

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR CITY COUNCIL MEETING  
May 26, 2015**

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**WORKSHOP:**

**A. 5:30 P.M. WORKSHOP**

The Fontana City Council Workshop was held on Tuesday, May 26, 2015, in the Fontana City Hall Executive Conference Room at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 5:35 p.m., with Mayor Pro Tem Tahan and Council Member Roberts present. Council Member Salazar-Wibert arrived at 5:41 p.m. and Council Member Sandoval arrived at 5:42 p.m.

Police Chief Rod Jones presented the workshop item on Body Worn Cameras. The Fontana City Council Meeting Agenda was reviewed and City Manager Comments were heard.

**CLOSED SESSION:**

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

Closed Session was held at 6:00 p.m. in the City Hall Executive Conference Room with Mayor Warren, Mayor Pro Tem Tahan, Council Members Roberts, Salazar-Wibert and Sandoval present.

**PUBLIC COMMUNICATION:**

There were no public communications received on the following Closed Session Items:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Case: MCDANIEL, Kasey v. City of Fontana

Court: San Bernardino Superior Court Case No. CIVDS 14110089

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section  
54956.9:

(one or more potential cases against Department of Finance).

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:  
(one (1) potential case).

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

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

The Regular meeting of the Fontana City Council was held on Tuesday, May 26, 2015, in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:13 p.m.

### **ROLL CALL:**

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

Absent: None.

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

Following the Invocation by West Side Baptist Church Pastor Samuel Dawkins, the Pledge of Allegiance was led by Girl Scout Troop 1194.

### **CLOSED SESSION ANNOUNCEMENT:**

City Attorney Jeff Ballinger stated that there were no reportable actions on two Closed Session Items.

City Attorney Ballinger stated that the reportable action on one Closed Session Item was on a vote of 5-0, the Successor Agency and City Council moved to initiate litigation against the Department of Finance.

## **SPECIAL PRESENTATIONS:**

### **A. Empire Karate Team Special Recognition**

Mayor Warren and the City Council recognized the Empire Karate Team for winning the most supporting team award. Coach Stan Money and the Empire Karate Team were present to accept.

### **B. Recognition of Outstanding Life Saving Efforts**

Mayor Warren and the City Council recognized After School Community Services Assistant, Megan Yanez, for Outstanding Life Saving Efforts. Community Services Director Garth Nelson and Community Services Supervisor Mariana Mitchell provided background on the heroic life saving effort performed by Ms. Yanez. Ms. Yanez was present to accept.

### **C. Community Services Department Summer Program Presentation**

Community Services Department Supervisor Kristy Samples presented the

Community Services Department Summer Program and Overview of the 2015 Summer Fun in Fontana, Summer Aquatic Programs, Camps and Special Events.

## **PUBLIC COMMUNICATIONS:**

### **A. Public Communications**

The Kaiser High School Junior Reserve Officer Training Corps (ROTC) presented the service project for 2014-15 and thanked the Mayor and the City Council for their support.

Mr. Michael Cervantes, representing Congresswoman Norma Torres, announced a Congress on your Corner to be held on Wednesday, May 27, 2015, between the hours of 5:00 p.m. to 6:30 p.m. in the Fontana City Hall Flex Room. Mr. Cervantes stated that the event was an opportunity for residents to meet with Congresswoman Torres, to obtain assistance with problems facing federal agencies.

Mr. Charles Avila, Kaiser High School, announced the 1st Annual Car Show fundraiser to be held on Saturday, May 30, 2015, at Rio Ranch Market, 11647 Cherry Avenue in Fontana. Mr. Avila stated that the event was a fundraiser for the Kaiser Music Program.

Mr. Danny Marquez, Veterans Partnering with Communities, spoke on the many services and programs that the Veterans Resource Center provided to veterans and their families.

Ms. Alicia Romero announced the Grand Opening of Chiki Chiki Wings and Sports restaurant to be held on Friday, May 29, 2015, 5:00 p.m., 16312 Arrow Boulevard in Fontana. Ms. Romero stated that she needed assistance with a conditional use permit and an ABC license. Mayor Warren referred Ms. Romero to Community Development Director James Troyer for follow up.

Mr. Derrick Bush, Young Warrior organization, spoke on suicide prevention and providing counseling and educational information to the community.

## **CONSENT CALENDAR:**

**ACTION:** Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Tahan, and passed unanimously by a vote of 5-0 to approve Consent Calendar Items "A-H" (AYES: Warren, Roberts, Tahan, Salazar-Wibert and Sandoval; NOES: None) as follows:

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

Approve the Minutes of the May 12, 2015 Regular City Council Meeting.

**B. Adoption of Ordinance No. 1729**

Second Reading/ Adopt **Ordinance No. 1729** of the City of Fontana adopting rate increases to the City of Fontana sewer service charges imposed on properties served by the Inland Empire Utility Agency and City of Rialto.

**C. Final Acceptance of Subdivision Improvements for Tract No. 17389**

1. Accept as complete the Subdivision Improvements for Tract No. 17389 located north of Baseline Avenue and west of Citrus Avenue.

2. Adopt **Resolution No. 2015-028**, accepting sewers in Tract No. 17389 as part of the City sewer system.

**D. License Agreement – Fontana Woman’s Club**

Approve a License Agreement between the City of Fontana and the Fontana Woman’s Club, including an annual financial contribution of \$10,000 for a two-year period, and authorize the City Manager to execute any documents necessary to effectuate said agreement.

**E. Agreement between the Fontana Unified School District and the City of Fontana for the Seamless Summer Feeding Program**

1. Approve the agreement between the Fontana Unified School District (FUSD) and the City of Fontana to host eleven (11) park sites as a part of the Seamless Summer Feeding Program from June 1 through July 31, 2015.

2. Authorize the City Manager or designee to sign the agreement, all related documents, and any amendments for the term of the agreement.

**F. Fontana After School Program (ASES Prop. 49) - Purchase of MindWorks After School Program Curriculum**

Authorize the Management Services Department to issue a purchase order for the purchase of thirty five (35) MindWorks After School Program Curriculum Units from MindWorks Resources in the amount of \$49,770.

**G. Department of Justice - Body Worn Camera Pilot Implementation Program Authorization to Proceed**

1. Authorize the Fontana Police Department to apply for the Department of Justice (DOJ) Body-Worn Camera Pilot Implementation Program Grant.

2. Authorize the Chief of Police or his assigned designee to sign the application for the DOJ Body-Worn Camera Pilot Implementation Program Grant.

Police Chief Rod Jones provided the staff report.

Mayor Pro Tem Tahan stated that when he was in Washington, D.C. and met with the Department of Justice regarding the details on storage and asked whether updates would be provided.

Police Chief Jones stated that the specifics of the grant had been released on May 18, 2015 and staff had a good understanding of what was expected. Chief Jones stated that a policy must be developed, which was part of the grant.

Mayor Pro Tem Tahan inquired whether details of the policy would come before the City Council.

Police Chief Jones stated that a policy for cameras had not yet been developed; however, the policy would be similar to the City's audio recording policy. Chief Jones stated that the policy would be brought forward to the City Council once the grant had been successful.

Council Member Salazar-Wibert stated that if the grant was successful that a dialogue with the community, City Council and labor groups needed to occur.

Police Chief Jones stated that staff had talked with all four labor groups and they were informed that the City would move forward with body-worn cameras.

Council Member Salazar-Wibert stated that there was a lot to be discussed and would like to keep the dialogue open.

#### **H. 2015 Community Oriented Policing Services Hiring Program Grant Authorization to Proceed**

1. Authorize the Fontana Police Department to apply for the Department of Justice 2015 Community Oriented Policing Services (COPS) Hiring Program grant.
2. Authorize the Chief of Police or his assigned designee to sign the application for the Department of Justice 2015 COPS Hiring Program grant.

Police Chief Rod Jones provided the staff report.

Council Member Salazar-Wibert asked who was doing the background checks.

Police Chief Jones stated that one full time officer and one part time officer.

Discussion ensued regarding the use of part time officers.

Mayor Pro Tem Tahan stated that the staff report talked about the School Resource Officer (SRO) and asked whether a background investigator position would be covered.

Police Chief Jones stated that currently \$125,000 was allocated and 1/3 is covered for the SRO. Chief Jones stated that for the background investigator 66% would be covered by the City and 33% would be covered by the grant.

Council Member Salazar-Wibert asked what was the cost to the General Fund after the grant was gone.

City Manager Hunt inquired whether this was for one full time officer position.

Police Chief Jones stated that the cost was \$150,000 when health care and retirement costs were included.

City Manager Hunt stated that for a more accurate number the figure was \$303,000.

## **PUBLIC HEARINGS:**

### **A. Master Case No. 14-041 - Specific Plan Amendment No. 14-005, Administrative Site Plan No. 14-045 and Conditional Use Permit No. 14-041 (EZE Trucking Operations)**

Mayor Warren opened Public Hearing Item PH-A.

Senior Planner Orlando Hernandez provided the staff report.

No one spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Council Member Salazar-Wibert, seconded by Mayor Pro Tem Tahan, and passed unanimously by a vote of 5-0 to approve Public Hearing Item PH-A (AYES: Warren, Roberts, Tahan, Salazar-Wibert and Sandoval; NOES: None) as follows:

1. Find that the project will not have a significant effect on the environment and adopt a Mitigated Negative Declaration of environmental impact, and direct staff to prepare and file a Notice of Determination pursuant to the guidelines for implementing the California Environmental Quality Act.

2. Waive further reading of and introduce **Ordinance No. 1730**, an ordinance of the City of Fontana approving Specific Plan No. 14-005, amending the Speedway Industrial District (SID) to allow the outdoor storage of construction equipment, materials and special event apparatus as a conditional use permit and that the reading of the title constitutes the first reading thereof.

3. Approve Administrative Site Plan No. 14-045 and Conditional Use Permit No. 14-041, subject to the attached Findings and Conditions of Approval.

## **NEW BUSINESS:**

### **A. Formal Declaration Of City Policy Not to Prosecute Violations of Landscaping Maintenance Ordinances Due to Drought**

Police Chief Rod Jones and Captain Mark Weissmann provided the staff report.

Council Member Salazar-Wibert stated that she wanted to be absolutely sure that the City would be responding to complaints.

Mayor Pro Tem Tahan asked whether there was a time line, and perhaps a time limit was needed when the policy would end.

Police Chief Jones stated that the policy would remain in effect until the City Council decided to change it.

Mayor Pro Tem Tahan stated that perhaps two years would be best to have it end.

Council Member Sandoval asked that if the Governor decided to lift the emergency ban regarding the drought, could the City go back to the regular ordinance without coming back to the City Council.

Police Chief Jones stated the item would need to come to the City Council because it was related to an ordinance.

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

Approve the recommended Formal Declaration of the Fontana Police Department's (Code Compliance Division) current policy not to prosecute violations of landscaping maintenance ordinances, specifically the failure to adequately irrigate lawns, due to drought.

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

## **A. Elected Officials Communications/Committee Reports**

City Treasurer Janet Koehler-Brooks had no comments.

City Clerk Tonia Lewis announced that her granddaughter Tonia would be graduating from the Corrections Officer Training Facility in San Diego and ultimately wanted to be a police officer.

Council Member Sandoval announced that he had attended the ICSC (International Council of Shopping Centers) in Las Vegas, Nevada and a lot of people had come by the City's booth and hopefully would bring more businesses and restaurants to the City.

Council Member Sandoval announced that on June 5 and June 6, 2015 the Senior Softball Team would be playing at the Glendale Sports Complex.

Council Member Sandoval announced the grand opening of the Hot Spot restaurant located at 15034 Foothill Boulevard in Fontana.

Council Member Sandoval wished his granddaughter, Giselle, a happy 10th birthday.

Council Member Roberts announced that he had attended the ICSC in Las Vegas, Nevada and stated that there had been a lot of positive activities and looked forward to seeing the contacts.

Mayor Pro Tem Tahan announced that he had attended the ICSC in Las Vegas, Nevada and stated that there had been a lot of excitement and potential for the City. Mayor Pro Tem Tahan stated that the staff had worked hard and thanked Deputy City Manager David Edgar, Economic Development Manager Elisa Grey, Community Development Director James Troyer, and Planning Manager Zai Abubakar.

Mayor Pro Tem Tahan congratulated all the graduates that had graduated.

Mayor Pro Tem Tahan thanked all the parents, teachers and students that had worked hard to improve test scores.

Mayor Pro Tem Tahan announced that the Fontana Unified School District won the soccer match between the City and the School District and that \$40,000 had been raised for school scholarships.

Mayor Pro Tem Tahan announced the SANBAG Community Meeting to be held on Tuesday, June 2, 2015, 7:00 p.m., Jesse Turner Community Center, to talk about the express lanes.

Council Member Salazar-Wibert gave a shout out to Ms. Janie Rowland for a



wonderful Relay for Life event.

Council Member Salazar-Wibert gave a shout out to the Fontana Foundation of Hope for submitting art work and thanked Mr. Jack Long for his support.

Council Member Salazar-Wibert congratulated Officers Wibert and Miller on their FLIP (Fontana Leadership Intervention Program) graduation, which was well attended. Mrs. Salazar-Wibert also thanked Police Captain Weissmann for his help.

Council Member Salazar-Wibert announced that she had attended the Senior Center Anniversary event and thanked Community Services Coordinator Tiffany Starks for her assistance, and stated that the event was well attended.

Council Member Salazar-Wibert announced that she had attended the Peace Officers Memorial event, which was well attended.

Council Member Salazar-Wibert announced that she had attended the veterans Housing and Transportation Expo and thanked Mr. Danny Marquez for his assistance.

Council Member Salazar-Wibert announced that she had attended a fashion show at South Tamarind Elementary School, which was well attended.

Council Member Salazar-Wibert announced that she had attended the Riverside Memorial Cemetery and thanked everyone for the ceremony.

Council Member Salazar-Wibert announced that she had attended the memorial service at Green Acres Cemetery, which was well attended.

Council Member Salazar-Wibert recognized Herald News staff, Mr. Russ Ingold and Mr. Alejandro Cano, for coverage of the community.

Council Member Salazar-Wibert sent condolences to the McEntarffer Family on the death of Mr. Eric Lawrence McEntarffer.

Council Member Salazar-Wibert sent well wishes to Mrs. Fran Gibbons and hoped that she felt better soon.

Council Member Salazar-Wibert asked that everyone continue to support our military troops and their families.

Mayor Warren announced that she had attended ICSC in Las Vegas, Nevada and was very pleased with the contacts that were made and thanked Economic Development Manager Elisa Grey, Community Development Director James Troyer and Planning Manager Zai Abubakar, who did a great job.

Mayor Warren announced that she had met with Congresswoman Norma Torres in Washington, D.C. and had a lively conversation regarding water.

Mayor Warren announced that a town hall meeting would be held on June 17, 2015 in the City Council Chambers concerning the drought and options would be presented by the City's water providers.

Mayor Warren announced that the Relay for Life event had been great and a job well done by everyone.

Mayor Warren congratulated Police Chief Jones and the entire region for hosting the Peace Officers Memorial event.

Mayor Warren announced that she had attended a regional round table discussion concerning high standards for construction and received good comments about the City's front counter customer service.

Mayor Warren announced that Fontana, Citrus and Birch High Schools had held their graduation ceremonies and congratulated all the graduates and wished them a happy graduation day.

Mayor Warren announced that the City Council meeting would be adjourning in memory of Mr. Eric Lawrence McEntarffer, who recently had died and was a former student of Council Member Salazar-Wibert.

## **CITY MANAGER COMMUNICATIONS:**

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

City Manager Hunt stated that he had attended the International Council of Shopping Centers (ICSC) in Las Vegas, Nevada to help attract more businesses and restaurants to the City. Mr. Hunt stated that he had some very good meetings and felt very encouraged.

City Manager Hunt announced that the City Council would be adjourning to a Special City Council Meeting to be held on June 3, 2015 for a Closed Session and then to the June 9, 2015 Regular City Council Meeting.

## **ADJOURNMENT:**

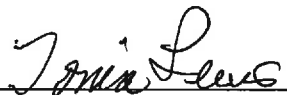
Mayor Warren adjourned in memory of Mr. Eric Lawrence McEntarffer, who died in an auto accident on May 13, 2015, and was a former student of Council Member Salazar-Wibert.

The City Council Meeting adjourned at 8:37 p.m. in memory of Mr. Eric Lawrence McEntarffer and to a Special Meeting to be held on Wednesday, June 3, 2015, 4:00 p.m. and to the next Regular City Council Meeting to be

held on Tuesday, June 9, 2015, 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.

  
Cecilia Lopez-Henderson  
Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL  
ON THE 9TH DAY OF JUNE, 2015.**

  
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Tonia Lewis  
City Clerk