

**CITY OF FONTANA  
CITY COUNCIL REGULAR MEETING  
AUGUST 28, 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.** If other special assistance is required, please contact the City Clerk's Office (350-7602) 48 hours prior to the scheduled meeting so the City can make reasonable arrangements.  
[WWW.FONTANA.ORG](http://WWW.FONTANA.ORG) (INTERNET).

**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. Valley Blvd. Transition District (Shannon Casey, Planning Department)
- B. Agenda Review
- C. City Manager Comments

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

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

Number of Cases: One

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0237-191-23 (16034 Jurupa Avenue, Newton property owner); APN 0255-081-10 and 0255-081-11 (16466 Jurupa Avenue and 16422 Jurupa Avenue, Long property owner); and 0255-081-27 (16490 Jurupa Avenue, Klapper property owner)

PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957

Title of position to be filled: City Traffic Engineer

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

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

**PLEDGE OF ALLEGIANCE/INVOCATION:**

Fontana Police Explorers/Council Member Roberts

**SPECIAL PRESENTATIONS:**

- A. Mayor and Council to recognize Ray Gonzales, Community Services Department and Eric Lewis, Engineering Department for their dedicated service to the City of Fontana.
- B. Mayor and Council to recognize Art Ramirez of Juan Pollo, for donating all the food for Officer Jose Molina's reception following his funeral services.
- C. Mayor and Council to recognize the 52<sup>nd</sup> Annual Fontana Days Run Sponsors – Young Homes, Platinum Sponsor, HR Benefit Consulting, Platinum Sponsor, Burrtec Waste, Gold Sponsor, Sizzler's Restaurant, Silver Sponsor, California Steel Industries, Silver Sponsor, Kiwanis International, Bronze Sponsor, Allard Engineering, Bronze Sponsor, Triangle Dental, Inkind Sponsor, Centex Homes as the Mile Marker Sponsor and Kaiser Permanente.

- D. Mayor and Council to accept a check donation from Kiwanis International for the Ronald McDonald House Children's Run.
- E. Fontana Police Officers Association to present their annual donation to Bill Brantley of the Community Services Department for the Knopf Senior Center's Senior Nutrition Fund to help seniors who cannot afford the cost for meals at the center.
- F. Mayor and Council to recognize the Police Explorer Scout Post. (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 August 14, 2007 Regular City Council Meeting.
- B. Authorize the City Manager to extend the contract with Hardy and Harper, Inc., for asphalt paving services, through June 2008.
- C.(1) Adopt **Resolution No. 2007-\_\_\_\_**, determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 62M (Tract 16800)
- (2) Adopt **Resolution No. 2007-\_\_\_\_**, of intention of the City Council of the City of Fontana with respect to establishment of proposed Community Facilities District No. 62M of the City of Fontana.
- (3) Set the public hearing for October 9, 2007, for the formation of the District and call the special election for October 9, 2007.
- D. Adopt **Resolution No. 2007-\_\_\_\_**, approving the Fontana Redevelopment Agency's use of tax increment funds for the financing of certain public improvements pursuant to California Health and Safety Code Section 33445 and making certain findings with regard thereto.
- E. Authorize the City Manager to execute a construction contract with Diversified Landscape Service, Inc. for the construction of center median landscape improvements on Foothill Boulevard between Tokay Avenue and Almeria Avenue in the amount of \$584,807 and authorize a 10% contingency in the amount of \$58,480.70 (Bid No. SB-14-DE-08).
- F. Adopt **Resolution No. 2007-\_\_\_\_**, approving the application for grant funds from the Recreational Trails Program under the Federal, Safe, Accountable, Flexible, Efficient Transportation Equity Act; a legacy for users (SAFETEA-LU).

- G.(1) Accept as complete the work performed by WF Construction, Inc., for the construction of the Downtown Façade Rehabilitation Program Phase 1 Project SB-43-RA-06.
- (2) Authorize the Redevelopment Director to execute and file a Notice of Completion.
- (3) Approve the final construction amount of \$765,438.90.
- (4) Approve the release of the 10% retention upon satisfactory closure of the contract.
  
- H. Authorize the City Manager to execute a construction contract with Penn Woods Corporation for the construction of the Walnut Avenue medians Phase I from Citrus Avenue to Juniper Avenue in the amount of \$388,169.08 and authorize a 10% contingency in the amount of \$38,816.91 (Bid No. SB-76-DE-07).
  
- I. Authorize the City Manager to execute a construction contract with Sully-Miller Contracting Company for the construction of Foothill Boulevard (Phase I), Ilex Avenue to Cherry Avenue in the amount of \$3,556,000 and authorize a 10% contingency fund in the amount of \$355,600 (Bid No. SB-83-DE-08).
  
- J. Approve, authorize and direct the City Manager to execute a contract between the City of Fontana and Yamada Enterprises for the Lewis Library and Technology Center in the Civic Center in an amount not to exceed \$1,040,943.94, plus a 10% contingency amount of \$104,094.00.
  
- K. Adopt **Resolution No. 2007-\_\_\_\_\_**, encouraging the House of Representatives in naming a Fontana Post Office after Beatrice Evelyn Watson.

**Approve Consent Calendar Items “A-K” 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. Consolidated Annual Performance Evaluation Report (CAPER) for Fiscal Year 2006-2007.
  - (1) Conduct a public hearing on the Consolidated Annual Performance and Evaluation Report (CAPER) that was prepared for the U.S. Department of Housing & Urban Development to report on specific federal housing assistance and community development activities undertaken by the City of Fontana during Fiscal Year 2006-2007.
  - (2) Authorize the City Manager to execute any documents necessary to submit the report, along with any comments received during the public hearing comment period, to the Department of Housing and Urban Development.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

A. Prohibited Noises

- (1) Waive further reading of and introduce **Ordinance No. \_\_\_\_\_**, amending Section 18-62 of the Fontana Municipal Code relating to prohibited noises and amending Section 18-63 of the Fontana Municipal Code relating to the enumeration of prohibited noises; and that the reading of the title constitutes the first reading thereof.
- (2) Adopt **Resolution No. 2007-\_\_\_\_\_**, establishing the fines for violations of Fontana Municipal Code Sections 18-62 (prohibited notices) where those violations are handled by administrative citation.

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

**CITY MANAGER COMMUNICATIONS:**

**ADJOURNMENT:** To a workshop meeting on Tuesday, September 11, 2007 at 5:00 p.m. in the Executive Conference Room and then to the regular meeting in the City Council Chambers at 7:00 p.m. in the City Hall Council Chambers.

