

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR MEETING  
AUGUST 14, 2007**

A workshop of the Fontana City Council was held on Tuesday, August 14, 2007, in the Executive Conference Room, 8353 Sierra Avenue, Fontana, CA. Mayor Pro Tem Scialdone called the meeting to order at 5:14 p.m.

**ROLL CALL:** Present: Mayor Pro Tem Scialdone, Council Members Roberts and Rutherford. Mayor Nuaimi arrived at 5:22 p.m. and Council Member Warren arrived at 5:38 p.m. **ROLL CALL**

Absent: None.

Police Captain Rodney Jones showed various Police Recruitment Videos.

Following agenda review and City Manager comments, the workshop adjourned at 5:45 p.m.

The Regular Meeting of the City of Fontana City Council was held on Tuesday, August 14, 2007 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, Mayor Pro Tem Scialdone Council Members Roberts, Rutherford, 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 REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957**

Properties: APN 0255-011-01 (Weiner); 0255-011-02 (Weiner);  
0255-011-03 (Leon)

Negotiating Parties: Kenneth Hunt, City Manager

Under Negotiation: Price and Terms

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957**

Properties: APN 0240-031-14 (Pae); located at 16138 Baseline Avenue

Negotiating Parties: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957

Properties: APN 0255-071-23, Varinder Sangha ownership, property located at 16166 Jurupa Avenue.

Negotiating Parties: Debbie Brazill, Deputy City Manager  
Under Negotiation: Price and Terms

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

There was no reportable action.

The following Special Presentations were made:

S P

Mayor and Council recognized artist Lucien Van Oosten.

Mayor and Council recognized Britta Graham (present), and Sean Frates (not present) of Merit Property Management at Shady Trails and John Pena (present) from Richmond American Homes at Shady Trails and Tamika Gale (not present) from Lewis Planned Communities at Shady Trails for all their help with the street dedication to Aaron Scharf, presented by Captain Tim Newsome.

Mayor and Council recognized lifeguards Jessica Pegg, Gilbert Dang, William Goodman, and Heather Quinlan from the Community Services Department for their quick action and rescue of a distressed swimmer, presented by the San Bernardino County Fire Department.

Mayor and Council recognized Leonor Vivanco with the Sun Newspaper. She is relocating to Chicago.

The following Public Communications were received:

P C

Michael Myers, 7525 Sultana Avenue, spoke of the Redevelopment Bond Debt.

RDA DEBT

Rafael Trujillo, 201 N. "E" Street, Ste. 102, representing Congressman Joe Baca, reported legislation to name the post office for Beatrice E. Watson.

WATSON MEMORIAL

John MacMillan, 17181 Wabash, spoke of the loss of Officer Jose Molina. He also spoke in favor of Consent Calendar Item "I" regarding Sister City.

MOLINA/ CC "I"

Tony Orlich, Randall Avenue spoke of campaign funding.

FUNDING

- Dave Pulido, spoke of upcoming events of the Fontana Chamber of Commerce. EVENTS
- Matt Wallace, General Manager of Home Depot, South Fontana, gave aprons to the Mayor and Council Members. HOME DEPOT
- A recess was called at 7:56 for cake for the Sun Reporter Leonor Vivanco. The meeting reconvened at 8:02 p.m. RECESS
- Staff report was given on Consent Calendar Item "V". C C
- Council Member Scialdone stated he will be abstaining on Consent Calendar Item "A", minutes of July 11, 2007 , and noted corrections on the minutes of July 24, 2007 regular meeting.
- ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Rutherford, approving Consent Calendar Items "A –X" as follows:
- A. Approving the minutes of the July 11, 2007 Adjourned Joint Meeting.with Fontana Unified School District and the July 24, 2007 Regular City Council Meeting., as corrected. MINUTES
  - B. (1) Accepting as complete the subdivision improvements in Tract No. 17050 located east of Date Street and south of Athol Street. ADPT RES 07-101  
TR 17050
    - (2) Adopting **Resolution No. 2007-101**, accepting sewers in Tract No. 17050 as part of the City sewer system
  - C. (1) Accepting as complete the subdivision improvements in Tract No. 16477 located south of Baseline Avenue and east of Beech Avenue. ADPT RES 07-102  
TR 16477
    - (2) Adopting **Resolution No. 2007-102**, accepting sewers in Tract No. 16477 as part of the City sewer system
  - D. (1) Accepting as complete the subdivision improvements in Tract No. 16478 located south of Walnut Avenue and east of Beech Avenue. ADPT RES 07-103  
TR 16478
    - (2) Adopting **Resolution No. 2007-103**, accepting sewers in Tract No. 16478 as part of the City sewer system
  - E. (1) Accepting as complete the subdivision improvements in Tract No. 16568 located north of Baseline Avenue and east of Beech Avenue. ADPT RES 07-104  
TR 16568
    - (2) Adopting **Resolution No. 2007-104**, accepting sewers in Tract No. 16568 as part of the City sewer system

- F. Accepting final map for Tract No. 17734 located south of Hilton Drive and west of Hemlock Avenue, accepting as public all dedicated streets and easements; and authorized the City Manager to enter into a subdivision agreement with the subdivider. TR 17734
- G. Authorizing the City Manager to execute the partial satisfaction of sewer, circulation, storm drainage and development impact fees agreement with Fontana Crossings, LLC – Tract Map No. 17596. IMPACT FEES  
TR 17596
- H. Accepting donations in the amount of \$100 in in-kind gifts from various donors for use in the City's 2007 National Night Out. DONATIONS
- I. Adopting **Resolution No. 2007-105**, adopting Pass Christian, Mississippi as the Sister City of the City of Fontana. ADPT RES 07-105  
SISTER CITY
- J. (1) Adopting **Resolution No. 2007-106**, declaring intention to annex territory to Community Facilities District No. 50M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 2), located west of Oleander between San Bernardino Avenue and Randall Avenue. ADPT RES 07-106  
CFD 50M
- (2) Setting the public hearing for September 25, 2007, for the formation of the District and calling the special election for September 25, 2007.
- K. (1) Adopting **Resolution No. 2007-107**, declaring intention to annex territory to Community Facilities District No. 56M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 1), located north of Arrow between Tamarind and Alder Avenues. ADPT RES 07-107  
CFD 56M
- (2) Setting the public hearing for September 25, 2007, for the formation of the District and calling the special election for September 25, 2007
- L. (1) Accepting as complete and authorizing the Public Works Director to execute and file a Notice of Completion for Project SB-56-05, (Palmetto Pavement Rehabilitation). ACCPT PROJ  
PALMETTO  
PAVEMENT
- (2) Approving the final contract amount of \$769,767.31.
- (3) Approving the release of the 10% retention upon satisfactory closure of the contract.
- M. Awarding bid and authorizing the City Manager to enter into an agreement with R. Y. Rodriguez, Inc. for garage maintenance services for a period of two years renewable for three additional AWARD BID  
R.Y.RODRIGUEZ

- one-year increments at the City's sole discretion.
- N. Awarding bid and authorizing the City Manager to enter into an agreement with Microbac Laboratories, Inc., laboratory services for a period of two years renewable for three additional one-year increments at the City's sole discretion. AWARD BID MICROBAC
- O. Awarding bid and authorizing the City Manager to enter into an agreement with Golden West Moving Systems for moving and storage services for a period of two years renewable for three additional one-year increments at the City's sole discretion. AWARD BID GOLDEN WEST MOVING SYSTEM
- P. (1) Awarding bid and authorizing the City Manager to enter into an agreement with Door Tech for door repair and replacement services for a period of two years renewable for three additional one-year increments at the City's sole discretion. AWARD BID DOOR TECH
- (2) Awarding bid and authorizing the City Manager to enter into an agreement with Pasco Doors for door repair and replacement services for a period of two years renewable for three additional one-year increments at the City's sole discretion. AWARD BID PASCO DOORS
- Q. (1) Accepting as complete and authorizing the Public Works Director to execute and file a Notice of Completion for Project SB-02-PW-07, (San Sevaine Shelter) ACCPT PROJ. SAN SEVAINE SHELTER
- (2) Approving the final construction contract amount of \$84,642.
- (3) Approving the release of the 10% retention upon satisfactory closure of the contract.
- R. Awarding bid and authorizing the City Manager to enter into an agreement with United Site Services for portable toilet rental services for a period of two years renewable for three additional one year increments at the City's sole discretion. AWARD BID UNITED SITE SERVICES
- S. Accepting cash donation in the amount of \$2,500 from Cattellus Commercial Group, LLC for the purpose of potholing to aid in design of San Bernardino widening. DONATION
- T. Awarding a proposal from Service-Now.Com for RFP SP-35-TS-07 and authorizing the City Manager to enter into a contract with Service-Now.Com to provide a service desk/help computer system for the next two years in an amount not to exceed \$70,900. AWARD CONTR. SERVICE-NOW ,COM
- U. Approving, authorizing and directing the City Manager to execute a contract between the City of Fontana and Orth Design Corporation in the amount of \$541,154.49 plus a 10% contingency amount of CONTRACT ORTH DESIGN CORP.

\$54,115.00, (Downtown Redevelopment Project).

- V. (1) Awarding bid and authorizing the City Manager to enter into an agreement with Dudek in the amount of \$948,000.00 for construction management of the Senior Community Center Project and authorizing a 10% contingency in the amount of \$94,800.00. AWARD BID  
DUDEK
- (2) Authorizing the Business Services Manager to issue a purchase order to Dudek in the amount of \$948,000.
- (3) Appropriating funding from the Undesignated Fund Balance (Fund 362) in the amount of \$117,800.00 to Project 9421901362.
- W. Authorizing the City Manager to execute a professional services agreement with Bureau Veritas to provide construction inspection services for City-wide capital improvement projects for a period of one year, extendable for two additional one-year terms at the discretion of the City. AGREEMENT  
BUREAU  
VERITAS
- X. (1) Authorizing the City Manager to execute the partial satisfaction of circulation development impact fees agreement with the Conco Companies – Design Review No. 05-038. DEV. IMPACT  
FEES CONCO
- (2) Appropriating \$91,462.09 from Fund 630 Mitigation Circulation South.

Motion carried unanimously., with Council Member Scialdone abstaining from the minutes of July 11, 2007 (part of Consent Calendar Item “A”) and Consent Calendar Item “G”.

- The following Elected Officials Communications were received: E O C
- Mayor and Council Members all expressed deep condolences for the families of Beatrice Watson and Officer Jose Molina. CONDOLENCES  
WATSON/MOLINA
- Council Member Rutherford reported on the League of CA Cities Conference in Monterey. CONF
- Council Member Rutherford noted the Central Community Meeting will be held on August 21, at 6:30 p.m. COMM MTG
- Council Member Rutherford noted the Boys & Girls Club Golf Tournament on August 24<sup>th</sup>. GOLF TOURN.
- Council Member Rutherford urged more people get involved in the community by volunteering in one of the non-profit organizations. She stated they can contact any of the Council Members for information. VOLUNTEER

**CITY COUNCIL MINUTES**

**AUGUST 14, 2007**

Council Member Warren noted the Village of Heritage Community Meeting will be held on August 15 <sup>th</sup> at 6:30 p.m.	COMM MTG
Council Member Warren reported she went to Birmingham last week for research and resources for the Martin Luther King, Jr. branch of the library, and asked for items relating to him or Rosa Parks to be donated to the library. She stated she would like to interview people that were in those parts at that time for stories.	TRIP
Council Member Scialdone noted Officer Molina was a product of Fontana, coming up through the Explorer and Cadet Programs and then an Officer.	MOLINA
Council Member Scialdone suggested naming something in the City for Beatrice Watson.	WATSON NAMING
Council Member Scialdone reported on a water conference including water storage and recycling.	WATER CONF
Council Member Scialdone thanked the Police Department for another successful National Night Out.	THANKS
Council Member Roberts thanked Public Works for all they do keeping our streets clean, especially the illegal dumping, which is not as serious as once was.	THANKS
Council Member Roberts suggested an incentive for residents installing solar equipment. Mayor Nuaimi concurred, encouraging staff to waive fees for this type of permit.	INCENTIVE FOR SOLAR
Mayor Nuaimi stated as a part of AB 1234, reporting on conferences, he noted he attended the League of CA Cities conference in Monterey.	CONF
Mayor Nuaimi sent best wishes to Bryan Clark, former Planning Commissioner who has relocated to Kentucky. He noted the City will be advertising for the vacancy and he hopes to make an appoint within a month.	BRYAN CLARK
Mayor Nuaimi also sent best wishes to Eric Lewis, who is going to work in Moreno Valley.	ERIC LEWIS
Mayor Nuaimi expressed concern regarding comments made at the July 19, 2007 Fontana Unified School District Board Meeting regarding working together well. He suggested a sub-committee for an open line between the two entities.	FUSD COMMENTS
Mayor Nuaimi thanked everyone for their prayers, while he wasn't feeling well. He stated all the test came back fine.	HEALTH

**CITY COUNCIL MINUTES**

**AUGUST 14, 2007**

Council Member Scialdone commended the Explorer Scouts for being very professional, suggesting they be invited to a future council meeting for acknowledgment.

COMMEND

The City Council meeting adjourned by consensus, at 8:35 p.m. to the Regular City Council Workshop meeting on Tuesday, August 28, 2007 at 5:00 p.m. in the Executive Conference Room and then to the regular City Council meeting at 7:00 p.m. in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA.

ADJOURN

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Orvene M. Steenbock  
City Clerk Assistant

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL  
ON THE 28<sup>TH</sup> DAY OF AUGUST 2007.

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Tonia Lewis  
City Clerk