

Attachment D
Minutes of the
June 18, 2024,
Regular City
Council Meeting



City Council Chambers
14343 Civic Drive
Victorville, CA
www.victorvilleca.gov

**VICTORVILLE CITY COUNCIL
VICTORVILLE LIBRARY BOARD OF TRUSTEES
SOUTHERN CALIFORNIA LOGISTICS AIRPORT AUTHORITY
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
THE CITY AS HOUSING ASSETS SUCCESSOR
JOINT POWERS FINANCING AUTHORITY
VICTORVILLE WATER DISTRICT**

**Regular Meeting Minutes
Tuesday, June 18, 2024**

**5:00 p.m. Closed Session
6:00 p.m. Regular Session**

5:00 p.m. Closed Session

Call to Order

Roll Call

Present: Council Member Irving, Council Member Jones, Mayor Pro
Tem Harriman, Mayor Becerra

Absent: Council Member Gomez

Public Comments for Closed Session Items

None

Declaration of Closed Session Item(s) by City Attorney

City Attorney Andre De Bortnowsky announced one (1) closed session item as set forth on the agenda.

CITY COUNCIL

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code § 54957(b)

Position Title: City Manager

Recess to Closed Session

6:00 p.m. Regular Session

Call to Order

Roll Call

Present: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman, Mayor Becerra

Absent: Council Member Gomez

Also Present: City Manager Keith C. Metzler, Deputy City Manager Sophie Smith, Deputy City Manager Jenele Davidson, City Clerk Jennifer Thompson, City Attorney Andre de Bortnowsky

Closed Session Announcements by the City Attorney

City Attorney Andre De Bortnowsky announced one (1) closed session item as set forth on the agenda. There were no reportable actions with respect to this item.

Invocation: Pastor Jairo Gaviria from Calvary Chapel Victorville

Pledge of Allegiance: Lieutenant Marc Bracco

City Clerk Presents Agenda/Revisions to Agenda

City Clerk announced two (2) revisions.

Revision to agenda item 2: Revising draft ordinance 2450 "Attachment A" correcting an inadvertent typographical error.

Revision to agenda item 21: Revising Fiscal Impact section increasing the Annual Services Agreements total amount from \$25,039,617.18 to \$25,059,617.18. Also,

revising the Discussion section in the Annual Services Provider Agreements Harrison Associates to include Community Revitalization Investment Authority Services for the Planning department at \$20,000.

Conflict of Interest Declarations

There were no conflicts of interest reported.

Introduction to Public Comments

City Clerk Thompson provided an opening statement regarding public comments.

Public Comments

The following people spoke:

Nicole Orr and Regina Bell spoke on general items

Christine Montez spoke on general items

Linda Titus spoke on general item

City Clerk Thompson announced a public comment was received through email which was posted to the website and distributed.

PUBLIC HEARING(S)

1. Vacation of Green Tree Boulevard Excess Right-of-Way and CEQA determination

Recommendation:

That the Honorable City Council:

- (1) Open and conduct a public hearing to consider the vacation (abandonment) of portions of roadway easements on Green Tree Boulevard;
- (2) Hear evidence offered by persons interested in the vacation;
- (3) Find the vacation not subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(2) and 15060(c)(3); and
- (4) Adopt Resolution No. 24-047 vacating the easement dedications as described and depicted by the exhibits attached thereto and ordering the recordation of the same, subject to the prior satisfaction of conditions requiring replacement access.

Questions ensued

The Chair opened the Public Hearing

There were no speakers

The Chair closed the Public Hearing

Motion was made to approve staff recommendations for points 3 and 4

Moved: Council Member Jones

Seconded: Mayor Pro Tem Harriman

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman,
Mayor Becerra

Absent: Council Member Gomez

2. An Amendment to the Victorville Municipal Code with an Environmental Exemption making various changes pertaining to the regulation and inspection of retail establishments that sell alcohol or tobacco for off-site consumption

Alex Jauregui, Assistant City Planner, gave a presentation to introduce Ordinance No. 2450

Recommendation:

That the Honorable City Council conduct a public hearing, receive public testimony, and take the following actions:

- (1) Find the Code Amendment exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA);
- (2) Introduce Ordinance No. 2450 for adoption, and first reading by title only, to amend Title 16 of the Victorville Municipal Code;
- (3) Waive a further reading in full of proposed Ordinance No. 2450; and
- (4) Authorize City staff to seek grant funding to support the implementation of Ordinance No. 2450.

Questions ensued

The Chair called for a Recess at 6:46 p.m.

The Recess concluded at 7:14 p.m.

The Chair opened the Public Hearing

The following people spoke:

Kenneth Artery spoke in support

Michael Grabhorn spoke in support

Nicole Artery spoke in support

Miatenae Collier-Turner spoke in support

Kisha Collier spoke in support

Sir Duplechan spoke in support

Linda Titus spoke in support

The Chair closed the Public Hearing

Motion was made to approve staff recommendations

Moved: Council Member Jones

Seconded: Council Member Irving

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman,
Mayor Becerra

Absent: Council Member Gomez

CONSENT CALENDAR

3. Payroll Demand Schedule No. 10A

Recommendation:

That the City Council and Board of Directors ratify Payroll Demand Schedule No. 10A for Payroll Period March 29, 2024, through April 12, 2024, in the amount of \$2,108,169.44 covering Check Nos. 33973 through 33998, including Vendor checks. Please note employee Check No. 33981 has a live Check and an EFT Advice. Also included are Advice Nos. 312570 through 313108, per adopted budget for Fiscal Year 2023-2024 (period covering July 1, 2023, through June 30, 2024).

4. Payroll Demand Schedule No. 10B

Recommendation:

That the City Council and Board of Directors ratify Payroll Demand Schedule No.

10B for Payroll Period April 12, 2024, through April 26, 2024, in the amount of \$2,293,627.69 covering Check Nos. 33999 through 34024, including Vendor checks. Please note employee Check Nos. 34009, 34011, and 34012 have a live Check and an EFT Advice. Also included are Advice Nos. 313109 through 313655, per adopted budget for Fiscal Year 2023-2024 (period covering July 1, 2023, through June 30, 2024).

5. Presentation of Resolution No. 24-053 – Confirming the Annual Special Tax Amount to be Levied in Community Facilities District (“CFD”) 01-01 for Fiscal Year 2024-2025 (Mello-Roos); and presentation of Resolution No. 24-054 – Confirming the Annual Special Tax Amount to be Levied in Community Facilities District (“CFD”) 07-01 for Fiscal Year 2024-2025 (Mello-Roos)

Recommendation:

That the City Council adopt Resolution No. 24-053 to confirm the annual special tax to be applied to property taxes of CFD 01-01 affected parcels and adopt Resolution No. 24-054 to confirm the annual special tax to be applied to property taxes of CFD 07-01 affected parcels.

6. Notice of Completion – Bear Valley Road Overhead Bridge at BNSF Railroad

Recommendation:

That the Honorable City Council accept as complete and approved the Notice of Completion for the Bear Valley Road Overhead Bridge at BNSF Railroad project and authorized the City Manager to execute the Notice of Completion.

7. Commercial Demand Schedule No. 22

Recommendation:

That the City Council and Board of Directors ratify Commercial Demand Schedule No. 22 in the amount of \$5,681,786.28, covering Electronic Fund Transfers No. 339375 through 339616 and Warrant No. 795460 through 795599 for 05/22/2024 through 05/29/2024, per the adopted budget for Fiscal Year 2023-2024 for the period covering July 1, 2023 through June 30, 2024.

8. Reduction of Securities for Tract Map No. 16463

Recommendation:

That the Honorable City Council approve the full release of the Water and Sewer Public Improvement Faithful Performance Securities for Tract Map No. 16463.

9. Reduction of Securities for Tract Map No. 16720

Recommendation:

That the Honorable City Council:

- (1) Approve the full release of the Sewer Public Improvement Faithful Performance Security for Tract Map No. 16720; and
- (2) Approve the full release of the Sewer Public Improvement Labor & Materials Security for Tract Map No. 16720.

10. Reduction of Securities for Tract Map No. 14992

Recommendation:

That the Honorable City Council approve the full release of the Street Public Improvement Labor and Material Security for Tract Map No. 14992.

11. Reduction of Securities for Tract Map No. 14751

Recommendation:

That the Honorable City Council approve the full release of the Street Public Improvement Labor and Material Security for Tract Map No. 14751.

12. Economic Development Activity Report

Recommendation:

That the Honorable City Council review and file the attached Economic Development Activity Report.

13. Notice of Completion – Sewer Main Lining Project 2023

Recommendation:

That the Honorable City Council accept as complete and approve the Notice of Completion for Sewer Main Lining Project 2023 and authorize the City Manager to execute the Notice of Completion.

14. Notice of Completion for Runway 17/35 Reconstruction Phases IIIB and IV, Project #CCH23-111

Recommendation:

That the Southern California Logistics Airport Authority Board of Directors:
(1) Approve the Notice of Completion for the Runway 17/35 Reconstruction Phases IIIB and IV, Project #CCH23-111; and
(2) Authorize the Airport Director to execute the Notice of Completion.

15. Settlement Agreement between the City of Victorville and Milly Tam and Sandra Zhu

Recommendation:

That the Honorable City Council approve the Citation Settlement Agreement by

and between Milly Tam, Sandra Zhu and the City of Victorville in regard to Citation No. 30733 and authorize the City Manager to execute the Citation Settlement Agreement.

16. Adoption of Resolution No. 24-070 approving the updated Wildfire Mitigation Plan for the City of Victorville Municipal Utility Services

Recommendation:

That the Honorable City Council Adopt Resolution No. 24-070:

- (1) Approving and amending the revised Victorville Municipal Utility Services (“VMUS”) updated Wildfire Mitigation Plan; and
- (2) Authorize the City Manager, or his designee, to make minor plan modifications and submit to the State to ensure compliance with State legislation as needed

17. Fire Department Newsletter

Recommendation:

No action is necessary – informational only

18. Reduction of Securities for Tract Map No. 14721

Recommendation:

That the Honorable City Council approve the full release of the Street Public Improvement Labor and Material Security for Tract Map No. 14721.

Motion was made to approve staff recommendations for Consent Calendar items 3 through 18

Moved: Council Member Irving

Seconded: Mayor Pro Tem Harriman

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman, Mayor Becerra

Absent: Council Member Gomez

WRITTEN COMMUNICATIONS

19. Annual Financial Reports for the Fiscal Year Ended June 30, 2023

Kassie Radermacher with Clifton Larson Allen gave a presentation of the City of Victorville’s Financial Audit.

Recommendation:

That the City Council and Board of Directors approve a motion to receive and file the following:

- (1) City of Victorville Annual Comprehensive Financial Report for the Fiscal Year ended June 30, 2023,
- (2) Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Governmental Auditing Standards for the Fiscal Year ended June 30, 2023,
- (3) Victorville Water District Basic Financial Statements for the Fiscal Year ended June 30, 2023, and
- (4) Southern California Logistics Airport Authority Basic Financial Statements for the Fiscal Year ended June 30, 2023.

Questions ensued

Council Member Irving left the dais at 7:53 p.m.

Council Member Irving returned to the dais at 7:55 p.m.

Motion was made to approve staff recommendations

Moved: Council Member Jones

Seconded: Council Member Irving

Comments ensued

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman, Mayor Becerra

Absent: Council Member Gomez

- 20.** Project Proposal to California Transportation Commission for Local Streets and Roads Funding for Fiscal Year 2024-2025

Recommendation:

That the Honorable City Council:

- (1) Adopt Resolution No. 24-030, approving three (3) road projects for submittal to the California Transportation Commission (CTC) to be eligible to receive Local Streets and Roads Funds for Fiscal Year 2024-2025; and
- (2) Authorize staff to submit this project proposal to the CTC.

Questions ensued

Motion was made to approve staff recommendations

Moved: Council Member Irving
Seconded: Mayor Pro Tem Harriman

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman,
Mayor Becerra
Absent: Council Member Gomez

21. Fiscal Year 2024-2025 Contract Renewals - Annual Supply and Service Agreements

Recommendation:

That the City Council / Board of Directors award contract renewals for the Annual Supply and Service Agreements to various vendors and suppliers for Fiscal Year 2024-2025 per the Adopted Budget approved on June 04, 2024.

Questions ensued

Motion was made to approve staff recommendation as revised

Moved: Council Member Irving
Seconded: Mayor Becerra

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman,
Mayor Becerra
Absent: Council Member Gomez

22. Extension of Sunset Date for Certain Temporary Fee and Penalty Waivers For Animal Care and Control Pursuant to Section 7.04.055 of Chapter 7.04, Title 7 of the Victorville Municipal Code

Recommendation:

That the Honorable City Council adopt Resolution No. 24-055, extending the sunset date of certain temporary fee and penalty waivers associated with the licensing and impoundment of dogs and cats in the city as provided in Victorville Municipal Code Section 7.04.055 to December 31, 2024.

Motion was made to approve staff recommendation

Moved: Council Member Irving
Seconded: Mayor Pro Tem Harriman

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman,
Mayor Becerra
Absent: Council Member Gomez

23. National Opioid Settlement Agreements

Recommendation:

That the Honorable City Council:

- (1) Adopt Resolution No. 24-072, amending the annual budget for Fiscal Year 2023-2024; approving an increase in revenue and expenditures related to the National Opioids Settlement Agreements; and
- (2) Authorize the City Manager to use all Opioid Settlement Fund Disbursements, including future funds, in accordance with the List of Opioid Remediation Uses provided in the Opioid Settlements.

Motion was made to approve staff recommendations

Moved: Council Member Irving
Seconded: Mayor Becerra

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman,
Mayor Becerra
Absent: Council Member Gomez

24. Agreement Between the County of San Bernardino and the City of Victorville for the New Police Station and Civic Plaza

Recommendation:

That the Honorable City Council:

- (1) Adopt Resolution No. 24-056 authorizing a contract between the City of Victorville and San Bernardino County to receive funding in the amount not-to-exceed \$3,700,000 for the new Police Station and Civic Plaza;
- (2) Adopt Resolution No. 24-057, amending the annual budget for Fiscal Year 2024-2025; approving an increase in revenue and expenditures; and
- (3) Authorize the City Manager to execute all documents to effectuate the contract.

Motion was made to approve staff recommendations

Moved: Mayor Pro Tem Harriman
Seconded: Council Member Jones

Comments ensued

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman,
Mayor Becerra
Absent: Council Member Gomez

25. Annual Confirmation of Maintenance Assessment Districts for Fiscal Year 2024/2025

Recommendation:

That the Honorable City Council:

- (1) Approve Resolution Nos. 24-058, 24-061, 24-064, and 24-067 authorizing the initiation of proceedings for the annual levy of assessments for the Maintenance Assessment Districts, Drainage Facilities Assessments Districts, Landscaping Maintenance Assessment Districts, and the City-Wide Streetlight Assessment District for Fiscal Year 2024/2025;
- (2) Approve Resolution Nos. 24-059, 24-062, 24-065, and 24-068 preliminarily approving the consolidated Engineer's Reports filed in support of the levy of assessments for Fiscal Year 2024/2025; and
- (3) Approve Resolutions Nos. 24-060, 24-063, 24-066, and 24-069 declaring its intention to levy the maintenance assessment districts for Fiscal Year 2024/2025 and setting a Public Hearing date of July 16, 2024.

Motion was made to approve staff recommendations

Moved: Council Member Irving
Seconded: Council Member Jones

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman,
Mayor Becerra
Absent: Council Member Gomez

26. Fiscal Year 2024-2025 Training Schedule for City Council Members

Recommendation:

That Your Honorable City Council direct staff which business events Council will attend during Fiscal Year 2024-2025 to allow sufficient time for registration and travel accommodations.

Questions ensued

Motion was made to approve staff recommendation as revised to include the Congressional Black Caucus Conference, Dr. Kenisha Williams Transform Growth Conference, and National League of Mayors as an option for Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman, and Mayor Beccera

Moved: Council Member Jones

Seconded: Council Member Irving

Comments ensued

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman, Mayor Becerra

Absent: Council Member Gomez

27. Cancellation of the July 2, 2024 regular City Council meeting

Recommendation:

Any action is at the discretion of Your Honorable City Council.

Motion was made to approve the cancellation of the July 2, 2024, regular City Council meeting

Moved: Council Member Irving

Seconded: Council Member Jones

Comments ensued

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman, Mayor Becerra

Absent: Council Member Gomez

28. Discussion and Possible Action regarding Assembly Bill 3259 (now Assembly Bill 2443 Carrillo) as it relates to transactions and use taxes

Recommendation:

Any action is at the discretion of Your Honorable City Council.

Motion was made to approve City Council's formal support on Assembly Bill 2443 and authorize Mayor Becerra to testify in Sacramento if necessary

Moved: Council Member Irving

Seconded: Mayor Becerra

Motion passed 4-0

Ayes: Council Member Irving, Council Member Jones, Mayor Pro Tem Harriman, Mayor Becerra

Absent: Council Member Gomez

29. City Manager Reports

City Manager Keith C. Metzler announced Code Compliance is encouraging everyone to attend the Independence Day Fireworks Show at the San Bernardino County Fairgrounds on July 4, 2024. He also announced Code Compliance is continuing to issue citations to anyone lighting fireworks in the community. City Manager Keith C. Metzler announced Animal Care and Control will have their next adoption event at City Hall during the Low-Cost Vaccination Clinic on Saturday, June 22nd, 2024, from 8:00 a.m. to 12:00 p.m. and at the High Desert Farmers Market on Thursday, June 27th, 2024. He also announced Concerts in the Park will be at Hook Park beginning Friday, June 21st, 2024, at 6:00 p.m.

30. Discussion and Possible Action Regarding Upcoming Agenda Items

None

31. Reports from Council Members

Council Member Jones reported on her attendance to the San Bernardino County Transportation Authority Board of Directors meeting, the SBCTA Mountain Desert Policy Committee, and the Policy and Procedure Manual Workshop. Council Member Jones also reported her excitement for the Concerts in the Park.

Mayor Pro Tem Harriman reported his excitement for the Concerts in the Park.

Mayor Becerra gave her gratitude to the Fire Fighters that helped with the local fires.

Adjournment

Mayor Becerra adjourned the meeting at 8:53 p.m.

Attest:

Elizabeth Becerra, Mayor

Jennifer Thompson, City Clerk