

**CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
SEPTEMBER 12, 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. Time Warner Presentation
- 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 COUNCIL -ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (b)(c)

Number of Cases: One

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

Case Number: SCVSS113914

Name of Parties: Christopher Lindsey vs. California Department of Transportation et al

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

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 David Moore as the August "Employee of the Month"
- B. Mayor and Council to recognize the following Aquatics Team Members who qualified for the Junior Olympics:

Lao Ortiz	Baylee Morales
Olga Ortiz	Emily Martin
Joshua Valdez	Adrian Cristbal
Jeanette Dove	Andrea Perez
Mitch Dillon	Carissa Melara
Sydnee Morales	Ashley Medrano

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 August 22, 2006 Regular Meeting.
- B. (1) Adopt **Ordinance No. 1525**, approving a Development Agreement between the City of Fontana, California and Home Depot, U.S.A., Inc.
- C. Adopt **Resolution No. 2006-____**, adopting the National Incident Management System and its integration into the Standardized Emergency Management System.
- D. (1) Adopt **Resolution No. 2006-____**, determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 57M.
 (2) Adopt **Resolution No. 2006-____**, of intention with respect to establishment of proposed Community Facilities District 57M of the City of Fontana.
 (3) Set the public hearing for October 24, 2006, for the formation of the District and call the special election for October 24, 2006.
- E. Authorize the Mayor to execute Cooperative Agreement No. _____, with Caltrans for the design of Interstate 10 Freeway/Citrus Avenue interchange reconstruction project.
- F. Approve, authorize and direct the Executive Director to execute a contractual services agreement between the Fontana Redevelopment Agency and WF Construction, Inc., for the Downtown Façade Rehabilitation Program, Phase I, in an amount not to exceed \$688,070.00 plus a 10% contingency amount of \$68,807.00 and a 5% reserve amount of \$34,403.00 (Downtown Redevelopment Project).

- G. (1) Authorize the City Manager to execute a contract with Herman Weissker, Inc., to trench, furnish and install conduit and utility vault to facilitate the completion of power to the auto center community message board sign by Edison.
- (2) Authorize the Business Services Manager to issue a purchase order to Herman Weissker Inc., in the amount of \$43,683 and authorize a 10% contingency in the amount of \$4,368.
- H. (1) Authorize the City Manager to award bids for various asphalt mixes for an initial two year period with three additional one year extensions approved solely at the City's discretion to Vulcan Materials, Craftco Inc., and SEM Materials at the lowest responsible, responsive bidders.
- (2) Authorize the Business Services Manager to issue purchase orders to Vulcan Materials \$20,000, Craftco Inc., \$5,000, and SEM Materials \$1,000.
- I. (1) Authorize the City Manager to award bid for an initial two years with three additional one year extensions approved solely at the City's discretion for traffic paint, SB-04-PW-06 to the lowest responsible, responsive bidder, Pervo Paint Company.
- (2) Authorize the Business Services Manager to issue a purchase order in the amount of \$25,583.33.

Approve Consent Calendar Items "A-I" 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 | (e) oral – favor |
| (b) written communication | (f) oral – opposition |
| (c) council/staff comments | (g) hearing closed |
| (d) applicant comments (applicant not limited to 5 minutes) | |

- A. Amendment No. 1 to the Coyote Canyon Specific Plan Development Agreement
- (1) Continue Amendment No. 1 to the Coyote Canyon Specific Plan Development Agreement to the September 26, 2006 City Council Meeting.
- B. Community Facilities District No. 52M for Tract 17126.
- (1) Adopt **Resolution No. 2006-____**, abandoning and terminating proceedings to establish Community Facilities District No. 52M.
- C. Environmental Impact Report Certification for the Jurupa Avenue Improvement Project
- (1) Adopt **Resolution No. 2006-____**, certifying the final Environmental Impact Report prepared for the Jurupa Avenue Street Improvement Project and adopting Environmental Findings pursuant to the California Environmental Quality Act and a Mitigation Monitoring and Reporting Program, and approving the Jurupa Avenue Street Improvement Project.

- D. Community Facilities District No. 56M, Tract 17548.
- (1) Adopt **Resolution No. 2006-_____**, establishing Community Facilities District No. 56M of the City of Fontana, County of San Bernardino, State of California, and establishing the boundaries thereof.
 - (2) Adopt **Resolution No. 2006-_____**, calling a special election and submitting to the voters of Community Facilities District No. 56M 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-_____**, declaring the results of a special election for Community Facilities District NO. 56M of the City of Fontana, County of San Bernardino, State of California, on 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.
 - (4) Waive further reading of and introduce **Ordinance No. _____**, authorizing the levy of a special tax within Community Facilities District No. 56M, that the reading of the title constitutes the first reading thereof.
- E. Community Facilities District No. 50M, located north of Randall Avenue and west of Citrus Avenue, east of Catawba Avenue and south of Merrill Avenue.
- (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. 50M 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. 50M 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).
- F. Community Facilities District No. 55M, Tract No. 16458.
- (1) Adopt **Resolution No. 2006-_____**, establishing Community Facilities District No. 55M of the City of Fontana, County of San Bernardino, State of California, and establishing the boundaries thereof.
 - (2) Adopt **Resolution No. 2006-_____**, calling a special election and submitting to the voters of Community Facilities District No. 55M 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-_____**, declaring the results of the special election for Community Facilities District No. 55M 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.

- (4) Waive further reading of and introduce **Ordinance No. _____**, authorizing the levy of a special tax within Community Facilities District No. 55M, that the reading of the title constitutes the first reading thereof.

- G. Revisions to the City of Fontana Local Guidelines for Implementing the California Environmental Quality Act (2006)
 - (1) Find that the adoption of local guidelines to implement the California Environmental Quality Act is categorically exempt from further environmental review pursuant to Section 3.16, Class 8 of the local guidelines for implementing the California Environmental Quality Act (Pub. Resources code Sections 21000 et seq)
 - (2) Adopt **Resolution No. 2006-_____**, adopting local guidelines for implementing the California Environmental Quality Act (Pub. Resources Code Sections 21000 et seq)

- H. Consolidated Annual Performance Evaluation Report (CAPER) for Fiscal Year 2005-2006.
 - (1) Conduct a public hearing on the Consolidated Annual Performance and Evaluation Report (CAPER) that was prepared for the U.S. Department of Housing and Urban Development to report on specific federal housing assistance and community development activities undertaken by the City of Fontana during Fiscal Year 2005-2006.
 - (2) Authorize the City Manager to execute any documents necessary to submit the report, along with any comments received during the public hearing and public comment period, to the Department of Housing and Urban Development.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

CITY MANAGER COMMUNICATIONS:

- A. Plan for Service for the Island Annexation Areas.

ADJOURNMENT: To a workshop meeting on September 26, 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.