

Attachment A



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, November 19, 2024**

6:00 p.m. Regular Session

6:00 p.m. Regular Session

Call to Order

Roll Call

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

Absent: None

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

Invocation: Pastor Carlo Mendoza with Sunrise Church

Pledge of Allegiance: Police Captain Randy German

Special Presentations

Presentation of Donation to Recreation Assistance Program from Kiwanis Club of Victorville

Mayor Becerra accepts the Kiwanis Club of Victorville Donation

City Clerk Presents Agenda/Revisions to Agenda

City Clerk Thompson announced three revisions

Revision to agenda item 2: Exhibit B to Resolution No. 24-102 CFD report, Appendix A: Rate & Method of apportionment (RMA) add: "Accessory Dwelling Unit" or (ADU) definition and revises the definition of "Residual Unit" or "R/U". The former appendix A had no definition for Accessory Dwelling Unit or Residential Unit. Revised Exhibit C to Resolution No. 24-102 Rate & Method of Apportionment, Section A. Definitions added: "Accessory Dwelling Unit" or "ADU". Revised definition of "Residential Unit or "R/U".

Revision to agenda item 6: Revising Page No. 25 of attachment A. Slide No. 25 is being replaced in its entirety with the revised slide.

Revision to agenda item 18: Revising the 6th paragraph under the discussion section of the staff report to update the cost limitation from \$0 to \$1,305,000. The Gaskell West 2 LLC PPA contract price was expected to be less than alternative market prices and VMUS purchased all its available generation. Pursuant to the methodology for calculating the cost limitation for Compliance Period 4, established above, the cost limitation for compliance Period 4 is determined to be \$1,305,000.

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:

Erica Brewer spoke on general items

PUBLIC HEARING(S)

1. Proposed Updated Electric and Natural Gas Service Rules, Regulations and Rate Schedules

Recommendation:

Staff recommends the Honorable City Council:

- (1) Open and conduct a public hearing for the purpose of receiving testimony for or against adoption of proposed Resolution No. 24-095 and Resolution No. 24-096;
- (2) Close the public hearing for or against adoption of proposed Resolution No. 24-095 and Resolution No. 24-096;
- (3) Adopt Resolution No. 24-095 amending and revising the Electric Service Rules and Regulations for electric services provided to customers of the Victorville Municipal Utility Services ("VMUS") pursuant to Chapter 10.10 of the Victorville Municipal Code;
- (4) Adopt Resolution No. 24-096 amending and revising the Natural Gas Service Rules and Regulations for gas services provided to customers of VMUS pursuant to Chapter 10.11 of the Victorville Municipal Code

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

Moved: Mayor Becerra

Seconded: Council Member Irving

Motion passed 4-1

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

Noes: Council Member Gomez

2. Public Hearing on the Formation of Community Facilities District No. 2024-01 to provide Municipal Services

Recommendation:

Staff recommends the Honorable City Council:

- (1) Open and conduct the public hearing for the purpose of receiving public

testimony and property owner protests regarding the formation of the proposed CFD 2024-01 for Municipal Services;

(2) Close the public hearing;

(3) Adopt Resolution No. 24-102 forming Community Facilities District No. 2024-01 of the City of Victorville (Municipal Services) ("CFD 2024-01"), authorizing the levy of special taxes therein, and calling an election;

(4) Tabulate the ballots for the Formation of Community Facilities District No. 2024-01;

(5) Adopt Resolution No. 24-103, certifying the results of a special election in the Community Facilities District No. 2024-01 of the City of Victorville (Municipal Services) ("CFD 2024-01");

(6) Introduce Ordinance No. 2453, for adoption and first reading by title only; and

(7) Waive further reading in full of proposed Ordinance No. 2453.

Presentation given by Heidi Schoeppe from Webb Municipal Finance, LLC

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 point 3

Moved: Council Member Irving

Seconded: Mayor Becerra

Comments ensued

Motion failed 2-3

Ayes: Council Member Irving, Mayor Becerra

Noes: Council Member Gomez, Council Member Jones, Mayor Pro Tem Harriman

CONSENT CALENDAR

3. Payroll Demand Schedule No. 3A

Recommendation:

That the City Council and Board of Directors ratify Payroll Demand Schedule No. 3A for Payroll Period August 30, 2024, through September 13, 2024, in the amount of \$2,401,803.43 covering Check Nos. 34303 through 34315, including

Vendor checks. Also included are Advice Nos. 318669 and 318671 through 319229, per adopted budget for Fiscal Year 2024-2025 (period covering July 1, 2024, through June 30, 2025).

4. VMUS Annual Operating Result Report for FY 2024

Recommendation:

That the Honorable City Council review and file this report.

5. 2023 Power Source Disclosure ("PSD") Program Annual Report and Power Content Label ("PCL")

Recommendation:

That the Honorable City Council adopt Resolution No. 24-094, approving and attesting to the veracity of the 2023 Power Source Disclosure Program Annual Report and Power Content Label submitted to the California Energy Commission.

6. Engineering Report for the First Quarter of Fiscal Year 2025

Recommendation:

That the Honorable City Council review and file this quarterly report.

7. Wellness Center Quarterly Report

Recommendation:

That the Honorable City Council review and file the attached Wellness Center Quarterly Report.

8. Code Compliance Department FY24/25 First Quarter Code Compliance Division and Animal Services Division Activity Reports

Recommendation:

That the honorable City Council review and file.

9. Minutes of the October 15 and November 5, 2024, Regular City Council Meetings

Recommendation:

That the Honorable City Council approve the minutes of the Regular City Council Meetings held on October 15 and November 5, 2024.

10. Commercial Demand Schedule No. 9

Recommendation:

That the City Council and Board of Directors ratify Commercial Demand Schedule No. 9 in the amount of \$19,403,488.58, covering Electronic Fund Transfers No. 341466 through 341714 and Warrant No. 797261 through 797441 for 10/17/2024 through 10/30/2024 and Wire Transfers dated 10/23/2024, per the adopted budget for Fiscal Year 2024-2025 for the period covering July 1, 2024 through June 30, 2025.

11. Reduction of Securities for Tract Map No.16507

Recommendation:

That the Honorable City Council approve the full release of the Water, Sewer, Drainage and Street Public Improvement Faithful Performance Securities for Tract Map No. 16507.

12. Reduction of Securities for Tract Map No. 20560

Recommendation:

That the Honorable City Council approve the 60 percent release in Water, Drainage, Street, and Traffic Signal Faithful Performance Securities for Tract Map No. 20560.

13. Reduction of Securities for Tract Map No. 17090

Recommendation:

That the Honorable City Council:

- (1) Approve an 80 percent release in Water, Sewer, Drainage and Street Faithful Performance Securities for Tract Map No. 17090; and
- (2) Accept the completed Water, Sewer, Drainage, and Street Improvements.

Motion was made to approve staff recommendations for items 3 through 13

Moved: Council Member Jones

Seconded: Council Member Irving

Motion passed 5-0

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

WRITTEN COMMUNICATIONS

14. Budget Amendment for Strike Team Deployment – Thompson Fire

Recommendation:

That the City Council adopt Resolution No. 24-093 to amend the Fiscal Year 2024-25 budget appropriating additional revenue in the amount of \$18,056.61 and expenses in the amount of \$19,548.13 for the strike team deployment to the Thompson Fire.

Questions ensued

Motion was made to approve staff recommendation

Moved: Council Member Jones

Seconded: Mayor Pro Tem Harriman

Motion passed 5-0

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

15. Roof Replacement Contract Award for the Animal Care and Adoption Center

Recommendation:

That the Honorable City Council award a contract to Ranger Roofing in the amount of \$144,100.00 for the Roof Replacement at the Animal Care and Adoption Center through Project No. CC25-028.

Questions ensued

Motion was made to approve staff recommendation

Moved: Council Member Jones

Seconded: Mayor Becerra

Motion passed 5-0

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

16. City Hall Security Camera Expansion – Award of Construction Agreement

Recommendation:

That the Honorable City Council:

- (1) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15301; and
- (2) Award a Construction Agreement to Veterans Communication Services, Inc. in the amount not to exceed \$314,107.03 for the purchase and installation of

additional security cameras at City Hall, Project No. CC25-022.

Questions ensued

Motion was made to approve staff recommendations

Moved: Mayor Becerra
Seconded: Council Member Irving

Motion passed 5-0

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

17. Council Policy No. CP-24-03 (CP-24-03) – Victorville Municipal Utility Services Electric Financial Management Policy

Recommendation:

That the Honorable City Council review and adopt CP-24-03, the Victorville Municipal Utility Services Electric Financial Management Policy.

Questions ensued

Motion was made to approve staff recommendation

Moved: Council Member Irving
Seconded: Mayor Pro Tem Harriman

Motion passed 5-0

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

Recess called at 7:13 p.m.

Recess concluded at 7:19 p.m.

18. Updated VMUS Renewable Energy Resources Procurement Plan

Recommendation:

That the Honorable City Council adopt Resolution No. 24-097 the Renewable Energy Resources Procurement Plan, Compliance Period 4 (2021-2024) (Attachment B) and authorizing certain other actions in connection therewith.

Motion was made to approve staff recommendation

Moved: Mayor Becerra
Seconded: Council Member Irving

Motion passed 5-0

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

19. Approval of a North American Energy Standards Board Base Contract and Special Provisions (“NAESB”) for the Sale and Purchase of Natural Gas with BP Energy Company

Recommendation:

Staff recommends the Honorable City Council:

- (1) Approve the North American Energy Standards Board Base Contract and Special Provisions (“NAESB”) with BP Energy Company for natural gas supply and related services and authorize the City Manager to execute the agreement;
- (2) Allow the City Manager and/or his/her designee to execute transaction confirmations under the NAESB contracts for procurement of firm gas supply not to exceed \$3.65 million total estimated cost and for terms not to exceed 24 months;

Questions ensued

Motion was made to approve staff recommendations

Moved: Council Member Irving
Seconded: Mayor Pro Tem Harriman

Motion passed 4-1

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

Noes: Council Member Gomez

20. Acceptance of California Department of Justice 2024-25 Tobacco Grant Program funding

Recommendation:

That the Honorable City Council adopt Resolution Nos. 24-100 and 24-101, thereby:

- (1) Accepting the 2024-25 Tobacco Grant Program grant with the California

Department of Justice providing the City with \$111,120.00 to aid in implementation and enforcement efforts associated with annual inspections of tobacco retailers in the City;

(2) Authorizing the City Manager to finalize all documents needed to execute the grant contract;

(3) Authorizing the City Manager to make any necessary amendments to the contract as deemed necessary; and

(4) Amending the annual budget for fiscal year 2024-2025 to reflect an additional appropriation in the amount of \$54,340.00.

Questions ensued

Motion was made to approve staff recommendations

Moved: Council Member Jones

Seconded: Mayor Pro Tem Harriman

Comments ensued

Motion passed 5-0

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

21. Resolution No. 24-087 Rescinding Certain Previously Adopted City Council Policies which have become Outdated, Superseded, and/or Inconsistent with Current Law and consideration of proposed Council Policy CP-24-04

Questions ensued

Recommendation:

That Your Honorable City Council:

(1) Adopt Resolution No. 24-087 Rescinding Certain Previously Adopted City Council Policies which have become Outdated, Superseded, and/or Inconsistent with Current Law, and

(2) Approve Council Policy CP-24-04 regarding City Council Policies

Questions ensued

Motion was made to approve staff recommendations

Moved: Council Member Jones

Seconded: Mayor Pro Tem Harriman

Motion passed 4-1

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

Noes: Council Member Gomez

22. Acceptance of California Department of Housing and Community Development Encampment Resolution Fund Round 3 (ERF-3) grant funding for homelessness services and an associated amendment to an existing Professional Services Agreement with Symba Center to include ERF-3 funding for program-specific services

Presentation given by City Planner Alex Jauregui

Recommendation:

That the Honorable City Council adopt Resolution Nos. 24-098 and 24-099, thereby:

- (1) Accepting the ERF-3 Grant with the California Department of Housing and Community Development (HCD) and providing the City with \$6,365,069.60 for enhanced street outreach, street medicine, housing navigation, emergency housing, interim housing, rapid rehousing (RRH), and permanent housing;
- (2) Authorizing the City Manager to finalize all documents needed to execute the ERF-3 contract and administer the overall project;
- (3) Authorizing the City Manager to make any necessary amendments to the contract as deemed necessary;
- (4) Amending the annual budget for fiscal year 2024-2025 to reflect an additional appropriation in the amount of \$6,365,069.60; and
- (5) Amending the Professional Services Agreement with Symba Center, increasing Symba Center's compensation in the amount of \$1,417,420.00 to provide ERF-3 enhanced case management, street medicine, housing navigation, and RRH, with any non-substantive changes, if necessary, as agreed upon by the City Manager and City Attorney.

Questions ensued

Motion was made to approve staff recommendations

Moved: Mayor Becerra

Seconded: Council Member Irving

Motion passed 5-0

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

23. Southwest Region High-Speed Rail Integration Project

Recommendation:

That Your Honorable City Council approve a support letter for the High Desert Corridor (HDC) Southwest Region High-Speed Rail Integration Project (Integration Project) grant request from the Federal Railroad Administration Federal State Partnership program.

Questions ensued

Motion was made to approve staff recommendation

Moved: Council Member Jones

Seconded: Mayor Pro Tem Harriman

Comments ensued

Motion passed 5-0

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

24. Possible cancellation of the December 3, 2024, regular City Council meeting

Recommendation:

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

Questions ensued

Motion was made to cancel the December 3, 2024, regular City Council meeting

Moved: Council Member Jones

Seconded: Council Member Irving

Comments ensued

Motion passed 4-1

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

Noes: Council Member Gomez

25. Discussion and possible action to create a committee and appoint committee members which would include two Council Members, one executive staff

member and Chief Clemmer to further discuss a potential firework policy

Recommendation:

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

Questions ensued

No action was taken

- 26.** Discussion and possible action to place a recurring item on the agenda to decide whether the Council wishes to adjust its compensation

Recommendation:

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

Questions ensued

Motion was made to direct staff to place a recurring item on the agenda during the budget cycle of every even year for the Council to consider and decide whether it wishes to adjust its compensation in keeping with the current laws

Moved: Council Member Jones

Seconded: Mayor Becerra

Comments ensued

Motion passed 4-1

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

Noes: Council Member Gomez

- 27.** Discussion and possible action to remove Michael Krause from the Measure P Oversight Committee

Recommendation:

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

Questions ensued

Motion was made to call the question

Moved: Mayor Becerra

Seconded: Mayor Pro Tem Harriman

Motion failed 1-3

Ayes: Mayor Becerra

Noes: Council Member Gomez, Council Member Irving, Council Member Jones

Recused: Mayor Pro Tem Harriman

No action was taken

28. City Manager Reports

City Manager Keith C. Metzler announced the Shred-Fest and Compost Giveaway held on November 2nd was a success. The event had 327 participants with 7.4 tons of shredded paper collected, diverting 15,000 pounds from the landfill. Additionally, 3,400 pounds of free compost was distributed to residents during the event. He announced construction is due to commence on the Eucalyptus Street drainage improvements, scheduled to start on November 25th, and be completed by the end of December. Keith C. Metzler also announced the Kiwanis Club of Victorville will be hosting their 77th Annual Victorville Children's Christmas Parade on Saturday December 7th at 10:00 a.m. Additionally, on Saturday, December 7th, from 4:00 p.m. to 7:00 p.m., the Annual Festival of Lights and Tree Lighting Event will be held at Victorville City Hall.

29. Discussion and Possible Action Regarding Upcoming Agenda Items

Motion was made to suspend the rules to reconsider agenda item 2, expressly to consider the CFD, with options to remove the catch-up feature and look at a flat rate CPI with a 3% option, a 4% option, and a 5% option; one of those options being fixed and using explicit language that the item comes back to the Council to review annually for any needed action.

Moved: Council Member Jones

Seconded: Mayor Pro Tem Harriman

Motion passed 4-1

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

Noes: Council Member Gomez

Motion was made for discussion and possible action, at the soonest possible time, to reconsider agenda item 2, to remove the catch-up feature and look at having a flat rate CPI, plus a 3% option, a 4% option, a 5% option, with one of those options being fixed and that the item comes back to the Council to review

annually for any needed action.

Questions ensued

Moved: Council Member Jones
Seconded: Mayor Pro Tem Harriman

Motion was withdrawn by Council Member Jones, therefore also withdrawing the prior motion to suspend the rules based off of the narrow language in the motion.

Motion was made to suspend the rules to reconsider agenda item 2

Moved: Mayor Becerra
Seconded: Mayor Pro Tem Harriman

Motion failed 3-2

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

Motion was made to suspend the rules to reconsider agenda item 2

Moved: Council Member Gomez
Seconded: Mayor Becerra

No vote was taken as this motion was a duplicate of the previous failed motion.

30. Reports from Council Members

None

Adjournment

Mayor Becerra adjourned the meeting at 8:52 p.m.

Attest:

Elizabeth Becerra, Mayor

Jennifer Thompson, City Clerk