

Next: Ord. 1610 Res. 2009-094

**CITY OF FONTANA AGENDA  
CITY COUNCIL MEETING  
OCTOBER 28, 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.**

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**5 p.m. WORKSHOP:**

- (A) Agenda Review
- (B) Web Design (Dennis Vlasich, Information Technology Department)
- (C) Valley Boulevard Transition District (Shannon Casey, Planning Department)
- (D) City Manager Comments

**6 p.m. CLOSED SESSION:**

CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT  
CODE SECTION 54956.95

Claimant: Alfred Alcares vs. City of Fontana  
Claim Number: 2007-77

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO  
GOVERNMENT CODE SECTION 54956.8

Property: APN 0255-011, 02, and 03

Owner: Citrus and Slover, LLC

Negotiator: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO  
GOVERNMENT CODE SECTION 54956.8

Property: APN 0237-191-02 and 12; 0237-191-27 and 28

Owner: David Eshleman

Negotiator: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

## **CALL TO ORDER/ROLL CALL:**

## **PLEDGE OF ALLEGIANCE/INVOCATION:**

Mayor/Pastor Emory James, Ephesians New Testament Church

## **PROCLAMATIONS:** None

## **SPECIAL PRESENTATIONS:**

### **A. Officer John MacMillan Retirement**

Mayor and Council to recognize Officer John MacMillan on his retirement. (Chief Rod Jones to present)

### **B. September Employee of the Month**

Mayor and Council to recognize Officer Art DeLaCruz as the Police Department September 2009 Employee of the Month. (Chief Rod Jones to present)

### **C. Healthy Fontana-Be Smart, Be Healthy, Be Sugar Smart**

Mayor and Council to accept a check for \$8,000 from Kaiser Permanente for the Healthy Fontana-Be Smart, Be Healthy, Be Sugar Smart Campaign. (Martha Valencia, Sr. Community Benefits Health Specialist to present)

### **D. Recognition for dedication to youth programs and services**

Mayor and City Council to recognize Fontana District Commissioner Leslie E. Murad II for his exceptional contributions and dedication to Fontana youth programs and services. (Mayor to present)

### **E. Recognition for the contribution of Alamo Recycling**

Mayor and Council to recognize Alamo Recycling for support of the health of Fontana Youth Ashley Lloyd. (Mayor to present to Alamo Recycling President Michael Mendonca)

### **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 October 14, 2009, regular City Council meeting.

#### **B. Authorize access to sales and use tax records**

(1) Adopt **Resolution No. 2009-\_\_\_\_\_**, authorizing access to sales and use tax records.

#### **C. Proposition 1A Securitization Program**

(1) Adopt **Resolution No. 2009-\_\_\_\_\_** approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the seller's Proposition 1A Receivable from the State; and directing and authorizing certain other actions in connection therewith.

#### **D. Accept donation of goods from PETCO**

(1) Accept donation of goods valued at \$928 from PETCO for use by Animal Services Unit Personnel.

#### **E. Accept DUI Enforcement and Awareness Program Grant of \$150,262 from**

**Office of Traffic Safety**

- (1) Accept grant award in the amount of \$150,262 from the Office of Traffic Safety.
- (2) Increase estimated revenues by \$150,262 and appropriate \$150,262 in Office of Traffic Safety Fund 225 for Fiscal Year 2009-2010.
- (3) Authorize the Chief of Police, or his designee, to sign all related grant documents for the term of the grant.

**F. Accept donation of surplus fire equipment from the Fontana Fire Protection District**

- (1) Accept the donation of a surplus water tender from the Fontana Fire Protection District.

**G. Final acceptance for construction of San Bernardino Avenue Lift Station, Project No. SB-51-PW-07**

- (1) Accept as complete and authorize the Public Works Director to execute and file a Notice of Completion for Project No. SB-51-PW-07.
- (2) Approve the release of the 10% retention upon satisfactory closure of the contract.

**H. Award construction contracts for the San Bernardino Avenue Street and Drainage Improvements Project (Commerce Drive to Cherry Avenue)**

- (1) Award bid and authorize the City Manager to enter into a construction contract with Griffith Company in the amount of \$4,136,435.80 ***contingent upon receipt of funds from San Bernardino County, ProLogis, and San Bernardino County Redevelopment Agency.*** .
- (2) Approve a 10% contingency in the amount of \$413,643.58 (for a total amount of \$4,550,079.38) for the San Bernardino Avenue street and drainage improvements project.

**Approve Consent Calendar Items "A-H" as recommended by staff.**

**PUBLIC HEARINGS:** None

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

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

**A. Fiscal Year 2009-10 First Quarter Budget Status Report**

- (1) Approve the recommended First Quarter Budget changes.
- (2) Adopt **Resolution No. 2009-\_\_\_\_\_** adopting the positions and salary ranges for Office Assistant I and Office Assistant II .

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

**CITY MANAGER COMMUNICATIONS:**

**ADJOURNMENT:**

The next regular meeting will be held on November 11, 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.