

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
MARCH 8, 2006**

A City Council Workshop meeting was held on Wednesday, March 8, 2006 in the Executive Conference Room. Mayor Nuaimi called the meeting to order at 5:05 p.m.

ROLL CALL:

Present: Mayor Nuaimi, Council Members Roberts, Scialdone and Rutherford. Council Member Warren arrived at 5:27 p.m.

Absent: None

Valley Trails Specific Plan presentation was introduced by Principal Planner Craig Bruorton. Power Point presentation was given by Randal Jackson, The Planning Center; and Bryan Goodman, Lewis Group.

The agenda was reviewed. Council Member Rutherford noted corrections on the City Council minutes of February 21, 2006; that is, she did not participate in the Closed Session regarding DW Development, as well as in Elected Official Communication – The Church of Jesus Christ of Latter Day Saints.

Following City Manager comments, the workshop adjourned at 6:02 p.m. to a Closed Session.

A Regular Meeting of the City Council of City of Fontana was held on Wednesday, March 8, 2006 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:06 p.m.

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

Absent: None.

The Invocation was given by Mayor Pro Tem Roberts, followed by the Pledge of Allegiance.

The City Attorney announced they met in Closed Session to 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

No reportable action.

CITY COUNCIL MINUTES

MARCH 8, 2006

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0235-211-03, -04, -05, -06, -07, -08 (DW Development)
Negotiating Parties: Deputy City Manager Debbie Brazill
Under Negotiation: Price and Terms

No reportable action; Council Member Rutherford did not participate.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 30 feet north of APN 0240-041-34 – 16918 Baseline Avenue (McKay’s Mortuary)
Negotiating Parties: Deputy City Manager, Debbie Brazill
Under Negotiation: Price and Terms

No reportable action.

PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957

Title of Position: Director of Technology Services

Consensus was to hire for this position.

The following Special Presentations were made: S P

Mayor and Council proclaimed March 7—14, 2006 as “Arbor Week”, accepted by Public Services Director Curtis Aaron.

The following Public Communications were received: P C

Brad Aker, 17297 Lurelane; Laretta Lugo; Katrina and Ruth Hagewood, 17284 Lurelane spoke of a sexual offender living in their neighborhood. SEX OFFENDER

Veronica Minor spoke of Walnut Village. W. VILLAGE

Tony Orlich, spoke of campaign financing. CAMPAIGN

Fran Givens, spoke of Code Enforcement. CODE ENF.

Tony Orlich spoke on Consent Calendar Items “I” and “L” C C

Fran Givens spoke on Consent Calendar Item “B”

Staff presentation was given on Consent Calendar Item “M”.

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

- | | | |
|--------|--|----------------------------|
| A. | Approving the minutes of the Adjourned Regular City Council of February 14, 2006, Adjourned Regular Meeting, February 16, 2006, Adjourned Regular Meeting, February 20, 2006, Adjourned Regular Meeting, February 21, 2006 Regular Meeting, as corrected , and the February 22, 2006 Adjourned Regular Meeting. | MINUTES |
| B. | Adopting Ordinance No. 1496 , amending the City of Fontana Municipal Code, Chapter 2, Article IV, Section 2-142 changing the dates of the regular City Council meetings. | ADPT ORD 1496
CODE |
| C. | Adopting Resolution No. 2006-40 , declaring support and adopting of the County of San Bernardino I-10 Corridor Analysis which sets forth goals, strategies, and implementation actions to improve the appearance and functionality of the corridor. | ADPT RES 06-40
CORRIDOR |
| D. | Adopting Resolution No. 2006-41 , amending Resolution No. 2006-08 to change the public hearing date on the annexation of territory to Community Facilities District No. 25M of the City of Fontana, County of San Bernardino, State of California. | ADPT RES 06-41
CFD 25M |
| E. | Adopting Resolution No. 2006-42 , amending Resolution No. 2006-10 to change the public hearing date on the annexation of territory to Community Facilities District No. 47M of the City of Fontana, County of San Bernardino, State of California. | ADPT RES 06-42
CFD 47M |
| F. (1) | Authorizing the Management Services Department to join in the cooperative bid process using California Multiple Award Schedule (CMAS) #4-96-37-001A to purchase a John Deere 5325 Tractor from the John Deere Company of Cary, North Carolina. | COOP BID |
| | (2) Authorizing the Management Services Department to issue a purchase order in the amount of \$23,105 to the John Deere Company of Cary, North Carolina to purchase a John Deere 5325 Tractor. | |
| G. (1) | Authorizing the Management Services Department to join in a cooperative bid with the City of Pomona for the purchase of five BMW 1150 RT-P Police Motorcycles from Brown Motor Works of Pomona, CA. | COOP BID |
| | (2) Authorizing the Management Services Department to issue a purchase order in the amount of \$100,595.46 to Brown Motor Works of Pomona, CA for the purchase of five BMW 1150RT-P Police Motorcycles. | |
| H. (1) | Authorizing the Management Services Department to join in a cooperative bid using California Multiple Award Schedule (CMAS) | COOP BID |

CITY COUNCIL MINUTES

MARCH 8, 2006

- #4-02-23-0013A to purchase an Altec AT 37-G Telescoping/ Articulating Vehicle Mounted Aerial Device from Altec Industries, Inc., of Dixon, CA.
- (2) Authorizing the Management Services Department to issue a purchase order in the amount of \$74,630 to Altec Industries, Inc., of Dixon, CA for the purchase of an Altec AT 37-G Telescoping/ articulating Vehicle Mounted Aerial Device.
- I. Authorizing the City Manager to execute a construction contract with Riverside Construction Company for the construction of Citrus Avenue street and sewer improvement project from Baseline Avenue to South Highland Avenue in the amount of \$3,157,646.90 and authorizing a 10% contingency in the amount of \$315,764,69; Bid No. SB-18-DE-06. RIVERSIDE CONST CONTR
- J. (1) Accepting as complete the subdivision improvements in Tract No. 16403 located at the south of Baseline Avenue and east of Village Parkway in the Rancho Fontana Specific Plan. ADPT RES 06-43 TR 16403
- (2) Adopting **Resolution No. 2006-43**, accepting sewers in Tract No. 16403 as part of the City sewer system.
- K. (1) Accepting as complete the subdivision improvements in Tract No. 16403-1 located at the south of Baseline Avenue and east of Village Parkway in the Rancho Fontana Specific Plan. ADPT RES 06-44 TR 16403-1
- (2) Adopting **Resolution No. 2006-44**, accepting sewers in Tract No. 16403-1 as part of the City sewer system.
- L. Accepting as complete the work performed by Sully Miller Contracting Company for the construction of Walnut Avenue storm drain, sewer and street improvements from Citrus Avenue to Cypress Avenue and additional street improvements along Oleander Avenue, Cypress Avenue and Juniper Avenue from Walnut Avenue to South Highland Avenue; approving the final construction contract amount of \$3,175,644.87; and authorizing the City Engineer to execute and file and Notice of Completion for City Project Bid No. SB-23-04. ACCPT SULLY MILLER
- M. Adopting **Resolution No. 2006-45**, making determinations pursuant to the California Environmental Quality Act, making Findings pursuant to the Health and Safety Code Section 33445 and consenting to a public improvements loan agreement between the Fontana Redevelopment Agency and Chaffey College in conjunction with expansion of the campus facilities and authorizing the City Manager to execute any documents necessary to effectuate said approval. ADPT RES 06-45 CHAFFEY COLL.

- N. Authorizing the City Manager to sign a revised license agreement between the City of Fontana and the Building Industry Association for the administration of a Directional Sign Program. REVISE BIA AGREE
- O. (1) Accepting as complete and authorizing the Public Works Director to execute and file a Notice of Completion for Project SB-58-05, for remodel of Miller Park. ACCPT WORK MILLER PARK
- (2) Approving the final construction amount of \$111,046.96.
- (3) Approving the release of 10% retention upon satisfactory closure of the contract.

Motion carried unanimously.

Public hearing was opened regarding Specific Plan No. 03-010 (Summit at Rosena Specific Plan), and Development Agreement. PH-A INTRO ORD 1497, 1498
 No written communication was received. SPA 03-010
 Staff presentation was given by Planner DiTanyan Johnson. SUMMIT @ ROSENA
 Speaking for the applicant was Lloyd Zola, Riverside, and Mark Ostroich. No one spoke in favor or opposition. The hearing was closed.

Mayor Nuaimi requested that the Development Agreement be acted upon separately.

ACTION: Motion was made by Council Member Warren, seconded by Council Member Roberts, approving the Findings and adopting a Statement of Overriding Considerations for Specific Plan No. 03-010 and the Development Agreement; and waiving further reading of an introducing **Ordinance No. 1497**, approving Specific Plan No 03-010 (Summit at Rosena Specific Plan), and that the reading of the title constitutes the first reading thereof. Motion carried unanimously.

ACTION: Motion was made by Council Member Warren, seconded by Council Member Scialdone, waiving further reading of and introducing **Ordinance No. 1498**, approving the Summit at Rosena Specific Plan Development Agreement, and that the reading of the title constitutes the first reading thereof. Motion carried by a vote of 4-1, Mayor Nuaimi voting against because he was not comfortable with the park development fees as they are today.

Public hearing was opened regarding Amendment of Development Impact Fees for City Capital Facilities. PH-B AMEND DEV. IMPACT FEES
 No written communications were received. ADPT RES 06-46
 Staff presentation was given by Deputy City Manager Debbie Brazill.
 Comments were received from Robert Evans, 25241 Paseo De Alicia, Laguna Hills, CA (NAIOP Inland Empire); Jeff Simonetti and Carlos

CITY COUNCIL MINUTES

MARCH 8, 2006

Rodriguez, 8711 Monroe Ct., Rancho Cucamonga (BIA). The hearing was closed.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Warren, adopting **Resolution No. 2006-46**, amending methods and rates of certain development impact fees provided by the City **as amended** (2) determining the project is exempt pursuant to Section 3.01 of the California Environmental Quality Act (CEQA) and directing staff to file a Notice of Exemption. Motion carried unanimously.

Public hearing was opened regarding Village of Heritage Management District No. 2 – Assessment Range Formula. PH-C VOH FORMULA
No written communication was received.
Staff presentation was given by Finance Manager Mel Drown.
No one spoke in favor or opposition. The hearing was closed.

No action was taken, as this was for public comments only.

The following Elected Official Communications were received: E O C

Council Member Scialdone commended staff for the Bill Martin Park dedication Saturday. PARK

Council Member Scialdone noted Race Fest was a great event. RACE FEST

Council Member Scialdone thanked the Police Department for an outstanding job in Walnut Village. THANKS

Council Member Warren noted the good participation at the Speedway for the Bill Lester event. SPEEDWAY

Council Member Warren noted the Exchange Club will be honoring City Clerk Beatrice Watson at Sierra Lakes on March 23rd. HONOR BEA WATSON

Council Member Warren noted a CA/NEV Kiwanis event at Arrowhead Credit Union Park. EVENT

Council Member Warren noted Black History Month events. EVENTS

Council Member Rutherford noted reading for Dr. Seuss' birthday at elementary schools. DR. SEUSS

Council Member Rutherford noted the emergency preparedness fair on March 18th from 10:00 a. m. to noon at the Church of Jesus Christ of Latter Day Saints. EMERG. FAIR

CITY COUNCIL MINUTES

MARCH 8, 2006

Council Member Rutherford stated the A. B. Miller “Rebels with a Cause” was a nice event.	A.B. MILLER EVENT
Council Member Rutherford noted the basketball event benefiting the Boys & Girls Club.	BASKETBALL
Council Member Rutherford addressed a letter received regarding Christmas lights that are still up. This was referred to staff.	LIGHTS
Council Member Rutherford noted the County of San Bernardino disclosure statements can be found on line, and suggested the City of Fontana do the same.	DISCLOSURE
Council Member Roberts noted the Arbor Day event was great, commending staff.	ARBOR DAY
Council Member Roberts commended staff for the Bill Martin Park rededication.	PARK
Council Member Roberts noted Captain Rod Jones will be arrested on March 22 nd with the proceeds given to Muscular Dystrophy.	FUNDRAISER
Mayor Nuaimi thanked staff for the successful Bill Martin Park rededication, noting the Little Leagues are very happy.	THANKS
Mayor Nuaimi thanked the Police Department for their response in Walnut Village, as well as the riot in San Bernardino.	THANKS
Mayor Nuaimi commended the teenagers for helping catch a predator on My Space.	MY SPACE
Mayor Nuaimi thanked those participating in the basketball challenge for the Boys & Girls Club.	THANKS
Mayor Nuaimi congratulated the Speedway for a successful Race Fest.	RACE FEST
Mayor Nuaimi gave update regarding the water company.	WATER UPDATE
By consensus, the meeting adjourned at 9:31 p.m. to an Adjourned Regular Meeting on Thursday, March 9, 2006, at the Principals of Faith Christian Church.17947 Merrill Avenue at 6:30 p.m. for an annexation informational meeting, and then to a workshop meeting on Wednesday, March 22, 2006 at 5:00 p.m. in the City Hall Executive Conference Room and then to the adjourned regular meeting at 7:00 p.m. in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA.	ADJOURN

Martha Steenbock
City Clerk Assistant

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 22nd
DAY OF MARCH, 2006.

Beatrice Watson
City Clerk