

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
SEPTEMBER 11, 2007**

A workshop of the Fontana City Council was held on Tuesday, September 11, 2007, in the Executive Conference Room, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 5:15 p.m.

ROLL CALL: Present: Mayor Nuaimi, Council Member Roberts ROLL CALL
Rutherford and Warren (arrived at 5:18 p.m.)

Absent: Mayor Pro Tem Scialdone.

A discussion of KFON was begun with a presentation by Community Services Director Ken Herron, and Acting Community Services Manager Kyla Brown.

Following agenda review and City Manager comments, the workshop adjourned at 6:42 p.m.

The Regular Meeting of the City of Fontana City Council was held on Tuesday, September 11, 2007 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:04 p.m.

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

Absent: Mayor Pro Tem Scialdone

The Invocation was given by Council Member Roberts, followed by the Pledge of Allegiance led 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 54956.9**

Properties: APN 0234-011-16 (Owner SP4 Calabash II, LP)
Negotiating Parties : Debbie Brazill, Deputy City Manager
Under Negotiation: Price and Terms

There was no reportable action.

Mayor Nuaimi presented a power point presentation in memory of those who lost their lives in the September 11, 2001, tragedies. S P

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The following Public Communications were received:

P C

Frank Ellis, 10528 Oleander Avenue, spoke of Fontana Cruise Night.

CRUISE NIGHT

Jim Crickon, 8153 Cherry Avenue, spoke of the Cherry Avenue name change to Speedway Avenue.

CHERRY NAME CHANGE

John DeSousa, 7565 Concord, spoke of the need for more visible addresses on residential homes.

RESIDENTIAL ADDRESSES

Bob Brown, 5839 Monroe Court, invited everyone to attend the the dedication of the new American Legion Post 202.

NEW AMERICAN LEGION DEDIC.

Tony Orlich, Randall Avenue spoke of hazardous sidewalks.

HAZ SIDEWALKS

David Pulido, Fontana Chamber, President/CEO, spoke of Upcoming Chamber events.

CHAMBER EVENTS

Efren Patoja, 8237 Date Street, spoke about alarm companies.

ALARM CO

Ronald Alford, 17727 Athol Street, spoke of the Police verification policy.

POLICE VER. POLICY

Abraham Rothstein, 8428 Banana, spoke of the Cherry Avenue name Change to Speedway Avenue.

CHERRY NAME CHANGE

Smokers 1st Choice, 7373 East Avenue, #C, submitted written communication regarding the Police Department's response time.

PD RESPONSE

Tony Orlich spoke in opposition to Consent Calendar Item "B".

C C

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Warren, approving Consent Calendar Items "A –R" as follows:

A. Approving the minutes of the August 28, 2007 Regular City Council Meeting.

MINUTES

B. Adopting **Ordinance No. 1560**, amending Section 18-62 of the Fontana Municipal Code relating to prohibited noises and amending Section 18-63 of the Fontana Municipal Code relating to the enumeration of prohibited noises.

ADPT ORD 1560
AMEND CODE
NOISES

C. Accepting final map for Tract No. 17456 located north of Arrow Boulevard between Tamarind Avenue and Alder Avenue, accepting
D. (1) Accepting as completed the subdivision improvements in Tract No. 16176 located within Sierra Lakes Specific Plan.

TR 17456

- D. (1) Accepting as completed the subdivision improvements in Tract No. ADPT RES 07-114
16176 located within Sierra Lakes Specific Plan. TR 16175
- (2) Adopting **Resolution No. 2007-114**, accepting sewers in Tract No.
16176 as part of the City sewer system.
- E. (1) Accepting as completed the subdivision improvements in Tract No. ADPT RES 07-115
16176-1 and 16176-2 located within Sierra Lakes Specific Plan. TR 16176-1 & 2
- (2) Adopting **Resolution No. 2007-115**, accepting sewers in Tract No.
16176-1 and 16176-2 as part of the City sewer system.
- F. (1) Accepting as completed the subdivision improvements in Tract No. ADPT RES 07-116
16267 and 16267-1 located within Sierra Lakes Specific Plan. TR 16267/ 67-1
- (2) Adopting **Resolution No. 2007-116**, accepting sewers in Tract No.
16267 and 16267-1 as part of the City sewer system.
- G. (1) Accepting as completed the subdivision improvements in Tract No. ADPT RES 07-117
16267-2 and 16267-3 located within Sierra Lakes Specific Plan. TR 16267-2/3
- (2) Adopting **Resolution No. 2007-117**, accepting sewers in Tract No.
16267-2 and 16267-3 as part of the City sewer system.
- H. (1) Accepting as complete the subdivision improvements in Tract No. ADPT RES 07-118
16267-4 and 16267-5 located within Sierra Lakes Specific Plan. TR 16276-4/5
- (2) Adopting **Resolution No. 2007-118**, accepting sewers in Tract No.
16276-4 and 16267-5 as part of the City sewer system.
- I. (1) Accepting as complete the subdivision improvements in Tract No. ADPT RES 07-119
16291 located east of San Sevaine Road and south of Blue Ridge TR 16291
Way.
- (2) Adopting **Resolution No. 2007-119**, accepting sewers in Tract No.
16291 as part of the City sewer system.
- J. (1) Accepting as complete the subdivision improvements in Tract No. ADPT RES 07-120
16317 located within the West End Specific Plan. TR 16317
- (2) Adopting **Resolution No. 2007-120**, accepting sewers in Tract No.
16317 as part of the City sewer system.
- K. (1) Accepting as complete the subdivision improvements in Tract No. ADPT RES 07-121
16318 located within the West End Specific Plan. TR 16318

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- (2) Adopting **Resolution No. 2007-121**, accepting sewers in Tract No. 16318 as part of the City sewer system.

- L. (1) Accepting as complete and authorizing the Public Works Director to execute and file a Notice of Completion for Project SB-26-PW-07. ACCPT PROJ SB-26-PW-07

- (2) Approving the final construction amount of \$922,060.03.

- (3) Approving the release of the 10% retention upon satisfactory closure of the contract.

- M. Adopting **Resolution No. 2007-122**, approving a resolution of the City of Fontana approving the Development Plan and scheduling for the City's Sewer System Management Plan. ADPT RES 07-122 SEWER MGT PLN

- N. (1) Adopting **Resolution No. 2007-123**, declaring intention to annex territory to Community Facilities District No. 51M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 2), located at the northwest corner of Baseline and Hemlock Avenues. ADPT RES 07-123 ANNEX NO. 2

- (2) Setting the public hearing for October 23, 2007 for the formation of the district and calling the special election for October 23, 2007.

- O. Authorizing the City Manager to execute a construction contract with SRD Engineering, Inc., for the construction of the Foothill Boulevard storm drain and median improvements from Citrus Avenue to Oleander Avenue in the amount of \$599,081.40 (Bid No. SB-22-DE-07) and authorizing a 10% contingency amount of \$59,908.14. CONTRACT SRD ENG. FOOTHILL MEDIANS

- P. (1) Authorizing an increase to the construction contract with Powell Constructors for the construction of the Pacific Electric Inland Empire Trail Segment 5A, Baseline to Cherry in the amount of \$65,494.24, and increasing the construction contingency limit from \$109,940 to \$175,434.24 (Bid No. SB-11-RA-06). POWELL CONS. CONTRACT INCREASE

- (2) Appropriating \$65,000 from AQMD Fund 241.

- Q. Accepting as complete the work performed by Sully-Miller Contracting Company for the construction of Walnut Avenue (Phase 2B) street improvement project from Citrus Avenue to Sierra Avenue; approving the final construction amount of \$1,304,047.34; and authorizing the City Engineer to execute and file the Notice of Completion for City Project Bid Number SB-32-DE-06. COMPLETE SULLY MILLER CONTR. WALNUT AVE

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R. Adopting **Resolution No. 2007-124**, adopting the 2007/2010 Measure I three year Capital Improvement Program Plan. ADPT RES 07-124 MEASURE I

Motion carried unanimously.

The following Elected Officials Communications were received: E O C

Council Member Warren thanked everyone for cautious driving now that school is back in session. THANKS

Council Member Warren noted the Children’s Health & Safety Fair will be in the Police Department parking lot on Saturday, September 22. KIDS HEALTH SAFETY FAIR

Council Member Warren reminded that the Healthy Fontana cooking classes are on KFON Saturday and Sunday mornings. CKG CLASSES

Council Member Warren stated the employees are starting a Step Out to Wellness on October 9th. STEP OUT

Council Members Rutherford and Roberts reported on the League of California Cities Conference they attended in Sacramento last week. LEAGUE CONF

Council Member Rutherford stated there will be a CAP Service Fair on September 13th. CAP FAIR

Council Member Rutherford noted Applebee’s will collect tips for fire-fighters on September 12th, and Police Department Explorers on September 20th. APPLEBEE’S

Council Member Roberts commended Cecelia Lopez-Henderson for her hard work contributing to the City of the Year Award for annexation. COMMEND

Council Member Roberts noted the recent passing of former City Historical Preservation Commissioner and long time Fontana resident Lorena Hixson, and asked that we adjourn in her memory. HIXSON

Council Member Roberts asked Fire Chief Nunez to give an update on Fire Station No. 79 that will be opening Thursday, September 13th. STATION 79

The grand opening for the adjoining park date is not known at this time. PARK OPENING

Mayor Nuaimi congratulated City employees for their help in obtaining the annexation award. CONGRATS

Mayor Nuaimi noted again the beautiful fields for Fontana Pop Warner. GREAT FIELDS

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Mayor Nuaimi commented on the great things that are happening in the City of Fontana and stated that he is very proud of the many projects in motion at this time.

**GREAT
PROJECTS**

Mayor Nuaimi encouraged neighbors to help keep lawns green on any foreclosure properties.

GREEN LAWNS

City Manager Hunt reminded the City Council of the open vacancy on the Planning Commission.

**PLANNING
VACANCY**

Mayor Nuaimi requested that the nomination for Planning Commissioner be placed on the next agenda.

The City Council meeting adjourned by consensus, at 8:10 p.m. in memory of Lorena Hixson, and to those involved in the 911 tragedy, then to the Development Tour at noon Friday, September 14th, followed by Regular City Council Workshop on Tuesday, September 25, 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

Orvene M. Steenbock
City Clerk Assistant

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL
ON THE 25TH DAY OF SEPTEMBER 2007.

Tonia Lewis
City Clerk