

**CITY OF FONTANA  
CITY COUNCIL REGULAR MEETING  
MARCH 22, 2006  
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.**

**4:00 P.M. JOIN CITY COUNCIL/PLANNING COMMISSION WORKSHOP**

A. I-15 Development (Charles Fahie, Senior Planner)

**5:00 P.M. JOINT CITY COUNCIL/ PLANNING COMMISSION WORKSHOP**

A. Lewis Homes North Specific Plan

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 (b) (c)

Number of Cases: One

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0240-041-39 (WEP Real Estate) and APN 0243-042-03(Holguin)

Negotiating Parties: Debbie Brazill, Deputy City Manger

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0228-301-03, 04, and 05 (Dorriz/Senco); APN 0230-261-26 (City of Fontana); APN 0240-052-57 (City of Fontana); 0240-052-59 (City of Fontana); APN 0240-052-60 (City of Fontana); APN 0228-291-25 (City of Fontana)

Negotiating Parties: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0240-101-20 & -29 (Wreba G. McGee)

Negotiating Parties: Debbie Brazill, Deputy City Manger

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 the following “Employees of the Month”:  
 January – Officer Brian McLane and Officer Kevin Goltara  
 February – Corporal Danny Gore

**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 March 8, 2006 Regular City Council Meeting and the March 9, 2006 Adjourned Regular Meeting.
- B. (1) Adopt **Ordinance No. 1497**, approving Specific Plan No. 03-010 (Summit at Rosena Specific Plan).  
 (2) Adopt **Ordinance No. 1498**, approving the Summit at Rosena Specific Plan Development Agreement.
- C. Accept the 2005 Police Department Annual Report.
- D. (1) Accept as complete the subdivision improvements in Tract No. 15844 located south of Sierra Lakes Parkway and east of Beech Avenue in the Summit Heights Specific Plan.  
 (2) Adopt **Resolution No. 2006-\_\_\_\_\_**, accepting sewers in Tract No. 15844 as part of the City sewer system.
- E. Accept as complete the work performed by HCI Inc., for the installation of Verizon conduits on Lytle Creek Road Way to Summit Avenue; approve the final construction contract amount of \$102,724.14 and authorize the City Engineer to execute and file the Notice of Completion for City Project Bid No. SB-31-DE-06.
- F. (1) Accept as complete the subdivision improvements in Tract No. 15841-1 located south of Summit Avenue and west of Lytle Creek Road in the Summit Heights Specific Plan.  
 (2) Adopt **Resolution No. 2006-\_\_\_\_\_**, accepting sewers in Tract No. 15841-1 as part of the City sewer system.

## CITY COUNCIL AGENDA

MARCH 22, 2006

- G. Accept final Parcel Map No. 16829 located north of Foothill Boulevard and west of Cherry Avenue and allow the abandonment of portions of the easement granted to the City of Fontana for storm drain and public utility easement.
- H. Authorize the City Manager to execute a contractual services agreement with Kimley-Horn and Associates, Inc., to provide design improvements at Baseline Avenue and Laurel Avenue in the amount of \$56,000 and a 10% contingency fund in the amount of \$5,600.
- I. (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 (2005), projects with no possibility of significant effects upon the environment, and direct staff to file a Notice of Exemption.  
(2) Approve and authorize the City Manager to execute a pre-annexation agreement with Charles L. Pagano, landowner (owner and operator of Ace Hardware dba Foothill Builders Mart, at the southeast corner of Foothill Boulevard and Almeria Avenue
- J. Adopt **Resolution No. 2006-\_\_\_\_\_**, authorizing application for financial assistance application from the State Water Resources Control Board for the San Bernardino truck sewer project from the State Revolving Loan Fund.
- K. (1) Accept bid in the amount of \$47,994,903 and authorize the City Manager to enter into a contract with Douglas E. Barnhart, Inc., for the construction of Fontana Park and Jessie Turner Community Center and authorize a 10% contingency in the amount of \$4,799,490.  
(2) Authorize the Business Services Manager to issue a purchase order to Douglas E. Barnhart, Inc., in the amount of \$52,794,393.
- L. (1) Award bid and authorize the City Manager to enter into a two-year contract with Dunn Edwards Paints with three one-year extensions at the sole discretion of the City, for graffiti paint.  
(2) Authorize the Business Services Manager to issue a purchase order in an amount not to exceed \$40,000 to Dunn Edwards Paint.
- M. (1) Adopt the Mitigated Negative Declaration and California Fish and Game DeMinimis Impact Finding prepared for the I-10/Cypress Avenue Overcrossing Project, direct staff to file a Notice of Determination.  
(2) Make a Finding that the I-10/Cypress Avenue Overcrossing Project is in conformance with Policy No. 14 of Goal No. 1 and of the Circulation Element (Chapter 4), and generally in conformance with the 2003 General Plan.

**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. Community Facilities District No. 47M – Tract No. 16743
- (1) Adopt **Resolution No. 2006-\_\_\_\_\_**, of the City Council of the City of Fontana establishing Community Facilities District No. 47M of the City of Fontana, County of San Bernardino, State of California, and establishing the boundaries thereof.
  - (2) Adopt **Resolution No. 2006-\_\_\_\_\_**, of the City Council of the City of Fontana calling a special election and submitting to the voters of Community Facilities District No. 47M 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. 2006-\_\_\_\_\_**, of the City Council of the City of Fontana declaring the results of the special election for Community Facilities District No. 47M 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. Community Facilities District No. 25M, located north of Upland Avenue, east of Laurel Avenue and west of Frankfort Avenue
- (1) Adopt **Resolution No. 2006-\_\_\_\_\_**, of the City Council of the City of Fontana calling a special election and submitting to the qualified electors of territory proposed to be annexed to Community Facilities District No. 25M of the City of Fontana the question of levying special taxes within the territory proposed to be annexed (Annexation No. 2).
  - (2) Adopt **Resolution No. 2006-\_\_\_\_\_**, of the City Council of the City of Fontana declaring the results of the special election for Community Facilities District No. 25M of the City of Fontana on the proposition of the annual levy of special taxes within the territory proposed to be annexed to said Community Facilities District to pay the costs of certain services to be provided by the Community Facilities District, determining that the territory proposed to be annexed is added to and part of said Community Facilities District with full legal effect, and ordering the recording of an amendment to the notice of special tax lien for said Community Facilities District including the territory annexed thereto (Annexation No. 2).
- C. Quarterly Line Acton Report for Delinquent Sewer, Rubbish and Weed Abatement Accounts
- (1) Adopt **Resolution No. 2006-\_\_\_\_\_**, adopting the Statement of Unpaid Expenses for Weed Abatement and imposing a lien against real property for payment thereof.
  - (2) Authorize the 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. Discussion and possible action regarding a resolution to oppose expansion of the AQMD.

**CITY MANAGER COMMUNICATIONS:**

**ADJOURNMENT:** To a workshop on April 11, 2006 at 5:30 p.m. in the Executive Conference Room and then to the regular meeting at 7:00 p.m. in the City Hall Council Chambers, located at 8353 Sierra Avenue, Fontana, CA.