

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR CITY COUNCIL MEETING  
November 10, 2015**

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**WORKSHOP:**

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

A Workshop Meeting of the Fontana City Council was held on Tuesday, October 27, 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.

20/20 Network Consultant Steve Lambert presented the Marketing Communications Strategy Plan. The Fontana City Council Regular Meeting Agenda was reviewed and City Manager Comments were heard.

**CLOSED SESSION:**

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

A 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 Item:

**CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (one or more cases).

**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, November 10, 2015, in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:04 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 Council Member Sandoval, the Pledge of Allegiance was led by Council Member Roberts.

**CLOSED SESSION ANNOUNCEMENT:**

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

**SPECIAL PRESENTATIONS:**

**A. Check Presentation from Fontana Foundation of Hope**

Mayor Warren and the City Council accepted a \$30,000 check donation from Fontana Foundation of Hope to be utilized for the Senior Scholarship Program. Fontana Foundation of Hope Board of Directors: Jack Long, Daniel Read, Dr. Leslie Boozer, David Wibert, Andrea Boozer, Leon Ford, and Adriana Castro were present.

**B. Introduction of Mayor's Youth Advisory Council (MYAC)**

Mayor Warren and the City Council introduced the new Mayor's Youth Advisory Council (MYAC). Community Services Supervisor Jamie Bumia presented the background on the purpose of the MYAC and self-introductions were made by the new MYAC members.

**C. Police Department Swearing-In Ceremony**

Mayor Warren and the City Council swore in new Fontana Police Officers' Daniel Anderson, Stephen Lyles and Roman Gutierrez. Officers Anderson, Lyles and Gutierrez were introduced by Chief Jones.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

Ms. Virginia Bugarin, So Cal Crossbones, announced a Travel Baseball Fundraiser to be held on Wednesday, November 18, 2015, 4:00 p.m. - 8:00 p.m., at Chipotle Restaurant in Fontana. Ms. Bugarin stated that the purpose of the fundraiser was for new equipment, specialized training and administrative expenses.

Mr. Keith Klinger, Fontana resident, spoke on the proposed "F" to be installed

on the hill and asked for an update. Mayor Warren stated that staff was still working on the proposed concept and would bring it back to the City Council. Mr. Klinger stated that railroad ties would be used to create the "F", and community residents would paint their own rocks white and add them to the "F". Mr. Klinger added that this project would help bring the community together.

Mr. Danny Marquez, President of Veterans Partnering with Communities, announced the Veterans Day Ceremony to be held on Wednesday, November 11, 2015 at the Veterans Resource Center on Spring Street in Fontana.

Mr. Marquez announced that on-line donations from the community for Day of the Brave had been very helpful in assisting veterans.

Mr. Marquez wished a happy birthday to the Marine Corps, which was celebrating its 240th birthday.

Mr. Marquez spoke on the many services and resources that were provided to veterans and their families at the Veterans Resource Center.

Ms. Colleen Nannery, Fontana resident and student, spoke on the Travel Club. Ms. Nannery stated that the Travel Club would be traveling to Washington, D.C. in the spring of 2016, and announced that a sponsor was needed to invest in her future. She wanted to be a police officer and added that a sponsorship was \$3100 per student.

## **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-J" (AYES: Warren, Tahan, Roberts, Salazar-Wibert and Sandoval; NOES: None) as follows:

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

Approve the Minutes of the October 27, 2015 Regular City Council Meeting.

Upon further research, the minutes were corrected to read as follows:

Page 3 of 10, first paragraph, 4th line down, "change the density from 2300 units to 5500 units".

Page 3 of 10, second paragraph, 6th line down, "but the Planner was more interested in reducing greenhouse gasses in Fontana."

### **B. Accept Donation From Fontana Foundation of Hope**

Accept donation from the Fontana Foundation of Hope in the amount

of \$30,000.00 for use in the Community Services Department Scholarship Program. This donation will be used specifically for the qualified Senior population at the Fontana Community Senior Center.

**C. Accept Cal Fire Green Trees for the Golden State Urban Forestry Grant**

1. Accept Cal Fire Green Trees for the Golden State Urban Forestry Grant in the amount of \$40,265.50 which was used for planting 500 trees in various areas of Fontana.

2. Increase projected revenues in General Fund #101, Budget Unit 38204101 in the amount of \$29,359.90 for Fiscal Year 2015/2016.

3. Increase projected revenues in CFD #1 Southridge Village Fund #407, Budget Unit 38204407 in the amount of \$10,905.60 for Fiscal Year 2015/2016.

**D. Accept Housing Related Parks (HRP) Program 2014 Grant**

1. Accept the Designated Program Year 2014 Housing Related Parks (HRP) Program Grant in the amount of \$426,475 for Miller Park Improvements;

2. Increase projected revenues in Grant Fund #301 in the amount of \$426,475 and appropriate \$426,475 in Grant Fund #301 to Project No. 9412800301.

**E. Approve Resolutions Consenting to Inclusion of Three (3) Property Assessed Clean Energy (PACE) Programs**

1. Adopt **Resolution No. 2015-071**, consenting to the inclusion of properties within the territory of the City of Fontana in the California Statewide Communities Development Authority (CSCDA) Open PACE Programs; Authorizing the CSCDA to accept applications from property owners, conduct contractual assessment from proceedings and levy contractual assessments within the territory of the City and authorizing related actions.

2. Adopt **Resolution No. 2015-072**, consenting to the inclusion of properties within the City's jurisdiction in the California Home Finance Authority Community Facilities District No. 2014-1 (Clean Energy) to finance Renewable energy improvements, energy efficiency and water conservation improvements and electric vehicle charging infrastructure and approving associate membership in the joint exercise of powers authority related thereto.

3. Adopt **Resolution No. 2015-073**, consenting to the inclusion of properties within the City's jurisdiction in the California Home Finance

Authority program to finance renewable energy generation, energy and water efficiency improvements and electric vehicle charging infrastructure and approving associate membership in the joint exercise of powers authority related thereto.

4. Adopt **Resolution No. 2015-074**, approving associate membership by the City in the California Enterprise Development Authority; authorizing and directing the execution of an Associate Membership Agreement relating to Associate membership of the City in the Authority; authorizing the City to join the Figtree PACE Program; authorizing the California Development Authority to conduct contractual assessment proceedings and to levy contractual assessments within the territory of the City of Fontana, and authorizing related actions.

5. Authorize and direct the City Manager to execute an Indemnification Agreement between the City of Fontana and Figtree Company, Inc.

**F. Approve an Agreement with California Watershed Engineering (CWE) to Develop a Water Quality Management Plan (WQMP) Handbook**

Award bid and authorize the City Manager to execute a Professional Services Agreement with California Watershed Engineering (CWE) to develop a Water Quality Management Plan Handbook (SP-05-DE-16).

**G. Award a Construction Contract for Martin Avenue Sidewalk Improvement Project**

1. Authorize the City Manager to execute a construction contract with Roadway Engineering & Contracting Inc. for the construction of the Martin Avenue Sidewalk Improvement Project in the amount of \$198,258.00 and authorize a 10% contingency in the amount of \$19,825.80. (Bid No. SB-11-DE-16).

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 the Project.

**H. Amendment 2 and 3 to Contract 13-44 - Network for a Healthy California San Bernardino County Grant**

1. Accept Network for a Healthy California – San Bernardino County Grant Amendment No. 2 to county contract 13-44 for an additional \$65,593 to be utilized by the Healthy Fontana Program during the 2014-2015 fiscal year.

2. Authorize the increased revenues and additional appropriation of \$65,593 for the 2014-2015 fiscal year in Grant Fund #301.

3. Accept Network for a Healthy California - San Bernardino County Grant Amendment No. 3 to county contract 13-44 for an additional \$62,808 to be utilized by the Healthy Fontana Program during the 2015-2016 fiscal year. This will bring the total grant funding to \$394,320 over the four year grant period with an ending date of September 30, 2016.

4. Authorize the increased estimated revenues and additional appropriation of \$62,808 for the 2015-2016 fiscal year in Grant Fund #301.

**I. Resolution of Intent to Form Community Facilities District #74B (Citrus/Summit)**

1. Adopt **Resolution No. 2015-075** of the City Council of the City of Fontana of Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes.

2. Adopt **Resolution No. 2015-076** of the City Council of the City of Fontana to Incur Bonded Indebtedness of the Proposed City of Fontana Community Facilities District No. 74B (Citrus/Summit).

**J. Co-Sponsorships for Fiscal Year 2015-2016**

Review and approve five (5) Co-Sponsorship applications for Fiscal Year July 1, 2015 - June 30, 2016, for a total funding amount of \$3,420 as recommended by the Parks & Community Services Commission.

**PUBLIC HEARINGS:**

**A. Adopt an Ordinance Amending Article IV of Chapter 28 of the Fontana Municipal Code Regarding Landscaping and Water Conservation**

Mayor Warren opened Public Hearing Item PH-A.

Engineering Department Director Ricardo Sandoval and Associate Engineer Kyle Scribner provided the staff report.

Mayor Pro Tem Tahan inquired about enforcement and penalties on existing landscaped areas.

Engineering Director Sandoval stated that the ordinance applied only to new permits. The enforcement for existing development, such as a residential home, for watering a few days during the week would be the responsibility of the water company and not the city.

Mayor Pro Tem Tahan questioned if the ordinance applied only to new developments and if someone were to improve their property would that apply to them.

Engineering Director Sandoval stated that the ordinance would apply only if it was a substantial rehabilitation of the project and the landscaping was associated with the substantial rehabilitation.

Council Member Sandoval inquired about whether sprinklers would have check valves.

Associate Engineer Scribner stated that every system would have a check valve.

Council Member Sandoval stated that Bermuda grass would need more water and asked how would that save water because Bermuda was a warm season grass.

Engineering Director Sandoval stated that in discussions with the landscape architect that was developing the Arboretum project for Lewis Development that with the ordinance requirements he could still get a good product. Mr. Sandoval stated that with respect to turf that was really a high usage plant. In general, if you have a standard residential home, the home would probably be restricted to 25% of the landscaped area turfed. Typically, it would need to be irrigated with an underground drip system or higher efficiency heads.

Council Member Sandoval inquired whether residents would be restricted from planting a hydra Bermuda lawn because it does take a lot of water.

Engineering Director Sandoval stated that existing homeowners would not have to comply with the requirement.

Discussion ensued regarding the use of hydra Bermuda grass and how much water was needed.

Council Member Sandoval inquired about the use of recycled water and mentioned that the Governor's restrictions concerning the drought were temporary.

Engineering Director Sandoval stated that the Governor's restrictions were temporary but the water efficiency requirements would be permanent and possibly become even more stringent in the future.

Engineering Director Sandoval stated that if a homeowner bought a new home that the front landscaping would need to comply but the back yard did not fall within the purview of the ordinance.

Council Member Sandoval stated that turf was very different from plants and was concerned that residents may think that they had choices and one of the choices was Bermuda grass.

Engineering Director Sandoval stated that the ordinance discouraged high water use plants.

Council Member Sandoval stated that the use of recycled water was the new trend and we are making restrictions on the use of potable water.

Engineering Director Sandoval stated that the ordinance does have language that encouraged the use of reclaimed water and gray water.

Discussed ensued regarding reclaimed water and gray water.

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 by a vote of 4-1 to approve Public Hearing Item "PH-A" (AYES: Warren, Tahan, Roberts and Salazar-Wibert; NOES: Sandoval) as follows:

1. Determine that the project is Exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act and direct staff to file a Notice of Exemption.
2. Introduce and waive further reading of **Ordinance No. 1734** an Ordinance of the City Council amending Article IV of Chapter 28 of the Fontana Municipal Code Regarding Landscaping and Water Conservation, and move that the reading of the title constitutes the first reading thereof.

## **NEW BUSINESS:**

### **A. Adopt an Ordinance Establishing New Speed Reduction (Speed Limit) Zones**

Engineering Manager Noel Castillo provided the staff report.

Council Member Salazar-Wibert inquired about how increased speed limits were determined.

Engineering Manager Castillo stated that the free flow speed was measured by surveying 100 cars. The theory was that the 85th car's speed was determined to be the highest speed that most drivers would adhere to.

Council Member Salazar-Wibert inquired about the speed limit increase on



Summit Avenue between Cherry Avenue and Beech Avenue, which had been increased from 40 miles to 50 miles an hour.

Engineering Manager Castillo stated that the 85th percentile was set and the numbers that were presented had been reduced to as much as allowed.

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

Waive further reading of and introduce **Ordinance No. 1735**, establishing new speed reduction (speed limit) zones within the City of Fontana, and that the reading of the title constitutes the first reading thereof.

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

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

There were no Elected Officials Communications received from City Clerk Lewis or City Treasurer Koehler-Brooks

Council Member Roberts requested that the City Council Meeting adjourn in memory of City of San Bernardino Police Officer Bryce Hanes, who was killed in an auto accident and San Bernardino County Assistant Fire Chief Tim Septon, who recently passed.

Council Member Roberts stated that he had been asked to approach the City Council to consider monument signs to be erected at Fire Station 78 in honor of Fire Chief R. J. King and Fire Station 73 in honor of Captains Robert Green and Dennis Cunningham. Council Member Roberts asked that the item be agendaized.

Council Member Sandoval thanked the Community Services and Public Works staff for the Trunk or Treat events that were held at the various community centers.

Council Member Sandoval reminded everyone that Veterans Day was on Wednesday, November 11, 2015, which was a day to honor all veterans.

Council Member Sandoval announced that American Legion Post 262 needed a new roof, and great steak dinners were served and breakfast was served on Sundays, and encouraged everyone to stop by any time during the week.

Council Member Sandoval announced a Veterans Day ceremony to be held at the Rose Garden starting at 11:00 a.m.

Council Member Sandoval wished a happy birthday to the Marine Corps, and a happy birthday to Mr. David Nunez, who will be stationed in Washington, D.C.

Council Member Sandoval announced that prayers were being offered for his daughter, Theresa, and added that everything would be well.

There were no Elected Officials Communications received from Mayor Pro Tem Tahan.

Council Member Salazar-Wibert gave a shout out to Vietnam veteran Ray Medina and the golf game that was held at Sierra Lakes.

Council Member Salazar-Wibert announced that she had attended the Advisory Board meeting at the Senior Center and thanked the seniors for all that they do.

Council Member Salazar-Wibert asked to be notified of memorials that were held at the Senior Center, as she would like to attend.

Council Member Salazar-Wibert announced that she had attended the Fontana Unified School District Board Meeting to kick off the Fontana Santas, and thanked the School Board for recognizing the Safe Routes to School.

Council Member Salazar-Wibert thanked the Rotary, Exchange, Lions and Kiwanis Clubs who help and participate in the Fontana Santas.

Council Member Salazar-Wibert announced that she had attended the Veterans Day event at Poplar Elementary and thanked Cathy Baucus, who had done a great job.

Council Member Salazar-Wibert announced that the Southridge Community Meeting had been well attended and thanked the Police Department for their assistance.

Council Member Salazar-Wibert asked City Manager Hunt whether another yard sale was going to be held because there had been a lot of wind.

City Manager Hunt stated that if someone wanted to have a yard sale that a form was available in the City Clerk's Office and he would review and approve them the requests.

Council Member Salazar-Wibert sent well wishes to Mr. Don McFadden and that he return to the Senior Center soon.

Council Member Salazar-Wibert announced that in honor of our Veterans that discounts would be provided on Veterans Day at Applebee's, IHOP, and

Denny's Restaurants. Mrs. Salazar-Wibert added that Knott's Berry Farm offered one free admission with one guest to veterans

Council Member Salazar-Wibert announced a Veterans Day ceremony to be held at the Rose Garden at 11:00 a.m. and a free lunch to be provided by Posts 262 and 772 following the ceremony.

Council Member Salazar-Wibert thanked Code Enforcement, the Police Department and School Police for addressing problems in the apartments, which was appreciated.

Council Member Salazar-Wibert stated that she was a Blue Star mother and was very proud of the veterans in her family and stood by all the Blue Star mothers, who also had veterans in their families.

Council Member Salazar-Wibert announced that her husband, David, was a Vietnam veteran.

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

Mayor Warren announced that she had attended the National League of Cities and Vice President Biden highlighted the event and had attended the event.

Mayor Warren announced that she had the opportunity to be on the Mayor's Challenge conference call to end veterans homelessness. The federal government and state government will be working close together along with our counties and the various mayors that had done the challenge to make sure that there are ample funds, but more importantly, to get the word out. Mayor Warren announced that she would be working with Mr. Danny Marquez and other Mayors to accept the challenge to veterans homelessness.

Mayor Warren thanked the Church of Latter Day Saints, Calvary Chapel-Summit, and the Rotary Club for their assistance in addressing the roofing problem at Post 262. Mayor Warren announced that she would like to hear from the all the other service clubs to step up and assist. Mayor Warren gave special thanks to Home Depot for providing roofing supplies.

Mayor Warren announced the Fire Department's Sparks of Love program for the upcoming holidays.

Mayor Warren announced that she had talked with various students that had projects in their schools and the students had asked questions about government. Mayor Warren stated that the students all seemed to want to get involved in how government worked.

Mayor Warren announced that the City Council meeting would be adjourning to a Joint City Council and Parks Commission Workshop to be held on Thursday, November 19, 2015 and in memory of San Bernardino Police Officer Bryce Hanes and San Bernardino County Assistant Fire Chief Tim Septon.

## **CITY MANAGER COMMUNICATIONS:**

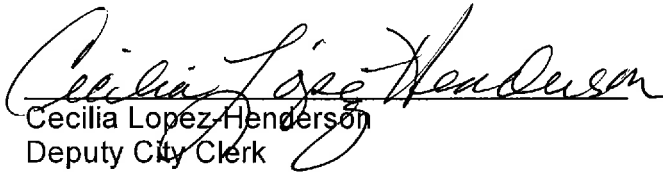
### **A. City Manager Communications**

There were no City Manager Communications received.


## **ADJOURNMENT:**

A moment of silence was held for City of San Bernardino Police Officer Bryce Hanes, who was killed in an auto accident and San Bernardino County Assistant Fire Chief Tim Septon, who recently passed.

The City Council Meeting adjourned at 8:12 p.m. in memory of City of San Bernardino Police Officer Bryce Hanes and San Bernardino County Assistant Fire Chief Tim Septon and to the Joint City Council and Parks and Community Services Commission Workshop to be held on Thursday, November 19, 2015, at 6:00 p.m. in the City Hall Development Services Building-Development Advisory Board (DAB) Conference Room, located at 8353 Sierra Avenue, Fontana, California; and then to the next Regular City Council Meeting on Tuesday, November 24, 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 24TH DAY OF NOVEMBER, 2015.**

  
Tonia Lewis  
City Clerk