

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR MEETING  
AUGUST 25, 2010**

**WORKSHOP**

A workshop meeting of the Fontana City Council was held on Wednesday, August 25, 2010, in the City of Fontana Executive Conference Room, 8353 Sierra Avenue, Fontana, California. Mayor Scialdone called the workshop to order at 5:35 p.m.

**ROLL CALL:**

Present: Mayor Scialdone (arrived at 5:45 p.m.), Mayor Pro Tem Warren, and Council Members Roberts and Rutherford.

Absent: None.

The Fontana City Council Regular Meeting Agenda was reviewed.

City Manager Comments were heard.

The workshop meeting adjourned at 5:53 p.m. to closed session.

**REGULAR CITY COUNCIL MEETING**

The Regular Meeting of the City of Fontana City Council was held on Wednesday, August 25, 2010, in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, California. Mayor Scialdone called the meetings to order at 7:01 p.m.

**ROLL CALL:**

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

Absent: None.

**CLOSED SESSION:**

City Attorney Clark Alsop announced that the City Council had met in Closed Session at 6 p.m. to discuss the following items with no reportable action.

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a):**

Name of Case: Inland Empire Alarm Association v. City of Fontana, et al., San Bernardino Superior Court Case No. CIVDS 908092

**CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE DISCIPLINE/ DISMISSAL/RELEASE PURSUANT TO GOVERNMENT CODE SECTION 54957**

Number of Cases: Two

Following the Invocation by Westside Baptist Church Pastor Samuel Dawkins, the Pledge of Allegiance was led by Mayor Pro Tem Warren

Mayor Scialdone welcomed Boy Scouts Troop 556 to tonight's Council Meeting.

**SPECIAL PRESENTATIONS:**

- A) Mayor Scialdone introduced Chief Rod Jones who announced that recognition of Officer Rosalie Garcia as the June 2010 Employee of the Month would be heard at a later time.
  
- B) Mayor Scialdone introduced Kaiser Permanente Fontana/Ontario Vineyard Medical Centers Executive Director Greg Christian who presented Community Services Supervisor Michael Wright and Community Services Coordinator II Dede Benson with a \$10,000 Fontana Medical Center 2010-11 Community Benefit Grant from Kaiser Foundation Hospital for use in the Healthy Fontana Program Jr. Chef Program. Mayor Scialdone presented a Certificate of Recognition to Director Christian in gratitude of the generous contribution to the Healthy Fontana Program and for supporting the importance of health in the community.

**PUBLIC COMMUNICATIONS:**

The following Public Communications were received:

Fran J. Givens thanked the Mayor, City Council, and City for the great services and activities at the Fontana Senior Center.

Tami Wetzal spoke regarding the importance of voting in the upcoming election.

**CONSENT CALENDAR:**

- A) Approval and Revision of Minutes.  
Approve the Minutes of the July 28, 2010, Regular Meeting of the City Council, and the revisions to the Minutes of the July 14, 2010, Regular and Special Meeting of the City Council.

- B) Resolution Adding Two Administrative Policies Detailing City Council Attendance and Participation at Community Meetings and Event Sponsorship  
Adopt **Resolution No. 2010-093** adding Administrative Policy Section 20-14 for Event Sponsorship and Section 30-04 for City Council Attendance and Participation at Community Meetings.
- C) Accept Healthy Cities and Communities Activities Grant  
Accept Healthy Cities and Communities Activities Grant from the Public Health Institute in the amount of \$20,000 for use in the Healthy Fontana Program.
- D) Accept Kaiser Foundation Hospital 2010-2011 Community Benefit Grant  
Accept Kaiser Foundation Hospital Fontana Medical Center 2010-11 Community Benefit Grant in the amount of \$10,000 for use in the Healthy Fontana Program.
- E) Authorizing Staff to File an Application for Grant Funds for the Proposition 1B State Local Partnership Program Competitive Grant Application Program  
This item was removed from the agenda.
- F) Award Bid and Contract for the construction of Cherry Avenue between Beech Avenue and Hawker Crawford Channel  
Authorize the City Manager to execute a construction contract with Shamrock Paving Inc., for the construction of Cherry Avenue between Beech Avenue and Hawker Crawford Channel in the amount of \$176,449.31 and authorize a 10 percent contingency in the amount of \$17,644.93 for Bid No. SB-04-DE-11.
- G) Bid and Contract for Construction of the Pacific Electric Inland Empire Trail Segment 5B  
This item was removed from the agenda.
- H) Final acceptance of sidewalk improvements in various locations, Bid No. SB-387-DE-09  
(1) Accept as complete the work performed by Gosney Construction, LLC for the construction of sidewalk and street improvements on Locust Avenue from Barbee Street to approximately 650 feet north (east side); Spohn Avenue from Barbee Street to approximately 650 feet north (east and west side); Barbee Street (north side) from Locust to Maple Avenues; Hawthorne Avenue (north side) from Tamarind to Alder Avenues; and Hawthorne Avenue (south side) from Palmetto to Blanchard Avenues.  
(2) Approve the final construction amount of \$142,833.52 and authorize the City Engineer to execute and file the notice of completion for City Project Bid No. SB-387-DE-09.

- I) Acceptance of Final Map for Tract No. 16870
  - (1) Accept Final Map for Tract No. 16870 located within the Citrus Heights North Specific Plan (Shady Trails).
  - (2) Accept as public dedicated streets and easements, and authorize the City Manager to enter into a subdivision agreement with the subdivider.
  
- J) Acceptance of Final Map for Tract No. 16874
  - (1) Accept Final Map for Tract No. 16874 located within the Citrus Heights North Specific Plan (Shady Trails).
  - (2) Accept as public dedicated streets and easements, and authorize the City Manager to enter into a subdivision agreement with the subdivider.
  
- K) Acceptance of Final Map for Tract No. 16875
  - (1) Accept Final Map for Tract No. 16875 located within the Citrus Heights North Specific Plan (Shady Trails).
  - (2) Accept as public dedicated streets and easements, and authorize the City Manager to enter into a subdivision agreement with the subdivider.
  
- L) Department of Alcoholic Beverage Control Grant Assistance Program
  - (1) Adopt **Resolution 2010-094** of the City Council of the City of Fontana approving and accepting a Grant in the amount of \$61,467 from the State Department of Alcoholic Beverage Control (ABC) to increase the Police Department's proactive efforts of ABC education and enforcement.
  - (2) Authorize the Chief of Police or his designee to sign the Standard Agreement STD 213 contract to be entered into between the State Department of Alcoholic Beverage Control and the Fontana Police Department for the total amount of \$61,467.
  - (3) Approve the expenditure plan for the use of the funds to help offset the cost of one police officer within the Police Department.
  
- M) Fontana Police Department 2009 Annual Report
  - Receive and order filed the 2009 Police Department Annual Report.
  
- N) Award Bid and Contract for fencing and installation services, SB-48-PW-10
  - Award Bid and authorize the City Manager to enter into a two year contract with Econo Fence, Inc., Riverside, with three one-year extensions at the sole discretion of the City for fencing and installation services throughout the City.
  
- O) Award Bid and Contract for ARAM Pavement Rehabilitation Project SB-23-PW-10
  - (1) Award Bid and authorize the City Manager to enter into a Contract with Hardy and Harper, Inc. for the construction of the Asphalt Rubber Aggregate Membrane (ARAM) Pavement Rehabilitation Project SB-23-PW-10 in the amount of \$1,369,000 and authorize a 10 percent contingency in the amount of \$136,900.

(2) Authorize the Public Works Director to administratively approve and implement short term street closures and detours during construction.

P) Award Bid and Contract for Slover Avenue Pavement Rehabilitation Project SB-47-PW-10

(1) Award Bid and authorize the City Manager to enter into a Contract with Silvia Construction, Inc. for the Slover Avenue Pavement Rehabilitation Project

SB-47- PW-10 in the amount of \$1,067,687.20 and authorize a 10 percent contingency in the amount of \$106,769.

(2) Authorize the Public Works Director to administratively approve and implement short term street closures and detours.

Q) Award Bid and Contract for Hazardous Waste Clean-up Services

Award Bid and authorize the City Manager to enter into an agreement with Double Barrel Environmental Services, Riverside; Patriot Environmental Services, Long Beach; and United Pumping Services, Inc., City of Industry; for hazardous waste clean-up services, SP-10-PW-10, for a period of two (2) years and renewable for three additional one (1) year increments at the City's sole discretion.

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Rutherford, and carried unanimously by vote of 4-0, to approve Consent Calendar Items "A-Q," with Items E and G removed from the agenda and a typographical correction made to Item P to correct the numbering of Bid SP-47-PW-10.

**PUBLIC HEARING:** None.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:** None.

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

Council Member Roberts commended the Police Department for its fine efforts in the City and reduced crime rates in the current economic situation.

Council Member Rutherford announced that she attended a Korean American Federation Inaugural Event in San Bernardino, discussed the opportunities and land investments that exist, and commented that she looks forward to continuing to build the cultural relationship.

Council Member Rutherford encouraged residents to stop by the joint rummage sale between the Fontana Boys and Girls Club and Women's Club that is currently taking place this week, from Monday through Friday, at the Women's Club.

Council Member Rutherford commended City staff on an amazing Cypress Overpass Grand Opening Event and on the new life and continued improvements that will be brought to the City.

Mayor Pro Tem Warren congratulated the Police Department, volunteers, and Fire Department for an outstanding National Night Out. Mayor Pro Tem Warren also encouraged residents to join their neighbors, establish block clubs, and continue to deter criminals away from the City.

Mayor Pro Tem Warren announced the Sierra Parkway Dental Care Ribbon Cutting to occur on Thursday, August 26, 2010, from 5:30-7:30 p.m. at 16953 Sierra Lakes Parkway. Mayor Pro Tem Warren encouraged residents to congratulate new businesses in the City.

Mayor Pro Tem Warren announced the Community Meeting taking place at Wayne Ruble Middle School on Thursday, August 26, 2010, from 6:30-8:30 p.m. Mayor Pro Tem Warren encouraged residents to attend these meeting, voice their concerns, and have them solved.

Mayor Pro Tem Warren expressed her pride in the City, staff, the public, former Mayor Nuaimi, the State and Federal levels, and in the successful Cypress Overpass Grand Opening Event.

Following discussion with the City Council, Mayor Scialdone directed City Manager Kenneth Hunt to refrain from holding the Fontana Housing Authority, Redevelopment Agency, and Fire Protection District meetings to approve only minutes as an effort to save staff time and associated costs.

Council Member Rutherford commended Mayor Scialdone on the idea and discussed that there is no legal requirement to hold the meetings.

Mayor Scialdone commented on the successful National Night Out that occurred on August 3, 2010, encouraged residents and their neighborhood to join in, and thanked residents of 11150 block of Water Elm Place, 17400 block of Anastasia Avenue, 14200 block of Lauramore Court, 15000 block of Grays Peak, and 15100 block of Willow Wood for their participation.

Mayor Scialdone announced that he attended the San Bernardino County Water conference on August 12, 2010, the theme of water conservation, and Fontana's current use of many best practice methods discussed at the conference. Mayor Scialdone also commented on the legislature for mandatory residential sprinklers statewide that will become effective January 1, 2011, and thanked Council Member Roberts for his efforts in the mid-1980's that placed Fontana ahead.

Mayor Scialdone thanked the Paradise Valley Model A Car Club, Bill Kerns, Strategic Transportation Engineering Manager Kevin Ryan, and former Mayor Nuaimi for a successful Cypress Overpass Grand Opening Event.

Mayor Scialdone announced that on August 20, 2010, he had the opportunity and honor of inducting new Board Members of the Industrial Support System Installation, discussed the importance of training and employment for disabled adults, and congratulated new President Yvonne Williams.

Mayor Scialdone announced the Fontana Women's Club Ice Cream Social to take place at the Women's Club this Sunday, August 29, 2010, from 2-4 p.m.

Mayor Scialdone announced that he had the opportunity to speak with 39 middle school students before their trip to tour the UC San Diego campus. All the students will be attending college, six are members of the Mayor's Youth Advisory Council, and Mayor Scialdone thanked AT&T for the grant that funded the trip and encouragement for college education.

Mayor Scialdone reminded residents that school is in session and to drive carefully.

Mayor Scialdone regretfully announced the recent passing of retired Police Department sergeant Pete Graziano's wife Betsy. He expressed his prayers, the difficulties involved with being the spouse of a police officer, and requested that tonight's meeting be adjourned in Mrs. Graziano's honor for being a great mother, wife, and grandmother

**CITY MANAGER COMMUNICATIONS:**

City Manager Hunt expressed condolences to the Grazino Family for the recent passing of Betsy Graziano.

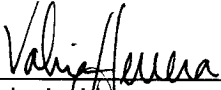
City Manager Hunt acknowledged Strategic Transportation Engineering Manager Kevin Ryan, Assistant to the City Manager Amy Colbrunn, Development Services Senior Administrative Analyst Cheryl Cabaruvias, and Engineering Administrative Analyst I Monique Molina for their great work on the successful Cypress Overpass Grand Opening.

City Manager Hunt recognized Public Works Landscape Technician Doug Smethurst for his extra efforts and great job at completing the monument that was dedicated to former Mayor Nuaimi.

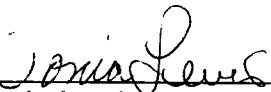
City Manager Hunt announced that the meeting would be adjourned to a Council Meeting at 9 a.m. this Friday, August 27, 2010, and then to the regular meeting on September 8, 2010.

**ADJOURNMENT:**

The City Council Meeting adjourned in memory of Betsy Graziano by consensus at 7:30 p.m. to an adjourned regular meeting which will be held on Friday, August 27, 2010, at 9:00 a.m. in the Development Services Organization Development Advisory Board (DAB) Conference Room, located at 8353 Sierra Avenue, Fontana, California.

  
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Valerie Herrera  
Administrative Analyst II

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 8TH DAY OF SEPTEMBER, 2010.

  
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Tonia Lewis  
City Clerk