

**CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
SEPTEMBER 26, 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. 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 0191-211-25 (KYDDL & RDLFG FT #1 LLC Ownership) (Ceres Avenue sidewalk project)

Negotiating Parties: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.9

Property: APN 0230-041-84, 15281 Foothill Boulevard – Billboard (Clear Channel Outdoor- Owner)

Negotiating Parties: Debbie Brazill, Deputy 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 accept a watercolor painting by Milford Zornes, from Robert and Connie Constant to be publicly displayed in the new Library and Resource Technology Center. (Ray Bragg, Redevelopment & Special Projects to present)
- B. Mayor and Council to recognize "A Tribute to the Theater, Costume and Theatrical Display". (Mummers Theater to accept)

- C. Mayor and Council to recognize sponsors of the Fontana Days Run. (Ray Gonzales and Rob Bock, Community Services 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 September 12, 2006 Regular Meeting.

- B. (1) Adopt **Ordinance No. 1526**, authorizing the levy of a special tax within Community Facilities District No. 56M.
(2) Adopt **Ordinance No. 1527**, authorizing the levy of a special tax within Community Facilities District No. 55M.

- C. Accept final map for Tract No. 17317, located east of Citrus Avenue and south of Walnut Avenue; accept as public all dedicated streets and easements; and authorize the City Manager to enter into a subdivision agreement with the subdivider.

- D. Accept final map for Tract No. 17596, located south of Slover Avenue and east of Juniper Avenue; accept as public all dedicated streets and easements; and authorize the City Manager to enter into a subdivision agreement with the subdivider.

- E. (1) Adopt **Resolution No. 2006-_____**, calling a public hearing to determine whether public necessity, health, safety, or welfare requires the formation of an underground Utility District No. 6 on South Highland Avenue between Juniper Avenue and Sierra Avenue.
(2) Adopt **Resolution No. 2006-_____**, calling a public hearing to determine whether public necessity, health, safety, or welfare requires the formation of an underground Utility District No. 7 on Sierra Avenue between Walnut Avenue and Baseline Avenue.
(3) Adopt **Resolution No. 2006-_____**, calling a public hearing to determine whether public necessity, health, safety, or welfare requires the formation of an underground Utility District No. 8 on Walnut Avenue between Juniper Avenue and Sierra Avenue.
(4) Adopt **Resolution No. 2006-_____**, calling a public hearing to determine whether public necessity, health, safety, or welfare requires the formation of an underground Utility District No. 9 on Juniper Avenue between Baseline Avenue and South Highland Avenue.
(5) Adopt **Resolution No. 2006-_____**, calling a public hearing to determine whether public necessity, health, safety, or welfare requires the formation of an underground Utility District No. 10 on Baseline Avenue between Juniper Avenue and Sierra Avenue.

- (6) Find that the project is exempt from further environmental review pursuant to Section 3.16 of the Local Guidelines for implementing the California Environmental Quality Act (2006), with no possibility of significant effects upon the environment, and direct staff to file a Notice of Exemption.
- F. (1) Approve a lease agreement with Metro PCS to install a wireless communications structure, as a mono-palm, on the grounds of Tamarind Park.
- (2) Authorize the City Manager to execute the necessary documents.
- G. Approve the name Paul Biane Community and Athletic Arena for the sports area/roller hockey pavilion at Jack Bulik Park.

Approve Consent Calendar Items “A-G” 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. Quarterly Lien Action 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 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 of 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.
- B. General Plan Amendment No. 06-01, Zone Change No. 06-01 and Tentative Tract Map 17342
 - (1) Adopt a Mitigated Negative Declaration of Environmental Impact and the State of California Department of Fish and Game DeMinimis Impact Finding pursuant to the Local Guidelines for implementing the California Environmental Quality Act (2006) and direct staff to file Notice of Determination for General Plan Amendment No. 06-01 and Zone Change No. 06-01.

- (2) Review a resolution to approve General Plan Amendment No. 06-01, to change the General Plan designation on approximately three acres from Community Commercial to Residential Planned Community (R-PC) and approximately 2.5 acres from Residential Planned Community (R-PC) to Community Commercial (C-C).
 - (3) Waive further reading of and introduce **Ordinance No. _____**, approving Zone Change No. 06-01, to modify the zoning on the Zoning District Map and change the zoning designation on approximately three acres from Community commercial (C-1) to Residential Planned Community (R-PC) to community Commercial (C-1), and that the reading of the title constitutes the first reading thereof.
 - (4) Approve Tentative Tract Map No. 17342, subject to the attached findings and Conditions of Approval.
- C. General Plan Amendment No. 06-07, Tentative Tract Map 17734, and Design Review No. 06-01.
- (1) Adopt a Negative Declaration of Environmental Impact and the State of California De Minimis Impact Finding pursuant to the Local Guidelines for implementing the California Environmental Quality Act (2006) and direct staff to file a Notice of Determination for General Plan Amendment No. 06-07.
 - (2) Review a resolution to approve General Plan Amendment No. 06-07, to change approximately 4.7 acres of land designated Community Commercial (C-C) to Light Industrial (L-I).
 - (3) Approve Variance No. 06-01, Tentative Tract Map No. 17734 and Design Review No. 06-01, subject to the attached findings and Conditions of Approval.
- D. General Plan Amendment No. 06-01 and No. 06-07
- (1) Adopt **Resolution No. 2006-_____**, approving General Plan Amendment No. 06-01, (APN 0239-141-29, -30) changing approximately three acres from Community Commercial to Residential Planned Community (R-PC) and approximately 2.5 acres from Residential Planned Community (R-PC) to Community Commercial (C-C) and approving General Plan Amendment No. 06-07 (APN 1110-151-20) changing approximately 4.7 acres of land designated Community Commercial (C-C) to Light Industrial (L-I).
- E. Amendment No. 1 to the Coyote Canyon Specific Plan Development Agreement
- (1) Find that the project does not require further environmental review due to a previously certified final EIR, (SCH No. 20000-091085) prepared for General Plan Amendment No. 00-007, Specific Plan Amendment No. 00-02, Zone Change No. 00-006, and Annexation No. 00-002.
 - (2) Waive further reading of and introduce **Ordinance No. _____**, approving Amendment No. 1 to the Coyote Canyon Specific Plan Development Agreement between the City of Fontana, and Centex Homes, and that the reading of the title constitutes the first reading thereof.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT: To a workshop meeting on October 10, 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.