

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
September 08, 2015**

WORKSHOP:

A. 5:30 P.M. WORKSHOP

The Workshop Meeting of the Fontana City Council was held on Tuesday, September 8, 2015 in the Fontana City Hall Executive Conference Room located at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 5:30 p.m. with Mayor Pro Tem Tahan and Council Members Roberts, Salazar-Wibert and Sandoval present.

City Manager Ken Hunt and Director of Public Works Chuck Hays presented the Miller Park Amphitheater Re-Design Proposals. The Fontana City Council Regular Meeting Agenda was reviewed and City Manager Comments were heard.

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, September 8, 2015, in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:05 p.m.

ROLL CALL:

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

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation by Council Member Roberts, the Pledge of Allegiance was led by Mayor Pro Tem Tahan.

PUBLIC COMMUNICATIONS:

A. Public Communications

Mr. Ted Hunt, Fontana Police Officers Association, announced the Tip-A-Cop event to be held on Thursday, September 10, 2015, from 5:00 p.m. to 9:00 p.m., at Chili's Restaurant in Fontana. The proceeds would benefit the St. Jude Children's Research Hospital.

Ms. Lisa Blacksher, representative for Assemblymember Cheryl Brown, 47th Assembly District, announced the following events:

- Trucking Summit to be held on Friday, September 18, 2015, 9:00 a.m. to 12 noon, at San Bernardino County Association of Governments (SANBAG) in San Bernardino, with Assemblymember Jim Frazier as the featured guest speaker.
- Small Business Select Hearing to be held on Friday, September 25, 2015, 9:30 a.m. to 12:30 p.m., San Bernardino County Government Center in San Bernardino.

Ms. Terrie Schneider, Boys & Girls Club, Ms. Kaydee Rouseeau, Ms. Andee Ayala, and Ms. Cynthia Coronado, Leaders in Training, announced the Mayor's Gala to be held on Saturday, October 3, 2015, Jessie Turner Community Center, from 6:00 p.m. to 11:00 p.m. For this year's event, a Hollywood Theme would be the focus of the Mayor's Gala, and all proceeds would benefit the Boys & Girls Club of Fontana.

Ms. Tressy Capps, Fontana resident, spoke on a Planning Commission item regarding real time live feed by the Police Department. Ms. Capps referred anyone who was interested to check YouTube for a video on Fontana police cameras. Ms. Capps explained that there was a conditional use permit that had a lot of conditions, and condition number 29 had to do with video surveillance. Ms. Capps stated that Fontana Chamber of Commerce President Idilio Sanchez and Planning Commission Chair Phil Cothran did not know about video surveillance. Ms. Capps mentioned that Police Chief Jones was contacted regarding whether there would be a workshop, and he responded that there was no workshop planned and that a presentation had been previously done on real time crime on March 24, 2015. Ms. Capps stated she would be submitting a Public Records Request to find out more about what had happened. Ms. Capps inquired about whether it was going to be mandatory moving forward for certain businesses or if that was something that was voluntary. In researching this topic, Ms. Capps stated that the City of Rialto did not mandate a real time video, and also referred to an August 24, 2014 Forbes article regarding the City of Redlands mandating real time videos. Ms. Capps stated that the article was very interesting but there had been some problems with the surveillance equipment and people being able to tap into it. Ms. Capps stated that the City needed to do their due diligence and approach this topic very cautiously. Ms. Capps referenced the Mayor's comments that over 100 CUPs had the requirement and wanted to make sure that the Mayor was

accurate. Ms. Capps stated Councilmembers Roberts and Salazar-Wibert were on an Ad Hoc Committee and would like to speak to them regarding the topic.

Ms. Kathy Ponce, Freedom Patriots, announced a Tea Party meeting to be held on Thursday, September 17, 2015 at Logan's Restaurant in Fontana. The topics to be covered include the land grab that happened in the San Gabriel Mountains, and the MS-4 Storm Water Permit and the impact on cities.

Mr. Danny Marquez, Veterans Partnering with Communities, spoke on the many services and programs that are provided by the Veterans Resource Center to military veterans and their families. Mr. Marquez announced the Suicide Prevention Walk to be held on September 21, 2015, 11:00 a.m., beginning in El Monte, California, and coming by the American Legion in Fontana. The walk would bring awareness to suicide prevention for veterans. Mr. Marquez thanked Mayor Warren and the City Council for targeting homelessness affecting veterans.

CONSENT CALENDAR:

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

A. Approval of Minutes

Approve the Minutes of the August 25, 2015 Regular City Council Meeting.

B. Adoption of Ordinance 1733

Second Reading/ Adopt **Ordinance No. 1733**, amending Article III of Chapter 4 of the Fontana Municipal amending Sections 4-131, 4-132, and 4-133 which address Vicious Dogs, Biting Dogs, and the Quarantine of Such Dogs.

C. Accept Donations from Multiple Donors

Accept monetary and gift donations valued at \$14,371.86.

D. Approve a Resolution to Accept Sewers in Tract No. 18822

Adopt **Resolution No. 2015-065**, accepting sewers in Tract No. 18822 as part of the City sewer system.

E. Approve a Development Impact Fees Credit Agreement for

Design Review 13-013 and Parcel Map No. 19499

Approve and authorize the City Manager to execute a Partial Satisfaction of Development Impact Fees Credit Agreement with DCT Jurupa Ranch, LLC. for Design Review No. 13-013 and Tentative Parcel Map No. 19499 for the site and architectural review of a proposed 968,150 square foot high-cube industrial warehouse located on the north side of Jurupa Avenue between Poplar Avenue and Catawba Avenue.

F. Approve a Resolution Authorizing the City Manager to Submit a Grant Application for the San Sevaine Trail, Segment 1

Adopt **Resolution No. 2015-066** authorizing the City Manager or his designee to submit a grant application for funding from the Recreational Trails Program (RTP) for construction of the San Sevaine Trail, Segment 1 and to conduct all negotiations and submit all documents to comply with grant agreements post award.

G. Award of Contract for Security Alarm Maintenance and On-Call Repair Services, CC-57-PW-14

1. To cancel the award of contract to Stanley Security Solutions;
2. Award bid and authorize the City Manager to enter into an agreement with TRL Systems and BDL Alarms Inc., for security alarm maintenance and on-call repair services (CC-57-PW-14) for a period of two (2) years, renewable for three additional one (1) year increments at the City's sole discretion.

H. Award of Contract for Pavement Markings – Thermoplastic and Paint Services, SB-30-PW-15

Award bid and authorize the City Manager to enter into a contract agreement with Chrisp Company for a two-year period, renewable for three additional one-year increments at the City's sole discretion for Pavement Markings – Thermoplastic and Paint Services.

I. Final Acceptance of "Condor Park" (Park "D") for Tract No. 18820-1

Accept as complete "Condor Park" (Park "D") for Tract No. 18820-1 located within the Sierra Crest development.

J. Final Acceptance of Subdivision Improvements for Tract No. 18906

Accept as complete the subdivision improvements for Tract No. 18906 located south of Fairview Drive between Williams Road and Maple Avenue.

K. Final Acceptance of Foothill Boulevard Median Landscape

Improvement Project

Accept as complete the work performed by Aramexx Construction for the construction of the Foothill Boulevard Median Landscape Improvement Project between Cherry Avenue and Hemlock Avenue; and approve the final construction amount of \$1,163,728.91. (Bid No. SB-13-DE-14)

L. Agreement for the Provision of Sewer and Recycled Water Service by IEUA to a Portion of the County Unincorporated Area

City Manager Ken Hunt announced that Consent Calendar Item CC-L would be pulled from the agenda. Mr. Hunt stated that Fontana Water Company had proposed changes to the agreement, which would require discussion before the item could be considered for approval as follows:

1. Approve agreements with Inland Empire Utilities Agency, California Steel Industries, Auto Club Speedway, and Prologis to provide wastewater and recycled water services to a portion of the unincorporated area of San Bernardino County.
2. Approve the Memorandum of Understanding with Inland Empire Utilities Agency pertaining to future sewer service and pre-annexation agreements.
3. Authorize the City Manager to sign the Agreements and the Memorandum of Understanding.

M. Fontana Art Association Quarterly Report

Receive and file the Fontana Art Association quarterly report.

PUBLIC HEARINGS:

A. Consolidated Annual Performance Evaluation Report (CAPER)

Mayor Warren opened Public Hearing Item PH-A.

Administrative Services Deputy City Manager David Edgar provided the staff report.

Mayor Pro Tem Tahan inquired about low income housing projects and the 90-day application period.

Deputy City Manager Edgar stated that the City used federal HOME program funds along with state and federal tax credits to complete the construction of the properties. As required under tax credit syndication, Mr. Edgar explained that the City could not begin the lease up process until the units were 50%

complete in construction and the City was almost at that point for the units on Juniper Avenue. Mr. Edgar stated that when the units were at 50% construction, an open solicitation would be done, and the developer was required to have them open and available on the market for a period of time. Mr. Edgar stated that staff would post an email address and phone number as contact information on the City's webpage. Mr. Edgar stated that there would be an administrative pre-screening where people could get an idea on the economics for a specific family. Following that, applications would be submitted and when the applications were deemed complete, they would be processed in batches. The income would be verified to confirm their eligibility for the units. Mr. Edgar added that the process could start in about 30 days and information would be available in the City's kiosk and City's website.

Mayor Pro Tem Tahan asked whether an applicant was required to be a Fontana resident or out of Fontana.

Deputy City Manager Edgar stated that an applicant was not required to be a Fontana resident, but the developer was required to prioritize as many Fontana residents as possible. Mr. Edgar added that staff would make sure that the project was very well advertised.

Mayor Pro Tem Tahan stated that Community Development Block Grant (CDBG) funding requirements determined certain income levels. Mr. Tahan added that the City was great partners with the Water of Life Church, and inquired how the City could find a way for other churches to be involved.

Deputy City Manager Edgar stated that the City prepared a Request for Proposal (RFP) and the Water of Life Church was the only church that responded to the RFP.

Mayor Pro Tem Tahan inquired if other churches wanted to participate should they reach out to staff.

Deputy City Manager Edgar stated that there was a cap as to how much was spent in a specific area and staff could lead them to those funding sources. Mr. Edgar explained that the funds were restricted to certain census tracts and sometimes some churches could not qualify.

Discussion ensued regarding criteria and qualifications for funding.

Council Member Salazar-Wibert stated that the City had several different management groups that oversaw low income housing and that there were certain requirements that needed to be met. Mrs. Salazar-Wibert asked who hires the management company.

Deputy City Manager Edgar stated that the eligibility requirements varied because of the funding requirements.

Council Member Salazar-Wibert inquired about the home investment program.

Deputy City Manager Edgar stated that the Siena Apartments on Juniper Avenue were under construction, and the Minerva Apartments were for senior citizens and were currently under construction.

Council Member Salazar-Wibert asked whether the City hired the management company.

Deputy City Manager Edgar stated that the developer made the selection but with concurrence from the City.

Mayor Pro Tem Tahan asked whether staff had reached out to other churches and suggested that may be a workshop could be scheduled.

Deputy City Manager Edgar stated that staff had not done so because of the funding requirements and that some of the funding was being used for the police department.

Mayor Warren suggested that information be made available at the faith-based community meetings and a fact sheet would be helpful as a handout.

Discussion ensued regarding a fact sheet.

No one else spoke in favor or opposition.

The public hearing was closed.

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 Public Hearing Item PH-A (AYES: Warren, Tahan, Roberts, Salazar-Wibert and Sandoval; NOES: None) as follows:

1. Conduct a public hearing on the Consolidated Annual Performance and Evaluation Report (CAPER) prepared for the U.S. Department of Housing & Urban Development to report on specific Federal housing assistance and community development activities undertaken by the City of Fontana during Fiscal Year 2014-2015; and
2. Authorize the City Manager to execute any documents necessary to submit the report, along with any comments received during the public hearing and public comment period, to the Department of Housing & Urban Development.

NEW BUSINESS:

A. Approval of a Letter of Intent with Riverside Land Conservancy Regarding a Proposed Conservation Easement for Ensuring the Habitat of the Delhi Sands Flower-Loving Fly and California Gnatcatcher

Development Services Deputy City Manager Debbie Brazill provided the staff report.

No one else spoke in favor or opposition.

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

Approve and authorize the City Manager to sign a Letter of Intent (LOI) between the City of Fontana and Riverside Land Conservancy (RLC) to evaluate the proposed conveyance of a conservation easement for the purpose of ensuring the habitat of the Delhi Sands Flower-Loving Fly and California gnatcatcher in accordance with the requirements of US Fish and Wildlife Biological Opinion FWS-SB-1788.9

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Committee Reports

City Clerk Tonia Lewis announced an Ice Cream Social to be held on Sunday, September 13, 2015, 2:00 p.m., Fontana Woman's Club, located at the southwest corner of Sierra Avenue and Seville Avenue in Fontana. Mrs. Lewis stated that donations were \$3.00.

City Clerk Lewis announced the Fontana Masonic Lodge Annual Barbecue to be held on Saturday, September 19, 2015, at 11:00 a.m. Mrs. Lewis added that two old fire engines from the Fontana Fire Museum dating back to the 1920's would be displayed. The proceeds would benefit college scholarships.

There were no communications received from City Treasurer Janet Koehler-Brooks.

There were no communications received from Mayor Pro Tem Tahan.

Council Member Roberts sent condolences to the family, wife and children, on the passing of Pastor Nicholas Mackenzie. Mr. Roberts stated that Pastor Mackenzie came from South Africa in the 1980s to work at the Bloomington Christian School. Mr. Roberts added that Pastor Mackenzie was a good friend and was once his next door neighbor.

Council Member Salazar-Wibert announced the 100 Mile Walkers club and that sponsors for students were needed at \$10.00/student. For more information, the contact number provided was (909) 357-5760.

Council Member Salazar-Wibert thanked the staff at the Senior Center for the memorial services that were held for the passing of several seniors.

Council Member Salazar-Wibert announced the 9-11 Memorial to be held on Friday, September 11, 2015, 10:00 a.m., Steelworkers' Auditorium in Fontana.

Council Member Salazar-Wibert announced the Veterans of Foreign Wars MIA-POW event to be held on Saturday, September 19, 2015, 7:00 p.m., at 9190 Fontana Avenue in Fontana.

Council Member Salazar-Wibert announced the low cost spay and neuter clinic to be held on Wednesday, September 30, 2015. For more information, the contact number provided was (909) 350-7620. Mrs. Salazar-Wibert gave special thanks to Police Department Captain Weissmann, Detective Fileto and the police bike patrol.

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

Council Member Salazar-Wibert asked everyone to continue to support our military troops.

Council Member Sandoval thanked the Police Department and Captain Ramsey for assisting in locating a missing gentleman in Apple Valley, who was a Fontana resident.

Council Member Sandoval announced a recent incident involving an officer who had lost his life in Houston, Texas. Mr. Sandoval added that police officers were there to protect us, but they were like anyone of us who want to come home to their families.

Council Member Sandoval announced a Tip-A-Cop event to be held on Thursday, September 10, 2015, Chili's Restaurant, 5:00 p.m. to 9:00 p.m. in Fontana. Mr. Sandoval stated that this was an opportunity to thank them for all the services that they provide in Fontana. Mr. Sandoval added that the City's Police Chief was really open to talking about things and encouraged everyone to attend the Tip-A-Cop event to open a dialogue.

Council Member Sandoval announced that his grandson, Francisco, would be one year old on Thursday, September 10, 2015 and wished him a happy birthday.

Mayor Warren gave special congratulations to the Fontana Rims on their 20

year anniversary. Mayor Warren stated that the Rims basketball is a Filipino-American group that started with four teams and now had up to 40 teams in the City.

Mayor Warren announced Fontana Days at the fair to be held on Friday, September 25, 2015 and that City heroes Mr. Rob Bock, Ms. Karen Coleman and the Mayor's Youth Advisory Council (Ms. April You), would be honored at a ceremony at 3:00 p.m. and a parade would follow at 5:00 p.m.

Mayor Warren announced the Mayor's Gala to be held on Saturday, October 3, 2015, 6:00 p.m. and all proceeds would benefit the Boys & Girls Club of Fontana. Tickets were 2/\$50, music to be provided by DJ Cookie, snacks, dancing and a raffle to be held for drawing personalized street signs.

Mayor Warren stated that there were great police officers in the City and that George's Shell was sponsoring an event to thank the police officers on Saturday, September 26, 2015, 10:00 a.m. to 12 noon. A free lunch and over 100 gasoline cards and gifts to be raffled off at George's Shell Station at the corner of San Bernardino and Sierra Avenues in Fontana.

Mayor Warren announced the 9-11 Event and stated that thousands of lives were lost on that day. Mayor Warren added and that the event helped us to remember them and asked that everyone keep them in their thoughts.

CITY MANAGER COMMUNICATIONS:

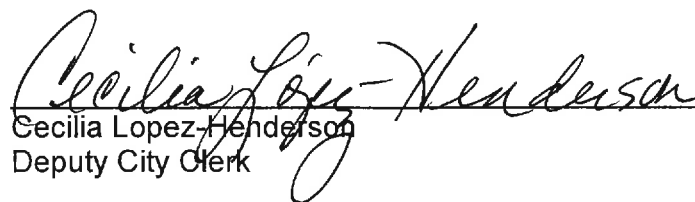
A. City Manager Communications

There were no City Manager Communications received.

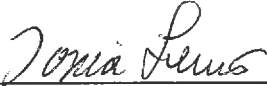
ADJOURNMENT:

A moment of silence was held for Ms. Brenda Green Squalls and Pastor Nicholas Mackenzie.

The City Council meeting adjourned in memory of Ms. Brenda Green Squalls and Pastor Nicholas Mackenzie at 8:03 p.m. to the next Regular City Council Meeting on Tuesday, September 22, 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 22ND DAY OF SEPTEMBER, 2015.



Tonia Lewis
City Clerk