

**CITY OF FONTANA  
CITY COUNCIL REGULAR MEETING  
FEBRUARY 26, 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.**

**5:30 P.M. WORKSHOP:**

- A. Agenda Review
- B. City Manager Comments

**At this time the Council will convene into the Council Chambers for public comments on the Closed Session items.**

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0255-011-01; 0255-011-02; 0255-011-03 (David Wiener Properties)

Negotiating Parties: Kenneth Hunt, City Manager

Under Negotiation: Price and Terms

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE PURSUANT TO GOVERNMENT CODE SECTION 54957

**7:00 P.M. – CALL TO ORDER/ROLL CALL:**

Present: \_\_\_\_\_ Absent \_\_\_\_\_

**PLEDGE OF ALLEGIANCE/INVOCATION:**

Mayor/Pastor Dennis McZeal, Living Water Church of God in Christ

**At this time the City Attorney will report on Closed Session items.**

**SPECIAL PRESENTATIONS:**

- A. Mayor and Council to recognize the following young men for reporting a fire that could have gotten out of control: Jake Carrillo (12 years old)  
Mason Moad (10 years old)  
Kris Rivera (13 years old)
- B. Mayor and Council to recognize Miss Fontana Marion Cubero, Senior Princess Christina Dennis and Junior Princess Jaclen Solis.
- C. Mayor and Council to recognize Miss USA California Megan Tandy.

## CITY COUNCIL AGENDA

FEBRUARY 26, 2007

D. Mayor and Council to recognize the family of Jeweline Newton for her community involvement and also her involvement in Black History Month. (Kay Newton, daughter and Ellen Turner to accept).

### 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 February 13, 2007 Regular City Council Meeting.
- B. (1) Approve the recommended mid-year budget changes listed in the Mid-Year Budget Status Report for Fiscal Year 2006/2007.  
(2) Approve the recommended Budget Development Guidelines for Fiscal Year 2007/2008.  
(3) Adopt **Resolution No. 2007-\_\_\_\_**, adopting position and salary range for Police Background Investigator and Police Dispatch Call Taker.
- C. (1) Adopt **Resolution No. 2007-\_\_\_\_**, declaring intention to annex territory to Community Facilities District No. 13M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 2) located north of Miller, east of Cypress, west of Juniper and south of Baseline.  
(2) Set the public hearing for April 10, 2007, for the formation of the district and call the special election for April 10, 2007.
- D. (1) Adopt **Resolution No. 2007-\_\_\_\_**, declaring intention to annex territory to Community Facilities District No. 27M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 1) located north of Foothill, east of Oleander, west of Cypress and south of Baseline.  
(2) Set the public hearing for April 10, 2007, for the formation of the district and call the special election for April 10, 2007.
- E. (1) Adopt **Resolution No. 2007-\_\_\_\_**, declaring intention to annex territory to Community Facilities District No. 36M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 2) located north of Miller, east of Locust, west of Maple and south of Baseline.  
(2) Set the public hearing for April 10, 2007, for the formation of the district and call the special election for April 10, 2007.

- F. Authorize the City Manager to execute a professional services agreement with Canyon Consulting for the design of Valley Boulevard (south side) from Poplar Avenue to Catawba Avenue, Poplar Avenue from Valley Boulevard south and Catawba Avenue from Valley boulevard south in the amount of \$46,900 and authorize a 10% contingency in the amount of \$4,690.
- G. Adopt **Resolution No. \_\_\_\_\_**, approving changes to rates for refuse collection services within the City.
- H. Authorize the City Manager to enter into a contract with Micon Construction, Inc., for the installation of a park shelter at San Sevaine Park, in the amount of \$79,092 and authorize a 10% contingency in the amount of \$7,909.00.
- I. Award bid and authorize the City Manager to enter into an agreement with Caltrop Corporation in the amount of \$58,805 for project and construction management for the Palmetto Avenue pavement rehabilitation project and authorize a 10% contingency in the amount of \$5,880.
- J. (1) Award bid and authorize the City Manager to enter into a construction contract with TC Construction Company, Inc., in the amount of \$9,973,960, and approve a 10% contingency in the amount of \$997,396, for the San Bernardino Avenue Trunk Sewer Project, contingent upon approval by the State Water Resources Control Board to award request.  
(2) Authorize the Public Works Director to administratively approve and implement short term closures and detours during construction.
- K. (1) Accept as complete and authorize the Public Works Director to execute and file a Notice of Completion for Project SB-80-05 (West Annex Facility Construction Project).  
(2) Approve the final construction amount of \$2,888,637.71.  
(3) Approve the release of a 10% retention upon satisfactory closure of contract.
- L. Award bid and authorize the City Manager to enter into a construction contract with Parkwest Construction Company for Veterans Park Expansion in the amount of \$954,097 and authorize a 10% contingency in the amount of \$95,409.70.
- M. Accept final map for Tract No. 16809 located west of Maple Avenue and north of Arrow Boulevard, 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. 17018 located east of Mango Avenue and south of Miller Avenue; accept as public all dedicated streets and easements; and authorize the City Manager to enter into a subdivision agreement with the subdivider.
- O. Accept final map for Tract No. 16494 located east of Cypress Avenue and south of Baseline Avenue; accept as public all dedicated streets and easements; and authorize the City Manager to enter into a subdivision agreement with the subdivider.
- P. Authorize the City Manager to execute a construction contract with Christopher R. Morales, Inc., for the construction of the Summit Avenue and Lytle Creek Road Traffic Signal Project in the amount of \$93,995.00 (Bid No. SB-33-DE-07), and authorize a 10% contingency in the amount of \$9,399.50.

- Q. Authorize the City Manager to execute an agreement with the United States Department of Housing and Urban Development to improve the accessibility of City facilities and programs.
- R. Accept a donation in the amount of \$500 from the Southern California Auto Auction for use in the Police Department's Neighborhood Watch Program and National Night Out for 2007.
- S. Authorize the Management Services Department to exercise the City's "Option to Renew Clause" for fiscal years ending June 30, 2007 and 2008, in the amount of \$54,630 and \$56,820 respectively and to authorize the City Manager to execute the negotiated extension of the consultant services agreement for annual audit services with Lance, Soll & Lunghard.
- T. (1) Award contract to Datanet Solutions, Inc., of Anaheim, CA for the provision of laserfiche support services in the amount of \$110,000.  
 (2) Authorize the City Manager to enter into a one year professional services agreement for maintenance and support services for the City's laserfiche document imaging system with annual renew option for up to three years.
- U. (1) Adopt **Resolution No. 2007-\_\_\_\_**, declaring intention to annex territory to Community Facilities District No. 61M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 1), located north of Miller, east of Tamarind, west of Alder and south of Baseline Avenues.  
 (2) Set the public hearing for April 10, 2007, for the formation of the District and call the special election for April 10, 2007.
- V. (1) Approve and authorize the City Manager to execute Amendment No. 7 to the engineering services agreement with Boyle Engineering in the amount of \$110,628.00 from \$914,579.30 to \$1,025,207.30, for the completion of the project report and environmental documents for the I-10/Citrus Avenue Interchange Reconstruction Project.  
 (2) Authorize an appropriation in the amount of \$110,628.00 from Fund 281 to Project Account 9391200281.
- W. Approve and direct the City Manager to sign a final payment agreement between the California Department of Transportation and the City of Fontana, for the I-10/Sierra Avenue Urban Interchange Reconstruction Project, in the amount of \$1,774,433.07.

**Approve Consent Calendar Items "A-W" 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. Continue Ordinance Establishing Moratorium on Approval of Medical Marijuana Dispensaries  
Continue the public hearing to Tuesday, March 13, 2007, for an interim Urgency Ordinance establishing a moratorium on the establishment and operation of medical marijuana dispensaries pursuant to Government Code Section 65858.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- A. Parade Ordinance  
Waive further reading of and introduce **Ordinance No. \_\_\_\_**, amending Section 17-5 of the Fontana Municipal Code relating to meetings, demonstrations, and parades in or upon City streets; and, that the reading of the title constitutes the first reading thereof.

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

- A. Cancel the May 22, 2007 City Council Meeting as the Council will be attending the ICSC Meeting.

**CITY MANAGER COMMUNICATIONS:**

**ADJOURNMENT:** To an adjourned workshop on Tuesday, March 13, 2007, 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.