August 6, 2014

RANCHO CUCAMONGA
CITY COUNCIL, FIRE PROTECTION DISTRICT, SUCCESSOR AGENCY
CLOSED SESSION,
REGULAR MEETINGS MINUTES

A. CALL TO ORDER

The Rancho Cucamonga City Council held a regular closed session on Wednesday, August 6, 2014 in the Tapia Room 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 Mayor L. Dennis Michael.

Present were Council Members: Bill Alexander, Diane Williams, Marc Steinorth, Mayor Pro Tem Sam Spagnolo and Mayor L. Dennis Michael.

Also present were: John Gillison, City Manager; City Attorney Jim Markman; Linda Daniels, Assistant City Manager; Lori Sassoon, Deputy City Manager/Administrative Services and Robert Neiuber, Human Resource Director.

B. ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

The following closed session items were considered:

D1. CONFERENCE WITH LABOR NEGOTIATOR ROBERT NEIUBER AND LIEBERT CASSIDY WHITMORE PER GOVERNMENT CODE SECTION 54954.2 REGARDING LABOR NEGOTIATIONS WITH SAN BERNARDINO PUBLIC EMPLOYEES ASSOCIATION AND RANCHO CUCAMONGA CITY EMPLOYEES ASSOCIATION.

D2. CONFERENCE WITH PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY LOCATED AT 5546 WEST BERYL AVENUE, AND GENERALLY REFERRED TO AS THE HERITAGE PARK EQUESTRIAN CENTER; NEGOTIATING PARTIES: NETTIE NIELSEN, COMMUNITY SERVICES DIRECTOR; WILLIAM WITTKOPF, PUBLIC WORKS SERVICES DIRECTOR, CITY OF RANCHO CUCAMONGA AND THE ALTA LOMA RIDING CLUB; REGARDING LEASE TERMS.

D3. CONFERENCE WITH PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY LOCATED AT 12400 ARROW ROUTE (APN 0229-021-60-0000); NEGOTIATING PARTIES JOHN GILLISON, CITY MANAGER AND JEFF BLOOM, DEPUTY CITY MANAGER AND OMNITRANS; REGARDING PRICE AND TERMS.

D4. CONFERENCE WITH PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY LOCATED AT 8408 ROCHESTER AVENUE; NEGOTIATING PARTIES: NETTIE NIELSEN, COMMUNITY SERVICES DIRECTOR, CITY OF RANCHO CUCAMONGA, AND BOBBY BRETT, RANCHO BASEBALL, LLC) REGARDING LEASE TERMS

D5. CONFERENCE WITH PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY LOCATED AT BASE LINE ROAD AND DAY CREEK (APNS 089-031-15-0000, 1089-031-16-0000 AND 1089-031-35-0000); NEGOTIATING PARTIES LINDA DANIELS, ASSISTANT CITY MANAGER, CITY OF RANCHO CUCAMONGA AND ROBERT MARTIN, VICE PRESIDENT, MANAGING DIRECTOR – LAND ACQUISITION, LEWIS OPERATING CORP.; REGARDING PRICE AND TERMS.
D6. CONFERENCE WITH PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY DESCRIBED AS APN 229-131-04, 17, AND 25, LOCATED AT THE SOUTHWEST CORNER OF ETIWANDA AVENUE AND ARROW HIGHWAY; NEGOTIATING PARTIES: JOHN R. GILLISON, CITY MANAGER, CITY OF RANCHO CUCAMONGA AND BRANDON BIRTCHER OF GOODMAN RANCHO SPE LLC; REGARDING TERMS.

C. PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEM(S)

No public communications were made.

E. CITY MANAGER ANNOUNCEMENTS

No discussion or actions were taken.

F. RECESS

CLOSED SESSION TO RECESS TO THE REGULAR FIRE PROTECTION DISTRICT, PUBLIC FINANCING AUTHORITY AND CITY COUNCIL MEETINGS AT 7:00 P.M. IN THE COUNCIL CHAMBERS AT CITY HALL, LOCATED AT 10500 CIVIC CENTER DRIVE, RANCHO CUCAMONGA, CALIFORNIA.

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

G. REGULAR MEETING CALL TO ORDER – 7:00 P.M. COUNCIL CHAMBERS

The meetings of the Rancho Cucamonga Fire Protection District, Successor Agency, Financing Authority and City Council reconvened in the Council Chambers of the Civic Center located at 10500 Civic Center Drive, Rancho Cucamonga, California. Mayor L. Dennis Michael called the meeting to order at 7:00 p.m.

Present were Council/Fire Protection District Members: Bill Alexander, Diane Williams, Marc Steinorth, Mayor Pro Tem/Vice President Sam Spagnolo and Mayor/President L. Dennis Michael.

Also present were: John Gillison, City Manager; Jim Markman, City Attorney; Linda Daniels, Assistant City Manager; Lori Sassoon, Deputy City Manager/Administrative Services; Tamara Layne, Finance Director; Trang Huynh, Building & Safety Services Director; Bill Wittkopf, Public Works Services Director; Nettie Nielsen, Community Services Director; Ingrid Bruce, GIS/Special Districts Manager; Robert Karatsu, Library Director; Fire Chief Mike Bell; Tony Onodera, Police Chief; Debra McNay, Assistant City Clerk/Records Manager and Adrian Garcia, Assistant City Clerk.

H. ANNOUNCEMENTS/PRESENTATIONS

H1. City of Rancho Cucamonga recognized at 2014 ESRI User Conference with President’s Award and SAG Award.

Lori Sassoon, Deputy City Manager/Administrative Services updated the City Council and the audience on the awards received at the recent ESRI User Conference.

H1a. Tribute to Ben Carlson.

Mayor Michael and the members of the City Council offered their condolences to Ben’s family. Mayor Michael indicated that tonight’s meeting would be adjourned in Ben’s memory.
H2. Proclamation declaring the City of Rancho Cucamonga a Purple Heart City.

Mayor Michael presented a proclamation to Len Tavernetti designating the City of Rancho Cucamonga as a Purple Heart City.

I. PUBLIC COMMUNICATIONS

I1. Tressy Capps reported that she is a candidate for the Fontana City Council. Mrs. Capps reported that the Etiwanda School Board has brought back limited busing. She expressed concerns with the implementation of Common Core in the schools.

I2. Janet Walton offered a prayer.

I3. Jesse Houlihan reported on an unsafe curb on the bike trail by Wilson Avenue. In response, City Manager Gillison referred him to the Public Works Director who was in attendance at the meeting.

I4. Pastor Puredi Hilary offered a prayer.

I5. Pastor Martin Koshy offered a prayer.

I6. Jim Heitman announced upcoming Rancho Cucamonga Chamber of Commerce events.

I7. Susan Keithly reported that she had submitted a public record request on July 19, 2014 for information on the volunteer orientations held at the Animal Care and Adoption Center in 2012, 2013 and 2014. Mrs. Keithly indicated that no records had been provided for 2012 and 2013 and requested the Mayor’s assistance.

I8. Bill Hanlon reported that a wheelchair bound veteran has received a Code Enforcement complaint and offered to assist Code Enforcement on reviewing their procedures. He also indicated that in 2010, the Mayor had stated that the person with the next highest vote would be appointed to fill a vacant seat on the City Council. Mr. Hanlon inquired if this would be the case this year.

I9. Matthew Lyons, representing Assemblymember Holden’s office, introduced himself to the City Council and the audience.

I10. Jim Moffatt reported that on Sunday, he had called the Animal Care and Adoption Center to pick up a dead cat. While they haven’t responded, a good Samaritan had moved the animal to the curb. Mr. Moffatt requested that someone come out and pick up the cat.

I11. Taline Georgiou indicated that she is a candidate for the Etiwanda School Board. She indicated that the limited bus service covers a very small area.

I12. David Serroni announced the Sons of Italy Poker Tournament, which will be held on Saturday, August 23, 2014 at the Magic Lamp Inn.

I13. Archie Corvin indicated that he was a veteran of World War II. He thanked the Council for everything they have done to honor the servicemen and women of this City.

I14. David Dykstra reported that the City Council has the power to help and mitigate the concerns expressed regarding the Animal Care and Adoption Center. To date, all the Council has done is prolong the matter.

I15. John Lyons reminded the Council and the audience that the Grand Jury investigated the Animal Care and Adoption Center and issued a report that the Center is well run. He reported that the Etiwanda School District is well run and is experiencing problems with the development in the area. Mr. Lyons spoke about a missing girl and how the matter was solved.
I16. V.A. Muniz noted that he had submitted a Public Record Request to the City Clerk’s office regarding LMD 1 and the community meeting on LMD 2. He indicated that he had not received a response to his request.

I17. Melissa Bryd, representing Senator Morrell, announced the Ark of Safety Forum to be held on August 15, 2014 from 8:00 a.m. to 3:00 p.m.

Mayor Michael reported that there will be a workshop on August 7, 2014 from 6:00 – 7:30 p.m. at Rancho Cucamonga Hall to discuss the pending major interchange construction.

**CONSENT CALENDARS:**

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

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

J1. Approval of Minutes: July 16, 2014 Minutes (Regular Meeting)


J3. Approval to set annual special tax levy for Mello-Roos Community Facilities District No. 85-1 (GFD No. 85-1) for Fiscal Year 2014/2015.

RESOLUTION NO. FD 14-029

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. 85-1 FOR FISCAL YEAR 2014/2015

J4. Approval to set annual special tax levy for Mello-Roos Community Facilities District No. 88-1 (GFD No. 88-1) for Fiscal Year 2014/2015.

RESOLUTION NO. FD 14-030

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 2014/2015

J5. Approval to renew an annual lease purchase and services and supplies contract for Multifunction Copiers for year 3 of 5 of the agreement with Xerox Inc., (Contract Number 13-020) in the amount of $121,950 and authorize staff to allocate related FY 2014-2015 expenditures from applicable City and Fire District account numbers in accordance with the approved FY 2014-2015 budget.

Mayor Michael indicated that he would be abstaining from voting on the July 16, 2014 minutes, which are listed as Items J1, K1, L1 and part of M1.

MOTION: Moved by Spagnolo, seconded by Williams, to approve the staff recommendations in the staff reports. Motion carried 5-0. Mayor Michael abstained from voting on J1.
K. CONSENT CALENDAR – PUBLIC FINANCING AUTHORITY

K1. Approval of Minutes: July 16, 2014 Minutes (Regular Meeting)

MOTION: Moved by Williams, seconded by Spagnolo, to approve the minutes. Motion carried 4-0-0-1 (Michael abstained).

L. CONSENT CALENDAR – SUCCESSOR AGENCY

L1. Approval of Minutes: July 16, 2014 Minutes (Regular Meeting)

MOTION: Moved by Williams, seconded by Spagnolo, to approve the minutes. Motion carried 4-0-0-1 (Michael abstained).

M. CONSENT CALENDAR – CITY COUNCIL

M1. Approval of Minutes: Corrected June 18, 2014 Minutes
Corrected July 2, 2014 Minutes
July 16, 2014 Minutes (Regular Meeting)

M2. Approval of Check Register dated July 9, 2014 through July 29, 2014 and payroll ending July 29, 2014 for the total of $8,359,606.85.

M3. Approval of Amendment No. 003 to CO#12-120 with SunGard Public Sector, Inc. for the implementation of ONESolution in the amount of $108,618 to be funded from the following Accounts: $3,768 from Account 1714001-5152 (Computer Software) and $104,850 from Account 1714001-5300 (Contract Services); and authorization to appropriate $918 into Account 1714001-5152 and $4,200 into Account 1714001-5300 from the Computer Equipment/Technology Replacement Fund Reserves to fully fund the contract.

M4. Approval to allocate $77,000 awarded by the California State Library into Library Revenue Account 1291000-4740/0-3760 and appropriate $12,000 into Expenditure Account 1291602-5010/0-3760, $5,000 into Expenditure Account 1291602-5200/0-3760, and $60,000 into Expenditure Account 1291602-5300/0-3760 for “GIS: Bringing Your Data to Life!” Grant.

M5. Approval to allocate $168,000 awarded by the California State Library into Library Revenue Account 1292000-4740/0-3759 and appropriate $28,050 into Expenditure Account 1292602-5010/0-3759, $4,200 into Expenditure Account 1292602-5030/0-3759, $25,000 into Expenditure Account 1292602-5100/0-3759 and $110,750 into Expenditure Account 1292602-5200/0-3759 for “Staff Innovation FundTM3” statewide project.

M6. Approval of an agreement, and authorization of an appropriation, for architectural services with Pitassi Architects, Inc. for the programming, concept design, and design drawings for the second floor of the Biane Library in the amount not to exceed $80,000 to be funded from Account 1329601-5650/1867329-0.

M7. Accept the bids received, award and authorize the execution of a contract in the amount of $211,789 for the “Civic Center – Roof System Restoration Project” to the lowest responsive bidder, All Surface Roofing and Waterproofing, Inc. of Santa Ana; and authorize the expenditure of a contingency in the amount of $22,000 to be funded from 1025001-5650/1892025-0 (Capital Reserve).
M8. Approval to set annual benefit assessments for Drainage Area No. 91-2 (Day Canyon Drainage Basin).

RESOLUTION NO. 14-130

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 2014-2015 AND DETERMINING AND IMPOSING SUCH BENEFIT ASSESSMENTS.

M9. Approval of Resolution establishing an annual levy for the costs incurred in the collection of assessments within Assessment District No. 93-1, Masi Plaza, no action is required to set the annual special assessment for this District as the special assessments were established during formation of the District and remain unchanged through the life of the bonds, pursuant to the Improvement Bond Act of 1915 Division 10 of the Streets and Highway Code.

RESOLUTION NO. 14-131

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 ASSESSMENT DISTRICT NO. 93-1

M10. Approval to set annual special tax for Community Facilities District No. 2000-03 B (Rancho Summit) operation of and maintenance of park and parkways.

RESOLUTION NO. 14-132


M11. Approval to set annual special tax for Community Facilities District No. 2000-01 (South Etiwanda) with no increase to the current rate.

RESOLUTION NO. 14-133


M12. Approval to set annual special tax for Community Facilities District No. 2000-02 (Rancho Cucamonga Corporate Park) with no increase to the current rate.

RESOLUTION NO. 14-134


RESOLUTION NO. 14-135


M14. Approval to set an annual special tax for Community Facilities District No. 2001-01 (Improvement Area Nos. 1 & 2, Series A) with no increase to the current rate.

RESOLUTION NO. 14-136

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 2014/2015 (IMPROVEMENT AREAS NO. 1 & 2), SERIES 2001-A

M15. 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.

RESOLUTION NO. 14-137


M16. 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.

RESOLUTION NO. 14-138

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 2014/2015 (IMPROVEMENT AREA NO. 1, ZONES 1, 2 & 3) SERIES 2003-A.

M17. 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.

RESOLUTION NO. 14-139


RESOLUTION NO. 14-140


M19. Approval to set an annual special tax for Community Facilities District No. 2006-01 (Vintner’s Grove) with no increase to the current rate.

RESOLUTION NO. 14-141


M20. Approval to set annual special tax for Community Facilities District No. 2006-02 (Amador on Route 66) with no increase to the current rate.

RESOLUTION NO. 14-142


M21. Approval of a cooperative agreement between Cucamonga Valley Water District and the City of Rancho Cucamonga for reimbursement of costs associated with the relocation of water and sewer improvements in conjunction with the Interstate 15 and Base Line Road Interchange Project.

M22. Approval of a Resolution accepting an offer of dedication for street, highway and related purposes offered to the City of Rancho Cucamonga by Official Record 89-305229, located on the east side of Hellman Avenue south of 9th Street, submitted by Donald W. Gilmour.

RESOLUTION NO. 14-143

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING AN OFFER OF DEDICATION FOR STREET, HIGHWAY AND RELATED PURPOSES FOR FERON BOULEVARD AND PORTIONS OF HELLMAN AVENUE, OFFERED BY OFFICIAL RECORD 89-305229, LOCATED ON THE EAST SIDE OF HELLMAN AVENUE SOUTH OF 9TH STREET

M23. Approval of map, monumentation cash deposit and ordering the annexation to Landscape Maintenance District No. 1 and Street Light Maintenance District Nos. 1 and 2 for Parcel Map 19505, located at 8807 Center Avenue, submitted by Royal Falcon Investment Company, LLC.
RESOLUTION NO. 14-144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING FINAL MAP AND MONUMENTATION CASH DEPOSIT FOR PARCEL MAP 19505

RESOLUTION NO. 14-145

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ORDERING THE ANNEXATION OF CERTAIN TERRITORY TO LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR PARCEL MAP 19505

RESOLUTION NO. 14-146

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ORDERING THE ANNEXATION OF CERTAIN TERRITORY TO STREET LIGHT MAINTENANCE DISTRICT NO. 1 (ARTERIAL STREETS) FOR PARCEL MAP 19505

RESOLUTION NO. 14-147

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ORDERING THE ANNEXATION OF CERTAIN TERRITORY TO STREET LIGHT MAINTENANCE DISTRICT NO. 2 FOR PARCEL MAP 19505

M24. Accept improvements, release the faithful performance bond, accept a maintenance bond and file a Notice of Completion for improvements for Parcel Map 19043, located on the north side of Amber Lane, approximately 370 feet west of Etiwanda Avenue, submitted by Williams Construction & Backhoe Service, Inc.

RESOLUTION NO. 14-148

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR Parcel Map 19043 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

M25. Approval to renew an annual lease purchase and services and supplies contract for Multifunction Copiers for year 3 of 5 of the agreement with Xerox Inc., (Contract Number 13-020) in the amount of $121,950 and authorize staff to allocate related FY 2014-2015 expenditures from applicable City and Fire District Account Numbers in accordance with the approved FY 2014-2015 budget.

MOTION: Moved by Steinorth, seconded by Williams, to approve the staff recommendations in the staff reports. Motion carried 5-0. Mayor Michael abstained from voting on the July 16, 2014 minutes (Item M1).

N. 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.
N1. Approval of a Resolution adopting the Fire District's General Fund final budget for Fiscal Year 2014/15 in the amount of $26,700,170.00.

RESOLUTION NO. FD 14-031


John Gillison, Executive Director, 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 Williams, seconded by Steinorth, to adopt Resolution No. FD 14-031. Motion carried 5-0.

N2. Adoption of a Resolution making determinations regarding the proposed annexation of territory (Royal Falcon Investment Company LLC, owner – APN: 0209-122-01 – Annexation No. 14-1) located on the northeast corner of Center Ave. and 24th St. to an existing Community Facilities District, calling a special election and authorizing submittal of levy of special taxes to the qualified electors. (Items N2 – N6 were heard together)

RESOLUTION NO. FD 14-032

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. 14-1) 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

N3. Adoption of a Resolution making determinations regarding the proposed annexation of territory (Etiwanda Congregation Jehovah's Witness, owner – APN: 1089-581-06 – Annexation No. 14-4) located at 12692 Base Line Road 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 14-033

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. 14-4) 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

N4. Adoption of a Resolution making determinations regarding the proposed annexation of territory (Allstate Paper & Metal Recycling Co, owner – APN: 0229-192-20 – Annexation No. 14-3) located on the south side of Whittram Avenue and east of Pecan Avenue 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 14-034

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. 14-3) 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

N5. Adoption of a Resolution making determinations regarding the proposed annexation of territory (DR Horton, owner – APN: 1089-581-01 – Annexation No. 14-5) located at the northeast corner of Base Line Road and San Carmela Ct 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 14-035

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. 14-5) 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

N6. Adoption of a Resolution making determinations regarding the proposed annexation of territory (Lennar Homes, owner – APN: 0229-041-09 – Annexation No. 14-6) located at 13200 Arrow Route 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 14-036

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. 14-6) 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

John Gillison, Executive Director, presented the staff report for Items N2 – N6.

President Michael opened the public hearing.

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

MOTION: Moved by Alexander, seconded by Williams, to adopt Resolution Nos. FD 14-032 thru FD 14-036. Motion carried 5-0.
O. CONTINUED ADVERTISED PUBLIC HEARING
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.

O1. Consideration of public interest, convenience and necessity in granting a Taxicab Services Permit to Express Transportation Systems DBA Checker Cab/AA Inland Empire Cab. (Hearing Continued from July 16, 2014).

Tamara Layne, Finance Director, presented the staff report.

In response to Mayor Michael, the Finance Director noted that 20 additional taxicabs had been permitted since the last meeting.

President Michael indicated that the public hearing had been continued from the last meeting.

Cesar Hernandez, Vice President of Operations for Express Transportation Systems addressed the petition that was submitted at the last meeting. He reported that when checking the petition, Finance asked for management and not the specific people who had signed the petition. Mr. Hernandez provided letters from each business indicating their support.

In response to Mayor Michael, Mr. Hernandez stated that every business he visited indicated that there was a need for more taxicabs. He noted that the residents of the City deserve better service. Mr. Hernandez noted that he will offer a coupon book for senior citizens to travel anywhere in the City for $5.00.

In response to Mayor Pro Tem Spagnolo, Mr. Hernandez confirmed that he will lower the proposed rates to be in line with the other taxi cab companies as stated at the last meeting.

Neil Evans, attorney for Express Transportation Systems reported on the benefits to competition. At the last meeting, it was reported that 11 cabs had been permitted to serve 150,000 residents. He pointed out that the other taxicab companies have admitted that there is a demand as they have applied for additional vehicles.

In response to Councilmember Steinorth, Mr. Hernandez reported that the senior citizen coupon would enable low income people to travel anywhere in the City for $5.00 each direction.

In response to Mayor Pro Tem Michael, Mr. Hernandez noted that the number of cabs to be used in the City would be determined after permission has been granted.

In response to Councilmember Williams, Mr. Hernandez noted that the $5.00 voucher is good for one person; if three people chose to ride together three vouchers would be needed.

Mayor Pro Tem Spagnolo suggested that each vehicle contain a telephone number to be used for complaints. Councilmember Williams noted that different dbas are mentioned and inquired which ones are requested to be licensed. In response, Mr. Hernandez indicated that the blue and white taxis and the checkered cabs will be used.

Councilmember Alexander indicated that the use of dbas are deceptive. In response to Councilmember Alexander, Mr. Hernandez did not know if the $5.00 coupon used in Orange County was still operational.

Mesfin Shawel provided statistics to the City Council on the City’s growth since the last taxicab company had been permitted in the City.
Victor Caballero, representing Bell Cab, stated that Page #343 of the General Plan indicates that the City’s growth and population are flat. Mr. Caballero noted that the applicant has not shown a need or necessity in granting a permit.

In response to Mayor Michael, Mr. Caballero confirmed that permits are posted and that a telephone number for complaints is provided. There is a 5 to 15 minute response time 85-90% of the time. Mr. Caballero stated that only permitted taxicabs are dispatched.

In response to Mayor Michael, Mr. Caballero confirmed that additional taxicabs had been licensed.

In response to Councilmember Williams, Mr. Caballero confirmed that every driver had a photo ID and permit on display. Mayor Michael indicated that he had used a taxicab from this company that didn't have their permit displayed.

Larry Slagle, representing Yellow Cab, indicated that there is such a thing as too much competition. The applicant has not established a need or necessity for granting the permit. He read a letter from Toby Keiths, which indicated that their partnership with Yellow Cab was a great service.

Marianne Bunk indicated that she doesn’t drive and has a need for this service. She indicated that the $5.00 coupon was a great deal. She noted the benefits to having competitors.

Mr. Hernandez noted that there are unpermitted drivers in the City.

John Lyons noted that his neighbors use cabs a lot. He didn’t care if permitted drivers are used or not when there are drunk residents that need to be transported home.

Mayor Michael closed the public hearing.

In response to Councilmember Alexander, Police Chief Onodera was not aware of any long term issue with any current taxicab company. In response to Mayor Pro Tem Spagnolo, Chief Onodera indicated that the Police Department does not check to see if a permit had been issued, but could do so if requested.

Mayor Pro Tem Spagnolo indicated that competition is good and this process allows us to tighten up existing processes and permits. He found it hard to believe that there are not any unpermitted cabs in the City. Mayor Pro Tem Spagnolo indicated that taxicabs should display their permit and provide a telephone number for complaints.

Councilmember Steinorth agreed that competition is important and was pleased with the coupon program. Councilmember Alexander concurred.

Councilmember Williams was not convinced that there was a need for another taxicab company and was concerned that the addition of another company would negatively impact the service to the community; however, she stated that she understood the will of the majority. Councilmember Williams hoped that there would be no hostility if this company was permitted. She noted that there is the potential for the other cab companies to provide the $5.00 coupon.

Mayor Michael referenced the formation of Uber demonstrates that there is a need and that residents are looking for better response times. He liked the $5.00 coupon. Mayor Michael encouraged all of the taxicab companies to post their permits and a telephone number for complaints.

**MOTION:** Moved by Alexander, seconded by Steinorth to find that there was a need and necessity in granting a Taxicab Services Permit to Express Transportation Systems DBA Checker Cab/AA Inland Empire Cab subject to the rates currently charged by the other cab companies. Motion carried 5-0.
P. ADVERTISED PUBLIC HEARING
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.

P1. Consideration to approve the Resolution confirming the diagrams, and assessments, approve the annual Engineer’s reports and ordering the levy and collection of annual assessments for Landscape Maintenance District Nos. 1, 2, 3A, 3B, 4-R, 5, 6-R, 7, 8, 9, and 10 for fiscal year 2014-2015.

RESOLUTION NO. 14-149


Chris Bopko, Management Analyst III, presented the staff report.

Mayor Michael opened the public hearing.

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

MOTION: Moved by Steinorth, seconded by Williams, to adopt Resolution No. 14-149. Motion carried 5-0.

P2. Consideration to approve the Resolution confirming the diagram and assessment, approve the annual Engineer’s report, and order the levy and collection of the annual assessments within Park and Recreation Improvement District No. PD-85 for Fiscal Year 2014/2015. No increase in the assessment rate is being proposed or permitted.

RESOLUTION NO. 14-150


Chris Bopko, Management Analyst III, presented the staff report.

Mayor Michael opened the public hearing.

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

MOTION: Moved by Alexander, seconded by Williams, to adopt Resolution No. 14-150. Motion carried 5-0.
P3. Consideration to approve the Resolution confirming the diagrams and assessments, approve the annual Engineer’s reports and order the levy and collection of annual assessments within Street Lighting Maintenance District Nos. 1, 2, 3, 4, 5, 6, 7, and 8 for Fiscal Year 2014-2015. No increase of the assessment rate is proposed or permitted.

RESOLUTION NO. 14-151

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, CONFIRMING THE DIAGRAMS AND ASSESSMENTS, APPROVING THE ANNUAL ENGINEER’S REPORTS AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICT NOS. 1, 2, 3, 4, 5, 6, 7, AND 8 FOR FISCAL YEAR 2014-2015

Chris Bopko, Management Analyst III, presented the staff report.

Mayor Michael opened the public hearing.

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

MOTION: Moved by Williams, seconded by Steinorth, to adopt Resolution No. 14-151. Motion carried 5-0.

Q. CITY MANAGER’S STAFF REPORTS

The following items have no legal publication or posting requirements.

Q1. Adoption of a Resolution declaring results of a special election in Community Facilities District No. 85-1, Annexation No. 14-1 and ordering the annexation of such property located on the northeast corner of Center Avenue and 24th Street in Community Facilities District No. 85-1 (Royal Falcon Investment Company LLC, owner – APN: 0209-122-01). Items Q1 – Q5 were heard together.

RESOLUTION NO. FD 14-037

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. 85-1, DECLARING THE RESULTS OF A SPECIAL ELECTION IN COMMUNITY FACILITIES DISTRICT NO. 85-1, ANNEXATION NO.14-1 AND ORDERING THE ANNEXATION OF SUCH PROPERTY TO COMMUNITY FACILITIES DISTRICT NO. 85-1

Q2. Adoption of a Resolution declaring results of a special election in Community Facilities District No. 85-1, Annexation No. 14-3 and ordering the annexation of such property located on the south side of Whittram Avenue and east of Pecan Avenue, in Community Facilities District No. 85-1 (Allstate Paper & Metal Recycling Co., owner – APN: 0229-192-20).
RESOLUTION NO. FD 14-038

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. 85-1, DECLARING THE RESULTS OF A SPECIAL ELECTION IN COMMUNITY FACILITIES DISTRICT NO. 85-1, ANNEXATION NO.14-3 AND ORDERING THE ANNEXATION OF SUCH PROPERTY TO COMMUNITY FACILITIES DISTRICT NO. 85-1

Q3. Adoption of a Resolution declaring results of a special election in Community Facilities District No. 85-1, Annexation No. 14-4 and ordering the annexation of such property located at 12692 Base Line Road, in Community Facilities District No. 85-1 (Etiwanda Congregation Jehovah’s Witness, owner – APN: 1089-581-06).

RESOLUTION NO. FD 14-039

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. 85-1, DECLARING THE RESULTS OF A SPECIAL ELECTION IN COMMUNITY FACILITIES DISTRICT NO. 85-1, ANNEXATION NO.14-4 AND ORDERING THE ANNEXATION OF SUCH PROPERTY TO COMMUNITY FACILITIES DISTRICT NO. 85-1

Q4. Adoption of a Resolution declaring results of a special election in Community Facilities District No. 85-1, Annexation No. 14-5 and ordering the annexation of such property located at the northeast corner of Base Line Road and San Carmela Court, in Community Facilities District No. 85-1 (DR Horton, owner – APN: 1089-581-01).

RESOLUTION NO. FD 14-040

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. 85-1, DECLARING THE RESULTS OF A SPECIAL ELECTION IN COMMUNITY FACILITIES DISTRICT NO. 85-1, ANNEXATION NO.14-5 AND ORDERING THE ANNEXATION OF SUCH PROPERTY TO COMMUNITY FACILITIES DISTRICT NO. 85-1

Q5. Adoption of a Resolution declaring results of a special election in Community Facilities District No. 85-1, Annexation No. 14-6 and ordering the annexation of such property located at 13200 Arrow Route, in Community Facilities District No. 85-1 (Lennar Homes Witness, owner – APN: 0229-041-09).

RESOLUTION NO. FD 14-041

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. 85-1, DECLARING THE RESULTS OF A SPECIAL ELECTION IN COMMUNITY FACILITIES DISTRICT NO. 85-1, ANNEXATION NO.14-6 AND ORDERING THE ANNEXATION OF SUCH PROPERTY TO COMMUNITY FACILITIES DISTRICT NO. 85-1

Rob Ball, Fire Marshall, presented the staff report.

MOTION: Moved by Spagnolo, seconded by Alexander, to adopt Resolution Nos. FD 14-037 thru 14-041. Motion carried 5-0.
**R. COUNCIL BUSINESS**

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

**R1.** CONSIDERATION OF THE CITY COUNCIL LIBRARY SUB-COMMITTEE’S RECOMMENDATION REGARDING APPOINTMENTS TO THE LIBRARY BOARD OF TRUSTEES. Items R1 – R2 were heard together.

**R2.** CONSIDERATION OF THE CITY COUNCIL LIBRARY SUB-COMMITTEE’S RECOMMENDATION REGARDING REAPPOINTMENTS TO THE LIBRARY FOUNDATION BOARD.

Councilmember Diane Williams presented the staff report.

**MOTION:** Moved by Steinorth, seconded by Spagnolo, to appoint Christine DeVries and Sarah Tompkins to the Library Subcommittee for four year terms and re-appoint Tina Gilfrey and David Gonzales to the Library Foundation Board. Motion carried 5-0.

**R3.** INTER-AGENCY UPDATES (Update by the City Council to the community on the meetings that were attended.)

Mayor Pro Tem Spagnolo reported that at the Omnitrans meeting, a decision was made to pursue consideration of a discounted bus fare for low income persons. He indicated that if approved, Omnitrans expects the new rate to be implemented by November.

Mayor Michael reported that he was selected as the nominee for Second Vice President on the League of California Cities Board of Directors. Members will be voting on the candidates at the Annual Conference in September.

**R4.** COUNCIL ANNOUNCEMENTS (Comments to be limited to three minutes per Council Member.)

Mayor Pro Tem Spagnolo indicated that the recent Inland Empire Division meeting of the League was held on Thursday. He appreciated the location and thanked the planners of this event.

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

No items were identified.

**T. ADJOURNMENT**

The meeting was adjourned at 9:57 p.m. after a moment of silence in the memory of in the memory of Benjamin Carlson, who died on July 7, 2014 while braving dangerous rip currents and high surf in his attempts to rescue a Newport Beach swimmer.

Respectfully submitted,

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

Approved: August 20, 2014