

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR MEETING  
MARCH 11, 2008**

A workshop of the Fontana City Council was held on Tuesday, March 11, 2008, in the Executive Conference Room, 8353 Sierra Avenue, Fontana, CA. Mayor Pro Tem Warren called the meeting to order at 5:41 p.m.

**ROLL CALL:** Present: Mayor Pro Tem Warren, Council Members Roberts, Rutherford and Scialdone

Absent: Mayor Nuaimi

Following agenda review and City Manager comments, the workshop adjourned at 5:56 p.m. to the Closed Session.

A Regular Meeting of the City of Fontana City Council was held on Tuesday, March 11, 2008 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:01 p.m.

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

Absent: None

The Invocation was given by Council Member Roberts, followed by The Pledge of Allegiance.

The City Attorney announced they met in Closed Session to discuss: CS

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO  
GOVERNMENT CODE SECTION 54957.6**

Agency Negotiator: Ed Raya, Human Resources Director  
Employee Organization: Police Management Association and Police Officers Association

There was no reportable action taken.

The following Special Presentations were received: SP

Mayor and Council presented Chuck Hays, Public works Director with a Proclamation celebrating Arbor Day.

Mayor and Council presented certificates to the essay recipients of "What I Like About the New Library" essay winners.

There following Public Communications were received:

P C

Rebecca Lopez, P.O. Box 2023, San Bernardino, CA. with concerns that the 43<sup>rd</sup> District has not been represented correctly by Assemblyman Joe Baca.

BACA

Ashley Seely, 2185 W. College Ave., Apt. 3116, San Bernardino concerned about services for aging foster youth.

FOSTER CARE

Anne Wahome, 14978 Cory Pl., spoke that juveniles are not receiving enough mental health programs.

MENTAL HEALTH

Tony Orlich, Randall Ave., spoke concerning campaign reform.

CAMPAIGN REFORM

Robert Vasquez, spoke regarding helping the City with his video production business.

VIDEO BUSINESS

Chris Madis invited everyone to Arrowhead Regional Medical Ctr., on Saturday 3/15/08 for their walkathon.

ARROWHEAD WALK

Mayor Nuaimi stated he will abstain from the February 26, 2008 City Council minutes and Council Member Scialdone noted that on the February 26, 2008 minutes Council Member Roberts opened the workshop.

CC

City Manager Hunt stated that Consent Calendar "G" was amended by adding #(3), and Consent Calendar "H" was being removed.

Staff reports were given on Consent Calendar items "C", "J" and "K".

John E. Grisate, 10880 Citrus Avd., and Doyle Brown, 16079 Tyrol Dr., spoke on item "K".

**ACTION:** Motion was made by Council Member Roberts and seconded by Council Member Rutherford, approving Consent Calendar Items "A-H" as follows:

- A. Approving the minutes of the February 12, 2008 Regular City Council Meeting, the February 15, 2008 Adjourned Regular Meeting and the amended February 26, 2008 Regular City Council Meeting Minutes. MINUTES
- B. Adopting **Ordinance No. 1573**, rescinding Chapter 10, Article I, Section 10-3 of the Fontana Municipal Code regulating transfers of funds and appropriations. CHPT 10  
ORD 1573
- C. Approving the operating covenant between the City of Fontana, Dagger Properties LLC and Shaver Auto Center Inc., to facilitate SHAVER  
AGREE

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- development of the Shaver Kia Dealership within the Fontana Auto Center and authorize the Executive Director to execute said agreement and any other documents necessary to effectuate said approval.
- D. Authorizing the purchase of police dispatch furniture from XYBIX Systems, Inc., in the amount of \$46,792.16. PD PURCH
- E. Waive further reading of and introducing **Ordinance No. 1576**, revising Article V, of Chapter 10 of the City of Fontana Municipal Code related to Purchasing, that the reading of the title constitutes the first reading thereof. PURCH ORD 1576
- F. Adopting **Resolution No. 2008-16**, approving the execution and delivery of a second amendment to the acquisition and funding agreement and other matters related thereto. (Community Facilities District No. 12 – Sierra Lakes) CFD 12 AMEND 2 RES 08-16
- G. (1) Find that the project has been reviewed under a previous Mitigated Negative Declaration pursuant to Section 15162 of the Local CEQA Guidelines and direct staff to file a Notice of Determination. (Proposition 1B – Local Streets and Roads Improvement) PROP 1B RES 08-17  
(2) Adopting **Resolution No. 2008-17**, adopting allocation of State Proposition 1B-Local Streets and Roads Improvement allocation funding for Fiscal Year 2007/2008.  
(3) Increase estimated revenues and appropriations in the amount of \$2,921,555.73 each in Fund 244 for the Cypress Avenue at Interstate 10 Overcrossing Project 9309000244, Proposition 1B Fund.
- H. Authorizing the City Manager to execute Amendment No. 4 to the Engineering Services Agreement with DMJM Harris in the amount of \$144,870 with a not to exceed total contract amount of \$144,870 to provide additional services for the PSR-PDA phase of the I-10/Beech Avenue and I-10/Alder Avenue Interchange Projects. DMJM HARRIS AMEND 4 I-10 BEECH I-10 ALDER
- I. (1) Accepting as complete the subdivision improvements in Tract No. 16184 located within the Hunter’s Ridge Specific Plan. TR 16184 RES 08-18  
(2) Adopt **Resolution No. 2008-18**, accepting sewers in Tract No. 16184 as part of the City sewer system.
- J. Accepting the survey findings from True North Research Corporation for the sole purpose of providing Council and staff with information that can be used to incorporate in the strategic planning of the community and neighborhood centers. SURVEY TRUE NORTH
- K. Removed.

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- L. Finding that the Lytle Creek North Realignment Project has been reviewed pursuant to the Local Guidelines for Implementing the California Environmental Quality Act (CEQA) and adopting a Mitigated Negative Declaration and directing staff to file the Notice of Determination. LYTLE CRK  
CEQA  
REALIGN
  
- M. Finding that the Duncan Canyon Storm Drain Line A Improvement Project has been reviewed pursuant to the Local Guidelines for Implementing the California Environmental Quality Act (CEQA) and adopting a Mitigated Negative Declaration and directing staff to file the Notice of Determination. DUN CYN  
STRM DRN  
CEQA
  
- N. Accepting as complete the work performed by Erickson-Hall Construction Company for the construction of Fire Station No. 79; approving the final construction amount of \$3,718,381.01 (Bid No. SB-58-DE-06). ACPT COMP  
ERICKSON-  
HALL FIRE  
STA #79
  
- O. Authorizing the City Manager to enter into a cooperative agreement with the State of California Department of Transportation (CALTRANS) to accept operation and maintenance of Casmalia Street from Sierra Avenue to east City limits. CALTRANS  
CO AGREE  
CASMALIA

Motion carried unanimously.

Public Hearing was opened regarding User Fees for City Services. No written communications were received. Staff presentation was given by Community Services Director Ken Herron. No one spoke in favor or opposition to the item. The hearing was closed.

PH A USER  
FEES  
RES 08-19

Council Member Scialdone suggested that staff clarify the fee for the four categories of rentals.

**ACTION:** Motion was made by Council Member Scialdone, seconded by Council Member Warren, adopting **Resolution No. 2008-19**, adopting certain new fees and increasing, decreasing or deleting certain existing fees for various services provided by the City. Motion carried unanimously.

Motion made by Councilmember Roberts seconded by Council Member Scialdone to:

NB

- (1) Approve the agreement of purchase and sale by and between the Fontana Redevelopment Agency and the City of Fontana and authorizing the City Manager to execute the same; and
- (2) Adopt **Resolution No. 2008-20**, approving profit participation agreement with the Fontana Redevelopment Agency of the City of Fontana. Motion carried by 4/1 vote with Council Member Rutherford voting no.

VENTANA  
PROPERTY  
SALE  
RES 08-20

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Council Member Rutherford state she will be on vacation and would not be attending the March 25, 2008 City Council Meeting.	VAC
Mayor Pro Tem Warren reminded everyone about the City's Easter Egg Extravaganza on Saturday March 22, 2008.	EASTER
Mayor Pro Tem Warren stated there will be a Healthy Fontana Cooking Class at Shaddy Trails on March15, 2008.	HEALTHY
Council Member Warren stated there will be a Children's Library Fund Raiser on June 16, 2008.	LIBRARY
Council Member Scialdone stated that the Fernandez Park Ground Breaking was very nice.	GRND BRK
Council Member Scialdone reminded everyone the Beatrice Watson Post Office dedication will be on Thursday March 20, 2008.	WATSON POST OFF
Mayor Nuaimi stated the newspapers are not reporting the correct information when referring to regional downfalls.	NWS ART
Mayor Nuaimi stated he will be on vacation and will not be at the March 25, 2008 City Council Meeting.	VAC
It was the consensus of the Council to adjourn to and adjourned regular meeting on March 20, 2008 for the City County Conference, and to adjourn to a regularly scheduled Meeting on March 25, 2008 located at 8353 Sierra Avenue, Fontana, CA., in the memory of Orville Steenbock.	ADJ

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Linda S. Nunn, CMC  
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 25<sup>th</sup> DAY OF MARCH, 2008.

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Tonia Lewis  
City Clerk