A. CALL TO ORDER

The Rancho Cucamonga Redevelopment Agency and City Council held a closed session on Wednesday, September 1, 2010, in the Tapia Room of the Civic Center located at 10500 Civic Center Drive, Rancho Cucamonga, California. The meeting was called to order at 5:10 p.m. by Mayor Donald J. Kurth.

Present were Boardmembers/Councilmembers: Rex Gutierrez, Diane Williams, Sam Spagnolo, Vice Chairman/Mayor Pro Tem L. Dennis Michael and Chair/Mayor Donald J. Kurth.

Also present were: Jack Lam, City Manager; John Gillison, Assistant City Manager; Linda Daniels, Deputy City Manager and James Markman, City Attorney.

B. ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

Mayor Donald J. Kurth announced the closed session items:

D1. CONFERENCE WITH PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR UPDATE ON PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF FOOTHILL, WEST OF ARCHIBALD AVENUE; NEGOTIATING PARTIES: LINDA D. DANIELS, DEPUTY CITY MANAGER, ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES, FOR THE CITY, AND BRIAN SMITH FOR LAMAR OUTDOOR ADVERTISING - RDA

D2. CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL LITIGATION PER GOVERNMENT CODE SECTION 54956.9(A) FOR CITY OF RANCHO CUCAMONGA’S OBLIGATION UNDER CONTRACT NUMBER CO 06-179 TO SOUTHERN CALIFORNIA EDISON - CITY

C. PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEM(S)

No one was present to comment on the closed session item.

D. CONDUCT OF CLOSED SESSION

Closed session began at 5:10 p.m.

E. CITY MANAGER ANNOUNCEMENTS

No announcements were made.

F. RECESS
The closed session recessed at 6:50 p.m. with no action taken.

**G. REGULAR MEETING**

**CALL TO ORDER – 7:00 P.M.**

**COUNCIL CHAMBERS**

The meeting of the Rancho Cucamonga Redevelopment Agency, Fire Protection District, and City Council reconvened in the Council Chambers of the Civic Center located at 10500 Civic Center Drive, Rancho Cucamonga, California. Chairman/President/Mayor Donald J. Kurth called the meeting to order at 7:00 p.m.

Present were Agencymembers/Boardmembers/Councilmembers: Rex Gutierrez, Diane Williams, Sam Spagnolo, Vice Chairman/Vice President/Mayor Pro Tem L. Dennis Michael and Chairman/President/Mayor Donald J. Kurth.

Also present were: Jack Lam, City Manager; James Markman, City Attorney; John Gillison, Assistant City Manager; Linda Daniels, Deputy City Manager; James Troyer, Planning Director; Bill Wittkopf, Public Works Director; Trang Huynh, Building and Safety Official; Mark Steuer, Engineering Director; Kevin McArdle, Community Services Director; Joe Cusimano, Police Chief; Mike Bell, Fire Chief; Janice C. Reynolds, City Clerk; Debra McNay, Records Manager/Assistant City Clerk and Shirr’l Griffin, Deputy City Clerk.

**H. ANNOUNCEMENTS/PRESENTATIONS**

H1. Presentation of a Proclamation in recognition of September 2010 as “National Childhood Obesity Awareness Month.”

Mayor Kurth presented a proclamation in recognition of National Childhood Obesity Awareness Month.


Mayor Kurth presented a proclamation in recognition of National Preparedness Month.

H3. Community Services Department Summer 2010 programs and activities review.

(PowerPoint)

Daniel Schneider, Volunteers/Special Events Supervisor and Heather Davis, Youth/Teen Programs Supervisor highlighted the Community Services Department’s summer 2010 programs and activities.

H4. Presentation of a Proclamation in recognition of September 2010 as “National Senior Center Month.”

Mayor Kurth presented a proclamation in recognition of National Senior Center Month.

**I. PUBLIC COMMUNICATIONS**

I1. Paul Biane was not present.
I2. Brenda Chabot, Executive Director of Drug Free RC, spoke in support of Item N1 (Social Host ordinance) and concurred with the revocation of Beer Mug's Conditional Use Permit (Item M2). She requested that the audience raise their hands if they supported Item N1.

I3. Michael Parmer indicated that he was a Drug Free RC coalition member. He supported Item N1 (Social Host ordinance).

I4. Ed Dietl suggested that the City use the rich history of the area (namely Route 66) to generate revenue through tourism. He made a PowerPoint presentation.

I5. Jerie Lee invited the Council and the audience to a Candidate's Forum, to be held on October 26, 2010 from 6:30 – 9:00 p.m. at the Senior Center. She noted a vacant home two doors down from her residence and requested a report on why the fine authorized by Senate Bill 1137 was not being levied.

I6. Joseph Losch thanked the City Council for designating September 26, 2010 as Mesothelioma Awareness Day.

I7. Rod Elsdan indicated that he was contacted by staff after the last meeting in which he suggested that the 2-hour parking signs be modified to exempt residents of the street. Mr. Elsdan expressed concerns with being told that the suggestion was not enforceable. City Attorney Jim Markman commented on the suggestion.

I8. Jim Moffatt noted that the parks in the City are not free and disagreed with the Community Services Director's statement that the rate was $35.00. On the overhead, he provided one page of the Department's fee schedule as well as a reservation sheet and noted that this fee is not listed. In response, Mayor Pro Tem Michael indicated that there is a $75.00 fee for 2 hours, which equates to $37.50 per hour. Mr. Moffatt expressed a concern with teams being removed from vacant fields.

I9. Evony Burns announced the opening of a new bakery in the City and indicated that Patti Cakes would be open in October.

I10. Jackie Bolda supported the programs and activities offered by the Community Services Department to fight childhood obesity. She supported the proposed water district assessment (Item M1) and suggested that a Commission be established to prevent future misunderstandings. In response to Mayor Kurth, she clarified her comments to be regarding the landscape maintenance district assessment.

I11. Roger Jon Diamond withdrew his request to speak.

I12. Sergio Martinez appreciated the results of last year's nuisance abatement proceedings but noted that there still is an issue with access to utilities being blocked by a fence. He requested that the matter be placed on the next agenda.

I13. Susan Pena indicated that she is a member of Mothers Against Drunk Driving and spoke in support of Item N1 (Social Host ordinance).

J. CONSENT CALENDAR – REDEVELOPMENT AGENCY

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

J1. Approval of Minutes: August 18, 2010 (Regular Meeting)

J2. Approval of Check Register dated August 11 through August 24, 2010, for the total amount of $361,283.51.
J3. Approval to accept the “2010 Local Agency Biennial Notice” pertaining to the Agency’s Conflict of Interest Code.

J4. Approval to accept the Haven Avenue Underpass Capital Project, Contract No. RA 08-026 as complete, release the bonds, accept a maintenance bond, and authorize the City Engineer to file a Notice of Completion and approve the final contract amount of $14,514,069.64.

RESOLUTION NO. RA 10-018

A RESOLUTION OF THE RANCHO CUCAMONGA REDEVELOPMENT AGENCY, RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE HAVEN AVENUE UNDERPASS CAPITAL PROJECT, CONTRACT NO. RA 08-026 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

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

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

K1. Approval of Minutes: August 18, 2010 (Regular Meeting)

K2. Approval of Check Register dated August 11 through August 24, 2010, for the total amount of $532,095.60.

K3. Approval to accept the “2010 Local Agency Biennial Notice” pertaining to the District’s Conflict of Interest Code.

K4. Approval to enter into Waterline and Sewerline Improvement Agreements (FD 10-011 & FD 10-012) with Cucamonga Valley Water District in conjunction with the Hellman Fire Station (177) Construction Project.

K5. Approval of a Resolution declaring results of a Special Election in Community Facilities District No. 88-1, Annexation No. 88-10-1 (Amin Khan, Owner – APNs 0201-182-36,37&38).

RESOLUTION NO. FD 10-038

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO CUCAMONGA FIRE PROTECTION DISTRICT, RANCHO CUCAMONGA, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 88-1, DECLARING THE RESULTS OF A SPECIAL ELECTION IN COMMUNITY FACILITIES DISTRICT NO. 88-1, ANNEXATION NO. 88-10-1 AND ORDERING THE ANNEXATION OF SUCH PROPERTY TO COMMUNITY FACILITIES DISTRICT NO. 88-1

MOTION: Moved by Michael, seconded by Gutierrez, to approve the staff recommendations in the staff reports contained within the Consent Calendar. Motion carried 5-0.

L. CONSENT CALENDAR – CITY COUNCIL

The following Consent Calendar items are expected to be routine and non-controversial. They will be acted upon by the Council at one time without discussion. Any item may be removed by a Councilmember for discussion.
L1. Approval of Minutes: August 18, 2010 (Regular Meeting)

L2. Approval of Check Register dated August 11 through August 24, 2010, and payroll ending August 24, 2010, for the total amount of $3,538,310.90.

L3. Approval to proceed with amendments to the City’s 2010 Conflict of Interest Code.

L4. Approval to accept grant revenue in the amount of $5,000 from Kaiser Foundation Hospital, Fontana Medical Center, into Account No. 1218000-4905 (Grant Revenue) and authorization to appropriate $1,000 into Account No. 1218102-5300 (Contract Services) and $4,000 into Account No. 1218102-5200 (Materials/Supplies) for costs associated with the development and coordination of the Gardening Reaps Overall Wellness (GROW) Program.

L5. Approval of a Resolution adopting the Citizen Corps Annex to the Emergency Operations Plan and establishing a Citizen Corps Council and Community Emergency Response Team training program. (DISCUSSED AS ITEM N2)

RESOLUTION NO. 10-138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ADOPTING THE CITIZEN CROPS ANNEX TO THE EMERGENCY OPERATIONS PLAN AND ESTABLISHING A CITIZEN CORPS COUNCIL AND COMMUNITY EMERGENCY RESPONSE TEAM TRAINING PROGRAM

L6. Approval of an Amendment to City Council Resolution Number 82-147, Section 3, concerning interest rate for developer to developer reimbursement agreements.

RESOLUTION NO. 10-139

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING AN AMENDMENT TO CITY COUNCIL RESOLUTION NO. 82-147, SECTION 3, CONCERNING INTEREST RATE FOR DEVELOPER TO DEVELOPER REIMBURSEMENT AGREEMENTS

L7. Approval of a Resolution adopting the Measure "I" Five-Year Capital Improvement Program and Improvement Plan Expenditure Strategy for Measure "I" Funds covering Fiscal Years 2010/2015.

RESOLUTION NO. 10-140

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ADOPTING THE MEASURE "I" FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM COVERING FISCAL YEARS 2010/2015 AND IMPROVEMENT PLAN EXPENDITURE STRATEGY FOR THE EXPENDITURE OF MEASURE "I" FUNDS

L8. Approval of attached Resolution authorizing the City’s Finance Director to file and sign a claim for reimbursement of Local Transportation Fund, Article 3 Funds that the San Bernardino Associated Governments had set aside for the construction of the Pacific Electric Inland Empire Trail, Phases 4A and 4B.
RESOLUTION NO. 10-141

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, AUTHORIZING THE CITY’S FINANCE DIRECTOR TO FILE AND SIGN A CLAIM FOR REIMBURSEMENT OF LOCAL TRANSPORTATION FUND, ARTICLE 3 FUNDS THAT THE SAN BERNARDINO ASSOCIATED GOVERNMENTS HAD SET ASIDE FOR THE CONSTRUCTION OF THE PACIFIC ELECTRIC INLAND EMPIRE TRAIL, PHASES 4A AND 4B

L9. Approval to order the annexation of the certain territory known as Haven Avenue Underpass project to Landscape Maintenance District No. 3B, located on Haven Avenue between 7th Street and Jersey Boulevard.

RESOLUTION NO. 10-142

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ORDERING THE ANNEXATION OF CERTAIN TERRITORY TO LANDSCAPE MAINTENANCE DISTRICT NO. 3B (COMMERCIAL INDUSTRIAL MAINTENANCE DISTRICT) FOR HAVEN AVENUE UNDERPASS CAPITAL PROJECT

L10. Approval to release Faithful Performance Bond No. 7607664, retained in lieu of a Maintenance Bond, in the amount of $239,300.00, for the Arrow Route Pavement Rehabilitation from Miliken Avenue to Rochester Avenue, Contract No. 09-177.

L11. Approval to release the Maintenance Guarantee Bond for DRC2006-00866, located on the north side of 6th Street, west of Etiwanda Avenue, submitted by RWC Enterprises, Inc.

L12. Approval to accept improvements, retain the Faithful Performance Bond in lieu of a Maintenance Bond, and file a Notice of Completion for improvements for DRC2007-00455, located at 6541 Woodruff Place, submitted by TA Construction.

RESOLUTION NO. 10-143


L13. Approval to accept improvements, release the Faithful Performance Bond, accept a Maintenance Bond, and file a Notice of Completion for improvements for Tract 15982-1, located at the northeast corner of Day Creek Boulevard and Wilson Avenue, submitted by KB Home Greater Los Angeles, Inc.

RESOLUTION NO. 10-144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR TRACT 15982-1 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

L14. Approval to release the Retention Basin Maintenance cash deposit (Interim Detention Basin) for Tract 15982-1, located at the northeast corner of Day Creek Boulevard and Wilson Avenue, submitted by KB Home Greater Los Angeles, Inc.

L15. Approval to release the Maintenance Guarantee cash deposit for Parcel Map 16767, located on the north side of Foothill Boulevard, west of Etiwanda Avenue, submitted by Caroline Lee.
L16. Approval to release the Maintenance Guarantee Bond for Parcel Map 17818, located at the southeast corner of Foothill Boulevard and Rochester Avenue, submitted by Footchester Partners I, LLC.

Jack Lam, City Manager, removed Item L5 and requested that it be discussed as Item N2.

MOTION: Moved by Gutierrez, seconded by Michael, to approve the staff recommendations in the remaining staff reports. Motion carried 5-0.

M. ADVERTISED PUBLIC HEARINGS

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

M1. CONSIDERATION OF ALTERNATE FORMS OF RESOLUTIONS TO DECLARE THE RESULTS OF THE ASSESSMENT BALLOT TABULATION FOR PROPOSED LANDSCAPE MAINTENANCE DISTRICT NO. 6-R.

RESOLUTION NO. 10-145


RESOLUTION NO. 10-146

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, DECLARING THE RESULTS OF THE ASSESSMENT BALLOT TABULATION IN PROPOSED LANDSCAPE MAINTENANCE DISTRICT NO. 6-R, DETERMINING THE EXISTENCE OF A MAJORITY PROTEST AND ABANDONING THE PROCEEDINGS TO FORM SUCH LANDSCAPE MAINTENANCE DISTRICT AND TO LEVY ASSESSMENTS THEREIN

John Gillison, Assistant City Manager, presented the staff report.

Mayor Kurth opened the public hearing.

Ed Hills, representing the LMD 6 Coalition, spoke in support of the assessment.

Michelle Goodlande thanked the City Council for taking steps to remedy the situation. She noted that there has been damage done to the landscaping which will take some time to repair and appreciated that a yearly newsletter will be generated.

Oscar urged the City to live within its budget. Adding extra taxes during this economy is not a good idea.

A member of the audience stated that safety issues were created during the reduction of maintenance.
Mayor Kurth closed the public hearing.

Once the public hearing was closed, the ballots for LMD 6 were counted. After the 10:30 p.m. recess and conclusion of Item M2, the City Council adopted the appropriate Resolution.

City Clerk Janice Reynolds stated the following: 1,277 assessment ballots were mailed to the property within the proposed boundaries of the Landscape Maintenance District and 646 valid assessment ballots were received prior to the close of the public hearing. Six ballots were not properly marked or signed and invalidated. 466 assessment ballots representing $162,595.50 of assessments were submitted in support of the levy of the proposed assessments within the Assessment District. 174 assessment ballots representing $59,324.03 of assessments were submitted in opposition to the levy of the proposed assessments within the Assessment District.

John Gillison, Assistant City Manager, stated that a majority protest did not exist for Landscape Maintenance District No. 6R and recommended that Resolution No. 10-145 be adopted.

MOTION: Moved by Michael, seconded by Williams, to adopt Resolution No. 10-145. Motion carried 5-0.

M2. CONSIDERATION OF AN APPEAL OF A PLANNING COMMISSION DECISION TO REVOKE CONDITIONAL USE PERMIT CUP99-43 FOR THE BEER MUG - A public hearing on an appeal of the Planning Commission’s decision to revoke the Conditional Use Permit on the grounds that it is operating in a manner detrimental to the public health, safety, or welfare or materially injurious to properties in the vicinity. The City Council will consider the appeal and may uphold or rescind the revocation or modify the Conditional Use Permit. The business is located within the Regional Related Commercial District, Subarea 4, of the Foothill Boulevard Specific Plan, in the Foothill Marketplace at 12809 Foothill Boulevard, Suite C1-C4 - APN: 0229-031-33. Related files: Conditional Use Permit CUP97-03 and Entertainment Permit EP97-30.

RESOLUTION NO. 10-147


James Troyer, Planning Director, presented the staff report.

In response to Mayor Kurth, Mr. Troyer indicated that the modifications to the floor plan were not approved. He confirmed to Mayor Pro Tem Michael that the changes to the floor plan would result in a change of occupancy, which requires review by Building and Safety.

In response to Councilmember Spagnolo, Mr. Troyer indicated that the calls for service and inspections to the business prompted the Notice of Violation. He noted that a new Conditional Use Permit is needed to modify the floor plan and stated that a new entertainment permit would be required. Mr. Troyer indicated to Councilmember Gutierrez that Mr. Roig was asked to stop entertainment on January 27, 2010 but indicated that the entertainment continued at the establishment for several months.

Mr. Troyer reported to Mayor Kurth that the business was a restaurant when purchased but indicated that it had been evolving into a bar without the necessary permits. Mr. Troyer indicated to Councilmember Williams that regular inspections were done by the Police Department. He stated to Mayor Kurth that the zoning allows a bar at the Beer Mug but indicated that a permit is needed.
In response to Mayor Pro Tem Michael, Mr. Troyer confirmed that Mr. Roig had promised to stop the entertainment on June 2, 2010 but noted that live entertainment occurred at the establishment on June 9, 2010. Mr. Troyer concluded that the PowerPoint presentation consisted of 18 slides.

Officers Nicholas Clark and Ron Wright provided a PowerPoint presentation addressing entertainment, the modification of the establishment and five calls for service. Also, it was noted that three slides containing pictures of nude or scantily clothed women were removed from the presentation but were provided to the City Council and the appellant separately.

In response to Mayor Kurth, Officer Wright confirmed that topless dancers were not allowed. Officer Wright stated to Mr. Markman that there were three slides, totaling five pictures of two different women without their tops.

Officer Clark addressed the circumstances surrounding five specific calls for service.

In conclusion, Mr. Troyer recommended that the City Council uphold the Planning Commission’s decision to revoke the Conditional Use Permit and deny the appeal.

Roger Jon Diamond stated that he is Mr. Roig’s attorney. He indicated that he was not the initial lawyer for this matter but had recently been hired by Mr. Roig to try to resolve the matter. Mr. Diamond agreed with the issues raised by the previous attorney and added the following concerns:

Mr. Diamond noted that there was a 1997 Conditional Use Permit that referenced entertainment which has not been discussed. He noted that Mr. Roig met extensively with City officials before he entered into a lease for the business and was told that an entertainment permit was already in place. Mr. Roig did not make the modifications to the business as they were physical changes to the floor plan were in place when he purchased the business. Mr. Diamond requested that the City Council make a determination if there was prior approval as Mr. Roig would not have signed the lease and invested $250,000.00 without a permit in place.

Mr. Diamond stated that Mr. Roig has tried to change the reputation of the establishment. He was confident that the Officers would confirm that currently the place is running fine. Mr. Diamond stated that the June 9, 2010 event had been previously scheduled and confirmed that no entertainment has been offered since that time. He addressed the pictures and pointed out that there is not a claim that this is an adult business. No topless dancing or nude dancing is occurring.

Mr. Diamond indicated that the Police Department is focusing on five events and wondered what the catalyst was for the January, 2010 Notice of Violation. He pointed out that only three events occurred prior to the January notice. The first event was the shooting of five people by someone who had been denied entrance into the establishment. The second was an assault on the security guards. The last was an assault on two people who were in the parking lot. Mr. Diamond noted that the business did not commit these crimes. Only the last event with the 19 year old deserved close scrutiny.

Mr. Roig, owner of the Beer Mug, stated that prior to leasing the premises he went to City Hall and spoke with Daniel Correa to confirm that an entertainment permit was in place. Mr. Correa listed this permit on Mr. Roig’s ABC application. Mr. Roig stated that based on that assurance, he entered a lease and invested $250,000.00. He confirmed that he did not make any changes to the floor plan and indicated that he opened the business in September, 2009.

Mr. Roig stated that it had been difficult changing the restaurant’s reputation. He confirmed to Mr. Diamond that he had a Type 47 license and recognized that he would not be able to sell alcohol, only beer and wine, without it. Mr. Roig indicated that this action would result in bankruptcy. He also confirmed to Mr. Diamond that he had filed a claim with the City for damages but had not yet received a letter of denial.

Mr. Roig addressed the incident with the 19 year old, noting that he did not personally serve him alcoholic beverages. He stated that everyone under 21 is removed from the establishment at 9:00 p.m. and that it was routine for patrons left in the business to get drinks from the bar after that time.
without being carded again. Mr. Roig has someone at the door checking I.D. He confirmed that he sells food until 1:30 a.m.

Mr. Diamond expressed concerns that staff is not remaining neutral and glossed over the information that they provided to Mr. Roig prior to his purchasing the business. Mr. Diamond noted that the original Resolutions should be part of the record provided to the City Council. Councilmembers Gutierrez and Williams concurred with the need to review the complete record.

Jim Markman, City Attorney, agreed with the need for a complete record. He noted that there is no authority for the City Council to grant a temporary entertainment permit and suggested that the meeting be recessed to allow time to locate the documents.

Recess:

Mayor Kurth recessed the meeting at 10:30 p.m.

Reconvene:

Mayor Kurth reconvened the meeting at 10:40 p.m.

Due to the lateness of the meeting and the need to ensure a complete record, Mr. Markman suggested that the matter be continued to October 6, 2010.

MOTION: Moved by Michael, seconded by Williams, to continue the appeal of the Planning Commission decision to revoke CUP99-43 for the Beer Mug to October 6, 2010 Motion carried 5-0.

N. CITY MANAGER'S STAFF REPORTS

The following items have no legal publication or posting requirements.

N1. CONSIDERATION TO INITIATE MUNICIPAL CODE AMENDMENT DRC2010-00624 - CITY OF RANCHO CUCAMONGA - A request to amend Chapter 9.32 of Title 9 regarding second responses by police to parties and other assemblages, and adding standards for accountability for social hosts of minors.

James Troyer, Planning Director, presented the staff report.

In response to Mayor Pro Tem Michael, Mr. Troyer indicated that an Ordinance will be brought back to the City Council the second meeting in October. He noted to Councilmember Williams that the Municipal Code already contains cost recovery provisions.

In response to Mayor Pro Tem Michael, Mr. Troyer confirmed that the Ordinance would not be limited to alcohol. It is intended to supplement the rules already in place.

MOTION: Moved by Michael, seconded by Gutierrez, to direct staff to initiate Municipal Code Amendment DRC2010-00624. Motion carried 5-0.

L5.N2 Approval of a Resolution adopting the Citizen Corps Annex to the Emergency Operations Plan and establishing a Citizen Corps Council and Community Emergency Response Team training program. (REMOVED FOR DISCUSSION)

RESOLUTION NO. 10-138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ADOPTING THE CITIZEN CROPS ANNEX TO THE EMERGENCY OPERATIONS PLAN AND

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Breanna Medina, Management Analyst II, presented information to the City Council on the new Citizen Corps Council.

In response to Mayor Pro Tem Michael, she confirmed that the Department would maintain a listing of CERT-trained individuals. However, the focus of this training will be changed to helping yourself and your family.

In response to Councilmember Gutierrez, Breanna Medina confirmed the availability of a refresher course for previously certified individuals. She indicated to Councilmember Williams that the participants would receive free equipment due to the receipt of grant funds. Councilmember Williams encouraged the Department to accept donations for the equipment.

MOTION: Moved by Williams, seconded by Gutierrez, to approve the staff recommendation in the staff report. Motion carried 5-0.

### O. COUNCIL BUSINESS

The following items have been requested by the City Council for discussion.

P1. **COUNCIL ANNOUNCEMENTS** (Comments to be limited to three minutes per Councilmember.)

Councilmember Spagnolo noted that this year is the 9th anniversary of September 11th. He asked that the public fly as many flags as possible on their property that day.

Councilmember Gutierrez concurred. He indicated that the City Council accomplished a lot at this meeting. Councilmember Gutierrez commented on the Fire Station groundbreaking, the improvement of Foothill Boulevard and the storm drain project.

Mayor Pro Tem Michael noted that all of these projects will provide jobs during this difficult economy and hopefully will attract development afterwards. He noted that the Grape Harvest Festival was last weekend and thanked everyone who attended.

Councilmember Williams appreciated the educational evening recently provided by the Islamic Center. She noted that the Grape Harvest Festival was wonderful and congratulated the Chamber of Commerce.

Mayor Kurth concurred and noted the wealth of activities at the Festival. He reported that Daisy Grace is now 7 months old and has learned how to play the piano.

O2. **LEGISLATIVE AND REGIONAL UPDATES** (Oral)

Councilmember Spagnolo noted that the State legislature has not passed a budget yet. He reported on several bills that have passed the legislature.

Mayor Pro Tem Michael reported that due to the economy, there will be some Omnitrans service changes on September 7, 2010.

O3. **UPDATE ON THE PARKING PERMIT PROGRAM**

Mark Steuer, City Engineer, and Joe Cusimano, Police Chief, presented the staff report.
Q. IDENTIFICATION OF ITEMS FOR NEXT MEETING

No items were identified.

R. ADJOURNMENT

Mayor Kurth adjourned the meeting at 11:30 p.m. after a moment of silence for those who died on September 11th.

Respectfully submitted,

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

Approved: October 6, 2010