

Next: Ord. 1610 Res. 2009-093

**CITY OF FONTANA AGENDA
CITY COUNCIL MEETING
OCTOBER 14, 2009
CITY COUNCIL CHAMBERS
8353 Sierra Avenue, Fontana, CA
7:00 PM**

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 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 Council Chambers 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 Council Chambers 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 p.m. WORKSHOP:

- (A) Presentation on Burrtec Waste (Chuck Hays, Public Works Director)
- (B) Presentation on Interstate 210 Conceptual Design Review of Sports Complex (Chuck Hays, Public Works Director)
- (C) Agenda Review
- (D) City Manager Comments

6 p.m. CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION PURSUANT

TO GOVERNMENT CODE SECTION 54956.9
Name of Case: City of Fontana vs. Stephen M. Albert
Case No. SCVSS 138283

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT
CODE SECTION 54957.6
City Negotiator: Kenneth R. Hunt, City Manager
Title of Position: Chief of Police

CALL TO ORDER/ROLL CALL:

PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor/Pastor Daniel Vasquez, Up Word Ministry

PROCLAMATIONS:

- A. Mayor and City Council to present Proclamation to Ray Brag for retirement as Redevelopment and Special Projects Department Director (Mayor to present)**
- B. Mayor and City Council to proclaim October as "National Arts and Humanities Month" (Mayor to present to Garth Nelson and Becky Peck of Arts Association)**

SPECIAL PRESENTATIONS:

- A. Police Department August 2009 Employee of the Month**

Mayor and Council to recognize Officer Jason DeLair as the August 2009 "Employee of the Month." (Chief Rod Jones to present)

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. Approval of Minutes

(1) Approve the minutes of the September 23, 2009, regular City Council meeting.

B. Adoption of Ordinance Nos. 1606, 1607, 1608, 1609

(1) Adopt **Ordinance No. 1606**, approving Zone Change No. 07-005 to change the zoning on approximately 275.7 gross`1 acres of Residential Planned Community (R-PC) Land, approximately 27.2 gross acres of Community Commercial (C-C) Land, and approximately 231.6 gross acres of Regional Mixed Use (R-MU) Land to Specific Plan No. 27 to reflect the adoption of the Specific Plan.

(2) Adopt **Ordinance No. 1607**, approving Specific Plan No. 04-006 (Arboretum Specific Plan).

(3) Adopt **Ordinance No. 1608**, approving Development Agreement No. 09-001 (Arboretum Specific Plan Development Agreement).

(4) Adopt **Ordinance No. 1609**, amending Chapter 15, Article XII of the Fontana Municipal Code regarding massage establishments and massage technicians.

C. Bond reduction for Tract Nos. 16290 and 16325

(1) Authorize a reduction in bond amounts which were posted by Centex Homes for the backbone subdivision improvements for Tract Nos. 16290 and 16325 located north of Duncan Canyon Road and east of Cherry Avenue as follows: reduce Street, Sewer, Storm Drain Improvements Bond No. 6364054 from the original amount of \$7,500,000 to a reduced amount of \$1,875,000.

(2) Authorize the acceptance of storm drain improvements and sewer improvements along Coyote Canyon Road, Roadrunner Road and Duncan Canyon Road.

D. Release a Temporary Easement on Recorded Tract Nos. 16572 and 16577

(1) Authorize the City Manager to execute Quit Claim Deeds for the release of a Temporary Easement for detention basin purposes on Lots 1 through 5 inclusive, Lots 33 through 37 inclusive of Tract No. 16572, and Lots 43 through 45 inclusive of Tract No. 16577.

Donation from Young Homes

E.

(1) Accept donation of Los Angeles Kings hockey tickets from Young Homes.

F. Approve purchase of a Vermeer LP555DT Vacuum/Excavator

(1) Authorize the Management Services Department to join in a cooperative bid using General Services Administration (GSA) contract GS-07F-0700N to purchase a Vermeer LP555DT Vacuum/Excavator in the amount of \$44,803.81.

G. Award bid for household hazardous waste management services, SP-504-PW-09

(1) Award Bid and authorize the City Manager to enter into a two-year agreement with three one-year extensions at the City's sole discretion with PSC Environmental Services for household hazardous waste management services, SP-504-PW-09.

H. Award bid for the purchase of a 2010 Chevrolet Tahoe Police Vehicle

(1) Award bid in the amount of \$30,993.37 to Rotolo Chevrolet for the purchase of a 2010 Chevrolet Tahoe Police Vehicle.

I. Final acceptance of the work performed in accordance with the contract for the construction of the Pacific Electric Inland Empire Trail Segment 3A (Tokay Avenue to Almeria Avenue), SS-360-RA-08

(1) Accept as complete the work performed by Sully Miller Contracting Company for the construction of the Pacific Electric Inland Empire Trail Segment 3A (Tokay Avenue to Almeria Avenue), SS-360-RA-08.

(2) Authorize the Redevelopment Director to execute and file a Notice of Completion.

(3) Approve the final construction amount of \$306,618.97.

(4) Approve the release of a 10% retention upon satisfactory closure of the contract.

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. Multi-Family Housing Revenue Bond issuance by the Fontana Housing Authority for the Ceres Way Apartments.

(1) Approve the submittal of an application to the California Debt Limit Allocation Committee (CDLAC) for Tax Exempt Bonds and 4% tax credits to facilitate construction of the Ceres Way Apartments and authorize the Executive Director to execute any documents necessary to effectuate said application and submittal.

(2) Approve **Resolution No. 2009-_____**, setting forth the official intent of the Fontana Housing Authority to issue Multifamily Housing Revenue Bonds to finance the Ceres Way Apartments Project and authorizing related actions.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

CITY MANAGER COMMUNICATIONS:

ADJOURNMENT:

The next regular meeting will be held on October 28, 2009, with a workshop at 5:00 p.m. then the regular meeting at 7:00 p.m. in the Council Chambers located at 8353 Sierra Avenue, Fontana, CA