

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
JUNE 21, 2005**

A workshop of the City of Fontana City Council was held on Tuesday, June 21, 2005 in the City of Fontana Executive Conference Room. Mayor Nuaimi called the meeting to order at 5:36 p.m.

ROLL CALL: Present: Mayor Nuaimi, Council Members Roberts, Scialdone and Warren. ROLL CALL

Absent: Council Member Rutherford

The agenda was reviewed, followed by City Manager comments. The meeting adjourned to a Closed Session at 5:42 p.m.

A Regular Meeting of the City of Fontana City Council was held on Tuesday, June 21, 2005 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:09 p.m.

ROLL CALL: Present: Mayor Nuaimi, Council Members Roberts, Rutherford, Scialdone, and Warren. ROLL CALL

Absent: None

The City Attorney announced they met in Closed Session to discuss: C S

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 7197 Sierra Avenue-APN 0228-132-33 Javier Serrano; 16120 Baseline Avenue-APN 0240-031-15 – Rankin Ownership; and 16278 Baseline Avenue – APN 0240-031-28 – Montante/Flores Ownership.

Negotiating Parties: Deputy City Manager, Debbie Brazill

Under Negotiation: Price and Terms

PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957

Title of Position to be Filled: Community Development Director

There was no reportable action.

The following Special Presentations were made: S P

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Mayor and Council recognized Dispatcher Kim Kelley as the Police Department’s May “Employee of the Month”, presented by Police Chief Larry Clark.

Mayor and Council proclaimed the month of July as “Parks and Recreation Month”, presented by Community Services Director Ken Herron, and Public Services Manager Anthony Ciotti.

The following Public Communications were received: P C

Salvador Resendiz, P. O. Box 3944, spoke of upcoming Hispanic Chamber of Commerce events. EVENTS

Tony Orlich, Randall Avenue, spoke of the media. MEDIA

Fran Givens, 16686 Jurupa Avenue, noted the need for weed abatement in her area. WEEDS

Staff presentations were given on Consent Calendar Items “D, and G”. C C

Council Member Scialdone noted a correction to the minutes of June 7, 2005, regarding commending Maintenance Worker II Charles Monsalvatge for a job well done.

Council Member Scialdone stated he will be abstaining from Consent Calendar Item “B(3)”, because he lives near this project.

Tony Orlich spoke on Consent Calendar Item “K”.

ACTON: Motion was made by Council Member Roberts, seconded by Council Member Rutherford, approving Consent Calendar Items “A-M(3)” as follows:

- A. Approving the minutes of June 7, 2005 Regular City Council Meeting, as corrected. MINUTES
- B. (1) Adopting **Ordinance No. 1478**, adopting a Negative Declaration and approving and adopting Amendment No. 3 to the Redevelopment Plan for the North Fontana Redevelopment Project. ADPT ORD 1478
AMEND #3
N FONTANA RDA
- (2) Adopting **Ordinance No. 1479**, levying special taxes within the City of Fontana Community Facilities District No. 31 (Citrus Heights North). ADPT ORD 1479
CFD #31
- (3) Adopting **Ordinance No. 1480**, levying special taxes within the City of Fontana Community Facilities District No. 37 (Montelago). ADPT ORD 1480
CFD #37

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- C. Accepting cash donations in the amount of \$12,500.00 and product and service donations valued at approximately \$6,000 (see Attachment A) for use in various Recreation and Community Services Programs. DONATION

- D. Approving, authorizing the directing the City Manager to execute Amendment No. 1 to a contractual services agreement between the City of Fontana and RRM Design Group to provide structural engineering and electrical engineering services for the Downtown Façade Rehabilitation Program in an amount not to exceed \$24,260, plus a 10% contingency amount of \$2,426.00. AMEND #1
RRM DESIGN
GROUP FACADE
DOWNTOWN

- E. Approving the Memorandum of Understanding between the Fontana Unified School District and the City of Fontana regarding payment of its portion of the additional cost for the Summit at Rosena EIR and authorizing the City Manager to sign and execute the MOU on behalf of the City. MOU - FUSD
SUMMIT AT
ROSENA EIR

- F. Approving the recommended budget changes listed in the Fourth Quarter Budget Status Report for Fiscal Year 2004/2005. BGT CHANGES

- G. Authorizing the Public Services Department to advertise for bids for the construction of Fontana Park. ADV BIDS
FONTANA PARK

- H. Authorizing an appropriation from the Undesignated Fund Balance in the amount of \$93,000 to cover the landscape maintenance cost for Community Facilities District No. 30M for Fiscal Year 2005/06. LMD COST
CFD #30M

- I. Adopting **Resolution No. 2005-75**, increasing the amount of the stipend for the City's Planning Commissioners and Parks and Recreation Commissioners. ADPT RES 05-75
COMMISSION
STIPEND

- J. (1) Authorizing the Community Development Department to advertise for bids for the construction of the Summit Avenue Storm Drain Phase 4A; from 200 feet east of Citrus Avenue to Cypress Avenue. ADV BIDS SUMMIT
STORM DRAIN
PHASE 4A

- (2) Authorizing the City Manager to execute a construction contract with the lowest responsible responsive bidder for construction of the Summit Avenue Storm Drain Phase 4A, from 200 feet east of Citrus Avenue to Cypress Avenue for the bid amount, plus a 10% contingency fund.

- (3) Authorizing the Community Development Department to implement street closures and detours during construction and authorizing the City Engineer to administratively approve an extension to existing closures as needed.

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K. (1) Authorizing the City Manager to execute Amendment No. 1 to an existing contractual services agreement with Langdon Wilson to provide design services for a new 300 stall parking structure on the Civic Center Campus. The amendment is to increase the original contract amount from \$386,000 to \$561,000, an increase of \$175,000, plus a 10% contingency of \$17,500, and amend the scope of services.	LANGDON WILSON AMEND #1 CIVIC CENTER PARKING STRUCTURE
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(2) Authorizing appropriation of additional funds in the amount of \$192,500 from the reserve for Development Services Fund and an inter-fund transfer to Fund 601, Project No. 931420061 – Development Services Building Project.

L. Adopting Resolution No. 2005-76 , endorsing the City application for the 6 th cycle of the Safe Routes to School Grant Program.	ADPT RES 05-76 SAFE ROUTES APPLICATION
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M. (1) Adopting Resolution No. 2005-77 , directing the placement of rubbish charges on the property tax rolls for collection.	ADPT RES 05-77 RUBBISH
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(2) Adopting Resolution No. 2005-78 , directing the placement of sewer charges on the property tax rolls for collection.	ADPT RES 05-78 SEWER
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(3) Adopting Resolution No. 2005-79 , directing the placement of weed abatement charges on the property tax rolls for collection.	ADPT RES 05-79 WEED ABATE
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Motion carried unanimously, except Council Member Scialdone abstained on Consent Calendar Item “B(3)”

Public hearing was opened regarding Development Agreement for California Landings Specific Plan – Amendment No. 1. No one spoke in favor or opposition.	PH-A CON'T TO 7/19/05
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ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Warren, continuing the public hearing to July 19, 2005. Motion carried unanimously.

Public hearing was opened regarding establishment of Community Facilities District No. 39M. No written communication was received. Staff presentation was given by Deputy Management Services Director Lisa Strong. No one spoke in favor or opposition. The hearing was closed.	PH-B ADPT RES 05-80, 81,82 CFD #39M
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ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, adopting **Resolution No. 2005-80**, establishing Community Facilities District No. 39M of the City of Fontana,

County of San Bernardino, State of California, and establishing the boundaries thereof; and (2) and adopting **Resolution No. 2005-81**, calling a special election and submitting to the voters of Community Facilities District No. 39M 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. Motion carried unanimously.

City Clerk Bea Watson announced the results as 7 in favor.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Warren, adopting **Resolution No. 2005-82**, declaring the results of the special election for Community Facilities District No. 39M 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. Motion carried unanimously.

Public hearing was opened regarding establishment of Community Facilities District No. 40M.
No written communication was received.
Staff presentation was given by Deputy Management Services Director Lisa Strong.
No one spoke in favor or opposition. The hearing was closed.

PH-C ADPT RES
05-83, 84, 85
CFD 40M

ACTION: Motion was made by Council Member Warren, seconded by Council Member Rutherford, (1) adopting **Resolution No 2005-83**, establishing Community Facilities District No. 40M of the City of Fontana, County of San Bernardino, State of California, and establishing the boundaries thereof; and (2) adopting **Resolution No. 2005-84**, calling a special election and submitting to the voters of Community Facilities District No. 40M 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.

City Clerk Bea Watson announced the results as 3 votes in favor.

ACTION: Motion was made by Council Member Warren, seconded by Council Member Scialdone, adopting **Resolution No. 2005-85**, declaring the results of the Special Election for Community Facilities

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District No. 40M of the City of Fontana , County of San Bernardino, State of California, on the propositions with respect to (i) the annual levy to 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. Motion carried unanimously.

Public hearing was opened regarding Establishment of Community Facilities District No. 41M.
No written communication was received.
Staff presentation was given by Deputy Management Services Director Lisa Strong.
No one spoke in favor. Speaking in opposition was Tony Orlich. The hearing was closed.

PH-D ADPT RES
05-86, 87, 88
CFD #41M

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, adopting **Resolution No. 2005-86**, establishing Community Facilities District No. 41M of the City of Fontana, County of San Bernardino, State of California, and establishing the boundaries thereof; and (2) adopting **Resolution No. 2005-87**, calling a special election and submitting to the voters of Community Facilities District No. 41M 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. Motion carried unanimously.

City Clerk Bea Watson announced the results as 4 votes in favor.

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Warren, adopting **Resolution No. 2005-88**, declaring the results of the special election for Community Facilities District No. 41M 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. Motion carried unanimously.

Public hearing was opened regarding Quarterly Lien Action for Delinquent Sewer, Rubbish, and Weed Abatement Accounts.
No written communication was received.
Staff presentation was given by Business Services Manager Jeff McPherson. No one spoke in favor or opposition. The hearing was closed.

PH-E ADPT RES
05-89 SEWER,
RUBBISH, WEED
ABATEMENT
LIENS

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ACTION: Motion was made by Council Member Scialdone , seconded by Council Member Warren, adopting **Resolution No. 2005-89**, adopting the statement of unpaid expenses for weed abatement and imposing a lien against real property for payment thereof; (2) authorizing 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, and directing staff to forward recorded liens to the County for collection; and (3) authorizing staff to complete and record lien notices against real property for those rubbish accounts ninety days delinquent as described in the certified lien list, and directing staff to forward recorded liens to the County for collection. Motion carried unanimously.

The following Elected Official Communications were received:	E O C
Council Member Rutherford congratulated the new officers of the Fontana Chamber of Commerce.	CONGRATS
Council Member Rutherford asked for a staff report regarding fireworks from Police Chief Larry Clark noting what is legal in the City. She then invited residents to attend the Fireworks Spectacular at the FOHI stadium on July 4 th . Mayor Nuaimi cautioned attendees regarding taking ice chests, etc.	FIREWORKS
Mayor and Council Members wished all residents a Happy Independence Day, noting the Fireworks Spectacular is very economical.	HAPPY 4 TH
Council Member Roberts stated he has corresponded with Cynthia Lynn at Wal-Mart headquarters in Bentonville, Arkansas regarding the lack of maintenance in and out of our local Wal-Mart store. This will be investigated.	WAL-MART
Council Member Warren thanked everyone involved in the successful Health and Safety Fair at Jack Bulik Park on Saturday.	THANKS
Council Member Warren noted the next Cruise Night will be July 1 st .	CRUISE NIGHT
Council Member Warren asked residents to take caution when driving this summer when children are out of school.	CAUTION
Council Member Scialdone confirmed Council Member Warren's statements regarding the Health and Safety Fair, he noted the crowd was great.	HEALTH FAIR
In response to Council Member Scialdone, Redevelopment/Special Projects Director Ray Bragg reported that two of the murals are completed.	DOWNTOWN

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Council Member Scialdone spoke of the Chamber of Commerce officer installation.

CHAMBER
INSTALLATION

Council Member Scialdone reported on the FOHI 50-year reunion last weekend, golf tournament Friday, and dinner and dance were enjoyable.

FOHI REUNION
ACTIVITIES

Mayor Nuaimi noted many summer activities scheduled by the recreation department, and asked residents to get involved.

ACTIVITIES

Mayor Nuaimi congratulated the Fontana Chamber of Commerce for the great event, noting Ken Galasso did an outstanding job as President this past year.

CONGRATS

Mayor Nuaimi thanked the A. B. Miller graduation class for inviting him to their graduation. He noted the large school population this coming year until Summit High School is completed.

THANKS

Mayor Nuaimi encouraged residents to attend the 4th of July event, noting it is a lot of fun.

EVENT

Mayor Nuaimi commented on the article in the newspaper today regarding the County redevelopment area downsizing. He thanked Supervisor Paul Biane for his stand on this matter.

COUNTY RDA

Mayor Nuaimi discussed the news article regarding Central Valley Fire District's consideration to build a district office in the industrial area. He noted the need to rehabilitate Station 71 in the central part of Fontana. Mayor and Council Members concurred there needs to be accountability of the fire district, and directed the City Manager to speak to the County Fire District to put the building of the district office on hold until after the LAFCO actions. Council Member Rutherford suggested the need for the local Fire Chief to attend the Council meetings. City Manager Ken Hunt stated he will address this in meetings with the two County Supervisors when he meets with them.

FIRE DISTRICT
CONCERNS

The following City Manager Communications were received:

C M C

City Manager Ken Hunt thanked Supervisor Biane for help in obtaining funding for sidewalks, which are presently being installed.

THANKS

At 8:21 p.m. the meeting adjourned by consensus, to a workshop on Tuesday, July 5, 2005 in the City Hall 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, 8353 Sierra Avenue, Fontana, CA.

ADJOURN

Orvene Steenbock
City Clerk Assistant

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 5th
DAY OF JULY, 2005.

Beatrice Watson
City Clerk