

**CITY OF FONTANA AGENDA
CITY COUNCIL REGULAR MEETING
MAY 26, 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

6:00 P.M. CLOSED SESSION: None

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 the month of May as "Older Americans Month". (Linda Elliott to accept)

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 May 12, 2009 Regular City Council meeting.
- B. Authorize the Management Services Department to join in a cooperative bid using General Services Administration (GSA) Contract GS-06F-0031N for elevator maintenance service with Thyssenkrupp Elevator Corporation.
- C. Award bid and authorize the City Manager to enter into an agreement with Pacific Building Care for janitorial services, SP-365-PW-09 for a period of two years, renewable for three additional one-year increments at the City's sole discretion.
- D. Award bid and authorize the City Manager to enter into an agreement with:
 - Valley Crest Landscape Maintenance in Area 1
 - Spectrumcare Landscape Management in Area 2
 - California Landscape and Design Inc., in Area 3
- E. (1) Accept as complete and authorize the Public Works Director to execute and file a Notice of Completion for final acceptance for the construction of San Bernardino and Etiwanda Avenues Force Main, Project SB-44-PW-07.
(2) Approve the release of the 10% retention upon satisfactory closure of the contract.
- F. (1) Adopt **Resolution No. 2009-_____**, authorizing submittal of the Energy Efficiency and Conservation Block Grant (EECBG) Application and designating the City Manager as the authorized signer on behalf of the City.
(2) Adopt **Resolution No. 2009-_____**, authorizing submittal of the American Recovery Act and Reinvestment Act of 2009 (ARRA) Application and designating the City Manager as the authorized signer on behalf of the City.
- G. (1) Accept as complete the work performed by Olivas Valdez, Inc., for the construction of the Pacific Electric Inland Empire Trail-Segment 2 (Juniper Avenue to Tokay Avenue), SB-38-RA-06.
(2) Authorize the Redevelopment Director to execute and file a Notice of Completion.
(3) Approve the final construction amount of \$1,752,833.45.
(4) Approve the release of the 10% retention upon satisfactory closure of the contract.
- H. Adopt **Resolution No. 2009-_____**, approving the Redevelopment Agency's use of public funds for certain work pursuant to Health and Safety Code Section 33445 and making certain findings with regard thereto. (RRM Design Group – Downtown Façades)
- I. Adopt **Resolution No. 2009-_____**, approving the Redevelopment Agency's use of public funds for certain work pursuant to Health and Safety Code Section 33445 and making certain findings with regard thereto. (Pacific Electric Trail Segments)

- J. Approve the execution of Amendment No. 6 to the Engineering Services Agreement with Parsons Brinckerhoff Quade & Douglas Inc., for the amount of \$150,000.00 for a total not to exceed contract amount of \$3,355,375.34 for construction management services for Downtown Revitalization Projects.
- K. (1) Authorize the City Manager to execute a construction contract with Mega Way Enterprises, for the construction of the Foothill Boulevard Median Landscape Project located on Foothill Boulevard from Citrus Avenue to Oleander Avenue and from East Avenue to Cherry Avenue in the amount of \$2,969,661.40 and authorize a 10% contingency in the amount of \$296,966.14 – Bid No. SB-384-DE-09.
(2) Relieve Western RIM Constructors, Inc., of their bid in accordance with Sections 5100, et seq., of the Public Contract Code.
- L. Approve the purchase of a video surveillance system for the Police Department from NIC Partners and Xiotech Corporation in the amount of \$240,301.67, plus, a contingency amount of \$8,877.67.
- M. Authorize the donation of police equipment to the Fontana Historical Society Museum.
- N. Accept Fontana Arts Association Quarterly Report.
- O. Authorize the City Manager to renew an agreement with the Fontana Art Association to offer Cultural Arts Programming at the Fontana Art Association facility and the Art Depot and authorize the City Manager to execute any documents necessary to effectuate said agreement.

Approve Consent Calendar Items “A-O 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

- A. Continue to June 10, 2009 – Fire Station 71
 - (1) Continue the final EIR for Fire Station No. 71, the “Certificate of Appropriateness” to make changes to the Historic Park Site and Historic Fire Station and Administrative Site Plan No. 08-009 for the construction of Fire Station No. 71 to the June 10, 2009, City Council meeting.

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B. Adjustments to Sewer Service Rates

- (1) Adopt the written report regarding parcels affected by the proposed ordinances.
- (2) Adopt Urgency **Ordinance No. _____**, reaffirming and increasing sewer service rates beginning on July 1, 2009 and declaring the urgency thereof.
- (3) Waive further reading of and introduce **Ordinance No. _____**, reaffirming and increasing sewer service rates beginning on July 1, 2009, and that the reading of the title constitutes the first reading thereof.

UNFINISHED BUSINESS:

- A. Fontana Municipal Code Section 20-31 – Department Heads – Exception from Inclusion
- (1) Adopt **Ordinance No. 1599**, amending Chapter 20, Article II, Section 20-31 of the Fontana Municipal Code relating to Department Heads – Exception from Inclusion in Competitive Service.

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT: To a workshop meeting on Wednesday, June 10, 2009 at 5:00 p.m. and then to the regular meeting at 7:00 p.m. at the Steelworkers' Auditorium, located at 8437 Sierra Avenue, Fontana, CA.

