

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
JUNE 27, 2006**

A workshop of the City of Fontana City Council was held on Tuesday, June 27, 2006 in the City of Fontana Executive Conference Room. Mayor Nuaimi called the meeting to order at 5:35 p.m.

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

Absent: Council Members Scialdone and Warren.

The agenda was reviewed, followed by City Manager comments. The meeting adjourned to a Closed Session at 5:42 p.m.

A Regular Meeting of the City of Fontana City Council was held on Tuesday, June 27, 2006 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:07 p.m.

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

Absent: Council Member Scialdone.

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

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 A-05-08-021.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT
TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0235-211-004, 0235-211-05 (Wiener Property on
Catawba Avenue)

Negotiating Parties: Kenneth Hunt, City Manager and Ray Bragg,
Redevelopment.

Under Negotiation: Price and Terms

There was no reportable action. Council Member Rutherford did not participate in the second Closed Session item, and left the room because of possible conflict of interest.

The following Special Presentations were made:

S P

Mayor and Council recognized the following artists: Josie Perez, Jason Collins and Denise Hawkins.

Mayor and Council recognized Sergeant Gary Aulis (not present) and Community Policing Technician Mary Stewart as the May "Employees of the Month".

Mayor and Council recognized members of the Fontana Community Leadership and Awareness Program. The participants present were introduced by Debbie Smith and Kathleen Dutton, Chaffey College, and David Pulido, Fontana Area Chamber of Commerce.

Mayor and Council recognized Faiz Shah and AR-RAHMAN Islamic Center for their donation towards the new Fontana Library, Chief Larry Clark accepted the donation on behalf of the Library Foundation.

Mayor and Council recognized members of the Mayor's Gala Committee. Chairman Susanne Nuaimi presented a check for \$150,000 to Chief Larry Clark for the Library Foundation.

The following Public Communications were received:

P C

David Pulido spoke of upcoming Chamber of Commerce events.

EVENTS

Council Member Warren left the meeting at 7:47 p.m., returning at 7:48 p.m.

Police Chief Larry Clark gave an update of police coverage over the 4th of July holiday.

FIREWORKS

Tony Orlich spoke on the media consolidation as it applies to Fontana.

MEDIA

Mayor Nuaimi noted Consent Calendar Item "M" will be moved to Public Hearing "A". It had been properly noticed.

C C

Mayor Nuaimi abstained from the June 13, 2006 minutes as he was absent from that meeting.

ACTON: Motion was made by Council Member Warren, seconded by Council Member Roberts, approving Consent Calendar Items "A-L", N-R" as follows:

- A. Approving the minutes of May 26, 2006 Adjourned Regular Meeting and the June 13, 2006 Regular City Council Meeting, **(as corrected)**.

MINUTES

- | | | |
|--------|---|-----------------------------------|
| B. (1) | Adopting Ordinance No. 1503 , amending Section 17-5 of the Fontana Municipal Code related to meetings, demonstrations, and parades. | ADPT ORD 1503
CODE AMEND |
| (2) | Adopting Ordinance No. 1504 , amending Section 19-2 of the Fontana Municipal Code related to picnics, parades, etc. | ADPT ORD 1504
CODE AMEND |
| (3) | Adopting Ordinance No. 1505 , amending Section 19-3 of the Fontana Municipal Code related to special permits. | ADPT ORD 1505
CODE AMEND |
| (4) | Adopting Ordinance No. 1506 , authorizing the levy of a special tax within Community Facilities District No. 50M. | ADPT ORD 1506
CFD 50M |
| (5) | Adopting Ordinance No. 1507 , authorizing the levy of a special tax within Community Facilities District No. 51M. | ADPT ORD 1507
CFD 51M |
| (6) | Adopting Ordinance No. 1508 , authorizing the levy of a special tax within Community Facilities District No. 48M. | ADPT ORD 1508
CFD 48M |
| (7) | Adopting Ordinance No. 1509 , authorizing the levy of a special tax within Community Facilities District No. 49M. | ADPT ORD 1509
CFD 49M |
| C. | Accepting final map for Tract No. 16518 located north of Miller Avenue and west of Maple 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 16518 |
| D. | Authorizing the City Manager to execute agreement between the City of Fontana and the City of Ontario for the design and construction of the traffic signal modification and roadway improvements at Etiwanda Avenue and Slover Avenue/Airport Drive. | TRFC SIGNAL
AGREEMENT |
| E. | Authorizing the City Manager to execute Amendment No. 1 to a contractual services agreement with GK and Associates for additional work on Elm Avenue street improvements from Slover Avenue to Santa Ana Avenue in the amount of \$10,530, amending the contract from \$42,840 to \$53,370. | AMEND #1
GK & ASSOC |
| F. | Awarding bid to Global Presenter for the provision of emergency operations center technology upgrade for the Fontana Police Department in the amount of \$39,736.91, plus a 10% contingency of \$3,973.00. | AWARD BID
GLOBAL PRES. |
| G. | Adopting Resolution No. 2006-121 , directing the placement of sewer charges on the property tax bills for collection. | ADPT RES 06-121
SEWER/TAX BILL |

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| H. | Adopting Resolution No. 2006-122 , directing the placement of rubbish charges on the property tax bills for collection. | ADPT RES 06-122
RUBBISH/CO TAX |
| I. | Approving the recommended budget changes listed in the fourth-quarter status report for Fiscal Year 2005/06. | BUDGET CHANGE |
| J. | Adopting Resolution No. 2006-123 , designating City officers who are authorized to invest funds for the City of Fontana and repealing Resolution No. 2000-89. | ADPT RES 06-123
INVESTMENT |
| K. (1) | Adopting Resolution No. 2006-124 , determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 52M. | ADPT RES 06-124
& 125 CFD 52M |
| | (2) Adopting Resolution No. 2006-125 , of intention of the City Council with respect to the establishment of proposed Community Facilities District No. 52M. | |
| | (3) Setting the public hearing for August 8, 2006, for the formation of the District and calling the special election for August 8, 2006. | |
| L. | Adopting Resolution No. 2006-126 , amending Resolution No. 98-36 and authorizing the Deputy City Managers to sign contracts up to \$5,000. | ADPT RES 06-126
DEPUTY CITY
MGRS SIGNS |
| M. | MOVED TO PUBLIC HEARING "A" | MOVED |
| N. | Authorizing the City Manager to extend the City's Professional Services Contract with System Management, Inc., (SMI) to provide technical assistance services for the JD Edwards HR/ Payroll System in an amount of \$89,000. amending the contract from \$25,000 to \$114,000 (not to exceed). | SMI EXTEND
CONTRACT |
| O. | Adopting Resolution No. 2006-128 , amending Fontana City Administrative Procedures 20-1 "Service Awards and Retirement Benefits", 20-03 "Use and Repair of City Office Equipment"; 20-04 "Use of City Vehicles"; 20-05 "Administrative Leave"; 20-06 "Overtime"; 20-07 "Courtesy Code"; 20-08 "Staff Reports"; 20-09 "Temporary Employment Agency Use"; 20-10 "Energy Conservation"; 20-11 "Accepting/Cashing Checks"; 20-12 "Hiring and Advancement Policy for Unclassified Part-Time, Seasonal and Temporary Employees"; 20-13 "Public Records Requests"; and 20-15 "Use of City Council Chambers, Executive, Heritage and Department Conference Rooms". | ADPT RES 06-128
ADM PROCEDURE
AMENDMENTS |
| P. | Authorizing the City Manager to extend the contract with Ellen Arigo to provide production and marketing services for KFON in | EXTEND CONTR
ELLEN ARIGO |

the amount of \$30,000, amending the contract from \$20,000 to \$50,000 (not to exceed).

KFON

Q. Accepting cash and pledged donations in the amount of \$195,332.50 and product and service donations valued at approximately \$10,000.00 (see Attachment "A") for the Fontana Library and Resource/Technology Center.

DONATIONS

R. (1) Adopting **Resolution No. 2006-129**, determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 54M.

ADPT RES 06-129 & 130 CFD 54M

(2) Adopting **Resolution No. 2006-130**, of intention of the City Council with respect to establishment of proposed Community Facilities District No. 54M. of the City of Fontana.

(3) Setting the public hearing for August 8, 2006, for the formation of the District and calling the special election for August 8, 2006.

Motion carried unanimously.

Public hearing was opened regarding weed abatement, sewer and rubbish liens.

PH-A ADPT RES 06-127 TAX LIENS WEED ABATE; SEWER; RUBBISH

No written communication was received.

Staff presentation was given by Business Services Manager Jeff McPherson.

No one spoke of favor or opposition. The hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Warren (1) adopting **Resolution No. 2006-127**, adopting the statement of unpaid expenses for weed abatement and imposing a lien against real property for payment thereof; (2) authorizing staff to complete and record lien notices against real property for those sewer accounts sixty days or more delinquent as described in the certified lien list and directing staff to forward recorded liens to the County for collection; and (3) authorizing staff to complete and record liens against real property for those rubbish accounts more than ninety days delinquent as described in the certified lien list, and directing staff to forward recorded liens to the County for collection. Motion carried unanimously.

Staff presentation was given by Community Improvement Program Manager Ted Porlas regarding prohibiting peddling within 1,000 feet of Primary and Secondary Schools.

NB-A INTRO ORD 1510 PEDDLING NEAR SCHOOLS

ACTION: Motion was made by Council Member Warren, seconded by Council Member Rutherford, waiving further reading of and introducing **Ordinance No. 1510**, adding Section 15-681 to Chapter 15, Article XIV,

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Division 1 of the Fontana Municipal Code relating to prohibited peddling around primary and secondary schools that the reading of the title constitutes the first reading thereof. Motion carried unanimously.

Staff presentation was given by Deputy City Manager Debbie Brazill regarding the North Fontana Economic Zone.

NB-B NORTH
FONTANA
ECONOMIC ZONE
TO 7/11/06 MTG

ACTION: Motion was made by Mayor Nuaimi, seconded by Council Member Roberts, directing staff to bring back possible action regarding the North Fontana Economic Zone extending for one year. Motion carried unanimously.

Staff presentation was given by Deputy City Manager Debbie Brazill regarding the temporary sign provisions to weekend sales.

NB-C TEMP SIGN
TO 7/11/06 MTG

ACTION: Motion was made by Mayor Nuaimi, seconded by Council Member Roberts, directing staff to bring back possible action regarding extending the temporary sign provisions for weekend sales for one year, and including consideration of residential direction signage of homes in adjoining cities. Motion carried unanimously.

The following Elected Official Communications were received:

E O C

Mayor and Council Members wished everyone a safe and sane 4th of July, and cautioned against illegal fireworks, suggesting they report any illegal fireworks they observe to the Police Department.

HOLIDAY

Council Member Roberts urged safety of fireworks, and noted the location of the Rotary fireworks stand.

SAFETY

Council Member Warren noted Cruise Night July 7th and asked those attending to observe the transformation going on in the downtown area.

DOWNTOWN

Council Member Warren asked for prayers for the families and the leadership of the San Bernardino area noted the numerous murders. She urged people to get involved in the Neighborhood Watch Program, and she asked parents to talk to their children.

CRIME

Mayor Nuaimi commended the Community Services Department for the numerous activities provided to help keep kids safe.

ACTIVITIES

Mayor Nuaimi spoke of AB 2987, asking that letters be written to our Senators urging this be amended before it's passed.

AB 2987

Mayor Nuaimi noted cities are working together to prioritize the carpool lanes from Ontario to Loma Linda.

CARPOOL

Mayor Nuaimi gave an update on the Fontana Water rate case.

WATER

At 8:25 p.m. the meeting adjourned by consensus, to workshop meeting on July 11, 2006 in the 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 11th DAY OF JULY, 2006.

Beatrice Watson
City Clerk