

**CITY OF VICTORVILLE
CITY COUNCIL
AGENDA**

REGULAR MEETING
NOVEMBER 21, 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

CONTINUED PUBLIC HEARING

2. A CONTINUED PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR
AGAINST THE INTRODUCTION OF ORDINANCE NO. 2181 ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE
ADDING CHAPTER 7.05 TO THE VICTORVILLE MUNICIPAL CODE REGULATING
THE BREEDING OF DOGS AND CATS

3. A CONTINUED PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR
AGAINST THE ADOPTION OF RESOLUTION NO. 06-150 ENTITLED:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE,
CALIFORNIA APPROVING THE DISPOSITION AND DEVELOPMENT
AGREEMENT BY AND BETWEEN THE VICTORVILLE REDEVELOPMENT
AGENCY AND COSTCO WHOLESALE CORPORATION

PUBLIC HEARINGS

4. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE INTRODUCTION OF ORDINANCE NO. 2182 ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE, CALIFORNIA, ADDING CHAPTER 13.90 TO THE VICTORVILLE MUNICIPAL CODE PERTAINING TO THE REGULATION OF REGISTERED SEX OFFENDERS RELATIVE TO THE LOCATIONS WHERE CHILDREN CONGREGATE

5. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS OR AGAINST THE ADOPTION OF RESOLUTION NOS. 06-176 AND 06-177

A. RESOLUTION NO. 06-176 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 MAINTENANCE ASSESSMENT DISTRICT NO. 2, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 06-177 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING FORMATION OF THE MAINTENANCE ASSESSMENT DISTRICT NO. 2, UNDER THE ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972 AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FROM SAID DISTRICT IN ORDER TO FUND THE ONGOING MAINTENANCE OF THE MAINTENANCE ASSESSMENT DISTRICT NO. 2 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACTS 17516 AND 17582 THROUGH 17588

6. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 06-170 AND 06-171

A. RESOLUTION NO. 06-170 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORTS 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. 06-171 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 16438 AND 17426

7. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 06-174 AND 06-175

A. RESOLUTION NO. 06-174 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORTS FILED IN SUPPORT OF THE FORMATION OF THE DRAINAGE FACILITY ASSESSMENT DISTRICT NO. 3, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 06-175 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING FORMATION OF THE DRAINAGE FACILITY ASSESSMENT DISTRICT NO. 3, UNDER THE ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972 AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FROM SAID DISTRICT IN ORDER TO FUND THE ONGOING MAINTENANCE OF DRAINAGE FACILITY ASSESSMENT DISTRICT NO. 3 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT 17986

8. A PUBLIC HEARING CALLED TO HEAR ARGUMENTS FOR OR AGAINST THE ADOPTION OF RESOLUTION NOS. 06-172 AND 06-173

A. RESOLUTION NO. 06-172 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE APPROVING THE ENGINEER'S REPORTS FILED IN SUPPORT OF THE FORMATION OF THE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 8, AN ASSESSMENT DISTRICT PROPOSED TO BE FORMED UNDER THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION NO. 06-173 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ORDERING FORMATION OF THE LANDSCAPE MAINTENANCE ASSESSMENT

DISTRICT NO. 8, 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. 8 REQUIRED BY THE CITY TO BE INSTALLED BY THE DEVELOPER AS A CONDITION OF APPROVAL OF TRACT 17986

CONSENT CALENDAR

- 9.** PRESENTATION OF REQUEST TO APPROVE THE CONSENT CALENDAR AS FOLLOWS:
 - A.** PRESENTATION OF REQUEST FOR APPROVAL OF COMMERCIAL DEMAND SCHEDULE NO. 9 IN THE AMOUNT OF \$17,579,694.02 COVERING WARRANT NOS. 576846, 579884, 580088, 580286, AND 580556 THROUGH 581093 INCLUSIVE
 - B.** PRESENTATION OF REQUEST FOR APPROVAL OF PAYROLL DEMAND SCHEDULE NO. 4B FOR PAYROLL PERIOD OCTOBER 7, 2006 THROUGH OCTOBER 20, 2006, IN THE AMOUNT OF \$1,332,003.38 COVERING WARRANT NOS. 20871 THROUGH 20932 AND ADVICE NOS. 106075 THROUGH 106619 INCLUSIVE AND VOID CHECK NOS. 20146 AND 20822
 - C.** PRESENTATION OF REQUEST TO APPROVE THE STAFF REPORTS FROM THE FOLLOWING DEPARTMENTS:
 - 1.** COMMUNITY SERVICES DEPARTMENT – SEPTEMBER 2006
 - 2.** DEVELOPMENT DEPARTMENT – SEPTEMBER & OCTOBER 2006
 - D.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO WESTERN AUDIO VISUAL CORPORATION FOR AUDIO VISUAL SYSTEMS DESIGN AND ENGINEERING IN AN AMOUNT NOT TO EXCEED \$33,203.01
 - E.** PRESENTATION OF REQUEST TO AWARD A CONTRACT TO ACCELA, INC. FOR ADDITIONAL TIDEMARK LICENSES AND ANNUAL MAINTENANCE IN THE AMOUNT OF \$51,211.24
 - F.** PRESENTATION OF REQUEST TO APPROVE THE PARKVIEW PARK AGREEMENT FOR TRACT MAP 18127
 - G.** PRESENTATION OF REQUEST FOR A FULL RELEASE OF THE FAITHFUL PERFORMANCE AND LABOR BONDS FOR THE LMAD FOR TRACT 16328-1 AND 2 – HOWARD ROBERTS DEVELOPMENT COMPANY

- H.** PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE FAITHFUL PERFORMANCE BONDS FOR BRENTWOOD NORTHWEST PASEO FOR TRACT 16220 – SUNCAL COMPANIES
- I.** PRESENTATION OF REQUEST TO RELEASE THE REMAINING 20% OF THE FAITHFUL PERFORMANCE BOND FOR THE BRENTWOOD LMAD FOR TRACT 16446 – JD PIERCE COMPANY, INC.
- J.** PRESENTATION OF REQUEST FOR A PARTIAL RELEASE OF THE STREET AND STORM DRAIN BOND OF 65% FAITHFUL PERFORMANCE ONLY, IN WHICH THE STREET PORTION OF THE BOND IS 45% REDUCTION AND AN 80% REDUCTION FOR THE STORM DRAIN AND ACCEPTANCE FOR MAINTENANCE OF STORM DRAIN FOR TRACT 15896-1 – COVENANT GROUP
- K.** PRESENTATION OF REQUEST FOR A PARTIAL RELEASE OF 45% OF THE STREET BOND FAITHFUL PERFORMANCE ONLY, FOR TRACT 15896-2 – COVENANT GROUP
- L.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE SEWER BOND OF THE FAITHFUL PERFORMANCE BOND AND ACCEPTANCE OF THE WORK FOR TRACTS 15896-1 AND 2 – COVENANT GROUP
- M.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE STREETS, SEWER AND STORM DRAIN BONDS OF THE FAITHFUL PERFORMANCE BOND AND ACCEPTANCE OF THE WORK FOR TRACT 16063-2 – HOWARD ROBERTS DEVELOPMENT
- N.** PRESENTATION OF REQUEST TO RELEASE 80% OF THE STREET AND STORM DRAIN BONDS OF THE FAITHFUL PERFORMANCE BONDS AND ACCEPTANCE OF THE WORK FOR TRACT 16860 – FRONTIER HOMES
- O.** PRESENTATION OF REQUEST TO RELEASE T 80% OF THE SEWER AND STORM DRAIN BONDS OF THE FAITHFUL PERFORMANCE BOND FOR TRACT 17083 – J.T. KRUER & COMPANY
- P.** PRESENTATION OF REQUEST TO RELEASE THE MONUMENTATION BOND FOR TRACT 16936 – FRONTIER HOMES
- Q.** PRESENTATION OF REQUEST TO APPROVE THE FINAL MAP FOR TRACT 16063-3 – HOWARD ROBERTS DEVELOPMENT
- R.** PRESENTATION OF REQUEST TO ACCEPT THE NOTICE OF COMPLETION FOR PLAYGROUND INSTALLATION FOR HOLLYVALE VILLAGE AND MESA LINDA PARK

WRITTEN COMMUNICATIONS

10. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-186 ENTITLED:

A RESOLUTION OF THE CITY OF VICTORVILLE HEREBY AUTHORIZING THE DIRECTOR OF DEVELOPMENT TO APPLY FOR THE WASTE TIRE ENFORCEMENT GRANT
11. PRESENTATION OF REQUEST TO APPROVE THE RENEWAL OF AN ANNUAL AGREEMENT WITH POUK & STEINLE, INC. FOR ELECTRICAL SERVICES TO FACILITATE THE INSTALLATION OF A NEW 15KV CIRCUIT TO CONNECT A 1500 kVA TRANSFORMER BETWEEN SCLA POWER PLANT #1 AND HANGAR 2 IN THE AMOUNT OF \$59,284.50
12. PRESENTATION OF REQUEST TO APPROVE THE MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD OCTOBER 19, 2006 AND ADOPT RESOLUTION NO. 06-187 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE AMENDING TRAFFIC REGULATIONS ON CERTAIN STREETS WITHIN THE CITY BY ESTABLISHING STOP SIGNS AGAINST TRAFFIC ON CERTAIN STREETS IN THE CITY OF VICTORVILLE
13. PRESENTATION OF REQUEST TO APPROPRIATE ADDITIONAL FUNDS OF \$90,000.00 AND INCREASE THE SERVICE PROVIDER AGREEMENT WITH PROPERTY SPECIALISTS, INC. FOR RIGHT OF WAY SERVICES FOR THE NISQUALLI ROAD IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$219,500.00
14. PRESENTATION OF REQUEST TO REIMBURSE THE DEVELOPMENT IMPACT FEES PAID BY EAGLE RANCH, LLC FOR FACILITIES FUNDED THROUGH COMMUNITY FACILITIES DISTRICT 2001-01 (CFD-01-01) FOR TRACTS 16124, 16087, 16086, 14559, 16241, 14686 AND 16131
15. PRESENTATION OF REQUEST TO APPROVE THE FEE CREDIT AGREEMENT BY AND BETWEEN MOJAVE –COBALT, LLC AND THE CITY OF VICTORVILLE
16. PRESENTATION OF REQUEST TO APPROVE THE FEE CREDIT AGREEMENT BY AND BETWEEN MOJAVE-COBALT, LLC AND THE VICTORVILLE SANITARY DISTRICT
17. PRESENTATION OF REQUEST TO APPROVE THE FEE CREDIT AGREEMENT BY AND BETWEEN SUNCAL WEST CREEK LLC AND THE CITY OF VICTORVILLE
18. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-188 ENTITLED:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE
AMENDING THE CONFLICT OF INTEREST CODE APPLICABLE TO
DESIGNATED POSITIONS PURSUANT TO THE POLITICAL REFORM ACT OF
1974 AND RESCINDING RESOLUTION NO. 04-195

19. PRESENTATION OF REQUEST TO ADOPT RESOLUTION NO. 06-189 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE
OFFICIALLY DESIGNATING THE ANNUAL PARADE HELD THE FIRST
SATURDAY IN DECEMBER AS THE "VICTORVILLE CHRISTMAS PARADE"

**20. PRESENTATION OF REQUEST FOR COUNCIL TO APPOINT TWO COUNCIL
MEMBERS TO SERVE ON THE HOUSING AND COMMUNITY DEVELOPMENT
(HCD) GRANTS REVIEW COMMITTEE**

COUNCIL REPORTS

21. PRESENTATION OF REPORTS FROM COUNCIL MEMBERS

CLOSED SESSION

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

PROPERTY LOCATION: North of Southern California Logistics Airport Area

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

NEGOTIATING PARTIES: Property Owner, see below

<u>Property Owner</u>	<u>APN</u>	<u>Property Address</u>
Frances Landwehr	0460-242-04	No street address
Miguel & Jose Serna	0460-242-29	No street address
Jurgensen Family Trust	0460-242-32	No street address

23. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (B)

CONFERENCE WITH LEGAL COUNSEL: THREATENED LITIGATION -
ONE POTENTIAL CASE

****ADJOURNMENT