

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
OCTOBER 24, 2006**

A Joint City Council/Planning Commission Workshop was held on Tuesday, October 24, 2006 in the City of Fontana Executive Conference Room. Mayor Nuaimi called the meeting to order at 5:04 p.m.

PRESENT: City Council: Mayor Nuaimi, Council Members Roberts, Rutherford, and Scialdone. Council Member Warren arrived at 5:15 p.m.

Planning Comm.: Planning Commissioners Clark, Galasso and Slowik. Chairperson Lee arrived at 5:10 p.m.

The following items were discussed regarding Ventana at Duncan Canyon Specific Plan:

- A. Agreement on residential parking standards.
- B. Potential aesthetic and noise considerations associated with establishing residential uses adjacent to the I-15 Freeway.
- C. Pedestrian bridge crossings at Duncan Canyon Road and Lytle Creek Road (elevators, ramps, or decorative architectural feature).

The workshop adjourned to the Closed Session at 6:50 p.m.

A Regular Meeting of the City of Fontana City Council was held on Tuesday, October 24, 2006 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:19 p.m.

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

Absent: None.

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

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GOVERNMENT CODE SECTION 54956.9

Property: Rosemead Properties, Inc. – APN 0236-101-23, 0236-101-24,
Southwest corner of Cherry Avenue and Slover Avenue.

Negotiating Parties: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms.

There was no reportable action.

The following Special Presentation was made:

S P

Mayor and Council recognized Officer Nick Saddler as the September “Employee of the Month”, presented by Police Chief Larry Clark.

Mayor and Council recognized Sergeant Steve Slusser and Sergeant Pat Coughlin on their retirement.

A presentation regarding the upcoming Relay for Life was given by Janie and Shawn Burgo.

Police Chief Larry Clark was presented his POST Executive Certificate by POST representative Gary Manini.

Mayor and Council recognized Officer Frank Tolerico for receiving Honorable Mention for Police Officer of the Year featured in Parade Magazine.

City Manager Communication Item “A” was moved up to be heard at this time.

C M C

A power point presentation update on current City Park Projects was given by Public Services representatives Chuck Hays, Luis Villalobos and Dan West.

PARK UPDATE

The following Public Communication was received:

P C

Bruce Applefield, 16946 Ceres Avenue, #106, and Nick Pergiovanni, 8456 Live Oak spoke of the need for a handicapped ramp at the Jo Knopf Senior Center. Mr. Applefield also noted a need for an electronic lock for the senior apartment buildings.

Tony Orlich, Randall Avenue, spoke of the election and media.

ELECTION

Staff reports were given on Consent Calendar Items “B, E, F, I & J”.

C C

Consensus was to amend Consent Calendar Item “I” to include possibly installing lights at Ruble Middle School.

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ACTON: Motion was made by Mayor Nuaimi, seconded by Council Member Rutherford, approving Consent Calendar Items “A-J” as follows (including amending Consent Calendar Item “I”):

- A. Approving the minutes of October 10, 2006 Regular Meeting. MINUTES

- B. Appropriating and authorizing expenditure of \$25 million dollars for San Bernardino Avenue trunk sewer and pump station/force main project in Fund 702 Sewer Capital Project No. 9420809702. Transferring \$2.5 million dollars (local match) from Fund 703 (Sewer Replacement) to Fund 702 (Sewer Capital) Project No. 9420809702. Recognizing \$22.5 million dollars increased revenue from State of California SRF Loan of \$20.5 million and \$2 million from IEUA (local match) to Fund 702, Project No. 9420809702 for San Bernardino Avenue trunk sewer and pump station project. SAN BERN AVE TRUNK SEWER

- (2) Authorizing the Public Works Department to advertise for bids for the construction of the San Bernardino Avenue trunk sewer system consisting of a gravity sewer lift station, and force main, complete in place, including pavement removal and replacement earthwork, providing all work required for a complete gravity sewer system.

- C. Accepting final map for Tract No. 16993 located south of Miller Avenue and east of Beech 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 16993

- D. Awarding bid to HTH Engineering, Inc., of Tarpon Springs, Florida to provide digital recorders and all related equipment to the Police Department in the amount of \$53,754.66, plus a 10% contingency of \$5,375.47; and appropriating deferred revenues for expenditures. AWARD BID HTH ENG. INC.

- E. Approving a Memorandum of Understanding between the Police Department and the Etiwanda School District to maintain the School Resource Officer Program at Heritage Middle School. POLICE/EUSD MOU

- F. (1) Approving the first-quarter budget changes listed in the first-quarter Budget Status Report for Fiscal Year 2006/2007. ADPT RES 06-238 BUDGET CHANGE

- (2) Adopting **Resolution No. 2006-238**, establishing classifications and salary range for Information Systems Division Manager, GIS Administrator, Database Administrator, Web Designer/Programmer, Business Practices Supervisor, Senior Business Analyst, Network Operations Division Manager, Telecommunications Specialist, Software Support Technician, Call Center Technician, Public

Safety Network Administrator, IT (Wireless) Technician, Park Development Coordinator, and Public Services Applications Specialist.

- G. (1) Adopting **Resolution No. 2006-239**, determining the sufficiency of the petition requesting formation of proposed Community Facilities District No. 60M. ADPT RES 06-239/ 240 CFD 60M
- (2) Adopting **Resolution No. 2006-240**, with respect to establishment of proposed Community Facilities District No. 60M of the City of Fontana.
- (3) Setting the public hearing for November 28, 2006 for the formation of the District and calling the special election for November 28, 2006.
- H. Approving and authorizing the City Manager to execute the partial satisfaction of circulation, sewer and landscape development impact fees agreement with Centex Homes – Tract No. 16695. TR 16695
- I. Authorizing the Public Works Department to advertise for bids for the expansion of Veterans Park, **as amended**. ADV BIDS VETS PARK
- J. (1) Accepting as complete the work performed by Ohno Construction Company for the renovation of Ralph M. Lewis Park. ACCPT R.M.LEWIS PARK
- (2) Approving the final construction amount of \$4,060,099.86.
- (3) Authorizing the Public Works Director to execute and file a Notice of Completion for Project SPQ-14-PW-06.

Motion carried unanimously.

Public hearing was opened on Resolution of Necessity, located on Cherry Avenue construction easements. PH-A ADPT RES 06-241 RES OF NECESSITY CHERRY AVE.

Four written communications were received prior to the October 10, 2006 hearing.

Staff presentation was given by Supervising Real Property Agent Delia Mejia.

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

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Scialdone, adopting **Resolution No. 2006-241**, a resolution of necessity by the City Council of the City of Fontana declaring the acquisition of portions of certain real property for easement and temporary construction easement interests more particularly described as Assessor’s Parcel Nos. 0236-191-14, 0236-191-25, 0236-102-23, 0236-101-24, 0236-111-01, 0236-111-22, 0236-111-25, 0236-111-26, 0236-

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121-07, 0236-122-19, 0236-181-11, 0236-181-22, 0236-181-23, by eminent domain is necessary for street widening and related public infrastructure improvements to Cherry Avenue. Motion carried unanimously.

Public hearing was opened regarding Supplemental Law Enforcement Services – State COPS Award. PH-B COPS

No written communication was 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, (1) approving the 2006/2007 Supplemental Law Enforcement Services Fund (State COPS) Award in the amount of \$322,050; (2) increasing revenues in the amount of \$91,500; and, reducing inter-fund transfer by \$69,450; and (3) authorizing Police staff to execute related documents on behalf of the City. Motion carried unanimously.

Public Hearing was opened regarding Establishment of Community Facilities District No. 57M, Tract 17317. PH-C INTRO ORD
1530, ADPT RES
06-242, 243, 244
CFD 57M
No written communication was received.
No staff presentation was given by Finance Manager Mel Drown.
No one spoke in favor or opposition. The hearing was closed.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, adopting **Resolution No. 2006-242**, establishing Community Facilities District No. 57M of the City of Fontana, County of San Bernardino, State of California and establishing boundaries thereof; (2) adopting **Resolution No. 2006-243**, calling a special election and submitting to the voters of Community Facilities District No. 57M 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. Motion carried by a vote of 4-1, Council Member Warren voting against.

City Clerk Bea Watson reported the results as three (3) votes in favor.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Scialdone, adopting **Resolution No. 2006-244**, declaring the results of the special election for Community Facilities District No. 57M 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; and (4) waiving further reading of and introducing **Ordinance No. 1530**, authorizing the levy of a special tax within Community Facilities District No. 57M, that the reading of the title constitutes the first reading thereof.

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Motion carried unanimously.

Public hearing was opened regarding Development Impact Fees. No staff report was made. No one spoke in favor or opposition.

PH-D CON'T DEV.
IMPACT FEES TO
11/14/06

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Scialdone, continuing the public hearing for Development Impact Fees for Circulation Facilities until the November 14, 2006, City Council Meeting. Motion carried unanimously.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Warren, adopting resolution of the City Council of the City of Fontana supporting Proposition 1D on the November 2006 California State Ballot. Motion carried unanimously.

UB-A SUPPORT
PROP 1D

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Warren, adopting resolution of the City Council of the City of Fontana supporting Proposition 84 on the November 2006 California State Ballot. Motion carried unanimously.

SUPPORT
PROP 84

Staff presentation was given by Deputy Treasurer Lisa Strong regarding proposed Sierra Corridor Bond Issuance.

NB-A ADPT RES
06-245 BONDS
SIERRA CORRID

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Warren adopting **Resolution No. 2006-245**, approving the issuance by the Fontana Redevelopment Agency of its 2006 tax allocation bonds (Sierra Corridor Commercial Redevelopment Project) and making certain determinations relating thereto; (2) approving the use of RBC Capital Markets underwriter for the issuance of proposed bonds, and authorizing the City Manager to approve a professional services agreement; and (3) approving the use of the City's financing team for the issuance of proposed bonds, and authorizing the City Manager to approve a professional services agreement. Motion carried unanimously.

The following Elected Official Communications were received:

E O C

Mayor and Council Members reported on their recent visit to the Kansas Speedway and the development surrounding the speedway.

KANSAS VISIT

Council Member Warren thanked Supervisors Gonzales and Biane for accompanying them on this trip.

THANKS

Council Member Warren thanked the Community Services Department for their Halloween goodie bags, and reviewed the upcoming activities.

THANKS

Council Member Scialdone and Warren spoke of efforts involving Fontana High School administrators, teachers, parents, School Board and City officials following the problem at the high school. They

FOHI

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commended the School District and Fontana Police and others that responded.

Council Member Scialdone thanked the Latino Chamber of Commerce for the recent dance.	THANKS
Council Member Scialdone congratulated St. Joseph's Church on their 75 th anniversary.	CONGRATS
Council Member Scialdone noted the Red Ribbon Breakfast will be held tomorrow morning at Sierra Lakes.	RED RIBBON
Council Member Scialdone stated the Boy Scouts of America will be honoring City Clerk Bea Watson, Police Chief Larry Clark, and Scout Leader Richard Brooks on October 30 th .	SCOUTS
Council Member Scialdone noted cruise night will be November 3 rd .	CRUISE NIGHT
Council Member Scialdone reported the Rotary Club has scheduled a dinner at the Woman's Club on November 8 th for their 80 th anniversary.	ANNIV
Council Scialdone commended Mayor Nuaimi for eating 7 hamburgers in five minutes as a fundraiser for Fontana Middle School.	FUNDRAISER
Council Member Warren thanked San Bernardino County for the recent Santa Ana River conservancy meeting.	THANKS
Council Member Rutherford commended the outstanding student leaders at FOHI for their press conferences and stated they deserve our support and praise. Council Member Roberts noted how the community has really pulled together following this incident.	COMMEND
Mayor Nuaimi commended the law enforcement performance at FOHI noting there was no injury or property damage. He commended Chief Hostetter, who is serving as school police chief. Also, he commended FUSD Superintendent Jane Smith for her response to the problem to pull those students out of the system.	FOHI
Mayor Nuaimi suggested including a partnership agreement to refurbish the FOHI football field	REFURBISH FOOTBALL FIELD
Mayor Nuaimi noted Unity Day will be forthcoming.	UNITY DAY
Mayor Nuaimi reminded us to vote on November 7 th .	
The following City Manager Communication was received:	C M C

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City Manager Ken Hunt noted the Chamber of Commerce forum of the Mayor and Council candidates is scheduled for this Thursday here in the Council Chambers.

CANDIDATE
FORUM

The City Council meeting adjourned by consensus, at 10:04 p.m. to a workshop meeting on November 14, 2006, in the Executive Conference Room at 5:00 p.m., to a Closed Session at 6:00 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 14th DAY OF NOVEMBER, 2006.

Beatrice Watson
City Clerk