

**CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
AUGUST 16, 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. Fire Prevention (Chief Conrad and Chief Wurl)
- B. Agenda Review
- C. City Manager Comments

6:00 P.M. CLOSED SESSION:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 7229 Sierra Avenue, APN 0240-141-27 (Ettie Mae Fennell Trust)

Negotiating Parties: Deputy City Manager, Debbie Brazill

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 recognize Sergeant Barron Neal as the Police Department's July "Employee of the Month". (Chief Clark to present)
- B. Mayor and Council to proclaim the week of September 1-4, 2005 as "Fontana Race Week". (Dennis Bickmier, California Speedway and Dee Feldmeir, Loma Linda Ronald McDonald House to accept)

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 July 19, 2005 Regular City Council Meeting.
- B. (1) Adopt **Ordinance No. 1484**, authorizing the levy of a special tax within Community Facilities District No. 35M.
- (2) Adopt **Ordinance No. 1485**, authorizing the levy of a special tax within Community Facilities District No. 36M.
- (3) Adopt **Ordinance No. 1486**, authorizing the levy of a special tax within Community Facilities District No. 38M.
- (4) Adopt **Ordinance No. 1487**, authorizing the levy of a special tax within Community Facilities District No. 39M.
- (5) Adopt **Ordinance No. 1488**, authorizing the levy of a special tax within Community Facilities District No. 41M.
- (6) Adopt **Ordinance No. 1489**, amending Chapter 30 of the Fontana Municipal Code.
- (7) Adopt **Ordinance No. 1490**, approving Zone Change No. 05-001 to change approximately 2.75 acres of property (APN 0240-011-15) zoned R-1 (Single Family Residential) to C-2 (General Commercial), to be consistent with the current General Plan Designation C-G (General Commercial), and approximately 5.70 acres of property (APN 0240-061-09, 10, and 11) zoned R-1 (Single Family Residential) to P-PF (Public Facilities) to be consistent with the General Plan Designation of P-PF (Public Facilities).
- (8) Adopt **Ordinance No. 1491**, approving Amendment No. 1 to the amended and restated Development Agreement between the City of Fontana and Sierra Lakes Land Company LLC.
- (9) Adopt **Ordinance No. 1492**, approving Amendment No. 1 to the Development Agreement for the California Landings Specific Plan between the City of Fontana and KB Home Greater Los Angeles, CA.
- C. Adopt **Resolution No. 2005-_____**, a resolution for paying and reporting the value of employer paid member contributions.
- D. Authorize staff to enter into a three year contract with JT2 Integrated Resources for Administration of Worker's Compensation claims.
- E. Authorize the City Manager to execute an agreement with the Department of Justice to improve accessibility of facilities and programs.
- F. Authorize the City Manager to dispose of specific surplus assets by transferring them to Kaiser High School's Athletic Department.
- G. Authorize the City Manager to execute Amendment No. 1 to the original agreement with Hall & Foreman, Inc., to provide additional construction survey services for the Summit Avenue street,

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sewer and storm drain improvement project from 760 feet west to 760 feet east of Lytle Creek Road and to increase the contract amount from \$22,800 to \$32,800, an increase of \$10,000.

- H. Authorize the City Manager to execute an agreement between the City of Fontana and the County of San Bernardino for the construction of street improvements and traffic signal at Merrill Avenue and Alder Avenue.
- I. (1) Find that the approval of the City of Fontana's Island Annexation Program is exempt from further environmental review pursuant to Section 3.07 of the Local Guidelines for implementing the California Environmental Quality Act (2005), and direct staff to file a Notice of Exemption.
(2) Adopt **Resolution No. 2005-_____**, approving the City of Fontana's Island Annexation Program and direct staff to file the Island Annexation Map with the Local Agency Formation Commission (LAFCO).
- J. Adopt **Resolution No. 2005-_____**, approving the acquisition of right-of-way along Cherry Avenue that lies within the City's unincorporated sphere of influence and request that the County Board of Supervisors adopt a written resolution of consent to said acquisition.
- K. (1) Authorize the City Manager to execute a contractual services agreement with David Evans & Associates to update the City of Fontana, Engineering Department standard plans in the amount of \$30,000 and a 10% contingency in the amount of \$3,000 for a total of \$33,000.
(2) Approve an appropriation of \$33,000 from General Fund Development related services.
- L. Authorize the City Manager to execute a contractual services agreement with Allard Engineering to provide design and construction engineering services for the Auto Center Drive street improvement project in the amount of \$107,000.
- M. Approve and authorize the City Manager to execute a contractual services agreement with Psomas to provide an on-site GIS Technician at an hourly rate of \$55 and a not to exceed amount of \$125,000.
- N. Authorize the reduction of the performance/labor and materials Bond No. 234824 posted by Fontana Villas, LLC for Tract No. 16563, from \$636,800 to \$190,000.
- O. (1) Award a contract to 3-T Equipment for the purchase of a new camel jet-rodding sewer collection system vehicle, and authorize the Business Services Manager to issue a purchase order in the amount of \$262,383 to 3-T Equipment.
(2) Award contract to Dieterich International for the purchase of a new HD Industries Pro-Patch Pothole Patcher Vehicle, and authorize the Business Services Manager to issue a purchase order in the amount of \$146,223 to Dieterich International.
- P. (1) Adopt **Resolution No. 2005-_____**, determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 32M.
(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. 32M of the City of Fontana.
(3) Set the public hearing for September 20, 2005, for the formation of the District and call the special election for September 20, 2005.
- Q. (1) Authorize the Business Services Manager to issue a purchase order in the amount of \$29,000

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to Trimble for the purchase of the necessary police automation systems equipment and services.

- (2) Authorize the Business Services Manager to issue a purchase order in the amount of \$15,000 to San Bernardino County for labor and materials related to the installation of the purchased GPS equipment.
 - (3) Authorize the Technology Services Department to buy direct from the manufacturer, Trimble Inc.,
- R. (1) Authorize the City Manager to execute a contractual services agreement with Accuflex and ECS Imaging Inc., to provide imaging and scanning services for a period of three years, extendable for two additional one year terms at the discretion of the City.
- (2) Authorize the issuance of a purchase order to Accuflex and ECS Imaging Services, Inc., based upon the fee schedules submitted with their proposals.
- S. (1) Adopt **Resolution No. 2005-_____**, of intention of the City Council of the City of Fontana declaring intention to detach territory from Local Landscape Maintenance District No. 3 pursuant to the Landscaping and Lighting Act of 1972, setting the time and place of the hearing on the detachment, and order notice of hearing to be published.
- (2) Set the public hearing for September 20, 2005, for the consideration of detachment of territory from Local Landscape Maintenance District No. 3.
- T. (1) Adopt **Resolution No. 2005-_____**, of intention of the City Council of the City of Fontana declaring intention to detach territory from Local Lighting Maintenance District No. 3 pursuant to the Landscaping and Lighting Act of 1972, setting the time and place of the hearing on the detachment, and order notice of hearing to be published.
- (2) Set the public hearing for September 20, 2005, for the consideration of detachment of territory from Local Lighting Maintenance District No. 3.

Approve Consent Calendar Items “A- T” 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. Community Facilities District No. 42M – Tract No. 17027, Jurupa Avenue, southeast of Cypress Avenue.
- (1) Adopt **Resolution No. 2005-_____**, establishing Community Facilities District No. 42M, of the city of Fontana, County of San Bernardino, State of California, and establishing boundaries thereof.

- (2) Adopt **Resolution No. 2005-_____**, calling a special election and submitting to the voters of Community Facilities District No. 42M of the City of Fontana, County of San Bernardino, State of California a proposition with respect to the annual levy of special taxes within said Community Facilities District to pay the costs of certain services to be provided by the

Community Facilities District and a proposition with respect to the establishment of an appropriations limit for said Community Facilities District.

- (3) Adopt **Resolution No. 2005-_____**, declaring the results of the special election for Community Facilities District No. 42M of the City of Fontana, County of San Bernardino, State of California, on the propositions with respect to (i) the annual levy of special taxes to pay the costs of certain services to be provided by the Community Facilities District and (ii) the establishment of an appropriations limit.

B. Resolution of Necessity – Baseline 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-_____**, a Resolution of Necessity of the City Council of the City of Fontana, declaring that the acquisition of fee and temporary construction easement interests in a portion of certain real property located at 16262 and 16270 Baseline Avenue, more particularly described as APNS 0240-031-04 and 0240-031-05, by eminent domain is necessary for street widening, improvements and public infrastructure improvements to Baseline Avenue.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

- A. Appointment of _____, as the voting delegate and _____, as the alternate at the League of California Cities Annual Conference on October 6-8, 2005.

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT: To a workshop meeting on August 23, 2005 at 7:00 p.m. in the City Hall Council Chambers regarding apartments in North Fontana and then to the regular workshop meeting on September 6, 2005 at 5:00 p.m. in the Executive Conference Room and then to the regular City Council Meeting at 7:00 p.m. in the City Hall Council Chambers.