

**CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
JUNE 24, 2008
7:00 P.M.**

Information in shaded boxes also pertains to meetings directly following the Council Meeting.

Welcome to a meeting of the Fontana City Council. A complete agenda packet is located in the binder on the table in the lobby of the Council Chambers. To address the Council, please fill out a card located at the entrance to the left indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the City Clerk. Your name will be called when it is your turn to speak. **In compliance with Americans with Disabilities Act, the Chambers is wheel chair accessible and a portable microphone is available.**

Traducción en Español disponible a petición. Favor de notificar al Departamento "City Clerk". Para mayor información, favor de marcar el número 350-7602.

5:00 P.M. WORKSHOP:

- A. Agenda Review
- B. Library Presentation
- C. City Manager Comments

5:30 P.M. CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (b)

Number of Potential Cases: One

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

7:00 P.M. – CALL TO ORDER/ROLL CALL:

Present: _____ Absent: _____

PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor/Council Member Roberts

SPECIAL PRESENTATIONS:

- A. Mayor and Council to recognize Captain Tim Newsome on this retirement from the Fontana Police Department. (Police Chief Rod Jones to present)
- B. Mayor and Council to recognize Officer Loni Ives as the May Fontana Police Department "Employee of the Month". (Police Chief Rd Jones to present)
- C. DaVita Dialysis Center check presentation to the Fontana Library Foundation in support of the Dr. Martin Luther King, Jr. Children's Library (Patrick Muller, DaVita Dialysis).
- D. Mayor and Council to recognize the Mayor's Youth Council. (Frances Hernandez, Community Services Department)
- E. Mayor and Council to recognize Jose Marquez (AB Miller High School), Roberth Machado (AB Miller High School) and Catalina Ramirez (Kaiser High School) recipients of the Gates Millennium Scholarships.

PUBLIC COMMUNICATIONS:

This is an opportunity for citizens to speak to the City Council for up to 5 minutes on items **not** on the Agenda, but within the City Council's jurisdiction. The Council is prohibited by law from discussing or taking immediate action on non-agendized items.

CONSENT CALENDAR:

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form Listed below – there will be no separate discussion on these items prior to the time Council Votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for discussion.

Does any member of the public wish to address the City Council regarding any item On the Consent Calendar before the vote is taken?

- A. Approve the minutes of the June 10, 2008 Regular City Council Meeting.
- B. Adopt **Resolution No. 2008-_____**, calling and giving notice of a general municipal election to be held in the City of Fontana on Tuesday, November 4th, 2008 for the election of certain officers of the City required by the provisions of the laws of the State of California relating to General Law cities, and consolidating said election with the statewide general election to be held on said date.
- C. Award bid in the amount of \$100,429.47 to Neff Rental Inc., for the purchase of two portable generators.
- D. Accept the 2007 Police Department Annual Report.
- E. Accept the settlement offer for the Adelpia lawsuit from Time Warner Cable for a contract to provide high speed internet services and basic cable/DVR connections within the City Hall campus and authorize the City Manager to execute any documents necessary to effectuate said settlement contract.
- F. (1) Approve a contractual agreement with Action Park Alliance Inc., of the City of Industry, California in the amount of \$440,000 to provide programs and supervision at the Jack Bulik State Park and the new Fontana Skate Park in North Fontana.
(2) Authorize the City Manager or his designee to sign the contract, all related documents and any amendments for the term of the contract.
- G. Accept Kaiser Permanente community benefit charitable contributions grant in the amount of \$50,000 for use in the aquatic program and authorize the City Manager to execute the agreement.
- H. Direct the City Manager to review the City of Fontana's Conflict of Interest Code according to Government Code Section 87306.5
- I. Accept cash donation in the amount of \$1,000 from Vista Metals Corporation for use in the Teen Program of the Community Services Department.

- J. (1) Authorize the City Manager to enter into an agreement with Sherman & Feller, a Law Corporation, to conduct foreclosure proceedings under the Mello-Roos Community Facilities Act of 1982 and to provide other legal services related thereto.
- (2) Adopt **Resolution No. 2008-_____**, acting as the governing body of the all of its Community Facilities Districts ordering judicial foreclosure of delinquent special taxes pursuant to the Mello-Roos Community Facilities Act of 1982, ordering that the tax collector be credited with those taxes and acknowledging the retention of special counsel.
- K. Adopt **Resolution No. 2008-_____**, directing the placement of sewer charges on the property tax bills for collection.
- L. Adopt **Resolution No. 2008-_____**, directing the placement of rubbish charges on the property tax bills for collection.
- M. Adopt **Resolution No. 2008-_____**, directing the placement of weed abatement charges on the property tax bills for collection.
- N. Approve fifteen and deny one co-sponsorship applications received from various organizations for Fiscal year July 1, 2008 through June 30, 2009.
- O. (1) Accept as completed the subdivision improvements in Tract No. 16579 located south of Baseline Avenue and east of Locust Avenue.
- (2) Adopt **Resolution No. 2008-_____**, accepting sewers in Tract No. 16579 as part of the City sewer system.
- P. (1) Accept as completed the subdivision improvements in Tract No. 16518 located north of Miller Avenue and west of Maple Avenue.
- (2) Adopt **Resolution No. 2008-_____**, accepting sewers in Tract No. 16518 as part of the City sewer system.
- Q. (1) Accept as completed the subdivision improvements in Tract No. 16326 located north of Duncan Canyon Road within the Coyote Canyon Specific Plan.
- (2) Adopt **Resolution No. 2008-_____**, accepting sewers in Tract No. 16326 as part of the City sewer system.
- R. (1) Accept as completed the subdivision improvements in Tract No.'s 16325-1 and 16325-2 located north of Duncan Canyon Road within the Coyote Canyon Specific Plan.
- (2) Adopt **Resolution No. 2008-_____**, accepting sewers in Tract No.'s 16325-1 and 16325-2 as part of the City sewer system.
- S. Accept as complete the work performed by Christopher R. Morales, Inc., for the construction of Summit Avenue and Lytle Creek Road traffic signal project; approve the final construction amount of \$95,682.54; and authorize the City Engineer to execute and file the Notice of Completion for City Project Bid No. SB-33-DE-07.

Approve Consent Calendar Items "A-S" as recommended by staff.

PUBLIC HEARINGS:

To speak on Public Hearing Items, fill out a card at the microphone stand indicating **favor** or **opposition** and give it to the City Clerk. Each person will be allowed 5 minutes to address the Council.

If you challenge in court any action taken concerning a Public Hearing item, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City at, or prior to, the Public Hearing.

All Public Hearings will be conducted following this format:

- | | |
|---|-----------------------|
| (a) hearing opened | (e) oral – favor |
| (b) written communication | (f) oral – opposition |
| (c) council/staff comments | (g) hearing closed |
| (d) applicant comments (applicant not limited to 5 minutes) | |

- A. Administrative Site Plan No. 07-034 and Sierra Business Park Development Agreement Amendment
- (1) Find that the project has been reviewed pursuant to the local guidelines for implementing the California Environmental Quality Act (CEQA) and adopt a Negative Declaration and direct staff to file the Notice of Determination.
 - (2) Approve Administrative Site Plan No. 07-034 and Sierra Business Park Development Agreement Amendment subject to the attached Findings and Conditions of Approval.
- B. Quarterly Lien Action for Delinquent Sewer, Rubbish and Weed Abatement Accounts
- (1) Authorize staff to complete and record lien notices against real property for those sewer accounts sixty days or more delinquent as described in the certified lien list. Direct staff to forward recorded liens to the County for collection.
 - (2) Authorize staff to complete and record liens against real property for those rubbish accounts more than ninety days delinquent as described in the certified lien list. Direct staff to forward recorded liens to the County for collection.
 - (3) Adopt **Resolution No. 2008-____**, adopting the statement of unpaid expenses for weed abatement and imposing a lien against real property for payment thereof.

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. (1) Approve the renewal of Memorandum of Understanding between the Fontana Unified School District and the City of Fontana to operate twenty-one elementary schools and seven middle schools grant funded after school programs; increase grant funding in the amount of \$1,350,000 for a total of \$3,071,250 and authorize the City Manager or his designee to sign the contract, all related documents and any amendments for the term of the contract.
- (2) Approve the renewal of Memorandum of Understanding between the Boys and Girls Club of Fontana to provide continued educational and literacy services to grant funded after school programs for the period of three years; with the addition of a facility use agreement at the Don Day Community Center for after school middle school programs from Southridge Middle School and authorize the City Manager or his designee to sign the contract, all related documents and any amendments for the term of the contract.
- (3) Authorize the Human Resources Department for the approval of one Community Services Coordinator II position for the purposes of coordinating the new additional Smart Kids After

School sites; the coordinator position will be funded entirely through grant funds.

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- B. Direct staff to bring back a resolution in December 2008 to increase circulation impact fees as required by the Measure I Nexus Program.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT: To an adjourned workshop meeting on Tuesday, July 8, 2008 at 5:00 p.m. in the Executive Conference Room and the regular meeting at 7:00 p.m. in the City Hall Council Chambers, located at 8353 Sierra Avenue, Fontana, CA.