

Attachment B

Minutes of the June 21, 2022, Regular City Council Meeting

Councilmember Gomez called a Point of Order, stating that Elizabeth Becerra was not speaking to the full of the Council. The Chair ruled that Elizabeth Becerra was speaking to the full of the Council and not to any individual member. Councilmember Gomez appealed the decision of the Chair.

Motion was made to sustain the decision of the Chair.

Comments ensued

Motion passed 3-1

Ayes: Councilmember Becerra, Mayor Pro Tem Irving, Mayor Jones
Noes: Councilmember Gomez

Elizabeth Becerra continued to speak on Closed Session item A.

Maggie Martin spoke on Closed Session item A.

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 Section 54957(b):
Position Title: City Manager

Recess to Closed Session

6:00 p.m. Regular Session

Call to Order

Roll Call

Present: Councilmember Becerra, Councilmember Gomez, Mayor Pro Tem Irving, Mayor Jones

Absent: None

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, announce one (1) closed session item as set forth on the agenda. There were no reportable actions with respect to this item.

Invocation: Pastor Dane Davis of Impact Christian Church

Pledge of Allegiance: Police Lieutenant Visosky

Proclamations/Special Presentations

City Clerk Swearing in of Fire Captain John Deroain

City Clerk Swearing in of Fire Engineer Joel Jensen

City Clerk Presents Agenda/Revisions to Agenda

Agenda presented with no revisions reported.

Conflict of Interest Declarations

There were no conflicts of interest reported.

Introduction to Public Comments

Mayor Jones provided an opening statement regarding public comments.

Public Comments

The following people spoke:

Thomas Fleming spoke on general items.

Maggie Martin spoke on general items.

PUBLIC HEARING(S)

1. Award of Construction Contract – Pipeline Replacement Project – Area 31

Recommendation:

That the Honorable Water District Board of Directors:

(1) Open and conduct the Public Hearing;

(2) Close the Public Hearing;

(3) Approve the Notice of Exemption; and

(4) Award a construction contract to The Van Dyke Corporation in the amount of \$2,633,939.49 for the Pipeline Replacement Project – Area 31.

Questions ensued

The Chair opened the Public Hearing.

The Chair closed the Public Hearing.

Motion was made to approve staff recommendations

Moved: Councilmember Becerra

Seconded: Mayor Pro Tem Irving

Motion passed 4-0

Ayes: Councilmember Becerra, Councilmember Gomez, Mayor Pro Tem Irving, Mayor Jones

2. A Development Agreement to allow for a one year extension of time for Tentative Tract Map 14525, a 319-lot single family residential subdivision that was previously approved and environmentally assessed located west of and abutting Stoddard Wells Road, south of Interstate 15, and approximately 2000 feet north of D Street - Applicant, SLPR, LLC

Recommendation:

That the Honorable City Council:

(1) Open and conduct a Public Hearing;

(2) Close the Public Hearing;

(3) Introduce Ordinance No. 2430 for adoption and first reading by title only for the Development Agreement between the City of Victorville and SLPR, LLC; and

(4) Waive further reading in full of proposed Development Agreement Ordinance No. 2430.

Questions ensued

The Chair opened the Public Hearing.

The Chair closed the Public Hearing.

Motion was made to approve staff recommendations

Moved: Mayor Pro Tem Irving

Seconded: Councilmember Becerra

Motion passed 4-0

Ayes: Councilmember Becerra, Councilmember Gomez, Mayor Pro Tem Irving, Mayor Jones

3. 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. 22-060 and Resolution No. 22-061 and close the public hearing; and

(2) Adopt Resolution No. 22-060 to amend and revise the electric service rate schedules (tariffs)

for utility services provided by Victorville Municipal Utility Services ("VMUS") to Commercial and Industrial Customers located within the Southern California Logistics Airport ("SCLA") or Foxborough Industrial Park, and served under VMUS' tariffs, effective July 1, 2022; and
(3) Adopt Resolution No. 22-061 to amend and revise the electric service rate schedules (tariffs) for utility services provided by Victorville Municipal Utility Services ("VMUS") to Commercial and Industrial Customers located within the Southern California Logistics Airport ("SCLA") or Foxborough Industrial Park, and served under VMUS' tariffs, effective January 1, 2023

Questions ensued

The Chair opened the Public Hearing.

The following people spoke:

"1st" spoke in opposition.

The Chair closed the Public Hearing.

Motion was made to approve staff recommendations

Moved: Councilmember Becerra

Seconded: Mayor Pro Tem Irving

Comments ensued

Motion passed 4-0

Ayes: Councilmember Becerra, Councilmember Gomez, Mayor Pro Tem Irving, Mayor Jones

4. Annual Budget for Fiscal Year 2022-2023

Recommendation:

That Your Honorable City Council, also sitting as the 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 Asset Successor:

(1) Open and conduct a Public Hearing;

(2) Close the Public Hearing;

(3) Adopt the attached Resolutions: No. 22-064, LBT 22-001, SCLAA 22-011, R-SA 22-004, VWD 22-012, and CHAS 22-004, respectively, for the Establishment and Adoption of the FY 2022-2023 Annual Budget;

(4) Adopt Resolution No. 22-065, approving an updated General Fund Reserve Policy;

(5) Adopt Resolution No. 22-057, establishing and adopting the Fiscal Year 2022-23 Annual Appropriations Limit in the amount of \$1,353,287,884, pursuant to California State Constitution Article XIII B Government Spending Limitation.

FY 2022-2023 Budget Presentation given by City Manager Keith C. Metzler.

Questions ensued

The Chair opened the Public Hearing.

The following people spoke:

Thomas Fleming spoke in opposition.

“1st” spoke in opposition.

Kareema Abdul spoke in opposition.

The Chair closed the Public Hearing.

Motion was made to approve staff recommendations

Moved: Councilmember Becerra

Seconded: Mayor Pro Tem Irving

Comments ensued

Motion passed 3-1

Ayes: Councilmember Becerra, Mayor Pro Tem Irving, Mayor Jones

Noes: Councilmember Gomez

CONSENT CALENDAR

5. Notice of Completion – 2021 Liberty Village Pavement Rehabilitation Project

Recommendation:

That the Honorable City Council accept as complete and approve the Notice of Completion for the 2021 Liberty Village Pavement Rehabilitation Project.

6. Notice of Completion – 7th Street Archway Refurbishment

Recommendation:

That the Honorable City Council accept as complete and approve the Notice of Completion for the 7th Street Archway Refurbishment.

7. Commercial Demand Schedule No. 23

Recommendation:

That the City Council and Board of Directors ratify Commercial Demand Schedule No. 23 in the amount of \$18,974,938.81, covering Electronic Fund Transfers No. 330245 through 330457 and Warrant No. 785823 through 785982 for 05/19/2022 through 06/01/2022 and Wire Transfers dated 05/24/2022 through 05/25/2022, per the adopted budget for Fiscal Year 2021-2022 for the period covering July 1, 2021 through June 30, 2022.

8. Payroll Warrant List

Recommendation:

That the City Council and Board of Directors ratify Payroll Demand Schedule No. 10C for Payroll Period April 15, 2022, through April 29, 2022, in the amount of \$1,513,553.08 covering Check No. 32768 through 32783, including Vendor checks. Please note employee Check No. 32772 and 32774 have a live Check and an EFT Advice. Also included are Advice Nos. 287761 through 288204, per adopted budget for Fiscal Year 2020-2021 (period covering July 1, 2021 through June 30, 2022).

9. Payroll Warrant List**Recommendation:**

That the City Council and Board of Directors ratify the Payroll Demand Schedule No. 11A for Payroll Period April 29, 2022 through May 13, 2022, in the amount of \$1,624,815.02 covering Check Nos. 32784 through Nos. 32801, including Vendor checks. Please note employee Check Nos. 32789 has a live Check and an EFT Advice. Also included are Advice Nos. 288205 through 288653, per adopted budget for Fiscal Year 2021-2022 period covering July 1, 2021 through June 30, 2022.

10. Release of Securities for EROW20-00047 and BLDC19-00022**Recommendation:**

That the City Council:

- (1) Approve an 80 percent Release of the Faithful Performance Security for Case Nos. EROW20-00047 and BLDC19-00022; and
- (2) Accept the completed Street Improvements.

11. Wildfire Mitigation Plan for the City of Victorville Municipal Utility Services**Recommendation:**

No action is required at this time. The VMUS 2022 Wildfire Mitigation Plan is being presented to the City Council for their review and possible comment.

12. Notice of Completion – Westwinds Sports Center and Westwinds Activity Center Roof Restoration, Project CC22-045**Recommendation:**

That the Honorable City Council accept as complete and approve the Notice of Completion for the Westwinds Sports Center and Westwinds Activity Center Roof Restoration, Project CC22-045.

13. Presentation of Resolution No. 22-059 – Confirming the Annual Special Tax Amount to be Levied in Community Facilities District (“CFD”) 07-01 for Fiscal Year 2022-2023 (Mello-Roos)**Recommendation:**

That the City Council adopt Resolution No. 22-059 and confirm the annual special tax to be applied to property taxes of affected parcels.

14. Presentation of Resolution No. 22-058 – Confirming the Annual Special Tax Amount to be Levied in Community Facilities District (“CFD”) 01-01 for Fiscal Year 2022-2023 (Mello-Roos)

Recommendation:

That the City Council adopt Resolution No. 22-058 and confirm the annual special tax to be applied to property taxes of affected parcels.

15. Minutes of the April 19, 2022, and May 3, 2022, Regular City Council Meetings and the May 9, 2022, Special City Council Meeting

Recommendation:

That the Honorable City Council approve the minutes of the Regular City Council Meetings held on April 19, 2022, and May 3, 2022, and of the Special City Council Meeting held on May 9, 2022.

Questions ensued

Motion was made to approve staff recommendations for Consent Calendar items 5 through 15.

Moved: Councilmember Becerra

Seconded: Mayor Pro Tem Irving

Motion passed 4-0, with Councilmember Gomez voting no on items 13 and 14.

Ayes: Councilmember Becerra, Councilmember Gomez, Mayor Pro Tem Irving, Mayor Jones

Noes: Councilmember Gomez voting no on items 13 and 14.

The Chair called a recess at 8:00 p.m.

Recess concluded at 8:10 p.m.

WRITTEN COMMUNICATIONS

16. Benefits Resolution No. 22-068 and Table of Organization

Recommendation:

That the Honorable City Council adopt Benefits Resolution No. 22-068, revising the Table of Organization and Compensation Schedule, effective July 1, 2022.

Questions ensued

Motion was made to approve staff recommendation

Moved: Councilmember Becerra

Seconded: Mayor Pro Tem Irving

Comments ensued

Motion passed 3-1

Ayes: Councilmember Becerra, Mayor Pro Tem Irving, Mayor Jones

Noes: Councilmember Gomez

17. Amendment No. 7 to the Waste Disposal Agreement Between the County of San Bernardino and the City of Victorville

Recommendation:

That the Honorable City Council approve Amendment No. 7 to the Waste Disposal Agreement between the City of Victorville and the County of San Bernardino and authorize the City Attorney to approve non-substantive revisions to the agreement.

Questions ensued

Motion was made to approve staff recommendation

Moved: Councilmember Becerra

Seconded: Mayor Pro Tem Irving

Comments ensued

Motion passed 3-1

Ayes: Councilmember Becerra, Mayor Pro Tem Irving, Mayor Jones

Noes: Councilmember Gomez

18. First Amended and Restated Interfund Loan Agreement between the Southern California Logistics Airport Authority Taxable Housing Set-Aside Revenue Parity Bonds Series 2007 Fund and the Southern California Logistics Airport Authority Airport Operations Fund

Recommendation:

That the Honorable Southern California Logistics Airport Authority Board of Directors:

(1) Approve the First Amended and Restated Interfund Loan Agreement between the Southern California Logistics Airport Authority Taxable Housing Set-Aside Revenue Parity Bonds Series 2007 Fund and the Southern California Logistics Airport Authority Airport Operations Fund; and
(2) Authorize the Executive Director to satisfy this loan obligation with the proceeds from the Parcel J sales transaction.

Questions ensued

Motion was made to approve staff recommendations

Moved: Councilmember Becerra

Seconded: Mayor Pro Tem Irving

Comments ensued

Motion passed 3-1

Ayes: Councilmember Becerra, Mayor Pro Tem Irving, Mayor Jones

Noes: Councilmember Gomez

19. 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 vendor/suppliers for Fiscal Year 2022/2023 per the Adopted Budget on June 21, 2022.

Questions ensued

Motion was made to approve staff recommendation

Moved: Councilmember Becerra

Seconded: Mayor Pro Tem Irving

Comments ensued

Motion passed 4-0

Ayes: Councilmember Becerra, Councilmember Gomez, Mayor Pro Tem Irving, Mayor Jones

20. Grant of Right of Way to Caltrans at I-15 / La Mesa Road / Nisqualli Road Interchange - West Side of I-15

Recommendation:

That the Honorable City Council grant the property on the west side of I-15 in the vicinity of the La Mesa Road / Nisqualli Road Interchange, as described in the attached grant deed, to the State of California Department of Transportation.

Questions ensued

Motion was made to approve staff recommendation

Moved: Councilmember Becerra

Seconded: Mayor Pro Tem Irving

Comments ensued

Motion passed 4-0

Ayes: Councilmember Becerra, Councilmember Gomez, Mayor Pro Tem Irving, Mayor Jones

21. Fiscal Year 2021/2022 Budget Amendment – VVWRA Connection Fees

Recommendation:

That the Honorable Victorville Water District Board of Directors adopt Resolution No. VWD 22-011 amending the budget for Fiscal Year 2021-2022 to increase the revenue and expenses associated with passthrough connection fees collected on behalf of Victor Valley Wastewater Reclamation Authority in the amount of \$1,300,000.

Questions ensued

Motion was made to approve staff recommendation

Moved: Councilmember Becerra

Seconded: Mayor Jones

Comments ensued

Motion passed 4-0

Ayes: Councilmember Becerra, Councilmember Gomez, Mayor Pro Tem Irving, Mayor Jones

- 22.** Loan Agreement between the City of Victorville ("City") and the Successor Agency to the Victorville Redevelopment Agency ("Successor Agency") to fund the administration and operation of the Successor Agency, in the amount of \$123,171 ("Loan Agreement")

Recommendation:

That the Honorable City Council adopt Resolution No. 22-069 and the Successor Agency Board adopt Resolution No. R-SA-22-005, both approving the Loan Agreement.

Questions ensued

Motion was made to approve staff recommendation

Moved: Mayor Jones

Seconded: Mayor Pro Tem Irving

Comments ensued

Motion passed 3-1

Ayes: Councilmember Becerra, Mayor Pro Tem Irving, Mayor Jones

Noes: Councilmember Gomez

- 23.** Calling for the General Municipal Election and Consolidating with the Statewide Election with the San Bernardino County Registrar of Voters

Recommendation:

That Your Honorable City Council:

(1) Adopt Resolution No. 22-066 for the holding of a General Municipal Election; and

(2) Adopt Resolution No. 22-067 for the consolidation of the General Municipal Election

Questions ensued

Motion was made to approve staff recommendations

Moved: Councilmember Becerra

Seconded: Mayor Pro Tem Irving

Motion passed 4-0

Ayes: Councilmember Becerra, Councilmember Gomez, Mayor Pro Tem Irving, Mayor Jones

24. Fiscal Year 2022-2023 Training Schedule for City Council Members

Recommendation:

That Your Honorable City Council direct staff which business events Council will attend during Fiscal Year 2022-2023 to allow sufficient time for registration and travel accommodations.

Questions ensued

Motion was made to approve Mayor Pro Tem Irving, Mayor Jones, and Councilmember Becerra to attend business events.

A substitute motion was made to equally have everyone travel without restrictions.

Moved: Councilmember Gomez

Seconded: Mayor Pro Tem Irving

Comments ensued

Motion failed 2-2

Ayes: Councilmember Gomez, Mayor Pro Tem Irving

Noes: Councilmember Becerra, Mayor Jones

Main Motion was brought back to approve Mayor Pro Tem Irving, Mayor Jones, and Councilmember Becerra to attend business events.

Moved: Councilmember Becerra

Seconded: Mayor Jones

Comments ensued

Motion passed 3-1

Ayes: Councilmember Becerra, Mayor Pro Tem Irving, Mayor Jones

Noes: Councilmember Gomez

25. Annual League of California Cities voting delegate and alternate(s)

Recommendation:

That the City Council designate the voting delegate and alternate(s) for the League of California Cities Annual Conference & Expo, September 7-9, 2022.

Questions ensued

The Chair opened the nomination period for primary delegate.

Councilmember Gomez, Councilmember Becerra, and Mayor Jones were nominated.

The Chair closed the nomination period for primary delegate.

A vote was taken in which Councilmember Becerra, Mayor Pro Tem Irving, and Mayor Jones voted in favor of declaring Mayor Jones the primary delegate, with Councilmember Gomez voting for herself.

Mayor Jones received majority vote and is thereby declared delegate.

The Chair opened the nomination period for the alternate delegate.

Councilmember Becerra and Councilmember Gomez were nominated.

The Chair closed the nomination period for alternate delegate.

A vote was taken in which Councilmember Becerra, Mayor Pro Tem Irving, and Mayor Jones voted in favor of declaring Councilmember Becerra the alternate delegate, with Councilmember Gomez voting for herself.

Councilmember Becerra received majority vote and is thereby declared the alternate delegate.

26. Update on Affordable Housing Project in Old Town

Recommendation:

No action recommended for this item

Questions and Comments ensued.

27. City Manager Reports

City Manager, Keith C. Metzler, announced the City was awarded a Pet Assistance and Support Grant to support the kennel operations at the interim shelters and wellness center.

The updated operating hours for the City Library are Monday through Friday, 9 a.m. to 6 p.m., and Saturday, 9 a.m. to 3 p.m. There is also a Do It Yourself Craft Event at the City Library every Wednesday beginning June 15th through July 20th from 10 a.m. to 12 p.m.

Dollar General, Southeast of Village Dr. and North of Mojave Dr., is in plan review and has been approved by all departments.

28. Discussion and Possible Action Regarding Upcoming Agenda Items

Mayor Pro Tem requested to adjourn the meeting in memory of Loretta Bowden, a member of the Community Services Advisory Committee for the City of Victorville, who passed away. Additionally, she would like to request the office of the City Clerk to prepare a ceremonial item to present to her family in her honor.

29. Reports from Council Members

Councilmember Gomez presented her reports, speaking on her involvement in the community.

Councilmember Becerra presented her reports, inviting everyone to attend the Concerts in the Park series.

Mayor Jones presented her reports, speaking on attending various meetings. She was a speaker at the Dr. Prem Reddy Scholarship Ceremony, and she attended the San Bernardino County unveiling of the Curtain of Courage. She also reported that the Victorville Sings Concert in the Park had a great turnout and the Juneteenth Community event at the Trinity Lutheran Church was wonderful. She also attended several ribbon cuttings.

Adjournment

Mayor Jones adjourned the meeting at 9:56 p.m.

ATTEST:

Debra Jones, Mayor

Jennifer Thompson, City Clerk