

**CITY OF FONTANA AGENDA
CITY COUNCIL REGULAR MEETING
MARCH 10, 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.

5:00 P.M. WORKSHOP:

- A. Agenda Review
- B. City Manager Comments

5:30 P.M. CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (b)(c)

Number of Cases: Two

CONFERENCE WITH LEGAL COUNSEL PURSUANT GOVERNMENT CODE SECTION 54956.95

Claimant: Cruz Medina and Agueda Miranda vs. City of Fontana

Claim Number: 2002-49

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Properties: 14505 Foothill Blvd., Fontana, CA (APN 0230-062-41) Owner: George A. & Regina M.

Flint Pearson; 14604 Foothill Blvd., Fontana, CA (APN 1110-141-14) Owner: Linda S. Shanley

Property Negotiator: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

7:00 P.M. – CALL TO ORDER/ROLL CALL:

Present: _____ Absent: _____

PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor/Pastor Dennis McZeal, Living Waters

SPECIAL PRESENTATIONS:

- A. Mayor and Council to proclaim March 12, 2009 as "Arbor Day". (Garth Nelson, Community Services Department and Chuck Hays, Public Works Department to accept)
- B. Mayor and Council to accept award for the U.S. Conference of Mayors' Cans for Cash Contest. (Chuck Hays, Public Works Department to present)

- C. Mayor and Council to recognize the following employees:
 Director's Award Recipients: Tara Cloke and Laura Van Sciver
 Employees of the Year (Full-Time): Hector Vasquez and Larry Watson
 Employees of the Year (Part-Time): Faustino Lopez and Marie Rivera

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 February 24, 2009 Regular City Council meeting.
- B. Accept a donation of stuffed animals in the estimated amount of \$200.
- C. Authorize the Management Services Department to join in a cooperative bid using General Services Administration (GSA) Contract GS-07F-9491G to purchase a Godwin Dri-Prime Model CD225M trailer mounted trash/sewer pump in the amount of \$40,405.37.
- D. (1) Accept award in the amount of \$5,000 on behalf of the Public Works Department.
 (2) Approve increase in estimated revenue by \$5,000 in Account 38010101.5334; and appropriate \$5,000 to Account 38010101.8010.
- E. Adopt **Resolution No. 2009-_____**, accepting the proposed distribution of Ad Valorem taxes as requested by the San Bernardino County Auditor-Controller's Office for the area within Fontana's Sphere of Influence known as LAFCO 3128 – reorganization to include City of Fontana Annexation No. 172 and detachment from County Service Areas 70 and SL-1 (The annexation generally lies between Foothill Boulevard and Ivy Avenue, east side of Calabash Avenue).
- F. (1) Adopt **Resolution No. 2009-_____**, finding that the public interest and necessity require the sale of surplus property, declaring its intent to sell such property and setting a hearing date for the consideration of protests.
 (2) Set the public hearing for March 24, 2009, for the consideration of the sale of surplus property located on South Highland Avenue west of Mango Avenue.
- G. Authorize the City Manager to execute a contract amendment to the DataNet Laserfiche support agreement to upgrade and implement a new agenda manager software system.

Approve Consent Calendar Items "A-G" as recommended by staff.

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

A. Fireworks Fees

- (1) Adopt **Resolution No. 2009-_____**, establishing a regulatory fee applicable to all permits issued by the City for the sale and use of fireworks; a recovery fee for costs related to response exceeding the applicable operations plan; and a recovery fee for costs associated with the storage, transport and disposal of confiscated fireworks.

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. Amendment to CALPERS Contract

- (1) Adopt **Resolution No. 2009-_____**, declaring its intention to approve an amendment to the contract between the Board of Administration of the California Public Employees' Retirement System (CALPERS) and the City of Fontana regarding the change in benefits of the proposed contract.
- (2) Adopt Urgency **Ordinance No. _____**, authorizing an amendment to the contract between the City of Fontana and the Board of Administration of the California Public Employees' Retirement System and declaring the urgency thereof.
- (3) Approve Form PERS-CON-12, Certification of Governing Body's Action.
- (4) Approve Form PERS-CON-12A, Certification of Compliance with Government Code Section 7507.
- (5) Approve the Certification of Compliance with Government Code Section 20903.
- (6) Authorize the Mayor to execute the amendment to the contract authorizing two years additional service credit for all miscellaneous employees who retire between April 5, 2009 and July 3, 2009.
- (7) Direct the City Clerk, upon adoption of said Resolution, to forward to CALPERS a certified copy of: Resolution of Intention, Certification of Governing Body's Action and Certification of Compliance with Government Code Section 7507 and 20903.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT: To a workshop meeting on Tuesday, March 24, 2009 at 5:00 p.m. in the Lewis Library Conference Room, and then to the regular meeting at 7:00 p.m. in the Steelworker's Auditorium located at 8437 Sierra Avenue, Fontana, CA.