

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR MEETING  
SEPTEMBER 25, 2007**

A workshop of the Fontana City Council was held on Tuesday, September 25, 2007, in the Executive Conference Room, 8353 Sierra Avenue, Fontana, CA. Mayor Pro Tem Scialdone called the meeting to order at 5:02 p.m.

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

Absent: Mayor Nuaimi and Council Member Warren

Following agenda review and City Manager comments, the workshop adjourned at 5:11 p.m.

The Regular Meeting of the City of Fontana City Council was held on Tuesday, September 25, 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, Mayor Pro Tem Scialdone Council Member Roberts, Rutherford, and Warren. ROLL CALL

Absent: None.

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 0255-081-12 (16412 Jurupa Avenue, Jessie Casillas Ownership).

Negotiating Parties : Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

There was no reportable action.

The following Special Presentations were received: S P

Mayor and Council recognized Detective Phil Suchowski for his personal visits and constant supply of information to the senior participants at the Josephine Knopf Senior Center, presented by Community Services Coordinator II Bill Brantley.

Mayor and Council proclaimed the week of October 7-13, 2007 as “Fire Prevention Week”. Pat Gomez , Central Valley Fire accepted.

The following Public Communications were received:

P C

Wayne Ruble, 7491 Laurel Avenue, Fontana; Charmaine Carr, 7916 Kempster Avenue; Bruce Boyer, 7545 Claire, with Lone Star Security; Morgan Hertel, Corona; Frank Burke, Inland Empire Alarm Association, 138 E. Chestnut Avenue, Monrovia; Raymond J. Cloutier, Southwest Alarm, 6056 Sunstone Avenue, Alta Loma, and Lee Jones, Support Services Group, 79405 Hwy 111, Ste. 9, La Quinta, spoke on police policy regarding response to alarms.

ALARM  
RESPONSE

John DeSousa, 7565 Concord, spoke of foreclosures.

FORECLOSURE

Dean Hunt, Sumner College of Health Sciences, noted the opening of their new college.

COLLEGE

Tony Orlich, Randall Avenue spoke of media hijacking.

MEDIA

Jean Gross, 16431 Taylor Avenue, spoke of annexation issues.

ISSUES

Council Member Scialdone stated he will abstain from Consent Calendar Item “A” because he was absent from that meeting; and Consent Calendar Item “B” because this is near his property.

C C

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Warren, approving Consent Calendar Items “A –H” as follows:

A. Approving the minutes of the September 11, 2007 Regular City Council Meeting.

MINUTES

B. Adopting **Resolution No. 2007-125**, approving the execution and delivery of a first amendment to acquisition and funding agreement and other matters related thereto, (Community Facilities District No. 37 Montelago).

ADPT RES 07-125  
CFD #37

C. Accepting as complete the work performed by Sully-Miller Contracting Company for the construction of the Baseline Avenue street improvement project from Mango Avenue to 400 feet east thereof; approving the final construction amount of \$364,050,62; and authorizing the City Engineer to execute and file the Notice of Completion for City Project Bid Number SB-54-DE-06.

ACCPT SULLY-  
MILLER

- D. (1) Awarding bid and authorizing the City Manager to execute a construction contract with Moore Electrical Contracting, Inc., for the construction of Citrus Avenue fiber optic installation project from Valley Boulevard to Foothill Boulevard in the amount of \$612,921 and authorizing a 10% contingency in the amount of \$61,292.10 – Bid No. SB-87-DE-08. AWARD BID MOORE ELECT. FIBER OPTIC
- (2) Appropriating \$28,000 from Fund 242 Measure I.
- E. Accepting as complete the work performed by Laird Construction Company for the construction of the Elm Avenue street improvement project from Jurupa Avenue to Slover Avenue; approving the final construction amount of \$548,564.30; and authorizing the City Engineer to execute and file the Notice of Completion for City Project Bid Number SB-30-DE-06. ACCPT LAIRD CONST.
- F. (1) Awarding bid and authorizing the City Manager to execute a contract with Corporate Business Interiors to provide the furniture for the new Development Services building in the amount of \$572,544.51 and authorizing a 10% contingency in the amount of \$57,254.45; AWARD BID CORPORATE BUSINESS INTERIORS
- (2) Authorizing a one year contract with two additional one year renewals for office furniture on an as needed basis.
- (3) Authorizing a reduction in the contingency fund budget in the amount of \$629,798.96.
- G. (1) Authorizing an amendment to increase the construction contract with Riverside Construction Company for the Cherry Avenue street improvement project between Jurupa Avenue and Slover Avenue in the amount of \$600,000; increasing the contract amount from \$7,060,658.10 – Bid No. SB-21-DE-07. AMEND CONTR. RIVERSIDE CONST.
- (2) Appropriating \$600,000 from Fund 695 SWIP.
- H. Extend the contract with Partners Consulting Services for interim support of the JD Edwards Computer System, appropriating \$100,000 out of Project No. 910600102 and authorizing the City Manager to execute any documents necessary to effectuate said extension. EXTEND CONTR JD EDWARDS COMPUTER SYSTEM

Motion carried unanimously, with Council Member Scialdone abstaining on Consent Calendar Items “A and B”.

Public hearing was opened regarding Community Facilities District No. 50M, located west of Oleander between San Bernardino Avenue and Randall Avenue.

PH-A ADPT RES  
07-126 & 127  
CFD 50M

No written communications were received

Staff presentation was given by Senior Accountant Jeff Moriarty, and Finance Manager Mel Drown.

No one spoke in favor or opposition. The hearing was closed.

**ACTION:** Motion was made by Council Member Scialdone, seconded by Council Member Warren, adopting **Resolution No. 2007-126**, calling a special election and submitting to the qualified electors of territory to be annexed to Community Facilities District No. 50M 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 2 votes in favor.

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Scialdone, adopting **Resolution No. 2007-127**, declaring the results of the special election for Community Facilities District No. 50M 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.

Public hearing was opened regarding Community Facilities District No. 56M, located north of Arrow between Tamarind and Alder Avenues.

PH-B ADPT RES  
07-128 & 129  
CFD 56M

No written communications were received

Staff presentation was given by Senior Accountant Jeff Moriarty, and Finance Manager Mel Drown.

No one spoke in favor or opposition. The hearing was closed.

**ACTION:** Motion was made by Council Member Warren, seconded by Council Member Rutherford adopting **Resolution No. 2007-128**, calling a special election and submitting to the qualified electors of territory 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. 1). Motion carried unanimously.

City Clerk Tonia Lewis stated there were 3 votes in favor.

**ACTION:** Motion was made by Council Member Scialdone, seconded by Council Member Warren, adopting **Resolution No. 2007-129**, 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. 1). Motion carried unanimously.

Public hearing was opened regarding Quarterly Lien Action Report for delinquent sewer, rubbish and weed abatement accounts.  
 No written communications were received.  
 Staff presentation was given by Business Services Manager Jeff McPherson.  
 No one spoke in favor or opposition. The hearing was closed.

PH-C ADPT RES  
 07-130 QTLY  
 LIEN ACTION

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Warren, adopting **Resolution No. 2007-130**, adopting the Statement of Unpaid Expenses for weed abatement and imposing a lien against real property for payment thereof; (2) authorizing 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, and directing staff to forward recorded liens to the County for collection; and (3) authorizing 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, and directing staff to forward recorded liens to the County for collection. Motion carried unanimously.

The following Elected Officials Communications were received:

E O C

Council Member Warren noted the Rainbow Community Church is celebrating their 12<sup>th</sup> anniversary at the Victoria Gardens Cultural Center.

CONGRATS

Council Member Warren reported on Healthy Fontana activities.

HEALTHY

Council Member Warren addressed the successful Unity Day in Banning where Dr. King’s youngest daughter spoke. She thanked the City of Banning and all the cities that participated.

UNITY DAY

Mayor Pro Tem Scialdone congratulated Kaiser Permanente for their new Call Center in Palm Court. He stated with them moving over 800 employees to that center, there is need for more restaurants below the freeway.

CONGRATS

**CITY COUNCIL MINUTES**

**SEPTEMBER 25, 2007**

Mayor Pro Tem Scialdone congratulated Kathy Binks for having a new elementary school dedicated and named for her. He noted that Kathy and Dean have had the boys home for 44 years and she has been on FUSD Board for 20 years.	CONGRATS
Mayor Pro Tem Scialdone noted this Friday at 1:30 p.m. there will be a golf tournament at Sierra Lakes benefiting the K-9 Pals Club.	BENEFIT
Mayor Pro Tem Scialdone noted Friday, September 28 <sup>th</sup> will be Fontana Days at the L. A. County Fair.	FAIR
Mayor Pro Tem Scialdone noted the recent loss of former police officer Frank Donlon, asking that this meeting adjourn in his memory.	DONLON
Council Member Rutherford noted Saturday at 2:00 p.m. will be the dedication of the new American Legion building near Foothill and Almeria.	DEDICATION
Council Member Rutherford noted October 5 <sup>th</sup> will be the next Cruise Night.	CRUISE NIGHT
Council Member Rutherford noted the Police Department will be hosting the faith based organizations meeting with City officials. For more information she suggesting calling 350-7702.	FAITH MEETING
Council Member Roberts noted the Fontana Historical Society has "Herald News" newspapers dating back to 1924. He asked if we could authorize the City Manager to look for a way to preserve these. Mayor Nuaimi agreed and asked that this be brought back as an agenda item.	PRESERVE OLD NEWSPAPERS
Mayor Nuaimi congratulated Kaiser Permanente for the renovation of offices in Palm Court, and also noted the desperate need for more restaurants south of the freeway.	CONGRATS
Mayor Nuaimi noted grading for the Hilton Garden Inn has begun.	GRADING
Mayor Nuaimi reported on ICSC in San Diego marketing Fontana.	ICSC
Mayor Nuaimi congratulated Kathy Binks for the school named for her, he also wished Dean get back to good health.	CONGRATS
Mayor Nuaimi gave a Pop Warner update.	UPDATE
The following City Manager Communication was received:	C M C
City Manager Ken Hunt suggested the Council adjourn to the Broker Breakfast Thursday morning (September 27 <sup>th</sup> ) at 8:00 a.m. at Sierra Lakes.	ADJOURN

The City Council meeting adjourned by consensus, at 8:28 p.m. in ADJOURN  
memory of Frank Donlon, to the Broker Breakfast Thursday, September  
27<sup>th</sup> at 8:00 a.m., followed by the Regular City Council Workshop on Tuesday,  
October 9, 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.

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Orvene M. Steenbock  
City Clerk Assistant

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL  
ON THE 9<sup>TH</sup> DAY OF OCTOBER 2007.

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Tonia Lewis  
City Clerk