

**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF FONTANA
REGULAR MEETING
APRIL 25, 2006**

A City Council Workshop was held on Tuesday, April 25, 2006 in the Executive Conference Room. Mayor Nuaimi called the meeting to order at 5:10 p.m.

ROLL CALL: CITY COUNCIL

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

Absent: None

Library Fundraising was discussed by Redevelopment & Special Projects Director Ray Bragg, and Administrative Analyst Kathleen Fariss.

The agenda was reviewed. Following City Manager comments, the workshop adjourned at 6:05 p.m. to a Closed Session.

A Regular Meeting of the City Council of City of Fontana was held on Tuesday, April 25, 2006 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:15 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

**PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE PURSUANT TO
GOVERNMENT CODE SECTION 54957.**

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

Number of Cases: Two

CITY COUNCIL MINUTES

APRIL 25, 2006

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0236-122-29; 10747 Cherry Avenue, Teresi Ownership

Negotiating Parties: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

There was no reportable action.

The following Special Presentations were made:

S P

The Miss Fontana Contestants were introduced by Chamber of Commerce President Pamela Eshleman.

Mayor and Council recognized the following March "Employees of the Month", introduced by Chief Larry Clark.

Lisa Young, Field Evidence Technician

Police Corporal Jim Burton

Police Officer Jose Molina

Mayor and Council recognized sponsors for Teen Fest, which were introduced by Chief Larry Clark.

Mayor and Council proclaimed April 25, 2006 as "Red Hat Society Day". Linda Scialdone spoke of their activities.

The following Public Communications were received:

P C

Brittany Pergl, Sabrina Rodriguez, Natalie Mendoza, and Bryan Bennett, members of the A. B. Miller High School Sophomore Honors English class, spoke of a fundraiser Thursday, April 27th at the Sons of Italy to benefit juvenile cancer.

FUNDRAISER

Tony Orlich spoke of campaign funding.

CAMPAIGN

Mayor Nuaimi stated Consent Calendar Item "L" will be moved to Public Hearing "B".

C C

ACTON: Motion was made by Council Member Rutherford, seconded by Council Member Roberts, approving Consent Calendar Items "A-K, M(2)" as follows:

- A. Approving the minutes of the April 11, 2006 Regular City Council Meeting.
- B. Adopting **Ordinance No. 1499**, amending Chapter 13, Article IV, Section 13-96 through 13-106 of the Fontana Municipal Code in its entirety, concerning fly breeding hazards, and providing for the abatement of same.

MINUTES

ADPT ORD 1499
FLY HAZARDS
CODE

- C. Authorizing the City Manager to execute Amendment No. 1 to the contractual services agreement with David Evans & Associates to update the City of Fontana Department of Engineering Storm Drain Standard Plans in the amount of \$25,000, amending the contract from \$30,000 to \$55,000. AMEND #1
DAVID EVANS
- D. (1) Accepting as complete the subdivision improvements in Tract No. 16271-1 located south of Miller Avenue and east of Sultana Avenue. ADPT RES 06-71
TR 16271-1
- (2) Adopting **Resolution No. 2006-71**, accepting sewers in Tract No. as part of the City sewer system.
- E. Approving and authorizing the City Manager to execute a contractual services agreement with Thirtieth Street Architects, Inc., California in the amount of \$149,550.00, plus 10% for reimbursables. THIRTIETH ST.
ARCH AGREE
- F. Accepting final map for Tract No. 16799 located south of Randall Avenue and east of Acacia Avenue, accepting as public all dedicated streets and easements; and authorizing the City Manager to enter into a subdivision agreement with the subdivider. ACCPT TR 16799
- G. Accepting final map for Tract 15263 located north of San Bernardino Avenue and west of Poplar Avenue; accepting as public all dedicated streets and easements; and authorizing the City Manager to enter into a subdivision agreement with the subdivider. ACCPT TR 16863
- H. Accepting final map for Tract No. 16873 located within the Citrus Heights North Specific Plan, accepting as public all dedicated streets and easements; and authorizing the City Manager to enter into a subdivision agreement with the subdivider. ACCPT TR 16873
- I. Accepting final map for Tract No. 16871 located within the Citrus Heights North Specific Plan, accepting as public all dedicated streets and easements; and authorizing the City Manager to enter into a subdivision agreement with the subdivider. ACCPT TR 16871
- J. Authorizing the Public Works Department to advertise for bids to install replacement restrooms at Seville Park and North Tamarind Park, Project SB-51-PW-06. ADV BIDS
PARK RESTROOM
- K. (1) Authorizing the Management Services Department to join in a cooperative bid with the City of San Diego for the purchase of a Model 184 Hydro Drain Jetter from Sewer Equipment Company of America in Glenview, IL. CO-OP BID
SEWER EQUIP.

- (2) Authorizing the Management Services Department to issue a purchase order in the amount of \$28,000 to Sewer Equipment Company of America to purchase a Model 184 Hydro Drain Jetter.

L. MOVED TO PUBLIC HEARING "B".

MOVED TO PH-B

- M. (1) Awarding bid and authorizing the City Manager to enter into a two-year contract with Clark Construction with three one-year extensions at the sole discretion of the City, for weed abatement services on City owned parcels.

AWARD BID
CLARK CONST
WEED ABATE.

- (2) Authorizing the Business Services Manager to issue a purchase order in an amount not to exceed \$50,000 to Clark Construction.

Motion carried unanimously.

Public hearing was opened regarding Appeal of Planning Commission Approval of Variance No. 05-013.

PH-A DENY
APPEAL 06-001
APRV VAR 05-013

Correspondence was received from Barbara Monroy, P. O. Box 873, Claremont, CA in opposition to the Appeal.

Staff presentation was given by Planning Manager Don Williams and Planner Amber Gregg.

Speaking in favor of the appeal were Christopher K. Jafari, 1 Park Plaza, 6th Floor, Irvine; Sandra Gomez, 17542 Pine Avenue. Speaking in opposition were Thomas Ritchie, 3281 Overt Rd, Ste. 425, Ontario, and Jonathan L. Lante, 958 N. LaCadena Drive, Colton, CA. The hearing was closed.

ACTION: Motion was made by Council Member Warren, seconded by Council Member Roberts, to deny Appeal 06-001, thereby upholding the decision of the Planning Commission on February 28, 2006, approving Variance No. 05-013. Motion carried unanimously.

Public hearing was opened regarding connection fees for sewage collection and treatment services in accordance with yearly increases imposed by the Inland Empire Utilities Agency for Fiscal Year 2006/07. Utilities Agency for Fiscal Year 2006/07.

PH-B ADPT RES
06-72 SEWER
FEES

No written communication was received.

Staff presentation was given by Interim Deputy Public Services Director Dan Chadwick and Public Services Director Curtis Aaron. No one spoke in favor. Speaking in opposition was Tony Orlich. The hearing was closed.

Motion was made by Council Member Scialdone, seconded by Council Member Warren, adopting **Resolution No. 2006-72**, increasing the connection fee for sewage collection and treatment services in

CITY COUNCIL MINUTES

APRIL 25, 2006

accordance with yearly increases imposed by the Inland Empire Utilities Agency for Fiscal Year 2006/07. Motion carried unanimously.

Council Member Rutherford and Council Member Warren will be abstaining from the next item, because they live in the Village of Heritage. They left the meeting at 9:03 p.m.

Staff presentation was given by Deputy City Treasurer Lisa Strong regarding Landscape Maintenance District No. 2 – Village of Heritage, noting the ballot failed.

UB-A ADPT RES
06-73 VOH
LMD #2 BALLOT

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, adopting **Resolution No. 2006-73**, declaring the results of the assessment ballot proceeding to an assessment range formula to the method and spread for Landscape Maintenance District No. 2 (Village of Heritage) and approving certain actions. Motion carried by a vote of 3-0-2, Council Members Rutherford and Warren abstaining.

Council Members Rutherford and Warren returned at 9:09 p.m.

The following Elected Official Communications were received:

E O C

Mayor and Council Members noted the Boys & Girls Club Luncheon tomorrow at the Sons of Italy.

LUNCHEON

Council Member Rutherford stated a library resource meeting will be Friday.

MEETING

Council Member Rutherford noted the Community Services Department will be honoring their volunteers tomorrow night.

VOLUNTEERS

Council Member Warren stated the next Village of Heritage meeting will be May 15 at Heritage Intermediate School.

MEETING

Council Member Warren noted the Sierra San Antonio Hospital dedication will be Thursday.

HOSPITAL

Mayor and Council Members thanked Marilyn Nepkie from Arrowhead Regional Medical Center, for the healthy dinner she provided them before the meeting.

THANKS

Council Member Warren urged residents in the Fontana Unified School District to vote “yes on C”.

YES VOTE

It was noted that the coordination of efforts for funding for the new library was discussed earlier this evening in the workshop.

LIBRARY

CITY COUNCIL MINUTES

APRIL 25, 2006

Council Member Scialdone noted the next Cruise Night will be May 5th. CRUISE NIGHT

Council Member Scialdone urged all teens to attend Teen Fest Saturday. TEEN FEST

Council Member Scialdone noted the loud music of the ice cream trucks is a violation of the City code, and suggested this be placed on a future agenda for discussion. NOISE

Mayor Nuaimi thanked Young Homes for their continued support in investing in our community. THANKS

Mayor Nuaimi noted the renovation of the fields with new synthetic turf at Ralph M. Lewis Park, are nearing completion. TURF

Mayor Nuaimi thanked staff for their hard efforts in helping create a better Fontana. THANKS

By consensus, the meeting adjourned at 9:25 p.m. to a workshop meeting on Tuesday, May 9, 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

Orvene Steenbock
City Clerk Assistant

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 9TH DAY OF MAY, 2006.

Beatrice Watson
City Clerk