

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
CITY COUNCIL MEETING
FEBRUARY 28, 2012**

WORKSHOP:

A. 5:30 P.M.

A Workshop Meeting of the Fontana City Council was held on Tuesday, February 28, 2012, in the Fontana City Hall Executive Conference Room located at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the Workshop Meeting to order at 5:31 p.m. with Mayor Pro Tem Roberts, Council Members Slowik, Tahan, and Wibert all present. Director of Community Development Don Williams, Senior Planner Shannon Casey and Assistant Planner Shawnika Johnson provided an update on the Southwest Industrial Specific Plan ("SWIP") and Environmental Impact Report ("EIR"). The Fontana City Council Regular Meeting Agenda was reviewed and City Manager Comments were heard. The Workshop Meeting adjourned at 6:05 p.m. to the Regular Meeting.

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

The Regular Meeting of the City of Fontana City Council was held on Tuesday, February 28, 2012, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Warren called the meeting to order at 7:05 p.m.

ROLL CALL:

Present: Mayor Warren and Council Members Roberts, Slowik, Tahan, and Wibert.

Absent: None

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation given by Pastor Solomon Nazzal, the Pledge of Allegiance was led by Council Member Mayor Pro Tem Roberts.

PROCLAMATIONS:

A. February as American Heart Month

Mayor Warren requested Council Member Wibert to read the Proclamation to proclaim February as American Heart Month.

Mayor Warren and the City Council presented the Proclamation to American Heart Association volunteer Steve Irigoyen.

American Heart Association volunteer Steve Irigoyen thanked Mayor Warren and the City Council and commented on his work, health and years of service as a volunteer, and the need to support the American Heart Association.

SPECIAL PRESENTATIONS:

A. SCJA State Division 3 Championship Recognition - Summit High School Marching Band

Mayor Warren and City Council presented Certificates of Recognition to the Summit High School Marching Band on their 2011 Southern California Judging Association ("SCJA") State Division 3 Championship.

Mayor Warren and the City Council thanked the Director of Band Jeff Lakatos, coaches and parents for their great support of our youth and congratulated the band on their SCJA State Division 3 Championship.

Director of Band Jeff Lakatos thanked Mayor Warren and the City Council for taking the time to acknowledge the championship.

PUBLIC COMMUNICATIONS:

A. Public Communications

Fontana Mayor's Youth Advisory Council Chairperson Justice Montgomery and the Mayor's Youth Advisory Council announced the upcoming Teen Summit on Anti-Bullying to be held at the Jack Bulik Teen Center, located at 16581 Filbert Street, on Saturday, March 10th from 10:00 a.m. to 2:00 p.m. An event hosted by the Fontana Mayor's Youth Advisory Council in collaboration with the City of Fontana Community Services Department, After School Program, Fontana Unified School District and Community Alliance for Fontana Students (CAFFS).

California State University, San Bernardino Social Work student Trafton Seratt spoke regarding his eight weeks school project on community connection and social needs within Fontana. He extended an invitation to the Mayor and the City Council to join the project team on Sunday March 4, 2012 from 12:00 p.m. to 4:00 p.m. to enjoy a Community BBQ and family activities. Mayor Warren requested the team to meet with her on a Friday to share their research data with her.

Fabi Badiola a Fontana property owner located at 16332 Taylor Avenue spoke on behalf of property owners in his neighborhood (that lies between Valley Boulevard and I-10 Freeway and Oleandar Avenue and Cypress Avenue, a cluster of approximately 95 homes) regarding the 2006 annexation and rezoning that has drastically inhibited the property owners' ability to sell their homes. He requested the City Council to support the home owners' effort to rezone the properties and re-zone them back to residential.

Mayor Warren referred him to Director of Community Development Don Williams.

Michael Townsend, representing Congressman Joe Baca's Office, gave an update on Congressman Baca's activities and upcoming events: Youth Education Motivation Program event, Congressional Art Competition to be held on March 16, 2012; the conclusion of the Black History month recognitions in the district, and announced the upcoming Congressman Joe Baca's 2012 Women's Conference to be held on March 15, 2012 in the Community Room at the Ontario Police Department located at 2500 S. Archibald Avenue in Ontario from 8:00 a.m to 12:00 p.m. The event will focus on the Affordable Care Act and how it impacts Women's Health Issues, protects women, stops gender discrimination, keeps women healthy, benefits older women, keeps our children healthy, impacts women-owned small businesses, brings more benefits in 2014 and beyond.

Council Member Roberts suggested that Congressman Baca's office partner with the Chamber of Commerce regarding the Youth Education Motivation Program and get the business community involved.

Bobbi Jo Chavarria, a Fontana resident, congratulated the recipients of tonight's Special Presentations and Proclamation, thanked the Mayor, City Council, Staff and the County of San Bernardino on the work done on Valley Boulevard project.

Vinh Nguyen, a Fontana resident spoke on behalf of property owners in his neighborhood regarding landscape and noise matters in his neighborhood.

Mayor Warren referred him to Director of Engineering, Ricardo Sandoval.

Raymond Yao, a Fontana resident thanked the Mayor, City Council for tonight's special recognition of the Summit High School Marching Band and spoke on behalf of property owners in his neighborhood regarding landscape issues. He stated that his tax bill includes the Mello-Roos landscaping fee and requests the City to take the initiative to resolve the landscape matter in his neighborhood.

City Manager Ken Hunt gave a brief background on the landscape issue. The tract was started and the developer run into financial difficult. The City made an exception, had the homeowners sign a statement that they understand at their request that they would be allowed to move into their homes even though the landscape was not completed with the promise that it would be completed at a later date by the developer.

Mayor Warren referred Raymond Yao to Director of Engineering, Ricardo Sandoval.

Bobbi Jo Chavarria spoke regarding consent calendar items B, C and D. which pertain to the City of Fontana acting as a Successor Agency, rescinding Ordinance 1634, the \$3.1 Billion dollar debt, the Recognized Obligation

Schedule, the Tax Increment formula, requirements of ABX26 for the new projects, Redevelopment Assets, possibility of tax increases, Agency's outstanding debt, California Redevelopment Law suit filing, Succession Agency staffing and administration and requested that the newly appointed council members to comment on the Redevelopment debt.

City Manager, Ken Hunt responded to Bobbi Jo Chavarria's inquiries pertaining to consent calendar items B, C, and D and stated that as of February 1, 2012 Redevelopment Agencies are nonexistent and all the Redevelopment Agency debt was now the State's debt.

Council Members Tahan, Wibert and Slowik commented on the Redevelopment debt.

Mayor Warren commented on the loss of Redevelopment and the effect it will have on the community and stated that the Mayor, City Council and staff will continue to move the city in the right direction without redevelopment.

CONSENT CALENDAR:

ACTION: Motion was made by Mayor Pro Tem Roberts, seconded by Council Member Tahan, and passed unanimously by a vote of 5-0, to approve Consent Calendar Items "A-I."

A. Approval of Minutes

Approve Minutes of the January 21, 2012, Adjourned Regular City Council Meeting, January 24, 2012, and the February 14, 2012 Regular City Council Meetings.

B. Repealing Ordinance No. 1634 Electing to Participate in the Alternative Voluntary Redevelopment Program Pursuant to Health and Safety Code Section 34192 et seq.

CITY OF FONTANA AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

Waive further reading of and introduce **Ordinance No. 1654** an Ordinance of the City Council of the City of Fontana, California, Repealing Ordinance No. 1634 Electing to Participate in the Alternative Voluntary Redevelopment Program Pursuant to Health and Safety Code Section 34192 et seq. and that the reading of th title the first reading thereof.

C. Recognized Obligation Payment Schedule

CITY OF FONTANA AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

Adopt **Resolution No. 2012-016** approving and adopting a draft Recognized

Obligation Payment Schedule, pursuant to Health and Safety Code Section 34177(1).

D. Fiscal Year 2011-12 Mid-Year Budget Status Report

CITY OF FONTANA AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

Approve the recommended Mid-Year Budget adjustments.

E. Accept the State-Local Partnership Program (SLPP) Grant for the I-15/Duncan Canyon Interchange Project

1. Accept the Proposition 1B, State-Local Partnership Program (SLPP) Grant in the amount of \$1,972,000 for the I-15/Duncan Canyon Interchange Project .
2. Appropriate \$1,972,000 in Grant Fund 301 for Project No. 93917.

F. Fiscal Year 2011-12 Mid-Year Budget Status Report

Approve the recommended Mid-Year Budget adjustments.

G. Final Acceptance of the Traffic Signal at Alder Avenue and Wabash Avenue

Accept as complete the work performed by Steiny and Company, Inc. for the Traffic Signal at Alder Avenue and Wabash Avenue; approve the final construction amount of \$151,505.89; and authorize the City Engineer to execute and file the Notice of Completion. (Bid No. SB-513-DE-09)

H. Adopt a Resolution Approving a Construction Cooperative Agreement for the I-15/Duncan Canyon Interchange

Adopt **Resolution No. 2012-017**, of the City Council of the City of Fontana, approving Construction Cooperative Agreement No. 08-1516 with the State of California Department of Transportation (CALTRANS) for the I-15/Duncan Canyon Interchange.

I. Accept the Transportation Development Act (TDA) Grant for the Sierra at Metrolink At-Grade Crossing Pedestrian Improvement Project

1. Accept the Transportation Development Act (TDA) Grant in the amount of \$750,000 for the Sierra Avenue at Metrolink At-Grade Crossing Pedestrian Improvement Project.
2. Appropriate \$750,000 in Grant Fund 301 for Project No. 93297.

PUBLIC HEARINGS:

A. Hearing was opened to consider a General Plan Amendment No.11-020, ZC No.11-013, and TTM No. 18824 an amendment to the GP Land Use Map to remove the ACO node and change GP /Zoning from R-PC to R-SF

Director of Community Development Don Williams and Associate Planner DiTanyon Johnson provided the staff report.

No written communications were received.

No one else spoke in favor or opposition.

Brian Goodman, representing Lewis Operating Corporation thanked the Mayor and City Council for the support and kind feedback, and complimented city staff for their great work on the project. He proceeded to recognize Lewis Corporation project team members in the audience.

Mayor Warren requested clarification on the project time line and the number of jobs to be created.

Brian Goodman stated that they planned to start demolition on existing structures that are on site in approximately 4 weeks and start grading as soon as the environmental appeal period is over.

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) Find that the project will not have a significant effect on the environment, adopt a Mitigated Negative Declaration and Mitigation Monitoring Program, and direct staff to file a Notice of Determination pursuant to the California Environmental Quality Act.

(2) Adopt **Resolution No. 2012-018** approving General Plan Amendment No. 11-020, amending the General Plan Land Use Map to change the General Plan Land use designation on approximately 36 acres of property (APNs: 0226-074-20, 0226-075-23, and -48) from Residential Planned Community (R-PC) to Single-Family Residential (R-SF).

(3) Waive further reading of and introduce **Ordinance No. 1655** an Ordinance of the City of Fontana approving Zone Change No. 11-013, changing the Zoning District Map to change approximately 36 acres of property (APNs: 0226-074-20, 0226-075-23, and -48) from Residential Planned Community (R-PC) to Single-Family Residential (R-1); and that the reading of the title constitutes the first reading thereof.

(4) Approve Tentative Tract Map No. 18824, subject to the findings and

conditions of approval.

B. Hearing was opened to consider Municipal Code Amendment (AMD) 11-025: Chapter 3 - Advertising and Signs

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

Continue the public hearing for Municipal Code Amendment (AMD) No. 11-025, an amendment to Chapter 3, Articles I through IV, Sections 3-82, 3-162, 3-163 and 3-177 (Advertising and Signs) of the Fontana Municipal Code, to the City Council's regularly scheduled meeting of March 27, 2012.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

The following Elected Officials Communications were received:

A. Elected Officials Communications/Reports

Mayor Warren commented on the Joint After School Program Grant and announced the upcoming joint meeting with the Fontana Unified School Board on March 19, 2012. She encouraged the community to work together and stay calm regarding this issue. Mayor Warren requested Director of Community Services Garth Nelson to give a brief overview on the After School Program.

Director of Community Services Garth Nelson provided a brief overview on the After School Program.

Council Member Slowik commented on the concerns expressed earlier regarding the Valley Boulevard project and clarified that the Valley Boulevard project together with other projects such as Citrus and Cherry are in the County of San Bernardino's right of way and thus they are joint projects between the County and the City.

Council Member Slowik thanked the City Manager and staff on maintaining a balanced budget with adequate reserves.

Council Member Slowik congratulated the Fontana Rotary Club on hosting the first annual Steelman Triathlon competition, and thanked the participants, winners, Rotary Club staff, and volunteers that made the event a success.

Council Member Slowik thanked the volunteers of the 100 years Fontana Days planning committee.

Council Member Slowik also thanked the Sierra Lakes Elementary and Dorothy Grant Elementary schools for inviting him to participate in the Read Across America event.

Council Member Slowik reminded and encouraged all parents to attend the - Teen Summit on Anti-Bullying to be held at the Jack Bulik Teen Center, located at 16581 Filbert Street, on Saturday, March 10, 2012 from 10:00 a.m. to 2:00 p.m.

Council Member Slowik expressed her prayers for City Manager Ken Hunt and his family on the passing of his aunt. He asked the community continue to pray for the Military and Public Safety personnel.

Mayor Pro Tem Roberts congratulated the Summit High School Marching Band on their 2011 Southern California Judging Association ("SCJA") State Division 3 Championship.

Mayor Pro Tem Roberts thanked the Fontana Rotary Club and City of Fontana staff for the great Steelman Triathlon event that was held on February 19, 2012.

Mayor Pro Tem Roberts commented on the After School Program and hoped for a better outcome.

Council Member Wibert thanked Director of Community Services Garth Nelson, Community Services Manager Frances Hernandez and Community Service Supervisor Mariana Mitchell and staff for continuing to provide the After School Program. She also thanked the parents for their support of the program and the children who participate in it. She urged the community to continue to support the After School Program. She called on the community to clarify rumors and seek factual answers with the City Manager and City Attorney.

Council Member Wibert announced and commented on her attendance at the Multi-Housing Crime Free meeting held at the Heritage Community Center. She thanked Amber Smith, Lieutenant Michael Stark, and Sergeant Wolverton of the Fontana School Police, and Officer Kirkland and Moreno who gave a presentation on graffiti. Council Member Wibert gave a special thanks to the Police Department Chief Jones and Fontana School Police Chief Bill Megenney.

Council Member Wibert announced her attendance at the Fontana Leadership Intervention Program ("FLIP") for at risk youth that is run by Fontana School Police and the Fontana Police Department. She also announced and commented on her attendance at the Fontana Rotary Club Triathlon.

Council Member Wibert requested the community to remember our veterans and their families.

Council Member Tahan announced his attendance at the Fontana Rotary Club Triathlon and thanked the Rotary Club, staff and volunteers on a great event.

Council Member Tahan announced and commented on his attendance at the Sister City program meeting with the City Manager Hunt, Deputy City Manager Edgar and the Chamber of Commerce.

Council Member Tahan announced the upcoming public meeting that will be held on Thursday, March 1, 2012 at 6:30 p.m. at Jurupa Hills High School Cafeteria, 10700 Oleander Avenue in Fontana to discuss the upcoming projects and renovation of the existing Interstate 10 Freeway interchanges at Citrus Avenue and Cherry Avenue. Council Member Tahan concluded by commenting on the After School Program.

Mayor Warren announced her attendance at the Fontana Rotary Club Triathlon and congratulated the Rotary Club, staff and volunteers on a successful event and commented on the great turnout of over 400 people.

Mayor Warren commented on February—Black History Month and her opportunity to participate in so many great events such as the Red Dress program and Casa Colina Tribute to Courage event.

Mayor Warren commented on her visit to the Burrtec Material Facility and the Fontana Open for Business program.

Mayor Warren announced the upcoming State of County of San Bernardino Address to be held on Wednesday February 29, 2012.

Mayor Warren commented on the After School Program and stated that the City and the Fontana School Board have joint use cooperative agreements and that the council will continue to thrive and develop a relationship with the Fontana School Board and work as a team to continue the program. She thanked the parents for attending the Fontana School Board meeting.

Mayor Warren thanked former Mayors Eshleman and Nuaimi for attending the Fontana School Board meeting to support the After School Program. She requested the community to pray for the superintendants and the board members.

Council Member Wibert announced the death of former Fontana Unified School District Board Member Elizabeth Knott.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

There were no comments.

Discussion and Possible Appointment of a Parks and Community Services

B. Comissioner.

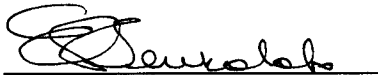
There was no discussion on City Manager's Communications Item B to discuss the possible appointment of a Parks and Community Services Commissioner.

ADJOURNMENT:

A moment of silence was held for former Fontana Unified School District Board Member Elizabeth Knott.

The City Council meeting adjourned in memory of former Fontana Unified School District Board Member Elizabeth Knott at 9:20p.m. to the Legislative Advocacy Trip from March 6-9, 2012, in Washington D.C., and then to the next Regular City Council Meeting on Tuesday, March 13, 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 City Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Meeting at 7:00 p.m. in the Glover 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 10TH DAY OF APRIL, 2012.



Tonia Lewis
City Clerk