

**CITY OF VICTORVILLE  
CITY COUNCIL  
AGENDA**

REGULAR MEETING  
SEPTEMBER 19, 2006  
7:00 P.M.

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

THE CITY COUNCIL MEETING IS SCHEDULED TO BEGIN AT 7:00 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. 06-151 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE  
UPDATING THE DEVELOPMENT IMPACT FEES FOR ALL DEVELOPMENTS  
WITHIN THE CITY OF VICTORVILLE

3. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS OR AGAINST THE  
INTRODUCTION OF ORDINANCE NO. 2173 ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE  
ADDING CHAPTER 2.13 TO THE VICTORVILLE MUNICIPAL CODE

ESTABLISHING A MUNICIPAL LIBRARY AND A LIBRARY BOARD OF DIRECTORS

4. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 06-133 AND 06-134

A. RESOLUTION NO. 06-133 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. 06-134 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 16715, 17241 AND PARCEL MAP 17293

**CONSENT CALENDAR**

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

A. PRESENTATION OF REQUEST FOR APPROVAL OF COMMERCIAL DEMAND SCHEDULE NO. 5 IN THE AMOUNT OF \$5,385,171.82 COVERING WARRANT NOS. 576722, 577665, 577739 AND 578208 THROUGH 578666 INCLUSIVE

B. PRESENTATION OF REQUEST FOR APPROVAL OF PAYROLL DEMAND SCHEDULE NO. 3A FOR PAYROLL PERIOD AUGUST 12, 2006 THROUGH AUGUST 25, 2006, IN THE AMOUNT OF \$1,276,877.55 COVERING WARRANT NOS. 20644 THROUGH 20712 AND ADVICE NOS. 103863 THROUGH 104428 INCLUSIVE AND VOID/ADJUSTMENT OF ADVICE NOS. 103547 AND 103785

- C.** PRESENTATION OF REQUEST TO APPROVE THE MINUTES FROM FOLLOWING MEETINGS:
  - 1. REGULAR MEETING HELD MAY 2, 2006
  - 2. REGULAR MEETING HELD MAY 16, 2006
  - 3. REGULAR MEETING HELD JUNE 6, 2006
  - 4. SPECIAL MEETING HELD JUNE 7, 2006
  
- D.** PRESENTATION OF REQUIRED NOTICE OF AMENDMENTS TO THE CONFLICT OF INTEREST CODE
  
- E.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO DELL FOR THE REPLACEMENT OF THE INFORMATION SERVICES DISASTER RECOVERY TAPE SYSTEM IN THE AMOUNT OF \$33,830.95
  
- F.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET AND SEWER BONDS FOR TRACT 16856 – FRONTIER HOMES
  
- G.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET AND SEWER BONDS FOR TRACT 16282 – JD PIERCE
  
- H.** PRESENTATION OF REQUEST TO RELEASE THE LABOR AND MATERIALS PORTION OF THE STREET AND SEWER BONDS FOR TRACT 16285-2 – JD PIERCE
  
- I.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND ONLY FOR SEWERS AND ACCEPTANCE OF WORK FOR TRACT 14521 – COVENANT DEVELOPMENT
  
- J.** PRESENTATION OF REQUEST FOR A PARTIAL RELEASE OF 60% FOR A STREET BOND FOR TRACT 14521 – COVENANT DEVELOPMENT
  
- K.** PRESENTATION OF REQUEST TO APPROVE THE ASSIGNMENT OF SEWER FEE CREDITS TO HOWARD ROBERTS AS TO TRACTS 14933 AND 16994, SUBJECT TO THE FOLLOWING CONDITIONS: 1) THAT A NEW FEE CREDIT AGREEMENT IS ENTERED INTO BY THE RESPECTIVE DEVELOPERS, AND 2) THAT THE DEVELOPERS TAKE TITLE TO THE PROPERTIES IN QUESTION – TNK RYDERS PARTNERS

- L. PRESENTATION OF REQUEST TO APPROVE THE FINAL MAP FOR TRACT 16828 – WOODSIDE HOMES

### **WRITTEN COMMUNICATIONS**

- 6. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO SPECTRUM COMMUNICATIONS FOR DATA/VOICE COMMUNICATION EQUIPMENT REQUIRED TO SUPPORT THE CITY HALL EXPANSION PHASE (INCLUDES A 5% CONTINGENCY) IN THE AMOUNT OF \$261,573.47 AND APPROVE AN ADDITIONAL APPROPRIATION OF \$261,573.47 FROM GENERAL FUND UNAPPROPRIATED FUND BALANCE
  
- 7. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-156 ENTITLED:  
  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE FIXING THE RATE OF COMPENSATION FOR MEMBERS OF THE VICTORVILLE PLANNING COMMISSION
  
- 8. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-158 ENTITLED:  
  
A RESOLUTION OF THE CITY OF VICTORVILLE AUTHORIZING THE EXECUTION OF A RENEWAL HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) CONSORTIUM AGREEMENT BETWEEN THE CITY OF VICTORVILLE AND THE TOWN OF APPLE VALLEY; AND THE EXECUTION OF ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE HOME CONSORTIUM
  
- 9. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-157 ENTITLED:  
  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ADOPTING THE MEASURE I FOUR-YEAR CAPITAL IMPROVEMENT PROGRAM AND RESCINDING RESOLUTION NO. 05-179

### **COUNCIL REPORTS**

- 10. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS

**CLOSED SESSION**

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

PROPERTY LOCATION: Southeast of Southern California Logistics Airport

CITY/AGENCY NEGOTIATOR: Green de Bortnowsky & Quintanilla; Epic Land Solutions

NEGOTIATING PARTIES: Property Owners, see below

<u>Property Owner</u>	<u>APN</u>	<u>Property Address</u>
Morris, Gary	0472-091-04	No street address
Morris, Gary	0472-122-04	No street address
Morris, Gary	0472-122-14	No street address
Shryer, Marc, et al	0472-091-05	No street address
Shryer, Marc, et al	0472-121-06	No street address
Himmelrick, Jeffrey & Martha	0472-121-01	17496 Turner Road
Wedell, Lawrence	0472-101-04	17520 Ranch Road
Wedell, Lawrence	0472-101-05	17570 Spencer Rd.
Wedell, Lawrence	0472-101-12	17550 Ranch Road
Lyon, James T.	0472-101-11	17549 & 17553 Spencer Road

12. CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.9

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

NEGOTIATING PARTIES: VICTORVILLE PROFESSIONAL FIREFIGHTERS  
V. THE CITY OF VICTORVILLE - CASE NO. CV06-3935 AHM (EX)

13. CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.9

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

NEGOTIATING PARTIES: JOHN MARTIN V. CITY OF VICTORVILLE,  
UNITED STATES DISTRICT COURT CASE NO. CV06-03288

14. CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.9

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

NEGOTIATING PARTIES: HIGH DESERT POWER TRUST 2000-A V. STATE  
BOARD OF EQUALIZATION, AND COUNTY OF SAN BERNARDINO,  
DEFENDANTS; AND CITY OF VICTORVILLE, SOUTHERN

CALIFORNIA LOGISTICS AIRPORT AUTHORITY, AND VICTOR  
VALLEY ECONOMIC DEVELOPMENT AUTHORITY, INTERVENORS,  
CASE NO.: GIC 850227

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

**\*\*ADJOURNMENT**