



INFORMATION FOR THE PUBLIC



TO ADDRESS THE REDEVELOPMENT AGENCY, FIRE BOARD AND CITY COUNCIL

The Agency, Fire Board and City Council encourage free expression of all points of view. To allow all persons to speak, given the length of the Agenda, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. To encourage all views and promote courtesy to others, the audience should refrain from clapping, booing or shouts of approval or disagreement from the audience.

The public may address the Agency, Fire Board or City Council by filling out a speaker card and submitting it to the City Clerk. The speaker cards are located on the wall at the back of the Chambers, at the front desk behind the staff table and at the City Clerk's desk. During "Public Communications," your name will be called to speak on any item **listed or not listed** on the agenda in the order in which it was received. If you are present to speak on an "Advertised Public Hearing" item, your name will be called when that item is being discussed. Comments are to be limited to five minutes per individual or less, as deemed necessary by the Chair, depending upon the number of individuals desiring to speak.

The public communications period will not exceed one hour prior to the commencement of the business portion of the agenda. During this one hour period, all those who wish to speak on a topic contained in the business portion of the agenda will be given priority, and no further speaker cards for these business items (with the exception of public hearing items) will be accepted once the business portion of the agenda commences. Any other public communications which have not concluded during this one hour period may resume after the regular business portion of the agenda has been completed.

Any handouts for the Agency, Fire Board or City Council should be given to the City Clerk for distribution.

AGENDA BACK-UP MATERIALS

Staff reports and back-up materials for agenda items are available for review at the City Clerk's counter, Public Library and on the City's website. A complete copy of the agenda is also available at the desk located behind the staff table during the Council meeting.

LIVE BROADCAST

Agency, Fire Board and Council meetings are broadcast live on Channel 3 for those with cable television access. Meetings are rebroadcast on the second and fourth Wednesdays of each month at 11:00 a.m. and 7:00 p.m. The City has added the option for customers without cable access to view the meetings "on-demand" from their computers. The added feature of "Streaming Video On Demand" is available on the City's website at www.ci.rancho-cucamonga.ca.us/whatsnew.htm for those with Hi-bandwidth (DSL/Cable Modem) or Low-bandwidth (Dial-up) Internet service.

The Agency, Fire Board and City Council meets regularly on the first and third Wednesday of the month at 7:00 p.m. in the Council Chambers located at 10500 Civic Center Drive.

Members of the City Council also sit as the Redevelopment Agency and the Fire District Board.

Copies of the agendas and minutes can be found at <http://www.ci.rancho-cucamonga.ca.us>



If you need special assistance or accommodations to participate in this meeting, please contact the City Clerk's office at (909) 477-2700. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility. Listening devices are available for the hearing impaired.

Please turn off all cellular phones and pagers while the meeting is in session.



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
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APRIL 15, 2009**

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**A. 5:00 P.M. – CLOSED SESSION
CALL TO ORDER – TAPIA ROOM**

1. Roll Call: Mayor Kurth
Mayor Pro Tem Michael
Councilmembers Gutierrez, Spagnolo and Williams

**CLOSED SESSION CALLED TO ORDER AS THE
CITY COUNCIL, FIRE PROTECTION DISTRICT AND REDEVELOPMENT AGENCY.**

B. ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

C. PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEM(S)

D. CONDUCT OF CLOSED SESSION

1. LABOR NEGOTIATIONS PER GOVERNMENT CODE SECTION 54954.2 TO GIVE JOHN GILLISON, DEPUTY CITY MANAGER AND PAMELA EASTER, ASSISTANT CITY MANAGER, DIRECTION IN REGARDS TO THE MEET AND CONFER PROCESS – *RDA, City, Fire*
2. CONFERENCE WITH PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 9TH STREET AND MADRONE AVENUE -LINDA D. DANIELS, RDA DIRECTOR, NEGOTIATING PARTY – *RDA*

E. CITY MANAGER ANNOUNCEMENTS

F. RECESS

CLOSED SESSION TO RECESS TO THE REGULAR REDEVELOPMENT AGENCY 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.



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

THE REGULAR MEETINGS OF THE REDEVELOPMENT AGENCY, FIRE PROTECTION DISTRICT AND CITY COUNCIL WILL BE CALLED TO ORDER. IT IS THE INTENT TO CONCLUDE THE MEETINGS BY 10:00 P.M., UNLESS EXTENDED BY CONCURRENCE OF THE AGENCY, FIRE BOARD AND COUNCIL.

1. Pledge of Allegiance
2. Roll Call: Mayor Kurth
Mayor Pro Tem Michael
Councilmembers Gutierrez, Spagnolo and Williams

H. ANNOUNCEMENTS/PRESENTATIONS

1. Presentation of a Proclamation in recognition of April 26 – May 2, 2009 as “National Crime Victims’ Rights Week.”
2. Announcement regarding Special Olympics “Tip a Cop” at the Claim Jumper on April 16th, 2009, 5:00 to 9:00 p.m.
3. Presentation of a Proclamation in recognition of April 12–18, 2009 as “National Library Week.”
4. Presentation of a Proclamation in recognition of April 22, 2009 as “Earth Day.”

I. PUBLIC COMMUNICATIONS

This is the time and place for the general public to address the Redevelopment Agency, Fire Protection District and City Council on any item listed or not listed on the agenda. State law prohibits the Agency, Fire Board, or City Council from addressing any issue not previously included on the Agenda. The Agency, Fire Board, or City Council may receive testimony and set the matter for a subsequent meeting.

Comments are to be limited to five minutes per individual or less, as deemed necessary by the Chair, depending upon the number of individuals desiring to speak. All communications are to be addressed directly to the Agency, Fire Board or City Council, not to the members of the audience. This is a professional business meeting and courtesy and decorum are expected. Please refrain from any debate between audience and speaker, making loud noises, or engaging in any activity which might be disruptive to the decorum of the meeting. (continued on page 3)



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The public communications period will not exceed one hour prior to the commencement of the business portion of the agenda. During this one hour period, all those who wish to speak on a topic contained in the business portion of the agenda will be given priority, and no further speaker cards for these business items (with the exception of public hearing items) will be accepted once the business portion of the agenda commences. Any other public communications which have not concluded during this one hour period may resume after the regular business portion of the agenda has been completed.

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.

1. Approval of Minutes: April 1, 2009 (Adjourned Meeting – Healthy RC/Green Sustainability)
April 1, 2009 (Regular Meeting)
Sept. 22, 2008 (Special Meeting – Team Building)
2. Approval of Check Register dated March 25 through April 7, 2009, for the total amount of \$203,881.48.
3. Approval to receive and file current Investment Schedule as of March 31, 2009.
4. Approval of Plans, Specifications and Estimates and to authorize the advertising of the “Notice Inviting Bids” for the Demens Basin Fill Project, to be funded from Acct. No. 2502801-5650/1694502-0.

RESOLUTION NO. RA 09-003

A RESOLUTION OF THE RANCHO CUCAMONGA REDEVELOPMENT AGENCY, RANCHO CUCAMONGA, CALIFORNIA, APPROVING PLANS AND SPECIFICATIONS FOR THE DEMENS BASIN FILL PROJECT, IN SAID CITY AND AUTHORIZING AND DIRECTING THE CITY CLERK TO ADVERTISE TO RECEIVE BIDS

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.

1. Approval of Minutes: April 1, 2009 (Adjourned Meeting – Healthy RC/Green Sustainability)
April 1, 2009 (Regular Meeting)
Sept. 22, 2008 (Special Meeting – Team Building)



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2. Approval of Check Register dated March 25 through April 7, 2009, for the total amount of \$231,340.36.
3. Approval to receive and file current Investment Schedule as of March 31, 2009.

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.

1. Approval of Minutes: April 1, 2009 (Adjourned Meeting – Healthy RC/Green Sustainability)
April 1, 2009 (Regular Meeting)
Sept. 22, 2008 (Special Meeting – Team Building)
2. Approval of Check Register dated March 25 through April 7, 2009, and payroll ending April 7, 2009, for the total amount of \$6,169,802.83.
3. Approval to receive and file current Investment Schedule as of March 31, 2009.
4. Approval of specifications and to authorize the advertising of the “Notice Inviting Bids” for the Citywide Bridge Deck Maintenance, to be funded from Acct. No. 1112303-5650/1542112-0.

RESOLUTION NO. 09-060

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING PLANS AND SPECIFICATIONS FOR “CITYWIDE BRIDGE DECK MAINTENANCE” AND AUTHORIZING AND DIRECTING THE CITY CLERK TO ADVERTISE TO RECEIVE BIDS

5. Approval of specifications and to authorize the advertising of the “Notice Inviting Bids” for the Citywide Street Name Sign Replacement – FY 08/09, to be funded from Acct. No. 1112303-5650 / 1542112-0.

RESOLUTION NO. 09-061

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING PLANS AND SPECIFICATIONS FOR “CITYWIDE STREET NAME SIGN REPLACEMENT – FY 08/09” AND AUTHORIZING AND DIRECTING THE CITY CLERK TO ADVERTISE TO RECEIVE BIDS

6. Approval to authorize the advertising of the “Notice Inviting Bids” for the Construction of Hillside Road Pavement Rehabilitation from West City Limit to Beryl Street, to be funded from Prop 1B funds, Acct. Nos. 1194303-5650/1682194-0 and 1194303-5650/1713194-0.



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RESOLUTION NO. 09-062

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING PLANS AND SPECIFICATIONS FOR THE HILLSIDE ROAD PAVEMENT REHABILITATION FROM WEST CITY LIMIT TO BERYL STREET IN SAID CITY AND AUTHORIZING AND DIRECTING THE CITY CLERK TO ADVERTISE TO RECEIVE BIDS

7. Approval to authorize the advertising of the "Notice Inviting Bids" for the FY 2009/10 Local Street Pavement Rehabilitation – Overlay of Various Streets, Part 2, to be funded from Proposition 1B for construction of said project.

RESOLUTION NO. 09-063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING PLANS AND SPECIFICATIONS FOR THE "FY 2009/10 LOCAL STREET PAVEMENT REHABILITATION – OVERLAY OF VARIOUS STREETS, PART 2," IN SAID CITY AND AUTHORIZING AND DIRECTING THE CITY CLERK TO ADVERTISE TO RECEIVE BIDS

8. Approval of Community Services Update Report.
9. Approval of request for City Council to appropriate \$5,000.00 out of the \$50,000.00 Census Bureau Grant Funds to Expenditure Acct. No. 1016301-5200 to be utilized during FY 08/09 and \$45,000.00 to be budgeted for FY 09/10 funds will be used to support the City's preparation and public outreach efforts for Census 2010.
10. PUBLIC CONVENIENCE OR NECESSITY - DRC2009-00265 - RANCHO FARMER'S MARKET - A request for a Public Convenience or Necessity determination for a Type 20 Off-Sale Beer and Wine license for an existing market that is located in an existing commercial center on the south side of Foothill Boulevard between Helms Avenue and Malachite Avenue in the Community Commercial (CC) District - APN: 208-261-56. Staff has determined that the project is categorically exempt from CEQA review and qualifies as a Class 1 exemption under State CEQA Guidelines Section 15301.

RESOLUTION NO. 09-064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING A DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 20 OFF-SALE BEER AND WINE LICENSE FOR AN EXISTING MARKET THAT IS LOCATED IN AN EXISTING COMMERCIAL CENTER ON THE SOUTH SIDE OF FOOTHILL BOULEVARD BETWEEN HELMS AVENUE AND MALACHITE AVENUE IN THE COMMUNITY COMMERCIAL (CC) DISTRICT, LOCATED AT 9455 FOOTHILL BOULEVARD - APN: 0208-261-56



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11. Approval to Execute an Addendum to the Epicenter Rental Contract (CO 94-039) with *Rancho Cucamonga High School* for Waiver of Rental Fees Associated with Graduation Ceremonies at the Rancho Cucamonga Epicenter in Exchange for City Use of the Rancho Cucamonga High School's Gymnasium for the City's Youth Basketball Program for 2009 and 2010.
12. Approval of Improvement Agreement, Improvement Security and Ordering the Annexation to Landscape Maintenance District No. 3B and Street Lighting Maintenance District Nos. 1 and 6 for DRC2005-00703, located AT 8578 Pecan Avenue, submitted by Gordon Trucking, Inc.

RESOLUTION NO. 09-065

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITY FOR DRC2005-00703

RESOLUTION NO. 09-066

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 AND STREET LIGHTING MAINTENANCE DISTRICT NOS. 1 AND 6 FOR DRC2005-00703

13. Approval of Improvement Agreement and Improvement Security for Verizon FIOS Project (ROW2009-00053) located citywide, submitted by *Verizon California, Inc.*, and approval to utilize a portion of the \$50,000 deposited by Verizon California, Inc. into Trust Acct. No. 1882000-2305/1720-0 for the Fios Project and appropriate \$20,000 into Revenue Acct. No. 1001000-4511/1720-0 and \$20,000 to Expenditure Acct. No. 1001305-5303/1720-0 to fund contract inspection services, and appropriate \$15,000 into Revenue Acct. No. 1001000-4914/1720-0 to offset anticipated staff time to be spent on this project.

RESOLUTION NO. 09-067

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITY FOR ROW2009-00053

14. Approval to accept the bids received and award and authorize the execution of the contract in the amount of \$727,000.00 to the apparent low bidder, *Hardy & Harper, Inc.* (CO 09-187), and authorize the expenditure of a 10% contingency in the amount of \$72,700.00 for the FY 2009/2010 Local Street Pavement Rehabilitation Overlay of Various Streets, to be funded from Prop 1B Funds, Acct. No. 1194303-5650/1022194-0 and appropriate \$839,700.00 to Acct. No. 1194303-5650/1022194-0 from Prop 1B fund balance.
15. Approval to release the Maintenance Guarantee Bond for Parcel Map 17318, located at the northeast corner of 4th St. and Utica, submitted by Investment Development Services, Inc.



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16. Approval to accept Improvements, release the Faithful Performance Bond, accept a Maintenance Bond and file a Notice of Completion for improvements for Rancho Etiwanda Infrastructure (Tract 16226 Collector Streets and Storm Drain), located north of the extension of Day Creek Boulevard and west of Etiwanda Avenue, submitted by JTY Investment, LLC.

RESOLUTION NO. 09-068

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR RANCHO ETIWANDA INFRASTRUCTURE (TRACT 16266 COLLECTOR STREETS AND STORM DRAIN) AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

17. Approval to substitute Improvement Agreement and Improvement Security for Rancho Etiwanda Estates Infrastructure work to be completed with Tract Map 16226-2, located at the northwest corner of Day Creek Boulevard and Etiwanda Avenue, submitted by JTY Investment, LLC.

RESOLUTION NO. 09-069

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITY FOR RANCHO ETIWANDA ESTATES INFRASTRUCTURE (TENTATIVE TRACT MAP 16226)

18. Approval to accept Improvements, release the Faithful Performance Bond, accept a Maintenance Bond and file a Notice of Completion for improvements for Rancho Etiwanda Infrastructure (Tract 16227 Collector Streets and Storm Drain), located north of the extension of Day Creek Boulevard and west of Etiwanda Avenue, submitted by JTY Investment, LLC.

RESOLUTION NO. 09-070

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR RANCHO ETIWANDA INFRASTRUCTURE (TRACT 16227 COLLECTOR STREETS AND STORM DRAIN) AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

19. Approval to release the Maintenance Guarantee Bond for Rancho Etiwanda Infrastructure Day Creek Storm Drain and Basin (Tract 16226 & 16227), located at the northwest corner of Day Creek Boulevard and Etiwanda Avenue, submitted by JTY Investment, LLC.
20. Approval to accept the Improvements, release the Faithful Performance Bond and file a Notice of Completion for improvements for Tract 16454, 16454-1 and 16455, located at the southeast corner of Base Line Road and Etiwanda Avenue, submitted by KB Home Greater Los Angeles, Inc.



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RESOLUTION NO. 09-071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR TRACT 16454, 16454-1 AND 16455 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

21. Approval to release Faithful Performance Bond No. 443898, retained in lieu of Maintenance Guarantee Bond, in the amount of \$561,957.28, for the Haven Avenue and 19th Street Improvement Project, Contract No. 07-078.

**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.

1. APPROVAL TO ADOPT A RESOLUTION MAKING DETERMINATIONS REGARDING THE PROPOSED ANNEXATION OF TERRITORY (RC66 PLAZA LLC – APN'S 0207-113-23 & 24 – ANNEXATION NO. 09-2) TO AN EXISTING COMMUNITY FACILITIES DISTRICT, CALLING A SPECIAL ELECTION AND AUTHORIZING SUBMITTAL OF LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS

RESOLUTION NO. FD 09-010

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. 09-2) TO AN EXISTING COMMUNITY FACILITIES DISTRICT (CFD 85-1) AND CALLING A SPECIAL ELECTION AND AUTHORIZING THE SUBMITTAL OF THE LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS OF SUCH TERRITORY

**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.

1. CONSIDERATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT DRAFT FUNDING ALLOCATIONS FOR FISCAL YEAR 2009-2010 – DRC 2009-00227 – CITY OF RANCHO CUCAMONGA – A review of the federally required Annual Action Plan, which includes the preliminary selection of CDBG projects, based on a new grant allocation of \$1,013,150.



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2. HISTORIC LANDMARK DESIGNATION DRC2009-00069 – THE CITY OF RANCHO CUCAMONGA – A request to designate the Cucamonga Service Station as a designated historic landmark, located at 9670 Foothill Boulevard - APN: 0208-153-05.

RESOLUTION NO. 09-072

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING HISTORIC LANDMARK DRC2009-00069, DESIGNATING THE CUCAMONGA SERVICE STATION A HISTORIC LANDMARK, LOCATED AT 9670 FOOTHILL BOULEVARD AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0208-153-05

O. COUNCIL BUSINESS

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

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

P. IDENTIFICATION OF ITEMS FOR NEXT MEETING

Q. ADJOURNMENT

I, Debra L. McNay, Assistant City Clerk/Records Manager of the City of Rancho Cucamonga, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on April 9, 2009, seventy-two (72) hours prior to the meeting per Government Code 54954.2 at 10500 Civic Center Drive.