

**CITY OF FONTANA AGENDA
CITY COUNCIL REGULAR MEETING
APRIL 14, 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

6:00 P.M. CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a):

Name of Case: City of Fontana v. Michael Schwartz, et al

Case No.: San Bernardino Superior Court, Case No. CIVSS 807178

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 230-081-01; Foothill-Liveoak Investments, L.P. (Foothill Blvd., Phase II Widening Project)

Negotiator: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 1100-701-36; (City of Fontana owner - approximately .6 acres located near the intersection of West Liberty Parkway and the San Sevaine-Etiwanda Creek Channel)

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/ Council Member Roberts

SPECIAL PRESENTATIONS:

- A. Mayor and Council to proclaim April 25, 2009 as "Donate Life" Walk/Run at Cal State Fullerton. (Perla Carrillo to accept)
- B. Mayor and Council to recognize the Miss Fontana Contestants. (Pamela Eshleman to introduce)

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 March 24, 2009 Regular City Council meeting and the April 3, 2009 Adjourned Regular meeting.
- B. Accept Kaiser Permanente Southern California Fund for Community Charitable Contributions Grant in the amount of \$43,000 for use in the Aquatic Program and authorize the City Manager to execute the agreement.
- C. Authorize the City Manager to execute a utility undergrounding fair share cost and lien agreement with Sierra Investment, LLC for the undergrounding of utilities on the northeast corner of Citrus Avenue and Slover Avenue; and to authorize the release of the securities for Conditional Use Permit No. 02-022.
- D. (1) Accept as complete the subdivision improvements in Tract Nos. 16678 and 16678-1 located north of Santa Ana Avenue and east of Cypress Avenue.
(2) Adopt **Resolution No. 2009-_____**, accepting sewers in Tract Nos. 16678 and 16678-1 as part of the City sewer system.
- E. (1) Accept as complete the subdivision improvements in Tract Nos. 16678-2 and 16678-3 located north of Santa Ana Avenue and east of Cypress Avenue.
(2) Adopt **Resolution No. 2009-_____**, accepting sewers in Tract Nos. 16678-2 and 16678-3 as part of the City sewer system.
- F. (1) Accept as complete the subdivision improvements in Tract No. 17410 located on Hibiscus Street between Catawba Avenue and Citrus Avenue.
(2) Adopt **Resolution No. 2009-_____**, accepting sewers in Tract No. 17410 as part of the City sewer system.

- G. Accept replacement of securities for Tract No. 16873 necessitated by change in ownership of the tract and authorize the City Manager to enter into a subdivision agreement with Lewis Operating Corporation for the construction of improvements.
- H. Award the professional auditing services contract to Lance, Soll, & Lunghard for the fiscal years ending June 30, 2009, 2010, and 2011 in the amount of \$55,780, \$57,420 and \$59,100, respectively, and to authorize the City Manager to execute the consultant services agreement.
- I. (1) Award professional services RFP SP-224-IT-09 to C2C Systems, Inc., of Springfield, MA for the Archive One Suite of Products for Email and File Archiving and Retention for an amount not to exceed \$65,000.
(2) Authorize the City Manager to enter into a professional services agreement for installation, setup, and on-going maintenance and support services for the Archive One Suite with annual renewal option for up to five years.

Approve Consent Calendar Items "A-I" 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
- (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

Continued from March 24, 2009

- A. Quarterly Lien Action for Delinquent Rubbish Accounts
 - (1) Authorize staff to complete and record liens against real property for those rubbish accounts more than ninety days delinquent as described in the certified lien list. Direct staff to forward recorded liens to the County for collection.
- B. Ordinance Amending the Fontana Municipal Code Regarding Temporary and Non-Commercial Signs.
 - (1) Determine that the Ordinance is categorically exempt pursuant to Section 15321, Class 21, of the State CEQA Guidelines and direct staff to file the Notice of Exemption.
 - (2) Introduce **Ordinance No.** _____, amending certain sections of Chapter 3, Article IV, Signs, of the Fontana Municipal Code to regulate temporary non-commercial signs, including political signs, and that the reading of the title constitutes the first reading thereof.

- C. Fiscal Year 2009-2010 One Year Action Plan
- (1) Adopt the Fiscal Year 2009-2010 One-Year Action Plan detailing the utilization of federal entitlement funds in said fiscal year and authorize the City Manager to execute any and all documents necessary to effectuate said approvals.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT: To an adjourned meeting on April 15, 2009 in Sacramento with the Legislative Committee and then to a workshop meeting on April 28, 2009 at 5:00 p.m. and then the regular meeting at 7:00 p.m. at the Steelworkers Auditorium, located at 8437 Sierra Avenue, Fontana, CA.

