

**CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
JANUARY 13, 2009
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 Steelworkers Auditorium. To address the Council, please fill out a card located at the entrance to the right 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 Auditorium 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 Steelworker Auditorium lobby located at 8437 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.

5:30 P.M. WORKSHOP:

- A. Agenda Review
- B. City Manager Comments

6:00 P.M. CLOSED SESSION:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN #255-041-29

Negotiating Parties: City of Fontana, Holiday Inn Express and Kevin Bird

Negotiator: David R. Edgar, Deputy City Manager

Under Negotiation: Price and Terms

7:00 P.M. – CALL TO ORDER/ROLL CALL:

Present: _____ Absent: _____

PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor/Council Member Roberts

SPECIAL PRESENTATIONS:

- A. Mayor and Council to recognize Lillie Hoye for her generous donation of K-9 dog "Reno" valued at \$10,344.
- B. Mayor and Council to recognize Corporal David Moore and Officer Jon Van Tuinen as the "December" Employees of the Month". (Police Chief Rod Jones to present)
- C. Mayor and Council to recognize the Public Works 2008 Employee of the Year Awards to the following: Robert Rigby, Utilities and Streets Division, Thomas Haugh, Parks & Landscape Division and Wes Winters, Support Services Division. (Chuck Hays, Public Works Director to present)

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 December 9, 2008 Regular City Council meeting.
- B. (1) Adopt **Ordinance No. 1587**, approving Zone Change No. 08-06, a Zone Change from Single Family Residential (R-1) to General Commercial (C-2).
(2) Adopt **Ordinance No. 1588**, amending Chapter 30, Article IX, Division 3 of the Fontana Municipal Code, which will modify the medical center overlay requirements.
(3) Adopt **Ordinance No. 1589**, amending Article XIII of Chapter 15 of the Fontana Municipal Code, authorizing the City to grant and regulate a finite number of permits for the possession, sale, use and display of fireworks.
- C. Accept donations for use in the Police Department's Fontana Santa and Shop with Cop Programs.
- D. Accept donation of K-9 dog "Reno" from citizen Lillie Hoye for use in the Police Department K-9 Program.
- E. (1) Accept as complete and authorize the Public Works Director to execute and file a Notice of Completion for Project SB-270-PW-08. (CDBG Pavement Rehabilitation)
(2) Approve the final construction amount of \$774,497.71.
(3) Approve the release of the 10% retention upon satisfactory closure of the contract.
- F. (1) Approve a contract extension through June 2009 with Janico Building Maintenance for janitorial services.
(2) Authorize the City Manager to sign the contract extension.
- G. (1) Accept as complete and authorize the Public Works Director to execute and file a Notice of Completion for Project SB-076-PW-09. (Cypress Community Center Restroom)
(2) Approve the final construction amount of \$53,500.00.
(3) Approve the release of 10% retention upon satisfactory closure of the contract.
- H. Award bid to D&K Concrete Company for ready-mix concrete delivery services, approve a term of two years with three-one year extensions at the City's sole discretion.
- I. (1) Accept as complete and authorize the Public Works Director to execute and file a Notice of Completion for Project SB-49-PW-06. (San Bernardino Avenue Trunk Sewer Project)
(2) Approve the final construction amount of \$10,399,803.38.
(3) Approve the release of the 10% retention upon satisfactory closure of the contract.

- J. Authorize the City Manager to execute a construction contract with Riverside Construction Company Inc., for the construction of the Cypress Avenue Overcrossing in the amount of \$10,527,904 (Bid No. SB-107-DE-09), and authorize a 10% contingency in the amount of \$1,052,790.40.

- K. (1) Authorize the City Manager to amend the construction and maintenance agreement amount between the City of Fontana and Southern California Regional Rail Authority “SCRRA”, for the relocation and construction of railroad crossing signals for Citrus Avenue Highway-Rail Grade Crossing from \$372,551 to \$455,281.
(2) Appropriate \$67,475 from Fund 242, Measure I to Project 93230-00242.

- L. Authorize the City Manager to purchase a Xiotech Emprise 7000 Disk Storage System for \$232,966 (plus taxes of \$17,822) off of the Western States Cooperative Agreement (WSCA) group purchase contract.

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

PUBLIC HEARINGS: None

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

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

- A. Planning Commission and Parks and Recreation Commission Appointments.

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT:

To an adjourned workshop meeting on Friday, January 23, 2009 at 9:00 a.m. in the Development Services Organization Building Conference Room to discuss goal setting. The next regular workshop meeting will be on Tuesday, January 27, 2009, at 5:00 p.m. and then the regular meeting at 7:00 p.m. in the Steelworkers Auditorium located in the Lewis Library and Technology Center located at 8437 Sierra Avenue, Fontana, CA.

