

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
JULY 19, 2005**

A workshop of the City of Fontana City Council was held on Tuesday, July 19, 2005 in the City of Fontana Executive Conference Room. Mayor Pro Tem Roberts called the meeting to order at 5:36 p.m.

ROLL CALL: Present: Mayor Pro Tem Roberts, Council Members Rutherford, and Warren. ROLL CALL

Absent: Mayor Nuaimi and Council Member Scialdone

The presentation was given regarding Fire Services will be given at a future date.

The agenda was reviewed, followed by City Manager comments. The meeting adjourned to a Closed Session at 5:49 p.m.

A Regular Meeting of the City of Fontana City Council was held on Tuesday, July 19, 2005 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Pro Tem Roberts called the meeting to order at 7:08 p.m.

ROLL CALL:Present: Mayor Pro Tem Roberts, Council Members Rutherford, and Warren. Mayor Nuaimi arrived at 7:40 p.m. ROLL CALL

Absent: Council Member Scialdone

The Pledge of Allegiance was lead by Mayor Nuaimi, followed by the Invocation by Council Member Roberts.

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

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6 (Employee Memorandum of Understanding)

Name of Agency Negotiator: Ed Raya, Human Resources Director

Name of Employee Organizations: Police Officers Association (POA) and Police Management Association (PMA)

The MOU's were approved.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

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Properties: APN #0228-072-05, 6892 Almeria Avenue, Villalobos and Venegas Ownership and APN #0228-076-01, 6891 Catawba Avenue, Velasco Ownership
Under Negotiation: Price and Terms

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

Number of Cases: One

There was no reportable action on the remaining items.

The following Special Presentations were made:

S P

Mayor and Council recognized the following winners of the Earth Day Everyday 2005 Poster Contest: Grade Group K-1

- Jason Ramirez, Sequoia Middle School – Grand Prize
- Francisco Garcia, Grant Elementary School – 1st Place
- Viviana Bivian, Almond Elementary School – 2nd Place
- Ashley Arangua, Michael D’Arcy Elementary School – 3rd Place

Grade Group 2-3

- Sergio DeSantiago, Palmetto Elementary School – 1st Place
- Lesley Ramos, Tokay Elementary School – 2nd Place
- Vanessa Rodriguez, Juniper Elementary School – 3rd Place

Grade Group 4-5

- Michelle Aguilar, Hemlock Elementary School, 1st Place
- Manuel Rojas Valdez, Virginia Primrose Elementary School – 2nd Place
- Cristina Aguirre, Hemlock Elementary School – 3rd Place

Grade Group 6-9

- Jessie Marie Varvalho, Sycamore Hills Elementary School – 1st Place
- Vanessa Portillo, Truman Middle School – 2nd Place
- April Rincon, Alder Middle School – 3rd Place

Mayor and Council recognized the Half Marathon Sponsors, Stacy Sassaman, KB Homes; Mark Bertone, Madole & Associates; Tim Walborn, Rotary Club of Fontana; Emily Johnson, Kaiser Permanente; Bobby Fisher, Valley Auto Centers; and Kyle Schulty, California Steel Industries. Also recognized was Arrowhead Water, who supplied over 1,700 gallons of water needed for the course and hospitality (not present).

Mayor and Council proclaimed August 2, 2005 as National Night Out. Chief Larry Clark and Community Policing Technician Loni Ives accepted.

Mayor and Council recognized Jorge Rodriguez as the Police Department’s June “Employee of the Month”, presented by Chief Larry Clark.

Mayor and Council recognized the Artist Showcase in the City Council Chamber Foyer “Journey of a Young Woman” presented on behalf of the Fontana Arts Affiliates.

The following Public Communications were received:

P C

Joann M. Pearson, 16796 Upland, discussed police procedures. She was referred to staff.

POLICE

Keith Clements, 8014 Mango, noted the need for apartments.

APARTMENTS

Victor Quiroz, 15509 Iris Drive, presented the “Twisted Sister” girls softball team, who are going to the National Tournament.

SOFTBALL

Tony Orlich, Randall Avenue, spoke on the media.

MEDIA

*Mayor Nuaimi arrived at 7:40 p.m.

Ken Galasso, spoke of upcoming Fontana Chamber of Commerce events.

EVENTS

Tony Orlich spoke in opposition to Consent Calendar Items “E through PP”.

C C

Council Member Rutherford stated she will be abstaining from Consent Calendar Item “F” and “Q”.

Mayor Nuaimi stated he will be abstaining from Consent Calendar Item “G”.

Staff reports were given on Consent Calendar Items “B”, “SS” and “UU”

Consent Calendar Items “F”, “G”, and “Q” were pulled for separate action.

Council Member Warren stated she did not have conflict with voting on Consent Calendar Item “Q”, so there will be a quorum.

ACTON: Motion was made by Council Member Roberts, seconded by Council Member Rutherford, approving Consent Calendar Items “A-E, H-P, R-XX” as follows:

A. Approving the minutes of July 5, 2005 Regular City Council Meeting.

MINUTES

B. (1) Adopting **Ordinance No. 1482**, approving Zone Change 04-006, which amends the Land Use Zoning Map to change 1.7 acres of property from (P-PF) to Sierra Lakes Specific Plan.

ADPT ORD 1482
ZC 04-006
SIERRA LAKES

- | | | |
|-----|---|---|
| (2) | Adopting Ordinance No. 1483 , approving Specific Plan Amendment No. 04-005, which modifies the Land Use Map boundaries by adding approximately 1.7 acres of property to the Sierra Lakes Specific Plan, and amends the next of the Sierra Lakes Specific Plan. | ADPT ORD 1483
SPA 04-005
SIERRA LAKES |
| C. | Adopting Resolution No. 2005-92 , approving the destruction of certain Police Department files. | ADPT RES 05-92
P D RECORDS |
| D. | Approving an increase to the contract for the work performed by Sully-Miller Contracting Company for the construction of Beech Avenue street improvements from Cherry Avenue to I-15 Freeway from \$211,443.57 to \$214,413.57. | APRV INCREASE
SULLY-MILLER |
| E. | Adopting Resolution No. 2005-93 , authorizing the levy of a special tax in Community Facilities District No. 1 (Southridge) for Fiscal Year 2005-2006. | ADPT RES 05-93
CFD #1 SRV |
| F. | PULLED FOR SEPARATE ACTION | PULLED |
| G. | PULLED FOR SEPARATE ACTION | PULLED |
| H. | Adopting Resolution No. 2005-96 , authorizing the levy of a special tax in Community Facilities District No. 4 (portion of Walnut Village) for Fiscal Year 2005-2006. | ADPT RES 05-96
CFD #4 W V |
| I. | Adopting Resolution No. 2005-97 , authorizing the levy of a special tax in Community Facilities District No. 6 (The Landings) for Fiscal Year 2005-2006. | ADPT RES 05-97
CFD #6 LANDINGS |
| J. | Adopting Resolution No. 2005-98 , authorizing the levy of a special tax in Community Facilities District No. 6-1 (Stratham) for Fiscal Year 2005-2006. | ADPT RES 05-98
CFD #6-1
STRATHAM |
| K. | Adopting Resolution No. 2005-99 , authorizing the levy of a special tax in Community Facilities District No. 6-2 (North Morningside) for Fiscal Year 2005-2006. | ADPT RES 05-99
CFD #6-2 NO.
MORNINGSIDE |
| L. | Adopting Resolution No. 2005-100 , authorizing the levy of a special tax in Community Facilities District No. 6-3a (Bellgrove II) for Fiscal Year 2005-2006. | ADPT RES 05-100
CFD #6-3a
BELLGROVE II |
| M. | Adopting Resolution No. 2005-101 , authorizing the levy of a special tax in Community Facilities District No. 7 (Country Club Estates) for Fiscal Year 2005-2006. | ADPT RES 05-101
CFD #7 COUNTRY
CLUB ESTATES |
| N. | Adopting Resolution No. 2005-102 , authorizing the levy of a | ADPT RES 05-102 |

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- special tax in Community Facilities District No. 8M (Presley) for Fiscal Year 2005-2006. CFD #8M
PRESLEY
- O. Adopting **Resolution No. 2005-103**, authorizing the levy of a special tax in Community Facilities District No. 9M (Morningside) for Fiscal Year 2005-2006. ADPT RES 05-103
CFD #9M
MORNINGSIDE
- P. Adopting **Resolution No. 2005-104**, authorizing the levy of a special tax in Community Facilities District No. 10M (Jurupa Industrial Park) for Fiscal Year 2005-2006. ADPT RES 05-104
CFD #10M
JURUPA IND. PK.
- Q. PULLED FOR SEPARATE ACTION PULLED
- R. Adopting **Resolution No. 2005-106**, authorizing the levy of a special tax in Community Facilities District No. 12 (Sierra Lakes) for Fiscal Year 2005-2006. ADPT RES 05-106
CFD #12 SIERRA
LAKES
- S. Adopting **Resolution No. 2005-107**, authorizing the levy of a special tax in Community Facilities District No. 13M (Summit Heights) for Fiscal Year 2005-2006. ADPT RES 05-107
CFD #13m
SUMMIT HTS.
- T. Adopting **Resolution No. 2005-108**, authorizing the levy of a special tax in Community Facilities District No. 14M (Sycamore Hills) for Fiscal Year 2005-2006. ADPT RES 05-108
CFD #14M
SYCAMORE HILLS
- U. Adopting **Resolution No. 2005-109**, authorizing the levy of a special tax in Community Facilities District No. 15M (Silver Ridge) for Fiscal Year 2005-2006. ADPT RES 05-109
CFD #15M SILVER
RIDGE
- V. Adopting **Resolution No. 2005-110**, authorizing the levy of a special tax in Community Facilities District No. 16M (Ventana Pointe) for Fiscal Year 2005-2006. ADPT RES 05-110
CFD #16M
VENTANA PT.
- W. Adopting **Resolution No. 2005-111**, authorizing the levy of a special tax in Community Facilities District No. 18M (Badiola Homes) for Fiscal Year 2005-2006. ADPT RES 05-111
CFD #18M
BADIOLA
- X. Adopting **Resolution No. 2005-112**, authorizing the levy of a special tax in Community Facilities District No. 20M (STG Cottages) for Fiscal Year 2005-2006. ADPT RES 05-112
CFD #20M STG
COTTAGES
- Y. Adopting **Resolution No. 2005-113**, authorizing the levy of a special tax in Community Facilities District No. 21M (Garden Village) for Fiscal Year 2005-2006. ADPT RES 05-113
CFD #21M
GARDEN VILLAGE
- Z. Adopting **Resolution No. 2005-114**, authorizing the levy of a special tax in Community Facilities District No. 22 (Sierra Hills South) for Fiscal Year 2005-2006. ADPT RES 05-114
CFD #22 SIERRA
HILLS SOUTH

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- | | | |
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| AA. | Adopting Resolution No. 2005-115 , authorizing the levy of a special tax in Community Facilities District No. 23M (CDS Homes) for Fiscal Year 2005-2006. | ADPT RES 05-115
CFD #23M CDS
HOMES |
| BB. | Adopting Resolution No. 2005-116 , authorizing the levy of a special tax in Community Facilities District No. 24M for Fiscal Year 2005-2006. | ADPT RES 05-116
CFD #24M |
| CC. | Adopting Resolution No. 2005-117 , authorizing the levy of a special tax in Community Facilities District No. 25M for Fiscal Year 2005-2006. | ADPT RES 05-117
CFD #25M |
| DD. | Adopting Resolution No. 2005-118 , authorizing the levy of a special tax in Community Facilities District No. 27M for Fiscal Year 2005-2006. | ADPT RES 05-118
CFD #27M |
| EE. | Adopting Resolution No. 2005-119 , authorizing the levy of a special tax in Community Facilities District No. 28M for Fiscal Year 2005-2006. | ADPT RES 05-119
CFD #28M |
| FF. | Adopting Resolution No. 2005-120 , authorizing the levy of a special tax in Community Facilities District No. 29M for Fiscal Year 2005-2006. | ADPT RES 05-120
CFD #29M |
| GG. | Adopting Resolution No. 2005-121 , authorizing the levy of a special tax in Community Facilities District No. 30M for Fiscal Year 2005-2006. | ADPT RES 05-121
CFD #30M |
| HH. | Adopting Resolution No. 2005-122 , authorizing the levy of a special tax in Community Facilities District No. 12 (Sierra Lakes) for Fiscal Year 2005-2006. | ADPT RES 05-122
CFD #12 SIERRA
LAKES |
| II. | Adopting Resolution No. 2005-123 , authorizing the levy of a special tax in Community Facilities District No. 33M for Fiscal Year 2005-2006. | ADPT RES 05-123
CFD #33M |
| JJ. | Adopting Resolution No. 2005-124 , authorizing the levy of a special tax in Community Facilities District No. 34M for Fiscal Year 2005-2006. | ADPT RES 05-124
CFD #34M |
| KK. | Waiving further reading of and introducing Ordinance No. 1484 , authorizing the levy of a special tax in Community Facilities District No. 35M, that the reading of the title constitutes the first reading thereof. | INTRO ORD 1484
CFD #35M |
| LL. | Waiving further reading of and introducing Ordinance No. 1485 , authorizing the levy of a special tax in Community Facilities | INTRO ORD 1485
CFD #36M |

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- District No. 36M, that the reading of the title constitutes the first reading thereof.
- MM. Adopting **Resolution No. 2005-125**, authorizing the levy of a special tax in Community Facilities District No. 37 for Fiscal Year 2005-2006. ADPT RES 05-125
CFD #37
- NN. Waiving further reading of and introducing **Ordinance No. 1486**, authorizing the levy of a special tax in Community Facilities District No. 38M, that the reading of the title constitutes the first reading thereof. INTRO ORD 1486
CFD #38M
- OO. Waiving further reading of and introducing **Ordinance No. 1487**, authorizing the levy of a special tax in Community Facilities District No. 39M, that the reading of the title constitutes the first reading thereof. INTRO ORD 1487
CFD #39M
- PP. Waiving further reading of and introducing **Ordinance No. 1488**, authorizing the levy of a special tax in Community Facilities District No. 41M, that the reading of the title constitutes the first reading thereof. INTRO ORD 1488
CFD #41M
- QQ. (1) Amending a contract to Diablo Technology Partners LLC in the amount not to exceed \$84,500. AMEND DIABLO
TECH PTN CONTR
- (2) Authorizing the City Manager to execute the necessary contracts.
- RR. Authorizing the City Manager to execute an amendment to the Cooperative Agreement between the City of Fontana and the County of San Bernardino for the construction of the traffic signals at Jurupa Avenue and Banana Avenue. COOP AGREE
TRFC SIGNAL
JURUPA/BANANA
- SS. Approving the second contract amendment for the Community Assistance Program; and authorizing the City Manager to sign the amended agreement. APRV CONTR
AMEND CAP
- TT. Authorizing the Technology Services Department to extend the contract for three additional one year renewals in the amount of \$35,800 to SBC PacBell as the web hosting provider for the City. EXTEND CONTR
SBC PAC BELL
- UU.(1) Authorizing the Redevelopment/Special Projects Department to go out to bid for the renovation of the Historic Freight Depot in the Hazel Putnam Historical Plaza. AUTH BID
DEPOT
- (2) Authorizing the City Manager to award the contract to the lowest responsible, responsive bidder for the renovation of the Historic Freight Depot.

- (3) Authorizing the City Manager to enter into an operating contract with Color Me Mine Ontario for a period of one year.

VV. Approving the Memorandum of Understanding between the City of Fontana and Horizon Tower, LLC to relocate three existing cell towers located at the Jesse Turner Community Center and authorizing the City Manager to sign and execute the MOU on behalf of the City.

APRV MOU
HORIZON TOWER
RELOCATION

WW.(1) Approving the addition of an Administrative Aide to the Community Development Department Table of Organization.

APRV ADM AIDE

- (2) Adopting **Resolution No. 2005-126**, establishing the job specification and salary range for Senior Plans Examiner, establishing the salary range for Lead Property Control Clerk and updating the job specification and title for Plans Examiner I-II.

ADPT RES 05-126
JOB DESCR.

XX.(1) Awarding bid and authorizing the City Manager to enter into a construction contract with Hal Hays Construction in the amount of \$238,245 and authorizing a 10% contingency in the amount of \$23,820.

AWARD BID
HAL HAYS CONST

- (2) Authorizing the Business Services Manager to issue a purchase order in the amount of \$238,245.00.

Motion carried unanimously.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Warren, approving Consent Calendar Item "F", as follows:

ADPT RES 05-94
CFD #2

- F. Adopting **Resolution No. 2005-94**, authorizing the levy of a special tax in Community Facilities District No. 2 (Village of Heritage) for Fiscal Year 2005-2006.

Motion carried by a vote of 3-0-1, Council Member Rutherford abstaining.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Warren, approving Consent Calendar Item "G", as follows:

ADPT RES 05-95
CFD #3

- G. Adopting **Resolution NO. 2005-95**, authorizing the levy of a special tax in Community Facilities District No. 3 (Hunter's Ridge) for Fiscal Year 2005-2006.

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Motion carried by a vote of 3-0-1, Mayor Nuaimi abstaining.

ACTION: Motion was made by Mayor Nuaimi, seconded by Council Member Roberts, approving Consent Calendar Item “Q”, as follows:

ADPT RES 05-105
CFD #11

Q. Adopting **Resolution No. 2005-105**, authorizing the levy of a special tax in Community Facilities District No. 11 (Heritage West End) for Fiscal Year 2005-2006.

Motion carried by a vote of 3-0-1, Council Member Rutherford abstaining.

Public hearing was opened regarding Amendment No. 3 to the Engineering Services Agreement with Parsons Brinckerhoff Quade and Douglas, Inc.

PH-A ADPT RES
05-127 AMEND #3
BRINCKERHOFF
AGREEMENT

No written communication was received.
Staff presentation was given by Redevelopment/Special Projects Director Ray Bragg.
No one spoke in favor or opposition. The hearing was closed.

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Warren, Adopting **Resolution No. 2005-127**, approving the Redevelopment Agency’s use of tax increment funds for certain work pursuant to Health and Safety Code Section 33445 and making certain findings with regard thereto. Motion carried unanimously.

Public hearing was opened regarding Second Reading for Adoption of the 2004 Edition of the California Electrical Code and Corresponding Base Model Code.

PH-B ADPT ORD
1481 ELECT.
CODE

No written communication was received.
Staff presentation was given by Building Director Andy Shipper.
No one spoke in favor or opposition. The hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Rutherford, adopting **Ordinance No. 1481**, adding, amending and deleting certain articles, sections and subsections of Chapter 5 of the Code of the City of Fontana pertaining to the construction and maintenance of buildings, and adopting by reference the 2004 Edition of the California Electrical Code, known as the California Code of Regulations, Title 24, Part 3, and the National Electrical Code, 2002 Edition, that the reading of the title constitutes the second reading thereof. Motion carried unanimously.

Public hearing was opened regarding Annexation of Territory to Community Facilities District No. 23M, located at the northeast corner of Oleander Avenue and Valencia Avenue.

PH-C ADPT RES
05-128, 05-129
CFD #23M

No written communication was received.
Staff presentation was given by Deputy City Treasurer Lisa Strong.
No one spoke in favor or opposition. The hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Rutherford, (1) adopting **Resolution No. 2005-128**, calling a special election and submitting to the qualified electors of territory proposed to be annexed to the Community Facilities District No. 23M of the City of Fontana the question of levying special taxes within the territory proposed to be annexed (Annexation No. 3). Motion carried unanimously.

City Clerk Bea Watson announced the results of the election as 4 votes In favor

ACTION: Motion was made by Council Member Warren, seconded by Council Member Roberts, adopting **Resolution No. 2005-129**, declaring the results of the special election for Community Facilities District No. 23M 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 and 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. 3). Motion carried unanimously.

Public hearing was opened regarding Establishing Fiscal Year 2005/06 Assessment Rates for Landscape Maintenance Districts and Local Lighting Maintenance Districts.
No written communication was received.
Staff presentation was given by Deputy City Treasurer Lisa Strong.
No one spoke in favor or opposition. The hearing was closed.

PH-D ADPT RES
05-130 LMD #1
05-131 LMD #2
05-132 LMD #3
05-133 LMD #3-1
05-134 LLMD #3

Action was taken separately because some elected officials abstained on some of the votes.

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Roberts, adopting **Resolution No. 2005-130**, confirming a diagram and assessment, and levying the assessment for Landscape Maintenance District No. 1 (“LMD #1” throughout the City) for Fiscal Year 2005-2006. Motion carried unanimously.

ACTION: Motion was made by Council Member Roberts, seconded By Council Member Roberts, adopting **Resolution No. 2005-131**, confirming a diagram and assessment, and levying the assessment for Landscape Maintenance District No. 2 (“LMD #2” Village of Heritage) for Fiscal Year 2005-2006. Motion carried unanimously.

ACTION: Motion was made by Council Member Warren, seconded

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By Council Member Roberts, (3) adopting **Resolution No. 2005-132**, confirming a diagram and assessment, and levying the assessment for Landscape Maintenance District No. 3 ("LMD #3" Hunter's Ridge) for Fiscal Year 2005-2006, and (5) adopting **Resolution No. 2005-134**, confirming a diagram and assessment, and levying the assessment for Local Lighting Maintenance District No. 3 ("LLMD #3 Hunter's Ridge) for Fiscal Year 2005-2006. Motion carried unanimously.

ACTION: Motion was made by Council Member Roberts, seconded By Council Member Rutherford, adopting **Resolution No. 2005-133**, Confirming a diagram and assessment, and levying the Assessment for Landscape Maintenance District No. 3-1 ("LMD #3-1 Empire Center for Fiscal Year 2005-2006. Motion carried unanimously.

Public hearing was opened regarding Development Code Amendment No. 04-011 and Zone Change No. 05-001.
No written communication was received.
Staff presentation was given by Planning Manager Don Williams, and Planner Kevin Ryan.
Speaking in favor was Reggie King, Young Homes. No one spoke in opposition. The hearing was closed.

PH-E INTRO ORD
1489 & 1490
DCA #04-011
ZC #05-001

ACTION: Motion was made by Council Member Warren, seconded by Council Member Rutherford, (1) Finding that the project has been reviewed under a previous Environmental Impact Report (2003 General Plan Update, State Clearinghouse No. 2003032083) pursuant to Section 15162 of the local CEQA Guidelines and directing staff to file the Notice of Determination; (2) waiving further reading of and introducing **Ordinance No. 1489**, amending Chapter 30 of the Fontana Municipal Code, that the reading of the title constitutes the first reading thereof; and (3) waiving further reading of and introducing **Ordinance No. 1490**, approving Zone Change No. 05-001 to change approximately 2.75 acres of property (APN 0240-011-15) zones R-1 (Single Family Residential) to C-2 (General Commercial) to be consistent with the current General Plan designation of C-G (General Commercial) and approximately 5.70 acres of property (APN 0240-061-09, 10 and 11) zoned R-1 (Single Family Residential) to P-PF (Public Facilities) to be consistent with the General Plan designation of P-PF (Public Facilities) that the reading of the title constitutes the first reading thereof. Motion carried unanimously.

Public hearing was opened regarding Amendment No. 1 to the Sierra Lakes Specific Plan Development Agreement.
No written communication was received.
Staff presentation was given by Deputy City Manager Debbie Brazill and Planning Manager Don Williams.
Speaking for the applicant was Mark Wendel.
No one spoke in favor. Speaking in opposition was Tony Orlich. The

PH-F INTRO ORD
1491 AMEND #1
SIERRA LAKES
SPEC PLAN DEV
AGREEMENT

hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Warren, (1) finding that the project does not require further environmental review due to a previously certified FEIR (SCH No. 2004091108) prepared for GPA No. 04-007, SPA No. 04-005, ZC No. 04-006, TPM No. 16718 and DR No. 04-031 (Home Depot Project); and (2) waiving further reading of and introducing **Ordinance No. 1491**, approving Amendment No. 1 to the amended and restated Development Agreement between the City of Fontana and Sierra Lakes Land Company, LLC, and that the reading of the title constitutes the first reading thereof. Motion carried unanimously.

Public hearing was opened regarding Amendment No. 1 to the Development Agreement for the California Landings Specific Plan. No written communication was received. Staff presentation was given by Deputy City Manager Debbie Brazill and Planning Manager Don Williams. No one spoke in favor or opposition. The hearing was closed.

PH-G INTRO ORD
1492 AMEND #1
CA. LANDINGS
SPEC. PLAN

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Warren, (1) finding that the project is exempt pursuant to Section 3.07 of the Local Guidelines for implementing the California Environmental Quality Act (2004); and (2) waiving further reading of and introducing **Ordinance No. 1492**, approving Amendment No. 1 to the Development Agreement for California Landings Specific Plan between the City of Fontana and KB Home Greater Los Angeles, Inc., a California Corporation, and that the reading of the title constitutes the first reading thereof. Motion carried unanimously.

Staff presentation was given by Deputy City Treasurer Lisa Strong. regarding Community Facilities District No. 37 (Montelago).

UB-A ADPT RES
05-135 CFD #37
BONDS

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Warren, adopting **Resolution No. 2005-135**, authorizing the issuance of not to exceed \$5,000,000 aggregate principal amount of City of Fontana Community Facilities District No 37 (Montelago) special tax bonds, Series 2005, approving the execution and delivery of an indenture, a bond purchase agreement and a continuing disclosure agreement and the preparation of an official statement and other matters related thereto. Motion carried unanimously.

The following Elected Official Communications were received:

E O C

A. Discussion and possible action regarding the proposed apartment project in North Fontana:

WORKSHOP RE
APARTMENTS IN
N. FONTANA

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ACTION: Motion was made by Mayor Nuaimi, seconded by Council Member Roberts to hold a workshop regarding this proposed project, whether apartments or “for sale” units, and include the applicant and all concerned residents, including “FRIENDS”. Motion carried unanimously.

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| Council Member Rutherford apologized because she does not have her palm pilot to give information from a citizen. | APOLOGY |
| Council Member Roberts welcomed CVFD Chief Conrad to the meeting. | WELCOME |
| Chief Larry Clark responded to concern of Council Member Roberts and gave an update on the Officer that was shot on July 4 th . He also gave update on officer injured in a traffic accident. | UPDATE |
| Council Member Warren commended Fontana Community Church on their 80 th Anniversary. | COMMEND |
| Council Member Warren welcomed the new senior apartments. | APARTMENTS |
| Council Member Warren congratulated the softball players. | SOFTBALL |
| Council Member Warren noted the update on Healthy Fontana website. She urged people to walk together in a support group. | HEALTHY |
| Council Member Warren informed us on the NAACP’s program “It Just Takes One”. | PROGRAM |
| Mayor Nuaimi apologized to Fontana Community Church for missing their Anniversary Sunday morning. | APOLOGY |
| Mayor Nuaimi stated he attended Promise Keepers and Harvest Crusade over the weekend. | WEEKEND |
| Chief Larry Clark gave update on National Night Out on August 2 nd . | NIGHT OUT |
| Mayor Nuaimi thanked local newspapers for their coverage. | MEDIA |
| Mayor Nuaimi stated he has been attending various community meetings with presentations. He thanked the survey takers. | MEETINGS |
| Mayor Nuaimi noted Pop Warner and AYSO will be practicing/playing soon at Lewis Sport Park. He asked for patience for the traffic and parking. He noted the park was designed to the old standard for parking. | SPORTS |
| Council Member Warren recognized John from Congressman Joe Baca’s office, who noted he was Honorary Mayor of Fontana for a day in 1954. | RECOGNITION |

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The following City Manager Communications were received:

C M C

City Manager Ken Hunt noted the highlighting of local artist Erin Kocher, In a reception preceding this meeting. He thanked staff for organizing this exhibit.

DISPLAY

City Manager Ken Hunt noted we will be adjourning to a joint meeting on August 10th at 6:00 p.m. and the Fontana Unified School District Board Room, 9680 Citrus Avenue, Fontana. The next regular City Council meeting will be on August 16th.

FUTURE
MEETINGS

At 9:35 p.m. the meeting adjourned by consensus, to a Joint Meeting with the Fontana Unified School District Board Members on August 10, 2005 at 6:00 p.m., located at 9680 Citrus Avenue, Fontana, CA and then to the workshop meeting on Tuesday, August 16, 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 16th DAY OF AUGUST, 2005.

Beatrice Watson
City Clerk