

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
CITY COUNCIL MEETING
FEBRUARY 14, 2012**

ARTIST SHOWCASE:

The work of Artist Shira Seny was presented at 5:30 p.m. in the City of Fontana Council Chambers.

CLOSED SESSION:

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

Closed Session was held at 6:18 p.m. in the City Hall Executive Conference room with Mayor Warren and all Council Members present.

The Regular Meeting of the City of Fontana City Council was held on Tuesday, February 14, 2012, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Warren called the meeting to order at 7:04 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 Daniel Vasquez, the Pledge of Allegiance was led by Council Member Tahan

CLOSED SESSION ANNOUNCEMENT:

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

CLOSED SESSION PUBLIC COMMUNICATIONS:

There were no public communications received on the closed sessions items.

SPECIAL PRESENTATIONS:

A. Artist Recognition

Mayor Warren introduced Community Services Coordinator Courtney Hodnick and Artist Shira Seny.

Mayor Warren and the City Council presented a plaque and check to Artist Shira

Seny for her work in the Artist Showcase and thanked her for her artwork donation to the City.

B. 2011 Fontana Pee Wee SuperBowl Winners

Mayor Warren and the City Council presented Certificates of Recognition to Head Coach Roland DeAnda for the Fontana Pee Wee League on their SuperBowl Championship success.

Mayor Warren and the City Council thanked the coaches and parents for their great support of our youth and congratulated the league and football players on their athletic success.

PUBLIC COMMUNICATIONS:

A. Public Communications

Lewis Library and Technology Center, Friends of the Library representative Debra Bennett spoke regarding the interest in acquiring an electronic marquee for the library and the success of programming such as the Summer Reading program and participation in the Fontana Days event.

Chamber of Commerce Member Kristina Scott spoke regarding a brief update on the Chamber's upcoming events and to thank the Mayor and Council for successful State of the City event, and let the residents of Fontana know that committee applications are currently being accepted.

Zafar Inam, representing Senator Gloria McLeod's Office, announced the deadline for applications regarding Cal Grant applications is March 2, 2012 and if additional information is needed to contact the Senators office directly.

Fontana Resident, Sandi Gunderson, recited a Valentine's Day Poem for the Mayor and Council.

Fran Givens, California Senior Legislature Assembly Member, commented on the awareness of "SOS: Support Our Seniors" program.

CONSENT CALENDAR:

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

A. LAIF Authorization

CITY OF FONTANA AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

Adopt Resolution No. 2012-007 designating City officers who are authorized to

deposit or withdraw funds in the Local Agency Investment Fund for the City of Fontana. Adopt Resolution No. 2012-008 designating City officers who are authorized to deposit or withdraw funds in the Local Agency Investment Fund for the City of Fontana, as Successor Agency to the Fontana Redevelopment Agency.

B. Adoption of Ordinance No.1653

Waive further reading of and adopt **Ordinance No. 1653** of the City of Fontana, California, Repealing Chapter 15, Article I, Section 15-2 relating to yard sale permits and adding a new Section 15-2 relating to yard/garage sales.

C. Adopt A Resolution for the Urban Forestry Grant Program

Adopt Resolution No. 2012-009 of the City Council of the City of Fontana, authorizing funding from the Urban Forestry Grant Program entitled "An Urban Forest for Every City", as provided through Propositions 40 and 84.

Adopt **Resolution No. 2012-009** of the City Council of the City of Fontana, authorizing funding from the Urban Forestry Grant Program entitled "An Urban Forest for Every City", as provided through Propositions 40 and 84.

D. Investment Authorization

Adopt **Resolution No. 2012-010** designating City officers who are authorized to invest funds for the City of Fontana and repealing Resolution No. 2009-05.

E. Final Acceptance of Subdivision Improvements for Tract No. 16799

Accept as complete the Subdivision Improvements for Tract No. 16799 located south of Randall Avenue and east of Acacia Avenue. Adopt **Resolution No. 2012-011**, accepting sewers in Tract No. 16799 as part of the City sewer system.

F. Final Acceptance of Subdivision Improvements for Tract No. 16839

(1) Accept as complete the Subdivision Improvements for Tract No. 16839 located north of Baseline Avenue and east of San Sevaine Road.(2) Adopt **Resolution No. 2012-012** accepting sewers in Tract No. 16839 as part of the City sewer system.

G. Final Acceptance of Subdivision Improvements for Tract No's. 16290-1 & 16290-2

(1) Accept as complete the Subdivision Improvements for Tract Nos. 16290-1 & 16290-2 located within Coyote Canyon Specific Plan.(2) Adopt **Resolution No. 2012-013** accepting sewers in Tract Nos. 16290-1 & 16290-2 as part of the City sewer system.

H. Approval of Resolution Supporting the Transfer of Ontario International Airport (ONT) to Local Control

Staff recommends that the City Council adopt the **Resolution 2012-014** supporting the transfer of Ontario International Airport (ONT) to local control.

I. Amending Resolution No. 2011-109, extending the effective date of the Impact and In-Lieu fee adoption by 90 days from February 9, 2012 to May 9, 2012 related to the Inclusionary Zoning Ordinance No. 1649.

Adopt **Resolution 2012-015** amending Resolution No. 2011-109, extending the effective date of the Impact and In-Lieu fee adoption by 90 days from February 9, 2012 to May 9, 2012 related to the Inclusionary Zoning Ordinance No. 1649.

J. Farmers' Market Professional Agreement

Authorize the City Manager to enter an Agreement with Southland Farmers' Market Association for management and operation of the Fontana Farmers' Market and authorize the City Manager to execute any documents necessary to effectuate said agreement.

K. Award a Construction Management Contract for the Interstate-15/Duncan Canyon Interchange

(1) Authorize the City Manager to execute a Construction Management Contract with Caltrop Corporation for construction of the I-15/Duncan Canyon Interchange for Bid Schedule #1 to provide all pre-construction services to include the constructibility review and utility relocation coordination in the amount of \$128,783.92, and for Bid Schedule #2 to provide bid and advertisement services in an amount of \$71,445.36, for a total contractual cost of \$200,229.28 (Bid No. SP-10-DE-12).

(2) Authorize the City Manager to execute any and all utility agreements, utility easements, and any related items on behalf of the City of Fontana for I-15/Duncan Canyon Interchange.

L. Bond Reduction for Tract No. 16870

Authorize a reduction of performance/labor and materials bond posted by KB Home for subdivision improvements for Tract No. 16870 located within the Shady Trails Specific Plan from the original amount of \$374,000.00 to a reduced amount of \$74,800.00.

M. Approval of 2012 Legislative Priorities

Staff recommends that the City Council adopt the attached 2012 Legislative Priorities.

N. Authorize a Cooperative Agreement between the City of Fontana and San Bernardino County for street improvements on Hemlock Avenue from Foothill Boulevard to Whittram Avenue

Authorize the City Manager to execute a Cooperative Agreement between the City of Fontana and San Bernardino County to construct street improvements on

Hemlock Avenue from Foothill Boulevard to Whittram Avenue.

PUBLIC HEARINGS:

A. Hearing was opened to consider a General Plan Amendment to remove an Activity Center Overlay node; change the General Plan/Zoning on 36 acres from R-PC to R-SF; and a subdivision creating 118 lots at the intersection of Duncan Canyon and Coyote Canyon Rd

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

Council Member Tahan requested clarification on projected home size and values of the properties.

Planning Associate Johnson commented that the home sizes will range from 1,900-3,700 sq ft. The value of the properties are a consideration and is dependent on the lot size.

Bryan Goodmen, representing Lewis Operating Corporation spoke in favor the proposed project and thanked Pastor Larkin for his continued help regarding community outreach meetings. He proceeded to introduce the team working on the project.

Michael Van Daele, representing Van Daele Development the builder and seller of the project homes spoke in favor of the proposed project and regarding the counseling of potential homeowners through the purchase and close of escrow process.

Randall Lewis, representing Lewis Operating Corporation spoke in favor of the proposed project and thanked the Planning Commission, City Council and the community for the support and comments. Mr. Lewis stated three reasons that the proposed project is good for the the City: 1.) It's in the best interest of the community; 2.) The quality of the homes; 3.) Brings in fee income, energy and jobs to the City.

Tom Rievley, representing Thompson Building stated he is in favor of the proposed project and thanked the community for the support since 1988.

Scott Anderson, representing BSA Framing spoke in favor of the proposed project and the impact of the job opportunities it would create.

No one else spoke in favor or opposition.

The hearing was closed.

Council Member Tahan requested clarification from staff regarding the original general plan and the lot size at the project site.

Director Williams commented that the general plan provides for specific plans and large communities to be created and provide flexibility for larger lots.

Council Member Tahan spoke regarding his concern for future developers requesting amendments to lot sizes.

Mayor Pro Tem Roberts commends the applicants dedication to the community input and outreach regarding the process of this project. Stated the overall question of "Is this good for Fontana?" and he stated he believes it is.

Council Member Tahan commends the applicant and Pastor Larkin for the community outreach.

Council Member Wibert stated that she trusts the Lewis Operating Corporation and appreciates the high quality of the past work and requests consideration of the Fontana residents when employment opportunities commence.

Council Member Slowik thanked the developer and expressed his appreciation for the community outreach.

Mayor Warren expressed her concerns for Redevelopment and the effects it has had on the community and commended the applicant on the outreach effort demonstrated to the community.

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

To support the General Plan Amendment, Zone Change, and Tentative Tract Map, and direct staff to prepare the necessary documents for approval at the February 28, 2012 City Council meeting.

NEW BUSINESS:

A. Shell Gas Station Director's Report

Nina Durell, with Sign Development, at the request of the owner of the company Kevin Ohara would like to continue the discussion on this item.

Director Williams commented that Mr. O'hara is not aware of the actions of the Council and he believed Mr. O'Hare would be pleased with the new change in direction given by the Council.

ACTION: Motion by Mayor Pro Tem Roberts, seconded by Council Member Wibert, and passed by a vote of 4-0-1 (Tahan), with Council Member Tahan abstaining from voting, to:

Place discretion to the Director of Community Development Department regarding the

policy of service station aesthetics.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

The following Elected Officials Communications were received:

A. Elected Officials Communications/Reports

Mayor Pro Tem Roberts commented that he is pleased with the way the public process works and the City has great partners and everyone brings a different perspective.

Council Member Tahan commented on his loss to Council Member Slowik in the hamburger challenge and thanked everyone for the support of the Travel Club.

Council Member Slowik thanked everyone who supported the hamburger challenge and commented on his victory over Council Member Tahan and thanked Mayor Pro Tem Roberts for stepping in to help. He congratulated Dorothy Grant on her award from the Sacred Sistahs International and congratulated Jasmin Hall and Daniel Quiroga on their Commission appointments. Council Member Slowik asked to adjourn the meeting in memory of Joe Mecca Senior.

Council Member Wibert acknowledged former Mayor Nuaimi and sent get well wishes to Daniel Banister and Roger Hurley and congratulated Dorothy Grant on her community service award. She also announced that the Citizens Academy will beginning on March 1, 2012 and April 26, 2012 and a reminder to support the troops and their families.

Mayor Warren thanked everyone for the prayers and comments for the State of the City and stated how blessed we are to be involved with so many great groups. She announced that the Mayors Youth Advisory Committee will be holding an anti-bullying seminar on March 10, 2012 at Jack Bulik Park and congratulated the woman that graduated from the It's Your Turn graduation that focused on woman creating their own businesses. Mayor Warren stated that she and the City Manager met with local Mayors to discuss the impact of the Redevelopment loss and stated that the City is committed to making it work despite the challenges and promoted reaching out to the local business community. Mayor Warren pleads with the community to slow down while driving and asked to adjourn in honor of Noah Ferrer and asked for prayer for the family of the 11 year old and three brothers lost in the accident.

B. Discussion and take possible action regarding Commission appointments.

Mayor Pro Tem John Roberts stated that Daniel Quiroga was appointed to the Park and Community Services Commission and thanked him for all past and continuous fundraising efforts for the Travel Club of Fontana Middle School.

Mayor Warren thanked Mr. Quiroga for a great job with the Travel Club of Fontana Middle School and welcomed him to the Parks and Community Services Commission.

Mr. Quiroga thanked the Mayor and City Council for the opportunity and stated he is honored and excited to be part of Team Fontana.

Mayor Warren thanked all of the applicants received for the vacant Commission seats and thanked the existing Commissioners for also completing applications.

Mayor Warren asked for approval to move Jasmin Hall current third-year Park and Community Services Commissioner to the vacant seat with the Planning Commission.

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

Appoint Jasmin Hall to the vacant Planning Commission seat.

Mayor Warren requested that the City Council postpone the appointment of the vacant Park and Community Services Commissioner until after the Ordinance regarding the Commission is completed.

Commissioner Jasmin Hall thanked the City Council for the honor and stated that she plans to learn and contribute her input keeping in mind the goals set forth by the Council.

CITY MANAGER COMMUNICATIONS:

A. Appointment of Sub-Committee for Sister City Program

To appoint a sub-committee for the Sister City Program.

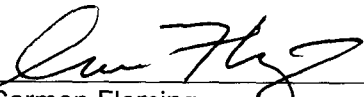
ACTION: Motion was made by Council Member Slowik, seconded by Council Member Wibert, and passed unanimously by a vote of 5-0, to:

Appoint Mayor Warren and Council Member Tahan to the sub-committee for the Sister City Program.


ADJOURNMENT:

A moment of silence was held for Noah Ferrer and Joe Mecca Senior.

The City Council meeting adjourned in memory of Noah Ferrer and Joe Mecca Senior at 9:09 p.m. to the next Regular City Council Meeting on Tuesday, February 28, 2012, with a Workshop at 5:30 p.m. and the Regular Meeting at 7:00 p.m. in the Council Chambers at 8353 Sierra Ave, Fontana, California.


Carmen Fleming
Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE
28TH DAY OF FEBRUARY, 2012.**


Tonia Lewis
City Clerk