

RESOLUTION NO. 20-083

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VICTORVILLE ESTABLISHING A MEASURE P OVERSIGHT COMMITTEE

WHEREAS, on July 21, 2020, the City Council adopted Ordinance 2409 adding Chapter 3.06 to Title 3 of the Victorville Municipal Code for the purpose of establishing and imposing a one percent (1%) General Transactions and Use Tax for essential municipal services , subject to adoption by the electorate; and

WHEREAS, On November 3, 2020, the electorate has the ability to approve Measure P with at least 50% +1 of voters, voting in favor of Measure P; and

WHEREAS, if Measure P is approved by the electorate, the City Council of the City of Victorville is establishing a Measure P Oversight Committee (“Committee”) to review the collection of Measure P tax revenues; review and report on a list of projects and programs to be funded with Measure P revenue; and review revenue, expenditure and other relevant reports and information to ensure Measure P tax revenues are expended efficiently and effectively; and

WHEREAS, a majority vote of the City Council is required to carry forward any recommendation of the Committee; and

WHEREAS, the bylaws of the Committee including any changes thereto shall be established by City Council resolution.

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

SECTION 1. The Measure P Oversight Committee is hereby established, subject to electorate approval, to serve in a solely advisory capacity at the pleasure of the City Council.

SECTION 2. To carry out its stated purpose, the Committee shall perform the following duties:

- a) Review lists of proposed expenditures to be funded by Measure P and report to the City Council, not later than May 15 of each year for the upcoming budget year, its conformance or non-conformance with the intent of Measure P which is outlined in the May 2020 Public Safety Plan prior to being considered by the City Council.
- b) Periodically (at least semi-annually) review revenue, expenditure and other related reports and information produced by staff regarding Measure P; and

report to City Council on whether revenues were collected and expended as approved.

- c) Review annual independent accountant's audit report on Measure P revenues and expenditures and provide appropriate report to the City Council.
- d) Every two years, host a joint community forum with the City Council to provide a briefing on service response and service levels and invite citizen participation about future service levels.
- e) To preserve the integrity and independence of the oversight process, committee members shall not play a role as a contractor for projects funded through revenue from Measure P.
- f) The Committee will be a Brown Act compliant body.

SECTION 3. The bylaws of the Committee as contained in Exhibit A, are hereby approved.

SECTION 4. Measure P Oversight Committee shall consist of seven (7) members selected at-large from a pool of citywide applicants.

SECTION 5. Of the members of the Committee first appointed, four (4) shall be appointed for terms of four (4) years and three (3) for terms of two (2) years. No member shall serve for a period exceeding two (2) consecutive four (4) year terms. For the start up year, there will be a random draw to determine which positions will serve the initial 4-year and 2-year terms.

EXHIBIT A

1. **Name:** There is hereby established the City of Victorville Transactions and Use Tax Oversight Committee (hereby referred to as “Measure P Oversight Committee” or “Committee”).
2. **Powers, Duties and Responsibilities:** The Committee shall act in an advisory capacity to the City Council and no express authority or power to act on behalf of the City is hereby delegated. To carry out its stated purpose, the Committee shall perform the following duties:
 - a. Review lists of proposed expenditures to be funded by Measure P and report to the City Council, not later than May 15 of each year for the upcoming budget year, its conformance or non-conformance with the intent of Measure P which is outlined in the May 2020 Public Safety Plan prior to being considered by the City Council.
 - b. Periodically (at least semi-annually) review revenue, expenditure and other related reports and information produced by staff regarding Measure P; and provide a report to the City Council on whether revenues were collected and expended as approved.
 - c. Review annual independent accountant’s audit report on Measure P revenues and expenditures and provide appropriate report to the City Council.
 - d. Every two years, host a joint community forum with the City Council to provide a briefing on service response and service levels and invite citizen participation about future service levels.
 - e. To preserve the integrity and independence of the oversight process, committee members shall not play a role in contracting or project management for projects funded through revenue from Measure P.
 - f. The Committee will be a Brown Act compliant body.
3. **Composition of Members:** Measure P Oversight Committee shall consist of seven (7) members, having one member, who serves in a current leadership role, selected from each of the following categories:
 - Resident Member of Local Major Retail Industry
 - Resident Member of Local Chamber of Commerce, who is a member of the small business owner community
 - Resident Member for Youth/Recreation
 - Resident Member of Clergy
 - Resident Member of Non-Profit Social Services Provider

- Resident Member of Education
- Resident Member of the Senior Community
- Victorville Fire Chief (staff resource only)
- Victorville Police Chief (staff resource only)
- City Finance Director (staff resource only)

For the purposes of this section, Leadership role as indicated above shall be defined as an individual serving in an executive capacity or a board member capacity. In no event shall a committee member be a City of Victorville staff member.

4. **Term of Members:** Of the members of the Committee first appointed, four (4) shall be appointed for terms of four (4) years and three (3) for terms of two (2) years. No member shall serve for a period exceeding two (2) consecutive four (4) year terms. For the start up year, there will be a random draw to determine which positions will serve the initial 4-year and 2-year terms.

5. **Eligibility and Requirements for Membership:** All members of the Measure P Oversight Committee shall meet the following requirements:
 - a. Attend and participate in the minimum number of meetings as provided for in Section 2(b) above. After having missed three consecutive meetings, the occupied seat shall automatically be deemed vacated.
 - b. Be a United States Citizen, resident of Victorville and registered to vote in Victorville at the time of appointment. These requirements shall be maintained during the appointee's service on this Committee.
 - c. Be at least 18 years of age
 - d. Not have been convicted of a felony
 - e. Demonstrate abilities to understand and comply with City and Committee rules and regulations
 - f. Demonstrate to the selection committee the ability to perform the duties of the Committee
 - g. Resident of the City of Victorville for a minimum of two-years
 - h. May not be a City of Victorville staff member

6. **Selection of Members:** The selection of members shall be conducted through a three-step process approved by the City Council as follows:

- a. The City will seek applications to serve on the Committee by posting an application on the City of Victorville website along with sending out a press release to notify the public of the Committee.
 - b. A selection committee consisting of the Mayor, Mayor Pro-Tem and the City Manager will review the applications for appointment following the composition guidelines as spelled out in Section 3 and Section 5 above.
 - c. The selection committee will recommend committee members to the City Council for approval.
- 7. Committee Officers:** The Committee shall elect a Chair, the duties of which are to preside over meetings and ensure that items are placed on the agenda; and a Vice-Chair, whose sole duty is to act as the Chair in the Chair's absence. These positions shall have one-year terms, and no person shall serve as Chair or Vice-Chair for more than two consecutive terms. The election of Chair and Vice-Chair shall take place at the first meeting of the Committee after it has been duly constituted. Thereafter, the election of Chair and Vice-Chair shall be held at the end of each term unless one of the positions is vacated, in which case, the Committee shall appoint a replacement at the next meeting. A City staff member designated by the City Manager shall act as the Secretary who shall take meeting minutes and maintain records related to the Committee.
- 8. Meetings:** The Committee shall meet quarterly on specific meeting dates to be determined by members. Additional meetings may be scheduled by the Committee as necessary. Committee members are expected to attend all meetings. All meetings shall be held within the City of Victorville.


Resolution No. 20-083

PASSED, APPROVED AND ADOPTED this 6th day of OCTOBER 2020.



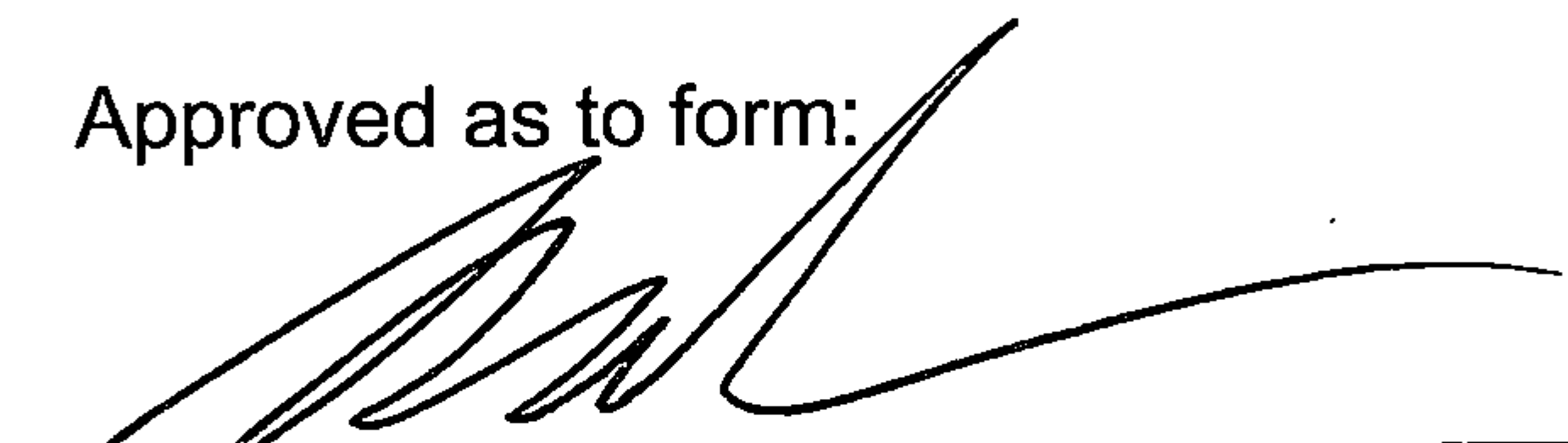
Gloria Garcia, Mayor

Attest:



City Clerk

Approved as to form:



City Attorney

I, Charlene Robinson, 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. 20-083 which was adopted at a regular meeting held on the 6th day of October 2020, by the following roll call vote, to wit:

AYES: Mayor Garcia, Councilmembers Cox, Gomez, Jones and Ramirez

NOES: None

ABSENT: None

ABSTAIN: None



Item Number: 11

City Council / Board of Directors

Written Communications

Meeting of: October 6, 2020

Submitted By:

Keith C. Metzler, City Manager

Subject:

Discussion and possible action on establishing an advisory committee for the City of Victorville Public Safety & Essential Municipal Services General Transaction and Use Tax measure – Measure P.

Recommendation:

That the City Council adopts Resolution No. 20-083 establishing a Measure P Oversight Committee.

Fiscal Impact:

None

Background:

At the City Council meeting of July 21, 2020, the Council adopted Resolution No. 20-065 and Ordinance No. 2409 allowing for the submittal of a General Transaction and Use Tax measure to be placed on the November 3, 2020 ballot. Additionally, the City Council unanimously voted to place an item on the agenda to discuss the establishment of an advisory committee for the City of Victorville Public Safety & Essential Municipal Services General Transaction and Use Tax measure. At the City Council meeting of August 4, 2020, the Council directed staff to put together as much information as possible from cities that have formed committees and forward that information to the City Council individually so the Council Members could read the information and provide input and recommendations to staff.

Discussion:

As noted above, the City Council unanimously voted to have this item on the agenda to discuss the establishment of an advisory committee for the City of Victorville Public Safety & Essential Municipal Services General Transaction and Use Tax measure. After

receiving input from Council Members on the formation of an advisory committee, staff is presenting the following recommendation:

The committee should consist of five (5) members, having one member, who serves in a current leadership role, selected from each of the following categories:

- Resident Member of Local Major Retail Industry
- Resident Member of Local Chamber of Commerce
- Resident Member for Youth/Recreation
- Resident Member of Clergy
- Resident Member of Non-Profit Social Services Provider
- Victorville Fire Chief (staff resource only)
- Victorville Police Chief (staff resource only)
- City Finance Director (staff resource only)

Leadership role as indicated above shall be defined as an individual serving in an executive capacity or a board member capacity. In no event shall a committee member be a City of Victorville staff member.

The City will seek applications to serve on the committee by posting an application on the City of Victorville's website along with sending out a press release to notify the public of the advisory committee. Once applications are received a selection committee consisting of the Mayor, Mayor Pro-Tem and the City Manager will review the applications for recommendation to the City Council based off of the above. Final appointment will be made by the City Council.

The roles and responsibilities of the committee would be as follows:

- Review lists of proposed expenditures to be funded by Measure P and report to the City Council, not later than May 15 of each year for the upcoming budget year, its conformance or non-conformance with the intent of Measure P which is outlined in the May 2020 Public Safety Plan prior to being considered by the City Council.
- Periodically (at least semi-annually) review revenue, expenditure and other related reports and information produced by staff regarding Measure P; and provide a report to City Council on whether revenues were collected and expended as approved.
- Review annual independent accountant's audit report on Measure P revenues and expenditures and provide appropriate report to the City Council.
- Every two years, host a joint community forum with the City Council to provide a brief on service response and service levels and invite citizen participation about future service levels.
- To preserve the integrity and independence of the oversight process, committee members shall not play a role as a contractor for projects funded through revenue from Measure P.
- The Committee will be a Brown Act compliant body.

Staff recommends Your Honorable City Council adopts Resolution No. 20-083 establishing a Measure P Oversight Committee. Staff remains available for any questions or comments you might have.

Attachments: A. Resolution No. 20-083