

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR CITY COUNCIL MEETING  
March 8, 2016**

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**WORKSHOP:**

**A. 5:30 P.M. Joint City Council and Planning Commission Workshop**

A Joint City Council and Planning Commission Workshop of the Fontana City Council was held on Tuesday, March 8, 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 5:31 p.m. with Council Members Roberts, Tahan and Sandoval present; Mayor Warren arrived at 5:36 p.m.

Planning Commissioners Garcia, Meyer and Quiroga were present; Commissioner Rowland was absent; former Planning Commission Chair Cothran arrived at 5:40 p.m.

Community Development Director James Troyer and Consultant Larisa Brown provided an update on the General Plan. The Fontana City Council Regular Meeting Agenda was reviewed and City Manager Comments were heard. City Manager Hunt announced that Closed Session Item No. 2 had been pulled.

**PUBLIC COMMUNICATION:**

Mr. Gary Gileno summarized his concerns about other cities updating their general plan every 20-30 years and Fontana's last update to its general plan was in 2003. The only item that was required to be updated was the housing element, which was required every eight years. He added that the City was paying consultant Stantec \$2.0 million to update its general plan.

Ms. Tressy Capps, Fontana resident, summarized her concerns regarding the General Plan update process and General Plan consultant Larissa Brown, who is based in Cambridge, and had brought her ideas of sustainability to Fontana and the use of bicycles in the community. Ms. Capps noted that higher densities would necessitate the use of bicycles and that Fontana was not Cambridge. She added that there were several General Plan Advisory Committee (GPAC) members who had not attended: Dr. Shannon had not attended any GPAC meeting; and Ms. Jackie Aboud and Mr. Carlos Bravo had attended one GPAC meeting. She noted that to have developers, Mr. Lewis and Mr. King, on the GPAC appeared to be a conflict of interest. There also appeared to be a huge disconnect between what Stantec was saying and what the people wanted. She asked that Fontana's way of life be respected and asked how would Cambridge like it if it was changed to Fontana.

## **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 Salazar-Wibert and Council Members Roberts, Tahan and Sandoval present.

#### **PUBLIC COMMUNICATION:**

There were no Public Communications received on the following item (Closed Session Item No. 2 was pulled):

CONFERENCE WITH REAL PROPERTY NEGOTIATOR – PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Properties: APN #0251-042-03, #0251-042-04, #0251-042-05 & #0251-042-06.

Negotiating Parties: City of Fontana and Yazdani Properties LLC.

Negotiator: David R. Edgar, Deputy City Manager

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Properties: Located at the northeast and northwest corners of Foothill Boulevard and Beech Avenue:

15294 Foothill Boulevard – APN 1110-161-14; Owner: San Gabriel Water Company

15332 Foothill Boulevard & 8026 Sultana Avenue – APN 1110-161-25, 26; Owner: Donald & Poknae Jones

15320 Foothill Boulevard - APN 1110-161-28; Owner: Shan & Sanne Lee

Negotiator: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

## **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, March 8, 2016 in the Grover W. Taylor Council Chambers, 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 Salazar-Wibert, Council Members Roberts, Tahan and Sandoval.

Absent: None.

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

Following the Invocation by RC3 (Redeemed, Revived, Restored) Church Pastor Troy Johnson, the Pledge of Allegiance was led by Council Member Roberts.

#### **CLOSED SESSION ANNOUNCEMENT:**

City Attorney Jeff Ballinger announced that Closed Session Item No. 2 had been pulled and there was no reportable action on Closed Session Item No. 1.

## **SPECIAL PRESENTATIONS:**

### **A. Police Department Swearing-In Ceremony**

Mayor Warren and the City Council swore in new Fontana Police Officers Justin Summers and Juan Gonzalez. Interim Police Chief Robert Ramsey introduced Officers Summers and Gonzalez and their families.

## **PUBLIC COMMUNICATIONS:**

### **A. Public Communications**

Fontana Chamber of Commerce Executive Director Karen Ayers announced upcoming events as follows: Ribbon Cutting Ceremony for Empower Success Now to be held on Wednesday, March 9, 2016, 11:00 a.m.; Grand Opening of MOD Pizza to be held on Saturday, March 12, 2016, at Sierra Lakes Parkway, 12 noon; Ribbon Cutting at Goodwill of Southern California to be held on Friday, March 18, 2016, 8:45 a.m.; and kick off at Auto Club Speedway to be held on Thursday, March 17, 2016 and added that free tickets were available and were needed to get in.

Ms. Tressy Capps, Fontana resident, talked about the 5:30 p.m. workshop on the General Plan update and referred to Stantec, planning consultant who was from out of state. She added that she had applied to be on the General Plan Advisory Committee (GPAC) and she and Mr. Matt Slowik had not been selected. Ms. Capps mentioned that three GPAC members had not attended the meetings: Chaffey College Administrator Dr. Shannon had not shown up; and Ms. Jackie Aboud and Mr. Carlos Rodriguez had attended only one meeting. She added that the community needed to be involved and the planners were coming from Cambridge and were instilling their vision on the community. There was a disconnect in what those people were preaching and what residents were thinking. Ms. Capps announced that the next General Plan meeting about sustainability would be held on Thursday, March 10, 2016, and that the meeting was really about rationing.

Mr. Gary Gileno referred to Googling Mayor Warren's name on the internet and her photo showed her as a Republican and nothing that the Mayor had done showed that she was a Republican. He summarized his concerns about comprehensive land use planning. He stated that this was not mandatory and that the City was voluntarily doing the General Plan update. Mr. Gileno stated that the Mayor had flown to Washington, D.C. on taxpayers money to meet with Democrat First Lady Michelle Obama about the Healthy Fontana program.

Mr. Efrain Paiz, Calvary Chapel-Summit Church, spoke on the many services and resources that were provided by the church.

Ms. Terri Schneider, Fontana Woman's Club, announced the first International Woman's Club meeting and dinner to be held on Monday, March 21, 2016, 5:30 p.m. to 8:00 p.m. Nominations were being accepted and dinner tickets were \$20/ticket. Further information

was available by contacting the Boys and Girls Club at (909) 822-4988.

Ms. Fran Givens, Senior Legislative Representative, spoke on the Pennies from the Heart fundraiser to benefit the Ronald McDonald House.

Ms. Givens reminded everyone to attend a GPAC meeting because it was important for everyone to attend.

## **CONSENT CALENDAR:**

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

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

Approve the Minutes of the January 30, 2016 Adjourned Regular City Council Meeting and the February 23, 2016 Regular City Council Meeting.

### **B. Adoption of Ordinance No.1742**

Second Reading/ Adopt **Ordinance No. 1742**, an ordinance of the City Council of the City of Fontana approving a Specific Plan Amendment to the Fontana Gateway Specific Plan (SPA 14-003).

### **C. Approval of Final Map for Tract No. 18061**

Approval of Final Map for Tract No. 18061 located on the northeast corner of Arrow Boulevard and Laurel Avenue; accept as public all dedicated streets and easements; and authorize the City Manager to execute any and all agreements with the subdivider.

### **D. Adoption of the Amended and Restated Joint Powers Agreement with Omnitrans**

Adopt the Amended and Restated Joint Powers Agreement Between the County of San Bernardino and the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa creating a County wide Transportation Authority to be known as "Omnitrans."

### **E. Amendment to Agreement for Animal Shelter Services**

Approve the proposed First Amendment to Agreement No. 15-002 for Animal Shelter Services with the County of Riverside to include an additional term to address animals surrendered by their owners.

### **F. Federal Transit Administration 5310 Grant Award Acceptance**

1. Approve and accept the Standard Agreement for the Section 5310 Federal Transit Administration Grant Program, providing two Type III 16 passenger buses to be utilized in the Senior Transportation Program.

2. Authorize the City Manager or his designee to sign the agreement and any other documentation to implement the grant, procure vehicles, retrofit vehicles and paint and decal vehicles for identification purposes.

## **NEW BUSINESS:**

### **A. Discussion and Possible Action Concerning Commission Appointments**

Mayor Warren stated that the possible action regarding appointment of Planning Commission and Parks and Community Services Commissioners was to be discussed and the following Commissioners' terms were up:

Parks and Community Services Commission:

Carlos Bravo, Karen Coleman, Luis "Patty" Espinoza and Lourdes Goni.

Planning Commission:

Phil Cothran, Lawrence Meyer and a Vacancy (Janie Rowland's Resignation).

Mayor Warren announced that Planning Commission Chairperson Phil Cothran had resigned; therefore, a total of three appointments on the Planning Commission were to be discussed.

Mayor Warren stated that she always tried to cooperate with her colleagues and each person was to propose their candidate and then that group would be discussed and then confirmed.

Discussion ensued regarding nominations.

Council Member Roberts nominated Fontana Chamber of Commerce President Idilio Sanchez.

Council Member Tahan nominated Mr. Kareem Gongora.

Mayor Warren nominated Mr. Larry Meyer.

Council Member Tahan stated that the Planning Commission was comprised of five members and there were term limits on the Planning Commission. Mr. Tahan stated that he believed the commissioners should all be rotated.

Mayor Warren inquired whether she could appoint a commissioner beyond the term.

City Attorney Ballinger stated that the City Council could decide to go beyond the term limits.

Discussion ensued regarding term limits, rules and procedures, which should be followed.

Council Member Sandoval stated his concerns regarding the application process, application deadline, and candidates who had not submitted applications that were being

considered.

Ms. Tressy Capps, Fontana resident, stated that she has had a lot of respect for the Commissioners who voted against the Westgate Specific Plan. She added that Planning Commissioners were needed that would do the right thing for Fontana.

**ACTION:** Motion was made by Mayor Warren, seconded by Council Member Tahan, and passed by a vote of 4-1 to approve the appointments to the Planning Commission (AYES: Warren, Salazar-Wibert, Roberts, Tahan; NOES: Sandoval ) as follows:

Planning Commission:

Lawrence Meyer, Kareen Gongora and Idilio Sanchez.

Discussion ensued regarding nominations for the Parks and Community Services Commission.

Council Member Roberts nominated Ms. Janie Rowland.

Council Member Tahan nominated Ms. Patty Espinoza.

Mayor Pro Tem Salazar-Wibert nominated Mr. Carlos Bravo.

Council Member Sandoval nominated Ms. Karen Coleman.

By consensus of the City Council, the appointments to the Parks and Community Services Commission were approved by a unanimous vote of 5-0 (AYES: Warren, Salazar-Wibert, Roberts, Tahan and Sandoval; NOES: None) as follows:

Parks and Community Services Commission:

Carlos Bravo, Karen Coleman, Luis "Patty" Espinoza and Janie Rowland.

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

### **A. Appointments to Southern California Association of Governments (SCAG) General Assembly**

Mayor Warren stated that possible action regarding appointing City Delegates for the SCAG Regional Conference and General Assembly scheduled for May 5 – 6, 2016 in La Quinta, California was to be discussed.

Ms. Tressy Capps, Toll Free I.E., stated that SCAG and SANBAG were trying to bring toll roads. She stated that SCAG Executive Director Hasan Ikhata had kicked her out of a SCAG meeting that she had attended last year. She added that she would be attending the SCAG meeting and that Mr. Ikhata better not kick her out because she would sue him or the hotel.

Mr. Gary Gileno summarized his concerns regarding the appointment of the voting delegates to the SCAG General Assembly Voting Board. Mr. Gileno inquired how many people knew about SCAG.

Discussed ensued regarding appointing the City delegates.

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

Mayor Warren was appointed as the primary City delegate and Council Member Sandoval was appointed as the alternate City delegate to attend the SCAG Regional Conference and General Assembly scheduled for May 5 – 6, 2016 in La Quinta, California.

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

City Treasurer Koehler-Brooks congratulated Fire Chief Jon McLinn on his retirement.

City Treasurer Koehler-Brooks congratulated all the Commissioners on their appointments.

City Clerk Tonia Lewis wished everyone a good night.

Council Member Roberts congratulated Fire Chief Jon McLinn on his retirement. He added that Chief McLinn had been an outstanding fire fighter in the County and had done a great job. Mr. Roberts stated that Chief McLinn was very quiet and unassuming but he got the job done and wished him good luck on his replacement.

Council Member Roberts requested that the City Council meeting adjourn in memory of Mr. Jay Christie, a veteran, who had recently passed.

Council Member Roberts reminded everyone of the grand opening of Fire Station 73 at Foothill Boulevard and Banana Avenue to be held on Friday, March 18, 2016, 10:30 a.m. and looked forward to it.

Council Member Sandoval stated that March 21 was to recognize women in Fontana and that the community had numerous women who had been on the City Council or had participated in the community. He added that there was still time to submit nominations.

Mayor Pro Tem Salazar-Wibert congratulated the Commissioners on their appointments.

Mayor Pro Tem Salazar-Wibert announced that she had attended the first Citizens Academy meeting and hoped to stop by in the future and speak to the citizens.

Mayor Pro Tem Salazar-Wibert announced that she had attended the Black History Parade and had a good time.

Mayor Pro Tem Salazar-Wibert announced that she had attended the opening day at Bill Martin Park, Veterans Park and the Little League Opening Ceremonies.

Mayor Pro Tem Salazar-Wibert congratulated Chief McLinn on his retirement and thanked him for everything that he had brought to the community.

Mayor Pro Tem Salazar-Wibert announced that the car show had been great and was well

attended.

Mayor Pro Tem Salazar-Wibert announced the upcoming fundraiser for Ronald McDonald House Walk for Kids—to collect pennies in a can—each can would hold 750 pennies.

Mayor Pro Tem Salazar-Wibert sent get well wishes to Mr. Henry Echandi and Mr. Francisco Herrera.

Mayor Pro Tem Salazar-Wibert announced that Mr. Alejandro Cano, Fontana Herald News, was doing a story on Francisco and his family and a GoFundMe account had been set up.

Mayor Pro Tem Salazar-Wibert announced that Mr. Jay Christie, a veteran, had recently passed.

Mayor Pro Tem Salazar-Wibert asked that everyone continue to support our troops, their families, police and fire, and everyone who supported the community.

Council Member Tahan spoke on the General Plan Advisory Committee (GPAC) and the importance of everyone sharing their thoughts and added that the City was trying to reach out to everyone.

Council Member Tahan announced the Fan Fest to be held on March 17, 2016 at the Auto Club Speedway and that free tickets were available.

Council Member Tahan spoke on the Westgate Ad Hoc Committee and that two meetings would be held; March 17, 2016 and a final meeting in April 2016. Mr. Tahan stated that the task had not been easy and sometimes emotions ran high. Mr. Tahan reported that the item would be brought back to the City Council for resolution.

Mayor Warren stated that the time limit needed to be discussed because it was previously decided that the meetings would end on March 12, 2016.

Council Member Tahan stated that two more meetings were necessary.

Council Member Sandoval stated that he did not believe in the selection process for Commissioners that was put together. Mr. Sandoval stated that each Council Member was to be given the opportunity to make an appointment. He added that a person should not be considered if they had not submitted an application. Mr. Sandoval stated that a person was being appointed that had gone beyond the term limit.

Mayor Warren stated that the issue had been discussed and input had been provided from the City Council.

City Attorney Ballinger stated that if the City Council wished, there could be a motion to reconsider and the City Council could take the item up for reconsideration. Mr. Ballinger added that the City Council could also direct staff to bring the item back.

Mayor Warren stated that the appointments had been made and Council Member



Sandoval had not made his position known at that time.

City Manager Hunt added that Council Member Sandoval could change his vote from "Aye" to "No". It is noted for the recommended appointments that the motion passed by a vote of 4-1 (Sandoval voted no).

Council Member Sandoval stated that if the City Council was going to make their own appointments, then the ordinance needed to be reviewed because the ordinance stated that the Mayor was the only one that could make appointments.

Council Member Roberts referred to an historical past practice that previous mayors were permitted to nominate but not appoint. Mr. Roberts added that state law now allowed the Mayor to make the appointments.

Council Member Sandoval added that people were being considered for appointments that had not submitted an application.

Discussion ensued regarding the selection process of commissioners.

Mayor Warren stated that each person that was appointed had submitted an application for a commission seat.

Mayor Warren announced that she had attended a great Neighborhood Watch, which had been a real good meeting.

Mayor Warren announced that she had attended the Kaiser Hospital Grantee Awards ceremony and noted some of the programs that had been recognized.

Mayor Warren announced that she had attended a Read Across America-Dr. Seuss program at Dorothy Grant Elementary School.

Mayor Warren announced that it was a wonderful program that was held at the Senior Center for Black History Month.

Mayor Warren announced that the Highway Patrol Program had been really great.

Mayor Warren announced that the kick off for the Boys and Girls Club Golf Tournament had been held. Mayor Warren announced that this year's theme was to be Empire Black and White Ball.

Mayor Warren stated that the seats at the dais were non partisan and that the elected officials were expected to serve everyone and they were expected to do what was right.

Mayor Warren stated that the Healthy Fontana program had been awarded because the program helped the community stay healthy and targeting childhood obesity.

Mayor Warren announced that the City Council meeting would adjourn in memory of Mrs. Veta Finazzo, Mr. Charles McGonigal and Mr. Jay Christie.

## **CITY MANAGER COMMUNICATIONS:**

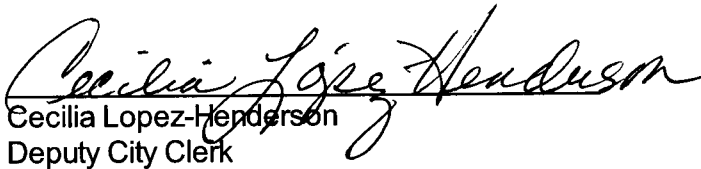
### **A. City Manager Communications**

City Manager Ken Hunt announced that Fire Chief Jon McLinn had decided to retire and go on to other opportunities and had just under 32 years. Mr. Hunt stated that Mr. McLinn had done a marvelous job on the City's Fire Strategic Plan and the City had benefited from his experience and expertise. Mr. Hunt added that everyone wished him well.


## **ADJOURNMENT:**

A moment of silence was held for the following individuals who recently passed: Mr. Jay Christie, a veteran, Mr. Charles McGonigal, and Mrs. Veta Finazzo.

The City Council Meeting adjourned at 8:15 p.m. in memory of Mr. Jay Christie, Mr. Charles McGonigal, and Mrs. Veta Finazzo to the next Regular City Council Meeting to be held on Tuesday, March 22, 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  
22ND DAY OF MARCH 2016.**

  
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Tonia Lewis  
City Clerk