

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
CITY COUNCIL MEETING  
APRIL 24, 2012**

**ARTIST SHOWCASE:**

The work of Artist Jeni Bate was presented at 5:30 p.m. in the City Council Chamber and Foyer.

**CLOSED SESSION:**

**A. 6:00 P.M.**

Closed Session was held at 6:00 p.m. in the City Hall Executive Conference room with Mayor Warren, Mayor Pro Tem Roberts, Council Members Slowik and Wibert present. Council Member Tahan was absent.

**PUBLIC COMMUNICATIONS:**

There were no public communications received on the following closed session item.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - PURSUANT TO GOVERNMENT CODE SECTION 54956.8.

Property: 16005 Valley Blvd.

Negotiating Parties: City of Fontana, Sunrise Ford and EMI.

Negotiator: David R. Edgar, Deputy City Manager

Under Negotiation: Price and Terms

**A. 7:00 P.M. Call the Meeting to Order**

The Regular Meeting of the City of Fontana City Council was held on Tuesday, April 24, 2012, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Warren called the meeting to order at 7:03 p.m.

**ROLL CALL:**

Present: Mayor Warren, Mayor Pro Tem Roberts, Council Members Slowik and Wibert. Council Member Tahan arrived at 7:57 p.m.

Absent: None.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

Following the Invocation given by Mayor Pro Tem Roberts, the Pledge of

Allegiance was led by Council Member Wibert.

**CLOSED SESSION ANNOUNCEMENT:**

City Attorney Jeff Ballinger announced that there was no reportable action taken on the Closed Sessions held earlier this evening.

**PROCLAMATIONS:**

**A. National Day of Prayer**

Mayor Warren and City Council proclaimed May 3, 2012, as National Day of Prayer and presented a Proclamation to Inland Empire Prayer Breakfast Committee Moderator Carolyn Preschern.

**SPECIAL PRESENTATIONS:**

**A. Artist Recognition**

Mayor Warren introduced Community Services Coordinator Courtney Hodnick and Artist Jeni Bate.

Mayor Warren and the City Council presented a plaque to Artist Jeni Bate for her work in the Artist Showcase and thanked her for her artwork donation to the City.

**B. Fontana High School Cheer Squad Recognition**

Mayor Warren and City Council presented Certificates of Recognition to the Fontana High School Cheer Squad on their 2011 Achievements.

Mayor Warren and the City Council thanked Ms. Tarena Vierra, coaches and parents for their great support of our youth and congratulated the Fontana High School Cheer Squad on their 2011 Achievements.

Ms. Vierra thanked Mayor Warren and the City Council for taking the time to recognize the Fontana High School Cheer Squad.

**C. Community Services Department 2011 Employees of the Year**

Mayor Warren introduced Director of Community Services Garth Nelson to introduce the Community Services Department 2011 Employees of the year. Mayor Warren and City Council recognized Community Services Supervisor Marianna Mitchell (full-time employee) and Community Services Assistant Teresa Ramirez (part-time employee) as Community Services Department 2011 Employees.

The Fontana After School Program received the Director's Award. The following individuals were recognized for the 2011 Director's Award for Outstanding Service to the Citizens of Fontana and the Community Services Department: Frances Hernandez, Mariana Mitchell, Aisha Jemmott-Wilson,

Jason Hendrix, Felix Bobo, Jamie Bumia, Jessica Gandara, Rocio Alonzo and Ultima Hall. Mayor Warren and City Council thanked the recognition recipients for their hard work and commitment of providing quality service to the community.

**D. Special presentation to PD Helicopter Pilot Don Belter**

Mayor Warren and City Council recognized Police Department Helicopter Pilot Don Belter and Officer Tim Frydendall for the emergency landing of Air 44 on March 21,2012.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

Mr. Quiroga and the Fontana Middle School Travel Club thanked Mayor Warren, City Council and the community for their support and sponsorship of their recent trip to Washington D.C.

Jose Marin gave a self-introduction to Mayor Warren and City Council as the new field representative for San Bernardino County Fifth District Supervisor Josie Gonzales.

**CONSENT CALENDAR:**

**ACTION:** Motion was made by Council Member Wibert, seconded by Mayor Pro Tem Roberts, and passed by a vote of 4-0-1 (Council Member Tahan was absent) to approve Consent Calendar Items "A-J."

**A. Approval of Minutes**

Approve Minutes of the April 10, 2012, Regular City Council Meeting.

**B. Adoption of Ordinance No.1656**

Waive further reading of and adopt Ordinance No.1656, an Ordinance of the City of Fontana amending Chapter 23, Article II, Section 23-162 of the Fontana Municipal Code, pertaining to special restrictions - water conditioning devices.

**C. Adoption of Ordinance 1660**

Waive further reading of and adopt **Ordinance No. 1660**, an Ordinance of the City of Fontana approving Zone Change No. 12-001, changing the Zoning District Map on approximately 27 adjusted gross acres of property from Multi-Family Residential (R-3) to Public Facilities (P-PF).

**D. Approve Fiscal Year 2011 Emergency Management Performance Grant**

Approve the Fiscal Year 2011 Emergency Management Performance Grant in the amount of \$39,410.

**E. Approve Amendment No. 3 to the Cooperative Agreement for the I-10/Cherry Avenue Interchange Project**

Adopt **Resolution No. 2012-029** of the City Council of the City of Fontana, approving Amendment No. 3 to Cooperative Agreement No. C11091 between the San Bernardino Associated Governments, the County of San Bernardino, and the City of Fontana for the I-10/Cherry Avenue Interchange Project.

**F. Disposition and Development Agreement - Dix Development**

Approve a Disposition and Development Agreement between the City of Fontana and Dix Development to facilitate construction of Westech College and authorize the City Manager to execute any documents necessary or desirable to complete said development.

**G. Approval of Contractual Services Agreements for On-Call Planning and Environmental Consulting Services**

1. Approve Selection of Qualified Firms to Provide On-Call Planning and Environmental Consulting Services.
2. Authorize the City Manager to Execute a Master Agreement with the Selected Firms to Provide On-Call Planning and Environmental Consulting Services for a Period of Two (2) Years, Extendable for Two (2) Additional One-Year Terms at the Sole Discretion of the City.

**H. Approve the 2012 Edward Byrne Memorial Justice Assistance Grant**

1. Approve the Interlocal Agreement with the Town of Apple Valley, Cities of Adelanto, Barstow, Chino, Colton, Hesperia, Highland, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Twentynine Palms, Upland, Victorville, and County of San Bernardino, concerning distribution of the 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$60,384.
2. Authorize the City Manager to sign the Interlocal Agreement on behalf of the City of Fontana for the Justice Assistance Grant.
3. Approve the expenditure plan for use of the funds to help offset the cost of three police officers and two sergeant positions within the Police Department.

**I. Increase Purchase Order for Knorr Systems, Inc.**

Approve an increase to the Public Works Department's existing purchase order with Knorr Systems, Inc., allowing annual expenditures in excess of \$25,000 per

year.

**J. Approve a Quit Claim Deed for Lot B of Tract No. 16658**

Authorize the City Manager to execute a Quit Claim Deed for the release of Lot B of Tract No. 16658 to JD Fontlee, L.L.C., an Alaska Limited Liability Company (Jade Homes).

**PUBLIC HEARINGS:**

**A. Hearing was opened to consider Fiscal Year 2012-2013 One-Year Action Plan**

Deputy City Manager David Edgar provided the staff report.

No written communications were received.

No one else spoke in favor or opposition.

The hearing was closed.

**ACTION:** Motion was made by Council Member Slowik, seconded by Council Member Wibert, and passed by a vote of 4-0-1 (Council Member Tahan was absent) to:

Adopt the Fiscal Year 2012-2013 One-Year Action Plan detailing the utilization of Federal Entitlement Funds in said fiscal year and authorize the City Manager to execute any and all documents necessary to effectuate said approvals.

**B. Hearing was opened to consider the Inland Empire Utilities Agency Capital Capacity Reimbursement Fee Increase**

Public Works Manager Dan Chadwick provided the staff report.

No written communications were received.

No one else spoke in favor or opposition.

The hearing was closed.

**ACTION:** Motion was made by Mayor Pro Tem Roberts, seconded by Council Member Slowik, and passed unanimously by a vote of 5-0 to:

Adopt **Resolution No. 2012-030** approving an increase to the Capital Capacity Reimbursement Fee for capital expansion of the regional sewer system capacity in accordance with yearly increases imposed by the Inland Empire Utilities Agency (IEUA) for Fiscal Years 2012-13 through 2014-15.

**C. Hearing was opened to consider the Inclusionary Housing Ordinance and Fee Resolution**

Senior Planner Shannon Casey provided the staff report.

No written communications were received.

No one else spoke in favor or opposition.

Council Member Tahan commented he was happy to see the reduction in fees for manufacturing, industrial, warehousing and distribution, and requested clarification how hotels and hospitals would be impacted since the City is trying to attract hotels and hospitals.

Senior Planner Casey stated the fees for hotels and hospitals would remain the same as originally adopted. The action tonight applied to industrial, manufacturing and distribution.

The hearing was closed.

**ACTION:** Motion was made by Council Member Wibert, seconded by Council Member Tahan, and passed unanimously by a vote of 5-0 to:

1. Determine that the project has been analyzed under a previously adopted environmental document and no further environmental review is required pursuant to Section No. 15162 of the California Environmental Quality Act; and,
2. Waive further reading of and introduce **Ordinance No. 1661**, an ordinance of the City Council of the City of Fontana, California, amending Ordinance No. 1649, Article IV of Chapter 14 of the Fontana Municipal Code relating to inclusionary housing and affordable housing impact fee requirements removing language regarding Redevelopment Agencies and extending the effective date; and that the reading of the title constitutes the first reading thereof; and,
3. Adopt **Resolution No. 2012- 031**, a resolution amending Resolution No. 2012-15 setting impact and in-lieu fees in connection with the Inclusionary Housing Ordinance and to extend the effective date for the fee adoption from May 9, 2012 to May 24, 2012.

**UNFINISHED BUSINESS:**

**A. Adoption of Ordinance 1659**

**ACTION:** Motion was made by Council Member Wibert, seconded by Council Member Tahan, and passed by a vote of 4-1 (Council Member Slowik voting "No") to:

Waive further reading of and adopt **Ordinance No. 1659**, an Ordinance of the City of Fontana approving Specific Plan Amendment No. 11-001, amending the Promenade Specific Plan to eliminate 666 attached multi-family residential units to be replaced with 391 single-family detached units; reduce the total allowed commercial area from 778,500 square feet to 667,000 square feet; other miscellaneous changes to accommodate a proposed single family residential project.

## **ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

The following Elected Officials Communications were received:

### **A. Discussion and possible action to name the new Fire Station #71**

**ACTION:** Motion was made by Council Member Tahan, seconded by Council Member Slowik, and passed by a vote of 4-0-1 (Mayor Pro Tem Roberts abstained) to:

Name the new Fire Station #71 to John B. Roberts Fire Station in honor of former Fire Chief and current Mayor Pro Tem John B. Roberts.

### **B. Elected Officials Communication/Reports**

Mayor Pro Tem Roberts thanked Mayor Warren and City Council for honoring him by naming Fontana Fire Station # 71 as the John B. Roberts Fire Station. It was a humbling experience for him.

Council Member Slowik announced his attendance at the Student Art Competition and Exhibit at the Koehler Gallery, Inland Valley News Inc., 15th Annual Celebration of Excellence Awards Gala and the Area 4 Community Meeting in Southridge.

Council Member Slowik thanked San Bernardino County Fifth District Supervisor Josie Gonzales for allowing him to represent Fontana and the Fifth District on the Fish and Game Commission for the past eight years. He thanked Supervisor Gonzales for her exceptional leadership practice and example she sets as the County Supervisor.

Council Member Slowik congratulated San Bernardino Second District County Supervisor Janice Rutherford Lim on her recognition at the Inland Valley News Inc., 15th Annual Celebration of Excellence Event on April 21st.

Council Member Slowik congratulated Mayor Pro Tem John Roberts on receiving the honor of Fire Station# 71 named after him.

Council Member Slowik reminded and encouraged the community to attend the Relay for Life on April 28th.

Council Member Slowik requested the community to pray for our troops and their families.

Council Member Tahan announced his attendance at the Hunter's Ridge Community meeting and the Community Alliance for Fontana Students ("CAFFS) event at Fontana High School.

Council Member Tahan congratulated Mayor Pro Tem John Roberts on receiving the honor of Fire Station# 71 named after him.

Council Member Tahan congratulated the Kiwanis Club on a great Special Olympics event.

Council Member Wibert congratulated Mayor Pro Tem John Roberts on receiving the honor of Fire Station# 71 named after him.

Council Member Wibert wished her good friend Jerry Weitzman a Happy 66th Birthday.

Council Member Wibert congratulated all those who participated in the Teen Talent Show.

Council Member Wibert congratulated the following Fontana Students who recently received the Gates Millennium Scholarship: Diana Gonzales, Esther Govea, Amy Lopez Rivera, Jocelyn Ruelas and Kamaal Thomas.

Council Member Wibert congratulated Orleander Elementary School for receiving the Title I Academic Achievement Award.

Council Member Wibert thanked the participants in the CAFFS program event held at Fontana High School.

Council Member Wibert announced the upcoming community events: Farmers Market and Relay for Life on April 28th; Fontana High School open house on April 30th; and Fontana Police K-9 Training Center open house on May 24th.

Council Member Wibert asked the community to remember to support our troops and their families.

Mayor Warren announced her attendance at the 2012 County Assessor Conference, Alder Middle School – Special Education Students Class, the Inland Valley News Inc., 15th Annual Celebration of Excellence Awards Gala, and Assembly Member Wilma Carter's Procurement Seminar.

Mayor Warren commented on the 2012 County Assessor Conference held on April 17, 2012. The discussion was on Redevelopment. Mayor Warren was invited as a guest speaker to speak on the impact of the loss of Redevelopment



to the City of Fontana and the region.

Mayor Warren congratulated San Bernardino County Fifth District Supervisor Josie Gonzales on receiving the "Diamond" Award presented to her by Mayor Warren at the 2012 National Association of Business Owners- Inland Empire Gala ("NABOW-IE) held on April 19, 2012.

Mayor Warren congratulated San Bernardino County Second District Supervisor Janice Rutherford-Lim on receiving the "Civic Leadership" Award at the Inland Valley News Inc., 15th Annual Celebration of Excellence Awards Gala on April 21st.

Mayor Warren announced the upcoming community events: Farmer's Market on April 28th; the Pacific Electric Trail Big Play Day on May 12th; and reminded the community to pick up a copy of the May-August 2012 Fontana Activities, Services and Programs book.

Mayor Warren expressed her condolences to the Dixon family for the passing of Vanessa Valencia-Dixon and asked to adjourn the meeting in her memory.

## **CITY MANAGER COMMUNICATIONS:**

### **A. City Manager Communications**


City Manager Ken Hunt commented on his exciting family vacation in Europe last week.

City Manager Hunt recognized and thanked Special Teams Lieutenant Mike Stark for his hard work and commitment to serving the community, and also wished him a Happy Birthday(today).

## **ADJOURNMENT:**

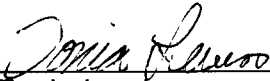
A moment of silence was held for Ms.Vanessa Valencia-Dixon.

The City Council Meeting adjourned in memory of Ms.Vanessa Valencia-Dixon at 8:36 p.m. to the next Regular City Council Meeting on Tuesday, May 8, 2012, with a Workshop at 5:30 p.m. in the City Hall Executive Conference Room and the Regular Meeting at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.



Evelyne C. Ssenkoloto  
Administrative Analyst

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 8TH DAY OF MAY, 2012.**

  
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Tonia Lewis  
City Clerk