

**CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
APRIL 11, 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.

5:00 P.M. ARTIST SHOWCASE

5:30 P.M. WORKSHOP

- A. Healthy Fontana Presentation (Deputy City Manager, David Edgar)
- 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 REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0240-141-37, 7266 Mango Avenue– (Kenneth L. Fowler); APN 0236-121-08, 10591 Cherry Avenue (Emma Varciag); APN 0236-122-22 & 0236-101-23, 10691 Cherry Avenue (James and Rosalie Johnston); APN 0236-101-23 & 0236-101-24, s/w corner of Cherry and Slover Avenue (Rosemead Properties); APN 0236-181-22, 11060 Cherry Avenue (Joe Burt); APN 0236-181-11, 10918 Cherry Avenue, (California Contractor's Connection); APN 0236-191-14, 11171 Cherry Avenue (Ronald N. Tutor)

Negotiating Parties: Kenneth Hunt, City Manager and Delia Mejia, Real Property Analyst
Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0228-301-03, -04, -05 (Dorriz/Senco); APN 0230-261-28 and APN 0228-291-25 (City of Fontana)

Negotiating Parties: Kenneth Hunt, City Manager and Jane Harris, Senior Administrative Analyst
Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 1119-241-17 (Chen); APN 1119-241-13 (Reveles); APN 1119-2410-14, -15, -16 (Davis); APN 1119-241-10 (Anderson Properties); APN 1119-241-12 (Devore); APN 1119-241-11 (Covenant Development); APN 1119-221-01, -02 (Covenant Development); APN 1110-221-03, -04 (Moses); APN 1119-221-05 (Dawnelle Enterprises); APN 1119-221-06, -07 (Ficarotta) APN 1119-221-08 (L& E Storage), -09, -10 (Abdellatif), -11, -12 (Montag), -13, -14 (Constant), -17 (CGS Partnership)

Negotiating Parties: Kenneth Hunt, City Manager

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 Artist Ramona Plank for the Artist Showcase entitled *Movement Captured*.
- B. Teen Fest Update (Ray Gonzales, Community Services)

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 22, 2006 Regular City Council Meeting.
- B. (1) Adopt **Resolution No. 2006-____**, determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 51M.
 - (2) Adopt **Resolution No. 2006-____**, of intention of the City Council of the City of Fontana with respect to establishment of proposed Community Facilities District No. 51M of the City of Fontana.
 - (3) Set the public hearing for June 13, 2006 for the formation of the District and call the special election for June 13, 2006.
- C. (1) Adopt **Resolution No. 2006-____**, determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 50M.

CITY COUNCIL AGENDA

APRIL 11, 2006

- (2) Adopt **Resolution No. 2006-_____**, of intention of the City Council of the City of Fontana with respect to establishment of proposed Community Facilities District No. 50M of the City of Fontana.
 - (3) Set the public hearing for June 13, 2006 for the formation of the District and call the special election for June 13, 2006
- D. (1) Adopt **Resolution No. 2006-_____**, determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 49M.
- (2) Adopt **Resolution No. 2006-_____**, of intention of the City Council of the City of Fontana with respect to establishment of proposed Community Facilities District No. 49M of the City of Fontana.
 - (3) Set the public hearing for June 13, 2006 for the formation of the District and call the special election for June 13, 2006
- E. (1) Adopt **Resolution No. 2006-_____**, determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 48M.
- (2) Adopt **Resolution No. 2006-_____**, of intention of the City Council of the City of Fontana with respect to establishment of proposed Community Facilities District No. 48M of the City of Fontana.
 - (3) Set the public hearing for June 13, 2006 for the formation of the District and call the special election for June 13, 2006
- F. (1) Adopt **Resolution No. 2006-_____**, declaring intention to annex territory to Community Facilities District No. 41M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 2). Located at the southeast corner of Acacia Avenue and Randall Avenue.
- (2) Set the public hearing for June 13, 2006, for the formation of the District and call the special election for June 13, 2006.
- G. (1) Adopt **Resolution No. 2006-_____**, declaring intention to annex territory to Community Facilities District No. 41M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 1). Located at the southeast corner of Poplar Avenue and Randall Avenue.
- (2) Set the public hearing for June 13, 2006, for the formation of the District and call the special election for June 13, 2006
- H. (1) Adopt **Resolution No. 2006-_____**, declaring intent to annex territory to Community Facilities District No. 9M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 1). Located north of Harvey Drive, east of Oleander, and west of Cypress Avenue.
- (2) Set the public hearing for June 13, for the formation of the District and call the special election for June 13, 2006.
- I. Authorize the City Manager to execute a contractual services agreement with TKE Engineering to revise the Foothill Boulevard plans from East Avenue to Hemlock Avenue in the amount of \$92,300 and a 10% contingency in the amount of \$9,230.
- (2) Authorize the City Manager to execute Amendment No. 1 to an existing contractual services agreement with Jack Buchanan to provide technical support to maintain the City's Capital Improvement Project Management System (CPMS) and increase the contract amount from

\$24,500 to \$40,000, an increase of \$15,500.

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- K. Approve and authorize the City Manager to execute Amendment No. 3 to the engineering services agreement with Meyer, Mohaddes Associates (MMA) for the amount of \$60,000 with a not to exceed contract amount of \$364,229.40 to provide on-call transportation engineering services for the I-10 Interchanges and Overcrossing Projects.
- L. Accept final map for Tract No. 16597 located north of Baseline Avenue and west of Beech Avenue; accept as public all dedicated streets and easements; and authorize the City Manager to enter into a subdivision agreement with the subdivider.
- M. Accept final map for Tract No. 17438 located east of Citrus Avenue and south of Casa Grade Avenue; accept as public all dedicated streets and easements; and authorize the City Manager to enter into a subdivision agreement with the subdivider.
- N. Accept final map for Tract No. 16482 located north of Miller Avenue and east of Locust Avenue; accept as public all dedicated streets and easements; and authorize the City Manager to enter into a subdivision agreement with the subdivider.
- O. (1) Award a bid (SB-32-DE-06) and authorize the City Manager to enter into a construction contract with Sully-Miller Contracting Company for the construction of Walnut Avenue (Phase 2B) street improvement project from Citrus Avenue to Sierra Avenue in the amount of \$1,324,812.05.
(2) Authorize a 10% contingency in the amount of \$132,481.21.
- P. Accept as complete the work performed by Dye and Browning Construction Inc. for the construction of public improvements at various locations within the City of Fontana; approve the final construction contract amount of \$1,144,431.23; and authorize the City Engineer to execute and file the Notice of Completion for City Project Bid No. SB-15-05.
- Q. Authorize the City Manager to execute a contractual services agreement with Willdan Inc., to provide design services for street and traffic signal improvements on Cherry Avenue between Slover Avenue and Jurupa Avenue in the amount of \$48,000 and a 10% contingency fund in the amount of \$4,800.
- R. (1) Award bid and authorize the City Manager to enter into a construction contract with GCI Construction, Inc. for \$178,818, and approve a 10% contingency in the amount of \$17,818.(Storm Drain Rehabilitation Project SB-04-06).
(2) Authorize the Business Services Manager to issue a purchase order to CGI Construction Inc. in the amount of \$178,180.
(3) Authorize the Director of Public Works to administratively approve and implement short term street closures and detours during construction.
- S. (1) Award bid and authorize the City Manager to enter into a construction contract with F.E.C. Electric for \$156,449, and authorize a 10% contingency in the amount of \$15,644.
- T. (1) Authorize the Management Services Department to join in the cooperative bid process with the

County of San Bernardino for the purchase of an HD Industries pro-patch pothole patcher from Dieterich International Truck Sales, Inc., of Colton, CA.

- (2) Authorize the Business Services Manager to issue a purchase order in the amount of \$152,049.65 to Dieterich International Truck Sales of Colton, CA to purchase an HD Industries pro-patch pothole patcher.

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- U. Adopt **Resolution No. 2006-_____**, concerning telecommunications services and vital City interests.
- V. Adopt **Resolution No. 2006-_____**, opposing AB 2015 which would expand the size of the South Coast Air Quality Management District’s Governing Board.

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. Fiscal Year 2006-2007 One-Year Action Plan
 - (1) Adopt the Fiscal Year 2006-2007 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.
- B. Community Facilities District #38M – Annexation of Territory
 - (1) Adopt **Resolution No. 2006-_____**, calling a special election and submitting to the qualified electors of territory proposed to be annexed to Community Facilities District No. 38M of the City of Fontana the question of levying special taxes within the territory proposed to be annexed (Annexation No. 1).
 - (2) Adopt **Resolution No. 2006-_____**, declaring the results of the special election for Community Facilities District No. 38M 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. 1).
- C. Village of Heritage – Landscape Maintenance District No. 2

Accept public comments regarding the addition of an assessment range formula to the method of spread for Village of Heritage Landscape Maintenance District No. 2

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. Ordinance Amending Chapter 13 of the Fontana Municipal Code Regarding Fly Breeding Hazards.
 - (1) Waive further reading of and introduce **Ordinance No. _____**, amending Chapter 13, Article IV, Section 13-96 through 13-106 of the Fontana Municipal Code, concerning Fly Breeding Hazards; and providing for the abatement of same, that the reading of the title constitutes the first reading thereof.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

- A. Receive report on meetings attended by the Mayor, Council Members and City Staff on March 29, 2006 in Washington, D.C.
- B. Cancel the May 23, 2006 City Council meeting and the December 26, 2006 City Council meeting.

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT: To a workshop on April 25, 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.