

**CITY OF FONTANA  
CITY COUNCIL REGULAR MEETING  
JANUARY 23, 2007  
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. Review of Parks Master Plan (Chuck Hays, Public Works Department)
- B. Healthy Fontana (Community Services Department)
- C. Agenda Review
- D. City Manager Comments

**6:00 P.M. CLOSED SESSION:**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 9420 Sierra Avenue; APN 0193-234-08

Negotiating Parties: Kenneth Hunt, City Manager

Under Negotiation: Price and Terms

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/President Michael Sear, The Church of Jesus Christ of Latter-Day Saints

**SPECIAL PRESENTATIONS:**

- A. Mayor and Council to recognize Officer Chris Trusant as the Police Department December "Employee of the Month". (Chief Clark to present)
- B. Mayor and Council to recognize the following Public Works "Employees of the Year":
  - Utilities and Streets Division – Jeff Grewatz
  - Parks & Landscape Division – Freddie Fix
  - Support Services Division – Antonio Garcia
  - Administration Division – Stephen Pendleton
  - Directors Award – Mike Burgstaler
- C. Mayor and Council to accept a donation from Randall Lewis for the Healthy Fontana Program.
- D. Mayor and Council to recognize donors of the holiday programs. (Heather Howard, Police Department)

- E. Mayor and Council to recognize Fontana Nissan for their donation to Cruise Night.

**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 December 12, 2006 Regular Meeting.
- B. (1) Adopt **Ordinance No. 1536**, approving Zone Change Nos. 06-003, 06-004, 06-005, and 06-009, a Zone Change from A) M-1 (Light Industrial) to R-2 (Medium Density Residential), B) R-1 (Single-Family Residential) to R-2 (Medium Density Residential), C) M-1 (Light Industrial) to P-PF (Public Facilities), D) R-1 (Single-Family Residential) to R-2 (Medium Density Residential)
- (2) Adopt **Ordinance No. 1537**, adding Section 19-7 to Chapter 19, Article 1, of the Fontana Municipal Code relating to prohibited peddling around parks within the City.
- C. Award bid and authorize the City Manager to enter into an agreement with Hunt Design in the amount of \$47,250 for wayfinding design and program implementation services for the Civic Center Campus and authorize a contingency in the amount of \$2,750.
- D. Accept donations in the amount of \$4,200 on behalf of the Police Department for use in the Department's Community Holiday Programs.
- E. Approve the purchase of 16 tactical entry vests for the Special Enforcement Detail Team in the amount of \$29,700 from Adamson Police Products of Los Alamitos, California.
- F. Adopt **Resolution No. 2007-\_\_\_\_\_**, approving the destruction of certain Police Department files.
- G. Find that the project (Fernandez Park) has been reviewed pursuant to the Local Guidelines for implementing the California Environmental Quality Act (CEQA) and adopt a Negative Declaration and Fish and Game DeMinimis Impact Finding and direct staff to file the Notice of Determination.
- H. Authorize the City Manager to record a grant deed for Assessor's Parcel Number 0228-081-06, deeding said property to YH Citrus LLC.
- I. Approve request from the family of Patricia Murray to name the park known as Gateway Park, Patricia Murray Park.

- J. (1) Approve a City Residential Retrofit Program  
(2) Adopt **Resolution No. 2007-\_\_\_\_**, establishing the City's Residential Plumbing Retrofit Program in compliance with the State Water Resources Control Board's Guidelines.  
(3) Approve appropriation of \$32,000 from the Sewer Fund 701 Undesignated Fund Balance to Account Number 4019701.6210.
- K. Award bid and authorize the City Manager to enter into an agreement with R.C. Construction in the amount of \$3,880,000 for construction of the Village of Heritage Community Center and authorize a 10% contingency in the amount of \$388,000.
- L. (1) Accept as complete and authorize the Public Works Director to execute and file a Notice of Completion for Project SB-04-06.  
(2) Approve the final construction amount of \$183,199.  
(3) Approve the release of the 10% retention upon satisfactory closure of the contract.
- M. (1) Approve a Memorandum of Understanding between the Fontana Unified School District and the City of Fontana to operate thirteen elementary school and three middle school grant funded after school programs.  
(2) Approve a Memorandum of Understanding with the Colton Joint Unified School District and the City of Fontana to operate three grant funded after school programs.  
(3) Approve a Memorandum of Understanding between the Boys and Girls Club of Fontana and the City of Fontana to provide educational and literacy services to grant funded after school programs.  
(4) Adopt **Resolution No. 2007-\_\_\_\_**, adopting the classifications and salary range for After School Community Service Assistant I, After School Community Service Assistant II, and After School Community Service Assistant III.  
(5) Award a three-year contract with Meal Brakers to provide daily snacks to the after school program in the amount of \$240,084.00 per year. Authorize the Business Services Manager to issue a purchase order to Meal Brakers in the amount of \$240,084.00 per year for three years.  
(6) Award a three year contract to Laidlaw to provide daily bus transportation services to the after school program in the amount of \$108,000.00 per year. Authorize the Business Services Manager to issue a purchase order to Laidlaw in the amount of \$108,000.00 per year for three years.  
(7) Authorize the City Manager to enter into a three year contract with the Boys and Girls Club of Fontana to provide educational and literacy services to the after school Smart Kidz Program in the amount of \$17,280.00 per year. Authorize the Business Services Manager to issue a purchase order to the Boys and Girls Club of Fontana in the amount of \$17,280.00 per year for three years.
- N. Adopt the City of Fontana Statement of Investment Policy for 2007.
- O. Review and approve amendment to Administrative Procedure 20-35 regarding Tree Planting Memorials at City Parks.
- P. Adopt **Resolution No. 2007-\_\_\_\_**, amending Fontana City Administrative Policies and Procedures 20-19 "American Flag at Half Mast"; 20-26 "City Mobile Phone and Pager Use"; and 20-30 "Gifts or Donations to the City".

- Q. Authorize the City Manager to execute an agreement between the City of Fontana and the County of San Bernardino for the construction of traffic signals and safety lighting on Valley Boulevard and Live Oak Avenue and Valley Boulevard and Redwood Avenue.
- R. Authorize the City Manager to execute an agreement between the City of Fontana and the County of San Bernardino for the construction of traffic signals and safety lighting for Arrow Boulevard and Locust Avenue.
- S. Authorize the City Manager to execute an agreement between the City of Fontana and the County of San Bernardino for the construction of traffic signals and safety lighting for San Bernardino Avenue and Fontana Avenue/Elm Avenue.

**Approve Consent Calendar Items “A-S” 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. General Plan Amendment No. 06-010, Zone Change 06-007, Specific Plan No. 05-063 (Ventana at Duncan Canyon Specific Plan)
  - (1) Continue this item to the March 27, 2007 City Council Meeting.
- B. Community Facilities District No. 61M, Tract Nos. 16383 and 17460.
  - (1) Adopt **Resolution No. 2007-\_\_\_\_\_**, establishing Community Facilities District No. 61M of the City of Fontana, County of San Bernardino, State of California and establishing the boundaries thereof.
  - (2) Adopt **Resolution No. 2007-\_\_\_\_\_**, calling a special election and submitting to the voters of Community Facilities District No. 61M of the City of Fontana, County of San Bernardino, State of a 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. 2007-\_\_\_\_\_**, declaring the results of the special election for Community Facilities District No. 61M 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. 61M, that the reading of the title constitutes the first reading thereof.
- C. Amendment to Chapter 30 (Zoning and Development Code) (Development Code Amendment No. 06-017).
- (1) Find that the project has been reviewed pursuant to the Local Guidelines for implementing the California Environmental Quality Act (CEQA) and adopt a Negative Declaration and Fish and Game DeMinimis Impacting Finding and direct staff to file the Notice of Determination.
  - (2) Waive further reading of and introduce **Ordinance No. \_\_\_\_\_**, amending Chapter 30 of the Fontana Municipal code, to reflect the new performance standard for infill development areas and that the reading of the title constitutes the first reading thereof.
  - (3) Adopt **Resolution No. 2007-\_\_\_\_\_**, to reflect the new performance standard for infill development areas and rescind Resolution No. 2001-102, removing numeric values previously established and apply the reduction in fees to most recently adopted fees.
- D. Community Facilities District No. 51M, located at the northeast corner of Baseline and San Sevaine Avenue
- (1) Adopt **Resolution No. 2007-\_\_\_\_\_**, calling a special election and submitting to the qualified electors of territory proposed to be annexed to Community Facilities District No. 51M 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. 2007-\_\_\_\_\_**, declaring the results of the special election for Community Facilities District No. 51M 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 an 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)
- E. Community Facilities District No. 40M, located north of Foothill Boulevard, south of Miller Avenue, east of Mango Avenue, and west of Palmetto Avenue.
- (1) Adopt **Resolution No. 2007-\_\_\_\_\_**, calling a special election and submitting to the qualified electors of territory proposed to be annexed to Community Facilities District No. 40M 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. 2007-\_\_\_\_\_**, declaring the results of the special election for Community Facilities District No.401M 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 an 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. 60M, Tract No. 16993.
- (1) Adopt **Resolution No. 2007-\_\_\_\_**, establishing Community Facilities District No. 60M of the City of Fontana, County of San Bernardino, State of California and establishing the boundaries thereof.
  - (2) Adopt **Resolution No. 2007-\_\_\_\_**, calling a special election and submitting to the voters of Community Facilities District No. 60M 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. 2007-\_\_\_\_**, declaring the results of the special election for Community Facilities District No. 60M 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.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- A. Adoption of Ordinance Regarding Fireworks
- (1) Waive further reading of and introduce **Ordinance No. \_\_\_\_\_**, repealing certain sections of Article XIII of Chapter 15 of the Fontana Municipal Code relating to the use and sale of fireworks; and adding a new Section 15-601 of the Fontana Municipal Code relating to the use and sale of fireworks; and amending Section 15-43 of the Fontana Municipal Code relating to business license taxes for firework sales; and, amending Section 30-89 of the Fontana Development Code permitting temporary use permits for fireworks; and, that the reading of the title constitutes the first reading thereof.
- B. Amend Section 16-15 of the Fontana Municipal Code Regarding Presence of Juveniles
- (1) Waive further reading of and introduce **Ordinance No. \_\_\_\_\_**, amending Fontana Municipal Code Chapter 16, Article I, Section 16-15 relating to the presence of juveniles in public places or private establishments during school hours; and that the reading of the title constitutes the first reading thereof.

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

- A. Planning Commission and Parks and Recreation Appointments.
- B. Reschedule the City Council Meeting for Tuesday, February 27<sup>th</sup> to Monday, February 26<sup>th</sup> due to the Washington, D.C. trip.

**CITY MANAGER COMMUNICATIONS:**

**ADJOURNMENT:** To an adjourned workshop in Tuesday, February 13, 2007 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.