

**CITY OF VICTORVILLE
CITY COUNCIL
AGENDA**

REGULAR MEETING
OCTOBER 3, 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

PRESENTATION

PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH – MARGARET
DIAZ FROM VICTOR VALLEY DOMESTIC VIOLENCE/"A BETTER WAY"
ACCEPTING

PRESENTATION – "STATION COMMANDER'S AWARD" TO GARY GOSMAN AND
JOHN CEJA FOR ASSISTING LAW ENFORCEMENT IN STOPPING THE
PERPETRATION OF A CRIME ON SEPTEMBER 11, 2006

PUBLIC COMMENT

1. PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

APPEAL HEARING

2. AN APPEAL HEARING TO HEAR ARGUMENTS FOR OR AGAINST THE
ADOPTION OF RESOLUTION NO. 06-162 – VERSION A GRANTING APPEAL
OR VERSION B DENYING APPEAL
 - A. RESOLUTION NO. 06-162 – GRANTING APPEAL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE GRANTING THE APPEAL OF THE APPROVAL OF PLANNING CONDITION NUMBER SEVEN ON SITE PLAN SP-06-033 ON PROPERTY LOCATED NORTH OF RANCHO ROAD AND NORTHWEST OF STODDARD WELLS ROAD – DENNIS LEE – ASSOCIATED READY MIX CONCRETE

B. RESOLUTION NO. 06-162 – DENYING APPEAL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE DENYING THE APPEAL OF PLANNING CONDITION NUMBER SEVEN OF SITE PLAN SP-06-033 ON PROPERTY LOCATED NORTH OF RANCHO ROAD AND NORTHWEST OF STODDARD WELLS ROAD – DENNIS LEE – ASSOCIATED READY MIX CONCRETE

PUBLIC HEARINGS

3. PRESENTATION OF REQUEST FROM STAFF FOR A CONTINUANCE OF GENERAL PLAN AMENDMENT GPA-06-033 (C) AND ZONE CHANGE ZC-06-020 – CITY OF VICTORVILLE – UNTIL THE JANUARY 2, 2007 CITY COUNCIL MEETING IN ORDER TO ALLOW STAFF TIME TO REVISE AND RE-CIRCULATE THE NEGATIVE DECLARATION

4. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS OR AGAINST THE ADOPTION OF RESOLUTION NO. 06-160, THE INTRODUCTION OF ORDINANCE NO. 2177 AND THE ADOPTION OF NEGATIVE DECLARATION WITH A DE MINIMIS FINDING

A. RESOLUTION NO. 06-160 ENTITLED:

A RESOLUTION OF THE CITY OF VICTORVILLE APPROVING GENERAL PLAN AMENDMENT GPA-06-003 (G), AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN AND ANY OTHER AFFECTED ELEMENTS TO REDESIGNATE PROPERTY FROM VERY LOW DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL – MIKE ROGERS AND DOROTHY DANIELS

B. ORDINANCE NO. 2177 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-022 TO RECLASSIFY PROPERTY FROM R-1B1/2 (SINGLE-FAMILY RESIDENTIAL – MAXIMUM OF TWO DWELLING UNITS PER GROSS ACRE) TO R-1 (SINGLE-FAMILY) RESIDENTIAL – MAXIMUM OF FIVE DWELLING UNITS PER GROSS ACRE) – MIKE ROGERS AND DOROTHY DANIELS

C. NEGATIVE DECLARATION WITH A DE MINIMIS FINDING

- 5.** A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 06-166 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE FOR AN AMENDMENT TO TRACT 5764 LOT 41 TO ALLOW FOR THE CHANGE IN A BUILDING SETBACK LINE FROM FIFTY (50) FEET TO TWENTY-FIVE (25) FEET – RONALD EDDY

- 6.** A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NO. 06-161, THE INTRODUCTION OF ORDINANCE NO. 2178 AND THE ADOPTION OF NEGATIVE DECLARATION WITH A DE MINIMIS FINDING

- A.** RESOLUTION NO. 06-161 ENTITLED:

A RESOLUTION OF THE CITY OF VICTORVILLE APPROVING GENERAL PLAN AMENDMENT GPA-06-003 (H), AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN AND ANY OTHER AFFECTED ELEMENTS TO REDESIGNATE PROPERTY FROM COMMERCIAL TO HEAVY INDUSTRIAL – VICTORVILLE REDEVELOPMENT AGENCY

- B.** ORDINANCE NO. 2178 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE APPROVING ZONE CHANGE ZC-06-025 TO RECLASSIFY PROPERTY FROM C-2T (GENERAL COMMERCIAL – TRANSITIONAL) AND C-MT (COMMERCIAL MANUFACTURING – TRANSITIONAL) TO M-2 (HEAVY INDUSTRIAL) – VICTORVILLE REDEVELOPMENT AGENCY

- C.** NEGATIVE DECLARATION WITH A DE MINIMIS FINDING

- 7.** A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 06-145 AND 06-146

- A.** RESOLUTION NO. 06-145 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. 06-146 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 13535-3, 4, 5 AND 17163

8. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE APPROVAL OF THE INITIAL ENVIRONMENTAL STUDY ON THE NISQUALLI ROAD FROM BALSAM TO HESPERIA ROAD STREET IMPROVEMENT PROJECT

CONSENT CALENDAR

9. PRESENTATION OF REQUEST TO APPROVE THE CONSENT CALENDAR AS FOLLOWS:
 - A. PRESENTATION OF REQUEST FOR APPROVAL OF COMMERCIAL DEMAND SCHEDULE NO. 6 IN THE AMOUNT OF \$6,754,942.31 COVERING WARRANT NOS. 575930, 576192, 577047, 573974, 576841, 577161, 578038, 578647, 578652 AND 578667 THROUGH 579321 INCLUSIVE
 - B. PRESENTATION OF REQUEST FOR APPROVAL OF PAYROLL DEMAND SCHEDULE NO. 3B FOR PAYROLL PERIOD AUGUST 26, 2006 THROUGH SEPTEMBER 9, 2006, IN THE AMOUNT OF \$1,205,424.22 COVERING WARRANT NOS. 20713 THROUGH 20763 AND ADVICE NOS. 104429 THROUGH 104979 INCLUSIVE
 - C. PRESENTATION OF REQUEST TO APPROVE THE MINUTES FROM FOLLOWING MEETINGS:
 1. REGULAR MEETING HELD JUNE 20, 2006
 2. REGULAR MEETING HELD JULY 18, 2006
 3. REGULAR MEETING HELD AUGUST 1, 2006
 - D. PRESENTATION OF REQUEST TO APPROVE THE STAFF REPORTS FROM THE FOLLOWING DEPARTMENTS:
 1. VICTORVILLE POLICE DEPARTMENT – AUGUST 2006
 2. DEVELOPMENT DEPARTMENT – AUGUST 2006
 - E. PRESENTATION OF ORDINANCE NO. 2173 FOR A SECOND READING AND ADOPTION BY THE CITY COUNCIL

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 TRUSTEES

- F.** PRESENTATION OF REQUEST TO APPROVE THE NOTICE OF COMPLETION FOR THE TRAFFIC SIGNAL INSTALLATION AT GREEN TREE BOULEVARD AND BURNING TREE DRIVE
- G.** PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE SEWER AND STREET BONDS AND THE ASSOCIATED LABOR AND MATERIALS BONDS FOR TRACT 16197-1 – WOODSIDE HOMES
- H.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND FOR THE SEWERS FOR TRACT 16853 – FRONTIER HOMES
- I.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND FOR THE STREET AND SEWERS FOR TRACTS 16241-2 & 3 – WOODSIDE AND TANAMERA HOMES
- J.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND FOR THE STORM DRAIN AND THE SEWER AND STREET BONDS FOR TRACT 14798 – FRONTIER HOMES
- K.** PRESENTATION OF REQUEST TO RELEASE 100% OF THE FAITHFUL PERFORMANCE AND LABOR AND MATERIAL BOND FOR WATER FOR TRACT 16936 – FRONTIER HOMES
- L.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND ONLY FOR THE SEWERS FOR TRACT 16936 – FRONTIER HOMES
- M.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND FOR SEWERS FOR TRACT 16860 – FRONTIER HOMES
- N.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE FAITHFUL PERFORMANCE BOND FOR THE STREETS AND SEWERS FOR TRACT 15456 – FRONTIER HOMES
- O.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO VERMEER PACIFIC, FONTANA CA FOR THE PIGGYBACK PURCHASE OF ONE (1) RT450 TRENCHER AND THE ACCESSORIES IN THE AMOUNT OF \$38,077.77

- P. PRESENTATION OF REQUEST TO AWARD A CONTRACT TO GOLF VENTURES WEST COMPANY FOR THE PURCHASE OF VARIOUS GOLF EQUIPMENT UNDER CMAS IN THE AMOUNT OF \$108,636.79

WRITTEN COMMUNICATIONS

- 10. PRESENTATION OF REQUEST FOR COUNCIL TO APPROVE THE FEE CREDIT AGREEMENTS FOR THE DRAINAGE FEES WITH GRIFFIN COMMUNITIES FOR TRACTS 16463 AND 13816 IN THE AMOUNT OF \$193,875.00 AND FOR THE INSTALLATION OF A PORTION OF THE MASTERPLANNED E-01 DRAINAGE FACILITIES

- 11. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-167 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING THE VACATION (ABANDONMENT) OF A PORTION OF AN OFFER OF DEDICATION FOR LUNA ROAD AND BRACEO STREET

- 12. PRESENTATION OF REQUEST TO AUTHORIZE STAFF TO CONTINUE EXECUTION OF A CONTRACT WITH WILLDAN & ASSOCIATES

- 13. PRESENTATION OF REQUEST TO ADOPT ORDINANCE NOS. 2174 AND 2175

- A. ORDINANCE NO. 2174 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE ADOPTING A PLANNED UNIT DEVELOPMENT PUD-04-002 ON PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF GREEN TREE BOULEVARD, WEST OF HESPERIA ROAD AND EAST OF RODEO DRIVE – CALICO HOMES DEVELOPMENT

- B. ORDINANCE NO. 2175 ENTITLED:

AN ORDINANCE OF THE CITY OF VICTORVILLE ADOPTING PLANNED UNIT DEVELOPMENT PUD-06-001 TO ALLOW FOR THE DEVELOPMENT OF A 286-LOT SINGLE-FAMILY PLANNED RESIDENTIAL DEVELOPMENT ON PROPERTY GENERALLY LOCATED NORTH OF SENECA ROAD, SOUTH OF HOOK BOULEVARD, EAST OF TOPAZ ROAD AND WEST OF DIAMOND ROAD – BRENTWOOD INVESTORS, LP AND TAGGART INVESTMENTS, INC.

- 14. PRESENTATION OF REQUEST TO APPROVE THE PURCHASE AND SALE AGREEMENT BETWEEN DESERT WIND LLC AND THE CITY OF VICTORVILLE FOR LAND, APN 3070-401-11, FOR USE AS A FUTURE PARK IN THE AMOUNT OF \$1,000,000.00 PLUS ESCROW FEES

15. PRESENTATION OF REQUEST TO APPROVE AN ANNUAL PURCHASE ORDER FOR CARTER & BURGESS, INC. FOR SERVICES RELATED TO OPERATIONS AND GENERAL DEVELOPMENT IN THE AMOUNT OF \$240,000.00

16. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-163 ENTITLED:

A RESOLUTION OF THE VICTORVILLE CITY COUNCIL, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, SUPPORTING THE CONCEPT AND EFFORTS OF THE VICTORVILLE POLICE DEPARTMENT NEEDED TO CONDUCT A DRIVING UNDER THE INFLUENCE (DUI) TRAFFIC SAFETY PROJECT

17. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-168 ENTITLED:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE OPPOSING PROPOSITION 90, KNOWN BY SUPPORTERS AS THE "SAVE OUR HOMES ACT" AND BY OPPONENTS AS THE "TAXPAYER TRAP"

18. PRESENTATION OF REQUEST TO APPROVE THE EXTENSION OF THE PROFESSIONAL SERVICES AGREEMENT FOR ACQUISITION AND RELOCATION CONSULTANT BETWEEN THE CITY OF VICTORVILLE AND EPIC LAND SOLUTION, INC. FOR THE RAIL PROJECT PROPERTIES

19. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-165 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ESTABLISHING THE NATIONAL INCIDENT COMMAND SYSTEM (NIMS)

20. PRESENTATION OF REQUEST TO APPROVE THE ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF VICTORVILLE AND VICTOR VALLEY WATER DISTRICT FOR PROVISION OF WATER SERVICE TO SOUTHERN CALIFORNIA LOGISTICS AIRPORT

21. PRESENTATION OF REQUEST TO DENY CLAIM AGAINST THE CITY NO. 06-08 (ROBERT BARTON)

COUNCIL REPORTS

22. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS

CLOSED SESSION

- 23.** CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

PROPERTY LOCATION: North of Southern California Logistics Airport

CITY/AGENCY NEGOTIATOR: Green de Bortnowsky & Quintanilla

NEGOTIATING PARTIES: Property Owners, see below

<u>Property Owner</u>	<u>APN</u>	<u>Property Address</u>
Shigeo & Sanaye Kita Trust	0459-032-42	No street address
Rao, Santi & Rao, Raj Trust	0459-032-39	No street address
Careamvid Family Limited Partnership	0459-032-40	No street address
Bobo, Emma D.	0459-032-41	No street address

- 24.** CLOSED SESSION CALLED PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

PROPERTY LOCATION: Southern California Logistics Airport surrounding area

CITY/AGENCY NEGOTIATOR: Green de Bortnowsky & Quintanilla; Inland Energy

NEGOTIATING PARTIES: Property Owners, see below

<u>Property Owner</u>	<u>APN</u>	<u>Property Address</u>
Lewis Family Trust	0460-232-29	No street address
Patterson, George	0460-242-17	No street address
Ruano, Veronica	0460-242-19	No street address
Yen, Frank	0460-242-23	No street address

***ADJOURNMENT