility Facilities			
Roadway Projects	\$139,816,165	\$250,554,200	\$326,238,500
SCLA Water	\$9,210,000		
Wastewater	\$13,238,000		
Drainage	\$15,390,000		
TOTAL	177,654,165		

Sources: 5 Year Capital Improvement Program, FY 05/06 -FY 09/10, Development Impact Fee Update Study, May 5, 2005.

(1) Source: 5 Year Capital Improvement Program, FY 05/06 -FY 09/10

(2) Projected costs to be financed by development impact fees from Development Impact Fee Update Study, May 5, 2005

(3) Total projected costs from Development Impact Fee Update Study, May 5, 2005

STREET LIGHTING

STREET LIGHTING SERVICE TO THE CITY

Southern California Edison owns, operates and maintains the City's street lighting facilities. The cost of electricity, repair and replacement of these facilities is currently being provided by general funds, development fees, a street lighting assessment district and interest income. The South Victorville Lighting District assessments pay for the cost of electricity, maintenance and operation of approximately 158 streetlights within its boundaries.⁶⁷ According to the City Public Works Department, all of the streetlights within the City are in good condition. There are currently no street lighting deficiencies or plans for improvement.

Street lighting is projected to be needed in new development areas lacking existing street lights. The City requires new development to install street lighting on streets abutting the development. Funding sources for street lighting infrastructure include development fees and assessments.

STREET LIGHTING SERVICE TO SOI (OUTSIDE CITY LIMITS)

Street lighting services outside of the City limits are provided by San Bernardino County, CSA 42 in Oro Grande, CSA 70 in Oak Hills and CSA 9 in Phelan. These CSAs operate and maintain 125 streetlights. The CSAs are primarily funded by property taxes.

Proposed Service Following Annexation

Following annexation, the City would have primary responsibility for service to the annexed areas. Street lighting is projected to be needed in new development areas lacking existing street lights. The areas would be subject to all requirements applicable within City boundaries.

⁶⁷ South Victorville Lighting District No. 1 Engineer's Report, May 1986, p. 3.

FIRE PROTECTION

FIRE SERVICE TO THE CITY

Fire protection within the City of Victorville is provided by the Victorville Fire Protection District, a subsidiary district of the City. The Department maintains five fully staffed fire stations, four of which are strategically located throughout the City (see **Figure 4**), each equipped with at least one fire engine and three firefighters. Station No. 311 has two fully staffed companies, one engine and one truck. Station Nos. 311, 313 and 314 also have a brush engine and other emergency equipment. Station No. 312 just opened last year on El Evado.⁶⁸ All engine companies are staffed with three fire personnel and all of the stations each have ten staff on call if needed. The fifth fire station, No. 319, serves the Southern California Logistics Airport and is staffed with three dedicated personnel and Aircraft Rescue Fire Fighting apparatus.

The Victorville Fire Protection District maintains an ISO rating of 3, the most favorable rating among providers in the Victor Valley area.⁶⁹ In 2005, the Department responded to 10,966 calls, 8,009 of which were for rescue, traffic accidents, and medical aid, 1,893 of which were for false alarms or investigation, and 1,064 of which were for fires, explosions, and hazardous conditions.⁷⁰ Over the past five years, the number of service calls has increased from 8,062 in 2001 to 10,966 in 2005, an increase of just over 36 percent.⁷¹ As Victorville continues to develop, additional demand is expected at a comparable rate. Such service demand will be met with new facilities, equipment and apparatus, and personnel, as are already being planned. As development occurs in the proposed SOI expansion area to the north, service demand would be met by the proposed Village Drive or SCLA (No. 319) stations along the I-66 corridor, and by the proposed Stoddard Wells/Dante Road station along I-15.⁷²

For response times, the City Council goal is to have first on scene arrival within five minutes. The current average response time is 6.97 minutes, with rescue, traffic accidents and medical responses taking an average of 6.18 minutes, fires, explosions, and hazardous conditions taking an average of 7.06 minutes, and false alarms and investigations taking an average of 7.31 minutes to respond.⁷³ All 911 calls placed in the City are received by the San Bernardino County Sheriff Desert Control Center within the Victor Valley station complex. All fire-related calls are then routed to the RFPA communications center, which responds to all fire service related calls and dispatches

⁶⁸ Victorville's new fire station opened Saturday, April 21, 2005, <http://www.highdesert.com>

⁶⁹ Fire protection classifications are designated by the State Insurance Services Office (ISO). Ratings are based on a scale of 1 to 10, with 1 being the best possible protection.

⁷⁰ Victorville Fire Department

⁷¹ Ibid.

⁷² Ibid.

⁷³ Ibid.

the appropriate personnel for Victorville and Apple Valley Fire Protection District. The operational management of the RFPA communications center is handled jointly by the Victorville and Apple Valley fire chiefs. The City pays for its share of costs based on the number of calls it receives.

The fire department must also ensure adequate flow of water for fire suppression needs. Minimum fire flow for commercial/industrial land uses is based on many factors including type of building and systems installed and occupancy, but must never be less than 1,500 gallons per minute at 20 PSI; most are much higher at 3,500 gallons per minute at 20 psi.⁷⁴

Service standards are set by the National Fire Protection Association. The City has mutual aid agreements with neighboring fire departments including the Apple Valley Fire Protection District and San Bernardino County Fire Department. The Victorville Fire Department and RFPA member agencies participate in a cooperative regional auto-aid program for initial response to immediate need incidents. This program provides all participating member agencies with continuous coverage during extensive resource-depleting emergencies.⁷⁵

FIRE SERVICE TO SOI (OUTSIDE CITY LIMITS)

Fire service outside Victorville city limits is currently provided by the Victorville Fire Protection District in the City's unincorporated islands and a stretch to the northeast of the City limits along I-15, as well as by the San Bernardino County Fire Department and the Apple Valley Fire Protection District. Through mutual aid, the Apple Valley Fire Protection District serves a portion of the VFPD's SOI, from North Stoddard Wells Road to the Dale Evans Parkway, while VFPD serves its existing SOI to the south of North Stoddard Wells Road.⁷⁶ VFPD provides mutual aid service to Oro Grande and Mountain View Acres to improve response times in these communities.

The San Bernardino County Fire Department provides administration and support for 32 legally separate fire districts and countywide services such as hazardous materials regulation, dispatch communications and disaster preparedness. The fire districts serve 16,225 square miles of unincorporated areas and six cities. In the Victor Valley, the San Bernardino County Consolidated Fire District (CSA 70) serves surrounding unincorporated areas, Baldy Mesa, Helendale, Oak Hills, Oro Grande, Phelan, Pinon Hills, Spring Valley Lake, and the cities of Adelanto and Hesperia. CSA 38 provides additional fire protection services to the City of Adelanto and the Spring Valley Lake and Mountain View Acres communities. CSA 56 funds fire services in the Pinon Hills and Wrightwood communities.

⁷⁴ From City of Victorville Fire Department.

⁷⁵ California State Fire Fighters Association, *The Magazine*, 2002.

⁷⁶ Apple Valley Fire Protection District Division Chief, Art Bishop, July 20, 2006

In FY 04-05, CSA 70 responded to 47,197 incidents countywide, CSA 56 responded to 1,825 incidents and CSA 38 responded to 15,600 incidents.⁷⁷ The San Bernardino County Fire Department include 232 fire suppression personnel, 25 chief officers, 425 paid on-call firefighters and 20 volunteer firefighters.⁷⁸ San Bernardino County Fire Department has mutual aid agreements with adjoining fire agencies including the Victorville Fire Department and the Apple Valley Fire Protection District.

There are three San Bernardino County fire stations in the Victorville SOI and one in Helendale that serves the SOI expansion area. The Baldy Mesa Station 16 is staffed by on-call firefighters that live in Baldy Mesa with 24-hour response. The station houses one brush engine. The Spring Valley Lake Station 22 is staffed 24 hours with two on-call firefighters and one full-time Captain. Apparatus consists of one structure engine, one brush engine and one squad. The Mountain View Acres Station 37 is staffed eight hours per day by two on-call firefighters. Nighttime coverage for calls is provided by other on-call firefighters who live locally. Apparatus consists of one structure engine, one brush engine, and other specialized equipment. Station 37 also regularly provides assistance to Victorville, Adelanto, and Baldy Mesa, as well as the I-15 corridor north of Victorville. The Oro Grande and Helendale/Silver Lakes communities are served by County station No. 4 in Helendale. The station is staffed with two paid on-call personnel. The station is equipped with two engines and other emergency equipment. The San Bernardino County Fire Department ISO rating is 9 in most of the unincorporated areas around Victorville and is lower in locations closer to a fire station. There are currently no new County fire facilities planned in the Victor Valley area.

The Apple Valley Fire Protection District provides fire protection for a 206-square mile area and serves the Town of Apple Valley and unincorporated areas east of the Victorville SOI. There are six fire stations. Four of the stations are staffed full time and two of the stations are staffed as needed by on-call firefighters. The Apple Valley Fire Protection District ISO rating is 4 within five miles of a district fire station and 9 if five or more miles from a station.⁷⁹

Proposed Service Following Annexation

The provision of fire service for areas outside the city limits would transfer from the San Bernardino Fire Department to the Victorville Fire Protection District when annexed to the City. If the VFPD is dissolved as currently proposed by the City, the City would have primary responsibility for providing service within city limits. Planned growth will generate the need for additional firefighters and fire stations. The District is planning the development of four new fire stations within the next 6-10 years.⁸⁰ The first (Station No. 315) in southern Victorville at Eucalyptus and Topaz is in the design phase and is projected to open in 2007. The second (Station No. 316) in the Baldy Mesa

⁷⁷ San Bernardino County, Special Districts Department, FY 04-05 Budget

⁷⁸ San Bernardino County Fire Department, <http://www.sbcfire.org>

⁷⁹ From the Apple Valley Fire Protection District.

⁸⁰ The timeline for completion of the four new stations will depend on the pace of growth.

area (La Mesa Road and Bellflower Street) is in the preliminary design phase with construction projected to begin in 2008. The third station is expected to be located in the North Mojave area, at North Village Drive; and the fourth is under negotiation, and would be located at Stoddard Wells and Dante Roads, along I-15 to the Northeast.⁸¹

As development occurs in the proposed SOI expansion area to the north, service demand would be met by VFPD's proposed Village Drive station or expansion at the SCLA station (No. 319) along the Route 66 corridor, and by the planned Stoddard Wells/Dante Road station along I-15.⁸²

The 2005 Victorville Development Impact Fee Update Study identified the need for four new stations by 2020 to bring planned growth areas in compliance with the City Council policy to provide a five-minute response time. The total cost estimate for the additional fire stations is at least \$20 million and development impact fees are expected to cover 94 percent, as shown in **Table 5**.⁸³ These costs include land, station, equipment, and communication system expansion. The fire facility costs are allocated to both residential and commercial/industrial growth.

As growth proceeds in the SOI expansion area, the area will most likely require additional fire stations. Based on growth projections for the area, it appears that two to three additional stations may be needed to serve the SOI expansion area upon buildout. The approximate cost of building and equipping three additional stations (in 2005 dollars) is \$15.6 million.

POLICE PROTECTION

POLICE SERVICE TO CITY

Police service in Victorville is provided by the San Bernardino County Sheriff's Department, which has contracted with the City of Victorville since 1962 to provide police services to the City⁸⁴. Operations take place out of the Victorville Police Headquarters and four satellite facilities. Victorville contracts for 80 sworn officers and 22 non-sworn positions.⁸⁵ Victorville's police average response time to emergency calls in 2004 was 3.4 minutes.⁸⁶ Police Department requests for more officers are based on service needs. Officers have been added annually for the last decade based on professional judgment rather than a formulaic approach with sworn officers per capita. In practice, the City has consistently increased sworn staffing levels throughout the growth spurt of the last several years. The City plans to continue to increase staffing

⁸¹ City of Victorville General Plan, Safety Element, July 1997, p. 22.

⁸² *Ibid.*

⁸³ Victorville Development Impact Fee Update Study, May 2005, p 13.

⁸⁴ San Bernardino Sheriff's Department

⁸⁵ San Bernardino Sheriff's Department, as of July 2006.

⁸⁶ From the Victorville Police Department.

levels as growth continues, and typically increases staffing levels twice yearly.⁸⁷ The City currently has a ratio of 0.84 sworn officers per 1,000 residents. In 2005, there were 90,777 calls for service, or 1,713 service calls per deputy.⁸⁸

Police services are funded through the City's General Fund. The City currently supports capital facilities, including a newly constructed police headquarters building, 35 police vehicles, and equipment such as computers and radios. The City owns its Headquarters on Amargosa Road and the Transportation Center on D Street. The other two satellite facilities are leased from private companies. Other facilities include the regional facility located at the Victor Valley Sheriff station, which also services the CHP, Apple Valley, Adelanto, Hesperia and the unincorporated communities of Helendale, Oro Grande, Sliver Lakes, El Mirage and Spring Valley Lake. All six police facilities are in good or excellent condition. The police vehicles are owned by the Sheriff's Department, which leases them to the City. The City also performs vehicle maintenance. There are currently no plans for new facilities to serve the City.

The Police Department currently serves area school districts with school resource officers through MOUs, including the Victor Valley Union High School District, the Adelanto School District and the Victor Elementary School District. The Police Department also provides direct service to local retail merchants with three deputies that serve local malls for major retailers.

POLICE SERVICE TO SOI (OUTSIDE CITY LIMITS)

Acting as the Victorville Police Department, San Bernardino County Sheriff sometimes responds to requests for aid from agencies outside City limits when necessary, such as the California Highway Patrol and the cities of Adelanto, Apple Valley and Hesperia, which also contact with the Sheriff for service. Law enforcement services in the unincorporated area outside City boundaries are currently provided by the San Bernardino County Sheriff's Department through the Victor Valley Sheriff Station. The station is staffed with 34 patrol deputies, 12 additional sworn officers (including detectives) and serves a population of 54,940.⁸⁹ The station's service area has a ratio of 0.84 sworn officers per 1,000 residents. In 2005, there were 33,876 calls for service and 1,002 arrests. The Sheriff's Department has mutual aid agreements with all municipal and state police agencies within the County. Response times within the Victor Valley Sheriff Station service area were not available. The Victor Valley Station is also the parent station of two satellite patrol substations, Lucerne Valley and Phelan. There are currently no planned new facilities to serve the Victorville area.

The California Highway Patrol (CHP) provides law enforcement and traffic control services in the Victor Valley. The CHP Victorville Office provides traffic enforcement on

⁸⁷ From the Victorville Police Department.

⁸⁸ San Bernardino County Sheriff's Department Annual Report, 2005

⁸⁹ Ibid

all unincorporated roadways in the vicinity and on all state routes. The two major state routes include interstate 15 and highway 395. The CHP staffs two officers to patrol the freeways and one on each side of I-15 to patrol the unincorporated areas. In the Victor Valley, the CHP responded to 1,384 accidents in 2004, of those 198 were along state routes I-15 and 395 in Victorville. In Victorville, the CHP made 214 arrests in 2004.

Proposed Service Following Annexation

The provision of police service for areas outside the city limits would transfer from direct service by the San Bernardino Sheriff to a contract arrangement with the City when annexed to the City.

The City's development impact fee will fund a majority of the necessary equipment and facilities to serve growth of the City's police department due to General Plan buildout. The San Bernardino County Sheriff identified facility and equipment costs to accommodate growth to be \$9.6 million, which includes station expansion, a substation, communication expansion, vehicles and other equipment. The development impact fee is expected to fund 79 percent of new police facilities.⁹⁰ The capital facilities costs are allocated to both residential and commercial growth.

PARKS AND RECREATION

PARKS AND RECREATION SERVICES TO THE CITY

Park and recreation services within the City of Victorville are provided by the Victorville Recreation and Park District, a subsidiary district of the City. The District is staffed and managed by the City's Community Services Department. The City provides park and park amenities, recreation programs and sports, and educational classes. Facilities managed by the City of Victorville's Community Services Department include approximately 198 acres of parkland with various amenities including activity rooms and sports equipment, two golf courses, one community center and two swimming pools. A second community center is expected to be completed in 2007.⁹¹ The City has adopted a goal of three acres of park and open space per 1,000 population. The ideal would be to have five or greater acres per 1,000 people.⁹² The City currently has 2.1 acres per 1,000 population.⁹³ Additionally, a goal of the Department is to have every residence in Victorville within a one-mile radius of a park or open space to enhance the

⁹⁰ Victorville Development Impact Fee Update Study, May 2005, p 13.

⁹¹ City of Victorville, Community Services Department Master Plan, July 2006.

⁹² From the Community Services Department. Park acreage standards of 5 to 10 acres of park per 1,000 population are recommended by the National Parks and Recreation Association (NPRA) and are provided for in the state Quimby Act.

⁹³ Used Department of Finance estimate of 86,473 for 2005 population.

quality of life for all Victorville residents, and to be at the forefront of resource conservation in Victor Valley.⁹⁴

With planned growth, the City has identified 121.1 acres of additional park and recreation facilities that are currently in development. The City park master plan has identified 620 additional acres for future purchase and development, which includes joint use agreements with local school districts.⁹⁵ The City will continue to identify and acquire new park sites as development proceeds to offer appropriate service levels. The City is also working with school districts and Victor Valley College to develop future joint use agreements to find additional sites and facilities to co-develop to make better use of taxpayer funds.

In order to meet future demand, the City is now focusing on larger parks (ten to sixty acres) rather than small neighborhood parks (one to five acres), with the intent to maintain and develop parks that serve larger communities and the entire City's needs, with better amenities, more open and green spaces, and larger sports facilities. Operation and maintenance of larger parks is more efficient, and uses the City's available resources more effectively.⁹⁶ Additionally, as development occurs within the SOI expansion area, park and open space may be developed along the Mojave River and the Route 66 corridor to serve growing demand.⁹⁷

A shortage of parks occurs in the western and southeastern portions of the City.⁹⁸ The Victorville Community Services Department has estimated that at least \$82.7 million in park facilities is needed for planned growth through 2020; of this amount, 98 percent will be funded with development impact fees.⁹⁹

PARK AND RECREATION TO SOI (OUTSIDE CITY LIMITS)

Residents who live in the Victorville SOI are served by both Victorville Recreation and Park District and County parks and recreation facilities. The VRPD serves the unincorporated community of Spring Valley Lake to the east of the City and all three unincorporated island areas (see **Figure 5**). While the southern portion of CSA 42 (Oro Grande) lies within Victorville's SOI, it does not lie within the District's boundaries, and provides its own community center and recreation services. Parks are available for use by both City and County residents.

⁹⁴ City of Victorville, Community Services Department Master Plan, July 2006.

⁹⁵ Ibid.

⁹⁶ City of Victorville, Community Services Department Master Plan, July 2006.

⁹⁷ Interview with Jon Gargan, Director of Community Services, City of Victorville.

⁹⁸ City of Victorville, Community Services Department Master Plan, July 2006

⁹⁹ Victorville Development Impact Fee Update Study, May 2005, p 13.

Proposed Service Following Annexation

Upon annexation, SOI areas not currently within the VRPD would become part of the VRPD. If the VRPD is dissolved as currently proposed by the City, the City would have primary responsibility for providing service. With a service area population growing by as much as 30,000 people in the existing SOI and 153,000 in the SOI expansion area by buildout, the City would need 629 additional park acres to meet its goal of three acres per 1,000 residents in the existing SOI and SOI expansion area. The approximate cost (in 2005 dollars) of acquiring and developing parks through buildout in the existing SOI is \$409 million and in the SOI expansion area is \$303 million. Park acreage acquisitions and park maintenance will be financed by development impact fees, property taxes and grants.

V. MUNICIPAL SERVICE REVIEW DETERMINATIONS

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 identifies a set of nine evaluation criteria to be used in an MSR. The following sections organize a series of determinations for each criterion. The determinations are based on the service and infrastructure documented in **Chapter IV**.

INFRASTRUCTURE NEEDS AND DEFICIENCIES

The purpose of this determination is to evaluate the capacity and condition of municipal infrastructure to serve existing and planned population. An assessment of wastewater, water, storm drainage, road maintenance, street lighting, police, fire, and parks and recreation infrastructure is presented in the previous chapter for each municipal service.

The City of Victorville and its subsidiary districts (if they are not dissolved), which will be the primary providers of services within its boundaries at buildout, have a number of master plan efforts in place that will address the issues faced in serving the area. Below are the most urgent needs and deficiencies identified for Victorville's municipal services.

WATER

- Increased use of recycled water by golf courses, airports and other institutions will reduce the amount of potable water used for landscaping purposes.
- State and federal regulations for new building construction require installation of water efficient toilets, showerheads and faucets, thereby lessening per capita water demand.
- Consolidation of water providers, which offers opportunities to achieve reclamation and conservation objectives, will improve the ability to deliver water to the growing community.
- A total of \$9.2 million in capital improvements are planned for the City's SCLA water system during the next five years.
- The municipal water providers to City territory need to develop water treatment capacity to ensure adequate water quality. The estimated cost of new treatment facilities is \$10 - \$20 million.
- The municipal water providers to City territory will need an additional 26,000 acre-feet of water supply to accommodate planned growth for which approved tract maps have been issued. As much as 70,000 acre-feet of water supply will be needed by the providers collectively to accommodate Victorville buildout. These

additional supplies will come from the development of new groundwater sources, water treatment technologies, increased conservation, and purchase of imported water.

- The water providers lack a specific plan for acquisition of the future expansion of water supply. Further, several water agencies project growth substantially lower than the City and County are projecting for the area. Water supply planning collaboration between water retailers and land use authorities should be encouraged.

WASTEWATER

- Consolidation of water providers offers opportunities to achieve reclamation and conservation objectives. Dissolution of the sanitary district offers enhanced transparency of government to constituents and minor cost avoidance opportunities.
- There is not presently sufficient treatment capacity to accommodate projected growth. However, the City and VVWRA are expanding treatment capacity through coordinated capital improvement planning.
- Infrastructure needs include extension of wastewater collection infrastructure, expansion of treatment capacity at the regional treatment plant, and construction of subregional facilities to serve anticipated growth.
- The City plans to invest \$13.2 million in its wastewater collection system over the next five years. The City plans to pay its share toward expansion of regional wastewater infrastructure.
- New developments must be within a reasonable distance from sewer service areas. Developers will fund construction items as needed to serve new growth.
- Several areas within the City's SOI lack public sewer infrastructure and rely on septic systems. Financing sewer extension to developed areas within the SOI requires voter-approved assessments. Timely extension of sewer service as currently undeveloped areas grow would promote logical growth and public health.
- Effective industrial pretreatment and recycling programs reduce the amount and strength of industrial waste.
- Installation of water efficient toilets, faucets and showerheads along with greater use of water efficient washers should decrease per capita demands.

STORM DRAINAGE

- Increased development to accommodate the growing population is resulting in expanded impervious surface areas. The inability of water to be absorbed into local soils results in an increased rate and volume of runoff flows.
- The increased rate and volume of runoff must be addressed by stormwater facility improvements and increased conveyance capacity.
- Growth and development increase municipal maintenance, regulatory and monitoring workloads.
- The City plans to invest \$15.4 million in drainage improvements over the next five years. Infrastructure needs include improvement of natural drainage courses.
- The storm drainage system will not operate at full capacity until vacant land areas are developed and infrastructure completed. Developers will fund construction items as needed to serve new growth.

STREETS

- The City plans to invest \$140 million in road improvements over the next five years. Infrastructure needs include improvement at intersections along I-15 and along portions of Bear Valley Road.
- New streets to serve new development will be funded through development impact fees and developer requirements.

FIRE PROTECTION

- The number of fire department service calls to the Victorville Fire Protection District is projected to increase by up to 10 percent annually over the next five years, as a result of planned growth. In the long term, service demand is expected to increase by 3 percent annually.
- The number of fire department service calls to the Victorville Fire Protection - District is projected to increase from 10,200 to about 15,784 over the next 15 years, as a result of population growth.
- As in most jurisdictions, many service calls do not involve actual emergencies. Potential demand management strategies include false alarm fees, 911 call response fees, public outreach and fire prevention education.
- The City anticipates investing at least \$20 million in fire capital improvements through 2016. Four new fire stations are being planned to accommodate future

growth in the City and its SOI. In addition, the radio system will be expanded and equipment replaced in the current fiscal year.

- The City's standard is to recommend new fire stations in developing areas to meet the goal of a five-minute response time in heavily populated areas.
- The costs of constructing and equipping new fire stations will be funded through development impact fees.

POLICE PROTECTION

- Population growth, the success of programs to revitalize blighted areas, changes in the crime rate, advances in policing strategies and police management, success and continuation of community oriented policing, growth in the crime-prone population, traffic congestion and other factors are expected to affect the need for officers, and other service demands.
- The City anticipates investing \$9.6 million in police-related capital improvements through 2020. Police station expansion, a new substation, radio system upgrade, additional vehicles and equipment will be needed to accommodate planned growth.
- The costs of constructing and equipping new police facilities will be funded primarily through development impact fees and secondarily through general fund resources.

PARKS AND RECREATION

- The City anticipates investing \$83 million in parks, recreation centers and golf courses through 2020. Development of 10 parks, three recreation centers and two golf courses will be needed to accommodate planned growth. In addition, the City plans to acquire at least five sites for future parks during the planning horizon.
- In order to meet future demand, the City is now focusing on larger parks (ten to sixty acres) rather than small neighborhood parks (one to five acres), with the intent to maintain and develop parks that serve larger communities and the entire City's needs, with better amenities, more open and green spaces, and larger sports facilities. Operation and maintenance of larger parks is more efficient, and uses the City's available resources more effectively.¹⁰⁰
- As development occurs within the SOI expansion area, park and open space may be developed along the Mojave River and the I-66 corridor to serve growing demand.¹⁰¹

¹⁰⁰ City of Victorville, Community Services Department Master Plan, July 2006.

¹⁰¹ Interview with Jon Gargan, Director of Community Services, City of Victorville.

- The cost of acquiring and developing new parks will be funded primarily through development impact fees.

GROWTH AND POPULATION PROJECTIONS FOR THE AFFECTED AREA

The purpose of this determination is to document estimates of existing population and projected growth; these estimates provide a basis for evaluating future service needs and plans.

Development is anticipated to increase the City's population from the current level of approximately 95,000 to a level of 134,000 by 2020. For long-term facilities planning purposes, the City expects 3 percent annual population growth. The City has experienced rapid growth at an annual rate of 7 percent over the last five years. Growth accelerated to 11 percent in 2005, and 10 percent in 2006. Based on the number of planned housing units with adopted tract maps, the City's annual growth rate in the short term is expected to be substantially higher than its long-term growth rate. The projection of population at the buildout of Victorville's existing SOI is approximately 340,000 people.

There are presently nearly 12,000 residents in the unincorporated areas within the City's existing SOI. By buildout, the population in these future annexation areas is projected by the County to grow to 30,000 or more. Plans for the future provision of service to the entire SOI area are addressed for each municipal service in the previous chapter, and are highlighted below.

Most growth is occurring on the western half of the City and is expected to continue into the western and northern SOI areas.

FINANCING CONSTRAINTS AND OPPORTUNITIES

The purpose of this determination is to assess any constraints or opportunities related to the funding of necessary municipal service improvements. The City of Victorville has established a number of financing mechanisms and policies to help assure that regional infrastructure and services can be provided in an efficient manner. New development is responsible for installing or funding necessary public service improvements. Other opportunities or constraints to funding are highlighted below.

CITYWIDE

- The City has historically been a no property tax city, and relies on other sources of revenue. Particularly, the sales tax accounts for nearly half of the City's

general fund resources. Franchise fees, user fees and transient occupancy taxes are other funding sources. Balanced growth involving both residential and commercial development is critical to the financial health of the City.

- The City determined that its FY 04-05 development impact fees did not cover an adequate portion of the costs of extending infrastructure to new development. The City increased these fees in FY 05-06 based on a comprehensive analysis of infrastructure needs and development-related costs imposed on the City.
- Financing constraints affect annexation of developed areas. The annexing city does not receive property taxes in lieu of vehicle license fees on the annexed property values and does not receive development impact fees to finance capital improvements, such as street paving and installation of sidewalks, curbs, and gutters.

WATER

- Water providers presently face no particular financing constraints. While the BMWD is carrying some debt, it is well within industry standards. The VVWD carries no debt and has substantial reserves. The consolidated water district, as a larger entity and backed by the City, would have a full range of funding options available with a favorable credit rating.

WASTEWATER

- Wastewater providers presently face no particular financing constraints.
- Connection fees may not cover the City's costs of extending sewer infrastructure to developed areas in the SOI where residents rely on private septic systems. Additional financing sources may be required.
- The private costs of septic-sewer conversion in developed areas in the SOI area may be as high as \$15,000 per household. Financing opportunities include assessments, State loans, and supplemental sewer service charges.

STORM DRAINAGE

- Drainage infrastructure is financed by development impact fees.
- Storm drainage assessments are subject to Proposition 218 requirements for two-thirds voter approval. A proposed constitutional amendment would eliminate financing constraints for storm drainage operating costs.

STREETS

- Extending and expanding roadways to serve new development will be financed by development impact fees.
- Financing constraints complicate the pavement of dirt roads, construction of sidewalks, and other urban street improvements in developed areas within the SOI. Potential financing mechanisms would require approval by the voters in affected areas to approve assessments.

FIRE PROTECTION

- Construction and equipment of new fire stations to serve new development will be financed by development impact fees.
- Financing mechanisms for fire-related operating costs—property taxes and general fund resources—are constrained by Propositions 13 and 218.

POLICE PROTECTION

- Construction and equipment of new police facilities to serve new development will be financed by development impact fees.
- Financing mechanisms for police-related operating costs—general fund resources—are constrained by Propositions 13 and 218.

PARKS AND RECREATION

- Acquisition and development of new parks to serve new development will be financed by development impact fees.
- Financing mechanisms for park-related operating costs—general fund resources—are constrained by Propositions 13 and 218. Community Facilities Districts and Lighting and Landscape Districts are potential funding sources for park maintenance.

COST AVOIDANCE OPPORTUNITIES

This determination is intended to identify opportunities for eliminating unnecessary or duplicative costs. As Victorville annexes land within its SOI, the City will take over the provision of municipal services from the individual service providers currently serving the unincorporated areas. This will prevent the duplication of services and will minimize unnecessary costs. Other cost-saving opportunities related to municipal services are highlighted below.

- The City participates in joint ventures to achieve cost avoidance in the provision of regional services, including emergency medical dispatch, mutual aid coordination, wastewater treatment and disposal, public transit, solid waste disposal, and regional economic development activities.
- The City continuously evaluates service levels to identify deficiencies and opportunities.
- Significant cost avoidance opportunities are available to the ratepayers of the VVWD and BMWD if consolidation occurs as proposed by the City.¹⁰² Key avoided costs would include consolidating governance and management costs, transferring redundant administrative positions to similar vacant City positions, and making use of certain City administrative capabilities.
- The City Council currently sits as the Board of Directors of three subsidiary districts—the Victorville Sanitary District, the Victorville Recreation and Park District, and the Victorville Fire Protection district. The proposed dissolution of these subsidiary districts offers minor cost avoidance opportunities through the combination of administrative functions, such as budget and accounting.

OPPORTUNITIES FOR RATE RESTRUCTURING

This determination is intended to identify opportunities to reduce rates or minimize required increases, while retaining a desired level of service. The City of Victorville charges rates for services to cover the cost of providing these services. Assessments of funding requirements should be made each year and allocated among the service users. Rate adjustments for Victorville’s municipal services will be necessary to address existing and future infrastructure and service needs, and are highlighted below.

- Water rates paid by City residents differ based on water service provider. Consolidation of water service providers presents opportunities to restructure rates to achieve equity throughout the City.
- Wastewater rates paid by City residents are flat monthly charges per household. Consolidation of water service providers presents opportunities to restructure wastewater rates to charge on the basis of flow (water use).
- There are minimal opportunities for solid waste rate restructuring. Rates for solid waste and recycling services increase annually based on inflation.

¹⁰² A detailed description of savings opportunities is available in the Plan for Service under consideration as LAFCO 2991.

OPPORTUNITIES FOR SHARED FACILITIES

The purpose of this determination is to identify opportunities for agencies to share facilities and resources, thus reducing costs and serving customers more efficiently. Some Victorville services already share facilities and resources, while other opportunities, presented below, are being explored.

GENERAL

- The City shares its City Hall facility with other state, county and federal representatives. That facility is currently being expanded, offering additional facility sharing opportunities.
- The City shares its facilities with its subsidiary districts to provide effective and efficient government operations.

WATER

- Water service providers already share a common water supply. The City relies on the City of Adelanto for use of its wells.
- There are substantial opportunities to share facilities including administrative and maintenance facilities as well as production, storage and treatment systems. An integrated water system would be more robust and cost-effective to operate. Using existing connections and appropriate engineering, the water system could become more reliable by connecting the existing BMW system, the VVWD system, and the SCLA system with an additional connection through neighboring Adelanto.

WASTEWATER

- The City engages in extensive facility sharing through its participation in the VVWRA. Through the joint venture, the City shares wastewater treatment and disposal facilities with the City of Hesperia, the Town of Apple Valley and San Bernardino County.
- Through VVWRA, the City shares and coordinates wastewater capacity planning with other service providers in the Victor Valley.

FIRE PROTECTION

- The Victorville Fire Protection District already engages in emergency dispatch facility sharing through its participation in the RPPA. Through the joint venture,

the City shares emergency dispatch and mutual aid coordination sharing with the City of Hesperia and the Town of Apple Valley.

- The Victorville Fire Protection District already engages in facility sharing through mutual aid arrangements with neighboring jurisdictions. Through mutual aid, providers assist each other in responding to incidents when the first-in provider is occupied with other incidents or is faced with an incident requiring substantial resources.

POLICE PROTECTION

- The City relies on a contract service arrangement with the Sheriff to deliver police services.
- The City relies on various countywide law enforcement services provided by the Sheriff and shared with other jurisdictions, including crime lab, jail, SWAT, bomb squad, and other specialized resources.

PARKS AND RECREATION

- The City shares a number of park facilities with local school districts through joint use agreements.
- With growth-related expansion in both park facilities and school facilities, there are additional plans and opportunities for facility-sharing.

GOVERNMENT STRUCTURE OPTIONS

This determination is required in order to weigh the costs and benefits of various government structure options to provide the best possible public services. Overall, the City of Victorville will provide municipal services to annexed areas in a cohesive and efficient manner that is more difficult to achieve by a multiplicity of small independent districts that currently provide services within the SOI.

- Dissolution of the three subsidiary districts is a government structure option. Dissolution advantages include enhanced transparency of government to constituents and minor cost avoidance opportunities through the combination of administrative functions. The Council adopted dissolution resolutions for the three districts in 2005.
- Reorganization of water districts is a government structure option. This option involves consolidation of the BMWWD and VVWD and establishment of a subsidiary district of the City as the successor district. Reorganization advantages include:

- 1) opportunities to enhance water conservation to ensure adequate water supplies in this high-growth area,
 - 2) opportunities to develop shared water infrastructure to meet the water quality needs of constituents throughout this rapidly growing area,
 - 3) avoidance of conflicts between land use and infrastructure decisions,
 - 4) operational cost savings of at least 5 percent,
 - 5) enhanced accountability through transparent governance,
 - 6) enhanced accountability through high-turnout general elections,
 - 7) equitable rates through rate restructuring, and improved management efficiency through single governing entity and management.
- Current government structure options include annexation of areas within the existing SOI. Annexation advantages include City control over land use planning and development requirements and promotion of logical boundaries and service efficiencies. Generally, annexation is more advantageous to cities in developing areas and less advantageous in developed areas. Disadvantages of annexing developed areas include unfavorable allocation of the property tax in lieu of vehicle license fees and the costs of extending infrastructure to the areas; however, proposed legislation (AB 1602) would address this financing disadvantage.

EVALUATION OF MANAGEMENT EFFICIENCIES

This determination evaluates whether organizational changes to governmental structure can be made to improve the quality of public services in comparison to cost. As development occurs within the SOI and land is annexed to the City, staffing, facilities, maintenance and equipment needs grow. Both the City's expanding budget and the rate increases proposed for various City services reflect the rapid growth of the City and extension of infrastructure.

- The City engages in extensive use of joint ventures to reap economies of scale in the provision of regional services, including wastewater treatment, emergency medical dispatch, mutual aid coordination, solid waste disposal, transit, regional economic development, clean air, and risk management.
- The consolidation of existing water districts offers management efficiencies through shared training opportunities, reduced administrative staffing levels, shared billing systems, and elimination of duplication in planning functions.
- The dissolution of three subsidiary districts offers opportunities to simplify budgeting and accounting functions and reap related efficiencies.

- Annexation may promote efficiency in the delivery of fire and emergency medical services by reducing the travel distance and number of fire stations needed to provide response.

LOCAL ACCOUNTABILITY AND GOVERNANCE

This determination is intended to evaluate the accessibility and amount of public participation in the agency's decision-making process. The unincorporated areas within the City's SOI currently are managed by the County government, which also manages other unincorporated areas throughout the County. Upon annexation, the City will provide for local accountability and governance.

- The City and its subsidiary districts demonstrate a high degree of public participation in elections as well as other forms of citizen participation. The City prepares meeting agendas and minutes and has accessible staff and elected officials.
- The Victorville voter turnout rate is comparable to the countywide voter turnout rate. The City holds regular elections for its governing body members. There have been no uncontested elections for the Victorville governing body members.
- The City and its subsidiary districts make information about their activities available to the public through a variety of sources, including Internet web site, distribution of agenda and related documents, public access to City Council and Planning Commission meetings, updating constituents with newsletters.
- The City operates in an open fashion that facilitates the public's ability to learn about and participate in civic affairs.
- The City and its subsidiary districts inform constituents through constituent outreach, solicitation of constituent input, and posting public documents on the web site.
- The City and its subsidiary districts disclose plans and finances and are responsive to public inquiries.
- Public input into the City's budget decision-making is encouraged. Budgeting as well as major projects are presented in a workshop setting typically just prior to a regularly scheduled Council meeting to allow for maximum participation from the public and Council members.

VI. REFERENCES

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INTERVIEWS

John Becker, Chief, Victorville Fire Protection District
Art Bishop, Division Chief, Apple Valley Fire Protection District
Chris Borchert, Assistant Director of Planning, City of Victorville
Joe Flores, Public Works Manager, City of Victorville
Jon Gargan, Director, Victorville Recreation and Park District
Sean McGlade, City Engineer, City of Victorville
Adele Mosher, Assistant Director of Finance, City of Victorville
Cliff Raynolds, Lieutenant, San Bernardino Sheriff's Department
Doug Robertson, Deputy City Manager, City of Victorville
Kathleen Rollings-McDonald, Executive Officer, San Bernardino LAFCO

VII. APPENDIX

City of Victorville: Profile Summary Sheet

Contact Person: *Doug Robertson, Deputy City Manager*

Address:

*14343 Civic Drive
Victorville, CA 92393-2399*

E-Mail Address:

d Robertson@ci.victorville.ca.us

Website Address:

http://www.ci.victorville.ca.us

Date of Municipality Formation:

September 21, 1962

Charter/Date:

NA – general law city

Redevelopment Agency: X YES ____NO

If yes, please indicate name and define area of service.

*Victorville Redevelopment Agency:
Hook Road Project Area
Bear Valley Road Project Area
Old Town Project Area*

Governing Body:

Five member City Council elected at-large

Membership:

*Mike Rothschild, Mayor
Rudy Cabriales, Mayor pro tem
Joann Almond, Councilmember
Terry Caldwell, Councilmember*

Bob Hunter, Councilmember

Public Meetings:

The City Council meets the 1st and 3rd Tuesday of each month, beginning at 7:00 PM, Victorville Council Chambers, 14343 Civic Drive

SERVICES

Services Provided by City/Town Directly to its Public:

General government, building and safety, code enforcement, fire protection, planning, land use, roads, street lights, public landscaping, animal control, water, wastewater, stormwater, park and recreation

Service(s) Provided to the City/Town through a Contractual Relationship:

SERVICE	PROVIDED BY WHOM	DATE OF CONTRACT	SUNSET DATE
<i>Law enforcement</i>	<i>San Bernardino County Sheriff</i>	<i>July, 1 1963</i>	<i>None</i>
<i>Refuse Collection</i>	<i>Victorville Disposal (Burrtec)</i>	<i>May 23, 1995</i>	<i>Automatically extends every five years</i>

Area Served: 74 Square Miles (47,462 Acres)

Population: 65,455 (2000 Census); 95,145 (2006 Department of Finance)

Residents within City limits: 95,145¹

Residents within unincorporated areas in City SOI: 11,896²

Registered Voters: 31,420 as of May 22, 2006

Services Provided Outside City/Town Boundaries: None

Special charges for service outside boundaries: None

¹ State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2006, with 2000 Benchmark*. Sacramento, California, May 2006.

² Estimate based on 2000 Census and SCAG RTP 2004 projection.

Subsidiary District(s)? YES NO
 Victorville Fire Protection District
 Victorville Recreation and Park District
 Victorville Sanitary District

SPHERE OF INFLUENCE

Established:

LAFCO Number	Resolution No./ Date Adopted	Location
LAFCO 1147	Res. No. 762 6/28/72	See Figure 1

Changes:

LAFCO Number	Resolution No./ Date Adopted	Type of Change	Location
2832	NA	SOI Expansion/ Reduction for City of Victorville, Reduction for City of Adelanto	
2779	NA	SOI Expansion for City of Victorville	
2721	Resolution issued 4/26/93	SOI Review & expansion	6,000 acres, George Air Force Base
2677	Resolution issued 8/16/91	SOI Expansion for City of Victorville, reduction for City of Hesperia	
2533	Resolution issued 7/25/89	SOI Expansion	
2521	Resolution issued 2/23/89	SOI Review & expansion	
2479	Resolutions 2155, 2150 issued 10/11/88	SOI Review & expansion	
2470A	4/25/88	SOI Reduction for City of Victorville, expansion for Apple Valley	
2380	Resolution issued 6/25/86	SOI Review & expansion	
2062 & 2062A	Resolution issued 2/13/81	SOI Review & expansion	

Source: San Bernardino LAFCo, July 2006

Totally Surrounded Islands: X YES _____NO

If Yes, how many: *Three*

How many comply with provisions of Government Code Section 56375.3:

(1): *Coad Road Island*

BUDGETARY INFORMATION

General Fund	Actual 2002-03	Actual 2003-04	Actual 2004-05	Budgeted 2005-06	Budgeted 2006-07 ³
<i>Revenues:</i>	\$32,759,274	\$34,659,431	\$40,909,692	\$45,735,034	\$58,870,941
<i>Property Tax⁴</i>	348,941	335,172	-164,677	5,000,000	7,146,000
<i>Sales Tax⁵</i>	15,826,367	16,465,113	19,680,830	23,430,286	24,106,500
<i>User Fees⁶</i>	8,323,429	11,570,755	13,176,407	12,122,369	16,872,225
<i>Expenditures</i>	25,895,749	31,095,680	37,572,010	45,735,034	58,870,941
<i>Capital/Fixed Assets⁷</i>	328,737,450	381,830,567	394,589,207	NA	NA

Source: City of Victorville Finance Department

³ Proposed Budget FY 2006-07

⁴ Property tax category includes subvention for no property tax, ERAF contribution, and property taxes in lieu of vehicle license fees.

⁵ Sales tax category includes general sales and use tax and in-lieu sales tax.

⁶ User fee category includes charges for services, cost recovery, licenses and permits

⁷ The value of capital and fixed assets represents the value of fixed capital assets net of depreciation for all governmental funds.

City of Victorville: Sphere of Influence Review

INTRODUCTION: The questions on this form are designed to obtain data about the entity's existing sphere of influence to allow the Commission and its staff to begin to assess the mandated sphere update process. You are encouraged to include any additional information that you believe is pertinent to the process. Use additional sheets where necessary and/or include any relevant documents.

1. NAME OF AGENCY: *City of Victorville*

2. Provide an identification of the entities that provide service to your agency. Please indicate whether they are public or private entities and include subsidiary districts in this description. Please include a description of City or District-governed agencies (i.e., redevelopment agency, development corporations, joint powers authorities, improvement districts, etc.):
 - *Fire service is provided by the Victorville Fire Protection District, as a subsidiary district.*
 - *Sanitary sewer services are provided by the Victorville Sanitary District, as a subsidiary district.*
 - *Park and recreation services are provided by the Victorville Recreation and Park District as a subsidiary district.*
 - *Police services are provided by the San Bernardino County Sheriff under contract.*
 - *Refuse and recycling services are provided by Burrtec Waste Industries, Inc., a private entity under contract.*
 - *Water service is provided by the Victor Valley Water District, Baldy Mesa Water District, CSA 64, and City of Victorville (SCLA).*
 - *Transit services are provided by the Victor Valley Transit Authority.*
 - *Wastewater reclamation services are provided by the Victor Valley Wastewater Reclamation Authority, a Joint Powers Authority.*
 - *Street lighting is provided by the City and by Southern California Edison, a private company.*
 - *Electric and gas services are provided by Southern California Edison and Southwest Gas Corporation.*

The City of Victorville governs a redevelopment agency that current manages three redevelopment project areas. The City of Victorville also participates in governance of the Victorville Professional Development Corporation, a non-profit corporation established to provide affordable housing. The VPDC board consists of three members from the City and four members from the community.

3. Provide a narrative description of anticipated alterations in the agency's current sphere of influence that should be considered in this review. This identification should include any potential development that would require a sphere of influence amendment for implementation, etc. (If additional room for response is necessary, please attach additional sheets to this form.)

The City of Victorville recommends a sphere expansion to the north of its existing sphere, bounded by Topaz on the west, the existing City SOI on the south, and I-15 on the east, meeting Barstow's SOI in the north. On August 1, the Council instructed staff to begin negotiations with County representatives regarding the proposed sphere boundaries. Once the City and County reach an agreement on the boundaries, the proposal will be forwarded to the Commission for review.

4. **CITIES:** Provide an outline of negotiations with the County of San Bernardino related to any sphere change anticipated. Please include an outline of agreements on boundaries, development standards, zoning requirements, if any. This is required pursuant to Government Code Section 56425(b).

Negotiations with the County of San Bernardino are expected to commence in August 2006.

5. **CITIES:** Provide an outline of the dates for adoption and plans for update, if any, for:

General Plan Adopted 1997, Horizon: 2015

Elements if adopted separately

NAME	DATE OF ADOPTION/UPDATE PLANS
<i>Housing Element</i>	<i>2000, update in progress</i>

6. **CITIES/SPECIAL DISTRICTS:** For the services provided by the agency identify the appropriate document below and provide an outline of the date of adoption, schedule for update, copy of the document and copy of environmental document, if applicable:

Master Plan for Water Utility	<i>Southern California Logistic Airport Specific Plan Water Master Plan, June 2006</i>
Master Plan for Sewer Utility	<i>Victor Valley Water Reclamation Authority Sewerage Facilities Plan Updated, 2005 Amendment Southern California Logistics Airport Specific Plan Sewer Master Plan, to be adopted in 2006</i>

	<i>Master Plan of Sewers, 1990, revised September 1991, presently being updated</i>
Master Plan for Fire Service	<i>General Plan, Safety Element, 1997</i>
Master Plan for Park Service	<i>City of Victorville Community Services, July 2006</i> <i>Department Master Plan for Parks and Facilities, 2005</i>
Urban Water Management Plan	<i>Not Required for SCLA</i>
Other (Please name):	
<i>Master Plan for Drainage</i>	<i>Citywide Master Plan of Drainage</i>

7. **SPECIAL DISTRICTS:** Provide an outline of the following items related to the services provided by the District. This response is specifically required by Government Code Section 56425(h) et seq.

Not applicable

8. Provide a response to the four factors outlined in Government Code Section 56425 required for a sphere of influence review outlined as follows:

There are four different sphere areas to consider in Victorville, the western sphere, the eastern sphere, the existing northern sphere, and the northern sphere expansion area. Victorville borders Hesperia on the south. Responses are organized by major sphere area.

- a) The present and planned land uses in the area, including agricultural and open-space lands.

In the western sphere area, present land uses include mostly vacant land, scattered single-family housing and minimal agricultural use. Planned land use consists of single-family residential (4,030 acres), commercial (770 acres), multi-family residential use (320 acres), and light industrial (230 acres). In planned single-family residential areas, planned densities vary from one to four dwelling units per acre (average of 2.2 dwelling units per acre).

In the eastern sphere area, present land uses include medium-density residential, recreation (200-acre lake, 164-acre golf course and private parks), and a country club in the Spring Valley Lake residential subdivision and 840 acres of regional parkland in the Mojave Narrows Regional Park. Planned land uses are anticipated to be the same as present uses.

In the existing northern sphere area, present land uses include primarily vacant land and the County landfill (491 acres). There is a pocket of commercial development on I-15 near Stoddard Wells Rd., low-density residential use south of Oro Grande, and agricultural use

between the Mojave River and Rt. 66. Planned land uses consist of conservation area (2 square miles), residential (4.25 square miles), industrial and commercial (1.5 square miles) use.

In the northern SOI expansion area, present land uses are primarily open space and vacant. There are 26.25 square miles of open space in the West Mojave Plan conservation area. In the Oro Grande community, there is residential and commercial development, including a cement plant. Planned land uses include open space, residential, and commercial. Planned residential areas encompass 21.25 square miles, most of which is expected to be designated for low-density residential use. Some pockets of multi-family residential use are also anticipated. Planned commercial areas encompass 10 square miles, most of which is expected to be clustered at I-15 interchanges along the eastern side of the SOI expansion area. The City anticipates a modest amount of commercial activity in the western and central portions of the SOI expansion area, with approximately 0.5 square miles of commercial areas located on major streets.

b) The present and probable need for public facilities and services in the area.

In the western sphere area, the present need for public services and facilities is minimal due to the low population. The probable need is extensive with future development and population growth. Additional police and fire support, street maintenance and infrastructure, among other services, will be necessary.

In the eastern sphere area, the present need is extensive in Spring Valley Lake, as the area is well-populated at this time, however, much of the services and infrastructure are provided by CSA 64 (water, sewer and street cleaning) and by the private homeowners association (golf course, tennis courts, lake, and other recreation).

In the northern existing sphere area, the present need is limited. The probable need is significant, particularly in the SCLA vicinity and along I-15. The probable need is limited on open space lands.

In the northern SOI expansion area, the present need is limited to the Oro Grande community and vicinity, a portion of which receives water, sewer, park and street lighting through CSA 42. The probable need could be significant, particularly in the developable portions of the SOI expansion area where there is potential for significant residential and commercial growth fueled by affordable land prices.

c) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

Municipal services provided by Victorville are adequate. For fire services, Victorville enjoys the most favorable ISO rating in the Victor Valley. Wastewater collection and treatment infrastructure need additional capacity to accommodate growth; Victorville and VVWRA are constructing infrastructure expansions in a collaborative fashion. Much of the drainage system in Victorville is constructed by new development, and is most effective in built-out areas where the infrastructure is complete. Roadways will need expansion to accommodate growth, improvements are financed primarily with developer fees and requirements and planned through a 15-year plan and ongoing capital improvement programming. Police services in Victorville are adequate. For park and recreation service, Victorville offers extensive programming and has an adopted goal of reaching the industry standard of 3.0 acres per 1,000 residents through developer fees and requirements.

d) The existence of any social or economic communities of interest in the area.

The community of Phelan, a county unincorporated area, borders the western sphere area. In the eastern sphere area, Spring Valley Lake represents a social and economic community of private property in this unincorporated county area. The community of Oro Grande, a county unincorporated area, lies in the northern SOI expansion area. The unincorporated islands of Mountain View Acres lie within the City's existing SOI.

CERTIFICATION

I hereby certify that the statements furnished above and in the attached supplements, exhibits, and documents present the data and information required for this mandatory review to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE: _____

Signature of Official

Printed Name

Title

Victorville Fire Protection District: Profile Summary Sheet

District Contact Person(s): *Chief John Becker*

Address:

*PO Box 5001
Victorville, CA 92392*

E-mail Address:

jbecker@ci.victorville.ca.us

Website Address:

http://www.ci.victorville.ca.us

Date of Formation:

May 9, 1973

Principal Act: *Health and Safety Code 13801, et. Seq., Part 2.7, Division 12*

Improvement District(s): YES NO

If yes, please indicate name and define area of service (include map).

Governing Body:

City of Victorville City Council

Membership:

*Mike Rothschild, Mayor
Rudy Cabriaes, Mayor pro tem
Joann Almond, Councilmember
Terry Caldwell, Councilmember
Bob Hunter, Councilmember*

Public Meetings:

*The City Council meets the 1st and 3rd Tuesday of each month, beginning
at 7:00 PM, Victorville Council Chambers, 14343 Civic Drive*

SERVICES

Currently Authorized Powers (Services):

SERVICE	FUNCTIONS
<i>Fire Protection</i>	<i>Structural, watershed, suppression, prevention, protection, first aid, rescue, disaster preparedness, hazardous material response, fire safety education</i>

Latent Powers (Services) -- those services authorized by the Agency's principal act, but not activated through the LAFCO process:

SERVICE	FUNCTIONS
<i>N/A</i>	

Area Served: *74 Square Miles*

Population: *95,173 in 2006*

*Source for population in City bounds is California Department of Finance.
 Sources for population in eastern island are 2000 Census and SCAG RTP
 2004 projections. Per 2000 Census, northern area on I-15 is uninhabited.*

Registered Voters: *31,420 as of May 22, 2006 (citywide)*

Services Provided Outside Agency Boundaries: *None, other than mutual aid assistance*

SERVICE	PROVIDED TO WHOM	DATE OF CONTRACT	SUNSET DATE
<i>N/A</i>			

Special charges for service outside boundaries: *None*

Special policies for providing service outside boundaries: *Mutual or automatic aid agreement*

SPHERE OF INFLUENCE

Established:

LAFCO Number	Resolution No./ Date Adopted	Location
LAFCO 1305	Res. No. 942, 5/9/73	Victorville, CA

Changes:

LAFCO Number	Resolution No./ Date Adopted	Type Of Change	Location
2062	Res. No. 1693 - 11/5/80	SOI Expansion	
2380	Res. No. 2048 - 7/16/86	SOI Expansion	
2479	Res. No. 2150 - 9/21/88	Expansion	Southwest
2521	Res. No. 2187 - 2/12/89	Expansion	West
2533	Res. No. 2212 - 7/19/89	Expansion	
2677	Res. No. 2338 - 7/31/1991	Expansion	Golden Triangle
2721	Res. No. 2411 - 4/21/93	Expansion	GAFB/SCLA
2779	Res. No. 2477 - 4/19/95	Expansion	Northeast of GAFB/SCLA

BUDGETARY INFORMATION

VFPD Fund ⁸	Actual 2002-03	Actual 2003-04	Actual 2004-05	Budgeted 2005-06	Budgeted 2006-07 ⁹
<u>Revenues</u>	\$4,312,381	\$4,850,577	\$6,093,164	\$6,325,220	\$7,600,617
Property Tax	1,731,009	1,882,780	2,079,132	1,793,000	3,017,000
Sales Tax	0	0	0	0	0
User Fees ¹⁰	123,256	58,487	144,769	147,320	183,600
General Fund Transfer	2,453,033	2,897,986	3,860,754	4,377,750	4,391,867
<u>Expenditures</u>	4,309,653	4,841,795	6,093,499	6,325,220	7,600,617
<u>Capital/Fixed Assets¹¹</u>	NA	NA	NA	NA	NA

Source: City of Victorville Finance Department

⁸ Victorville Fire Protection District fund information is reported here. Development impact fees and related expenditures are reported in a separate fund.

⁹ Proposed Budget FY 2006-07

¹⁰ User fees include charges for services, cost recovery, licenses and permits.

¹¹ Capital asset value is tracked and reported for all governmental funds combined, and is not available for individual governmental funds.

Victorville Fire Protection District: Sphere of Influence Review

INTRODUCTION: The questions on this form are designed to obtain data about the entity's existing sphere of influence to allow the Commission and its staff to begin to assess the mandated sphere update process. You are encouraged to include any additional information that you believe is pertinent to the process. Use additional sheets where necessary and/or include any relevant documents.

1. NAME OF AGENCY: *Victorville Fire Protection District*
2. Provide an identification of the entities that provide service to your agency. Please indicate whether they are public or private entities and include subsidiary districts in this description. Please include a description of City or District-governed agencies (i.e., redevelopment agency, development corporations, joint powers authorities, improvement districts, etc.):

The Regional Fire Protection Authority (RFPA), a joint powers authority, provides dispatch communications and mutual aid. Water services are provided by the City of Victorville (at SCLA), the Baldy Mesa Water District, and the Victor Valley Water District.

3. Provide a narrative description of anticipated alterations in the agency's current sphere of influence that should be considered in this review. This identification should include any potential development that would require a sphere of influence amendment for implementation, etc. (If additional room for response is necessary, please attach additional sheets to this form.)

The City of Victorville has proposed dissolving this subsidiary district, and assuming service responsibility directly. Therefore, a zero SOI is recommended.

4. **CITIES:** Provide an outline of negotiations with the County of San Bernardino related to any sphere change anticipated. Please include an outline of agreements on boundaries, development standards, zoning requirements, if any. This is required pursuant to Government Code Section 56425(b).

Not applicable.

5. **CITIES:** Provide an outline of the dates for adoption and plans for update, if any, for:

Not applicable.

6. **CITIES/SPECIAL DISTRICTS:** For the services provided by the agency identify the appropriate document below and provide an outline of the date of adoption, schedule for update, copy of the document and copy of environmental document, if applicable:

Master Plan for Fire Service	<i>General Plan, Safety Element, Adopted 1997, update in progress</i>
Other (Please name):	<i>Not applicable</i>

7. **SPECIAL DISTRICTS:** Provide an outline of the following items related to the services provided by the District. This response is specifically required by Government Code Section 56425(h) et seq.

- a) Provide a written statement specifying the functions and/or classes of service provided by your District.

Fire prevention, fire suppression, emergency services, basic medical services at EMT-1 level, hazardous materials response, rescue services, disaster planning, and full CUPA operations are provided.

- b) Provide a written description of the nature, location and extent of the functions and/or classes of service outlined above. Where the service area is less than the boundaries of the District provide a map depiction of the location.

Services are provided throughout the entire district boundaries. The district includes the entire City, some territory adjacent to I-15 that follows the northeast boundary of the City, and most of the Coad Road unincorporated island, except for a rail line on the eastern side of the island. The boundary does not include two of the City's islands: the westernmost unincorporated island and the Mountain View Acres unincorporated area. However, the District provides mutual aid assistance to the unincorporated islands and Oro Grande community. The Apple Valley Fire Protection District serves a small portion in the northeast corner of the existing District bounds, from North Stoddard Wells to the Dale Evans Parkway, and the VFPD serves the area inside its bounds to the south of North Stoddard Wells along I-15.¹² Upon district dissolution and City SOI expansion, the planned VFPD fire station at Stoddard Wells/Dante Road will serve that area.

- c) Provide a brief outline of master plans adopted for each of the services listed above including a summary of their findings and the date of their adoption. If master plans are required to be filed with a County, State or Federal agency please note the date of

¹² Per Apple Valley Fire Protection District Division Chief, Art Bishop, July 20, 2006

their acceptance. Provide a copy of the master plans with this document if not previously provided to the LAFCO staff office including a copy of the environmental determination associated with the document.

City General Plan, Safety element, adopted 1997, updates in progress.

Current plans available from the City of Victorville Fire Department include the goals of:

- *Delivering safety services of the highest quality,*
- *Supporting and maintaining a safe, healthy, well-trained and high performing workforce,*
- *Providing high-quality first responder service as part of an integrated emergency medical care system,*
- *Ensuring that Victorville firefighters will be community resources for life, safety, knowledge, and information about Victorville Fire Department services,*
- *Attracting and retaining a qualified and diverse workforce, and*
- *Being accountable to its community for demonstrable results.*

Four new fire stations are being planned to accommodate growth and future development.

8. Provide a response to the four factors outlined in Government Code Section 56425 required for a sphere of influence review outlined as follows:

a) The present and planned land uses in the area, including agricultural and open-space lands.

In the western sphere area, present land uses include mostly vacant land, scattered single-family housing and minimal agricultural use. Planned land use consists of single-family residential (4,030 acres), commercial (770 acres), multi-family residential use (320 acres), and light industrial (230 acres). In planned single-family residential areas, planned densities vary from one to four dwelling units per acre (average of 2.2 dwelling units per acre).

In the eastern sphere area, present land uses include medium-density residential, recreation (200-acre lake, 164-acre golf course and private parks), and a country club in the Spring Valley Lake residential subdivision and 840 acres of regional parkland in the Mojave Narrows Regional Park. Planned land uses are anticipated to be the same as present uses.

In the existing northern sphere area, present land uses include primarily vacant land and the County landfill (491 acres). There is a pocket of commercial development on I-15 near Stoddard Wells Rd., low-density residential use south of Oro Grande, and agricultural use between the Mojave River and Rt. 66. Planned land uses consist of conservation area (2 square miles), residential (4.25 square miles), industrial and commercial (1.5 square miles) use.

b) The present and probable need for public facilities and services in the area.

The number of service calls to the Victorville Fire Protection District increased from 8,062 in 2001 to 10,966 in 2005, an increase of just over 36%. As Victorville continues to develop, additional demand is expected. The District has identified the need for future fire stations and personnel to service the sphere areas to the west and northeast of the current boundaries should those areas annex. As development occurs in the City's proposed SOI expansion area to the north, service demand would initially be met by the new Village Drive or SCLA (No. 319) stations along the I-66 corridor, and by the new Stoddard Wells/Dante Road station along I-15.

c) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

Fire district services are adequate. The District maintains an ISO rating of 3, the most favorable rating among providers in the Victor Valley area. The services presently provided are being expanded as the need arises. A fifth fire station was recently opened at El Evado Road. Four future stations are being planned and will be developed as required.

d) The existence of any social or economic communities of interest in the area.

The community of Mountain View Acres, unincorporated pockets, lies within the sphere area, and benefits from mutual aid assistance provided by VFPD. The community of Phelan, a county unincorporated area, borders the western sphere area. In the eastern sphere area, Spring Valley Lake represents a social and economic community of private property in this unincorporated county area.

CERTIFICATION

I hereby certify that the statements furnished above and in the attached supplements, exhibits, and documents present the date and information required for this mandatory review to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE: _____

Signature of Official

Printed Name

Title

Victorville Recreation and Park District: Profile Summary Sheet

District Contact Person(s): *Jon Gargan, Gerald Young*

Address:

*City Hall Community Services
14343 Civic Drive
Victorville, CA 92392*

E-mail Address:

jpgargan@ci.victorville.ca.us; gyoung@ci.victorville.ca.us

Website Address:

http://ci.victorville.ca.us

Date of Formation:

July 17, 1978

Principal Act: *Public Resources Code 5400 and 5780, Chapter 4, Division 5, Public Resources Code 5431*

Improvement District(s): YES NO

If yes, please indicate name and define area of service (include map).

Governing Body:

City of Victorville City Council

Membership:

*Mike Rothschild, Mayor
Rudy Cabriales, Mayor pro tem
Joann Almond, Councilmember
Terry Caldwell, Councilmember
Bob Hunter, Councilmember*

Public Meetings:

*The City Council meets the 1st and 3rd Tuesday each month, beginning at 7:00 PM,
Victorville Council Chambers, 14343 Civic Drive*

SERVICES

Currently Authorized Powers (Services):

SERVICE	FUNCTIONS
<i>Recreation programs and sports</i>	<i>Provide recreation support for the general public</i>
<i>Educational classes</i>	<i>Provide recreation support for the general public</i>
<i>Parks and park amenities</i>	<i>Provide open space opportunities for the general public</i>

Latent Powers (Services) -- those services authorized by the Agency's principal act, but not activated through the LAFCO process:

SERVICE	FUNCTIONS
<i>None</i>	

Area Served: 79.72 Square Miles/ 51,021 Acres

Population: 106,257 in 2006

Source for population in City bounds is California Department of Finance. Population in Spring Valley Lake is based on 2000 Census with growth rate applied from 2005 VVWRA Sewer Plan. Population in Mountain View Acres and other island areas is 2000 Census with growth rates applied from 2004 SCAG RTP projections.

Registered Voters: 35,706 as of Oct. 3, 2005

Services Provided Outside Agency Boundaries: None

SERVICE	PROVIDED TO WHOM	DATE OF CONTRACT	SUNSET DATE
<i>N/A</i>			

Special charges for service outside boundaries:

None

Special policies for providing service outside boundaries:

None

SPHERE OF INFLUENCE

Established:

LAFCO Number	Resolution No./ Date Adopted	Location
LAFCO 1306	Res. No. 943 5/9/73	Victorville, CA

Changes:

LAFCO Number	Resolution No./ Date Adopted	Type Of Change	Location
2062	Res. No. 1693 - 11/5/80	Expansion	
2380	Res. No. 2048 - 7/16/86	Expansion	South
2479	Res. No. 2150 - 9/21/88	Expansion	Southwest
2521	Res. No. 2187 - 2/12/89	Expansion	West
2533	Res. No. 2212 - 7/19/89	Expansion	
2677	Res. No. 2338 - 7/31/1991	Expansion	Golden Triangle
2721	Res. No. 2411 - 4/21/93	Expansion	GAFB/SCLA
2779	Res. No. 2477 - 4/19/95	Expansion	Northeast of GAFB/SCLA

BUDGETARY INFORMATION

VRPD Fund ¹³	Actual 2002-03	Actual 2003-04	Actual 2004-05	Budgeted 2005-06	Budgeted 2006-07 ¹⁴
<u>Revenues</u>	\$3,220,265	\$3,542,314	\$3,963,092	\$5,011,762	\$6,398,554
Property Tax	1,871,727	2,014,254	2,080,468	2,250,250	3,250,000
Sales Taxes	0	0	0	0	0
User Fees ¹⁵	488,944	532,529	586,882	622,624	674,749
General Fund	687,646	819,946	1,119,938	2,047,136	2,385,283
<u>Expenditures</u>	3,215,996	3,520,910	3,955,075	5,011,762	6,398,554
Capital/Fixed Assets ¹⁶	NA	NA	NA	NA	NA

Source: City of Victorville Finance Department

¹³ Victorville Recreation and Park District fund information is reported here. VRPD excludes landscape maintenance assessment districts, golf courses, and public building landscaping activities of the Community Services Department.

¹⁴ Proposed Budget, FY 2006-07

¹⁵ User fees include charges for services, cost recovery, licenses and permits.

¹⁶ Capital asset value is tracked and reported for all government funds combined, and is not available for individual governmental funds.

Victorville Recreation and Park District: Sphere Of Influence Review

INTRODUCTION: The questions on this form are designed to obtain data about the entity's existing sphere of influence to allow the Commission and its staff to begin to assess the mandated sphere update process. You are encouraged to include any additional information that you believe is pertinent to the process. Use additional sheets where necessary and/or include any relevant documents.

1. NAME OF AGENCY: *Victorville Recreation and Park District*
2. Provide an identification of the entities that provide service to your agency. Please indicate whether they are public or private entities and include subsidiary districts in this description. Please include a description of City or District-governed agencies (i.e., redevelopment agency, development corporations, joint powers authorities, improvement districts, etc.):

City of Victorville-Public

Victor Valley Water District-Public

Baldy Mesa Water District-Public

Benefit Everyone, Assist Recreation and Sports, Inc. (BEARS)-Private

3. Provide a narrative description of anticipated alterations in the agency's current sphere of influence that should be considered in this review. This identification should include any potential development that would require a sphere of influence amendment for implementation, etc. (If additional room for response is necessary, please attach additional sheets to this form.)

The City of Victorville has proposed dissolving this subsidiary district. Therefore, a zero SOI is recommended.

4. **CITIES:** Provide an outline of negotiations with the County of San Bernardino related to any sphere change anticipated. Please include an outline of agreements on boundaries, development standards, zoning requirements, if any. This is required pursuant to Government Code Section 56425(b).

Not applicable

5. **CITIES:** Provide an outline of the dates for adoption and plans for update, if any, for:

Not applicable

6. **CITIES/SPECIAL DISTRICTS:** For the services provided by the agency identify the appropriate document below and provide an outline of the date of adoption, schedule for update, copy of the document and copy of environmental document, if applicable:

Community Services Master Plan for Parks and Facilities: July, 2006

7. **SPECIAL DISTRICTS:** Provide an outline of the following items related to the services provided by the District. This response is specifically required by Government Code Section 56425(h) et seq.

- a) Provide a written statement specifying the functions and/or classes of service provided by your District.

Provide recreation programs, sports programs, educational classes, parks, park support for recreation (sports fields, swimming pools, community centers, etc.), park areas of open space for general public use.

- b) Provide a written description of the nature, location and extent of the functions and/or classes of service outlined above. Where the service area is less than the boundaries of the District provide a map depiction of the location.

Provide park space and recreation programs to the City of Victorville and the unincorporated communities of Spring Valley Lake and Mountain View Acres, which equals approximately 98 square miles and over 100,000 residents. The nature of service includes acquiring, operating and developing recreation facilities as well as preserving open space.

- c) Provide a brief outline of master plans adopted for each of the services listed above including a summary of their findings and the date of their adoption. If master plans are required to be filed with a County, State or Federal agency please note the date of their acceptance. Provide a copy of the master plans with this document if not previously provided to the LAFCO staff office including a copy of the environmental determination associated with the document.

The Community Services Master Plan was adopted in July of 2006 and established specific goals for acquiring park space and developing recreation facilities to meet the current and

future needs of the City. The goals include acquiring property, working with local school districts and seeking funding. The plan identifies current and future facilities.

8. Provide a response to the four factors outlined in Government Code Section 56425 required for a sphere of influence review outlined as follows:

- a) The present and planned land uses in the area, including agricultural and open-space lands.

In the western sphere area, present land uses include mostly vacant land, scattered single-family housing and minimal agricultural use. Planned land use consists of single-family residential (4,030 acres), commercial (770 acres), multi-family residential use (320 acres), and light industrial (230 acres). In planned single-family residential areas, planned densities vary from one to four dwelling units per acre (average of 2.2 dwelling units per acre).

In the existing northern sphere area, present land uses include primarily vacant land and the County landfill (491 acres). There is a pocket of commercial development on I-15 near Stoddard Wells Rd., low-density residential use south of Oro Grande, and agricultural use between the Mojave River and Rt. 66. Planned land uses consist of conservation area (2 square miles), residential (4.25 square miles), industrial and commercial (1.5 square miles) use.

- b) The present and probable need for public facilities and services in the area.

With the growth within the City boundaries at 800 to 1,000 persons per month, the need for new and expanded public facilities and services is significant. Additional parks, sports facilities, swimming pools, community centers, as well as expanded program opportunities are essential.

- c) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

Park and recreation services are adequate. The City has approximately 2.1 acres of park space per 1,000 residents. The City's target is three acres per 1,000 residents, with the optimal at five acres per 1,000 residents. The agency is actively developing and planning additional park space to keep pace with the growth in park needs due to rapid population growth. Although recreation services are operating at capacity, services are expanded as new growth finances increased staffing.

- c) The existence of any social or economic communities of interest in the area.

The community of Phelan, a county unincorporated area, borders the western sphere area. The community of Oro Grande, a county unincorporated area, lies in the northern SOI expansion area. The communities of Spring Valley Lake and Mountain View Acres lie within District bounds, although they lie outside City bounds.

CERTIFICATION

I hereby certify that the statements furnished above and in the attached supplements, exhibits, and documents present the date and information required for this mandatory review to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE: _____

Signature of Official

Printed Name

Title

Victorville Sanitary District: Profile Summary Sheet

District Contact Person(s): *Brian Schneider*

Address:

*14177 McArt Road
Victorville, CA92392*

E-mail Address:

bschneider@ci.victorville.ca.us

Website Address:

www.ci.victorville.ca.us

Date of Formation:

May 16, 1973

Principal Act:

LAFCo #1306

Improvement District(s): YES NO

If yes, please indicate name and define area of service (include map).

Governing Body:

Victorville City Council

Membership:

*Mike Rothschild, Mayor
Rudy Cabriaes, Mayor pro tem
Joann Almond, Councilmember
Terry Caldwell, Councilmember
Bob Hunter, Councilmember*

Public Meetings:

*The City Council meets the 1st and 3rd Tuesday of each month, beginning at 7:00 PM,
Victorville Council Chambers, 14343 Civic Drive*

SERVICES

Currently Authorized Powers (Services):

SERVICE	FUNCTIONS
<i>Sewage Collection and Treatment</i>	<i>Sewage collection, disposal, and construction. Maintenance and repairs of sewer system.</i>

Latent Powers (Services) – those services authorized by the Agency’s principal act, but not activated through the LAFCO process:

SERVICE	FUNCTIONS
<i>N/A</i>	<i>N/A</i>

Area Served: *71.65 Square Miles (45,856 Acres)*

Population: *93,628*

The source for 2006 citywide population is California Department of Finance. The District population estimate adjusts the citywide estimate based on the proportion of citywide assessed value within the Sanitary District in FY 2005-06.

Registered Voters: *31,420 as of May 22, 2006 (City boundary area)*

Services Provided Outside Agency Boundaries:

SERVICE	PROVIDED TO WHOM	DATE OF CONTRACT	SUNSET DATE
<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>

Special charges for service outside boundaries:

N/A

Special policies for providing service outside boundaries:

N/A

SPHERE OF INFLUENCE

Established:

LAFCO Number	Resolution No./ Date Adopted	Location
LAFCO 1307	Res. No. 944, 5/9/73	Victorville, CA

CHANGES:

LAFCO Number	Resolution No./ Date Adopted	Type Of Change	Location
2062	Res. No. 1693 - 11/5/80	Expansion	
2380	Res. No. 2048 - 7/16/86	Expansion	South
2479	Res. No. 2150 - 9/21/88	Expansion	Southwest
2521	Res. No. 2187 - 2/12/89	Expansion	West
2533	Res. No. 2212 - 7/19/89	Expansion	
2677	Res. No. 2338 - 7/31/1991	Expansion	Golden Triangle
2721	Res. No. 2411 - 4/21/93	Expansion	GAFB/SCLA
2779	Res. No. 2477 - 4/19/95	Expansion	Northeast of GAFB/SCLA

BUDGETARY INFORMATION

VSD Fund ¹⁷	Actual 2002-03	Actual 2003-04	Actual 2004-05	Budgeted 2005-06	Budgeted 2006-07
<u>Revenues</u>	\$9,031,017	\$6,355,325	\$6,556,385	\$11,503,404	\$8,378,431
Property Tax	959,931	1,062,167	1,030,715	675,000	1,500,000
Sales Tax	0	0	0	0	0
User Fees ¹⁸	4,740,268	5,225,274	5,307,170	5,575,742	6,385,000
Use of Fund Balance	0	0	0	5,065,962	308,431
<u>Expenditures¹⁹</u>	8,579,157	5,938,239	9,232,598	11,503,404	8,378,431
Capital Assets ²⁰	13,745,192	15,447,441	20,243,915	NA	NA

Source: City of Victorville Finance Department

¹⁷ Victorville Sanitary District fund information is reported here. Figures reflect operations and capital funds.

¹⁸ User fees include both sewer service charges and connection fees.

¹⁹ Victorville Sanitary District include both operating expenditures and those capital expenditures not financed from connection fees.

²⁰ Capital asset value net of depreciation is tracked and reported for the sanitary district proprietary fund on an actual basis, and is not tracked on a budgetary basis.

Victorville Sanitary District: Sphere Of Influence Review

INTRODUCTION: The questions on this form are designed to obtain data about the entity's existing sphere of influence to allow the Commission and its staff to begin to assess the mandated sphere update process. You are encouraged to include any additional information that you believe is pertinent to the process. Use additional sheets where necessary and/or include any relevant documents.

1. NAME OF AGENCY: *Victorville Sanitary District*
2. Provide an identification of the entities that provide service to your agency. Please indicate whether they are public or private entities and include subsidiary districts in this description. Please include a description of City or District-governed agencies (i.e., redevelopment agency, development corporations, joint powers authorities, improvement districts, etc.):

Victor Valley Wastewater Reclamation Authority (VWRA), a regional wastewater treatment agency.

3. Provide a narrative description of anticipated alterations in the agency's current sphere of influence that should be considered in this review. This identification should include any potential development that would require a sphere of influence amendment for implementation, etc. (If additional room for response is necessary, please attach additional sheets to this form.)

The City of Victorville has proposed dissolving this subsidiary district. Therefore, a zero SOI is recommended.

4. **CITIES:** Provide an outline of negotiations with the County of San Bernardino related to any sphere change anticipated. Please include an outline of agreements on boundaries, development standards, zoning requirements, if any. This is required pursuant to Government Code Section 56425(b).

Not applicable

5. **CITIES:** Provide an outline of the dates for adoption and plans for update, if any, for: *Not applicable*

6. **CITIES/SPECIAL DISTRICTS:** For the services provided by the agency identify the appropriate document below and provide an outline of the date of adoption, schedule for update, copy of the document and copy of environmental document, if applicable:

Master Plan of Sewers, 1990, currently being updated
Victor Valley Water Reclamation Authority Sewerage Facilities Plan Updated, Year 2005 Amendment
Southern California Logistics Airport Draft Water and Wastewater Systems Master Plan, July 2006.

7. **SPECIAL DISTRICTS:** Provide an outline of the following items related to the services provided by the District. This response is specifically required by Government Code Section 56425(h) et seq.

a) Provide a written statement specifying the functions and/or classes of service provided by your District.

Maintain sewage collection system with 365 miles of collector lines. Collector lines are connected to the VVWRA regional interceptor system at six metering points throughout the City and two points within the SCLA.

b) Provide a written description of the nature, location and extent of the functions and/or classes of service outlined above. Where the service area is less than the boundaries of the District provide a map depiction of the location.

The district provides maintenance, operation, and planning of the wastewater collection system. As a member agency of VVWRA, the district provides wastewater conveyance, treatment and disposal services.

The location of sanitary services is within district bounds. The sewer service area covers the majority of the City boundary area. Approximately 98.4 percent of properties within City bounds are within District bounds, as measured by FY 2005-06 assessed value.

The extent of services includes wastewater system planning, infrastructure inspection, cleaning, maintenance, replacement and repair of sewer structures such as pipes and manholes. Preventative maintenance services include closed-circuit television inspection of sewer lines and cleaning sewer lines. Engineering services include the planning and design of sewer rehabilitation and extension projects. Related activities include sewer service billing, oversight of development plans for sewer infrastructure, and oversight and regulation of wastewater dischargers.

- d) Provide a brief outline of master plans adopted for each of the services listed above including a summary of their findings and the date of their adoption. If master plans are required to be filed with a County, State or Federal agency please note the date of their acceptance. Provide a copy of the master plans with this document if not previously provided to the LAFCO staff office including a copy of the environmental determination associated with the document.

Master Plan of Sewers, 1990, currently being updated

- *Implemented computer model for analysis of trunk capacity and for design of new trunk sewer facilities, providing the City with the capability to respond rapidly to system changes.*
- *Established criteria allowing maximum flow depth equal to 75 percent of pipe diameter.*
- *Recommended trunk sewer parameters and interceptor connection location for unsewered study area*
- *Developed deficiency correction measures to be used in assigning project priorities for ongoing sewer capital improvement program.*

Victor Valley Water Reclamation Authority Sewerage Facilities Plan Update, Year 2005 Amendment

- *Established wastewater treatment plant expansion needs. Construction is now underway to expand the treatment plant capacity from 12.5 to 18 million gallons per day.*
- *Identified interceptor improvements needs. Design work is underway for two new pump stations and a directional drilled pipeline crossing under the Mojave River.*
- *VVWRA continued work on a study to develop subregional reclamation facilities, which will provide wastewater treatment for the growing community, as well as high quality reclaimed water for non-potable uses such as landscape irrigation. Initially two subregional facilities will be constructed, one 4 MGD facility in Hesperia, and a second 4 MGD facility in Apple Valley, which should be operational by late 2009. Thereafter, two additional facilities will be constructed in Victorville.*

Southern California Logistics Airport Specific Plan Sewer Master Plan, draft dated June 2006.

- *Identified wastewater collection strategy: construct new sewers, a life station and a force main system and upsize a lateral to modernize and expand capacity of the system originally designed for the air force base.*

8. Provide a response to the four factors outlined in Government Code Section 56425 required for a sphere of influence review outlined as follows:

- a) The present and planned land uses in the area, including agricultural and open-space lands.

In the western sphere area, present land uses include mostly vacant land, scattered single-family housing and minimal agricultural use. Planned land use consists of single-family residential (4,030 acres), commercial (770 acres), multi-family residential use (320 acres), and light industrial (230 acres). In planned single-family residential areas, planned densities vary from one to four dwelling units per acre (average of 2.2 dwelling units per acre).

In the eastern sphere area, present land uses include medium-density residential, recreation (200-acre lake, 164-acre golf course and private parks), and a country club in the Spring Valley Lake residential subdivision and 840 acres of regional parkland in the Mojave Narrows Regional Park. Planned land uses are anticipated to be the same as present uses.

In the existing northern sphere area, present land uses include primarily vacant land and the County landfill (491 acres). There is a pocket of commercial development on I-15 near Stoddard Wells Rd., low-density residential use south of Oro Grande, and agricultural use between the Mojave River and Rt. 66. CSA 42 provides sewer service to Oro Grande.

- b) The present and probable need for public facilities and services in the area.

There is a present and probable need for public sewers in unincorporated SOI areas. Spring Valley Lake is inhabited, sewerred and currently served by CSA 64. Oro Grande within the SOI expansion area is inhabited, sewerred and currently served by CSA 42. Within the existing SOI, the Baldy Mesa, Mountain View Acres, unincorporated islands, and northwestern SOI areas are inhabited, presently rely on septic systems, and have a probable need for public sewer infrastructure. Although the northeastern SOI area and much of the SOI expansion area are not inhabited presently, future growth in these area would create a need for sewer collection system infrastructure.

Presently, wastewater flow within the City limits, including SCLA, is approximately 8.3 million gallons per day (mgd), and is projected to increase to 15.04 mgd by 2020 and to 18.25 mgd by 2025 by the VVWRA 2005 Sewerage Facilities Plan Update.

- c) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

Services are adequate, as indicated by good standing with regulatory agencies. The City's design criteria for the capacity of the sanitary sewer collection system is that a main sewer line peak maximum flow is 50 percent of capacity, truck line peak is 75 percent of capacity and the minimum velocity for main is two feet per second.

Although the existing infrastructure will not accommodate future growth, both the Victorville Sanitary District and the VVWRA conduct ongoing planning efforts to project future needs and plan appropriate capital improvements — increases in capacity for the wastewater collection, treatment and disposal infrastructure. Planned sewer collection system improvements include pipes, services laterals, trunk lines, manholes and pump stations. The VVWRA is planning to build four new sub-regional treatment facilities with two located within the City of Victorville. Construction of the facilities should begin in 2008 and be completed by 2010.

d) The existence of any social or economic communities of interest in the area.

The community of Phelan, a county unincorporated area, borders the western sphere area. In the eastern sphere area, Spring Valley Lake represents a social and economic community of private property in this unincorporated county area. The community of Oro Grande, a county unincorporated area, lies in the northern SOI expansion area.

CERTIFICATION

I hereby certify that the statements furnished above and in the attached supplements, exhibits, and documents present the date and information required for this mandatory review to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE: _____

Signature of Official

Printed Name

Title

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AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: Karen Hunt
Police Department, PIO **DATE:** July 25, 2006

SUBJECT: **National Night Out**

RECOMMENDATION: Receive a report on the City of Victorville's participation with the 23rd National Night Out Program.

FISCAL IMPACT: None

Budget Amount:_____

Budget Account No._____

---Finance Dept. Use Only---

Additional Appropriation:

+---+

+---+ No

+---+

+---+ Yes/\$Amount:_____Finance Director

Review &

Approval_____

DISCUSSION: Victorville will be joining forces with thousands of communities nationwide for the 23rd Annual National Night Out crime and drug prevention event.

The national program is designed to heighten crime and drug prevention awareness, generate support for and participation in local anti-crime efforts, strengthen neighborhood police-community partnerships, and send a message to criminals that neighborhoods are organized to fight crime.

Throughout the nation on August 1, 2006, residents in neighborhoods throughout Victorville and across the nation are collectively taking back their neighborhoods. Residents are asked to lock their doors, turn on outside lights and spend the evening outside with neighbors. Neighborhoods with established Neighborhood Watch Programs are asked to hold a meeting that evening.

The City of Victorville's Neighborhood Watch Program is healthy. Currently, the City has in place 19 Neighborhood Watch groups, and interest from 21 individuals interested in forming a group. Throughout the year, Police Department staff will continue to work with these groups to strengthen them and to increase participation.

Written
#8
8-1-06

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AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. Glade
City Engineer

DATE: July 13, 2006

SUBJECT: AWARD OF CONTRACT

RECOMMENDATION: That City Council award a contract to Cutting Edge Contracting Company for the low bid price of \$371,928.00 for the Sycamore Sidewalk Project

FISCAL IMPACT: \$450,032.88

Budget Amount: \$162,571 (TDA3)
\$297,700 (CDBG)

Budget Acct. No.:

Finance Dept. Use Only
Additional Appropriation

No _____

Yes/\$ Amount _____

Finance Director Review

\$ Approval _____

DISCUSSION: On July 11, 2006, the Engineering Department opened bids for the Sycamore Street Sidewalk Project. A total of four bids were received ranging from \$371,928.000 to \$545,545.00. The low bid price is 8.0% lower than the Engineer's Estimate.

1. Cutting Edge	\$371,928.00
2. 4-Con Engineering	\$453,489.00
3. CS Legacy	\$455,422.00
4. Sully-Miller Contracting Company	\$545,545.00

The total estimated project cost is as follows:

Construction Contract	\$371,928.00
Contingencies, 10%	<u>37,192.80</u>
Construction Sub-Total	\$409,120.80
Construction Engineering	<u>40,912.08</u>
Project Total	\$450,032.88

This project has two funding sources: \$162,571 from Transportation Development Article 3 and \$297,700 from a Community Development Block Grant for a total of \$460,271.00. This project was advertised in May 2006 and bids were opened on May 25, 2006. Only one bid was submitted at a price Staff believed was inflated. It was recommended that Council reject that bid which was done at the June 6, 2006 Council Meeting. The project was slightly modified and re-advertised for a longer period in the hope that more bids would be received with the low bid providing a substantial cost savings to the City. Staff is recommending award of this contract to Cutting Edge.

Sycamore Street Sidewalk				Lowest Bid		Highest Bid		
Bid Opening: 07/11/06				<i>Sully Miller Original Unit Price, May 25</i>	Cutting Edge Concrete		Sully-Miller Contracting	
Item #	Item Description	Quantity	Unit of Measure		Unit Price	Item Total	Unit Price	Item Total
1	Mobilization	1	LS		\$10,000.00	\$10,000.00	\$52,797.50	\$52,797.50
2	Traffic Control	1	LS	\$43,093.00	\$13,500.00	\$13,500.00	\$28,000.00	\$28,000.00
3	Remove and Dispose Existing Curb	2200	LF	\$25.00	\$10.00	\$22,000.00	\$25.00	\$55,000.00
4	Remove and Dispose Existing AC	250	SY	\$29.00	\$20.00	\$5,000.00	\$30.00	\$7,500.00
5	Remove and Dispose Existing Concrete	140	SF	\$8.00	\$20.00	\$2,800.00	\$12.00	\$1,680.00
6	Remove Existing Sidewalk	2080	SF	\$5.00	\$5.00	\$10,400.00	\$5.00	\$10,400.00
7	Construct 6" Concrete Curb and Gutter	3010	LF	\$29.00	\$22.40	\$67,424.00	\$28.00	\$84,280.00
8	Construct 4" Concrete Sidewalk	16470	SF	\$8.33	\$4.90	\$80,703.00	\$6.50	\$107,055.00
9	Construct Curb Ramp Per Caltrans Standard Plan A88A Case A	11	EA	\$2,800.00	\$1,500.00	\$16,500.00	\$2,500.00	\$27,500.00
10	Construct 3" AC	40	TN	\$365.00	\$225.00	\$9,000.00	\$280.00	\$11,200.00
11	Construct 6" Concrete Curb Dike	660	LF	\$45.00	\$19.60	\$12,936.00	\$30.00	\$19,800.00
12	Remove and Construct Concrete Cross Gutter	600	SF	\$35.00	\$22.60	\$13,560.00	\$35.00	\$21,000.00
13	Construct 8" Concrete Dike	290	LF	\$52.00	\$19.60	\$5,684.00	\$55.00	\$15,950.00
14	Construct Concrete Stairs	1	EA	\$8,000.00	\$3,920.00	\$3,920.00	\$7,500.00	\$7,500.00
15	Relocate Existing Street Sign	4	EA	\$600.00	\$750.00	\$3,000.00	\$300.00	\$1,200.00
16	Relocate Existing Tree	1	EA	\$2,700.00	\$4,000.00	\$4,000.00	\$2,700.00	\$2,700.00
17	Replace Existing R26A Sign With an R32A Sign	2	EA	\$100.00	\$750.00	\$1,500.00	\$90.00	\$180.00
18	Fill, Grade and Compact Soil Between Existing and Proposed	118	CY	\$100.00	\$125.00	\$14,750.00	\$100.00	\$11,800.00
19	Existing Cleanout Adjusted to Grade	4	EA	\$850.00	\$650.00	\$2,600.00	\$800.00	\$3,200.00
20	Relocate Existing Fence	325	LF	\$11.00	\$35.00	\$11,375.00	\$10.50	\$3,412.50
21	Relocate Existing Mailbox	1	EA	\$600.00	\$500.00	\$500.00	\$600.00	\$600.00
22	Construct Cross Gutter	2400	SF	\$16.50	\$14.50	\$34,800.00	\$18.00	\$43,200.00
23	Trench and Conduit	46	LF	\$70.00	\$100.00	\$4,600.00	\$100.00	\$4,600.00
24	Sidewalk	1	EA	\$8,500.00	\$4,480.00	\$4,480.00	\$8,500.00	\$8,500.00
26	Reconstruct Concrete Drive Approach	283	SF	\$27.00	\$12.00	\$3,396.00	\$30.00	\$8,490.00
27	Striping per Signing and Striping Plan	1	LS	\$6,000.00	\$9,000.00	\$9,000.00	\$5,500.00	\$5,500.00
28	Install Handicap Ramp	1	LS		\$4,500.00	\$4,500.00	\$2,500.00	\$2,500.00
Bid					\$371,928.00		\$545,545.00	



AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. ~~Glade~~ 
City Engineer DATE: July 17, 2006

SUBJECT: Vacation (abandonment) of a portion of Landscape Easement.
Lot 18, Tract Map No. 18218, MB 319/81-89, SE ¼ Sec. 33, T5N, R4W, SBM

RECOMMENDATION: The Engineering Dept. recommends approval of the vacation (abandonment) of a portion of Landscape Easement within Lot 18 of Tract Map No. 18218, M.B. 319, Pages 81 through 89 inclusive and adoption of Resolution No. 06-138.

FISCAL IMPACT: None

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

DISCUSSION: KB Home Greater Los Angeles, Inc., is requesting the vacation (abandonment) of a small portion of Landscape Easement (1.5' strip) which is needed to accommodate the required usable side yard space for Lot 18 of said Tract Map.

RESOLUTION NO. 06-138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
VICTORVILLE ORDERING THE VACATION
(ABANDONMENT) OF A PORTION OF LANDSCAPE
EASEMENT WITHIN LOT 18 OF TRACT MAP NO. 18218

WHEREAS, the City Council of the City of Victorville, pursuant to Division 9, Part 3, Chapter 4 of the Street and Highway Code, having reviewed and considered the evidence offered in relation of the proposed vacation (abandonment) of a portion of Landscape Easement lying within Lot 18 of Tract Map 18218, and

WHEREAS, with the revised Landscaping and Grading Plan, said portion of Landscape Easement is no longer needed and;

WHEREAS, said vacation is exempt from California Environmental Quality Act under Section 15305 Class 5(c)

NOW, THEREFORE, the City Council of the City of Victorville does hereby order the vacation (abandonment) of that portion of Landscape Easement, more particularly described as follows:

SEE ATTACHED EXHIBITS "A" and "B"

BE IT FURTHER RESOLVED, that the City Council of the City of Victorville shall, pursuant to Section 15062 of the California Environmental Quality Act Guidelines cause a Certificate of Exemption to be filed.

BE IT FURTHER RESOLVED, that the City Clerk of the City of Victorville shall cause a certified copy of this resolution to be recorded in the office of the Recorder of the County of San Bernardino, and that from and after the date that this resolution is recorded said portion of Landscape Easement within Lot 18 of said Tract Map No. 18218 is thereby vacated (abandoned).



KB HOME GREATER LOS ANGELES INC.
801 Corporate Center Drive, Suite 201
Pomona, CA 91768
(909) 618-1500 – (909) 618-1453 - Direct
(909) 868-9038 - Fax

July 10, 2006,

City of Victorville
Engineering Department
P.O. Box 5001
Victorville, CA 92393-5001

RE: Landscape Easement Vacation Request (Partial) – Tr. 18218

Please accept this letter as a request to the City of Victorville to vacate that portion of a landscape easement as identified on the attached exhibit from that portion shown on recorded Final Tract Map 18218, Book 319, Pages 81-89, on May 18, 2006.

The subject revision is requested in order to accommodate an appropriate usable side yard for the future resident of Lot 18. The subject tract and Lot 18 are currently under construction. The tract has been annexed into the Citywide Assessment District No. #1, which will ultimately maintain the landscape easement area following completion of construction and implementation of approved landscape plans.

The easement as originally dedicated was based on a correction from the City of Victorville. I have already cleared the vacation of the easement with Bill Webb(Planning Department), Danny Moncada(Engineering Department), and Becky Wasserman(Parks & Recreation).

If you have any questions please feel free to contact me at (909) 618-1453. Thank you for your attention to this matter.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Fitzsimmons', with a long horizontal flourish extending to the right.

Tim Fitzsimmons
Assistant Project Manager
KB Home

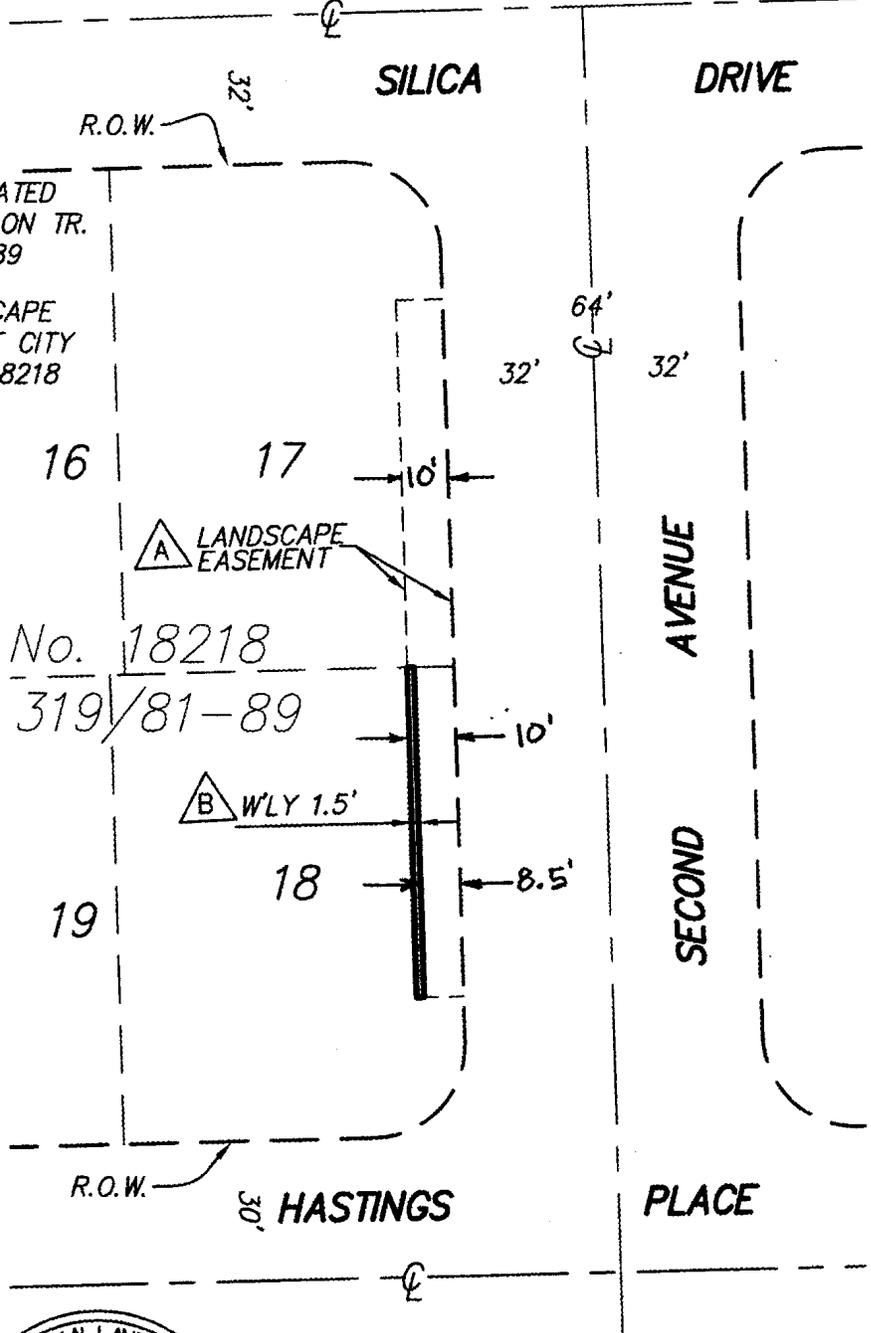
Attached Exhibit

EXHIBIT "B" LANDSCAPE EASEMENT VACATION

SHEET 1 OF 1

- A LANDSCAPE EASEMENT DEDICATED TO THE CITY OF VICTORVILLE ON TR. No. 18218 M.B. 319 PG. 81-89
- B VACATED PORTION OF LANDSCAPE EASEMENT DEDICATED TO THE CITY OF VICTORVILLE ON TR. No. 18218 M.B. 319 PG. 81-89

TR. No. 18218
M.B. 319/81-89



SCALE: 1"=40'



EXISTING LOT LINES
 EXISTING RIGHT OF WAY
 AREA OF VACATION

ANTHONY HARO / P.L.S. 7635
 EXP. 12/31/2006.
 DATE 7/19/06

J.N.: 652-1919
 DWG DATE: 07/13/06

PREPARED BY:

MADOLE & ASSOCIATES, INC.
 Engineering Communities for Life

760-A S. ROCHESTER AVE.,
 ONTARIO, CA 91761
 909 937 9151
 www.madoleinc.com

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AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. [Signature] Glade
City Engineer

DATE: July 24, 2006

SUBJECT: RESOLUTION NO. 06-140 AUTHORIZING THE CITY ENGINEER TO ACQUIRE PROPERTY FOR RIGHT OF WAY VALUED AT LESS THAN \$10,000 FOR CAPITAL IMPROVEMENT PROJECTS

RECOMMENDATION: That City Council approve Resolution No. 06-140 Authorizing the City Engineer to Acquire Property for Right of Way Valued at Less Than \$10,000 for Capital Improvement Projects

FISCAL IMPACT: None

Note: The impact will be included in the Budget for each CIP project

Budget Account No.

Finance Dept Use Only
Additional Appropriation

No _____

Yes/\$Amount _____

Finance director Review

\$ Approval _____

DISCUSSION: Many City Capital Improvement Projects involve acquisition of properties, usually narrow strips along parcel frontages, which are valued at less than \$10 K. Current City practice is to gain approval of the City Council to make an offer. In most cases, City staff is successful in obtaining a donation of the right of way in exchange for the improvements being installed; however, in some cases, as with the Nisqualli Road project, there is justification to provide compensation for the taking, usually because the property is already developed and there is no method of requiring dedication in the future. There are cases at corner lots where a triangular shaped parcel is needed for handicapped access and it is appropriate to provide compensation by way of the benefits derived from the City's improvements or certain cases that require financial compensation.

Current Federal rules under the Uniform Act allow acquisition of property under \$10,000 without requiring a fair market appraisal.

The approval of this Resolution will enable the City Engineer to bring projects into construction more timely by reducing the number of staff reports and actions being requested of City Council.

RESOLUTION NO. 06-140

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE
AUTHORIZING THE CITY ENGINEER TO ACQUIRE PROPERTY FOR RIGHT
OF WAY VALUED AT LESS THAN \$10,000 FOR CAPITAL IMPROVEMENT
PROJECTS**

WHEREAS, Pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, parcels to be acquired valued at less than \$10,000 do not need an appraisal, and

WHEREAS, the City Council desires to expedite Capital Improvement Projects by implementing measures to reduce unnecessary actions by the City Council.

NOW THEREFORE, BE IT RESOLVED, that the City Council does hereby authorize the

1. City Engineer to acquire right of way for Capital Improvement Projects valued at less than \$10,000; and
2. City Engineer to execute all necessary documents to implement and carry out the purpose of this resolution.

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AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. McGlade *John A. McGlade* DATE: July 24, 2006

SUBJECT: Citywide Traffic Model – Amendment to Service Provider Agreement

RECOMMENDATION: That City Council 1) Amend the service provider agreement for the Citywide Traffic Model with Parsons Brinckerhoff Quade and Douglas, Incl, for an increase of \$63,500 and a total not to exceed amount of \$313,468 and 2) Appropriate \$164,000 from Development Impact Fees.

FISCAL IMPACT: \$344,000

Note: City shall receive \$10,999 from SanBAG

Budget Amount \$180,000

Budget Account No. 60300

Finance Dept Use Only
Additional Appropriation

No

Yes/\$Amount \$164,000

Finance Director Review

\$ Approval *CP*

DISCUSSION: On September 6, 2005, City Council awarded a professional services agreement for the Citywide Traffic Model to Parsons Brinckerhoff Quade and Douglas, Inc., for a not to exceed amount of \$275,000 with contingencies. The Citywide Traffic Model is a new 2030 model with much detail than the SANBAG CTP model that is currently in use. This model will take the level of analysis down to the collector road level and will include many more intersections.

The Citywide Traffic Model is about 50% completed. However, additional services are required for the Citywide Traffic Model project for additional modeling tasks. When City staff defined the scope of services for the Citywide Traffic Model project, it was anticipated that the new 2030 SCAG regional model would have been completed in time to provide all the necessary information needed by the City. However, the SCAG model completion has been delayed. Therefore, for the City to stay on schedule with its local traffic model project, additional effort will be needed to further refine the information that would have been available from the SCAG model. The cost of this additional effort is estimated at \$22,000. SANBAG is in the same situation with the Victor Valley Area Transportation Study (VVATS) Model. SANBAG has agreed to share in the cost of this additional effort in the amount of \$10,000.

Additional effort is also needed for the near term traffic impact analysis (for the year 2015). This analysis adds the traffic from various approved residential, commercial and industrial developments throughout the City. The original scope included only the larger projects. However, the cumulative impacts from the small to medium sized projects is significant enough to warrant more analysis. The near term analysis will help staff identify needs for mitigating traffic impacts, establishing priorities and adjusting the capital improvement program. The cost of this additional effort is estimated at \$30,000. \$10,500 was previously authorized by staff out of contingencies for additional traffic counts. The total increases add to \$63,500.

Staff recommends that City Council Amend the service provider agreement for the Citywide Traffic Model with Parsons Brinckerhoff Quade and Douglas, Inc., for an increase of \$63,500 and a total not to exceed the amount of \$313,468.

CITY OF VICTORVILLE

DEVELOPMENT OF NEAR-TERM PROJECT TRIPS AND IMPACTS SCOPE OF SERVICES

A list of approved and planned development projects was provided by the City of Victorville for use in evaluating the impacts of Near-Term projects on the existing roadway network. The list consisted of 182 single-family residential developments, 35 multi-family residential developments and 92 commercial/industrial developments. The City has noted that of the single-family residential developments, 168 are approved tracts ready for construction or already under construction of tracts in plan check where construction should occur within the next few years. These represent the red (81) and green (87) dots on the subdivision map provided by the City.

In order to capture the effects of these developments, an estimate of generated traffic will be developed and added to the mid-block and intersection locations. The objective is to develop a Near-Term traffic scenario, calculate the level of service (LOS) at the study locations and identify deficiencies at locations where the LOS exceeds the City standards.

In order to develop the Near-Term traffic scenario a strategy has been developed in the most economical fashion. With over 200 residential development sites and 92 commercial/industrial sites, it would be very labor intensive to develop trip generation and trip distribution patterns for each site. Rather than developing traffic impact analysis for each site individually, we have developed a methodology that combines all developments into a Near-Term scenario and developing traffic volume growth rates through the use of a traffic model. The traffic model would be run with and without the proposed Near-Term developments to develop a growth factor for each of the roadway facilities within the City. Intersection turn movement volumes must then be developed for each intersection from the existing count volumes and applicable growth from Near-Term development.

The proposed steps are outlined below:

1. Geographically locate each development and provide it with a TAZ identifier that matches the travel demand model's zone structure. Requires manually identifying multi-family and commercial/industrial sites since those are not included on the subdivision map.
 2. Estimate trip generation from each development, using the ITE Trip Generation Handbook, broken down into daily, AM and PM peak trips.
 3. Distribute and assign trips to the Victorville roadway network using the current SCAG model and the disaggregated Victor Valley zone structure.
 4. Calculate the increase in traffic from existing conditions on the Victorville roadway network due to these Near-Term projects.
 5. Apply these growth rates to the mid-block and intersection turn volumes to obtain a Near-Term traffic scenario.
-

6. Calculate the LOS for the Near-Term traffic scenario.
7. Identify segments and intersections where the Near-Term LOS approaches or exceeds the City standard thresholds.

The level of effort to perform these steps is presented in the following table.

Task	Hours			Total Hours	Total Cost	
	Farid Naguib	Tim Byrne	Planner-Modeling			Planner-Analysis
1	4		4	16	24	\$2,220
2	4			48	52	\$4,463
3		12	96		108	\$8,828
4	4		4	40	48	\$4,125
5	8			32	40	\$3,847
6	12			48	60	\$5,770
7	4			12	16	\$1,606
Total	36	12	104	196	348	\$30,859

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AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: John A. McQuade
City Engineer

DATE: July 24, 2006

SUBJECT: La Mesa Rd./Nisqualli Rd./I-15 Interchange –Award of Service Provider Agreement for Right of Way Services

RECOMMENDATION: That City Council: 1) Award a service provider agreement for Right of Way Services for the La Mesa Road / Nisqualli Road / I-15 Interchange to Epic Land Solutions, Inc., for a not to exceed amount of \$512,000, subject to Caltran's acceptance of Epic Land Solutions Inc. as a qualified consultant, and 2) Appropriate \$563,000 from Development Impact Fees.

FISCAL IMPACT: \$563,000

Budget Amount
Budget Account No. 60300

Finance Dept. Use Only
Additional Appropriation
 No
 Yes/\$ Amount \$563,000
Finance Director Review
\$ Approval ap

DISCUSSION: The La Mesa Road / Nisqualli Road / I-15 Interchange project will provide a new interchange between the existing Bear Valley Road and Palmdale Road interchanges. The environmental document and project report have been completed; approval by the Federal Highway Administration (FHWA) is anticipated in August 2006. The environmental document must be approved by FHWA before funds expended on the PS&E or right of way can be reimbursed from federal funds. On May 2, 2006, the City Council awarded a service provider agreement for the Plans, Specifications and Estimates Phase Services for the La Mesa Road / Nisqualli Road / I-15 Interchange to Parsons Brinckerhoff Quade and Douglas, Inc.

Proposals for turnkey right of way services were requested for the interchange project. The services include appraisal, acquisition, relocation assistance and property management services. Four proposals were submitted and evaluated by staff. Epic Land Solutions was rated as the most highly qualified consultant for the requested services. Staff has completed the negotiation of the proposed services and fee with Epic.

August 1, 2006
Right of Way Services
Page 2

Staff recommends that City Council award a service provider agreement for Right of Way Services for the La Mesa Road / Nisqualli Road / I-15 Interchange to Epic Land Solutions, Inc., for a not to exceed amount of \$512,000.

Basis for Fee Proposal for Right of Way Services for I-15/La Mesa/Nisqualli Interchange Project

Prepared on 7/21/06

Tasks	Estimated Fee per Parcel**	Number of Parcels	
Title Report	\$500		
Phase I Reports	\$1,200		
Prepare notices of Decision to Appraise	\$150		
Real Property Appraisal	\$2,700		
Appraisal Review	\$1,500		
Document Preparation	\$150		
Negotiation Services	\$3,500		
Project Management Services	\$1,500		
Right of Way Certification	\$500		
Contingency	\$1,000		
	<u>\$12,700</u>	33	\$419,100
 Other Tasks			
Relocation Assistance	\$5,000	5	\$25,000
Condemnation Support*			\$5,000
Goodwill Appraisals	\$7,000	4	\$28,000
Phase II Reports	\$7,500	2	\$15,000
Property Management			\$20,000
Estimated Fees			<u><u>\$512,100</u></u>

*Tasks include work related to helping the City Attorney file condemnation cases, includes file copying, consultation with attorney, reviewing and filing declarations, coordinate sub-consultant's services.

**Epic recommends an hourly fee and expense agreement for its services, Sub-consultants are usually paid per task assigned, thus, City will be paying for just work actually performed.

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AGENDA ITEM

CITY COUNCIL MEETING OF: 8/1/06

SUBMITTED BY: Jon B. Roberts
City Manager

DATE: 7/26/06

SUBJECT: APPROVAL OF PROFESSIONAL SERVICES CONTRACT WITH
VENABLE, LLP

RECOMMENDATION: That the City Council approve the professional services
contract.

FISCAL IMPACT: \$5,000 per month. \$55,000 for services from August 1, 2006 --
June 30, 2007

Budget Amount:
Budget Acct. No.:

--Finance Department Use Only--
Additional Appropriation:

___ No
___ Yes/\$ Amt.:

Finance Director Review and Approval ___

DISCUSSION: Venable, LLP is a firm based out of Washington, D.C. The
agreement would be for the purpose of providing legal services for major projects and
to represent the City with State and Federal agencies.

/cb

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AGENDA ITEM

CITY COUNCIL MEETING OF: 8/1/06

SUBMITTED BY: Carolee Bates *cb*
City Clerk

DATE: 7/25/06

SUBJECT: PRESENTATION OF REQUEST TO APPOINT VOTING DELEGATE
AND ALTERNATE FOR 2006 LEAGUE ANNUAL CONFERENCE

RECOMMENDATION: That the City Council appoint a voting delegate and alternate to vote on behalf of the City at the Annual Business Meeting scheduled for Saturday morning, September 9.

FISCAL IMPACT: None.
Budget Amount:
Budget Acct. No.:

--Finance Department Use Only--
Additional Appropriation:

___ No
___ Yes/\$ Amt.:

Finance Director Review and Approval _____

DISCUSSION: The League of California Cities Annual Conference is being held September 6 – 9 in San Diego, California. The Annual Business Meeting will be held on Saturday morning, September 9 and it is necessary for the City Council to appoint a delegate and an alternate to vote on the resolutions that establish League policy.

/cb
Attachment

Written
#15
8-1-06

RECEIVED

JUN 19 2006



City Manager's Office

WWW.CACITIES.ORG

June 7, 2006

TO: Mayors, City Managers and City Clerks

RE: Designation of Voting Delegate and Alternate for 2006 League Annual Conference – September 6-9, San Diego

Please review this memo carefully, as new procedures have been adopted regarding designation of voting delegates and alternates and voting at the Annual Conference.

The League's 2006 Annual Conference is scheduled for September 6-9 in San Diego. An important part of the Annual Conference is the Annual Business Meeting, scheduled for Saturday morning, September 9. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting your city council must designate a voting delegate and may designate a voting delegate alternate.

Please complete the attached voting delegate form and return it to the League's office no later than August 15 so that voting delegate/alternate records may be established prior to the conference. At the conference, voting delegate forms may be returned to the Voting Delegate desk located in the conference registration area.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and alternate must be designated by the city council. When completing the attached voting delegate form, please attach either a copy of the council resolution that reflects the council action taken, or, have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternate **must** be done by city council action and cannot be accomplished by individual action of the mayor alone.
- **Conference Registration Required.** The voting delegate and alternate must be registered to attend the conference. At least one must be present at the Business Meeting and in possession of voting card in order to cast a vote.
- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting card may be transferred freely between the voting delegate and alternate, but only between the voting delegate and alternate. If the voting delegate and alternate find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

-over-

- **Options.** In order to plan ahead for such situations, we suggest that when your council adopts the initial resolution designating the voting delegate and alternate that they also designate in a *separate action*, a second alternate, should one be needed. Verification of the appropriate city council action to designate the additional alternate should be used by the individual when requesting new alternate status at the voting desk. (Please note: A League bylaws change will be proposed at this year's conference to increase the number of alternates to two. However, if enacted, such a change will not go into effect until the 2007 conference.)
- **New Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special stamp on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternate wish to sit together, both should sign in at the Voting Delegate desk and obtain the special stamps on their badges.

The voting procedures that will be used at the conference are attached to this memo. Please share them with your council and especially with the individuals your council designates as your city's voting delegate and alternate.

The Voting Delegate desk in the registration area will be open September 6, 7 and 8 and prior to the Business Meeting on September 9. The Voting Delegate desk will also be open at the Business Meeting, but not during a roll call vote, should one be undertaken.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by August 15, 2006. If you have questions, please call Debbie Kinsey at (916) 658-8221.

Attachments:

- 2006 Annual Conference Voting Procedures
 - Voting Delegate/Alternate Form
-



1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures 2006 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
 2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council designates a voting delegate and an alternate; these individuals are identified in the Voting Delegate Form provided to the League Credentials Committee.
 3. **Registering with the Credentials Committee.** The voting delegate, or alternate, may pick up the city's voting card at the voting card desk in the conference registration area.
 4. **Signing Initiated Resolution Petitions.** Only those individuals registered and with signatures on file with the Credentials Committee may sign petitions to initiate a resolution.
 5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee.
 6. **New Voting Area at Business Meeting.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission will be limited to those individuals with a special stamp on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternate wish to sit together, both should sign in at the Voting Delegate desk and obtain the special stamps on their badges.
 7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.
-



CITY: _____

**2006 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to the League office by August 15, 2006. Forms not sent by this deadline may be returned to the Voting Delegate Desk located in the Annual Conference Registration Area.

In order to vote at the Annual Business Meeting, voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: At this year's conference, voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this special area will be limited to individuals (voting delegates and alternates) who are identified with a special stamp on their conference badge. If your city's voting delegate and alternate wish to sit together at the Business Meeting, they are both encouraged to register at the Voting Desk in order to obtain the identifying stamp that will admit them to the special voting area.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE ALTERNATE

Name: _____

Title: _____

ATTEST (I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate.)

Name: _____

Phone: _____

Title: _____

Date: _____

Please complete and return by August 15 to:

League of California Cities

ATTN: Debbie Kinsey

1400 K Street

Sacramento, CA 95814

FAX: (916) 658-8240

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AGENDA ITEM

CITY COUNCIL MEETING OF: August 1, 2006

SUBMITTED BY: Jon B. Roberts
City Manager
By: Charles J. Buquet
Risk Manager

DATE: July 21, 2006

SUBJECT: PRESENTATION OF REQUEST FOR DENIAL OF CLAIMS AGAINST
THE CITY NO. 06-04d VAL PETERSON, INC.

RECOMMENDATION: That your Honorable City Council deny Claim No. 06-04d
Val Peterson, Inc. with referral to staff.

FISCAL IMPACT:

Budget Amount:
Budget Acct. No.:

---Finance Dept. Use Only---

Additional Appropriation:

No _____

Yes _____/\$Amt.: _____

Finance Director Review &

Approval _____

DISCUSSION:

Claim No. 06-04d was received by the City on July 18, 2006 from the Law Firm of Peckar & Abramson on behalf of their client Val Peterson, Inc. This claim involve hanger construction contract payment dispute at SCLA.

JBR/CJB/mw
Attachments

06-04d



Peckar & Abramson

A Professional Corporation • Attorneys & Counselors at Law

RECEIVED

JUL 18 2006

City Manager's Office

8105 Irvine Center Drive
Suite 900
Irvine, CA 92618
tel. 949.608.3100
fax 949.936.2677

July 14, 2006

Via Certified Mail

San Francisco

Los Angeles

New York

New Jersey

Miami

Fort Lauderdale

Washington, DC

London

Ms. Carolee Bates
City Clerk
City Manager's Office
Department of City Administration
City of Victorville
14343 Civic Drive
Victorville, CA 92393-5001
Phone: (760) 955-5000

**Presentation of Claim for Money Damages
(Govt. Code § 910 et seq.; Govt. Code § 37201 et seq.)**

To: City of Victorville

Claimant: Val Peterson, Inc.
8920 West Tropicana Ave.
Suite 102
Las Vegas, Nevada 89147

www.pecklaw.com

Occurrence/Transaction:

Southern California Logistics Airport Development Project
Location: 18374 Phantom West Street, Victorville, CA
City of Victorville City Hall
Location: 14343 Civic Drive
Victorville, CA 92393-5001
Date ranges of involvement by City of Victorville:
Approximately January 1, 2006 to the present

Description of injury/damage:

Val Peterson, Inc. ("VPI") is a subcontractor who has provided construction-related services at the Southern California Logistics Airport Development Project ("SCLA Project"), but has not been paid for doing so. Lack of payment to VPI is due in whole or in part to a willful failure on the part of the City of Victorville ("City") to comply with certain public works statutes and competitive bidding laws

Peckar & Abramson

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Ms. Carolee Bates
City Clerk
City Manager's Office
July 14, 2006
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applicable to the SCLA Project, which failure has resulted in substantial economic injury and damages to VPI.

Name(s) of City Employee(s):

Jon Roberts, City Manager; previous and/or current members of the City Council as yet unidentified; and others unknown.

Amount Claimed:

In excess of the minimum amount required for filing a civil action of Unlimited Jurisdiction the Superior Court for the State of California.

This office is authorized to submit this claim on behalf of VPI. This claim relates to and arises from the SCLA Project referenced above. The SCLA Project is located within the City's boundaries and is being financed in whole or in part by the City. VPI's claim is based upon the City's willful failure to comply with public works statutes and competitive bidding laws applicable to the SCLA Project, which failure has resulted in substantial economic injury and damages to Val Peterson, Inc. ("VPI").

In general, VPI asserts that on September 30, 2005, the City entered into a ground lease ("Ground Lease") of certain real property upon which the SCLA Project is located. Pursuant to the Ground Lease, the Southern California Logistics Airport Authority ("SCLAA"), a joint powers authority under the administration of the City Manager, leased an interest in said real property to CBS Aviation Development, LLC, an entity affiliated with California Building Systems, Inc. ("CBS, Inc."). CBS, Inc. entered into an agreement with VPI whereby VPI was to provide earthwork excavation/grading services at that SCLA Project in return for monetary compensation. VPI subsequently provided the earthwork excavation/grading services contracted for by CBS, Inc. Said services were necessary for the construction of certain large aircraft hangars and other structures at that SCLA Project, which hangars and structures are in the nature of public improvements.

Payment for VPI's services at the SCLA Project have come due, but VPI has not received payment for said services. VPI has learned that no payment bond for VPI's work was obtained and posted by CBS, Inc. or CBS Aviation Development, LLC in connection with VPI's work at the SCLA Project. VPI is informed and believes and thereon alleges that the City and SCLAA have improperly attempted to circumvent the statutory requirements obligating them to require a payment bond for public works contracts having a consideration of \$25,000.00 or more. The public work undertaken by

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Ms. Carolee Bates
City Clerk
City Manager's Office
July 14, 2006
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CBS, Inc. was significantly in excess of \$25,000.00 and the City knew this fact when SCLAA entered into the Ground Lease.

On or about February 17, 2006, after entering into the Ground Lease, SCLAA and CBS Aviation Development, LLC amended the Ground Lease to release the portions of the affected property from the Ground Lease, thereby returning CBS Aviation Development, LLC's interest in said portions of property to SCLAA. VPI is informed and believes that, as to some or all of the portions of real property that remain covered by the Ground Lease as amended, CBS Aviation Development, LLC has already subleased them back to SCLAA, or will do so in the future.

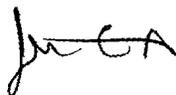
Under the totality of the facts and circumstances surrounding the above-referenced transactions, the Ground Lease, the amendment thereto, and any other relevant contracts and agreements were designed to improperly attempt to circumvent the payment bond requirements and other legal requirements pertaining to public works contracts. VPI is also informed and believes that the City and SCLAA should have required CBS Aviation Development, LLC to deposit a payment bond for the public improvements VPI and other constructed as a condition of approving the SCLA Project.

Unless resolved by the City now, VPI will sue the City to recover on this claim in a court of general jurisdiction, as an unlimited civil case, after the expiration of the City's statutory time period allowed to review this claim.

VPI hereby reserves all its rights and remedies, both legal and equitable, in connection with the submission of this claim. VPI submits this claim without waiver of or prejudice to its other claims related to the SCLA Project, and without waiver of or prejudice to any other causes of action which support and relate to this claim.

Pursuant to Gov. Code § 910(b), all notices regarding this claim should be sent to John C. Pytel, Esq. at our offices located at 8105 Irvine Center Drive, Suite 900, Irvine, California 92618.

PECKAR & ABRAMSON, P. C.



By: John C. Pytel

JCP:io

cc: Val Peterson, Inc. (via regular U.S. Mail only)

10962.01/07/14/06

Peckar & Abramson

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Ms. Carolee Bates
City Clerk
City Manager's Office
July 14, 2006
Page 4

bcc: Val Peterson (via regular U.S. Mail Only)
John Zanoni (via regular U.S. Mail only)

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AGENDA ITEM

CITY COUNCIL MEETING OF; AUGUST 1, 2006

SUBMITTED BY: Carolee Bates
City Clerk

DATE: 7-25-06

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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