

**CITY OF FONTANA  
CITY COUNCIL REGULAR MEETING  
AUGUST 26, 2008  
7:00 P.M.**

Information in shaded boxes also pertains to meetings directly following the Council Meeting.

**Welcome to a meeting of the Fontana City Council.** A complete agenda packet is located in the binder on the table in the lobby of the Council Chambers. To address the Council, please fill out a card located at the entrance to the left indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the City Clerk. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act, the Chambers is wheel chair accessible and a portable microphone is available. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection in the City Hall lobby located at 8353 Sierra Avenue, Fontana, CA.

**Traducción en Español disponible a petición. Favor de notificar al Departamento "City Clerk". Para mayor información, favor de marcar el número 350-7602.**

**5:00 P.M. WORKSHOP:**

- A. Agenda Review
- B. Chamber of Commerce Update (David Pulido)
- C. City Manager Comments

**6:00 P.M. CLOSED SESSION:**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Property: APN 1110-141-23, 14688 Foothill Boulevard (Monty F. Sheehan Trust Ownership)  
Negotiating Party: Debbie Brazill, Deputy City Manager  
Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Property: APN 0251-171-25 (Schwartz & Bunitch)  
Negotiating Party: Debbie Brazill, Deputy City Manager  
Under Negotiation: Price and Terms

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9

Number of Cases: One

**7:00 P.M. – CALL TO ORDER/ROLL CALL:**

Present: \_\_\_\_\_ Absent: \_\_\_\_\_

**PLEDGE OF ALLEGIANCE/INVOCATION:**

Mayor/Council Member Roberts

**SPECIAL PRESENTATIONS:** None

**PUBLIC COMMUNICATIONS:**

**This is an opportunity** for citizens to speak to the City Council for up to 5 minutes on items **not** on the Agenda, but within the City Council's jurisdiction. The Council is prohibited by law from discussing or taking immediate action on non-agendized items.

**CONSENT CALENDAR:**

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form Listed below – there will be no separate discussion on these items prior to the time Council Votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for discussion.

**Does any member of the public wish to address the City Council regarding any item On the Consent Calendar before the vote is taken?**

- A. Approve the minutes of the August 12, 2008 Regular City Council meeting.
- B. (1) Adopt **Resolution No. 2008-\_\_\_\_\_**, partially rescinding Resolution No. 2006-49 and authorizing application for financial assistance from the State Water Resources Control Board for the San Bernardino Avenue Lift Station and Force Main Project Nos. C-06-4897-210 (Lift Station) and C-06-4897-220 (Force Main) from the State Revolving Loan Fund.  
(2) Adopt **Resolution No. 2008-\_\_\_\_\_**, partially rescinding Resolution No. 2006-97 and agreeing to provide a local match share and pay an administrative fee in order to receive a no-interest financing agreement for Project Nos. C-06-4897-210 (Lift Station) and C-06-4897-220 (Force Main) in accordance with the State Water Resources Board's Revolving Fund Loan Program.
- C. (1) Authorize the City Manager to enter into a contract agreement with Aramark Uniform Services for a two-year period, renewable for three additional one-year increments at the City's sole discretion, for uniform, mat, towel rental and cleaning services.
- D. (1) Accept as complete the work performed by 4-Con Engineering Inc., for the installation of the Village Park Restroom and Snack Bar Replacement Project, SB-64-PW-08.  
(2) Approve the final construction amount of \$470,399.86 and approve the release of the 10% retention upon satisfactory closure of the contract.  
(3) Authorize the Director of Public Works to execute and file the Notice of Completion for Project SB-64-PW-08.
- E. Authorize to piggy-back from the Los Angeles County Sheriff's Department bid to purchase a voice recording system from Voice Print International, Inc., in the amount of \$42,497.68.
- F. (1) Authorize the City Manager to execute a construction contract with Hillcrest Contracting, Inc., for construction of the Citrus Avenue median improvements from Arrow Boulevard to Merrill Avenue (Federal ID No. STPLH-5307(014) in the amount of \$547,426.22 and authorize a 10% contingency in the amount of \$54,742.62 – Bid No. SB-181-DE-08.  
(2) Appropriate \$60,000 from Fund 633 Landscape to Project No. 9321100633.

- G. Adopt **Resolution No. 2008-\_\_\_\_\_**, approving a project Baseline Agreement between the City of Fontana, the California Transportation Commission (CTC), the California Department of Transportation (CALTRANS), San Bernardino County, and San Bernardino Association of Governments (SANBAG) for the I-10/Citrus Avenue Interchange Project, Agreement No. C09014.
- H. Adopt **Resolution No. 2008-\_\_\_\_\_**, approving a project Baseline Agreement between the City of Fontana, the California Transportation Commission (CTC), the California Department of Transportation (CALTRANS), San Bernardino County, and San Bernardino Association of Governments (SANBAG) for the I-10/Cherry Avenue Interchange Project, Agreement No. C09013.
- I. Adopt **Resolution No. 2008-\_\_\_\_\_**, approving a funding agreement between the City of Fontana, San Bernardino County, and the San Bernardino Association of Governments (SANBAG) for the I-10/Citrus Avenue Interchange Project.
- J. Adopt **Resolution No. 2008-\_\_\_\_\_**, approving a funding agreement between the City of Fontana, San Bernardino County, and the San Bernardino Association of Governments (SANBAG) for the I-10/Cherry Avenue Interchange Project.
- K. (1) Accept as complete the subdivision improvements in Tract Nos. 16495-1 and 16495-2 located east of Sierra Avenue and north of Jurupa Avenue.  
(2) Adopt **Resolution No. 2008-\_\_\_\_\_**, accepting sewers in Tract Nos. 16495-1 and 16495-2 as part of the City sewer system.
- L. (1) Accept as complete the subdivision improvements in Tract No. 16221 located east of Citrus Avenue and south of Mallory Drive.  
(2) Adopt **Resolution No. 2008-\_\_\_\_\_**, accepting sewers in Tract No. 16221 as part of the City sewer system.
- M. Accept as complete the work performed by Powell Constructors for the construction of the Pacific Electric Inland Empire Trail Segment 5A, Baseline Avenue to Cherry Avenue; approve the final construction amount of \$1,265,679.72; and authorize the City Engineer to execute and file the Notice of Completion for City Project Bid No. SB-11-RA-06.
- N. Waive further reading of and introduce **Ordinance No. \_\_\_\_\_**, amending Article II, Section 17-61, of Chapter 17, of the Fontana Municipal Code of the City of Fontana pertaining to the Office of the Traffic Engineer, that the reading of the title constitutes the first reading thereof.
- O. (1) Adopt **Resolution No. 2008-\_\_\_\_\_**, approving and adopting the Updated City Emergency Operations Plan.  
(2) Authorize the City Manager, Deputy City Manager, (Development Services), Deputy City Manager (Administrative Services and Housing Authority and Business Development), Chief of Police, City Clerk, Director of Building and Safety, Director of Community Development, Director of Community Services, Director of Engineering, Director of Human Resources/Risk Management, Director of Information Technology, Director of Management Services, Director of Public Works and Director of Redevelopment and Special Projects to sign the Emergency Plan concurrences list.

- (3) Authorize the Mayor to sign the letter of promulgation on behalf of the members of the City Council and the citizens and employees of Fontana.
- P. (1) Accept as complete and authorize the Public Works Director to execute and file a Notice of Completion for Project SB-219-PW-08. (Santa Ana Pavement Rehab Project)  
 (2) Approve the final construction amount of \$672,838.  
 (3) Approve the release of the 10% retention upon satisfactory closure of the contract.
- Q. Authorize the City Manager to execute a construction contract with Shawnan for the improvements on Jurupa Avenue between Poplar Avenue and Sierra Avenue in the amount of \$7,888,255 and authorize a 10% contingency in the amount of \$788,825.50 – Bid No. SB-349-DE-08.
- R. Extend the contract with Partners Consulting Services for interim support of the JD Edwards Computer System from December 31, 2008 to June 30, 2009 and increase the compensation by \$25,000 out of Project No. 910600102 and authorize the City Manager to execute any documents necessary to effectuate said extension.

**Approve Consent Calendar Items “A-R” as recommended by staff.**

**PUBLIC HEARINGS:**

To speak on Public Hearing Items, fill out a card at the microphone stand indicating **favor** or **opposition** and give it to the City Clerk. Each person will be allowed 5 minutes to address the Council.

If you challenge in court any action taken concerning a Public Hearing item, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City at, or prior to, the Public Hearing.

**All Public Hearings will be conducted following this format:**

- |   |                       |
|---|-----------------------|
| (a) hearing opened  | (e) oral – favor      |
| (b) written communication                                   | (f) oral – opposition |
| (c) council/staff comments                                  | (g) hearing closed    |
| (d) applicant comments (applicant not limited to 5 minutes) |                       |

- A. User Fees.  
 (1) Continue the public hearing to the next regularly scheduled meeting of September 9, 2008, for the adoption of new user fees, decreasing the existing fee for temporary use permits, and updating development related fees provided by the City.
- B. Community Facilities District No. 61M, located on the northwest corner of Miller Avenue and Mango Avenue.  
 (1) Continue the public hearing to the next regularly scheduled meeting of September 9, 2008, on the annexation of territory to Community Facilities District No. 61M.

- C. Development Code Amendment No. 07-001, regarding permitted uses in Commercial Zoning Districts.
- (1) Find that the proposed Development Code Amendment No. 07-001 does not comply with, and is contrary to, the goals and policies of the General Plan as identified in the Land Use Element and is furthermore inconsistent with other commercial and business uses in the City's General Commercial Zoning District; therefore, staff recommends that the City Council support and approve the Planning Commission's recommendation to deny Development Code Amendment No. 07-001.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- A. Memorandum of Understanding between the City of Fontana and County of San Bernardino for the City's Western Sphere of Influence.
- (1) Find that the project is exempt from further environmental review pursuant to Section 3.07 of the Local Guidelines for Implementing the California Environmental Quality Act (2007), projects with no possibility of significant effects upon the environment, and direct staff to file a Notice of Exemption.
  - (2) Approve and authorize the City Manager to execute the Memorandum of Understanding with the County of San Bernardino for the City's Western Sphere of Influence.
- B. Proposed Ordinance Amending Article IV – Burglar Alarms
- (1) Adopt Urgency **Ordinance No.** \_\_\_\_\_, relating to police response to false alarms, recovering costs related to responses to false alarms, and amending Article IV of the Fontana Municipal Code titled Burglar Alarms.
  - (2) Waive further reading of and introducing **Ordinance No.** \_\_\_\_\_, relating to Police response to false alarms; recovering costs related to responses to false alarms, and amending Article IV of the Fontana Municipal Code title Burglar Alarms.
  - (3) Adopt **Resolution No. 2008-**\_\_\_\_\_, establishing the initial fee for alarm business permits and the late fee for failure to renew the permit prior to the expiration of the existing permit.

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

- A. Cancellation of the December 23, 2008 City Council meeting due to the holiday closure.
- B. Appoint \_\_\_\_\_, as the voting delegate and \_\_\_\_\_ as the alternate voting delegate at the 2008 League of California Cities Conference on September 24-27, 2008 in Long Beach, California.

**CITY MANAGER COMMUNICATIONS:**

**ADJOURNMENT:** To a workshop meeting on Tuesday, September 9, 2008 at 5:00 p.m. in the Executive Conference Room and then to the regular meeting at 7:00 p.m. in the City Hall Council Chambers, located at 8353 Sierra Avenue, Fontana, CA.

