

**CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
MAY 17, 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. Agenda Review
- B. Recycled Water Master Plan (Anthony Ciotti and Curtis Aaron)
- 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

CONFERENCE WITH LEGAL COUNCIL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

Name of Parties: San Gabriel Valley Water Company; Application No. A.02-11-044

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 Drug Enforcement Administration (DEA) for their joint work with the Fontana Police Department on a major narcotics case. DEA Group Supervisor Brian Young; Case Agents Stephen Davis and Thomas Etheridge; Agents Tony Zavacky, Bill Petrarca, Don Addis, Derrick Jones, Greg Chan, Joann Jindrick, Dan Dobas, and Hector Zapata. (Police Chief Larry Clark and Sgt. Doug Imhof to present)

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 the April 29, 2005 Adjourned Regular City Council Meeting and the May 3, 2005 Regular City Council Meeting.
- B. Adopt **Ordinance No. 1476**, amending Section 15-601 of the Fontana Municipal Code relating to the sale, use and possession of fireworks and adding Article XI to the Fontana Municipal Code concerning administrative fines and penalties.
- C. Authorize the City Manager to execute a contractual services agreement with David Evans and Associates, Inc. to provide design services for street improvements on Ceres Avenue between Citrus Avenue and Cypress Avenue in the amount of \$74,500.00 and a 10% contingency fund in the amount of \$7,450.00, for a total of \$81,950.00.
- D. Accept final map for Tract No. 17021 located within Southridge Specific Plan; accept as public all dedicated streets and easements; and authorize the City Manager to enter into a subdivision agreement with the subdivider.
- E. Accept replacement of securities for Tract No. 16184 necessitated by change in ownership of the tract, and authorize the City Manager to enter into a subdivision agreement with Shea Homes Limited Partnership for the construction of improvements in said tract.
- F. Accept as complete the construction of the emergency vehicle preemption upgrades project and authorize the City Engineer to issue a final notice of completion.
- G. Adopt **Resolution No. 2005-_____**, approving the destruction of certain City Clerk files; Human Resource files; Management Services files; City Manager files and Planning files.
- H. (1) Adopt **Resolution No. 2005-_____**, of the City Council of the City of Fontana determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 39M.
(2) Adopt **Resolution No. 2005-_____**, of intention of the City Council of the City of Fontana with respect to establishment of proposed Community Facilities District No. 39M of the City of Fontana.
(3) Set the public hearing for June 21, 2005, for the formation of the District and call the special election for June 21, 2005.
- I. (1) Adopt **Resolution No. 2005-_____**, of the City Council of the City of Fontana determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 40M.
(2) Adopt **Resolution No. 2005-_____**, of intention of the City Council of the City of Fontana with respect to establishment of proposed Community Facilities District No. 40M of the City of Fontana.
(3) Set the public hearing for June 21, 2005, for the formation of the District and call the special election for June 21, 2005.

- J. (1) Adopt **Resolution No. 2005-_____**, of the City Council of the City of Fontana determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 41M.
(2) Adopt **Resolution No. 2005-_____**, of intention of the City Council of the City of Fontana with respect to establishment of proposed Community Facilities District No. 41M of the City of Fontana.
(3) Set the public hearing for June 21, 2005, for the formation of the District and call the special election for June 21, 2005.
- K. Approve the recommended budget changes listed in the third quarter Budget Status Report for Fiscal Year 2004/2005.
- L. Accept as complete the work performed by Sully-Miller Contracting Company for the construction of Beech Avenue street improvements from Cherry Avenue to I-15 Freeway; approve the final construction amount of \$211,443.57; and authorize the City Engineer to execute and file the Notice of Completion for City Project No. SB-12-05.
- M. (1) Authorize the City Manager to approve a contract change order in the amount of \$347,000 and a contingency amount of \$34,700 with Sully-Miller Contracting Company for added scope of work to extend construction of Foothill Boulevard street improvements at Almeria Avenue.
(2) Approve the revised contract amount including this contract Change Order Number 3 to \$1,046,000 and the revised contingency amount of \$104,600.
- N. Authorize the City Manager to approve a contract change order to the annual contract with Dye and Browning Construction, Inc. to include the construction of Baseline Avenue pavement rehabilitation at East Avenue and the I-15 Freeway which will be constructed at a cost of \$265,849.
- O. (1) Approve purchase of Cisco Protego Network Appliance from Pacific Blue Micro in the amount of \$46,521.07 and;
(2) Approve a recurring budget appropriation of \$9,900 from General Fund Balance to the City Technology Fund 102.1842102.6260.
- P. Authorize the Public Services Department to advertise for bids for construction of the Public Services West Annex Facility.
- Q. Authorize the City Manager to extend the annual maintenance contract with West Coast Arborists, Inc. and have the Business Services Manager issue the corresponding purchase order.
- R. Approve an agreement for the purchase and sale of real property at the northeast corner of Philadelphia Avenue and Vintage Place, APN 023-661-259 in the City of Fontana for the sum of \$2,000 and authorize the City Manager to execute the purchase of said real property.
- S. (1) Authorize the City Manager to execute a pipeline abandonment agreement to provide for the abandonment of an existing water pipeline in Juniper Avenue in the amount of \$79,742.00 with San Gabriel Valley Water Company.
(2) Authorize the City Manager to execute a pipeline abandonment agreement to provide for the abandonment of an existing water pipeline in "Old" Highland Avenue in the amount of \$234,757.00 with San Gabriel Valley Water Company.

CITY COUNCIL AGENDA

MAY 17, 2005

- T. (1) Accept as complete and authorize the Deputy City Manager to execute and file a Notice of Completion for Project SB-34-04.
(2) Approve the final construction amount of \$199,693.20.
(3) Approve the release of cash bond held by the City upon satisfactory completion of the contract.
- U. (1) Accept proposal from WLC Architects, Inc. for the senior community center building design project SP-39-05.
(2) Authorize the City Manager to execute a contractual services agreement between the City of Fontana and WLC Architects to provide programming, architectural design, engineering, landscape architecture, construction plans and documents, construction bidding and construction administration services for the new senior community center building in an amount of \$699,115, effective July 1, 2005.
(3) Authorize Business Services Division to issue a purchase order in the amount of \$669,115.
- V. Adopt **Resolution No. 2005-_____**, rescinding Resolution No. 2004-77, establishing an appropriations limit pursuant to Article XIII (B) of the California Constitution for Fiscal Year 2004/2005.

Approve Consent Calendar Items “A-V” 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. Joint Hearing to Consider Amendment No. 3 to the North Fontana Redevelopment Plan.
(1) Adopt **Resolution No. 2005-_____**, a Resolution of the City Council of the City of Fontana receiving the final report to the City Council and the text of the amendment and approving the Mitigated Negative Declaration for Amendment No. 3 to the Redevelopment Plan for the North Fontana Redevelopment Project.

UNFINISHED BUSINESS:

- A. Display of Grading Placards by Establishments Furnishing Food to the Public.
Waive further reading of and introduce **Ordinance No. _____**, adding Sections 13-31 through 13-35 to Chapter 13, Article II of the Fontana Municipal Code adopting San Bernardino County Ordinance No. 3930 relating to inspection grading of food establishments and that the reading of the title constitutes the first reading thereof.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

CITY MANAGER COMMUNICATIONS:

Ad Hoc Committee Appointment for Providence Point Specific Plan located at the Northwest corner of Citrus and Baseline Avenues.

ADJOURNMENT: To the ICSC Convention on May 23 , 2005 through May 25, 2005 located in Las Vegas, Nevada and then to a workshop meeting on June 7, 2005 at 5:00 p.m. and then to the regular meeting at 7:00 p.m. located in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California.