

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
DECEMBER 6, 2005**

A workshop meeting of the City of Fontana City Council was held on Tuesday, December 6, 2005 in the Executive Conference Room. Mayor Nuaimi called the meeting to order at 5:16 p.m.

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

Absent: None

The agenda was reviewed. Following City Manager comments, the workshop adjourned at 5:28 p.m. to a Closed Session.

A Regular Meeting of the City of Fontana City Council was held on Tuesday, December 6, 2005 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:03 p.m.

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

Absent: None

The Invocation was given by Council Member Roberts.

The City Attorney announced they did not meet in Closed Session or discuss: C S

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)**

Name of Parties: San Gabriel Valley Water Company; Application No's A02-11-044 and A05-08-021

Therefore, there was no reportable action.

The following Special Presentations were made: S P

County Supervisor Josie Gonzales spoke on County budget allocations, and presented a check from the County for \$1,000,000 to be used to help fund development of Fernandez Park, and Safe Routes to School.

Orange Empire K-9 Club representatives Lillie Hoye and Ester Tomatis presented a new K-9 "Rex" to the Police Department, accepted by Police Chief Larry Clark and Officer Januez.

Mayor and Council recognized the 6th Annual Dr. Charles Koehler Memorial Veteran’s Day Essay Contest Winners:

- 1st Place – Ariana Munoz 5th Grade Tokay Elementary School
- 2nd Place – Elizabeth Ortega 8th Grade Resurrection Academy
- 3rd Place – Katlynn Martinez 12th Grade Fontana High School

Recreation & Community Services Manager Ray Gonzales introduced the winners.

Mayor and Council recognized Mondy Taylor for her 14 years of dedicated service to the Etiwanda School Board, presented by Recreation & Community Services Manager Ray Gonzales.

The following Public Communications were received:

P C

Public Services Director Curtis Aaron spoke of the cooperative efforts of the Kiwanis, Exchange, Rotary and Breakfast Lions Clubs for a toy drive.

TOY DRIVE

Eddie Valentine, Reed Thomas and Lydia Wibert presented a plaque to the Fontana Police Officers Association for their sponsorship of the California Bears Softball Team.

PLAQUE

Central Valley Fire District Battalion Chief David Nunez spoke of their annual toy drive. He noted they will be collecting toys at the Metrolink Station around 6:00 p.m. on Saturday, December 17th when the decorated train comes through.

TOY DRIVE

Rev. Martin J. Blando, 17586 Court Street, #2, spoke in favor of annexation.

ANNEXATION

Bill Wockley, Commander of American Legion Post #262, spoke of their concerns of being forced from their building on Arrow Blvd.

LEGION BLDG

Rosalie Jackson, Treasurer of the Fontana Hispanic Chamber of Commerce spoke of upcoming events.

EVENTS

Scott Vanhorne, 305 Arrowhead Avenue, San Bernardino, noted a toy drive open house of Second District Paul Biane’s Wednesday evening.

TOY DRIVE

Tony Orlich, Randall Avenue, spoke of campaign financing, and against annexation.

CAMPAIGN/
ANNEXATION

A revision of Consent Calendar Item “O” was noted, (deleting the contingency).

C C

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

Tony Orlich had a question on Consent Calendar Item "N".

ACTON: Motion was made by Council Member Scialdone, seconded by Council Member Warren, approving Consent Calendar Items "A-U" as follows:

- | | | |
|----|---|--|
| A. | Approving the minutes of the November 15, 2005 Regular City Council Meetings. | MINUTES |
| B. | (1) Accepting as complete the subdivision improvements in Tract No. 15961 located north of Baseline Avenue between San Sevaine Road and Hemlock Avenue. | ADPT RES 05-177
TR 15961 |
| | (2) Adopting Resolution No. 2005-177 , accepting sewers in Tract No. 15961 as part of the City sewer system. | |
| C. | (1) Accepting as complete the subdivision improvements in Tract No. 15842 located south of Summit Avenue and west of Beech Avenue in the Summit Heights Specific Plan. | ADPT RES 05-178
TR 15842 |
| | (2) Adopting Resolution No. 2005-178 , accepting sewers in Tract No. 15842 as part of the City sewer system. | |
| D. | Accepting the donation of K-9 dog from the Orange Empire Dog Club and the Fontana K-9 Pals on behalf of the Police Department. | POLICE DOG |
| E. | (1) Authorizing the Management Services Department to join in the cooperative bid with the County of San Bernardino for the purchase of an American hawk bulk waste crane truck from Dieterich International Truck Sales, Inc., of Colton, CA. | PURCHASE
CRANE TRUCK
DIETERICH |
| | (2) Authorizing the Management Services Department to issue a purchase order in the amount of \$146,725.05 to Dieterich International Truck Sales of Colton, CA to purchase an American hawk bulk waste crane truck. | |
| F. | (1) Authorizing the Management Services Department to join in a cooperative bid using CMAS (California Multiple Award Schedule) #4-02-38-0014A to purchase a caterpillar CB-214E vibratory asphalt compactor from Johnson Machinery of Riverside, CA. | PURCHASE
COMPACTOR
JOHNSON MACH. |
| | (2) Authorizing the Management Services Department to issue a purchase order in the amount of \$30,830 to Johnson Machinery of Riverside, CA for the purchase of a caterpillar CB-214E vibratory asphalt compactor. | |

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- G. (1) Authorizing the Management Services Department to join in a cooperative bid process with the County of San Bernardino for the purchase of a roadline stencil paint truck from Roadline Products, Inc., of Downey, CA. PURCHASE TRUCK ROADLINE PRODUCTS
- (2) Authorizing the Management Services Department to issue a purchase order in the amount of \$100,487.65 to Roadline Products, Inc., of Downey, CA to purchase a roadline stencil paint truck.
- H. Approving program changes to Youth Basketball Program and appropriating \$26,300 for additional program expenditures. BASKETBALL
- I. Authorizing the City Manager to enter into an agreement with 3M, Inc., to purchase ten radar speed feedback signs to be installed at various locations throughout the City in the amount of \$76,125.38. 3M SIGNS PURCH.
- J. Authorizing the City Manager to execute a contractual services agreement amendment with David Evans and Associates, Inc., to provide additional design services for street improvements on the west side of Citrus Avenue between Ceres Avenue and the Metrolink Crossing in the amount of \$36,500 and 10% contingency fund in the amount of \$3,650.00 for a total of \$40,150., the combined total for this contract will be \$122,100. DAVID EVANS CONTRACT
- K. (1) Authorizing the Management Services Department to join in the cooperative bid process using CMAs (California Multiple Award Schedule) #4-96-37-0001 to purchase a John Deere 5325 Tractor from John Deere Company of Cary, North Carolina. JOHN DEERE TRACTOR PURCH
- (2) Authorizing the Management Services Department to issue a purchase order in the amount of \$23,105 to John Deere Company of Cary, North Carolina to purchase a John Deere 5325 Tractor.
- L. Authorizing the Public Works Department to advertise for bids to install new light fixtures and poles for the parking lots, basketball courts and tennis courts at Southridge Park, Project SB-20-PW-06. ADV BIDS SRV PARK LIGHTS
- M. Authorizing the City Manager to execute a contractual services agreement with J. L. Patterson & Associates to provide design services for street widening and traffic signal modifications at Slover Avenue/Airport Drive & Etiwanda Avenue and rail crossing improvements on Slover Avenue in the amount of \$255,896 and a 10% contingency fund in the amount of \$25,589. J L PATTERSON BID
- N. Waiving further reading of and introducing **Ordinance No. 1495**, amending Chapter 25, Chapter 7 and Chapter 2 relating to streets, sidewalks, and other public ways, elections and administration, that the reading of the title constitutes the first reading thereof. INTRO ORD 1495 CITY CODE AMENDMENTS

- O. Authorizing the City Manager to execute a contractual services agreement with Counts Unlimited, Inc., to provide traffic counting services for a period of one year in the amount of \$50,000. CONTRACT
COUNTS UNLMTD

- P. Adopting **Resolution No. 2005-179**, to summarily vacate portions of street and public utility easements in Parcel Map No. 16645, pursuant to Streets and Highways Code Section 8300 and 8330 et seq. ADPT RES 05-179
VACATE PORTION
PM 16645

- Q. (1) Awarding bid to Atlas Parking Lot Maintenance for the rehabilitation of the property specific in SB-10-HD-06. AWARD BID
ATLAS PARKING
LOT MAINT.

- (2) Authorizing the City Manager to enter into a construction contract with Atlas Parking Lot Maintenance.

- (3) Authorizing the Business Services Manager to issue a purchase order with Atlas Parking Lot Maintenance in the amount of \$61,315.75 (bid amount of \$55,741.59 with a 10% contingency in the amount of \$5,574.16) for SB-10-HD-06.

Motion carried unanimously.

Public hearing was opened regarding Supplemental Law Enforcement Services – COPS. PH-A APRV.
COPS 05/06
FUND AWARD
 No written communications were received.
 Staff presentation was given by Police Chief Larry Clark.
 No one spoke in favor or opposition. The hearing was closed.

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Scialdone, approving the 2005/2006 Supplemental Law Enforcement Services Fund (State COPS) award in the amount of \$230,900; and, authorizing police staff to execute related documents on behalf of the City. Motion carried unanimously.

Public hearing was opened regarding User Fees for City Services. PH-B ADPT RES
05-180 USER FEE
 No written communications were received.
 Staff presentation was given by Resource Budget Officer James Riley.
 No one spoke in favor. Speaking in opposition were Tom McGraw, 8959 Alder, and Tony Orlich, Randall Avenue. The hearing was closed.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Warren, adopting **Resolution No. 2005-180**, adopting certain new fees and increasing or decreasing certain existing fees for various services provided by the City. Motion carried unanimously.

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Public hearing was opened regarding Resolution of Necessity – Baseline Avenue – Eminent Domain. No written communication was received. Staff presentation was given by Real Property Analyst Delia Mejia. Speaking in favor was Henry Wilson, 16918 Baseline. Speaking in opposition were Larry Graff, 639 Fairlawn Drive, Redlands, and Cesar Balamonde, 17663 Hibiscus, Fontana, CA. The hearing was closed.

PH-C ADPT RES
05-181 EMINENT
DOMAIN
BASELINE

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Warren, adopting **Resolution No. 2005-181**, a Resolution of Necessity of the City Council of the City of Fontana, declaring that the acquisition of fee interests in APNS: 0240-081-13, to acquire fee interest in portions of APNS: 0241-012-02 and 0241-012-07; and acquiring fee and temporary construction easement interest in portions of APNS: 0240-052-48, 0240-052-50, 0240-051-51, 0240-052-52, 0240-141-19, 0240-141-20, 0240-141-34, 0240-031-14, certain real property located on Baseline Avenue, by eminent domain is necessary for street widening, improvements and public infrastructure improvements to Baseline Avenue, in Fontana, California. Motion carried unanimously.

Public hearing was opened regarding vacating portion of Public Right-of-way. No written communication was received. Staff presentation was given by Director of Engineering Ricardo Sandoval. No one spoke in favor or opposition. The hearing was closed.

PH-D ADPT RES
05-182 VACATE
PORTION ROW
OLIVE STREET

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, adopting **Resolution No. 2005-182**, to vacate a portion of the public right-of-way known as Olive Street between Merrill Avenue and Athol Street pursuant to Streets and Highways Code 8320 et seq and reserving an easement for public utility purposes. Motion carried unanimously.

Mayor Nuaimi stated he would abstain from the next public hearing because he lives in Hunter’s Ridge.

Public hearing was opened regarding vacating portion of right-of-way. No written communications were received. Staff presentation was given by Director of Engineering Ricardo Sandoval. No one spoke in favor or opposition. The hearing was closed.

PH-E ADPT RES
05-183 VACATE
ROW HUNTER’S
RIDGE PORTION
FOXBOROUGH DR

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Rutherford, adopting **Resolution No. 2005-183**, declaring a portion of a public right-of-way known as a portion of Foxborough Drive at the entrance of Phase III of the Hunter’s Ridge Specific Plan is unnecessary for present and public use, vacating the

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same pursuant to Streets and Highways Code Section 8320 et seq and reserving an easement for public utility purposes and emergency vehicle ingress and egress. Motion carried unanimously.

The following Elected Official Communications were received:	E O C
Mayor and Council Members spoke of the Festival of Winter and parade Saturday.	FESTIVITIES
Mayor and Council Members congratulated Council Member Rutherford for her upcoming marriage this coming weekend.	MARRIAGE
Council Member Scialdone explained the purchases of equipment for Public Services approved tonight.	PURCHASES
Council Member Scialdone noted the enhanced youth basketball program.	BASKETBALL
Council Member Scialdone applauded the Police Department and Traffic Engineering for the purchase of the speed readers to be used around the City.	PURCHASE
Council Member Warren noted the NAACP will host a seminar workshop on December 15 th in the Council Chambers regarding violence in our public schools.	WORKSHOP
Council Member Warren congratulated Lydia Wibert.	CONGRATS
Council Member Warren noted she will be speaking at the Big Apple on her trip to China.	CHINA TRIP
Council Member Warren asked that we continue to pray for Desiree.	PRAYERS
Council Member Warren congratulated Public Services for receiving second place in the recycle challenge.	CONGRATS
Council Member Warren thanked Bethel AME Church for their welcome. She also noted a New Hope Baptist event.	CHURCH WELCOMES
Council Member Warren noted her daughter marched with the band at Disneyland.	DISNEYLAND
Council Member Roberts noted the City donated 8 used vehicles to Gulf Coast Cities as a part of the Katrina relief efforts.	DONATION
Council Member Rutherford noted a Basketball Camp December 27 – 29 as well as the Boys & Girls Club basketball event in March. Mayor Nuaimi also spoke of the Basketball Camp.	BASKETBALL CAMP

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Mayor Nuaimi shared concerns of the negative media coverage of the City of San Bernardino, and asked the media to take a break for one month and bring articles of good things happening instead. MEDIA

Mayor Nuaimi spoke of the “crime” of high water rates, and challenged citizens to read their own meters and compare with their bills. WATER RATES

Mayor Nuaimi sent condolences to the parents of the teenagers killed in the South Fontana crash recently. He asked that we adjourn in their memory. CONDOLENCES

The following City Manager Communications were received: C M C

City Manager Ken Hunt congratulated the Mayor and City Council for their efforts in the upcoming construction of Fontana Park, of which a model was at tonight’s meeting. CONGRATS

City Manager Ken Hunt introduced Dan Chadwick as the Interim Public Services Deputy Director, noting he will be working on this Fontana Park and other upcoming projects in the City. INTRODUCTION

At 9:07 p.m. the meeting adjourned by consensus, in memory of the two teenagers killed recently in South Fontana, to the next workshop meeting on Tuesday, December 20, 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, and then adjourn to Friday, December 23, 2005 at 8:00 a.m. ADJOURN

Martha Steenbock
City Clerk Assistant

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 20th DAY OF DECEMBER, 2005.

Beatrice Watson
City Clerk