



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
CITY COUNCIL AGENDA
MAY 20, 2009**

1

**A. 5:30 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
REDEVELOPMENT AGENCY, FIRE PROTECTION DISTRICT AND CITY COUNCIL**

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 LEGAL COUNSEL REGARDING EXISTING LITIGATION PER GOVERNMENT CODE SECTION 54956.9(A) – *JR ENTERPRISES, LP V. CITY OF RANCHO CUCAMONGA* – CASE NUMBER RCV 090728 - *City*
3. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PER GOVERNMENT CODE SECTION 54956.9(A) – FREEDOM FROM RELIGION FOUNDATION, INC V. CITY OF RANCHO CUCAMONGA, AND LINDA DANIELS – CASE NUMBER 2:08-CV-07833-PA-PJW, UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CA, EASTERN DIVISION – *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.



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009**

2

**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

- H1. Presentation of a Proclamation to the United States Bureau of Census in recognition of the formation of the City of Rancho Cucamonga Complete Count Committee (CCC) – DRC2009-00047 Census 2010.
- H2. Presentation of Proclamation to Cucamonga Valley Water District in recognition of “Water Awareness Month” May, 2009.
- H3. Announcement of the 2009/2010 Season of Performances for the Lewis Family Playhouse at the Victoria Gardens Cultural Center.

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)



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009**

3

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.

- J1. Approval of Minutes: May 6, 2009 (Regular Meeting)
- J2. Approval of Check Register dated April 30 through May 12, 2009, for the total amount of \$1,872,003.46.
- J3. Approval to receive and file current Investment Schedule as of April 30, 2009.
- J4. Approval to increase Contract No. 09-176/RA09-006 in the amount of \$37,396.67 to Mega Way Enterprises, and approve Contract Change Order No. 1 for increasing the block wall height for the construction of Foothill Boulevard and Etiwanda Sidewalks and Block Walls project, to be funded from RDA Funds, Acct. No. 2640801-5650/1670640-0 and appropriate an additional amount of \$37,396.67 to Acct. No. 2640801-5650/1670640-0 from RDA Fund balance.
- J5. Approval to accept the Epicenter Stadium Seat Replacement Project, Contract No. RA 08-018 as complete, retain the Faithful Performance Bond as a Guarantee Bond, release the Labor and Material Bond and authorize the City Engineer to file a Notice of Completion and approve the final contract amount of \$707,261.10.

RESOLUTION NO. RA 09-007

A RESOLUTION OF THE RANCHO CUCAMONGA REDEVELOPMENT AGENCY, RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE EPICENTER STADIUM SEAT REPLACEMENT PROJECT, CONTRACT NO. RA 08-018 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

- J6. Approval to accept the Pacific Electric Trail Phase V Improvements, Contract No. 08-093 as complete, retain the Faithful Performance Bond as a Guarantee Bond, release the Labor and Material Bond, authorize the City Engineer to file a Notice of Completion and approve the final contract amount of \$1,135,978.11.



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009**

4

RESOLUTION NO. RA 09-008

A RESOLUTION OF THE RANCHO CUCAMONGA REDEVELOPMENT AGENCY, RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE PACIFIC ELECTRIC TRAIL PHASE V IMPROVEMENTS, CONTRACT NO. 08-093 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

- J7. Approval to accept the Epicenter Stadium Handrail Fabrication and Installation Project, Contract No. RA08-034 as complete, release the bonds, retain the Faithful Performance Bond to act as a Maintenance Guarantee Bond, and authorize the Interim Public Works Services Director to file a Notice of Completion and approval the final contract amount of \$19,308.

RESOLUTION NO. RA 09-009

A RESOLUTION OF THE RANCHO CUCAMONGA REDEVELOPMENT AGENCY, RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR EPICENTER STADIUM HANDRAIL FABRICATION AND INSTALLATION AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

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: May 6, 2009 (Regular Meeting)
- K2. Approval of Check Register dated April 30 through May 12, 2009, for the total amount of \$29,180.99.
- K3. Approval to receive and file current Investment Schedule as of April 30, 2009.
- K4. Approval of a Resolution Adopting a Memorandum of Understanding (FD 09-002) between the Rancho Cucamonga Fire Protection District and the *Fire Management Employees* Group for Fiscal Year 2009-10.

RESOLUTION NO. FD 09-017

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO CUCAMONGA FIRE PROTECTION DISTRICT, RANCHO CUCAMONGA, CALIFORNIA, APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE DISTRICT AND FIRE MANAGEMENT EMPLOYEES RELATIVE TO WAGES, BENEFITS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR FISCAL YEAR 2009-10



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009**

5

- K5. Approval of a Resolution declaring results of a Special Election in Community Facilities District No. 85-1, Annexation No. 09-2 (RC66 Plaza LLC – APNs 0207-113-23 & 24)

RESOLUTION NO. FD 09-018

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. 09-2 AND ORDERING THE ANNEXATION OF SUCH PROPERTY TO COMMUNITY FACILITIES DISTRICT NO. 85-1

- K6. Approval to renew the existing agreement with Willdan Financial Services (FD 09-002) (formerly MuniFinancial) in the amount of \$14,650 for contract engineering services to update the County Assessor's tax rolls for Tax Year 2009/10 within Community Facilities District No. 85-1.

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: May 6, 2009 (Regular Meeting)
- L2. Approval of Check Register dated April 30 through May 12, 2009, and payroll ending May 12, 2009, for the total amount of \$1,831,756.37.
- L3. Approval to receive and file current Investment Schedule as of April 30, 2009.
- L4. Approval to authorize the advertising of the "Notice Inviting Bids" for the FY 2009/2010 Local Street Pavement Rehabilitation (Slurry Seal) and Parking Lot Resurfacing (Seal Coat) at Various Locations, to be funded from Prop 42 Traffic Relief Fund, Acct. No. 1190303-5650/1022190-0 for construction of said project.

RESOLUTION NO. 09-085

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING PLANS AND SPECIFICATIONS FOR THE FY 2009/2010 LOCAL STREET PAVEMENT REHABILITATION (SLURRY SEAL) AND PARKING LOT RESURFACING (SEAL COAT) AT VARIOUS LOCATIONS, IN SAID CITY AND AUTHORIZING AND DIRECTING THE CITY CLERK TO ADVERTISE TO RECEIVE BIDS



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009**

6

- L5. Approval for the purchase of five (5) Ford vehicles from Redlands Ford of Redlands, California, as per request for bid (RFB) #08/09-014 and authorize the expenditure of \$129,308.72, to be funded from Acct. No. 1712001-5604 (Equipment and Vehicle Replacement Fund).

- L6. Approval for the purchase of one (1) Ford E-350 Signal Maintenance Cargo Van from Downtown Ford of Sacramento, California, as per request for bid (RFB) #08/09-010, and authorize the expenditure of \$67,909.95 to be funded from Acct. No. 1712001-5604 (Vehicle and Equipment Replacement Fund) as approved in the FY 2008-2009 budget.

- L7. Approval to purchase seven (7) Traffic Controller Cabinets from Econolite, Inc., of Anaheim and authorize the expenditure of \$239,581.51, to be funded from Acct. No. 1712001-5603 (Equipment/Vehicle Replacement Fund), and appropriate \$39,581.51 from the Equipment/Vehicle Replacement Fund balance.

- L8. Approval to purchase seven (7) sets of six (6) 41-AMP and 40 sets of six (6) 51-AMP traffic signal replacement batteries from Interstate Battery as per request for bid (RFB) #08/09-012 and authorize the expenditure of \$79,711.42, to be funded from Acct. No. 1712001-5200 (Equipment/Vehicle Replacement Fund) as approved in the FY 2008-2009 budget.

- L9. Approval to award the purchase of one (1) lot of Hewlett Packard printers, plotters, miscellaneous equipment, and maintenance from Diltex, Inc., in the amount of \$134,094 per RFB #08/09-008 and authorize the expenditure of a 10% contingency in the amount of \$13,409, for a grand total of \$147,503, to be funded as follows: \$10,216 from 1714001-5200 (Computer Equipment/Technical Replacement Fund – Operations & Maintenance) \$102,252 from 1714001-5215 (Operations & Maintenance/Computer Equipment) \$22,713 from 1714001-5300 (Contract Services) and \$12,322 from 1714001-5605 (Capital Outlay-Computer Equipment).

- L10. Approval of Community Services Update Report.

- L11. Approval to increase Contract No. 09-176/RA09-006 in the amount of \$37,396.67 to Mega Way Enterprises, and approve Contract Change Order No. 1 for increasing the block wall height for the construction of Foothill Boulevard and Etiwanda Sidewalks and Block Walls project, to be funded from RDA Funds, Acct. No. 2640801-5650/1670640-0 and appropriate an additional amount of \$37,396.67 to Acct. No. 2640801-5650/1670640-0 from RDA Fund balance.

- L12. Approval to accept the bids received, award and authorize the execution of the contract in the amount of \$475,000.00 to the apparent low Bidder, *Elite Bobcat Service, Inc.* (CO 09-199), and authorize the expenditure of a 10% contingency in the amount of \$47,500 for the Victoria Park Lane Pavement Rehabilitation from Fairmont Way to Rochester Avenue and from 300' east of Day Creek Boulevard to Base Line Road, to be funded from Proposition 1B Funds, Acct. Nos. 1194303-5650/1686194-02, 1194303-5650/1687194-02 and 1194303-5650/1688194-02.

- L13. Approval to accept the bids received, award and authorize the execution of the contract in the amount of \$646,000 to the apparent low bidder, *Hardy & Harper, Inc.* (CO 09-200), and authorize the expenditure of a 10% contingency in the amount of \$64,600 for the Fiscal Year 2009/2010 Local Street Pavement Rehabilitation Overlay of Various Streets, Part 2, to be funded from Proposition 1B Funds, Acct. No. 1194303-5650/1022194-0 and appropriate \$715,000 to Acct. No. 1194303-5650/1022194-0 from Proposition 1B Fund balance.



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009**

7

- L14. Approval to accept the bids received, award and authorize the execution of the contract in the amount of \$135,211 to the apparent low bidder, *Hillcrest Contracting, Inc.* (CO 09-201), and authorize the expenditure of a 10% contingency in the amount of \$13,521.10 for the FY 2008/2009 Bus Bay, Driveway and ADA Access Ramp Improvements at Various Locations, to be funded from Measure "I" Fund and Pedestrian Grant Article 3 Fund, Acct. No. 1176303-5650/1150176-0 and 1214303-5650/1521214-0, respectively and appropriate \$ \$30,040.00 to Acct. No. 1214303-5650/1521214-0 from Pedestrian Grant Article 3 Fund balance.
- L15. Approval to accept the bids received, award and authorize the execution of the contract in the amount of \$341,974 to the apparent low bidder, *International Pavement Solutions, Inc.* (CO 09-202), and authorize the expenditure of a 10% contingency in the amount of \$34,197.40 for the Hillside Road Pavement Rehabilitation from West City Limit to Beryl Street, to be funded from Proposition 1B Funds, Acct. Nos. 1194303-5650/1682194-0 and 1194303-5650/1713194-0 and appropriate \$210,000 to Acct. No. 1194303-5650/1682194-0 and \$210,000 to Acct. No. 1194303-5650/1713194-0 from Proposition 1B Fund balance.
- L16. Approval to accept the bids received, award and authorize the execution of a contract effective July 1, 2009 through June 30, 2010 with *JDC, Inc.* (CO 09-203) of Rancho Cucamonga for the Citywide Concrete Repair, Tree Removal and Tree Planting Annual Maintenance Agreement, to be funded from Measure "I" Fund 1176303-5300 and authorize the City Manager or his/her designee to adjust the spending limit of said contract on an as-needed basis in accordance with the approved Public Works Services Department Concrete Contract Budget Line 5300, and authorize the City Manager or his/her designee to renew said contract upon mutual consent for additional one (1) year periods.
- L17. Approval of Improvement Agreement Extension for DRC2005-01060, located at the southern cul-de-sac terminus of Sierra Madre Avenue (south of Ninth Street), submitted by National Community Renaissance of California.

RESOLUTION NO. 09-086

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING IMPROVEMENT AGREEMENT EXTENSION AND IMPROVEMENT SECURITY FOR DRC2005-01060

- L18. Approval to release the Maintenance Guarantee Cash Deposit for DRC2003-00184, located on the north side of Valley View Street, submitted by Amethyst Estates, LLC.
- L19. Approval to accept Improvements, retain the Faithful Performance Bond in lieu of a Maintenance Bond, and file a Notice of Completion for improvements for DRC2006-00692, located on the south side of Arrow Route between Pecan Avenue and Hickory Avenue, submitted by Rancho Arrow Highway, LLC.

RESOLUTION NO. 09-087

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR DRC2006-00692 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009**

8

- L20. Approval to accept the Construction of Traffic Signal Interconnection System at 23 Locations project, Contract No. 08-052 as complete, retain the Faithful Performance bond as a Guarantee Bond, release the Labor and Material Bond, and authorize the City Engineer to file a Notice of Completion and approve the final contract amount of \$217,718.19.

RESOLUTION NO. 09-088

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE CONSTRUCTION OF TRAFFIC SIGNAL INTERCONNECTION SYSTEM AT 23 LOCATIONS PROJECT, CONTRACT NO. 08-052 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

- L21. Approval to accept the Pacific Electric Trail Phase V Improvements, Contract No. 08-093 as complete, retain the Faithful Performance Bond as a Guarantee Bond, release the Labor and Material Bond, authorize the City Engineer to file a Notice of Completion and approve the final contract amount of \$1,135,978.11.

RESOLUTION NO. 09-089

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ACCEPTING THE PACIFIC ELECTRIC TRAIL PHASE V IMPROVEMENTS, CONTRACT NO. 08-093 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE WORK

- L22. Approval to release the Letter of Credit for Parcel Map 16951, located on the west side of Hellman Avenue, approximately 1,100 feet of north of Church Street, submitted by Reiny and Diane Schneider.

M. CONSENT ORDINANCES

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

- M1. SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT DRC2008-00381 AND VICTORIA COMMUNITY PLAN AMENDMENT DRC2008-00383 - FOREST CITY ENTERPRISES, INC. - A proposed amendment to the text of the Victoria Community Plan to accommodate changes to the Victoria Gardens Master Plan (VGMP) and to clarify that the VGMP shall control the land uses in the VGMP area for the Victoria Gardens Regional Mixed Use Lifestyle Center, located in the eastern portion of the City of Rancho Cucamonga bordered by Foothill Boulevard to the south, Church Street to the north, Day Creek Boulevard to the west and Interstate I-15 to the east. Related Files: Environmental Impact Report DRC2008-00381, General Plan Amendment DRC2008-00384, Victoria Arbors Master Plan Amendment DRC 2009-00146, Victoria Gardens Master Plan Amendment DRC2009-00145 and Development Agreement Amendment DRC2008-00385.



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009**

9

ORDINANCE NO. 813 (second reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING VICTORIA COMMUNITY PLAN AMENDMENT DRC2008-00383 CHANGING THE RESIDENTIAL AND COMMERCIAL STANDARDS AND MODIFYING VARIOUS TEXT IN THE COMMUNITY PLAN TO ACCOMMODATE THE AMENDED VICTORIA GARDENS MASTER PLAN ON APPROXIMATELY 174 ACRES OF LAND AND IS GENERALLY BOUNDED BY CHURCH STREET TO THE NORTH, FOOTHILL BOULEVARD TO THE SOUTH, I-15 TO THE EAST, AND DAY CREEK BOULEVARD TO THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF.

- M2. SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT DRC2008-00381 AND VICTORIA GARDENS MASTER PLAN AMENDMENT DRC2009-00145 - FOREST CITY ENTERPRISES, INC.- A proposed amendment to the Victoria Gardens Master Plan (VGMP) modifying "Permissible Building Areas" to reallocate Dwelling Unit and Commercial Office square footage, increase the average building heights and change building setback requirements within the Main Street Area, and clarifying permitted and conditionally permitted uses within the VGMP, located in the eastern portion of the City of Rancho Cucamonga bordered by Foothill Boulevard to the south, Church Street to the north, Day Creek Boulevard to the west and Interstate I-15 to the east. Related Files: Environmental Impact Report DRC2008-00381, General Plan Amendment DRC2008-00384, Development Agreement Amendment DRC2008-00385, Victoria Community Plan Amendment DRC2008-00383, Victoria Arbors Master Plan Amendment DRC 2009-00146.

ORDINANCE NO. 814 (second reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING VICTORIA GARDENS MASTER PLAN AMENDMENT DRC2009-00145 MODIFYING THE MASTER PLAN TO ALLOW RESIDENTIAL USES IN THE MAIN STREET AREA, INCREASE THE AVERAGE HEIGHT IN THE MAIN STREET AREA TO 120 FEET, WITH A MAXIMUM OF 160 FEET, AMEND THE BUILDING SETBACK REQUIREMENTS FOR THE MAIN STREET AREA, AND CLARIFY PERMITTED AND CONDITIONALLY PERMITTED USES, GENERALLY BOUNDED BY CHURCH STREET TO THE NORTH, FOOTHILL BOULEVARD TO THE SOUTH, I-15 TO THE EAST, AND DAY CREEK BOULEVARD TO THE WEST AND MAKING FINDINGS IN SUPPORT THEREOF

- M3. SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT DRC2008-00381 AND VICTORIA ARBORS MASTER PLAN AMENDMENT DRC2009-00146 - FOREST CITY ENTERPRISES, INC - A proposed amendment to the text of the Victoria Arbors Master Plan to include references to the VGMP and clarify that the VGMP shall control the land uses in the VGMP area for the Victoria Gardens Regional Mixed Use Lifestyle Center, located in the eastern portion of the City of Rancho Cucamonga bordered by Foothill Boulevard to the south, Church Street to the north, Day Creek Boulevard to the west and Interstate I-15 to the east. Related Files: Environmental Impact Report DRC2008-00381, General Plan Amendment DRC2008-00384, Victoria Community Plan Amendment DRC2008-00383, Victoria Gardens Master Plan Amendment DRC2009-00145, and Development Agreement Amendment DRC2008-00385.



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009**

10

ORDINANCE NO. 815 (second reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING VICTORIA ARBORS MASTER PLAN AMENDMENT DRC2009-00146 MODIFYING THE TEXT OF THE MASTER PLAN TO MAKE IT CONSISTENT WITH THE AMENDMENTS TO THE VICTORIA GARDENS MASTER PLAN PROPOSED BY DRC2009-00145, GENERALLY BOUNDED BY CHURCH STREET TO THE NORTH, FOOTHILL BOULEVARD TO THE SOUTH, I-15 TO THE EAST, AND DAY CREEK BOULEVARD TO THE WEST AND MAKING FINDINGS IN SUPPORT THEREOF

- M4. SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT DRC2008-00381 AND DEVELOPMENT AGREEMENT AMENDMENT DRC2008-00385 - FOREST CITY ENTERPRISES, INC. - A proposed amendment to Development Agreement DA01-02 to incorporate General Plan Amendment DRC2008-00384 Victoria Community Plan Amendment DRC2008-00383 Victoria Arbors Master Plan Amendment DRC2009-00146 and Victoria Gardens Master Plan Amendment DRC2009-00145 into the vested rights applicable to the Victoria Gardens Regional Mixed Use Lifestyle Center, located in the eastern portion of the City of Rancho Cucamonga bordered by Foothill Boulevard to the south, Church Street to the north, Day Creek Boulevard to the west and Interstate I-15 to the east. Related Files: Environmental Impact Report DRC2008-00381, General Plan Amendment DRC2008-00384 Victoria Community Plan Amendment DRC2008-00383, Victoria Arbors Master Plan Amendment DRC 2009-00146, and Victoria Gardens Master Plan Amendment DRC2009-00145.

ORDINANCE NO. 816 (second reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, APPROVING THE THIRD AMENDMENT TO DEVELOPMENT AGREEMENT 01-02 FOR THE DEVELOPMENT OF VICTORIA GARDENS, GENERALLY BOUNDED BY CHURCH STREET TO THE NORTH, FOOTHILL BOULEVARD TO THE SOUTH, I-15 TO THE EAST, AND DAY CREEK BOULEVARD TO THE WEST, INCORPORATING AMENDMENTS TO THE GENERAL PLAN, VICTORIA COMMUNITY PLAN, VICTORIA ARBORS MASTER PLAN, AND VICTORIA GARDENS MASTER PLAN AND MAKING FINDINGS IN SUPPORT THEREOF



REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009

11

**N. ADVERTISED PUBLIC HEARINGS
FIRE PROTECTION DISTRICT**

The following items have been advertised and/or posted as public hearings as required by law.

**It is recommended that the following two items (N1 & N2)
be continued to June 3, 2009.**

- N1. CONSIDERATION OF FIRST READING OF AN ORDINANCE CONTINUING THE ANNUAL SPECIAL TAX RATES FOR FISCAL YEAR 2009/10 IN MELLO ROOS COMMUNITY FACILITIES DISTRICT NO. 85-1.

ORDINANCE NO. FD 48 (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 2009/10

- N2. CONSIDERATION OF A RESOLUTION CONTINUING THE ANNUAL SPECIAL TAX RATE TO BE LEVIED IN MELLO-ROOS COMMUNITY FACILITIES DISTRICT NO. 88-1 FOR FISCAL YEAR 2009/10

RESOLUTION NO. FD-019

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 2009/10

O. CITY MANAGER'S STAFF REPORTS

The following items have no legal publication or posting requirements.

- O1. APPROVAL OF A MASTER AGREEMENT (FD 09-003) FOR EMERGENCY COMMUNICATIONS AND FIRE/EMS DISPATCH SERVICES WITH CONSOLIDATED FIRE AGENCIES OF THE EAST VALLEY (CONFIRE).
- O2. APPROVAL OF A RESOLUTION FINDING A SEVERE FISCAL HARDSHIP WILL EXIST RELATED TO STATE BUDGET CRISIS

RESOLUTION NO. 09-090

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, FINDING A SEVERE FISCAL HARDSHIP WILL EXIST IF ADDITIONAL CITY PROPERTY TAX FUNDS ARE SEIZED AND ADDITIONAL UNFUNDED MANDATES ARE ADOPTED BY THE STATE OF CALIFORNIA



**REDEVELOPMENT AGENCY,
FIRE PROTECTION DISTRICT AND
CITY COUNCIL AGENDA
MAY 20, 2009**

12

P. COUNCIL BUSINESS

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

- P1. STAFF REPORT REGARDING THE LACK OF ACCESS TO A SIDE YARD FOR MAINTENANCE PURPOSES ON A PROPERTY LOCATED AT 6412 EAGLE PEAK PLACE WITHIN THE CARYN PLANNED COMMUNITY
- P2. COUNCIL ANNOUNCEMENTS (Comments to be limited to three minutes per Councilmember.)

Q. IDENTIFICATION OF ITEMS FOR NEXT MEETING

R. 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 May 14, 2009, seventy-two (72) hours prior to the meeting per Government Code 54954.2 at 10500 Civic Center Drive.