

**AGENDA
CITY OF FONTANA
CITY COUNCIL REGULAR MEETING
WEDNESDAY, SEPTEMBER 9, 2009
CITY COUNCIL CHAMBERS
8353 SIERRA AVENUE, FONTANA, CA
5:00 P.M. – WORKSHOP
6:00 P.M. – CLOSED SESSION
7:00 P.M. - MEETING**

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 Council Chambers. To address the Council, please fill out a card located on the table near the Secretary 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 City Hall lobby located at 8353 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. COPS Hiring Recovery Program Grant (Rod Jones, Police Chief)
- B. Novus Agenda (Cathie Scanlon, IT)
- C. Agenda Review
- D. 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/Chaplain Gregory Peck, Fruit of the Vine Church

SPECIAL PRESENTATIONS:

- A. Mayor and Council to recognize Officer Kirsten Ryn as the May 2009 "Employee of the Month." (Chief Rod Jones to present)
- B. Mayor and Council to proclaim the month of September as "Energy Efficiency Month". (Kari Provost, American Lung Association to accept)
- C. Mayor and Council to proclaim the partnership between the City of Fontana and the U.S. Census Bureau: 2010 Census. (Don Williams, Community Development Director to present to Amos Young, Sr.)
- D. Mayor and Council to recognize the Martinez Family along with the Fontana Community Coalition for their leadership in the community. (Mayor to present to Martinez Family)

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 August 28, 2009 regular City Council meeting.
- B. Final Acceptance of the City Hall Council Chambers Remodel Project, SB-007-PW-09.
 - (1) Accept as complete and authorize the Public Works Director to execute and file a Notice of Completion for Project SB-007-PW-09.
 - (2) Approve the final construction amount of \$277,956.
 - (3) Approve the release of the 10% retention upon satisfactory closure of the contract.
- C. Second Amendment to the Reimbursement Agreement between the City of Fontana and Citrus and Slover, LLC.
 - (1) Authorize the City Manager to execute the Second Amendment to the Reimbursement Agreement between the City of Fontana and Citrus and Slover, LLC, and extending the time for completion of the public improvements.
 - (2) Adding an additional eligible reimbursement item to the list of off-site improvements.
- D. Adopt a Resolution establishing Cherry Avenue between Foothill Blvd and Whittram Avenue as a County Highway.
 - (1) Adopt **Resolution No. 2009-____**, establishing Cherry Avenue between Foothill Boulevard and Whittram Avenue as a County Highway.
- E. Release of Leased Property – Park N Ride Facility
 - (1) Adopt **Resolution No. 2009- ____**, approving and authorizing the execution and delivery of certain documents in connection with a proposed release and substitution of leased property.
- F. Fontana Art Association Quarterly Report as listed in the staff report
 - (1) Accept the Quarterly Report for the Fontana Art Association.
- G. Crossing Guards Service Agreement
 - (1) Approve contract agreement with Fontana Unified School District and Etiwanda School District for Crossing Guard services.
- H. Final Acceptance of SB-381-PD-09 Code Enforcement Remodel
 - (1) Accept as complete the work performed by Avaco Construction, Inc. for the remodel of the Police Department Code Enforcement Unit.

- (2) Approve the final construction amount of \$38,400 and approve the release of the 10% retention upon satisfactory closure of the contract.
 - (3) Authorize the Chief of Police or his designee to execute and file the Notice of Completion for Project SB-381-PD-09.
- I. Add Policy Regarding Administrative Fines
- (1) Adopt **Resolution No. 2009-** _____, adding Fontana City Administrative Policy 20-61 “Administrative Fines/Administrative Hearings conducted by teleconference”

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

- A. Consolidated Annual Performance Evaluation Report (CAPER) for Fiscal Year 2008-2009.
 - (1) Conduct a Public Hearing on the Consolidated Annual Performance and Evaluation Report (CAPER) that was prepared for the U.S. Department of Housing & Urban Development to report on specific Federal housing assistance and community development activities undertaken by the City of Fontana during Fiscal Year 2008-2009.
 - (2) Authorize the City Manager to execute any documents necessary to submit the report, along with any comments received during the public hearing and public comment period, to the Department of Housing & Urban Development.

- B. Amendment 09-2007 is an amendment to the Citrus Heights North Specific Plan (Shady Trails) Development Agreement.
 - (1) Find that Amendment No. 09-007 complies with a previously certified EIR and direct staff to file a Notice of Determination per CEQA guidelines 15075;
 - (2) Waive further reading of and introduce **Ordinance No.** _____, an Ordinance of the City of Fontana approving Amendment No. 09-007, an amendment of the Citrus Heights North Specific Plan Development Agreement and that the reading of the title constitutes the first reading thereof.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT: The next regular workshop meeting will be on Wednesday, September 23, 2009 at 5:00 p.m. and then the regular meeting at 7:00 p.m. in the City Council Chambers, located at 8353 Sierra Avenue, Fontana, CA.