

**CITY OF FONTANA  
CITY COUNCIL REGULAR MEETING  
APRIL 19, 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.**

**6:00 P.M. CLOSED SESSION:**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: Fontana Center Stage, 8463 Sierra Avenue and Freight Depot , APN 0191-161-19  
Negotiating Parties: Kenneth R. Hunt, City Manager  
Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN'S 235-211-03, -04,-05  
Negotiating Parties: Kenneth R. Hunt, City Manager  
Under Negotiation: Price and Terms

**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 introduce the Miss Fontana Contestants. (Pamela Eshleman)
- B. Mayor and Council to recognize the following students from Long Elementary School who will do a "Destination Imagination" Performance: Karen Sun, David Asbra, John Reinschmidt, Britney Amancio, Brandon Carter and Morgan Dobbs. (Teacher Lorie Arnold)
- C. Presentation made by the Exchange Club to Mayor and Council regarding Fontana Days.
- D. Mayor and Council to recognize Corporal William Green, Corporal Brad Garland and Officer Anthony Cafaro as the March "Employees of the Month".
- E. Mayor and Council to recognize the Orthopedic Rehabilitation Program called PossAbilities for their help in the Triathlon and 5K Race supporting Healthy Fontana.
- F. Mayor and Council to recognize Jenna Galasso for her attendance at the Presidential Inaugural.
- G. Mayor and Council to recognize the Community Services Department for receiving three California Parks and Recreation Society (CPRS) Achievement Awards in the following categories:
  - Marketing Theme Campaign – Signs of Summer Program
  - Single Focus Brochure – Signs of Summer Program
  - Community Calendar

- H. Mayor and Council to recognize the Community Services Department for receiving the Youth Sports Connector of the Year Award for the City's exemplary efforts and effective execution in promoting Positive Coaching Alliance Workshops to coaches and parents in youth sports.
- I. Presentation by Susan Carrier of Geltz Communications regarding energy savings devices through Edison.

**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. Approve the minutes of April 5, 2005 Regular City Council Meeting.
- B. Authorize the City Manager to execute a construction contract with Sully-Miller Contracting Company for the construction of the San Bernardino Avenue and Alder Avenue street improvements, traffic signal and storm drain project in the amount of \$417,000.00 and authorize a 10% contingency in the amount of \$41,700.00
- C. Authorize the Public Services Department to advertise for bids for the construction of Jack Bulik Park Phase II.
- D. (1) Authorize the City Manager to execute Amendment No. 1 to the existing construction contract with Atlas Parking Lot Maintenance increasing their contract in the amount of \$17,000.00 for additional rehabilitation necessitated by damage sustained after the initial inspection as specified in SB-22-05.
  - (2) Authorize the use of contingency funds and authorize the Business Services Manager to increase the purchase order from \$75,271.90 to \$85,429.00.
  - (3) Authorize funds (\$2,829.00) to be transferred from Business Unit 3837697 to Project Number 9380109697.
- E. (1) Approve formation of the Fontana Community Foundation, a non-profit charitable purpose foundation.
  - (2) Approve the foundation articles of incorporation and bylaws.
  - (3) Accept appointment of City Council as Ex Officio Directors of the Foundation and authorize Best, Best and Krieger to execute any documents required to effectuate establishment of the foundation.

- F. (1) Adopt **Resolution No. 2005-\_\_\_\_\_**, establishing the job specifications for Deputy City Manager, Community Services Director, Technology Services Director, Grant Coordinator, Cable Television Operations Assistant, Customer Service Coordinator, GIS Analyst, Systems Administrator, Annexation Program Coordinator, Supervising Real Property Agent, Contracts Administrator and Finance Manager.
- (2) Add (1) Senior Administrative Analyst to the Community Development Table of Organization.
  
- G. (1) Accept as complete the subdivision improvements in Tract No.'s 16085 and 16085-1 located north of Baseline Avenue and east of Beech Avenue in the Rancho Fontana Specific Plan.
- (2) Adopt **Resolution No. 2005-\_\_\_\_\_**, accepting sewers in Tract No.'s 16085 and 16085-1 as part of the City sewer system.
  
- H. Authorize the City Manager to enter into a lease agreement, for locating wireless telecommunications facilities on City property, with Sprint at Bill Martin Park.
  
- I. (1) Award bid and authorize the City Manager to enter into a contract with Fleming Environmental Inc, in the amount of \$43,847.00 and authorize a 10% contingency in the amount of \$4,384.70.
- (2) Authorize the Business Services Manager to issue a purchase order to Fleming Environmental, Inc., in the amount of \$43,847.00
  
- J. Accept donation in the amount of \$15,000.00 from Lewis Operating Companies to support a part-time staff person for the Healthy Fontana Program.
  
- K. (1) Accept proposal from NBS for consulting services.
- (2) Authorize the City Manager to enter into a contract in the amount of \$30,000.00 plus expenses, with NBS to provide consulting services to conduct an assessment increase ballot proceeding for Landscape Maintenance No. 2.
- (3) Authorize Business Services Division to issue a purchase order for the identified services.
  
- L. Adopt **Resolution No. 2005-\_\_\_\_\_**, amending Administrative Policy and Procedures Manual Section 20-31, Purchasing Policies and Procedures, by adding a provision for the pre-qualification of vendors, as a method of selection, for contractors seeking to bid on public works projects for the City of Fontana.

**Approve Consent Calendar Items "A-L" 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
- (b) written communication
- (c) council/staff comments
- (d) applicant comments (applicant not limited to 5 minutes)
- (e) oral – favor
- (f) oral – opposition
- (g) hearing closed

- A. Resolution of Necessity – Citrus Avenue Street Widening Project
  - (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 0228-151-06 by eminent domain is necessary for the widening and improvements of Citrus Avenue, in Fontana, California
  
- B. Appeal No. 05-001 – Conditional Use Permit No. 04-016, filed by Sierra Land Associates
  - (1) Deny Appeal No. 05-011, thereby upholding the decision of the Planning Commission on February 28, 2005, approving Conditional Use Permit No. 04-016.
  
- C. Fiscal Year 2006-1010 Five-Year Consolidated Plan and Fiscal Year 2005-2006 One-Year Action Plan
  - (1) Adopt the 2006-2010 Five Year Consolidated Plan and Fiscal Year 2005-2006 One-Year Action Plan detailing the utilization of federal entitlement funds in said fiscal year and authorize the City Manager to execute any and all documents necessary to effectuate said approvals.
  
- D. Resolution Approve the Sale of Surplus Property
  - (1) Adopt **Resolution No. 2005-\_\_\_\_\_**, authorizing the sale of surplus property located at the southwest corner of Juniper Avenue and Old Highland Avenue and at the northeast corner of Juniper Avenue and south Highland Avenue to Rotolo Chevrolet and direct staff to file a Notice of Determination for a previously adopted Negative Declaration.
  
- E. Sewerage Expansion Fees
  - (1) Adopt **Resolution No. 2005-\_\_\_\_\_**, increasing the connection fee for sewage collection and treatment services in accordance with yearly increases imposed by the Inland Empire Utilities Agency for Fiscal Year 2005/06.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- A. Resolution of Intent to Establish Community Facilities District No. 31 (Citrus Heights North) and Authorization to Incur Bonded Indebtedness
  - (1) Approve deposit and reimbursement agreement by and between the City of Fontana and SC Fontana Development Corporation.
  - (2) Approve the use of Stone & Youngberg as underwriter for the issuance of proposed bonds, and authorize the City Manager to approve a Professional Services Agreement.
  - (3) Adopt **Resolution No. 2005-\_\_\_\_\_**, of the City Council of the City of Fontana of intention to establish a Community Facilities District and authorize the levy of special taxes.

- (4) Adopt **Resolution No. 2005-\_\_\_\_\_**, of the City Council of the City of Fontana to incur bonded indebtedness of the proposed City of Fontana Community Facilities District No. 31 (Citrus Heights North).
  - (5) Set the public hearing for June 7, 2005.
- B. Resolution of Intent to Establish Community Facilities District No. 37 (Montelago) and Authorization to Incur bonded Indebtedness.
- (1) Adopt **Resolution No. 2005-\_\_\_\_\_**, of the City Council of the City of Fontana of intention to establish a Community Facilities District and to authorize the levy of special taxes.
  - (2) Adopt **Resolution No. 2005-\_\_\_\_\_**, of the City Council of the City of Fontana to incur bonded indebtedness of the proposed City of Fontana Community Facilities District No. 37 (Montelago).

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

- A. Discussion and possible action regarding restaurant grading placards.

**CITY MANAGER COMMUNICATIONS:**

**ADJOURNMENT:** To a workshop meeting on May 3, 2005 at 5:00 p.m. and then to the regular meeting at 7:00 p.m. in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California.