

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR CITY COUNCIL MEETING  
April 22, 2014**

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**ARTIST SHOWCASE:**

**A. 5:30 P.M. Artist Showcase**

The work of Artist Martin Madzarevic was presented at 5:30 p.m. in the Grover W. Taylor Council Chambers and Foyer.

**WORKSHOP:**

**A. 5:45 P.M. WORKSHOP**

A Workshop Meeting of the Fontana City Council was held on Tuesday, April 22, 2014, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Mayor Pro Tem Roberts and Council Members Tahan, Wibert and Sandoval were present. Mayor Warren arrived at 5:50 p.m.

Director of Information Technology Dennis Vlasich and Business Analyst II Cristina Tejeda provided an overview and training for the new Agenda Voting System.

The Workshop Meeting adjourned at 6:00 p.m. to the Closed Session.

**CLOSED SESSION:**

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

The Closed Session began at 6:01 p.m. and adjourned at 6:59 p.m. to the Regular City Council Meeting.

**PUBLIC COMMUNICATIONS:**

No public communications were received on the Closed Session Item.

**CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

(Paragraph (1) of subdivision (d) of Section 54956.9):

Case: Olga Duran, et al v. City of Fontana

United States District Court, Central District of California Los Angeles, CA

Court Case Number: EDCV 13-599 GHK (DTBx)

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

### **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 22, 2014 in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:09 p.m.

### **ROLL CALL:**

Present: Mayor Warren, Mayor Pro Tem Roberts and Council Members Tahan, Wibert and Sandoval

Absent: None.

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

Following the Invocation by Mayor Warren, the Pledge of Allegiance was led by Council Member Tahan.

### **CLOSED SESSION ANNOUNCEMENT:**

City Attorney Jeff Ballinger announced that there was no reportable action on the Closed Session Item.

## **PROCLAMATIONS:**

### **A. Older Americans Month**

Mayor Warren and City Council Proclaimed May as "Older Americans" Month in the City of Fontana. Acting Community Services Manager Michael Wright was present to accept.

### **B. Building & Safety Awareness Month**

Mayor Warren and City Council Proclaimed May 2014 as Building & Safety Awareness Month. City of Fontana Building Official Gil Estrada was present to accept.

## **SPECIAL PRESENTATIONS:**

### **A. Artist Recognition**

Mayor Warren and City Council recognized Mr. Martin Madzarevic as the artist in the Artist Showcase. Community Services Coordinator Courtney Hodnick presented the recognition. Mr. Madzarevic thanked the Mayor and the City Council for the opportunity to present his art work and making the City a "City of Art." Mr. Madzarevic, in honor of Earth Day, donated a piece of his art work to the City.

## **B. Police Department Employee of the Month**

Mayor Warren and City Council recognized Police Department Community Policing Technician Bonnie Edwards as the March 2014 Employee of the Month. Community Policing Technician Bonnie Edwards was present to accept.

## **C. Fontana Middle School Travelling Club**

Parks and Community Services Commissioner Daniel Quiroga and Fontana Middle School Travelling Club provided an update to Mayor Warren and the City Council on the Travelling Club's trip to Washington, D.C. Fontana Middle School Principal Mr. Sergio Chavez commended Commissioner Quiroga on the great job that he did as a teacher. Fontana Unified School District (FUSD) Superintendent Leslie Boozer and FUSD Board Member Dr. Ayanna Blackmon-Balogun congratulated the Fontana Middle School Travelling Club.

Mayor Warren acknowledged the presence of Mr. Bragg, a student, who was in attendance.

## **D. Anti-Bullying Hero Award**

Mayor Warren and City Council recognized Michael Garcia, Principal at Maple Elementary as recipient of the Anti-Bullying Hero Award. Principal Garcia was present to accept.

## **PUBLIC COMMUNICATIONS:**

### **A. Public Communications**

By consensus of the Mayor and the City Council, public communications were reduced to three minutes per speaker.

Ms. Betty Sandoval, Fontana resident, invited the Mayor and the City Council to Crossroads Church.

Ms. Sandoval commented on the "Critical Issues and Future Trends for Seniors" flyer that announced an event to be held on Wednesday, April 30, 2014, 8:30 a.m. to 10:30 a.m. at HomeStrong USA in Rancho Cucamonga, California.

Ms. Sandoval commented on security issues at the senior complex where she resides and asked the Mayor and the City Council for assistance with the issues.

Mr. Danny Marquez, representing Veterans Partnering with Communities, spoke on the many veteran resources that were provided at the Veterans Resource Center. Mr. Marquez announced the "Walking for our Troops"

walk-a-thon to be held on Sunday, April 27, 2014.

Ms. Jennifer Shaw, representing Southern California Edison, reminded everyone about the Free Lamp Exchange Program to be held on Saturday, May 3, 2014, 8:00 a.m. to 3:00 p.m. at the Kmart that was located at Valley Boulevard and Sierra Avenue in Fontana.

Ms. Shaw announced the Edison International Scholarship Program and stated that one of the recipients of the \$40,000 scholarship was a student from Fontana's Kaiser High School.

Ms. Amelia Palecek spoke on Southridge Specific Plan's covenants, conditions and restrictions (CC&Rs) and why the color of homes was not restricted.

Mr. Matt Slowik, Fontana resident, announced the "Give BIG" fundraising campaign to be held on Thursday, May 8, 2014.

Ms. Fran Givens, Senior Legislature Representative, thanked the Mayor and the City Council for honoring Older Americans. Ms. Givens stated that the senior issues presented by Ms. Betty Sandoval were universal.

Ms. Givens announced that an Earth Day celebration would be sponsored by Burrtec on Saturday, April 26, 2014, 10:00 a.m. to 2:00 p.m., at the West Valley Material Recovery Facility.

Ms. Givens announced that an E-Waste event would be held on Wednesday, April 23, 2014 at Kaiser Medical Centers in Fontana and Ontario.

Ms. Jasmin Hall, representing the Inland Empire Utilities Agency (IEUA), announced that the National Prescription Drug Take Back Day would be held on Saturday, April 26, 2014.

Ms. Tanya Collier, Fontana resident, spoke on vacant housing, transients and the vandalism that was occurring in her neighborhood.

## **CONSENT CALENDAR:**

**ACTION:** Motion was made by Council Member Tahan, seconded by Council Member Sandoval, and passed unanimously by a vote of 5-0 to approve the Consent Calendar Items "A-R" and corrections noted in the minutes (AYES: Warren, Roberts, Tahan, Wibert and Sandoval; NOES: None).

### **A. Approval of Minutes**

Approve the Minutes of the November 14, 2013 Joint Adjourned Regular Meeting of the Fontana City Council and Fontana Unified School District and the April 8, 2014 Regular City Council Meeting.

Corrections to the April 8, 2014 Regular City Council Meeting minutes were noted as follows:

On Page 7, 5th line down, the motion was made by "Mayor Pro Tem Roberts" and the title "Council Member" was deleted.

On Page 10, 13th line down, the sentence was corrected to read . . . that Mayor Pro Tem Roberts discuss with Omnitrans . . . .

**B. Adoption of Ordinance No. 1691**

Second Reading/Adopt **Ordinance No. 1691**, an Ordinance of the City of Fontana amending Chapter 20, Article II, Section 20-31 of the Fontana Municipal Code relating to Department Heads - Exemption to inclusion in competitive service.

**C. Adoption of Ordinance No. 1692**

Second Reading/Adopt **Ordinance No. 1692** levying special taxes within the City of Fontana Community Facilities District No. 71 (Sierra Crest).

**D. Accept Donation From County of San Bernardino Department of Public Health**

Accept donation from County of San Bernardino-Department of Public Health for Healthy Communities in the amount of \$1,000.00 for use towards the "Let's Move On The Trail" event held October 2013.

**E. Accept Donation from David Wiener Survivor's Trust**

Accept donation from David Wiener-Survivor's Trust Under The Wiener Family in the amount of \$2,500.00 for use toward the 59th Annual Fontana Days Run.

**F. Accept Donation from CG Rocxane LLC**

Accept donation of ninety-six (96) cases of one-gallon bottles of water and one hundred eight (108) cases of 35/500 ml bottles of water from CG Rocxane LLC-Crystal Geyser Spring Water with an estimated value of \$1,900.00 for use towards the 59th Annual Fontana Days Run.

**G. Accept Donation from Reach Out West End**

Accept donation from Reach Out West End in the amount of \$700.00 for use towards the Anti-Bullying Event held at the Jack Bulik Park Pavilion on March 15, 2014.

**H. Accept Donation from National Organizations for Youth Safety**

Accept donation from the National Organizations for Youth Safety in the amount of \$1,000.00 for use towards the "Act Out Loud Teen Safe Driving Rally" event to be held at Jack Bulik Park on May 3, 2014.

**I. Acceptance of Final Map for Tract No. 18906**

Accept Final Map for Tract No. 18906 located south of Fairview Drive between Williams Road and Maple Avenue; 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. 18907**

Accept Final Map for Tract No. 18907 located east of Citrus Avenue and south of Walnut Avenue; accept as public dedicated streets and easements; and authorize the City Manager to enter into a Subdivision Agreement with the subdivider.

**K. Accept the Highway Safety Improvement Program (HSIP) Grant Cycle 6 for the Randall Avenue at Juniper Avenue Traffic Signal Project**

1. Authorize the City Manager to accept a Highway Safety Improvement Program (HSIP) Grant in the amount of \$399,200 for the Randall Avenue at Juniper Avenue Traffic Signal Project.

2. Authorize staff to increase revenue and appropriate \$399,200 in Grant Fund 301 to Project No. 3313.

3. Authorize staff to appropriate \$44,800 in Measure I Fund 246 to Project No. 3313.

City Manager Ken Hunt stated that Item K referenced Palmetto School but that Randall Pepper Elementary School should be referenced. Mr. Hunt stated that the traffic signal was correct but the wrong school was referenced.

**L. Amendment No. 2 to Caltrans Agreement 8-1426 for the Line "A" Storm Drain Under Interstate 15 Freeway at Duncan Canyon Road**

Approve Amendment No. 2 to Caltrans District Agreement 8-1426 between the City of Fontana and the California Department of Transportation (Caltrans) for the completion of the Line "A" Storm Drain under Interstate 15 Freeway.

**M. Approve a Fee Credit and Reimbursement Agreement with Sierra Industrial Property Owner, LLC**

Authorize the City Manager to execute a Fee Credit and Reimbursement Agreement with Sierra Industrial Property Owner,

LLC, for a warehouse/distribution project to be located near the northeast corner of Sierra Avenue and Summit Avenue.

**N. Award of Contract for Vehicle Equipment Installation Services**

Authorize the City Manager to enter into an agreement with West Coast Lights and Sirens, Inc. for vehicle equipment installation services, based upon a "piggy-back" off of San Bernardino County's Bid (SHR113-FLPS-0323).

Council Member Sandoval commented on the piggy back company located in Riverside and questioned whether any companies were available in Fontana or San Bernardino County.

Public Works Director Chuck Hays stated that the company they chose was the best value and the city was happy with the work they had done in the past, and San Bernardino County was also happy with the work that they did.

**O. Award Contract for Herbicides and Other Chemicals, SB-34-PW-14**

Award bid and authorize the City Manager to enter into a contract agreement with Wilbur-Ellis Company for a two-year period, renewable for three additional one-year increments at the City's sole discretion for the purchase of herbicides and other chemicals.

Council Member Sandoval requested the name and location of the company in the proposed contract, and the names of the six vendors that submitted bids for this contract.

Public Works Director Hays stated that the proposed company was Wilbur-Ellis and that he would get back with City Council regarding the location and names of the six vendors.

Mayor Warren inquired whether this item was for a bid or request for proposal (RFP).

Public Works Director Chuck Hays stated that it was a bid and followed the City's purchasing process.

**P. Sale of Property Located at 17550 Slover Avenue**

Adopt **Resolution No. 2014-025** setting the date, time and location of the Public Hearing to be held on Tuesday, May 13th, 2014 to consider the possible sale of City owned property located at 17550 Slover Avenue to Union Pacific Railroad.

**Q. Police Department 2013 Annual Report**

Receive and accept the Police Department's 2013 Annual Report.

Council Member Sandoval noted that a correction was needed on Page 3 regarding a captain that was no longer with the Police Department.

Council Member Wibert asked for clarification on the number of Neighborhood Watch Meetings (Page 16) held in a year.

Police Chief Jones stated that 114 meetings was the average number of Neighborhood Watch Meetings that were held.

## **R. Executive Compensation Plan**

1. Approve the Executive Contracts for years 2008 through the present.
2. Adopt **Resolution No. 2014-026** Establishing the Executive Salary Tables for Years 2008 through the present and approving the Management Confidential Confirmation of Understandings covering the period of 7/1/06 thru 6/30/14.

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

### **A. Appointments to Local Agency/Regional Boards**

Discussion ensued regarding appointments to Local Agency and Regional Boards.

**ACTION:** Motion was made by Council Member Tahan, seconded by Council Member Wibert, and passed unanimously by a vote of 5-0 to approve the appointments (AYES: Warren, Roberts, Tahan, Wibert and Sandoval; NOES: None) as follows:

- Omnitrans: Regular Member - Mayor Pro Tem Roberts; Alternate - Council Member Tahan;
- San Bernardino County Association of Governments (SANBAG) Board of Directors: Regular Member - Council Member Tahan; Alternate - Mayor Pro Tem Roberts;
- Inland Empire Utilities Agency (IEUA) Regional Sewage Program Policy Committee: Regular Member - Mayor Warren (thru May 2014) Council Member Sandoval as Regular Member (effective June 2014); then Mayor Warren as Alternate effective June 2014;
- San Bernardino County Solid Waste Advisory Task (SWAT) Force: Regular Member - Council Member Wibert; Alternate - Mayor Warren;
- Corridor Design Authority Board of Directors I-210 Freeway Joint Powers Agreement: Regular Member - Mayor Warren; Alternate - Mayor Pro Tem



Roberts;

-- San Bernardino County Flood Control Zone 1 and 2 Advisory Committees (ZAC): Regular Member - Mayor Warren; Alternate - Mayor Pro Tem Roberts.

**B. Discussion and Possible Action Regarding the Creation of a Fontana City Council and Fontana Unified School District (FUSD) Ad-hoc Sub-Committee**

Discussion ensued regarding the creation of a Fontana City Council Ad-hoc Sub-Committee.

**ACTION:** Motion was made by Council Member Wibert, seconded by Council Member Tahan, and passed unanimously by a vote of 5-0 to approve Council Members Wibert and Sandoval as Regular Members and Council Member Tahan as Alternate of the Fontana City Council Ad-hoc Sub-Committee (AYES: Warren, Roberts, Tahan, Wibert and Sandoval; NOES: None).

**C. Elected Officials Communications/Committee Reports**

City Treasurer Janet Koehler-Brooks announced that she attended the Arbor Day celebration and encouraged the community to visit the nature center.

City Treasurer Koehler-Brooks announced that the Sunshine and Sparks Clubs had an Easter event and her sister Nancy Koehler attended. Mrs. Koehler-Brooks stated that the developmentally disabled were encouraged to attend.

Mayor Pro Tem Roberts announced that he attended the ground breaking program for Omnitrans Corridor along "E" Street in San Bernardino. Mayor Pro Tem Roberts stated that he had an opportunity to ride the new Rapid Transit buses.

Mayor Pro Tem Roberts announced that San Bernardino County Fire Department employee David Dowling recently passed away and that he was the first communication person in the Fire District's communications center. Mayor Pro Tem Roberts requested that the City Council meeting be adjourned in his memory.

Council Member Tahan announced that he attended the Senior Prom at the Senior Center.

Council Member Tahan announced that he attended the Kaiser High School Cadet Program and stated that it was a great program to gather Fontana's youth.

Council Member Tahan stated that he met with Fontana Unified School District Superintendent Leslie Boozer and discussed great ideas for the community and schools.

Council Member Wibert announced that she attended the Senior Dinner and Prom that was held on Friday, April 11, 2014 at the Senior Center.

Council Member Wibert announced that she attended the Kaiser High School Junior Reserve Officer Training Corps (ROTC) Awards Ceremony that was held on Friday, April 11, 2014.

Council Member Wibert announced that she attended the Volunteer/Explorers Awards Banquet that was held on Tuesday, April 15, 2014.

Council Member Wibert announced that she participated in the taping of a commercial with K-FON for the Citrus Overpass ground breaking event.

Council Member Wibert congratulated Maple Elementary School for winning the Pop-Top collection drive.

Council Member Wibert invited the community to join the Historical Society meeting to be held on Saturday, April 26, 2014 from 10:00 a.m. to 1:00 p.m. at the Cypress Community Center.

Council Member Wibert announced the Fiesta Internacional fundraiser to be held on Friday, April 25, 2014 at Fontana High School Auditorium from 6:00 p.m. to 8:30 p.m. The annual event was presented by the Fontana Association for Bilingual Education (FABE) and all proceeds would go to scholarships for graduating bilingual high school seniors in Fontana.

Council Member Wibert announced a fund raiser for the Fontana Middle School Travel Club to be held on Wednesday, April 30, 2014 at Wienerschnitzel at Valley Boulevard and Sierra Avenue.

Council Member Wibert announced the Teen Talent Show to be held on Friday, May 2, 2014, at the Steelworkers Auditorium, from 5:00 p.m. to 9:00 p.m.

Council Member Wibert thanked Mr. Randall Lewis for the bicycle donation.

Council Member Wibert requested that prayers be offered for Ms. Cindy Evans.

Council Member Wibert sent get well wishes to Mr. Phil Rue.

Council Member Wibert wished Ms. Nancy Koehler a good night.

Council Member Wibert requested that everyone continue to support our military troops.

Council Member Sandoval announced that he attended the Breakfast with the Chief that was held on Thursday, April 17, 2014 at the Jesse Turner Center.

Council Member Sandoval announced that he attended the Fontana Chamber of Commerce Lunch and Leads that was held on Wednesday, April 9, 2014.

Council Member Sandoval announced that he attended the 1st Step Independent Living Open House that was held on Wednesday, April 9, 2014.

Council Member Sandoval announced that he attended the committee meeting that was held on Wednesday, April 9, 2014 at Citrus Elementary School.

Council Member Sandoval announced that he attended the meeting on wildlife that was held on Thursday, April 17, 2014 at Southridge Middle School.

Council Member Sandoval announced that he attended the Easter Celebrations at the community centers that were held on Saturday, April 19, 2014, and commended Community Services Director Garth Nelson and Community Services Manager Frances Hernandez for great events.

Council Member Sandoval thanked Public Works Director Chuck Hays for taking care of the sidewalks.

Council Member Sandoval announced the upcoming Spirit Night to be held on Thursday, April 24, 2014 from 11 a.m. to 8:00 p.m.

Council Member Sandoval reminded everyone about the Village of Heritage Community Meeting to be held on Monday, April 28, 2014, at 6:30 p.m.

Council Member Sandoval announced the upcoming Fontana Community Prayer Dinner to be held on Thursday, May 1, 2014 at the Sierra Lakes Club House at 4:30 p.m. Mr. Sandoval stated that reservations were required and provided the contact number at (909) 854-8054.

Council Member Sandoval announced the upcoming Safe Teen Driving Rally to be held on Saturday, May 3, 2014 at Jack Bulik Teen Center from 9:00 a.m. to 1:00 p.m.

Council Member Sandoval wished his father, Mr. Jose Sandoval, a happy birthday which was on April 23, 2014.

Council Member Sandoval wished a happy Mother's Day to all the mothers,

which would be on Sunday, May 11, 2014.

Mayor Warren reminded everyone that the new Activity Book was available on line.

Mayor Warren announced that Fontana's 4th of July Celebration would be held at Fontana High School and tickets would go on sale on Monday, June 2, 2014.

Mayor Warren wished a happy belated Easter to the community and thanked all the Pastors.

Mayor Warren thanked City staff for the Arbor Day celebration and commended staff for doing a remarkable job.

Mayor Warren thanked First Lutheran Church for inviting her to speak to TOPS (Take Off Pounds Sensibly). Mayor Warren stated that TOPS was a weight-loss support and wellness education organization.

Mayor Warren announced that the City Council meeting would be adjourning in memory of Mr. David Dowling.

Mayor Warren announced that the grand opening of the Citrus Overpass would be held on Thursday, May 15, 2014.

## **CITY MANAGER COMMUNICATIONS:**

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

City Manager Ken Hunt stated that the City of Fontana was fortunate to have a talented group of employees. Mr. Hunt thanked all City staff--Department Heads and front line employees--for all their hard work. Mr. Hunt stated that the community was blessed to have such a great staff.

## **ADJOURNMENT:**

### **A. Adjournment**

A moment of silence was held for Mr. David Dowling, former Fontana Fire District employee, who recently passed away.

The City Council meeting adjourned in memory of Mr. David Dowling at 8:53 p.m. to the next Regular City Council Meeting on Tuesday, May 13, 2014, 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 at 8353 Sierra Avenue, Fontana, California.

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Cecilia Lopez-Henderson  
Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL  
ON THE 13TH DAY OF MAY, 2014.**

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Tonia Lewis  
City Clerk