

**CITY OF FONTANA AGENDA  
CITY COUNCIL REGULAR MEETING  
MAY 12, 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 Steelworkers' 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
- C. Graffiti Tracker Presentation (Chief Rod Jones, Police Department)

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN 0226-182-11 – 6391 Knox Avenue (Hsiau Ownership)

Negotiator: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

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

**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 April 28, 2009 Regular City Council meeting.
- B. (1) Adopt **Ordinance No. 1594**, superseding Ordinance No. 1398, establishing speed reduction (speed limit) zones within the City of Fontana.  
 (2) Adopt **Ordinance No. 1595**, amending Section 10-147 to the Municipal Code to provide informal bidding procedures under the Uniform Public Construction Cost Accounting Act (Gov. Code Section 22000, et seq. of the Public Contracts Code).  
 (3) Adopt **Ordinance No. 1596**, amending the Fontana Municipal Code, Chapter 2, Article IV, Section 2-142 changing the dates of the regular City Council meetings.  
 (4) Adopt **Ordinance No. 1597**, amending certain sections of Chapter 3, Article IV, Signs, of the Fontana Municipal Code to regulate temporary non-commercial signs including political signs.  
 (5) Adopt **Ordinance No. 1598**, approving Specific Plan Amendment No. 08-010 (West End Specific Plan Amendment No. 16), which changes approximately 45 gross acres from Rail Served Industrial (BP3) to a new district to be named Commercial Light Industrial (CLI), and amends the text of the West End Specific Plan to include new uses.
- C. Accept donations from various donors for use in the City's 2009 National Night Out.
- D. (1) Adopt **Resolution No. 2009-\_\_\_\_\_**, declaring its intention to sell excess land described as Lot E of Tract 16318, filed in Book 307, Page 54 of Maps, County of San Bernardino, commonly known as Assessor's Parcel Number 1100-701-36, located on West Liberty Parkway south of Miller Avenue and to set a public hearing for consideration of protests.  
 (2) Set the public hearing for June 10, 2009, for the consideration of protests of the sale of surplus property located on West Liberty Parkway near Miller Avenue.
- E. Authorize a bond reduction for the performance/labor and material bond for the following Tract:
- | <u>Tract No.</u> | <u>Principal:</u> | <u>Bond No.</u> | <u>Bond Amount</u> | <u>Reduce To:</u> |
|------------------|-------------------|-----------------|--------------------|-------------------|
| 17317            | Stratham Homes    | 726486S         | \$310,620.00       | \$77,655.00       |
- F. Authorize the City Manager to execute a construction contract with Riverside Construction for miscellaneous construction work for the Cypress Avenue at Interstate 10 Overcrossing Project in an amount not to exceed \$200,000.00.
- G. Award bid and authorize the City Manager to enter into an agreement with Rudy's Auto Body for auto body repair services for a period of two (2) years, renewable with three additional one-year increments at the City's sole discretion.

- H. Adopt **Resolution No. 2009-\_\_\_\_\_**, approving the Disadvantage Business Enterprise Implementation Agreement for Federal Fiscal Year (FFY) 2008/09.
- I. Authorize the City Manager to execute a construction contract with Alcorn Fence Company for the construction of the Sierra Avenue Metal Beam Guard Rail Project in the amount of \$70,376.25 with a 10% contingency in the amount of \$7,037.63 – Bid No. SB-432-DE-09.
- J. Adopt **Resolution No. 2009-\_\_\_\_\_**, amending the boundaries of the existing Redevelopment Survey Area.
- K. (1) Approve the recommended third-quarter budget changes listed in the Third-Quarter Budget Status Report for Fiscal Year 2008/2009.  
 (2) Adopt **Resolution No. 2009-\_\_\_\_\_**, adopting the revised job descriptions for Assistant Engineer, Associate Engineer, Senior Associate Engineer and Senior Engineer.
- L. Authorize the City Manager to place on the list of qualified vendors for Microsoft Dynamic CRM Software Design and Development Information Strategies, of Washington, D.C., and speakTECH, of Costa Mesa, CA.
- M. Authorize the City Manager to enter into a contract with Spinitar Incorporated in accordance with General Services Administration Contract GS-03F-0001P to provide and install video conferencing equipment for the joint-use computer lab in the Lewis Library and Technology Center in an amount not to exceed \$49,000.

**Approve Consent Calendar Items “A-M” 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) |                       |

#### **UNFINISHED BUSINESS:**

- A. Fontana Municipal Code Section 20-31 – Department Heads – Exception to Inclusion  
 (1) Waive further reading of and introduce **Ordinance No. \_\_\_\_\_**, amending Chapter 20, Article II, Section 20-31 of the Fontana Municipal Code relating to Department Heads – Exception to Inclusion in Competitive Service, and that the reading of the title constitutes the first reading thereof.

**NEW BUSINESS:** None

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

**CITY MANAGER COMMUNICATIONS:**

**ADJOURNMENT:** To an adjourned ICSC Conference in Las Vegas, NV on May 17, 2009 and then to the workshop meeting on May 26, 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.

