

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
MARCH 25, 2008**

A workshop of the Fontana City Council was held on Tuesday, March 25, 2008, in the Executive Conference Room, 8353 Sierra Avenue, Fontana, CA. City Manager Ken Hunt called the meeting to order at 5:15 p.m.

ROLL CALL: Present: Mayor Pro Tem Warren (arrived at 5:20 p.m.), ROLL CALL Council Members Roberts, and Scialdone.

Absent: Mayor Nuaimi, and Council Member Rutherford.

A presentation was given by Jean J. Ospital, Dr. P.H., AQMD of the Multiple Air Topics Exposure Study (MATESIII).

A presentation was given by Jennifer Aras of Inland Empire Resource Conservation District.

Following agenda review and City Manager comments, the workshop adjourned at 6:18 p.m. to the Closed Session.

The Regular Meeting of the City of Fontana City Council was held on Tuesday, March 25, 2008 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Pro Tem Warren called the meeting to order at 7:10 p.m.

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

Absent: Mayor Nuaimi, and Council Member Rutherford.

Following the Invocation by Council Member Roberts, the Pledge of Allegiance was led by Boy Scout Troop #582.

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 0255-011-01; 0255-011-02; and 0255-011-03 (Wiener)

Negotiating Party: Kenneth Hunt, City Manager

Under Negotiation: Price and Terms

There was no reportable action.

The following Special Presentations were made: S P

Mayor Pro Tem and Council proclaimed March 30-April 5, 2008, as "Boys & Girls Club Week", accepted by Terri Schneiders.

Mayor Pro Tem and Council recognized people and organizations that helped to make Fontana the recipient of the top 100 Best Communities for Young People Awards.

The following Public Communications were received: P C

John De Sousa, 7565 Concord, spoke regarding community clean up. CLEAN UP

Rene Nelson, 9825 Tamarind, Bloomington, spoke regarding harassment and the neighborhood noise ordinance. HARASSMENT NOISE ORD.

Tony Orlich, Randall Avenue, spoke of campaigns and Fontana. CAMP./FONTANA

Eric Bishop, Chaffey College, 16855 Merrill Avenue, self introduction. INTRODUCTION

Staff presentation was given on Consent Calendar Item "G" C C

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Scialdone, approving Consent Calendar Items "A-B", and "D-J(2)" as follows:

- A. Approving the minutes of the March 7, 2008 Adjourned Regular City Council meeting **as corrected**, and the March 11, 2008 Regular City Council meeting, **as corrected**. MINUTES
- B. Adopting **Ordinance No. 1576**, revising Article V of Chapter 10 of the City of Fontana Municipal Code related to purchasing. ADPT ORD 1576 CH.10 CODE
- C. PULLED. PULLED
- D. (1) Accepting as complete the subdivision improvements in Tract No. 16482 located north of Miller Avenue and east of Locust Avenue. ADPT RES 08-21 TR 16482
- (2) Adopting **Resolution No. 2008-21**, accepting sewers in Tract No. 16482 as part of the City sewer system.
- E. Authorizing the City Manager to execute Amendment No. 8 to the Engineering Services Agreement with Boyle Engineering in the amount of \$112,985 with a not to exceed total contract amount of \$1,138,192.30 to provide additional engineering services related to the project approval and environmental documentation (PA&ED) for the Citrus Avenue/I-10 Interchange Project. AMEND #8 BOYLE ENG.AGREEMENT

- F. (1) Authorizing the City Manager to execute a partial Satisfaction of Circulation, Sewer, Storm Drainage, Landscape and Development Impact Fees Agreement with Young Homes, Inc., a California Corporation for various residential tracts. AUTH AGREE YOUNG HOMES
- (2) Appropriating \$1,622,476 from Fund 630 Circulation Mitigation \$546,118 from Fund 702 Sewer; \$1,294,644 from Fund 622 Storm Drain; and \$149,202 from Fund 633 Landscape.
- G. Accepting Kaiser Permanente Community Services Grant in the amount of \$10,000.00 for use in the Healthy Fontana Program. DONATION
- H. Authorizing the City Manager to enter into a lease agreement with New York Coffee to offer food and beverage preparation and retail services at the Lewis Library and Technology Center Book Mark Coffee Bar and authorizing the City Manager to execute any documents necessary to effectuate said agreement. AUTH LEASE NEW YORK COFFEE AT LIBRARY
- I. Authorizing the City Manager to execute Amendment No. 1 by and between the City of Fontana and the City of Ontario regarding transfer right of first purchase of recharged reclaimed water. AMEND #1 RECH/RECL WATER
- J. (1) Accepting as complete the subdivision improvements in Tract No. 17513 located north of Harvey Drive and west of Cypress Avenue. ADPT RES 08-22 TR 17513
- (2) Adopting **Resolution No. 2008-22**, accepting sewers in Tract No. 17513 as part of the City sewer system.

Motion carried unanimously.

The public hearing regarding Community Facilities District No. 56M was opened PH-A CON'T
 No one spoke in favor or opposition. CFD #56M
 TO 4/22/08

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Scialdone, continuing the public hearing regarding Community Facilities District No. 56M, to April 22, 2008. Motion carried unanimously.

Public hearing was opened regarding Community Facilities District No. 38M, located south of Walnut Avenue between Oleander Avenue and Citrus Avenue. PH-B
 No written communication was received. ADPT RES 08-23
 Staff presentation was given by Senior Accountant Jeff Moriarty, and & 24 CFD 38M
 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 Roberts, adopting **Resolution No. 2008-23**, calling a special election and submitting to the qualified electors of territory proposed to be annexed to Community Facilities District No. 38M of the City of Fontana the question of levying special taxes within the territory proposed to be annexed (Annexation No. 4). Motion carried unanimously.

City Clerk Lewis reported 12 votes in favor.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, adopting **Resolution No. 2008-24**, declaring the results of the special election for Community Facilities District No. 38M 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. 4). Motion carried unanimously.

Public hearing was opened regarding quarterly lien action for delinquent sewer, rubbish and weed abatement accounts.
No written communication was received.
Staff presentation was given by Management Services Director, Lisa Strong and Finance Manager, Mel Drown.
No one spoke in favor or opposition. The hearing was closed.

PH-C
ADPT RES 08-25
QTRLY LIENS

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, 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, directing staff to forward recorded liens to the County for collection; (2) 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; and adopting **Resolution No. 2008-25**, a resolution of the City Council of the City of Fontana adopting the statement of unpaid expenses for Weed Abatement and imposing a lien against real property for payment thereof. Motion carried unanimously.

Staff presentation was given regarding a petition of Code Enforcement of Private Roads.

NB-A PRIVATE
ROAD ENFORCE

Staff presentation by Chief Rodney Jones.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, accepting a petition submitted by Citrus Heights Community Association requesting the City’s enforcement of the Vehicle Code on private roads not open to public use, and setting a Public Hearing prior to enactment of the Ordinance. Motion carried unanimously.

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| The following Elected Officials Communications were received: | E O C |
| Council Member Roberts stated that Chief Jones, himself, and a group will be going on the 3 rd annual trip to Mississippi to help with relief projects. | MISSISSIPPI TRIP |
| Council Member Roberts reminded everyone of the upcoming Boys and Girls Club Luncheon Fundraiser on Wednesday, April 9, 2008, at the Sons of Italy. At which Council Member Scialdone, himself, and a group of men will be dressing up and performing. | FUNDRAISER LUNCHEON |
| Council Member Scialdone thanked the Exchange Club for their recent dinner recognizing the Fontana Explorers. | THANKS |
| Council Member Scialdone congratulated the Housing Department and the City for the recent success of the Laurel Apartments Learning Center. | CONGRATS |
| Council Member Scialdone stated that he recently attended a meeting in the Lake Arrowhead area introducing “Green” living. | INFO GREEN |
| Mayor Pro Tem Warren mentioned that Mayor Nuaimi and Council Member Rutherford are both on vacation. | VACATIONS |
| Mayor Pro Tem Warren stated that this is a great week in the City of Fontana. | GREAT DAY |
| Mayor Pro Tem Warren stated that she attended a meeting of the Healthy Fontana Shareholders, at which they were planning the upcoming Health Walk that will be held at the California Speedway on April 19, 2008. | HEALTHY FONTANA |
| Mayor Pro Tem Warren stated that the County is working with the regional parks on a program that will allow low income families to go camping. | CAMPING LOW INCOME |
| Mayor Pro Tem Warren mentioned that this weekend the Pony Leagues will be having their opening day ceremonies at both Coyote Canyon and Veterans Parks. | PONY LEAGUE |

Mayor Pro Tem Warren reminded the residents that Saturday, April 19, 2008 will be the Grand Opening of the Lewis Library and Technology Center.

GRAND OPENING

The following City Manager Communications were received:

C M C

Manager Hunt stated that April 19, 2008, will be a great day for the Fontana Community with the wonderful facilities of the new library being celebrated.

NEW LIBRARY

Manager Hunt thanked Mr. Bishop of Chaffey College for coming out, introducing himself and for the great opportunities that Chaffey College brings to the City of Fontana.

CHAFFEY COLL.

The City Council meeting adjourned by consensus, at 8:02 p.m. to the next Regular City Council Workshop on Tuesday, April 8, 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 8th DAY OF APRIL 2008.

Tonia Lewis
City Clerk