

**CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
MARCH 15, 2005
7:00 P.M.**

Information in shaded boxes also pertains to meetings directly following the Council Meeting.

Welcome to a meeting of the Fontana City Council. A complete agenda packet is located in the binder on the table in the lobby of the Council Chambers. To address the Council, please fill out a card located at the entrance to the left indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the City Clerk. Your name will be called when it is your turn to speak. **In compliance with Americans with Disabilities Act, the Chambers is wheel chair accessible and a portable microphone is available.**

Traducción en Español disponible a petición. Favor de notificar al Departamento "City Clerk". Para mayor información, favor de marcar el número 350-7602.

5:00 P.M. WORKSHOP

- A. Fontana Park Development Project and Jessie Turner Health and Wellness Community Center Update (Curtis Aaron, Public Services Director)
- B. Agenda Review
- C. City Manager Comments

6:00 P.M. CLOSED SESSION:

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency Negotiator: Kenneth Hunt, City Manager
Employee Organization: Police Officers Association; Police Management Association

7:00 P.M. – CALL TO ORDER/ROLL CALL:

Present: _____ Absent _____

PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor/ Council Member Roberts

SPECIAL PRESENTATIONS:

- A. Mayor and Council to recognize the following individuals for their efforts in making Fontana Race Week and Race Fest a success:
 - Sgt. Orbelio Rodriguez
 - Dan West, Parks and Landscape Supervisor
 - Bill Neeper, Utilities and Streets Supervisor
 - Kyla Brown, Community Services Supervisor
 - Hector Vasquez, Youth Services Coordinator
 - Jason Morrow, Maintenance Worker II
 - Teresa Patton, Technology Services

PUBLIC COMMUNICATIONS:

This is an opportunity for citizens to speak to the City Council for up to 5 minutes on items **not** on the Agenda, but within the City Council's jurisdiction. The Council is prohibited by law from discussing or taking immediate action on non-agendized items.

CONSENT CALENDAR:

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form Listed below – there will be no separate discussion on these items prior to the time Council Votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for discussion.

Does any member of the public wish to address the City Council regarding any item on the Consent Calendar before the vote is taken?

- A. (1) Accept as complete the subdivision improvements in Tract No. 16273 located at the northwest corner of Miller Avenue and Beech Avenue in the Rancho Fontana Specific Plan.
(2) Adopt **Resolution No. 2005-_____**, accepting sewers in Tract No. 16273 as part of the City sewer system.
- B. (1) Accept as complete the subdivision improvements in Tract No. 16250 located at the northwest corner of Baseline Avenue and Hemlock Avenue.
(2) Adopt **Resolution No. 2005-_____**, accepting sewers in Tract No. 16250 as part of the City sewer system.
- C. (1) Accept as complete the subdivision improvements in Tract No. 16216 located south of Miller Avenue at Hemlock Avenue.
(2) Adopt **Resolution No. 2005-_____**, accepting sewers in Tract No.16216 as part of the City sewer system.
- D. (1) Accept as complete the subdivision improvements in Tract No. 16009 located north of Baseline Avenue between San Sevaine Road and Hemlock Avenue.
(2) Adopt **Resolution No. 2005-_____**, accepting sewers in Tract No.16009 as part of the City sewer system.
- E. (1) Accept as complete the subdivision improvements in Tract No. 15843 located south of Summit Avenue between Beech Avenue and Lytle Creek Road in the Summit Height Specific Plan.
(2) Adopt **Resolution No. 2005-_____**, accepting sewers in Tract No. 15843 as part of the City sewer system
- F. (1) Accept as complete the subdivision improvements in Tract No. 15841 located south of Summit Avenue between Beech Avenue and Lytle Creek Road in the Summit Height Specific Plan.
(2) Adopt **Resolution No. 2005-_____**, accepting sewers in Tract No. 15841 as part of the City sewer system.
- G. Authorize the City Manager to execute Amendment No. 1 to an existing contractual services agreement with RBF Consulting to provide design engineering services for the East Avenue street improvement project and to increase the contract in the amount of \$10,000 from \$22,700 to \$32,700.
- H. (1) Authorize the Community Development Department to advertise and award the bid for the Walnut Avenue storm drain, sewer and street improvement project in Walnut, Oleander and Cypress Avenues.

- (2) Authorize the City Manager to award the construction contract to the lowest responsive, responsible bidder; and authorize a construction contingency fund in the amount of 10% of the construction contract.
- (3) Authorize the Purchasing Manager to issue a purchase order to the most responsive vendor of concrete pipe to deliver pipe materials in a timely manner within the project budget.
- I. Accept the 2004 Police Department Annual Report.
- J. Authorize the Public Services Department to advertise for bids for the construction of ADA improvements to Miller Fitness Center, SB-59-05.
- K. (1) Authorize the City Manager to enter into a contract with South Coast Lighting and Design Company in the amount of \$46,569.04 for the purchase of decorative traffic signal poles for the San Bernardino Avenue and Alder Avenue traffic signal and street improvement project (SB 43-05).
- (2) Designate South Coast Lighting and Design as sole source supplier for all decorative traffic signals throughout the City.
- L. Authorize the City Manager to execute a contractual services agreement with Parsons Brinckerhoff Quade & Douglas Engineering to provide design services for the South Highland Avenue widening project from Cherry Avenue to Citrus Avenue in the amount of \$305,900 and a 10% contingency in the amount of \$30,590.
- M. (1) Authorize the City Manager to enter into a contract with Majich Bros. Inc., in the amount of \$1,651,210 for the construction of the Citrus Avenue storm drain improvement project between Baseline Avenue and South Highland Avenue and authorize a 10% contingency in the amount of \$165,121.00.
- (2) Authorize the appropriation from Fund 693, RDA Capital Project North Fontana in the amount of \$665,000.
- N. Adopt **Resolution No. 2005-____**, authorizing the City of Fontana Community Services Department to submit an application for grant funds to the United States Department of Education for the improvement of education.
- O. Adopt **Resolution No. 2005-____**, approving a Disposition and Development Agreement between the Fontana Redevelopment Agency and Chaffey College in conjunction with expansion of the Fontana Center Campus Facilities and authorizing the City Manager to execute any documents necessary to effectuate said approval.
- P. (1) Approve the Inter-Local Agreement concerning the distribution of the 2005 Byrne Justice Assistance Grant (JAG) Program Award.
- (2) Authorize the City Manager to sign the Inter-Local Agreement for the Justice Assistance Grant (JAG) on behalf of the City of Fontana.

Approve Consent Calendar Items "A-P" as recommended by staff.

PUBLIC HEARINGS:

To speak on Public Hearing Items, fill out a card at the microphone stand indicating **favor** or **opposition** and give it to the City Clerk. Each person will be allowed 5 minutes to address the Council.

If you challenge in court any action taken concerning a Public Hearing item, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City at, or prior to, the Public Hearing.

All Public Hearings will be conducted following this format:

- | | |
|---|-----------------------|
| (a) hearing opened | (e) oral – favor |
| (b) written communication | (f) oral – opposition |
| (c) council/staff comments | (g) hearing closed |
| (d) applicant comments (applicant not limited to 5 minutes) | |

- A. Quarterly Lien Action Report for Delinquent Sewer, Rubbish and Weed Abatement Accounts.
- (1) Adopt **Resolution No. 2005-____**, adopting the Statement of Unpaid Expenses for Weed Abatement and imposing a lien against real property for payment thereof.
 - (2) Authorize staff to complete and record lien notices against real property for those sewer accounts sixty days or more delinquent as described in the certified lien list. Direct staff to forward recorded liens to the County for collection.
 - (3) Authorize staff to complete and record liens against real property for those rubbish accounts more than ninety days delinquent as described in the certified lien list. Direct staff to forward recorded liens to the County for collection.
- B. Resolution of Necessity – Foothill Boulevard and Almeria Avenue Widening
- (1) Conduct a hearing to consider the adoption of the proposed resolution of necessity, including providing all interested parties of the affected property, their attorneys or their representatives an opportunity to be heard on the issues relevant to the resolution of necessity.
 - (2) Make the following findings as hereinafter described in this report:
 - (i) The public interest and necessity require the proposed project.
 - (ii) The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.
 - (iii) The real property to be acquired is necessary for the project.
 - (iv) The offer of just compensation has been made to the property owner.
 - (3) Adopt **Resolution No. 2005-____**, declaring that the acquisition of a fee and temporary construction easement interest in a portion of real property, APNS 1110-391-07 (formerly 0228-27-09) and 0232-071-020, by eminent domain is necessary for the widening and improvements at the corner of Foothill Boulevard and Almeria Avenue, and for the installation of traffic signal improvements, in Fontana, California.
- C. Amend Chapter 21 of the Fontana Municipal Code – Development Impact Fees
- (1) Find that the project is exempt from further environmental review pursuant to Section 3.07 of the Local Guidelines for implementing the California Environmental Quality Act (2004), projects with no possibility of significant effects upon the environment, and direct staff to file a Notice of Exemption.

- (2) Waive further reading of and introduce **Ordinance No. ____**, amending Section 21-120 of Article V, Chapter 21 of the Fontana Municipal Code and amending Section 21-123 of Article V, Chapter 21 of the Fontana Municipal Code relating to development impact fees, that the reading of the title constitutes the first reading thereof.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

- A. Discussion and possible action regarding annexation.
- B. Discussion and possible action regarding fire restructuring.
- C. Discussion and possible action regarding appointing an ad hoc planning process sub-committee.

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT: To a joint meeting with the Fontana Unified School District on Wednesday, March 23, 2005 at 6:00 p.m. in the City Hall Council Chambers located at 8353 Sierra Avenue, Fontana, CA., and then to a workshop meeting on Tuesday, April 1, 2005 in the City Hall Executive Conference Room at 5:00 p.m. and then to the regular meeting at 7:00 p.m. in the City Hall Council Chambers, located at 8353 Sierra Avenue.