

Mayor and Council proclaimed the week of September 1-4, 2005 as “Fontana Race Week”, accepted by Reggie King, Young Homes, Dennis Bickmier, California Speedway and Dee Feldmeir, Loma Linda Ronald McDonald House.

County Firefighter Darrel Crane presented Mayor Nuaimi and Council Member Rutherford with plaques for participating in the Fire OPS 101.

The following Public Communications were received:

P C

Cindy Kinzer, P. O. Box 74, Running Springs, introduced Fontana Swim Team All Stars and Junior Olympics participants.

SWIM TEAM

Salvador Resendez, Fontana Hispanic Chamber of Commerce spoke of upcoming events.

EVENTS

Tony Orlich, Randall Avenue, spoke on local elections.

ELECTIONS

Victor Quiroz, 15509 Iris, gave an update regarding Fontana Girl’s Softball. He also suggested limiting the number of registered sex offenders.

SOFTBALL

David Pulido, gave an update on Fontana Chamber of Commerce activities.

ACTIVITIES

Fran Givens, 16686 Jurupa, thanked the City for past actions.

THANKS

Tony Orlich spoke in opposition to Consent Calendar Items “B 1-7”

C C

Consent Calendar Item “I” was pulled for separate action.

Mayor Nuaimi stated he will be abstaining from Consent Calendar Items “P, S and T” because they are near his home.

Staff reports were given on Consent Calendar Items “F, and I”.

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

A. Approving the minutes of July 19, 2005 Regular City Council Meeting as corrected (spelling of names, pages 2 and 3).

MINUTES

B. (1) Adopting **Ordinance No. 1484**, authorizing the levy of a special tax within Community Facilities District No. 35M.

ADPT ORD 1484
CFD #35M

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- (2) Adopting **Ordinance No. 1485**, authorizing the levy of a special tax within Community Facilities District No. 36M. ADPT ORD 1485
CFD #36M
- (3) Adopting **Ordinance No. 1486**, authorizing the levy of a special tax within Community Facilities District No. 38M. ADPT ORD 1486
CFD #38M
- (4) Adopting **Ordinance No. 1487**, authorizing the levy of a special tax within Community Facilities District No. 39M. ADPT ORD 1487
CFD #39M
- (5) Adopting **Ordinance No. 1488**, authorizing the levy of a special tax within Community Facilities District No. 41M. ADPT ORD 1488
CFD #41M
- (6) Adopting **Ordinance No. 1489**, amending Chapter 30 of the Fontana Municipal Code. ADPT ORD 1489
CODE CH. 30
- (7) Adopting **Ordinance No. 1490**, approving Zone Change No. 05-001 to change approximately 2.75 acres of property (APN 0240-011-15) zoned R-1 (Single Family Residential) to C-2 (General Commercial) to be consistent with the current General Plan Designation 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). ADPT ORD 1490
ZC 05-001
- (8) Adopting **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. ADPT ORD 1491
SIERRA LAKES
DEV. AGREE #1
- (9) Adopting **Ordinance No. 1492**, approving Amendment No. 1 to the Development Agreement for the California Landings Specific Plan between the City of Fontana and KB Home Greater Los Angeles, CA. ADPT ORD 1492
CA LANDINGS
DEV. AGREE #1
- C. Adopting **Resolution No. 2005-136**, a resolution for paying and reporting the value of employer paid member contributions. ADPT RES 05-136
EMPL. CONTRIB
- D. Authorizing the City Manager to enter into a three year contract with JT2 Integrated Resources for Administration of Worker's Compensation Claims. JT2 CONTRACT
WORK COMP
CLAIMS
- E. Authorizing the City Manager to execute an agreement with the Department of Justice to improve accessibility of facilities and programs. DEPT JUSTICE
AGREEMENT
- F. Authorizing the City Manager to dispose of specific surplus assets by transferring them to Kaiser High School's Athletic Department. SURPLUS

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- G. Authorizing the City Manager to execute Amendment No. 1 to the original agreement with Hall & Foreman, Inc., to provide additional construction survey services for the Summit Avenue street, sewer and storm drain improvement project from 760 feet west to 760 feet east of Lytle Creek Road and to increase the contract amount from \$22,800 to \$32,800, an increase of \$10,000. HALL & FOREMAN AMEND #1

- H. Authorizing the City Manager to execute an agreement between the City of Fontana and the County of San Bernardino for the construction of street improvements and traffic signal at Merrill Avenue and Alder Avenue. CITY/COUNTY AGREEMENT TRFC SIGNAL

- I. PULLED FOR SEPARATE ACTION. PULLED

- J. Adopting **Resolution No. 2005-138**, approving the acquisition of right-of-way along Cherry Avenue that lies within the City’s unincorporated sphere of influence and request that the County Board of Supervisors adopt a written resolution of consent to said acquisition. ADPT RES 05-138 R-O-W ACQUIS. CHERRY AVENUE

- K. (1) Authorizing the City Manager to execute a contractual services agreement with David Evans & Associates to update the City of Fontana, Engineering Department standard plans in the amount of \$30,000 and a 10% contingency in the amount of \$3,000 for a total of \$33,000. DAVID EVANS CONTRACT ENG. DEPT PLANS UPDATE

(2) Approving an appropriation of \$33,000 from General Fund Development related services.

- L. Authorizing the City Manager to execute a contractual services agreement with Allard Engineering to provide design and construction engineering services for the Auto Center Drive street improvement project in the amount of \$107,000. ALLARD ENG. CONTRACT ENG. SERV. DESIGN

- M. Approving and authorizing the City Manager to execute a contractual services agreement with Psomas to provide an on-site GIS Technician at an hourly rate of \$55 and a not to exceed amount of \$125,000. PSOMAS CONTRACT GIS TECH.

- N. Authorizing the reduction of the performance/labor and materials Bond No. 234824 posted by Fontana Villas, LLC for Tract No. 16563, from \$636,800 to \$190,000 FONTANA VILLAS BOND REDUCTION

- O. (1) Awarding a contract to 3-T Equipment for the purchase of a new camel jet-rodding sewer collection system vehicle, and authorizing the Business Services Manager to issue a purchase order in the amount of \$262,383 to 3-T Equipment. 3-T EQUIPMENT CONTRACT

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- (2) Awarding contract to Dieterich International for the purchase of a new HD Industries Pro-Patch Pothole Patcher Vehicle, and authorizing the Business Services Manager to issue a purchase order in the amount of \$146,223 to Dieterich International. DIETERICH INTL. CONTRACT
- P. (1) Adopting **Resolution No. 2005-139**, determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 32M. ADPT RES 05-139
CFD #32M
- (2) Adopting **Resolution No. 2005-140**, of intention of the City Council of the City of Fontana with respect to establishment of proposed Community Facilities District No. 32M of the City of Fontana. ADPT RES 05-140
CFD #32M
- Q. (1) Authorizing the Business Services Manager to issue a purchase order in the amount of \$29,000 to Trimble for the purchase of the necessary police automation systems equipment and services. TRIMBLE P.O.
POLICE
- (2) Authorizing the Business Services Manager to issue a purchase order in the amount of \$15,000 to San Bernardino County for labor and materials related to the installation of the purchased GPS equipment. S B CO. P.O.
GPS EQUIP
- (3) Authorizing the Technology Services Department to buy direct from the manufacturer, Trimble, Inc.
- R. (1) Authorizing the City Manager to execute a contractual services agreement with Accuflex and ECS Imaging Inc., to provide imaging and scanning services for a period of three years, extendable for two additional one year terms at the discretion of the City. ACCUFLEX &
ECS IMAGING
CONTRACT
- (2) Authorizing the issuance of a purchase order to Accuflex and ECS Imaging Services, Inc., based upon the fee schedules submitted with their proposals.
- S. (1) Adopting **Resolution No. 2005-141**, of intention of the City Council of the City of Fontana declaring intention to detach territory from Local Landscape Maintenance District No. 3 pursuant to the Landscaping and Lighting Act of 1972, setting the time and place of the hearing on the detachment, and order notice of hearing to be published. ADPT RES 95-141
LLMD #3
(LANDSCAPE)
- (2) Setting the public hearing for September 20, 2005, for the consideration of detachment of territory from Local Landscape Maintenance District No. 3
- T. (1) Adopting **Resolution No. 2005-142**, of intention of the City Council of the City of Fontana declaring intention to detach territory from Local Lighting Maintenance District No. 3 pursuant to the ADPT RES 05-142
LLMD #3
(LIGHTING)

Landscaping and Lighting Act of 1972, setting the time and place of the hearing on the detachment, and order notice of hearing to be published.

- (2) Setting the public hearing for September 20, 2005, for the consideration of detachment of territory from Local Lighting Maintenance District No. 3

Motion carried unanimously, with Mayor Nuaimi abstaining on Consent Calendar Items "P, S, and T".

ACTION: Motion was made by Mayor Nuaimi, seconded by Council Member Roberts, approving Consent Calendar Item "I" as follows:

CC-I ADPT RES
P5-137 FILE
ANNEX W/LAFCO

- I. (1) Finding that the approval of the City of Fontana's Island Annexation Program is exempt from further environmental review pursuant to Section 3.07 of the Local Guidelines for implementing the California Environmental Quality Act (2005), and directing staff to file a Notice of Exemption.

- (2) Adopting **Resolution No. 2005-137**, approving the City of Fontana's Island Annexation Program and directing staff to file the Island Annexation Map with the Local Agency Formation Commission (LAFCO).

Motion carried by a vote of 4-1, Council Member Rutherford voted against because she disagrees with State Law.

Public hearing was opened regarding Community Facilities District No. 42M – Tract No. 17027, Jurupa Avenue, southeast of Cypress Avenue. No written communication was received. Staff presentation was given by Deputy Management Services Director Lisa Strong.

PH-A ADPT RES
05-143, 144, 145
CFD #42M

Remarks were made by Fran Givens, 16686 Jurupa Avenue. No one spoke in favor or opposition. The hearing was closed.

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Scialdone, (1) adopting **Resolution No. 2005-143**, establishing Community Facilities District No. 42M, of the City of Fontana, County of San Bernardino, State of California, and establishing boundaries thereof; (2) adopting **Resolution No. 2005-144**, calling a special election and submitting to the voters of Community Facilities District No. 42M 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 of the election as 15 votes in favor.

ACTION: Motion was made by Council Member Scialdone , seconded by Council Member Warren, adopting **Resolution No. 2005-145**, declaring the results of the special election for Community Facilities District No. 42M 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 Resolution of Necessity – Baseline Avenue Street Widening Project.

PH-B ADPT RES
05-146 EMINENT
DOMAIN
BASELINE
STREET WIDE

Written communication was received from Pastor John E. Cager, III of the Bethel AME Church, 16262 Baseline, requesting he be heard at this hearing.

Staff presentation was given by Deputy City Manager Debbie Brazill, Real Property Analyst Delia Mejia and Director of Engineering Ricardo Sandoval.

No one spoke in favor. Speaking in opposition was Pastor Cager, Bethel AME Church. The hearing was closed.

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Roberts, adopting **Resolution No. 2005-146**, a Resolution of Necessity of the City Council of the City of Fontana, declaring that the acquisition of fee and temporary construction easement interests in a portion of certain real property located at 16262 and 16270 Baseline Avenue, more particularly described as APNS 0240-031-04 and 0240-031-05, by eminent domain is necessary for street widening improvements and public infrastructure improvements to Baseline Avenue. Motion carried unanimously.

The following Elected Official Communications were received:

E O C

By consensus, Council Member Warren was appointed as the Voting Delegate and Council Member Scialdone as the alternate at the League of California Cities Annual Conference on October 6-8, 2005.

APPT WARREN/
SCIALDONE
LEAGUE CONF.

Council Member Warren thanked her neighbors and the community for their support during her father’s illness.

THANKS

Council Member Warren reminded everyone that children will be going back to school, and she stressed good eating and study habits.

SCHOOL

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Council Member Scialdone noted the Southridge residents will appreciate the improvements of Cherry Avenue as approved on the Consent Calendar tonight.	CHERRY AVE
Council Member Scialdone encouraged old car fellows to participate in the Race Fest.	RACE FEST
Council Member Rutherford thanked the participants of National Night Out for their terrific activities.	THANKS
Council Member Rutherford asked Village of Heritage residents with questions regarding the LMD to call her or the sub-committee to make recommendations, or the City's website.	QUESTIONS
Council Member Rutherford noted the September 8 th meeting of the Inland Empire League of Cities meeting will be her last meeting as President.	LEAGUE MTG
Council Member Rutherford reported on the recently held Joint City Council/Fontana Unified School Board meeting.	JOINT MEETING
Council Member Rutherford noted a golf tournament Friday benefiting the Boys and Girls Club.	BENEFIT
Council Member Roberts noted the productive meeting with the Fontana Unified School Board.	GOOD MEETING
Council Member Roberts asked staff to monitor the Metrolink security and maintenance.	METROLINK
Mayor Nuaimi thanked participants for National Night Out.	THANKS
Mayor Nuaimi thanked the residents of Village of Heritage and Walnut Village for attending their respective meetings.	THANKS
Mayor Nuaimi noted after Labor Day, the next section of the I-210 will be opening from Sierra to Alder Avenue.	I-210 OPENING
Council Member Roberts left the meeting at 9:05 p.m., returning at 9:08 p.m.	
Mayor Nuaimi encouraged everyone to participate in the Race Fest and NASCAR races, noting it's "Fontana's Super Bowl"!	RACE FEST
Mayor Nuaimi encouraged patience as the students head back to school. He noted his daughter begins her high school experience this year.	PATIENCE

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Mayor Nuaimi thanked the Fontana Unified School Board, noting this is a learning of school processes, including the Bond election next year.

THANKS

At 9:09 p.m. the meeting adjourned by consensus, the workshop meeting on Tuesday, August 23, 2005 at 7:00 p.m. in the City Hall Council Chambers regarding apartments in North Fontana and then to the regular workshop meeting on September 6, 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 6th DAY OF SEPTEMBER, 2005.

Beatrice Watson
City Clerk