July 7, 2010

RANCHO CUCAMONGA
REDEVELOPMENT AGENCY, FIRE DISTRICT AND CITY COUNCIL
CLOSED SESSION MINUTES

A. CALL TO ORDER

The Rancho Cucamonga City Council held a closed session on Wednesday, July 7, 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 5:00 p.m. by Chairman/President/Mayor Donald J. Kurth.

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

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

B. ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

Mayor Donald J. Kurth announced the closed session item:

D1. CONFERENCE WITH PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT – 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 5:00 p.m.

E. CITY MANAGER ANNOUNCEMENTS

No announcements were made.

F. RECESS

The closed session adjourned at 6:45 p.m. with no action taken.

G. REGULAR MEETING
CALL TO ORDER – 7:00 P.M.
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/Economic and Community Development; Joe Cusimano, Police Chief; Robert Karatsu, Library Director; James Troyer, Planning Director; Bill Wittkopf, Public Works Director; Mark Steuer, Engineering Director; Trang Huynh, Building & Safety Official; Debra McNay, Records Manager/Assistant City Clerk and Kathy Scott, Assistant City Clerk.

**H. ANNOUNCEMENTS/PRESENTATIONS**

H1. Presentation of a check from Southern California Edison (SCE) to Dee Matreyek for the Community Garden Project.

Christian Nelson, Southern California Edison’s Regional Representative presented a check to Dee Matreyek for the Community Garden Project.

**I. PUBLIC COMMUNICATIONS**

I1. Janet Ryerson, Vice Chair of the Park and Recreation Commission, updated the City Council and the audience on the planning and design of the Veterans and Armed Services area at Central Park.

I2. Jerie Lee expressed a concern with funds being expended to hold another election for Landscaping Maintenance District 6. She indicated that staff did not explain fully to the residents in these districts that if the elections failed, the landscaping would suffer; that the assessment was negotiable and that work crews would be used. She urged the City Council to request a complete report and to pay more attention to this matter.

I3. Jim Fettig commented on the flag retirement ceremony last month and thanked Mayor Kurth and Councilmember Spagnolo for attending. He indicated that the Rancho Cucamonga VFW has been participating in the discussions regarding the Veterans and Armed Services area and thanked the Council for their support of this project.

I4. John Lyons expressed his condolences to the Lewis family on the passing of David Lewis. He suggested that bulletin boards be placed along Day Creek, Etiwanda Avenue etc., in conjunction with the trail system listing the names, distance and grade to various restaurants in the City. Mr. Lyons was encouraged that the Chinese believe that we are in the midst of a slow recovery period not a double dip recession. He spoke in support of Landscape Maintenance Districts and thanked the Council for the landscaping around the entrance to Victoria Gardens.

I5. Bill Hanlon stated that there is a lack of leadership in the City. He noted that the regulations regarding political signs are not being followed by elected officials. Mr. Hanlon attended a parade in an adjacent City where sparklers were allowed and noted to the contrary, Rancho Cucamonga intimidated people with signs that fireworks were illegal. He noted that it took five months of complaining for work to be started on a veteran’s memorial. Mr. Hanlon expressed concerns with the lack of funding for this project, noting instead that the City will be paying $29,000 to design a bocce court.
I6. Jim Moffatt expressed a concern with the lack of City funding for the Veterans and Armed Services area being planned at Central Park. He noted that when the Council wanted to ban smoking at ATMs, they found $6,000 for signs. Also, Mr. Moffatt addressed a previous incident where his granddaughter was thrown out of a park and noted that it is ridiculous to pay $125 per night to use a field for practice.

I7. Mark Samet, representing LaRouche Political Action Committee, encouraged the City Council to endorse the re-imposition of the Constitutional Glass-Steagall principal.

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: June 16, 2010 (Regular Meeting)

J2. Approval of Check Register dated June 9 through June 29, 2010, for the total amount of $1,858,412.53.

J3. Approval of Amendment to the Loan Agreement and Trust Agreement secured by the Housing Pledge Agreement (RA 95-008) between Northtown Housing Development Corporation and the Rancho Cucamonga Redevelopment Agency.

J4. Approval of an extension to Contract No. 10-022 in an amount not to exceed $136,590 to Pendleton Partners, Inc., and approve contract Change Order No. 1 for the professional consulting services for the Fire District Planning/Vision Process contract, to be funded from Account No. 2505801-5300.

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: June 16, 2010 (Regular Meeting)

K2. Approval of Check Register dated June 9 through June 29, 2010, for the total amount of $528,271.95.

MOTION: Moved by Williams, seconded by Michael, 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: June 16, 2010 (Regular Meeting)

L2. Approval of Check Register dated June 9 through June 29, 2010, and payroll ending June 29, 2010, for the total amount of $4,697,812.93.

L3. Approval to accept grant revenue in the amount of $41,136 from the United States Department of Justice 2009/10 Edward Byrne Memorial Justice Assistance Grant into Acct. No. 13540000-4740 (Grand Income) for use by the Police Department to off-set overtime costs to conduct criminal investigations and to continue Community Crime Prevention Programs.

L4. Approval to disburse $40,000 to Chaffey Joint Union High School District from State Asset Seizure 15% fund account #1196000-4740 for the C.A.N.I.E. program for narcotics detection services and educational programs. REMOVED FOR DISCUSSION BY MAYOR PRO TEM MICHAEL.

L5. Approval of a contract renewal (CO 07-189) on a month-to-month basis with WSA Security, Inc., for security guard services at various City facilities for fiscal year 2010-2011, in an annual amount of $305,542 ($290,542 annual amount plus $15,000 emergency service) for fiscal year 2010-2011 with no increase in hourly rate for regular/emergency service, to be funded from Account Numbers 1001312-5304, 1133303-5304, 1700201-5304, and 1290606-5300 for fiscal year 2010-11.

L6. Approval of a contract renewal (CO 06-180) on a month-to-month basis with ABM Janitorial Services for the cleaning of City-wide facilities in the amount of $586,662 ($516,662 annual contract plus $20,000 extra work allowance and $50,000 in supplies) for fiscal year 2010-2011 with no increase from fiscal year 2009-2010 rates, to be funded from Account Numbers 1001312-5304 (Contract Services, Facilities) and 1700201-5304 (Contract Services, Facilities).

L7. Approval of a Resolution adopting a Memorandum of Understanding (CO 10-075) between the City of Rancho Cucamonga and the San Bernardino Public Employees Association for fiscal year 2010-11.

RESOLUTION NO. 10-123


L8. Approval of a Resolution of the City Council of the City of Rancho Cucamonga, approving the application for used oil payment program funds from the California Department of Resources Recycling and Recovery.

RESOLUTION NO. 10-101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING THE APPLICATION FOR USED OIL PAYMENT PROGRAM FUNDS FROM THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

L9. Approval of Professional Services Agreement with Aufbau Corporation (CO 10-076), to provide specialized annual inspections and engineering support services for FY 2010/2011, with an option to renew annually up to an additional two years after review of fees and mutual agreement of both parties, for proposed capital improvement projects throughout the City as approved in the budget, to be funded from various individual project accounts.
L10. Approval to accept the Banyan Street Community Trail and Wilson Avenue Community Trail, Contract No. 10-005 as complete, release the bonds, accept a Maintenance Bond, authorize the City Engineer to file a Notice of Completion, and approve the final contract amount of $63,181.00.

RESOLUTION NO. 10-102

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE BANYAN STREET COMMUNITY TRAIL AND WILSON AVENUE COMMUNITY TRAIL, CONTRACT NO. 10-005 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

L11. Approval of Professional Services Agreements with Ninyo & Moore (CO 10-077), Salem Engineering Group, Inc (CO 10-078), and Leighton Consulting, Inc. (CO 10-079) to provide annual soils and materials testing services for FY 2010/2011, with an option to renew annually up to an additional two years after review of fees and mutual agreement of both parties, for proposed capital improvement projects throughout the City as approved in the budget, to be funded from various individual project accounts.

L12. Approval to release the Maintenance Guarantee cash deposit for DRC2003-01085, located on the south side of 7th Street at the cul-de-sac terminus east of Archibald Avenue, submitted by Scheu Management Corporation.

L13. Approval of Professional Services Agreements with Dan Guerra & Associates (CO 10-080), Baseline Surveying (CO 10-081), Dawson Surveying, Inc. (CO 10-082), L.E.H. & Associates (CO 10-083) and Westland Group, Inc. (CO 10-084), to provide annual survey services for FY 2010/2011, with an option to renew annually up to an additional two years after review of fees and mutual agreement of both parties, for proposed capital improvement projects throughout the City as approved in the budget, to be funded from various individual project accounts.

L14. Approval to accept Improvements, release the Faithful Performance Bond, accept a Maintenance Bond and file a Notice of Completion for improvements for DRC2005-00327, located on the east side of Baker Avenue, between Arrow Route and Ninth Street, submitted by Chinese Christian Family Church, Inland Valley.

RESOLUTION NO. 10-103


L15. Approval to release the Maintenance Guarantee Bond for DRC2005-00703, located at 8578 Pecan Avenue, submitted by Gordon Trucking, Inc.

L16. Approval to release the Faithful Performance Bond for Improvements for Parcel Map 16038, located on the west side of Klusman Avenue, north of Diamond Avenue, submitted by Klusman, LLC.

L17. Approval to release the Maintenance Guarantee Bond for Tract 16716, located on the east side of Etiwanda Avenue between Etiwanda Intermediate Middle School and Etiwanda Railway Station, submitted by Monte San Savino, LLC.

L18. Approval to accept Improvements, release the Faithful Performance Bond, accept a Maintenance cash deposit and file a Notice of Completion for improvements for Tract 17487 and 17840, located at the south side of Church Street, east of Day Creek Boulevard, submitted by Shea Homes, LP.
RESOLUTION NO. 10-104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR TRACT 17487 AND 17840 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

Mayor Pro Tem Michael removed Item L4. for discussion.

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

L4. Approval to disburse $40,000 to Chaffey Joint Union High School District from State Asset Seizure 15% fund account #1196000-4740 for the C.A.N.I.N.E. program for narcotics detection services and educational programs. REMOVED FOR DISCUSSION BY MAYOR PRO TEM MICHAEL.

Mayor Pro Tem Michael indicated that Chief Cusimano made a presentation at the last meeting on the C.A.N.I.N.E. program and was very pleased that this program will be continuing.

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

M. 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.

M1. CONSIDERATION OF APPROVAL OF A RESOLUTION ADOPTING THE FIRE DISTRICT’S GENERAL FUND FINAL BUDGET FOR FISCAL YEAR 2010/11 IN THE AMOUNT OF $17,547,590.

RESOLUTION NO. FD 10-028


Jack Lam, City Manager/Secretary, presented the staff report.

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

MOTION: Moved by Michael, seconded by Gutierrez, to adopt Resolution No. FD 10-028. Motion carried 5-0.

M2. ADOPTION OF A RESOLUTION MAKING DETERMINATIONS REGARDING THE PROPOSED ANNEXATION OF TERRITORY (AMIN Q. KHAN – APNS 0201-182-36, 37 & 38 - ANNEXATION NO. 88-10-1) 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 10-029

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. 88-10-1) TO AN EXISTING COMMUNITY FACILITIES DISTRICT (CFD 88-1) AND CALLING A SPECIAL ELECTION AND AUTHORIZING THE SUBMITTAL OF THE LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS OF SUCH TERRITORY

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

MOTION: Moved by Michael, seconded by Williams, to adopt Resolution No. FD 10-029. Motion carried 5-0.

N. ADVERTISED PUBLIC HEARINGS

CITY COUNCIL

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.

N1. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA AMENDING ELECTRIC RATES, FEES, AND CHARGES PURSUANT TO THE REQUIREMENTS AND AUTHORITY OF CHAPTER 3.46 OF TITLE 3 OF THE RANCHO CUCAMONGA MUNICIPAL CODE.

RESOLUTION NO. 10-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, AMENDING ELECTRIC RATES, FEES, AND CHARGES PURSUANT TO THE REQUIREMENTS AND AUTHORITY OF CHAPTER 3.46 OF TITLE 3 OF THE RANCHO CUCAMONGA MUNICIPAL CODE

Jack Lam, City Manager, presented the staff report.

In response to Councilmember Williams, Mr. Lam confirmed that the Utility’s rates are adjusted periodically to reflect the rates charged by Southern California Edison.

Mayor Kurth opened the public hearing. With no one wishing to speak, Mayor Kurth closed the public hearing.

MOTION: Moved by Michael, seconded by Gutierrez, to adopt Resolution No. 10-105. Motion carried 5-0.

In response to Mr. Lam, Mr. Markman confirmed that there was no need to open a public hearing on N2 – N4. These items will be advertised for consideration on July 21, 2010.
N2. CONSIDERATION TO APPROVE THE RESOLUTION CONFIRMING THE DIAGRAMS AND ASSESSMENTS AND ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR LANDSCAPE MAINTENANCE DISTRICT NOS. 1, 2, 3A, 3B, 5, 6, 7, 8, 9, AND 10 FOR FISCAL YEAR 2010-2011. NO INCREASE OF ASSESSMENT RATE IS PROPOSED (DUE TO A TECHNICAL ERROR IN ADVERTISING, THIS ITEM WILL BE CONTINUED TO JULY 21, 2010. NO STAFF REPORT INCLUDED)

N3. CONSIDERATION TO APPROVE THE RESOLUTION CONFIRMING THE DIAGRAM AND ASSESSMENT AND ORDERING FOR THE LEVY AND COLLECTION OF THE ANNUAL ASSESSMENTS WITHIN THE PARK AND RECREATION IMPROVEMENT DISTRICT NO. PD-85 FOR FISCAL YEAR 2010-2011. NO INCREASE OF ASSESSMENT RATE IS PROPOSED (DUE TO A TECHNICAL ERROR IN ADVERTISING, THIS ITEM WILL BE CONTINUED TO JULY 21, 2010. NO STAFF REPORT INCLUDED)

N4. CONSIDERATION TO APPROVE THE RESOLUTION CONFIRMING THE DIAGRAMS AND ASSESSMENTS AND ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR STREET LIGHTING MAINTENANCE DISTRICT NOS. 1, 2, 3, 4, 5, 6, 7, AND 8 FOR FISCAL YEAR 2010-2011. NO INCREASE OF ASSESSMENT RATE IS PROPOSED (DUE TO A TECHNICAL ERROR IN ADVERTISING, THIS ITEM WILL BE CONTINUED TO JULY 21, 2010. NO STAFF REPORT INCLUDED)

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O. CITY MANAGER’S STAFF REPORTS

FIRE PROTECTION DISTRICT

The following items have no legal publication or posting requirements:


ORDINANCE NO. FD 49 (first reading)

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE RANCHO CUCAMONGA FIRE PROTECTION DISTRICT, RANCHO CUCAMONGA, CALIFORNIA, AUTHORIZING THE LEVY OF THE SPECIAL TAX IN MELLO-ROOS COMMUNITY FACILITIES DISTRICT NO. 85-1 FOR FISCAL YEAR 2010/11


RESOLUTION NO. FD 10-030

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO CUCAMONGA FIRE PROTECTION DISTRICT, RANCHO CUCAMONGA, CALIFORNIA, ESTABLISHING THE MAXIMUM SPECIAL TAX WHICH COULD BE LEVIED IN MELLO-ROOS COMMUNITY FACILITIES DISTRICT NO. 85-1 FOR FISCAL YEAR 2010/11

O3. APPROVAL TO SET ANNUAL SPECIAL TAX LEVY FOR MELLO-ROOS COMMUNITY FACILITIES DISTRICT NO. 88-1 (CFD NO. 88-1) FOR FISCAL YEAR 2010/11. (ITEMS O1 – O3 WERE CONSIDERED AT THE SAME TIME).
RESOLUTION NO. FD 10-031

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO CUCAMONGA FIRE PROTECTION DISTRICT, RANCHO CUCAMONGA, CALIFORNIA, ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 88-1 FOR FISCAL YEAR 2010/11

Jack Lam, City Manager, presented the staff report on Items O1 - O3.

MOTION: Moved by Michael, seconded by Spagnolo, to take up Ordinance No. FD. 49 for first reading and schedule second reading for July 21, 2010; and to adopt Resolution Nos. FD-030 and FD-031. Motion carried 5-0.

P. CITY MANAGER’S STAFF REPORTS

The following items have no legal publication or posting requirements.

P1. APPROVAL TO SET ANNUAL BENEFIT ASSESSMENTS FOR DRAINAGE AREA NO. 91-2 (DAY CANYON DRAINAGE BASIN) WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, DETERMINING THE COST OF SERVICE TO BE FINANCED BY BENEFIT ASSESSMENTS TO BE LEVIED IN DRAINAGE AREA NO. 91-2 FOR FISCAL YEAR 2010-2011 AND DETERMINING AND IMPOSING SUCH BENEFIT ASSESSMENTS

P2. APPROVAL OF RESOLUTION ESTABLISHING AN ANNUAL LEVY WITHIN ASSESSMENT DISTRICT NO. 93-1, (MASI PLAZA) AT THE SOUTHWEST CORNER OF ROCHESTER AVENUE AND FOOTHILL BOULEVARD AND REASSESSMENT DISTRICT NO. 1999-1 WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RE-AUTHORIZING THE LEVY OF AN ASSESSMENT SURCHARGE FOR THE EXPENSES INCURRED IN THE COLLECTION OF ASSESSMENTS IN VARIOUS SPECIAL ASSESSMENTS DISTRICTS

P3. APPROVAL TO SET ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 93-3 (FOOTHILL MARKETPLACE) WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-108

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RE-ESTABLISHING ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 93-3 (FOOTHILL MARKETPLACE)
P4. APPROVAL TO SET ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2000-01 (SOUTH ETIWANDA) WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RE-ESTABLISHING ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2000-01 (SOUTH ETIWANDA)

P5. APPROVAL TO SET ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2000-02 (RANCHO CUCAMONGA CORPORATE PARK) WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-110

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RE-ESTABLISHING ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2000-02 (RANCHO CUCAMONGA CORPORATE PARK)

P6. APPROVAL TO SET ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2000-03 (RANCHO SUMMIT) OPERATION OF AND MAINTENANCE OF PARKS AND PARKWAYS WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, PROVIDING FOR THE LEVY OF SPECIAL TAX "B" FOR COMMUNITY FACILITIES DISTRICT NO. 2000-03 (RANCHO SUMMIT) FOR FISCAL YEAR 2010-2011 TO FINANCE THE OPERATION OF AND MAINTENANCE OF PARK AND PARKWAYS

P7. APPROVAL TO SET ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2000-03 (RANCHO SUMMIT) WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, PROVIDING FOR THE LEVY OF SPECIAL TAX "A" FOR COMMUNITY FACILITIES DISTRICT NO. 2000-03 (RANCHO SUMMIT) FOR TAX YEAR 2010-2011

P8. APPROVAL TO SET ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2001-01 (IMPROVEMENT AREA NOS. 1 & 2), SERIES 2001-A WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RE-ESTABLISHING ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2001-01 FOR FISCAL YEAR 2010-2011 (IMPROVEMENT AREA NOS. 1 & 2), SERIES 2001-A
P9. APPROVAL TO SET AN ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2001-01 (IMPROVEMENT AREA NO. 3 ZONE 7), SERIES 2001-B WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RE-ESTABLISHING ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT 2001-01 FOR FISCAL YEAR 2010-2011 (IMPROVEMENT AREA NO. 3 ZONE 7), SERIES 2001-B

P10. APPROVAL TO SET AN ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2003-01 (IMPROVEMENT AREA NO. 1, ZONES 1, 2 & 3), SERIES 2003-A WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RE-ESTABLISHING ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2003-01 FOR FISCAL YEAR 2010-2011 (IMPROVEMENT AREA NO. 1, ZONES 1, 2 & 3), SERIES 2003-A

P11. APPROVAL TO SET AN ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2003-01 (IMPROVEMENT AREA NO. 2, ZONES 1 & 2), SERIES 2003-B WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-116


P12. APPROVAL TO SET ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2004-01 (RANCHO ETIWANDA ESTATES) WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-117


P13. APPROVAL TO SET AN ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-01 (VINTNER’S GROVE) WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RE-ESTABLISHING ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-01 (VINTNER’S GROVE) FOR FISCAL YEAR 2010-11
P14. APPROVAL TO SET AN ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-02 (AMADOR ON ROUTE 66) WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-119

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RE-ESTABLISHING ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-02 (AMADOR ON ROUTE 66) FOR FISCAL YEAR 2010-2011

P15. APPROVAL TO MAINTAIN LEVY FOR COMMUNITY FACILITIES DISTRICT NO. 88-2 (DRAINAGE AND LAW ENFORCEMENT) WITH NO INCREASE TO THE CURRENT RATE. (ITEMS P1 – P15 WERE CONSIDERED AT THE SAME TIME).

RESOLUTION NO. 10-120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, RE-ESTABLISHING ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 88-2 (DRAINAGE AND LAW ENFORCEMENT)

Jack Lam, City Manager, indicated that Items P1 through P15 would be discussed and voted on at the same time.

Jack Lam, City Manager, presented the staff report.

MOTION: Moved by Michael, seconded by Spagnolo, to adopt Resolution Nos. 10-106 through 10-120. Motion carried 5-0.

P16. APPROVAL OF: 1) A RESOLUTION TO INITIATE PROCEEDINGS FOR THE FORMATION OF LANDSCAPE MAINTENANCE DISTRICT NO. 6-R TO REPLACE LANDSCAPE MAINTENANCE DISTRICT NO. 6 AND TO AUTHORIZE THE LEVY OF ANNUAL ASSESSMENTS THEREIN AND ORDERING THE PREPARATION OF AN ASSESSMENT ENGINEER’S REPORT; AND 2) A RESOLUTION PRELIMINARILY APPROVING THE ASSESSMENT ENGINEER’S REPORT, DECLARING THE INTENTION TO FORM SUCH LANDSCAPE MAINTENANCE DISTRICT AND TO PROVIDE FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS; AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING INCLUDING THE INITIATION OF ASSESSMENT BALLOT PROCEDURES.

RESOLUTION NO. 10-121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, INITIATING PROCEEDINGS FOR THE FORMATION OF A LANDSCAPE MAINTENANCE DISTRICT TO BE KNOWN AND DESIGNATED AS LANDSCAPE MAINTENANCE DISTRICT NO. 6-R, TO REPLACE LANDSCAPE MAINTENANCE DISTRICT NO. 6 AND TO AUTHORIZE THE LEVY OF ANNUAL ASSESSMENTS THEREIN AND ORDERING THE PREPARATION OF AN ASSESSMENT ENGINEER’S REPORT

RESOLUTION NO. 10-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER’S REPORT, DECLARING ITS INTENTION TO FORM LANDSCAPE MAINTENANCE DISTRICT NO. 6-R AND TO PROVIDE FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS IN SAID
John Gillison, Assistant City Manager, presented the staff report.

In response to Mayor Kurth, Mr. Gillison stated that there is a lesser proposed assessment for vacant properties. In response to Councilmember Gutierrez, he indicated that both zones would participate in the election.

Mr. Gillison noted that there were multiple community meetings in all the affected Landscape Maintenance Districts (LMDs) the first time the new assessments were proposed. In response to Mrs. Lee’s statements, he confirmed that the residents were advised that the quality of landscaping would suffer if the proposed assessments were not approved.

In response to Mayor Pro Tem Michael, discussion was held regarding the level of service currently provided to LMD 6. Mr. Gillison noted that the reserve is being used to maintain the District at Level A, as requested by the property owners. If the increased assessment is approved, the level of service would not change. If the increased assessment is not approved, the service level would need to reflect a C- or D+ level or worse, as the reserve was depleted. Mr. Gillison contrasted the two processes, noting that this time there is a coalition of property owners holding their own community meetings and participating in the process.

MOTION: Moved by Michael, seconded by Williams, to adopt Resolution Nos. 10-121 and 10-122. Motion carried 5-0.

Q. COUNCIL BUSINESS

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

Q1. COUNCIL ANNOUNCEMENTS (Comments to be limited to three minutes per Councilmember.) ITEMS Q1 AND Q3 WERE CONSIDERED AT THE SAME TIME).

Q3. LEGISLATIVE AND REGIONAL UPDATES (Oral) ITEMS Q1 AND Q3 WERE CONSIDERED AT THE SAME TIME).

Councilmember Williams reported that the Friends of the Pacific-Electric Trail are currently raising money to install information kiosks. She addressed the planned removal of the bridge, which will take approximately 18 months, and the temporary closure of a segment of the trail to accommodate the project.

Councilmember Spagnolo provided a legislative update, noting that the State is facing a $19.1 Billion deficit. The Governor has ordered all State employees to be paid minimum wage. He indicated that the initiative to protect local control has qualified and will be considered as Proposition 22. Also, Councilmember Spagnolo reported that AB 155 (municipal bankruptcies) has been moved to the inactive file. Lastly, he reported that six labor contracts have been approved by the Governor’s Office. He expressed his condolences on the passing of David Lewis.

Councilmember Gutierrez indicated that last week was quite eventful. He had a wonderful 4th of July and was pleased to serve the community. Councilmember Gutierrez expressed his condolences to the Lewis family.

Mayor Pro Tem Michael expressed condolences and indicated that the Mayor will be adjourning the meeting in memory of David Lewis. He noted that tonight’s presentation on the community gardens illustrated the large number of partnerships the City has in place which provide services and facilities while at the same time saving taxpayer dollars. Mayor Pro Tem Michael indicated that the Council takes their job very seriously and stated that balancing the budget this year was extremely hard. While the fireworks were cut, the day-to-day services to the community are still being provided.
Mayor Kurth expressed his condolences to the Lewis Family. He also spoke about the passing of Bruce Martin Francisco.

Q2. **DESIGNATION OF A VOTING REPRESENTATIVE AND ALTERNATES FOR THE 2010 LEAGUE OF CALIFORNIA CITIES ANNUAL MEETING**

Fabian Villenas, Principal Management Analyst, presented the staff report.

MOTION: Moved by Williams, seconded by Gutierrez, to designate Councilmember Spagnolo as the voting representative and Mayor Pro Tem Michael and Mayor Kurth as alternates for the 2010 League of California Cities Conference. Motion carried 5-0.

**R. IDENTIFICATION OF ITEMS FOR NEXT MEETING**

No items were identified.

**S. ADJOURNMENT**

Mayor Kurth adjourned the meeting at 8:25 p.m. after a moment of silence in the memory of David Lewis and Bruce Francisco.

Respectfully submitted,

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

Approved: July 21, 2010