

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

A workshop meeting of the Fontana City Council was held on Tuesday, July 8, 2008, in the City of Fontana Executive Conference Room, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 5:35 p.m.

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

Absent: Mayor Pro Tem Warren

Council Member Scialdone asked to pull Item "A" under New Business (Vacant, Abandoned or Foreclosed Property) in order to evaluate the State law. A workshop will be scheduled.

Community Services Director, Ken Herron requested Public Hearing item D (3), Federal Grant Program, pulled. He noted the other two items can be acted upon. Council agreed.

Following agenda review and City Manager comments, the meeting adjourned to a Closed Session.

The Regular Meeting of the City of Fontana City Council was held on Tuesday, July 8, 2008, in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:05 p.m.

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

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 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

There was no reportable action.

The following Special Presentations were made:

S P

Mayor and Council recognized Corporals Kurt Schlotterbeck, Cliff Ohler, Shawn Hare, Andy Delgado and Officer Matt Roth as the June "Employees of the Month", presented by Chief Rod Jones.

Council received a Certificate of Completion for the formation of the Fontana Fire Protection District. Presented by Kathleen Rollings-McDonald, LAFCO Executive Officer.

Mayor and Council recognized Artist Pablo Damas, presented by Ken Herron, Community Services.

The following Public Communications were received:

P C

Eric Bishop, 16855 Merrill Avenue, Fontana, spoke regarding upcoming events at Chaffey College. He noted the Fall 2008 semester starts in August and applications are still being accepted. Phase III of the college expansion continues. A 30,000 square foot building is in the process of completion.

David Pulido, 8491 Sierra Avenue, Fontana, spoke regarding Chamber of Commerce upcoming events in July and August. The AAA race track has created a Chamber Zone of seats for individuals to expose their businesses, noting this event will be for a three day weekend and the price is \$2,000, which includes tickets to the races. He stated other upcoming events will be a golf tournament and new senior services.

Tony Orlich, Randall Avenue, spoke regarding concern for lack of caring for community involvement.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Rutherford, approving Consent Calendar Items "A-F" as follows:

CC

A. Approving the minutes of the June 18, 2008 Adjourned Regular Meeting and the June 24, 2008 Regular City Council Meeting.

MINUTES

B. Accepting replacement of securities for Tract No. 17440 necessitated by change in ownership of the tract, and authorizing the City Manager to enter into a subdivision agreement with Leenmar Construction fro the construction improvements in said tract.

ACPT TRACT
17440
AGRMT

C. (1) Adopting **Resolution No. 2008-67**, declaring its intention to set a public hearing for the purpose of declaring a portion of the public right-of-way known as a segment of Highland Avenue as unnecessary for present or prospective public use and vacating the same pursuant to Streets and Highways Code §8320 et. seq.

ADOPT RES
2009-67
VACATE
PROPERTY

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- (2) Setting the public hearing for August 12, 2008, for the consideration of the final action.

- D. Approving a Memorandum of Understanding between the Police Department and the Etiwanda School District to maintain the School Resource Officer Program at Heritage Middle School. APRV MOU
PD/SCHOOL

- E. (1) Adopting **Resolution No. 2008-68**, declaring intention to annex territory to Community Facilities District No. 56M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 3). Located north of Foothill Boulevard between Cypress Avenue and Juniper Avenue. ADOPT RES
CFD 56M
INTENT TO
ANNEX
 (2) Setting the public hearing for August 12, 2008, for the formation of the District and call the special election for August 12, 2008.

- F. Authorizing the City Manager to enter into an agreement with E.S. Babcock & Sons, Inc., for laboratory services for a period of two years, renewable for three additional one year increments at the City’s sole discretion. AGRMT
ES BABCOCK

- G. Adopting resolution authorizing the recording of a Notice of Cessation of special tax lien for certain properties within Community Facilities District No. 56M. PULLED
FROM
AGENDA

Motion carried unanimously.

Public hearing was opened regarding amendment to the Disposition and Development Agreement with Bluegrass LLC. PH-A
RES 08-07
ADOPT
FRD
BLUEGRASS
FUSD
 No written communication was received.
 Deputy City Manager, Debbie Brazill gave the staff presentation.
 No one spoke in favor or opposition.
 Public hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Scialdone (1) Adopting **Resolution 2008-70**, approving the first Amendment to 2005 Disposition and Development Agreement between the Fontana Redevelopment Agency and Bluegrass, LLC regarding the potential sale of the subject property to the Fontana Unified School District. (2) Authorizing the City Manager to execute any documents necessary to effectuate said approval. Motion was carried unanimously.

Public hearing was opened regarding Justice Assistance Grant. PH-B
JAG
APPROVE
FLE #321
GF #101
 No written communication was received.
 Staff presentation was given by Chief Rod Jones.
 No one spoke in favor or opposition.
 The public hearing was closed.

ACTION: Motion was made by Council Member Scialdone, seconded by Mayor Pro Tem Warren (1) Approving the Justice Assistance Grant (JAG) in the amount of \$28,054 on behalf of the Police Department; and authorizing the Chief of Police or his designee to sign all applicable grant documents. (2) Reducing the Federal Law Enforcement Block Grant Fund #321 Revenue Account by \$53,546 and increase operating transfer in by \$53,546. (3) Increasing the General Fund #101 Operating Transfer by \$53,546 and reduce Fund Balance by \$53,546.

Motion was carried unanimously.

Public hearing was opened regarding Administrative Site Plan No. 07-034 and Sierra Business Park Development Agreement Amendment.
No written communication was received.
Staff presentation was given by Community Development Director, Don Williams
No one spoke in favor or opposition.
The public hearing was closed.

PH-C
CONT
ASP 07-034

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Warren continuing Administrative Site Plan No. 07-034 and Sierra Business Park Development to the August 12, 2008 Council meeting.

Public hearing was opened regarding Federal Transit Administration Grant Program.
No written communication was received.
Staff presentation was given by Community Services Director, Ken Herron
No one spoke in favor or opposition.
The public hearing was closed.

PH-D
ADOPT
RES 08-71
FEDERAL
TRANSIT
GRANT
PROGRAM

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Roberts (1) Adopting **Resolution No. 2008-71**, certifying that there are no non-profit organizations readily available to carry out the service described in the application submitted by the City of Fontana for Fiscal Year 2008-2009 relating to services under Section 5310 of the Federal Transit Administration Grant Program. (2) Authorizing the City Manager to sign the necessary grant application and any related documentation to implement the grant. Item (3) was pulled. Motion carried unanimously.

ACTION: The City Council by consensus pulled the introduction of the Ordinance adding Section 18-27 to Chapter 18 of the Fontana Municipal Code regarding the responsibility of lenders and other parties with legal interests in vacant, abandoned or foreclosed property.

NB-A
VACANT
PROPERTY

The following Elected Officials Communications were received:

E O C

Council Member Rutherford thanked the City of Fontana for its 4th of July celebration. Staff and everyone worked so hard.

4th OF JULY

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Council Member Rutherford also noted it was nice to honor members of the Armed Forces.	ARMED FORCES
Council Member Rutherford noted the Chamber of Commerce installation was a wonderful program.	CHAMBER
Council Member Rutherford announced that the Center Stage will open on Friday, July 25, 2008, and she reviewed upcoming events.	CTR STAGE
Council Member Rutherford noted the Lewis Library volunteers will be honored on Friday, July 11, 2008.	LIBRARY VOLUNT
Council Member Rutherford announced August 1, 2008, the Boys and Girls Club will have a Golf Tournament.	GOLF TOURNMT
Council Member Roberts thanked the City of Fontana for a fabulous 4 TH of July event, noting it gets better every year.	4 th OF JULY
Council Member Roberts stated the Chamber of Commerce had a fabulous event.	CHAMBER
Council Member Roberts stated this evening marks a historic event, the re-creation of the Fontana Fire District which was from 1928 – 1973. He stated it has been 35 years since there has been a Fire District.	FIRE DIST.
Mayor Pro Tem Warren complimented Community Services on the 4 th of July event, and thanked the dancers who performed.	4 th OF JULY
Mayor Pro Tem Warren complimented Chuck Hayes, Public Services Department, for repairs/corrections made and putting up a sign for a monument for the Village of Heritage.	REPAIRS
Mayor Pro Tem Warren stated she attended a public meeting last evening, July 7, 2008, with the Mayor and City Manager Hunt and was pleased that there is a change within our community.	MEETING
Mayor Pro Tem Warren wished everyone a happy summer and encouraged everyone to watch out for the children.	SUMMER
Council Member Scaldone congratulated Community Services and Ken Herron on the 4 th of July celebration. He stated Community Services Director Ken Herron was surprised with the performance of the band, “Papa Do Run Run”.	4 th OF JULY
Council Member Scaldone gave congratulations to the Chamber of Commerce on the incoming President Jimmy Tatosian and the outgoing President Everett Thompson.	CHAMBER

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Council Member Scialdone gave congratulations to Pat Murray and family for the park dedication. He also noted John Roberts emceed the program and did a wonderful job. P.MURRAY PARK

Council Member Scialdone stated he attended the League of California Cities Public Safety Policy Committee meeting in Sacramento on June 27th. He stated the Public Safety Policy Committee voted to support the "Safe Neighborhoods Act Stop Gang, Gun and Street Crime Ballot Initiative". This Ballot Initiative is a multi-component act which increases penalties for certain gun and drug offenses, provides funding for targeting gangs and violent crimes and increases funding for law enforcement. Council Member Scialdone requested that the City Council support this initiative and that it be brought back before the Council on a future agenda for consideration. SAFETY

Mayor Nuaimi congratulated President Jimmy Tatosian of the Chamber of Commerce. Jim Brulte was the Master of Ceremonies and did a great job. CHAMBER

Mayor Nuaimi stated at the next Council meeting there will be a brief presentation regarding the Center Stage. CENTER STAGE

Mayor Nuaimi stated he received a number of emails on the challenges on the San Bernardino Avenue construction project. He stated it is scheduled to be completed at the end of this month. He requested apologies for the delay and asked for patience. SB AVE

Mayor Nuaimi thanked staff for the 4th of July event. He stated the fireworks were phenomenal and were affordable. 4th of JULY

Mayor Nuaimi thanked staff that hosted Senator McLeod, who is a member of the Transportation Sub-Committee, along with the City of Upland, noting she was driven to the I-10 Colton crossing and back to Cherry Avenue, and she was there just long enough for her to see the number of trucks coming onto the I-10 at Cherry Avenue. He stated the Senator understands our issues and saw first hand the I-10 corridor. He noted representatives from the State Senate and Supervisors were also present and we now have a friend in Washington. SENATOR

The City Council meeting adjourned by consensus at 8:50 p.m. to a workshop meeting on August 12, 2008 at 5:00 p.m. in the Executive Conference Room and then to the regular meeting in the City Council Chambers at 7:00 p.m. in the City Hall Council Chambers. ADJOURN

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 22nd DAY OF JULY 2008.

Tonia Lewis
City Clerk