

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
FEBRUARY 24, 2009**

WORKSHOP

A workshop meeting of the Fontana City Council was held on Tuesday, February 24, 2009, in the Lewis Library and Technology Center, Conference Room, 8437 Sierra Avenue, Fontana, CA. Mayor Nuaimi opened the meeting at 5:26 p.m.

ROLL CALL: Present: Mayor Nuaimi, Council Members Roberts, ROLL CALL
and Rutherford.

Absent: Mayor Pro Tem Warren, and Council Member
Scialdone.

Following agenda review and City Manager comments, the meeting adjourned at 5:29 p.m. to the Closed Session.

REGULAR CITY COUNCIL MEETING

The Regular Meeting of the City of Fontana City Council was held on Tuesday, February 24, 2009, in the Steelworkers Auditorium in the Lewis Library and Technology Center, 8437 Sierra Avenue, Fontana, CA. Mayor Pro Tem Warren called the meeting to order at 7:34 p.m.

ROLL CALL: Present: Mayor Pro Tem Warren, Council Members ROLL CALL
Roberts, Rutherford, and Scialdone.

Absent: Mayor Nuaimi.

Following the Invocation by Imman Faiz Shah – Ar-Rahman Islamic Center , the Pledge of Allegiance was led by Council Member Roberts.

CLOSED SESSION:

The City Attorney stated they met in Closed Session to discuss the items C S
listed below, with no reportable action.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO
GOVERNMENT CODE SECTION 54957.6

Agency Negotiator: Ed Raya, Human Resources Director

Employee Organizations: City Hall, City Yard, Management Confidential,
PBA, PMA and POA

CITY COUNCIL MINUTES

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PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957

Title of Position: City Manager

SPECIAL PRESENTATIONS:

S P

Mayor Pro Tem and Council recognized Officer Loni Ives, Detective Daniel DelGado-Oramas and Detective Sheila Foley as the Police Department "Employees of the Month", presented by Chief Rod Jones.

EMP MTH

PUBLIC COMMUNICATIONS

P C

The following Public Communications were received:

John De Sousa, 7565 Concord, spoke regarding lay-offs.

LAY-OFF

Tony Orlich, Randall Avenue, spoke regarding corruption.

CORRUPTION

CONSENT CALENDAR

C C

By consensus, the City Council changed the wording on Consent Calendar Item "H" from "registered voters" to "current population over the age of 18".

REVISION

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Rutherford, and carried unanimously, approving Consent Calendar Items "A-I", with revision to CC "H", as follows:

- A. Approving the minutes of the February 10, 2009 Regular City Council meeting.
- B. (1) Approving selection of qualified contractors to construct minor street improvements on an as needed basis at various locations within the City of Fontana
- (2) Authorizing the City Manager to execute a master agreement with the selected contractors to provide minor street improvements at various locations for a period of one year, extendable for two additional one-year terms at the sole discretion of the City.
- C. (1) Approving selection of qualified firms to provide professional architectural services.
- (2) Authorizing the City Manager to execute a master agreement with selected firms to provide professional architectural services for a period of three years, extendable for two additional one-year terms at the sole discretion of the City.

MINUTES

MASTER AGR
MINOR STREET
IMPRVMNTS

MASTER AGR
PRO ARCHITECT
SERVICES

- | | |
|---|--|
| <p>D. Authorizing the City Manager to execute Amendment No. 9 to the engineering services agreement with Boyle Engineering in the amount of \$78,200 with a not to exceed total contract amount of \$1,216,392.30 to provide additional engineering services related to the project approval and environmental documentation (PA&ED) for the Citrus Avenue/I-10 Interchange Project.</p> | <p>AMEND NO. 9 BOYLE ENG CITRUS/I-10</p> |
| <p>E. Adopting Resolution No. 2009-08, approving a cooperative agreement with the State of California Department of Transportation (CALTRANS) for project development, including plans, specifications and estimates (PS&E) and construction of the new storm drain on I-15/Duncan Canyon Road Overcrossing Project, also referred to as "Line A", Cooperative Agreement No. 08-1426.</p> | <p>ADPT RES NO 09-08 CALTRANS I-15/DUNCAN CYN RD</p> |
| <p>F. Accepting Fontana Art Association Quarterly Report.</p> | <p>ART ASSN RPT</p> |
| <p>G. Approving the first amendment to the operating agreement with Stargazers Productions for management and operation of the Center Stage Theater revising the term to two years with an optional one-year renewal period and allocating an additional \$100,000 for operating year 2008/2009 and authorizing the City Manager to execute any documents necessary to effectuate said amendment.</p> | <p>AMEND 1 STARGAZERS PROD. CTR STAGE THEATR</p> |
| <p>H. Reviewing and approving amendment to Administrative Procedure 20-35 regarding the naming of parks and facilities. Deleting registered voters and changing to "current population over the age of 18".</p> | <p>AMEND ADM PRO 20-35</p> |
| <p>I (1) Accepting as complete the work performed by Oakview Constructors, Inc., for the remodel of two buildings, SB-134-PW-08.</p> | <p>ACCPY COMP OAKVIEW CONST SB-134-PW-08</p> |
| <p>(2) Approving the final construction amount of \$578,148 and approving the release of the 10% retention upon satisfactory closure of the contract.</p> | |
| <p>(3) Authorizing the Deputy City Manager to execute and file the Notice of Completion for Project SB-134-PW-08.</p> | |

PUBLIC HEARINGS:

Public hearing was opened regarding County Revenue Enhancement Zones.
No written communication was received.

PH-A
COUNTY REV.
ENHANCEMNT

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Staff presentation was given by Management Services Director Lisa Strong. No one spoke in favor or opposition. The hearing was closed.

ZONES
ADPT RES. NO
09-09

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Rutherford, and carried unanimously, adopting **Resolution No. 2009-09**, approving an agreement between the County of San Bernardino and the City of Fontana for establishment of Revenue Enhancement Zones.

Public hearing was opened regarding Application Fee for Permit to Sell Fireworks.

PH-B
ADPT RES NO
09-10 APP FEE
FIREWORKS
SALES

No written communication was received.

Staff presentation was given by Management Services Director Lisa Strong. No one spoke in favor. Speaking in opposition was Tony Orlich, Randall Avenue. The hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Rutherford, and carried unanimously, adopting **Resolution No. 2009-10**, establishing a non-refundable application fee to sell “safe and sane fireworks” in the City of Fontana.

NEW BUSINESS:

Staff presentation was given regarding the Fiscal Year 2008/2009 Mid-Year Budget Status Report

NB-A
2008/09 MID-YR
BUDGET RPT

Staff presentation by Management Services Director Lisa Strong, and Resource Budget Officer Jackie Haugh.

ACTION: Motion was made by Council Member Scialdone, seconded by Council Member Roberts, and carried unanimously. (1) approving the recommended Mid-Year Budget changes listed in the Mid-Year Budget Status Report for Fiscal Year 2008/2009; and (2) approving the recommended Budget Development Guidelines for Fiscal Year 2009/2010.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

E O C

The following Elected Officials Communications were received:

Council Member Scialdone stated Council Member Roberts and himself attended the grand opening of Mimi’s Café and it is great to have Mimi’s in town.

MIMI’S CAFE

Council Member Scialdone thanked staff for the opportunity to attend the Valley Boulevard District tour with the rest of his colleagues, and confirmed this district will help the businesses in the area thrive.

VALLEY BLVD
DIST TOUR

Council Member Scialdone stated there was a lot of traffic at the

SPEEDWAY

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speedway this weekend and thanked Chief Rod Jones for his hard work organizing the volunteers.

Council Member Rutherford stated they have started planning the next Community Prayer Breakfast which will be held on May 7, 2009.

PRAYER BRKFST

Council Member Rutherford informed the residents there will be a State Tax Agency Workshop for non-profit or faith based organizations at the Jessie Turner Center on March 24, 2009.

TAX WORKSHOP

Council Member Rutherford encouraged everyone to come out and volunteer for the Dr. Seuss Reading Day at your local schools.

DR SEUSS
READING DAY

Council Member Rutherford stated last week she attended a League of Cities Board Meeting where one of the topics was Senate Bill 375, and they will be looking into possible resource funding sources that will be brought back at the April Board meeting.

SB 375

Council Member Roberts stated he appreciates John De Sousa for his efforts assisting Fontana residents.

THANKS

Council Member Roberts stated he was glad to hear Daniel Wibert has just returned from Iraq.

WELCOME HOME

Council Member Roberts stated he was sad to hear that Rosemary Koehler is battling cancer.

ROSEMARY
KOEHLER

Council Member Roberts stated Senator McCloud will be honoring Mayor Pro Tem Warren in the 32 Senatorial District as the Woman of the Year.

HONORING
A. WARREN

Mayor Pro Tem Warren expressed it is a pleasure to be honored by Senator McLeod.

THANKS

Mayor Pro Tem Warren encouraged everyone to come to the Community Prayer Breakfast.

PRAYER BRKFST

Mayor Pro Tem Warren congratulated the members of the "New Fountain of Truth" Church for becoming Fontana's crystal cathedral.

CONGRATS

Mayor Pro Tem Warren encouraged everyone to come out to the Arbor Day Celebration on March 12, 2009 at the Mary Vagle Museum and Nature Center from 9:00 a.m. to 1:30 p.m.

ARBOR DAY

Mayor Pro Tem Warren invited everyone to the dedication of the Garden at Dorothy Grant Elementary School on February 26, 2009 at 11:00 a.m.

GARDEN
DEDICATION

Mayor Pro Tem Warren welcomed the new Inland Health Care Group to the City of Fontana.

WELCOME

City Clerk Lewis stated that the Exchange Club assisted the Rotary Club at the speedway this past weekend.

EXCHG CLUB

City Clerk Lewis encouraged everyone to come to the Exchange Club Dinner on March 17, 2009, at Sierra Lakes Country Club honoring “Students of the Month” from all of the Fontana’s High Schools.

STUDENT
DINNER

ADJOURNMENT

ADJOURN

Motion made by Council Member Roberts, seconded by Council Member Scialdone to adjourn the City Council meeting, at 8:19 p.m. to the next Regular City Council Workshop on Tuesday, March 10, 2009 at 5:00 p.m. in the Lewis Library Conference Room, and then to the regular City Council meeting at 7:00 p.m. in the Steelworkers Auditorium located in the Lewis Library and Technology Center, located at 8437 Sierra Avenue, Fontana, CA.

Orvene Steenbock
City Clerk Assistant

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 10th DAY OF MARCH. 2009.

Tonia Lewis
City Clerk