

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
January 12, 2016**

WORKSHOP:

A. 5:30 P.M. WORKSHOP

A Workshop Meeting of the Fontana City Council was held on Tuesday, January 12, 2016 in Fontana City Hall Executive Conference Room at 8353 Sierra Avenue, Fontana, California. The workshop was called to order by Mayor Pro Tem Salazar-Wibert at 5:32 p.m. with Council Members Roberts, Tahan and Sandoval present; Mayor Warren arrived at 5:33 p.m.

A training session was held in the Council Chambers on the upgraded Novus Voting Module. The Fontana City Council Regular Meeting Agenda was reviewed and City Manager Comments were heard.

CLOSED SESSION:

A. 6:00 P.M. CLOSED SESSION

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

PUBLIC COMMUNICATIONS:

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

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, January 12, 2016 in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:07 p.m.

ROLL CALL:

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

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation given by Mayor Warren, the Pledge of Allegiance was led by Mayor Pro Tem Salazar-Wibert.

CLOSED SESSION ANNOUNCEMENT:

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

SPECIAL PRESENTATIONS:

A. Special Recognition of Jordon Wilson of Summit High School , Anyssa Moreno-Baca of Jurupa Hills High School and Alexis Ruiz of A.B. Miller High School

Mayor Warren and the City Council honored Jordon Wilson of Summit High School, Anyssa Moreno-Baca of Jurupa Hills High School and Alexis Ruiz of A.B. Miller High School for playing in the Inland Valley All-star Volleyball Classic. Mr. Brian Arrington, Coach John Romagnoli and Mr. Wilson, Ms. Moreno-baca, and Ms. Ruiz were present to accept.

PUBLIC COMMUNICATIONS:

A. Public Communications

Fontana Chamber of Commerce President Idilio Sanchez introduced new Executive Director Karen Ayers of the Fontana Chamber of Commerce.

Ms. Claudine Normine and Fontana Middle School Travel Club students invited the Mayor and the City Council to a fund raiser to be held on Thursday, February 11, 2016, 6:30 p.m., at McDonald's Restaurant at Foothill Boulevard and Citrus Avenue in Fontana.. Ms. Normine stated that the event would help raise funds for the Travel Club to visit Washington, D.C., New York City and Boston in March 2016.

Ms. Lisa Blacksher, field representative for Assemblymember Cheryl Brown, announced a Public Hearing on Women of Color in Business to be held on Friday, January 22, 2016, 10:00 a.m. in the Fontana Council Chambers Ms. Blacksher stated that the purpose of the hearing was to create a pipeline to corporate America and entrepreneurship for young women of color of California. Some of the featured guests are executive administrators from Webb Family Enterprises, Boeing, Lyft, Wells Fargo, AT&T and Starbucks, and many other featured guests.

Mr. Danny Marquez, Veterans Partnering with Communities, spoke on veterans issues and programs and the many services that the resource center provided to veterans and their families. Mr. Marquez announced a Health and Wellness Event to be held on April 11 and a veterans and family event to be held on June 19 at Jurupa Park. More details to be provided.

Mr. Cruz Medina, Fontana resident, spoke on tumbweeds on Walnut Avenue between San Sevaine Road and Cherry Avenue that had become a fire hazard and had scratched his vehicle. Mr. Medina added that he had complained about the problem for the last six years; Mayor Warren referred Mr. Medina to Police Captain Ramsey for follow up.

Ms. Kathy Ponce, Fontana resident, talked about the Westgate Specific Plan that was discussed at the December 8, 2015 City Council Meeting. Ms. Ponce thanked the Mayor and the City Council for listening to the residents and special thanks was given to Council Member Tahan, who had reached out to the opposition and talked about what could be done better. Ms. Ponce added that the applicant has had a lot of time to reach out to the community and had waited until the end. Ms. Ponce asked that the project not exceed 90 days and that the applicant come back to the Planning Commission within a 90 day timeframe.

Bishop Emory James, Ephesians New Testament Church, announced the 15th Annual Dr. Martin Luther King "Celebration of Jazz" to be held on Friday, January 15, 2016, 7:30 p.m. at the Steelworkers Auditorium, featuring The Jeanette Harris Band, Smooth Jazz Guitarist, Ray Fuller and Special guest Makeda Francisco. Ticket information could be obtained by calling (909) 823-2310 or online at www.EphesiansChurch.com. Bishop James also announced the annual King Worship service to be held on Saturday, January 16, 2016, 3:00 p.m. at Mountain View Community Church, 8833 Palmetto Avenue in Fontana, with guest speaker Rev. Samuel Casey of C.O.P.E. The service would also feature the Fontana Community Choir and soloist Ms. April Cooper.

CONSENT CALENDAR:

ACTION: Motion was made by Council Member Sandoval, seconded by Mayor Pro Tem Salazar-Wibert, and passed unanimously by a vote of 5-0 to approve Consent Calendar Items "CC-A through "CC-F" with corrections to the minutes as noted below (AYES: Warren, Salazar-Wibert, Roberts, Tahan and Sandoval; NOES: Sandoval on "CC-B") as follows:

A. Approval of Minutes

Approve the Minutes of the December 8, 2015 Regular City Council Meeting.

Upon further research, the December 8, 2015 minutes were corrected to read for Public Hearing Item PH-C (Fire Hazard Overlay District) as follows:

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

B. Adoption of Ordinance No.1736

Second Reading/ Adopt **Ordinance No. 1736**, an Ordinance of the City of Fontana approving Zone Change No. 14-010, a zone change to the Zoning District Map to change approximately 25.4 adjusted gross acres of property (APNs: 0226-191-21, -22 - 23 and -24) from Residential Planned Community (R-PC) to Single-Family Residential (R-1), located on the northwest corner of Curtis Avenue and Citrus Avenue.

C. Adoption of Ordinance No.1737

Second Reading/ Adopt **Ordinance No. 1737**, an ordinance to approve Zoning Code Amendment (ZCA) No. 14-015 to amend Chapter 30, Article IX (Overlay Districts), Division 11 of the Municipal Code, establishing regulations governing new residential developments within the proposed Fire Hazard Overlay District and add the new overlay district to the Zoning Map.

D. Lease Agreement for Storage Units

Approve and authorize the City Manager to enter into a single source lease agreement with Orange Way Properties for storage space for a period of one (1) year and renewable for an additional four (4) one-year increments at the City's sole discretion.

E. Resolution Adopting Part-Time Salary Table

Adopt **Resolution No. 2016-001**, approving the Part-Time Salary Table due to Minimum Wage Increase.

F. Preannexation Agreement No. 15-003 - a 214,300 sq. ft. high cube warehouse located at 9988 Redwood Avenue in the Unincorporated Sphere of Influence

1. Find that the project is exempt from further environmental review pursuant to Section No. 15268(b) (4) (Ministerial Project, Utility Connection) of the California Environmental Quality Act (2013) Guidelines, and direct staff to file a Notice of Exemption;
2. Approve and authorize the City Manager to execute a Preannexation Agreement (No. 15-003) for the provision of sewer service to an approximately 214,300 square-foot high-cube warehouse distribution facility located on Redwood Avenue, north of Valley Boulevard and south of San Bernardino Avenue in Fontana's unincorporated Western Sphere of Influence.

PUBLIC HEARINGS:

A. Public Hearing on Formation of Community Facilities District No. 74B (Citrus/Summit)

Mayor Warren opened Public Hearing Item PH-A.

Management Services Director Lisa Strong provided the staff report.

There were no public communications received.

The public hearing was closed.

ACTION: Motion was made by Council Member Tahan, seconded by Council Member Roberts, and passed unanimously by a vote of 5-0 to approve Public Hearing Item PH-A-1, PH-A-2 and PH-A-3 (AYES: Warren, Salazar-Wibert, Roberts, Tahan, and Sandoval; NOES: None) as follows:

1. Adopt **Resolution No. 2016-002** of the City Council of the City of Fontana of formation

of the City of Fontana Community Facilities District No. 74B (Citrus/Summit), authorizing the levy of a special tax within the community facilities district and establishing an appropriations limit for the community facilities district.

2. Adopt **Resolution No. 2016-003** of the City Council of the City of Fontana deeming it necessary to incur bonded indebtedness within the City of Fontana Community Facilities District No. 74B (Citrus/Summit).

3. Adopt **Resolution No. 2016-004** of the City Council of the City of Fontana calling special election for City of Fontana Community Facilities District No. 74B (Citrus/Summit).

Mayor Warren called for the City Clerk to open the ballot and announce the results of the election. City Clerk Lewis opened the ballot and announced that the results of the election were affirmative.

ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Roberts, and passed unanimously by a vote of 5-0 to approve Public Hearing Item PH-A-4, PH-A-5 and PH-A-6 (AYES: Warren, Salazar-Wibert, Roberts, Tahan, and Sandoval; NOES: None) as follows:

4. Adopt **Resolution No. 2016-005** of the City Council of the City of Fontana declaring results of special election and directing the recording of notice of special tax lien.

5. Waive further reading of and introduce **Ordinance No. 1738** levying special taxes within the City of Fontana Community Facilities District No. 74B (Citrus/Summit); and that the reading of the title constitutes the first reading thereof.

6. Adopt **Resolution No. 2016-006** of the City Council of the City of Fontana authorizing the execution and delivery of a Letter of Credit and Funding Agreement.

B. Fiscal Year 2014-2015 Action Plan - Substantial Amendment #4

Mayor Warren opened Public Hearing Item PH-B.

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

Mayor Pro Tem Salazar-Wibert inquired about whether any left over funds would roll over.

Deputy City Manager Edgar stated that it was a fiscal year budget and the funds were available to be used next year.

Council Member Sandoval inquired about improvements for Jack Bulik Park and to look at funding a challenge field for our disabled residents.

Council Member Tahan inquired about the home buyer assistance program and noticed that not all the monies were used.

Mr. Edgar stated that the City of Fontana has historically had a program to offer its residents, and when redevelopment went away so did the program. However, the CDBG

(Community Development Block Grant) was then used and the funds were very restrictive, even more so than redevelopment funds.

Discussion ensued regarding CDBG funding.

There were no public communications received.

The public hearing was closed.

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

1. Conduct a Public Hearing; and
2. Adopt Substantial Amendment #4 to the 2014-2015 Action Plan; and
3. Authorize the City Manager to execute any documents necessary to effectuate said approvals.

C. Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing - Marygold Gardens Apartments

Mayor Warren opened Public Hearing Item PH-C.

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

Council Member Tahan clarified that the City was not liable for this funding.

Mr. Edgar stated that was correct.

There were no public communications received.

The public hearing was closed.

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

Conduct a TEFRA hearing and adopt **Resolution No. 2016-007** approving the Issuance of Notes by the California Statewide Communities Development Authority for Intercontinental Affordable Housing, Inc. in conjunction with the Marygold Gardens Apartments.

D. Medical Cannabis Regulation - Amend Section 30-7

Mayor Warren opened Public Hearing Item PH-D.

Police Chief Rod Jones provided the staff report.

There were no public communications received.

The public hearing was closed.

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

1. Find that the proposed regulation is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly and pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), exempt from the requirements of California Environmental Quality Act in that the regulation is covered by the general rule that California Environmental Quality Act applies only to projects which have the potential for causing a significant effect on the environment.

2. Waive further reading of and introduce **Ordinance No. 1739**, amending Section 30-7 of the Fontana Municipal Code prohibiting cannabis dispensaries, cannabis manufacturers, cultivation, and delivery of cannabis in the City; and, that the reading of the title constitutes the first reading thereof.

E. General Plan Amendment No. 15-004, Zone Change No. 15-008, Tentative Parcel Map No. 19672, and Design Review No. 15-012 for 69 Family Apartments Located Approximately 150 Feet South of the Intersection of Olive Street and Fontlee Street

Mayor Warren opened Public Hearing Item PH-E.

Planning Manager Zai Abubakar and Associate Planner DiTanyon Johnson provided the staff report.

There no other public communications received.

The public hearing was closed.

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

1. Find that the project will not have significant effect on the environment, adopt the Mitigated Negative Declaration, Mitigation Monitoring Program and direct staff to file a Notice of Determination pursuant to the California Environmental Quality Act.

2. Adopt **Resolution No. 2016-008**, a resolution of the City Council of the City of Fontana, California, approving General Plan Amendment No. 15-004, amending the General Plan Land Use Map to change the General Plan land use designation on

approximately 4.4 adjusted gross acres (APN: 0193-234-06 and -14) from General Commercial (C-G) to Multi-Family Residential (R-MF), located approximately 150 feet south of the intersection of Olive Street and Fontlee Street, with frontage on Olive Street.

F. Master Case No. 14-043 - Zone Change No. 14-007 and Tentative Tract Map No. 14-005 (TTM No. 18987) - A Zone Change Request from R-3 to R-2 and a Subdivision of Approximately 19.8 Acres into 102 Single-Family Residential Lots - SEC of Sierra Lakes Parkway and San Sevaine Road

Mayor Warren opened Public Hearing Item PH-F.

Planning Manager Zai Abubakar and Senior Planner Orlando Hernandez provided the staff report.

Staff noted an email was received from Mr Keith Clements dated January 12, 2016 in support.

There were no other public communications received.

The public hearing was closed.

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

1. Find that the project will not have a significant effect on the environment, adopt the Mitigated Negative Declaration, Mitigation Monitoring Program and direct staff to file a Notice of Determination pursuant to the California Environmental Quality Act.

2. Waive further reading of and introduce **Ordinance No. 1741**, an Ordinance of the City of Fontana approving Zone Change No. 14-007, a zone change to the Zoning District Map to change approximately 19.8 adjusted gross acres of property (APNs: 1108-022-09, -10 and -11) from Multi-Family Residential (R-3) to Medium Density Residential (R-2), located on the southeast corner of Sierra Lakes Parkway and San Sevaine Road; and, that the reading of the title constitutes the first reading thereof; and, 3. Approve Tentative Tract Map No. 14-005 (TTM No. 18987), subject to the attached findings and conditions of approval.

Council Member Tahan thanked the developer for working with the City and appreciated that the lot size was changed.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Discussion and Possible Action to Create an Ad Hoc Committee for the Westgate Specific Plan

Mayor Warren stated that the item to be discussed was the possible action to create an Ad Hoc Committee for the Westgate Specific Plan.

Discussion ensued regarding the Westgate Specific Plan Ad Hoc Committee Members which are as follows:

- Council Member Tahan
- Council Member Sandoval
- Mr. Phil Cothran
- Mr. Peter Garcia
- Ms. Kathy Ponce
- Mr. Eddie McCloud
- Ms. Sandra Gray
- Mr. Mark Nuaimi

Discussion ensued regarding the length of time for the ad hoc committee. Mayor Warren stated that she had discussed the length of time with Council Member Tahan and that it would be 60 days.

Mr. Eddie McCloud, Fontana resident, thanked the Mayor and the City Council for selecting him for the ad hoc committee. Mr. McCloud stated that some serious changes would be discussed for making the community better.

Council Member Roberts thanked Mr. McCloud for his comments.

Mayor Warren thanked everyone for being involved in the community and that we will see a great plan.

ACTION: Motion was made by Council Member Tahan, seconded by Council Member Roberts, and passed unanimously by a vote of 5-0, to accept the Westgate Specific Plan Ad Hoc Committee Members and the 60 day timeframe (AYES: Warren, Salazar-Wibert, Roberts, Tahan and Sandoval; NOES: None).

B. Elected Officials Communications/Committee Reports

Mayor Pro Tem Salazar-Wibert thanked the Water of Life Church for hosting an event for the San Bernardino shooting victims.

Mayor Pro Tem Salazar-Wibert stated that the Christmas parade and Festival of Winter had been great.

Mayor Pro Tem Salazar-Wibert thanked the Lions Club for putting together a great toy drive.

Mayor Pro Tem Salazar-Wibert announced that she had attended the Junior FLIP graduation (Fontana Leadership Intervention Program) at Fontana Middle School and the graduation had been great.

Mayor Pro Tem Salazar-Wibert announced that she had attended the Pop Warner Football awards ceremony at Jesse Turner Center and the Police Department Bike Giveaway at the Senior Center.

Mayor Pro Tem Salazar-Wibert gave a shout out to the Fontana Police Department,

Fontana Fire Department and school police for having served the community's children during the Christmas toy drive.

Mayor Pro Tem Salazar-Wibert announced that she had seen her son, Frank, who was on leave from Fort Benning, Georgia.

Mayor Pro Tem Salazar-Wibert gave a shout out to Congresswoman Norma Torres who had recognized one of the dispatchers who was involved in the San Bernardino shooting.

Mayor Pro Tem Salazar-Wibert sent condolences to the Ortega Family in the passing of Samantha Ortega and condolences to the Redondo Family for the passing of Baby Brandon James Redondo.

Council Member Roberts thanked former San Bernardino County employees for stepping up to fill in for the employees in the disaster that had occurred at the Inland Regional Center. Mr. Roberts added that it was so difficult comprehending losing coworkers, and that many agencies, such as Riverside County, city, state and other counties volunteered to deal with the Public Health Department and many retirees stepped up.

Council Member Roberts stated that San Bernardino County Supervisors that represented Fontana had done an amazing job and wanted to let them know how proud he was of them.

Council Member Roberts announced that his son, John, Jr., had graduated from the Sheriff's Academy.

Council Member Tahan noted the tragic event of the terrorist act that had occurred in San Bernardino and the leadership at the San Bernardino County level and that they all came together in this difficult time—Stay Strong in San Bernardino.

Council Member Tahan stated that there were projects coming and developments moving forward and with opportunities came challenges. Mr. Tahan stated if there were disagreements that everyone still needed to work with one another.

Council Member Sandoval inquired about the next General Plan update and how it was going and what direction it was going.

City Manager Hunt stated that staff would provide the information.

Council Member Sandoval welcomed his new grandson, Sebastian Luna, who was born premature but was now home with his mother.

Mayor Warren referred to the Fontana Activities Brochure and that Fontana Forward was on the front cover.

Mayor Warren thanked the staff for the upgraded technology and voting system in the Council Chambers.

Mayor Warren announced that she had the honor of attending several events that were

raising funds for the victims of the San Bernardino shooting.

Mayor Warren announced that she had attended a fund raiser at the Orange Show in San Bernardino and that every dime that went to the United Way would go to the San Bernardino shooting victims and their families and to assist the employees, as well.

Mayor Warren announced that she had attended a fund raiser at Hangar 24 and \$150,000 was raised and thanked Ben at Hangar 24 for the event.

Mayor Warren stated that at Citizens Arena all the County employees come together and that our County Supervisors were there to support the employees and that the event had been great.

Mayor Warren announced that Water of Life Pastor Dan Carroll had done a great job bringing everyone together and that the first responders had done a great job assisting in the shooting that had occurred in San Bernardino.

Mayor Warren announced that information could be obtained on line regarding the State of the City Address to be held on Thursday, January 28, 2016.

Mayor Warren stated that each and every speaker that addressed the City Council would be respected.

Mayor Warren stated that everyone was not always going to agree. In Fontana, the community has been made great because everyone was willing to listen to each other and that everyone cared for the City.

Mayor Warren reminded everyone about the Martin Luther King celebration.

Mayor Warren announced that the City Council meeting would adjourn in memory of Ms. Samantha Ortega and Baby Brandon James Redondo.

City Treasurer Janet Koehler-Brooks referred everyone to the Fontana activities booklet for events for Special Needs of all ages in the community.

City Treasurer Koehler-Brooks wished a happy belated birthday to her son, Mr. Evan Brooks.

City Clerk Tonia Lewis announced that she had participated in the grand opening of Baja Restaurant on Locust Avenue and Arrow Boulevard in Fontana.

City Clerk Lewis referred to the big kick off to be held at McDonald's Restaurant to help raise funds for the Fontana Middle School Travel Club.

City Clerk Lewis mentioned her grandson, Sean Thomas, who had participated in the Rose Parade Honor Band and has been selected to be in the San Bernardino County Honor Band.

City Clerk Lewis welcomed Baby Sebastian Luna and was glad that he was now home.

City Clerk Lewis announced that the Fire Museum had an antique truck and invited everyone to come and enjoy the new display. Ms. Lewis added that the Fire Museum was open Saturdays, between 10:00 a.m. and 2:00 p.m., and is located in the Fire Station on Arrow Boulevard in Fontana.

City Clerk Lewis wished everyone a happy New Year.

CITY MANAGER COMMUNICATIONS:

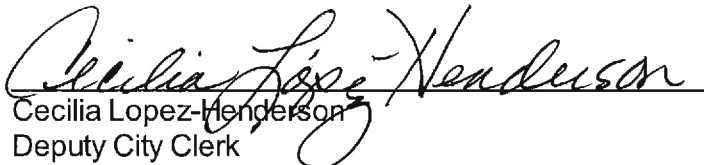
A. City Manager Communications

There were no City Manager Communications received.

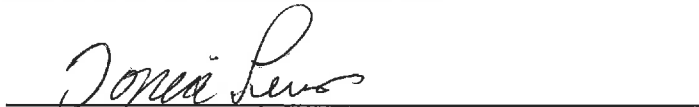
ADJOURNMENT:

A moment of silence was held for Ms. Samantha Ortega, age 22, and Baby Brandon James Redondo, of the Fontana community.

The City Council Meeting adjourned at 8:50 p.m. in memory of Ms. Samantha Ortega and Baby Brandon James Redondo to the next Regular City Council Meeting to be held on Tuesday, January 26, 2016, 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 26TH DAY OF JANUARY, 2016.


Tonia Lewis
City Clerk