

**CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
DECEMBER 20, 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. JOINT CITY COUNCIL/ PLANNING COMMISSION WORKSHOP

- A. Ventana @ Duncan Specific Plan (Don Williams, Community Development Director)
- B. Agenda Review
- C. City Manager Comments

6:00 P.M. CLOSED SESSION:

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

Name of Parties: San Gabriel Valley Water Company; Application No's A02-11-044 and A05-08-021.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9.

Number of Cases: One

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0240-081-13 – 16564 Baseline Avenue, estate of Ella Kopp

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/Mayor Pro Tem Roberts

SPECIAL PRESENTATIONS:

- A. Mayor and Council to recognize Officer Frank Tolerico as the November "Employee of the Month" and the "Employee of the Year". (Chief Clark to present)
- B. Mayor and Council to recognize Officer Matthew Roth as the December "Employee of the Month". (Chief Clark to present)
- C. Mayor and Council to recognize the Fontana Elks Football Team.

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 December 5, 2005 Regular City Council Meeting.
- B. Adopt **Ordinance No. 1495**, amending Chapter 25, Chapter 7 and Chapter 2 relating to streets, sidewalks and other public ways, elections, and administration of the Fontana Municipal Code.
- C. Accept as complete the work performed by Majich Bros. Inc., for the construction of Citrus Avenue Storm Drain Project from Baseline Avenue to South Highland Avenue, approve the final construction amount of \$1,542,692.50 and authorize the City Engineer to execute and file the Notice of Completion for City Project Bid Number SB-48-05.
- D. Accept as complete the work performed by GCI Construction Inc., for the construction of Juniper Avenue Storm Drain Project from Baseline Avenue to South Highland Avenue, approve the final construction contract amount of \$1,413,660.55 and authorize the City Engineer to execute and file the Notice of Completion for City Project Bid No. SB-40-05.
- E. Authorize the Department of Engineering to advertise for bids for construction of Fire Station No. 79.
- F. (1) Accept as complete and authorize the Deputy City Manager to execute and file a Notice of Completion for Project SB-73-05 (8334 Emerald).
(2) Approve the final construction amount of \$298,640.00.
(3) Approve the release of 10% retention upon satisfactory closure of the contract.
- G. Approve the City of Fontana's Comprehensive Annual Financial Report (CAFR) for Fiscal Year ended June 30, 2005.
- H. (1) Adopt **Resolution No. 2005-_____**, of the City Council of the City of Fontana declaring intention to annex territory to Community Facilities District No. 23M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 4) located at the northwest corner of Oleander Avenue and Miller Avenue.
(2) Set the public hearing for February 7, 2006, for the formation of the District and call the special election for February 7, 2006.

- I. (1) Adopt **Resolution No. 2005-_____**, of the City Council of the City of Fontana declaring intention to annex territory to Community Facilities District No. 39M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 1) located at the northeast corner of Poplar Avenue and San Bernardino Avenue.
- (2) Set the public hearing for February 7, 2006, for the formation of the District and call the special election for February 7, 2006.
- 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. 44M.
- (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. 44M of the City of Fontana.
- (3) Set the public hearing for February 7, 2006, for the formation of the District and call the special election for February 7, 2006.
- K. (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. 45M.
- (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. 45M of the City of Fontana.
- (3) Set the public hearing for February 7, 2006, for the formation of the District and call the special election for February 7, 2006.
- L. (1) Adopt **Resolution No. 2005-_____**, requesting that the Local Agency Formation Commission (LAFCO) initiate proceedings for the annexation of the unincorporated "island" areas to the City of Fontana City limits under Annexation No. 168 (various parcels throughout the City's unincorporated sphere of influence); and
- (2) Based upon the plan of services and fiscal impact analysis, approve the additional staff positions for the Police Department, Department of Public Works, Department of Building and Code Compliance, and Department of Community Development. If the City Council approves the additional positions, City staff will follow up with budge changes at mid-year.
- M. (1) Authorize the City Manager to execute a construction contract with HCI Inc. for the installation of Verizon conduits on Lytle Creek Road from Ford Way to Summit Avenue Bid No. SB-31-DE-06 in the amount of \$98,937.12 and authorize a contingency fund in the amount of \$21,062.88.
- (2) Appropriate \$150,000 from Fund 637 Underground Utilities to complete this project which includes \$30,000 for construction management, inspection and testing services.

Approve Consent Calendar Items "A-M" 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. Continue Specific Plan No. 03-010 and Development Agreement for Summit at Rosena Specific Plan.
Continue Specific Plan No. 03-010 and Development Agreement to the January 17, 2006 City Council meeting.
- B. Deny Appeal No. 05-002, thereby upholding the decision of the Planning Commission on October 11, 2005, denying Variance No. 05-012.
- C. (1) Adopt **Resolution No. _____**, 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.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

- A. Appointment of _____, as Mayor Pro Tem.

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT: To an Adjourned Regular Meeting on December 23, 2005 at 8:00 a.m. in the City Hall Executive Conference Room located at 8353 Sierra Avenue, Fontana, CA.