

**CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
JULY 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. WORKSHOP:

- A. Agenda Review
- B. City Manager Comments

5:15 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 54956.9

Property: APN 0235-211-03, 0235-211-004, 0235-211-05 (Wiener Property on Catawba Avenue)

Negotiating Parties: Kenneth Hunt, City Manager and Ray Bragg, Redevelopment

Under Negotiation: Price and Terms

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

Name of Parties: City of Fontana vs Chou et al

Case No. 115928

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (b)(c)

Number of Cases: One

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 Payroll Staff, Karen DeRenard and Rita Coventry. (Management Services Director, Lisa Strong to present)
- B. Mayor and Council to recognize Officer Andrew Anderson and the Multiple Enforcement Team (MET Unit) as the June "Employees of the Month". (Police Chief Clark 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 June 21, 2006 Adjourned Regular Meeting and the June 27, 2006 Regular Meeting.
- B. Adopt **Ordinance No. 1510**, adding Section 15-681 to Chapter 15, Article XIV, Division 1 of the Fontana Municipal Code relating to prohibited peddling around primary and secondary schools.
- C. (1) Authorize the City Manager to award a construction contract to the lowest responsible, responsive bidder, R.J. Noble Company and authorize a construction contingency fund in the amount of 10% (\$39, 311.58) of the awarded construction amount.
(2) Authorize the Business Services Manager to issue a purchase order in the amount of \$393,115.80.
(3) Authorize the Public Works Director to administratively approve and implement short term street closures and detours during construction.
- D. Adopt **Resolution 2006-____**, establishing fees for permitting and inspecting poultry ranch operations.
- E. (1) Approve the reimbursement agreement between the City of Fontana and Sierra Lakes Marketplace, LCC and authorize the City Manager to execute the agreement for the purpose of reimbursing the owner for its public improvement costs for the Costco store to be located in the Sierra Lakes Marketplace Shopping Center.
(2) Approve an operating transfer of \$1,000,000 from General Fund 101, the Economic Uncertainty Reserve, and transfer to the General Fund Capital Projects Fund 601 and appropriate \$1,000,000.
- F. Authorize the Public Works Department to advertise for bids for the construction of a trunk sewer system, service laterals and abandonment of existing septic systems.
- G. Award bid to BDL Alarms for the provision of a video surveillance system for the Police Department in the amount of \$32,262.59, plus a 10% contingency of \$3,226.26.

- H. Adopt **Resolution No. 2006-_____**, directing the placement of unpaid weed abatement charges on the property tax rolls for collection.
- I. (1) Approve the City's Historical Monument Sign Procedure adding City Administrative Procedure 20-36.
(2) Approve an appropriation of \$40,000 from the General Fund Undesignated Reserve to Account 4202101.6660 for landscape site improvements.
- J. (1) Accept as complete the work performed by S & S Investments, Inc., for the construction of Tangelo Avenue sewer improvements from Marygold Avenue to the intersection of Mallory Drive.
(2) Adopt **Resolution No. 2006-_____**, accepting portion of sewers in Tangelo Avenue as part of the City sewer system.
- K. Accept as complete the work performed by Riverside Construction Company for the construction of Summit Avenue storm drain Phase 4a project between Citrus Avenue and Cypress Avenue; approve the final construction contract amount of \$2,113,798.41; and authorize the City Engineer to execute and file the Notice of Completion for City Project Bid No. SB-76-05.
- L. Adopt **Resolution No. 2006-_____**, approving the destruction of certain Code Enforcement, Case Files and Weed Abatement Photos; City Clerk, Agenda Packets, Audio Tapes, Time Sheets, Public Communication, Temporary Employees and Election Material; Management Services, Invoices with Check Copy, SCE Summary Detail, Wire Payments, SCRMA Checks, Business License Files and Accounts Payable Files.
- M. (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) Waive further reading of and introduce **Ordinance No. _____**, an Ordinance of the City of Fontana amending Section 21-120 of Article V, Chapter 21 of the Fontana Municipal Code and amending Section 21-123 of Article V, Chapter 21 of the Fontana Municipal Code relating to development impact fees, that the reading of the title constitutes the first reading thereof.
- N. (1) Adopt **Resolution No. 2006-_____**, approving an amendment to the contract between the City of Fontana and CALPERS to provide Section 21354.4 (2.5% @ 55 full formula) for local miscellaneous members.
(2) Waive further reading of and introduce **Ordinance No. _____**, authorizing Section 21354.4 (2.5% @ 55 full formula) for local miscellaneous members and that the reading of the title constitutes the first reading thereof.

Approve Consent Calendar Items "A-N" 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. 41M (Annexation No. 1)
Adopt **Resolution No. 2006-_____**, abandoning and terminating proceedings to annex territory to Community Facilities District No. 41M (“Annexation No. 1”).
- B. General Plan Amendment No. 05-005 and Zone Change 05-004
 - (1) Find that the project will not have a significant effect on the environment, adopt a Negative Declaration of Environmental Impact and the State of California Department of Fish and Game DeMinimis Impact Finding, and direct staff to prepare and file a Notice of Determination.
 - (2) Adopt **Resolution No. 2006-_____**, approving General Plan Amendment No. 05-005, an amendment of the General Plan Land Use Map to change the land use designation of approximately 9 acres of Community Commercial (C-C) to General Commercial (C-G).
 - (3) Waive further reading of and introduce **Ordinance No. _____**, approving Zone Change 05-004 (APNS 0225-042-14 and 15), to change the zoning on approximately 9 acres of property designated as Community Commercial (C-2) to be consistent with the proposed General Plan designation of General Commercial (C-G), and that the reading of the title constitutes the first reading thereof.
- C. Ordinance Amending Section 3-164 Pertaining to Temporary Off-Site Real Estate Directional Signs.
 - (1) Find that the Amendment to Section 3-164 of the Fontana Municipal Code 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) Waive further reading of and introduce **Ordinance No. _____**, amending Section 3-164 of the Fontana Municipal Code pertaining to temporary off-site real estate directional signs, that the reading of the title constitutes the first reading thereof.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

CITY MANAGER COMMUNICATIONS:

CITY COUNCIL AGENDA

JULY 11, 2006

ADJOURNMENT: To a workshop meeting on July 25, 2006 in the Executive Conference Room at 5:00 p.m. and then to the regular meeting at 7:00 p.m. in the City Hall Council Chambers located at 8353 Sierra Avenue, Fontana, CA.

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