A. CALL TO ORDER

The Rancho Cucamonga Redevelopment Agency held a closed session on Wednesday, November 16, 2011 in the Council Chambers at the Civic Center located at 10500 Civic Center Drive, Rancho Cucamonga, California. The meeting was called to order at 5:00 p.m. by Chairman L. Dennis Michael.

Present were Agency Members: Bill Alexander, Diane Williams, Vice Chairman Sam Spagnolo and Chairman L. Dennis Michael. Chuck Buquet was absent.

Also present were: John Gillison, City Manager; Debra McNay, Records Manager/Assistant City Clerk and Shirr’l Griffin, Deputy City Clerk.

B. ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

The following closed session item is being considered:

D1. CONFERENCE WITH PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF BASE LINE ROAD AND DAY CREEK BOULEVARD, IDENTIFIED AS APN 1089-031-35, 1089-031-15 AND 1089-031-16; NEGOTIATING PARTIES: LINDA D. DANIELS, ASSISTANT CITY MANAGER, CITY OF RANCHO CUCAMONGA; AND DAVID LINDEN, LEWIS GROUP OF COMPANIES, REGARDING TERMS OF AGREEMENT – RDA

C. PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEM(S)

No persons were present wishing to speak.

D. RECESS

The closed session recessed at 5:01 p.m. to the Tapia Room.

E. CONDUCT OF CLOSED SESSION – TAPIA ROOM

Closed session began at 5:45 p.m. Present were Agency Members: Bill Alexander, Chuck Buquet, Diane Williams, Vice Chair Sam Spagnolo and Chairman L. Dennis Michael.

Also present were: John Gillison, City Manager; Jim Markman, City Attorney and Linda Daniels, Assistant City Manager.

E. CITY MANAGER ANNOUNCEMENTS

No announcements were made.

F. RECESS

The closed session recessed at 6:30 p.m. with no action taken.
The meetings of the Rancho Cucamonga Redevelopment Agency, Fire Protection District, Financing Authority and City Council reconvened in the Council Chambers of the Civic Center located at 10500 Civic Center Drive, Rancho Cucamonga, California. Chairman/President/Chairman/Mayor L. Dennis Michael called the meeting to order at 7:00 p.m.

Present were Agency Members/Board Members/Board Members/Council Members: Bill Alexander, Chuck Buquet, Diane Williams, Vice Chairman/Vice President/Vice Chairman/Mayor Pro Tem Sam Spagnolo and Chairman/President/Chairman/Mayor L. Dennis Michael.

Also present were: John Gillison, City Manager; Jim Markman, City Attorney; Linda Daniels, Assistant City Manager; Bill Wittkopf, Public Works Services Director; Fire Chief Mike Bell; James Troyer, Planning Director; Kevin McArdle, Community Services Director; Jim Frost, City Treasurer; Debra McNay, Records Manager/Assistant City Clerk and Shirr'1 Griffin, Deputy City Clerk.

**H. ANNOUNCEMENTS/PRESENTATIONS**


Fabian Villenas, Principal Management Analyst and Alana Rivadeneyra, Energy Efficiency Coordinator, announced the grand prize winner of the Healthy RC Energy Efficiency Home Makeover Contest and thanked the participating contractors.

H2. Presentation by Ingrid Bruce and Solomon Nimako on Mobile Applications.

Ingrid Bruce, GIS/Special District Manager and Solomon Nimako, GIS Fire Analyst made a presentation on the use of mobile applications. Mayor Michael presented a proclamation to the GIS Division.

**I. PUBLIC COMMUNICATIONS**

I1. Ryan Samples, Central Park/Senior Programs Supervisor provided a highlight to the City Council and the audience of last Friday’s Veteran’s Day event at Central Park.

I2. Hugh Jackson expressed concerns with the pending installation of a traffic signal at the intersection of Chuck and Terra Vista Parkway. Mr. Jackson preferred the existing four way stop at this location. He stated that he had spoken with the Acting Traffic Engineer and that an Impact Study was being conducted.

I3. Jerie Lee spoke about Item N1 (Parade and Assemblies Ordinance No. 851), noting that the language in both Ordinance No. 849 and 851 was very confusing. She did not know what requires a permit and what does not require a permit. At the last meeting, the Mayor had indicated that Ordinance No. 851 was scheduled for second reading and the Assistant City Clerk/Records Manager had stated that it was scheduled for first reading. Also, the agenda indicated that the Ordinance had a public hearing and it did not have one.

I4. Nacole Smith, Program Coordinator with the African American Health Institute reported that she was present tonight to share the African American based population report (draft), which is available at www.AAHI-SBC.org.
I5. Jeane Ensley addressed Item N1 (Parade and Assemblies Ordinance No. 851). She noted the need to address spontaneous assemblies in the Ordinance. Also, she was told outside of the meeting that the matter was closed and was not able to discuss it further with Chief Newcombe. Ms. Ensley requested that the statement made at the last meeting regarding the denial of a permit for counter-protesters be clarified. She also requested that the City Attorney apologize for comments made at the last meeting.

I6. Jim Moffatt agreed with the previous speaker, noting that an apology is needed. He addressed the money spent during the last election and noted that Council Member Buquet was not elected into office but appointed. Mr. Moffatt asked that the City Council show compassion when addressing the audience and not embarrass the speakers.

I7. Hilda Phillips spoke about a recent Veteran's Day remembrance visit and read a poem entitled, “A Poem for Peace” in the memory of her brother.

I8. Jim Frost invited the City Council and the audience to the Etiwanda Historical Society’s Old Fashioned Open House from 10:00 a.m. to 3:00 p.m. He also spoke about the Police and Fire Departments escort of Sergeant Carlo Eugenio's remains to the Riverside National Cemetery.

I9. John Lyons announced that the Sacred Heart Roman Catholic Church would be providing Thanksgiving Dinner on Thursday from 11:00 a.m. to 2:00 p.m. Also, he invited everyone to the Old Fashioned Open House on Saturday. Mr. Lyons commented on his radio show on Sunday at 9:30 a.m.

I10. Bill Hanlon spoke about Item N1 (Parade and Assemblies Ordinance No. 851) and asked for positive leadership, not lectures or insults.

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**CONSENT CALENDARS:**

The following Consent Calendar items are expected to be routine and non-controversial. They will be acted upon by the Agency/Fire Board/Authority Board/Council at one time without discussion. Any item may be removed by an Agency/Fire Board/Authority Board/Council Member for discussion.

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**J. CONSENT CALENDAR – REDEVELOPMENT AGENCY**

| J1. Approval of Minutes: November 2, 2011 (Regular Meeting) |
| J2. Approval of Check Register dated October 26 through November 7, 2011, for the total amount of $1,520,528.07. |
| J3. Approve to receive and file current Investment Schedule as of October 31, 2011. |

MOTION: Moved by Spagnolo, seconded by Williams, to approve the staff recommendations in the staff reports. Motion carried 5-0.

**K. CONSENT CALENDAR – FIRE PROTECTION DISTRICT**

| K1. Approval of Minutes: November 2, 2011 (Regular Meeting) |
| K2. Approval of Check Register dated October 26 through November 7, 2011, for the total amount of $264,099.56. |
| K3. Approval to receive and file current Investment Schedule as of October 31, 2011. |

MOTION: Moved by Buquet, seconded by Alexander, to approve the staff recommendations in the staff reports. Motion carried 5-0.
L. CONSENT CALENDAR – PUBLIC FINANCING AUTHORITY

L1. Approval of Minutes: November 2, 2011 (Special Meeting)

MOTION: Moved by Williams, seconded by Buquet, to approve the minutes. Motion carried 5-0.

M. CONSENT CALENDAR – CITY COUNCIL

M1. Approval of Minutes: November 2, 2011 (Regular Meeting)

M2. Approval of Check Register dated October 26 through November 7, 2011, and payroll ending November 7, 2011, for the total amount of $3,059,203.99.

M3. Approval to receive and file current Investment Schedule as of October 31, 2011.

M4. Approval to receive Community Services Update Report.

M5. Approval of the negotiated purchase, delivery and installation of one (1) LED Display Video Board and applicable equipment from Daktronics, Inc. of Brookings, South Dakota, for the Victoria Gardens Cultural Center in the best and final offer amount of $120,292, in accordance with RFQ #113536 and authorize a 10% contingency of $12,029; appropriate $175,000 from Fund 615 Fund balance to Account No. 1615303-5650/1782615-6314 for the video board purchase, installation and design related expenses; and authorize the advertising of the “Notice Inviting Bids” for the Victoria Gardens Cultural Center LED Sign Installation Project, to be funded from Account No. 1615303-5650/1782615-6314.

MOTION: Moved by Williams, seconded by Spagnolo, to approve the staff recommendations in the staff reports. Motion carried 5-0.

N. CONSENT ORDINANCES

The following Ordinances have had public hearings at the time of first reading. Second readings are expected to be routine and non-controversial. The Agency, Fire Board, or Council will act upon them at one time without discussion. The City Clerk will read the title. Any item can be removed for discussion by an Agency Member, Board Member, or Council Member.

N1. CONSIDERATION OF SECOND READING OF AN ORDINANCE AMENDING ORDINANCE NO. 849 ESTABLISHING A PERMIT PROCESS FOR DESIGNATED PARADES AND ASSEMBLIES WITHIN THE CITY OF RANCHO CUCAMONGA

ORDINANCE NO. 851 (second reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, AMENDING CHAPTER 8.44 OF THE RANCHO CUCAMONGA MUNICIPAL CODE REGARDING A PARADES AND ASSEMBLIES ORDINANCE

City Manager John Gillison addressed the language below the heading, noting that it is a boilerplate and is not correct as a public hearing was not held on this Ordinance.

Council Member Alexander indicated that when the community is involved in the crafting of an Ordinance, they are more likely to buy off on it. Council Member Alexander expressed a concern that when the residents approached the Police Chief, the option of repealing the Ordinance was not on the table.
Mayor Michael noted that the permit requirements were clearly outlined at the last meeting, noting that no permit is needed if you don’t impede traffic and obey all traffic control devices. However, he noted that this Ordinance is not set in stone and can be amended or repealed if needed. Mayor Michael noted the assemblies being held across the United States and pointed out the desire for peaceful assemblies and parades in the City, which do not negatively impact the health and safety of the community.

City Attorney Jim Markman pointed out his obligation to address the constitutionality of the Ordinance when requested to do so by the Mayor. He apologized if someone took offense, noting that the comments were not directed personally. Council Member Buquet noted that the intent of the Ordinance is to protect the safety and welfare of the community and did not expect the people speaking tonight to change their minds. However, he noted that there are other members of the community who understand and support these regulations. Council Member Buquet noted that the Ordinance is subject to revisions and will be monitored.

MOTION: Moved by Spagnolo, seconded by Williams, to adopt Ordinance No. 851 for second reading. Motion carried 4-1, with Council Member Alexander voting no.

### O. ADVERTISED PUBLIC HEARINGS
#### FIRE PROTECTION DISTRICT

The following items have been advertised and/or posted as public hearings as required by law. The Chair will open the meeting to receive public testimony.

O1. **CONSIDERATION TO ADOPT A RESOLUTION MAKING DETERMINATIONS REGARDING THE PROPOSED ANNEXATION OF TERRITORY (WATER MILL HOMES, INC. – APNS 1089-081-16, 17, 20 & 21 - ANNEXATION NO. 11-2) TO AN EXISTING COMMUNITY FACILITIES DISTRICT, CALLING A SPECIAL ELECTION AND AUTHORIZING SUBMITTAL OF LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS**

   **RESOLUTION NO. FD 11-043**

   A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO CUCAMONGA FIRE PROTECTION DISTRICT, RANCHO CUCAMONGA, CALIFORNIA, MAKING CERTAIN DETERMINATIONS REGARDING THE PROPOSED ANNEXATION OF TERRITORY (ANNEXATION NO. 11-2) TO AN EXISTING COMMUNITY FACILITIES DISTRICT (CFD 85-1) AND CALLING A SPECIAL ELECTION AND AUTHORIZING THE SUBMITTAL OF THE LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS OF SUCH TERRITORY

City Manager John Gillison noted that this item is proposed to be cancelled at the request of the applicant. The public hearing will be noticed at a later date.

O2. **CONSIDERATION TO ADOPT A RESOLUTION MAKING DETERMINATIONS REGARDING THE PROPOSED ANNEXATION OF TERRITORY (CHASE BANK – APN 1076-011-03 - ANNEXATION NO. 11-3) TO AN EXISTING COMMUNITY FACILITIES DISTRICT, CALLING A SPECIAL ELECTION AND AUTHORIZING SUBMITTAL OF LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS**

   **RESOLUTION NO. FD 11-044**

   A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO CUCAMONGA FIRE PROTECTION DISTRICT, RANCHO CUCAMONGA, CALIFORNIA, MAKING CERTAIN DETERMINATIONS REGARDING THE PROPOSED ANNEXATION OF TERRITORY (ANNEXATION NO. 11-3) TO AN EXISTING COMMUNITY FACILITIES DISTRICT (CFD 85-1) AND CALLING A SPECIAL ELECTION AND AUTHORIZING THE SUBMITTAL OF THE LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS OF SUCH TERRITORY
Chief Mike Bell presented the staff report.

President Michael opened the public hearing. With no one wishing to speak, President Michael closed the public hearing.

MOTION: Moved by Alexander, seconded by Buquet, to adopt Resolution No. FD 11-044. Motion carried 5-0.

O3. CONSIDERATION TO ADOPT A RESOLUTION MAKING DETERMINATIONS REGARDING THE PROPOSED ANNEXATION OF TERRITORY (LASZLO & MAUREEN VASS, OWNERS – APN 0207-022-56 - ANNEXATION NO. 11-4) TO AN EXISTING COMMUNITY FACILITIES DISTRICT, CALLING A SPECIAL ELECTION AND AUTHORIZING SUBMITTAL OF LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS

RESOLUTION NO. FD 11-045

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO CUCAMONGA FIRE PROTECTION DISTRICT, RANCHO CUCAMONGA, CALIFORNIA, MAKING CERTAIN DETERMINATIONS REGARDING THE PROPOSED ANNEXATION OF TERRITORY (ANNEXATION NO. 11-4) TO AN EXISTING COMMUNITY FACILITIES DISTRICT (CFD 85-1) AND CALLING A SPECIAL ELECTION AND AUTHORIZING THE SUBMITTAL OF THE LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS OF SUCH TERRITORY

Chief Mike Bell presented the staff report.

President Michael opened the public hearing. With no one wishing to speak, President Michael closed the public hearing.

MOTION: Moved by Buquet, seconded by Williams, to adopt Resolution No. FD 11-045. Motion carried 5-0.

P. CITY MANAGER’S STAFF REPORTS

The following items have no legal publication or posting requirements.

P1. UPDATE ON PLANS FOR DEVELOPMENT OF FREEDOM COURTYARD AT CENTRAL PARK (PowerPoint Presentation).

Nettie Nielsen, Superintendent, provided a PowerPoint presentation on the development of the Freedom Courtyard at Central Park.

P2. UPDATE ON UPCOMING SPARK OF LOVE TOY DRIVE EVENT (Oral Presentation)

Kelley Donaldson, Public Information Specialist, invited the City Council and the audience to the kickoff of the annual Spark of Love Toy Drive on November 20, 2011 at 6:00 p.m. at the Rancho Cucamonga Metrolink Station.

Q. COUNCIL BUSINESS

Q1. COUNCIL ANNOUNCEMENTS (Comments to be limited to three minutes per Council Member.)

Mayor Pro Tem Spagnolo announced the Sons of Italy Texas Hold’em Tournament on November 19, 2011 and wished everyone a Happy Thanksgiving.
Mayor Michael thanked the Police and Fire Departments for their escort of Sergeant Carlo Eugenio on Monday and the Community Services Department for an outstanding Veteran’s Day event and Founder’s Day celebration over the weekend.

R. IDENTIFICATION OF ITEMS FOR NEXT MEETING

No items were identified.

S. ADJOURNMENT

Mayor Michael adjourned the meeting at 9:02 p.m.

Respectfully submitted,

Debra L. McNay, MMC
Assistant City Clerk/Records Manager

Approved: December 7, 2011