

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
APRIL 8, 2008**

A workshop of the Fontana City Council was held on Tuesday, April 8, 2008, in the Executive Conference Room, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 5:40 p.m.

ROLL CALL: Present: Mayor Nuaimi, Mayor Pro Tem Warren (arrived at 5:42 p.m.), Council Members Roberts, Rutherford and Scialdone. ROLL CALL

Absent: None.

A presentation was given by Senior Planner Stephanie Hall regarding Alcohol Free Zone.

Following agenda review and City Manager comments, the workshop adjourned at 6:23 p.m.

The Regular Meeting of the City of Fontana City Council was held on Tuesday, April 8, 2008 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:02 p.m.

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

Absent: None.

Following the Invocation by Mayor Pro Tem Warren, the Pledge of Allegiance was led by Mayor Nuaimi.

The following Special Presentations were made: S P

Mayor and Council recognized artists Lisa Cabrera, Susan Hoskinson, Tracy Pritchard and Lucien Van Oosten.

Mayor and Council proclaimed April 19, 2008 as the "Grand Opening of the Lewis Library and Technology Center".

Mayor and Council recognized Officer Dave Janusz as the Police Department's February "Employee of the Month", presented by Chief Rod Jones.

Mayor and Council recognized the following Community Services Employee Awards:

2007 Director’s Awards – Kyla Brown and Frances Hernandez

2007 Employees of the Year - Michael Wright, Dolores Benson, Nicole Collins and Marissa Whitely

Mayor and Council recognized the following for receiving California Park and Recreation Society, District XI Awards:

Volunteer Layman – Mayor’s Gala Committee and Cruise Night Committee

Scholarship – Courtney Hodnick

Professional Service – Jennifer Hunt

Lifetime Achievement – Ken Herron

The following Public Communications were received:

P C

John DeSousz, 7565 Concord, spoke regarding keeping sales tax in Fontana.

SALES TAX

David Pulido, Fontana Chamber of Commerce, 8491 Sierra, spoke regarding upcoming Chamber events.

CHAMBER EVENTS

Gloria Zapata, Fontana Aquatics Club, 16555 Athol, Apt. 113, spoke regarding aquatic updates.

AQUATIC UPDATES

Tony Orlich, Randall Avenue, spoke regarding economic future.

ECON. FUTURE

Mayor Nuaimi stated Consent Calendar Items “O” and “P” were pulled.

PULLED

Mayor Nuaimi and Council Member Rutherford will be abstaining from Consent Calendar Item “A” (minutes), because they were absent from that meeting.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, approving Consent Calendar Items “A-N” as follows:

C C

A. Approving the minutes of the March 25, 2008 Regular City Council meeting

MINUTES

B. Approving, authorizing and directing the Redevelopment Special Project Director to file grant reimbursement claims for progress payments up to the total grant fund \$338,000, allocated under the Transportation Development Act, Article 3 for the Pacific Electric Inland Empire Trail, Phase II.

GRANT REIMB

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- C. Awarding bid in the amount of \$32,152.60 with Penhall Rentals of Riverside, California to purchase four portable light towers. PENHALL BID

- D. Authorizing the City Manager to enter into an agreement with the Fontana Art Association to offer cultural art programming at the Fontana Art Association facility and Art Depot and authorizing the City Manager to execute any documents necessary to effectuate said agreement. FONTANA ART ASSN/ART DEPOT AGREEMENT

- E. (1) Awarding bid and authorizing the City Manager to enter into an agreement with Hardy and Harper, Inc., in the amount of \$679,000 for the construction of the Santa Ana Avenue Pavement Rehabilitation Project, SB-219-PW-08 and authorizing a 10% contingency in the amount of \$67,900. HARDY & HARPER BID

- (2) Authorizing the Public Works Director to administratively approve and implement short term closures and detours during construction.

- F. (1) Authorizing the Purchasing Division to piggy-back off of the National Joint Powers Alliance (NJPA) Contract #011707 for Steelcase Furniture. STEELCASE FURN NJPA

- (2) Authorizing the Purchasing Division to purchase furniture for the Jessie Turner Health and Fitness Center and the aquatics facility at Fontana Park in the amount of \$360,000.00 and authorizing a 10% contingency in the amount of \$36,000 FONTANA PARK FURNITURE

- G. Accepting as complete the work performed by CS Legacy Construction Inc., for the construction of the landscape improvements on Knox Avenue Phase I and Summit Avenue (north side) Roadway Landscape Components 3E, 2H of Community Facilities District No. 31. ACCPT CS LEGACY

- H. (1) Accepting as complete the work performed by C.P.Construction Company, Inc., for the construction of the street, sewer and storm drain improvements of Lytle Creek Road Components 1A, 1B, 1C of community Facilities District No. 31 within the Citrus Heights North Specific Plan. ADPT RES 08-26 C.P.CONST. CO

- (2) Adopting **Resolution No. 2008-26**, accepting sewers within Components 1A, 1B, 1C of Community Facilities District No. 31.

- I. Accepting as complete the work performed by Land Forms Landscape Construction for the construction of the landscape improvements of Lytle Creek Road and Summit Avenue Components 1E, 2H of Community Facilities District No. 31 within Citrus Heights North Specific Plan. ACCPT LAND FORMS CONST

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- J. (1) Authorizing the Purchasing Division to piggy-back on the California Multiple Award Schedule (CMAS) #4-05-78-00025A to purchase playground equipment from BCI Burke Premier Play Environments for the Village Park Playground Project. BCI BURKE PLAY EQUIP.
- (2) Authorizing the Management Services Department to issue a purchase order to BCI Burke Premier Play Environments to provide and install playground equipment for the Village Park Project in the amount of \$149,848.79 and authorizing a 10% contingency in the amount of \$14,984.88.
- K. Approving the design, purchase and installation of a memorial plaque honoring Michael Lee Reed, Jr. at the Fontana Skate Park. REED PLAQUE SKATE PARK
- L. Authorizing the Purchasing Division to reject all bids and re-bid the project for landscape installation on Sierra Avenue and I-10 Freeway on-and-off ramps. REBID FRWY LANDSCAPE
- M. Accepting final map for Tract No. 16243 located east of Hemlock Avenue and north of Walnut 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 16243
- N. Accepting final map for Tract No. 16658 located west of Poplar Avenue and south of Randall 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 16656
- O. PULLED PULLED
- P. PULLED PULLED

Motion carried unanimously, with Mayor Nuaimi and Council Member Rutherford abstaining on Consent Calendar Item "A".

Public hearing was opened regarding Community Facilities District No. 6 (Annexation No. 1), located south of Highland Avenue and east of Hemlock Avenue.

PH-A ADPT RES
08-27 & 28
CFD #6

No written communication was received.
Staff presentation was given by Jeff Moriarty and Mel Drown.
No one spoke in favor or opposition. The hearing was closed.

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Scialdone, adopting **Resolution No. 2008-27**, calling a special election and submitting to the qualified electors of territory proposed to be annexed to Community Facilities District No. 6M of the City of Fontana the question of levying special taxes within the territory proposed to be annexed (Annexation No. 1). Motion carried unanimously.

City Clerk Toni Lewis reported 4 votes in favor.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Warren, adopting **Resolution No. 2008-28**, declaring the results of the special election for Community Facilities District No. 6 of the City of Fontana on the proposition of the annual levy of special taxes within the territory proposed to be annexed to said Community Facilities District determining that the territory proposed to be annexed is added to and part of said Community Facilities District with full legal effect, and ordering the recording of an amendment to the notice of special tax lien for said Community Facilities District including the territory annexed thereto (Annexation No. 1). Motion carried unanimously.

No staff presentation was given regarding Fontana Promenade Specific Plan.
Speaking in opposition was Leo Lee, 5641 Ocean Terrace, Huntington Beach.

UB-A ADPT ORD
1574 & 1575
PROMENADE

ACTION: Motion was made by Mayor Nuaimi, seconded by Council Member Roberts, (1) adopting **Ordinance No. 1574**, approving Zone Change No. 06-011 to change the Zoning District Map on approximately 125 gross acres of land designated as General Commercial (C-2) and Medium Density Residential (R-2) to Specific Plan No. 25 (Fontana Promenade Specific Plan); and (2) adopting **Ordinance No. 1575**, approving Specific Plan No. 03-008 (Fontana Promenade Specific Plan). Motion carried by a vote of 3-2, with Council Members Rutherford and Warren opposing.

The following Elected Officials Communications were received:

E O C

Council Member Rutherford reminded the community that tomorrow will be the Boys and Girls Club Fundraiser Luncheon at the Sons of Italy.

FUNDRAISER

Council Member Rutherford stated that this year's Prayer Breakfast will be held on Thursday, May 1, 2008, 8:00 a.m. at the Women's Club.

PRAYER BRKFST

Council Member Rutherford expressed condolences to the Keith Bock Family.

CONDOLENCES

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| Council Member Warren commended the Hispanic Chamber of Commerce on their successful event. | HISPANIC CHAMBER |
| Council Member Warren reminded the community of the Grand Opening of the Lewis Library and Technology Center on Saturday, April 19, 2008. | LIBRARY |
| Council Member Warren stated there will be a fundraiser for the Children's Library to be held on June 16, 2008, at the Red Hill Golf Club, and that the Children's Library will be dedicated to Martin Luther King, Jr. on June 21, 2008. | FUNDRAISER |
| Council member Warren stated she has just returned from travel on behalf of the City of Fontana. | TRAVEL |
| Council Member Scialdone stated earlier today he attended the swearing in of 6 new Police Officers and 4 new Police staff. | NEW FPD STAFF |
| Council Member Scialdone reminded everyone that Saturday, April 12, 2008, Special Olympics will be held at Fontana High School. | SP. OLYMPICS |
| Council Member Scialdone expressed condolences to Amy Colbrunn, and her family, on the loss of her father. | CONDOLENCES |
| Council Member Roberts spoke of the 3 rd annual trip to the Gulf to help with the disaster relief rebuilding projects, and thanked Rod Jones and all of those that participated. | GULF RELIEF TRIP |
| Mayor Nuaimi requested that staff have the relief team recognized at a future City Council meeting. | RECOGNITION |
| Mayor Nuaimi expressed condolences to Amy Colbrunn, Rob Bock, and their family for the loss of Keith Bock. | CONDOLENCES |
| Mayor Nuaimi apologized for missing the last City Council meeting, and stated that he was on vacation with his family. | APOLOGY |
| Mayor Nuaimi stated he attended the State of the County Address and was very pleased that the City of Fontana is doing a great job accomplishing most of the goals that the County has envisioned. | STATE OF THE COUNTY |
| Mayor Nuaimi stated the State Traffic Commission is meeting this week to establish funding for various projects, with the I-10 Corridor being one of the possibilities. | I-10 CORRIDOR |
| Mayor Nuaimi stated the Mayor's Gala will be this Saturday, and that he is preparing his State of the City Address. | GALA |

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| Mayor Nuaimi wished his daughter a Happy Birthday today. | BIRTHDAY |
| Mayor Nuaimi stated Council Member Warren and himself just returned from a trip to Dallas with the Pastor of the Water of Life Church. | TRIP |
| The following City Manager Communications were received: | C M C |
| Manager Hunt expressed condolences to the Bock Family. | CONDOLENCES |
| Manager Hunt stated with all of the Cultural Arts events taking place in the City of Fontana, that it really shows that the community is truly maturing. | CULTURAL ARTS |
| Manager Hunt reminded the community of the Mayor's Gala and the Grand Opening of the Lewis Library and Technology Center. | GALA/LIBRARY |
| Mayor Nuaimi requested staff look into the possibility of organizing a walking arts tour, which would include the Art Association, the Art Depot, the Library, and City Hall. | ARTS TOUR |
| The City Council meeting adjourned by consensus, at 8:47 p.m. in memory of Keith Bock, to Legislative Action Days on Wednesday, April 16, 2008, then to the next Regular City Council Workshop on Tuesday, April 22, 2008 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 22nd DAY OF APRIL 2008.

Tonia Lewis
City Clerk