

CITY COUNCIL MINUTES

MAY 27, 2008

Council Member Warren left at 7:21 p.m., returned at 7:28 p.m.

The following Public Communications were received:

P C

Pam Tuttle, 9852 Mango Drive, and Larry Clark, spoke regarding the 2008 Relay for Life event.

RELAY FOR LIFE

Erick Bishop, 16855 Merrill Avenue, gave an update on Chaffey College, Fontana annex activities.

CHAFFEY COLLEGE

Tony Orlich, Randall Avenue, spoke regarding city talk.

CITY TALK

Armando Yepes, Fontana Hispanic Chamber of Commerce, 6211 Sierra Avenue, spoke regarding Fiesta de las Americas.

FHCC

Consent Calendar Item "G" was pulled for separate action.

C C.

ACTION: Motion was made by Council Member Scialdone, seconded by Mayor Pro Tem Warren, approving Consent Calendar Items "A-F" and, "H-K" as follows:

A. Approving the minutes of the May 13, 2008 Regular City Council meeting

MINUTES

B. Adopting **Ordinance No. 1578**, approving a Development Agreement between the City of Fontana, the Windrows-Arrow, LLC, a mixed use project.

ADPT ORD 1578
WINDROWS-
ARROW DEV.

C. (1) Awarding bid and authorizing the City Manager to enter into a construction contract with D & J Foothill Electric for \$90,750 and authorizing a 10% contingency in the amount of \$9,075.

AWARD BID
D & J FOOTHILL
ELECTRIC

(2) Approving an appropriation from the Undesignated Fund #404 balance in the amount of \$43,825 to Project No. 9423200404.

D. Adopting **Resolution No. 2008-37**, amending Section 20-31 "Purchasing Policies and Procedures Manual" and establishing the City's environmentally preferable purchasing policy.

ADPT RES 08-37
AMEND PURCH.
POLICY MANUAL

E. Adopting **Resolution No. 2008-38**, recognizing the Green Valley initiative and endorsing participation as a Green Valley jurisdiction.

ADPT RES 08-38
GREEN VALLEY

F. (1) Accepting an award in the amount of \$5,000 on behalf of the Public Works Department.

ACCPT AWARD

(2) Approving an increase in estimated revenue by \$5,000 in Account No. 4005101.4326 and appropriating \$5,000 to Account No. 4005101.6210

- G. Pulled for separate action. PULLED

- H. (1) Authorizing a contract change order to provide for payment of disputed work related to the construction contract with SRD Engineering, Inc., for the construction of Foothill Boulevard storm drain and median improvement from Citrus Avenue to Oleander Avenue in the amount of \$66,295.21 – Bid No. SB-57-DE-07. CONTRACT CHANGE ORDER SRD ENG.

- (2) Accepting as complete the work performed by SRD Engineering, Inc., for the construction of Foothill Boulevard storm drain and median improvements from Citrus Avenue to Oleander Avenue; approving the final construction amount of \$725,284.75 and authorizing the City Engineer to execute and file the Notice of Completion for City Project Bid No. SB-22-DE-07.

- I. (1) Accepting as completed the subdivision improvements in Tract No. 11006 located south of Baseline Avenue and east of Almeria Avenue. ADPT RES 08-39 TR 11006

- (2) Adopting **Resolution No. 2008-39**, accepting sewers in Tract No. 11006 as part of the City sewer system.

- J. (1) Authorizing the City Manager to accept \$900,000 Highway Safety Improvement Program (HSIP) Construction Funding Grant for the Sierra Avenue raised median, and authorizing staff to request reimbursement upon project completion. HIGHWAY SAFETY IMPR PROG GRANT (HSIP)

- (2) Authorizing staff to increase revenue to \$900,000 and appropriating \$900,000 in Grand Fund 301.

- K. Awarding contract in the amount of \$55,440.00 and authorizing the City Manager to enter into a contract with Boyle Engineering for the preparation of construction documents and providing construction support services for the Pacific Electric Inland Empire Trail Segment 3A; and authorizing a 10% Contingency Fund in the amount of \$5,544.00. BOYLE ENG. CONTRACT

Motion carried unanimously.

ACTION: Motion was made by Mayor Pro Tem Warren, seconded by Council Member Roberts, approving Consent Calendar Item “G” as follows:

- G. Authorizing the City Manager to execute the agreement for the purpose of reimbursing Citrus and Slover, LLC, for public improvement costs related to a future retail shopping center at AGREEMENT CITRUS/SLOVER LLC

the southeast corner of Slover and Citrus Avenues.

Motion carried by a vote of 4-1, with Mayor Nuaimi opposing.

Public hearing was opened regarding Community Facilities District No. 56M, located north of Foothill Blvd., between Cypress and Oleander Avenues.

PH-A ADPT RES
08-40/41 CFD36M

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 Roberts, adopting **Resolution No. 2008-40**, calling a special election and submitting to the qualified electors of territory proposed to be annexed to Community Facilities District No. 56M of the City of Fontana the question of levying special taxes within the territory proposed to be annexed (Annexation No. 2). Motion carried unanimously.

City Clerk Tonia Lewis stated there were two (2) votes in favor.

ACTION: Motion was made by Council Member Scialdone, seconded by Mayor Pro Tem Warren, adopting **Resolution No. 2008-41**, declaring the results of the special election for Community Facilities District No. 56M 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 to pay the costs of certain services to be provided by the 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. 2). Motion carried unanimously.

Staff presentation was given by Dawn Brooks, and Mel Drown. regarding an Agreement for Fire Protection and Emergency Medical Services.

NB-A FIRE &
EMS AGREE.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, approving in concept the fire protection and emergency medical services agreement between the San Bernardino County Fire Protection District and the Fontana Fire Protection District. Motion carried unanimously.

The following Elected Officials Communications were received:

E O C

Mayor Nuaimi, Mayor Pro Tem Warren, Council Members Scialdone, Roberts, and Rutherford, stated they attended the International Council of Shopping Centers in Las Vegas last week on behalf of the

INTERNATIONAL
SHOPPING CTR
CONFERENCE

CITY COUNCIL MINUTES

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City of Fontana.

Council Member Rutherford invited everyone to attend the Grand Opening of the Village of Heritage Neighborhood Center on Saturday, May 31, 2008, at 11:00 a.m.

V O H CENTER

Council Member Rutherford congratulated two students from Almeria Middle School who were invited to attend the "Summer in the City" summer camp at Brown University, Rhode Island, this summer and requested anyone able to donate to these student, to send their donations to Almeria Middle School.

BROWN UNIV.
SUMMER CAMP

Council Member Rutherford discussed recent newspaper articles, which claimed that the naming of the Lewis Library and Technology Center was due to development reasons rather than a major donation to the Library that was made by the Lewis Corporations.

LEWIS
LIBRARY
NAMING

Council Member Roberts encouraged everyone to remember to vote a week from today and helped clear up any confusion of Props 98 and 99, and requested continued support on his congressional race.

UPCOMING
ELECTION

Council Member Roberts commended the Fontana Hispanic Chamber of Commerce, and Armando Yepes for the Fiesta de las Americas event and stated that it was outstanding.

FIESTA DE LA
AMERICAS

Mayor Pro Tem Warren stated that she attended the Islamic ground breaking and congratulated them.

ISLAMIC
GRD BRKNG

Mayor Pro Tem Warren stated that this year's Police and Fire Recognition dinner was great.

POLICE & FIRE

Mayor Pro Tem Warren stated that she is very excited about the Grand Opening of the Village of Heritage Neighborhood Center and has been telling many residents and former residents..

GRD OPENING
V O H CENTER

Mayor Pro Tem Warren reminded everyone that City of Fontana is still building the dream, with the Martin Luther King Jr. Children's Library and a focus on non-violence. She encouraged everyone to come out to the unveiling of the statute and dedication on Saturday, June 21, 2008.

MLK CHILDRENS
LIBRARY

Mayor Pro Tem Warren encouraged golfers to come to the MLK Children's Library golf tournament fundraiser at Red Hill Golf Course on June 16, 2008.

MLK LIB GOLF
TOURNAMENT

Mayor Pro Tem Warren congratulated her niece on graduating from from Cal State Fullerton.

CONGRATS

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Council Member Scialdone commented that the Police and Fire Recognition Dinner is an event that showcases all the good things that the Police and Fire do for our community.

POLICE &
FIRE

Council Member Scialdone reviewed the schedule of events for the 95th Annual Fontana Days, and the Fastest Half Marathon. He stated that Mayor Nuaimi will be this year's Grand Marshall for the Fontana Days Parade, and thanked the Exchange Club for their hard work.

FONTANA
DAYS

Council Member Scialdone requested the evening's meeting be adjourned in memory of Louis Brewster, Sr.

L. BREWSTER

Mayor Nuaimi commented on the Governor's feeling on the state budget, and reviewed what he had found out regarding the state budget while in Sacramento.

STATE BUDGET

Mayor Nuaimi expressed his excitement for the Opening Village of Heritage Neighborhood Center.

VOH CENTER

Mayor Nuaimi invited all to attend the Fontana Days events.

FONTANA DAYS

Mayor Nuaimi stated he was sorry that he could not attend the Police and Fire recognition Dinner.

PD FIRE DINNER

Mayor Nuaimi expressed his frustration regarding being targeted by those without integrity.

INTEGRITY

Mayor Nuaimi informed the community regarding Props 98 and 99.

PROPS 98/99

The City Council meeting adjourned by consensus, at 8:13 p.m. in memory of Louis Brewster, Sr., to the next Regular City Council Workshop on Tuesday, June 10, 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

CITY COUNCIL MINUTES

MAY 27, 2008

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL
ON THE 10th DAY OF JUNE 2008.

Tonia Lewis
City Clerk