

Attachment A

Minutes of June 15, 2021



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

**VICTORVILLE CITY COUNCIL
VICTORVILLE LIBRARY BOARD OF TRUSTEES
SOUTHERN CALIFORNIA LOGISTICS RAIL AUTHORITY
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 15, 2021**

**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 Becerra, Council Member Gomez, Mayor
Pro Tem Irving, Mayor Jones

Absent: None

Public Comments

The following people spoke:

Blanca Gomez

Declaration of Closed Session Item(s) by City Attorney

City Attorney Andre de Bortnowsky announced four (4) closed session items as set forth on the agenda.

CITY COUNCIL

- A.** Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code § 54956.9(d)(1)
Case name unspecified: (Disclosure would jeopardize existing settlement negotiations)
- B.** Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code § 54956.9(d)(1)
Case name unspecified: (Disclosure would jeopardize existing settlement negotiations)
- C.** Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code § 54956.9(d)(1)
Case name unspecified: (Disclosure would jeopardize existing settlement negotiations)
- D.** Public Employee Performance Evaluation Pursuant to Government Code Section 54957(b):
Position Title: City Manager

Recess to Closed Session

6:00 p.m. Regular Session

Call to Order

Roll Call

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

Absent: None

Also Present: City Manager Keith Metzler, Deputy City Manager Sophie Smith, Deputy City Manager Jenele Davidson, City Clerk Charlene Robinson, City Attorney Andre de Bortnowsky

Closed Session Announcements by the City Attorney

City Attorney Andre de Bortnowsky announced four (4) closed session items as set forth on the agenda. There was no reportable action with respect to these items.

Invocation: Mayor Jones

Pledge of Allegiance: Police Captain John Wickum

City Clerk Presents Agenda/Revisions to Agenda

Agenda presented with no revisions reported.

Conflict of Interest Declarations

No conflicts of interest reported.

Introduction to Public Comments

Mayor Jones provided opening statement regarding public comments.

Public Comments

The following people spoke:

Larry Keen

Osuiell Lopez

Jacqueline Elizalde

Ramiro Rodriguez

Blanca Gomez

Liz Becerra

Councilmember Gomez continued to violate the adopted Policies and Procedures despite the Chair's repeated direction that she come to order.

Break commenced at 6:20 p.m.

Reconvened at 6:26 p.m.

Liz Becerra continued

Maggie Martin

PUBLIC HEARING(S)

1. Adoption of the 2020 Urban Water Management Plan and the 2020 Water Shortage Contingency Plan

Recommendation:

That the Honorable Victorville Water District Board of Directors:

- (1) Conduct a Public Hearing;
- (2) Approve Resolution No. VWD 21-006 adopting the 2020 Urban Water Management Plan; and
- (3) Approve Resolution No. VWD 21-007 adopting the Water Shortage Contingency Plan.

Questions ensued.

Mayor Jones opened the public hearing.

The following people spoke:

Kareema Abdul

Mayor Jones closed the public hearing.

Motion was made to approve staff recommendation.

Moved: Council Member Becerra

Seconded: Mayor Pro Tem Irving

Comments ensued.

Motion passed 4-0

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

2. Proposed New Electric Service Rate Schedules (Tariffs)

Recommendation:

The Honorable City Council:

1. Conduct a public hearing, receive testimony for adoption of proposed Resolution No. 21-054 and close the public hearing; and
2. Adopt Resolution No. 21-054 to amend and revise the electric service rate schedules (tariffs) for utility services provided by Victorville Municipal Utility Services ("VMUS") to all Commercial and Industrial Customers located within the Southern California Logistics Airport ("SCLA") or Foxborough Industrial Park

Questions ensued.

Mayor Jones opened the public hearing.

Mayor Jones closed the public hearing.

Motion was made to approve staff recommendation.

Moved: Council Member Gomez

Seconded: Mayor Pro Tem Irving

Comments ensued.

Motion passed 4-0

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

3. Annual Budget for Fiscal Year 2021/2022

Recommendation:

- 1) That Your Honorable City Council, Victorville Library Board of Trustees, Southern California Logistics Airport Authority, Successor Agency to the Victorville Redevelopment Agency, Victorville Water District, and City of Victorville as Housing Assets Successor conduct a Public Hearing and adopt the attached Resolutions: No. 21-064, LBT 21-002, SCLAA 21-005, R-SA 21-001, VWD 21-012, and CHAS 21-001, respectively, for the Establishment and Adoption of the FY 2021-2022 Annual Budget; and
- 2) That Your Honorable City Council adopt Resolution No. 21-063 approving an updated General Fund Reserve Policy; and
- 3) Accept the transmittal letter from the Measure P Oversight Committee (MPOC).

City Manager Keith Metzler presented the Fiscal Year 2021-2022 Budget.

Questions ensued.

Mayor Jones opened the public hearing.

Mayor Jones closed the public hearing.

Motion was made to approve staff recommendation.

Moved: Council Member Becerra

Seconded: Mayor Pro Tem Irving

Comments ensued.

Motion passed 3-1

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

Noes: Council Member Gomez

CONSENT CALENDAR

4. Las Haciendas Securities Release

Recommendation:

That the Honorable City Council release the labor and materials securities for the Storm Drain improvements completed for Tract No. 16942 and the Signage and Striping improvements completed for Tract No. 16969 within the Las Haciendas housing development project.

5. Annual Review - Wildfire Mitigation Plan for the City of Victorville Municipal Utility Services

Recommendation:

That the Honorable City Council approve the updated Wildfire Mitigation Plan - 2021.

6. Payroll Warrant List

Recommendation:

That the City Council and Board of Directors ratify the Payroll Demand Schedule No. 11A for Payroll Period April 30, 2021 through May 14, 2021, in the amount of \$1,526,539.51 covering Check Nos. 32347 through Nos. 32360, including Vendor checks. Please note employee Check No. 32349 has a live Check and an EFT Advice. Also included are Advice Nos. 276789 through 277211, per adopted budget for Fiscal Year 2020-2021 period covering July 1, 2020 through June 30, 2021.

7. Commercial Demand Schedule No. 21

Recommendation:

That the City Council and Board of Directors ratify Commercial Demand Schedule No. 21 in the amount of \$12,736,978.68, covering Electronic Fund Transfers No. 325743 through 325951 and Warrant No. 781497 through 781724 for 05/19/2021 through 05/27/2021 and Wire Transfers dated 05/21/2021 through 05/26/2021, per the adopted budget for Fiscal Year 2020-2021 for the period covering July 1, 2020 through June 30, 2021.

8. Second Reading of Ordinance No. 2420

Recommendation:

That the City Council adopt, by second reading, Ordinance No. 2420 adopting an amendment to the Old Town Specific Plan (OTSP) with an environmental finding of previously assessed to allow for additional land uses, to re-designate a portion of the active open space and open space land use districts to residential medium density and to remove the community anchor overlay district as well as other minor modifications within the OTSP on property bounded roughly by the Mojave River and Stoddard Wells Road to the northeast, Eleventh Avenue to the east, Mojave Drive and Verde Street to the south and Interstate I-15 to the northwest.

9. Minutes of May 18, 2021 Regular City Council Meeting

Recommendation:

That the City Council approve the minutes of the Regular City Council meeting held on May 18, 2021.

Questions ensued.

Motion was made to approve staff recommendations for Consent Calendar items 4 through 9, with Councilmember Gomez voting no on items 5, 6, and 8.

Moved: Council Member Becerra

Seconded: Mayor Pro Tem Irving

Motion passed

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

Noes: Council Member Gomez voting no on items 5, 6, and 8

WRITTEN COMMUNICATIONS

10. Benefits Resolution No. 21-052 and Table of Organization

Recommendation:

That the City Council adopt Benefits Resolution No. 21-052, revising the Table of Organization and Compensation Schedule, effective July 1, 2021.

Questions ensued.

Motion was made to approve staff recommendation.

Moved: Council Member Becerra
Seconded: Mayor Pro Tem Irving

Comments ensued.

Motion passed 3-1

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

Break commenced at 8:21 p.m.

Reconvened at 8:26 p.m.

11. Presentation of Resolution No. 21-053 – Request to Establish and Adopt the Annual Appropriations Limit for Fiscal Year 2021-22

Recommendation:

That the City Council adopt Resolution No. 21-053, establishing and adopting the Fiscal Year 2021-22 Annual Appropriations Limit in the amount of \$1,248,053,165, pursuant to California State Constitution Article XIII B Government Spending Limitation.

Questions ensued.

Motion was made to approve staff recommendation.

Moved: Council Member Becerra
Seconded: Mayor Pro Tem Irving

Motion passed 4-0

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

Motion was made to consider Written Communication items 12 and 13 together.

Moved: Mayor Pro Tem Irving
Seconded: Council Member Becerra

Motion passed 3-1

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

- 12.** Presentation of Resolution No. 21-058 and 21-059 – Confirming the Annual
& Special Tax Amount to be Levied in Community Facilities District (“CFD”) 01-01
13. and 07-01 for Fiscal Year 2021-2022 (Mello-Roos)

Recommendation:

That the City Council adopt Resolution Nos. 21-058 and 21-059 and confirm the annual special tax to be applied to property taxes of affected parcels.

Questions ensued.

Motion was made to approve staff recommendation.

Moved: Council Member Becerra
Seconded: Mayor Pro Tem Irving

Motion passed 3-1

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

- 14.** Victorville Municipal Utility Services (VMUS) - Physical Security Plan for 2021

Recommendation:

That the Honorable City Council Approve the Physical Security Plan for the Victorville Municipal Utility Services (VMUS); and Authorize the submission of the plan to the California Public Utility Commission.

Questions ensued.

Motion was made to approve staff recommendation.

Moved: Council Member Becerra
Seconded: Mayor Pro Tem Irving

Motion passed 4-0

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

15. Local Streets and Roads Funding - Project Proposal to California Transportation Commission for Fiscal Year 2021-2022

Recommendation:

That the Honorable City Council:

(1) Adopt Resolution No. 21-062 which adds funding to the Industrial Blvd. and Silica Drive and Arrowhead Drive and Seventh Avenue projects for submittal to the California Transportation Commission (CTC) to be eligible to receive Local Streets and Roads Funds; and

(2) Authorize staff to submit these projects to the CTC.

Questions ensued.

Motion was made to approve staff recommendation.

Moved: Mayor Pro Tem Irving

Seconded: Council Member Becerra

Motion passed 4-0

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

16. Agreement with County of San Bernardino for Pavement Rehabilitation in Mountain View Acres Area

Recommendation:

Staff requests that the Honorable City Council approve the attached agreement between the County of San Bernardino and the City obligating the City for a cost participation up to \$102,000 for pavement rehabilitation of certain City streets in the Mountain View Acres area.

Motion was made to approve staff recommendation.

Moved: Council Member Gomez

Seconded: Mayor Pro Tem Irving

Motion passed 4-0

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

17. Recommendation for appointment to the Victorville Planning Commission

Recommendation:

That Your Honorable City Council appoint Paul Marsh to serve on the Victorville Planning Commission, as recommended by Mayor Jones.

Mayor Jones presented her nominee, Paul Marsh.

Questions ensued.

Motion was made to approve staff recommendation.

Moved: Mayor Jones

Seconded: Council Member Becerra

Motion failed 2-2

Ayes: Council Member Becerra, Mayor Jones

Noes: Council Member Gomez, Mayor Pro Tem Irving

18. Request to Approve Award to Atlas Copco for the Replacement of the D Street CNG Station Oil Cooler

Recommendation:

That the Honorable City Council approve the award to Atlas Copco for the replacement of the D Street CNG Station oil cooler in the amount of \$70,537.11, as budgeted for in the Fiscal Year 2020-2021 Capital Improvement Project (CIP) budget.

Questions ensued.

Motion was made to approve staff recommendation.

Moved: Council Member Becerra

Seconded: Mayor Pro Tem Irving

Motion passed 4-0

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

19. City Manager Reports

On June 10, permits were issued to start construction on the 820,000 square foot building at SCLA.

Pavement reconstruction and storm drain replacement project on Industrial Blvd and Silica Drive were scheduled to begin Monday, June 21.

A DBE workshop was held on June 10 with multiple prime and subcontractors in attendance. The main focus of the workshop was opportunities relative to the upcoming Bear Valley Bridge over BNSF project. Bid Opening for this project is scheduled for June 24.

On Saturday, June 12, the Recreation Division held the first Movie in the Park event at Hook Park. Approximately 100 participants enjoyed the *Trolls World Tour* movie. Advanced registration was required. Additional Movie in the Park events are scheduled. On July 10, *The Goonies* will be showing and on August 14 *Raya and the Last Dragon* will be showing at Hook Park.

The Library will take another step towards reopening starting tomorrow, June 16. Hours and days of operation will be limited to Tuesday through Thursday from 10 a.m. to 3 p.m. Operating hours will be increased as we hire additional staff and finish with the Summer Reading Program. Curbside and online services will remain available at the Library. Appointments are still required for passport services. The computer lab will remain closed at this time. Computer and printer access outside the lab will remain available on a first come, first served basis.

20. Discussion and Possible Action Regarding Upcoming Agenda Items

Motion was made to direct the City Attorney to prepare a formal resolution for Council consideration to indicate that the actions and statements of Councilmember Gomez, in connection with the police investigation on June 2, 2021 at Panera Bread in Victorville, are repudiated by the City Council as they were 1.) in violation of the City Council's Policy and Procedures Manual; 2.) inconsistent with the City Council's adopted and agreed upon norms; and 3.) not authorized or supported by the City of Victorville.

Moved: Mayor Jones
Seconded: Council Member Becerra

Motion passed 3-1

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

21. Reports from Council Members

Councilmember Gomez spoke on non-profit organizations regarding civic initiatives.

Mayor Pro Tem spoke about High Desert Keeper and High Desert Project regarding the Community Clean Up event and Millionaire Mind Kids.

Mayor Jones spoke about attending Board and Commission meetings she has been appointed to sit on by the Council, she is working on a presentation for the City County Conference regarding the pandemic and thanked Mayor Pro Tem Irving in advance for sitting in her stead at the SBCTA Mountain Desert Policy Committee meeting.

Adjournment

Mayor Jones adjourned the meeting at 9:28 p.m.

ATTEST:

Debra Jones, Mayor

Charlene Robinson, City Clerk