

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
April 26, 2016**

WORKSHOP:

A. 5:30 P.M. ARTIST SHOWCASE

The work of Artist Jerry Owens was presented at 5:30 p.m. in the Grover W. Taylor Council Chamber and Foyer.

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 Closed Session Items:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

PUBLIC EMPLOYMENT APPOINTMENT

Public Employment: Chief of Police

Public Employment: Information Technology Director

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, April 26, 2016 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 Salazar-Wibert, and Council Members Roberts, Tahan and Sandoval.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation by Rainbow Community Praise Center Pastor D.C. Thomas, the Pledge of Allegiance was led by Mayor Pro Tem Salazar-Wibert.

CLOSED SESSION ANNOUNCEMENT:

City Attorney Jeff Ballinger reported there was no reportable action on the Closed Session Items.

PROCLAMATIONS:

A. Older Americans Month

Mayor Warren and the City Council proclaimed May as "Older Americans" Month in the City of Fontana. Parks and Community Services Commissioner Karen Coleman, and Fontana Community Senior Center Advisory Board Chair Kathy Potts were present to accept on behalf of the Senior Center.

B. Child Abuse Prevention Month

Mayor Warren and City Council proclaimed April 2016 as Child Abuse Prevention Month. Janki Naik, Staff Analyst with San Bernardino County Children's Network was present to accept and summarized the importance of using 411 to report child abuse.

C. Blue Ribbon Week

Mayor Warren and the City Council proclaimed the week of May 10, 2016 as Blue Ribbon Week in recognition and support of all Peace Officers and Law Enforcement Agencies. Interim Police Chief Ramsey was present to accept on behalf of the International Footprint Association Inland Empire Chapter 67.

SPECIAL PRESENTATIONS:

A. Artist Recognition

Mayor Warren and the City Council recognized Jerry Owens as the artist in the Artist Showcase. Mr. Owens thanked the Mayor and the City Council for their support of a cultural arts program.

B. Check Presentation from United States Conference of Mayors

Mayor Warren and the City Council accepted a \$120,000 check donation from United States Conference of Mayors to start the Healthy Fontana Kids Program. Ms. Crystal Swann, Representative of the United States Conference of Mayors and Ms. Fredericka McGee, Representative of the American Beverage Association, summarized the City's award winning program "Healthy Kids for a Healthy Fontana", which helps fight childhood obesity. A video was shown instructing children on the benefits of a balanced and healthy diet, which included fresh fruits and vegetables.

C. Check Presentation from West Valley Water District

Mayor Warren and the City Council accepted a rebate check for \$27,448.58 from West Valley Water District Board President Dr. Clifford Young, Vice President Linda Gonzales, and General Manager Thomas Crowley.

D. Police Department February 2016 Employee of the Month

Mayor Warren and the City Council recognized Sergeant Mike Dorsey as the Police Department's February 2016 Employee of the Month. Interim Police Chief Bob Ramsey summarized Sergeant's Dorsey's accomplishments, who was present to accept.

PUBLIC COMMUNICATIONS:

A. Public Communications

Mayor Warren announced that public communications for the fireworks agenda item would be taken under City Manager Communications.

Ms. Cathy Ritchey, Fontana Kiwanis Club, thanked the Mayor and the City Council for their support of the Hen Derby and announced that they had met their goal for two \$500 scholarships and a \$250 scholarship to the continuation schools.

Ms. Tressy Capps, Fontana resident, summarized as follows: 1) congratulated newly appointed Police Chief Ramsey and stated that she was very excited and looked forward to working with him; 2) announced that she did yoga with the Mayor along with a lot of beauty contestants and had fun; 3) received her first ticket in 15 years and was very excited to see an item on the consent calendar regarding the Victoria Avenue traffic signal, because she drove her niece to Etiwanda High School every day and had to cut across the field, and the officer had been very kind and patient about writing the ticket; 4) stated that Toll Free I.E. was on her Facebook page and that in the newspaper there had been a covert advertisement comment period for the toll lanes on the 10, which stated Interstate 10 Corridor Project, and the comment period would be open until May 8 and meetings would be held on May 17, 18, and 19; and 5) mentioned that her friends were in Anaheim because Anaheim was trying to band Trump talk and that it would be on KCAL 9.

Ms. Darlene Scalf, Fontana resident, spoke about her concerns regarding the proposed amphitheater at Miller Park and that parking would be a major issue. Ms. Scalf stated that there were sufficient venues, such as, Center Stage, the Lewis Library and Steelworkers Auditorium and adding an amphitheater would cause parking and traffic problems and take away the hill at the park.

Mr. Chandler Ramas spoke about his concerns regarding hazardous traffic and speeding on Tamarind Avenue. Mayor Warren referred Mr. Ramas to Police Department staff for follow up.

Ms. Kathy Potts, Fontana Community Senior Center, spoke on the upcoming Community Parking Lot Sale to be held on Saturday, May 14, 2016, 8:00 a.m. to 2:00 p.m., at the

Fontana Senior Center, at 16710 Ceres Avenue in Fontana. Stalls would be sold at \$20 a stall and \$30 for two stalls and proceeds would go to the Fontana Community Senior Center Advisory Board fund. Senior Center Advisory Board Member Betty Sandoval provided a Spanish translation of the announcement.

Mr. Deja Dozier spoke on sickle cell trait awareness and having received a grant from Fontana Foundation of Hope John Long for \$20,000, to assist with the purchase of a van, equipment and supplies to provide an educational resource in the community.

Ms. Farron Dozier spoke on having been diagnosed with the sickle cell trait and the symptoms associated with the illness.

Ms. Fran Givens, Fontana resident, congratulated Police Chief Ramsey on his promotion; noted that the month of May was Older Americans month; noted that she saw the librarian of the Library of Congress on C-SPAN and that she was the first woman in history and the first African American woman in history to be selected as the librarian; and announced that designer Tommy Hilfiger would be selling special clothing for children with leg braces.

Mr. Matt Slowik, Fontana resident, announced the 90th Anniversary of Rotary International and that it was founded on April 26, 1926 with the motto of "service above self and provide service to our community". Mr. Slowik stated that Rotary was an international, national, state and local club and as Rotary Club 5330 President, thanked all Fontana Rotarians, past and present. He gave special thanks to Ms. Terri Schneider who hosted the event.

CONSENT CALENDAR:

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 Consent Calendar Items "CC-A through CC-H" (AYES: Warren, Salazar-Wibert, Roberts, Tahan and Sandoval; NOES: None) as follows:

A. Approval of Minutes

Approve the Minutes of the April 12, 2016 Regular City Council Meeting.

B. Amendment No. 6 to the City/County Waste Disposal Agreement

Approve Amendment No. 6 to the Waste Disposal Agreement (WDA) with the County of San Bernardino.

C. Award a Construction Contract for the Cherry Avenue at Victoria Street Traffic Signal and Street Improvement Project

1. Authorize City Manager to Award the bid and execute a construction contract with the lowest responsive/responsible bidder for the Cherry Avenue at Victoria Avenue Traffic Signal and Street Improvement Project and authorize a 10% contingency (Bid No. SB-53-DE-16).

2. Staff recommends that City Council authorize City Manager to reject all other bids received for Cherry Avenue at Victoria Avenue Traffic Signal and Street Improvement

Project (Bid No. SB-53-DE-16).

3. Authorize the City Manager to execute any and all right of way agreements, utility agreements, utility easements, and any related items on behalf of the City for the Cherry Avenue at Victoria Avenue Traffic Signal and Street Improvement Project.

D. Award Construction Contract for Slover Avenue Pavement Rehabilitation Project SB-30-PW-16

1. Award bid and authorize the City Manager to execute a construction contract with Hardy & Harper, Inc. in the amount of \$1,377,000 and authorize a contingency in the amount of \$137,700 for the Slover Avenue – Mulberry Avenue to Cherry Avenue Project SB-30-PW-16.

2. Authorize the Public Works Director to administratively approve and implement short term street closures and detours during construction.

3. Staff recommends that City Council rejects all other bids received for Slover Avenue Pavement Rehabilitation Project SB-30-PW-16.

E. Donation of Surplus Vehicle to the Fontana Unified School District

Approve the donation of City surplus vehicle to the Fontana Unified School District.

F. Generator Maintenance and Repair Services

1. Award bid and to authorize the City Manager to execute a contract with Valley Power Services, for a period of two (2) years, renewable for three one (1) year increments at the City's sole discretion (SB-46-PW-16).

2. Staff recommends that City Council reject all other bids received for Generator Maintenance and Repair Services SB-46-PW-16.

G. Police Department Sewer Pump Station Design and Construction Management Contract Amendment No.1

Award bid and authorize the City Manager to execute a Contract Amendment No. 1 for additional design services with Schaaf & Wheeler for the Police Department Sewer Pump Station Project in the amount of \$25,800.00.

H. Authorize the City Manager to Sign the Voting Proxy from the Fontana Union Water Company

Authorize the City Manager to sign the voting proxy from the Fontana Union Water Company for the election of its directors to be held at a shareholders meeting on April 27, 2016.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Appointment to Southern California Association of Governments (SCAG) General Assembly

City Manager Ken Hunt announced that Elected Officials Agenda Item "A" had been

pulled from the agenda.

B. Elected Officials Communications/Committee Reports

City Treasurer Janet Koehler-Brooks congratulated new Police Chief Ramsey and wished him well.

City Clerk Tonia Lewis congratulated new Police Chief Ramsey and was delighted about it. (City Clerk Lewis left the dais at 8:45 p.m.)

Council Member Tahan announced that he had attended the legislative trip to Washington, D.C. with the Mayor and other Council Members.

Council Member Tahan congratulated new Police Chief Ramsey.

Council Member Tahan requested a staff presentation regarding specific plans that had been approved and had not been built.

Mayor Warren stated that she would like to have a workshop on the topic.

Council Member Sandoval congratulated new Police Chief Ramsey and that he would do a great job.

Council Member Roberts announced that he had attended the legislative trip to Washington, D.C. and thanked Police Chief Ramsey for attending as he was helpful on discussions regarding body worn cameras. Mr. Roberts added that museum grants were also discussed.

Council Member Roberts announced that he was very proud of Sergeant Mike Dorsey for being recognized as employee of the month.

Council Member Roberts congratulated the Rotary Club on its 90th Anniversary.

Mayor Pro Tem Salazar-Wibert announced that she had attended the Lewis Library Kindergarden Readiness Fair.

Mayor Pro Tem Salazar-Wibert announced that she had attended the IRC Awards that was held at Glen Helen for first responders, which had been coordinated by San Bernardino County.

Mayor Pro Tem Salazar-Wibert thanked Doug and Linda Whiteman, George's Shell, who had invited her to Rivers Edge Ranch, their ranch in Lucerne Valley.

Mayor Pro Tem Salazar-Wibert announced that Girl Scout Troop 11234, from Heritage Intermediate School, to earn their community service patch, sang karaoke and brought treats and gave everyone a pair of fingerless gloves at the Senior Center. Mrs. Salazar-Wibert thanked troop leaders Latisse Perer, Lucille Jorgansen, and Veronica Beltran.

Mayor Pro Tem Salazar-Wibert announced that she had tacos with Fontana Middle School Principal Chavez to raise money for the Relay for Life team.

Mayor Pro Tem Salazar-Wibert thanked Ms. Anna Ulibarri for the CAP (Community Assistance Program) Resource Fair.

Mayor Pro Tem Salazar-Wibert announced that she had been invited by Chaffey College Professor Rivas to attend the Latino Police Officers Awards ceremony.

Mayor Pro Tem Salazar-Wibert announced that she had attended the MS Walk that was held at the Citizens Bank Arena in Ontario and thanked Fontana Foundation of Hope for their support.

Mayor Pro Tem Salazar-Wibert congratulated new Police Chief Ramsey.

Mayor Pro Tem Salazar-Wibert wished Ms. Nancy Koehler a good night.

Mayor Pro Tem Salazar-Wibert asked that everyone continue to support our military troops.

Mayor Pro Tem Salazar-Wibert announced that in memory of her granddaughter, Natalies Butterflies had raised \$21,302 for Walk for Kids, which would benefit the Ronald McDonald House.

Mayor Warren announced that she had attended the legislative trip to Washington, D. C. and that the trip had been wonderful. Mayor Warren added that she had a great time talking to department heads and how much they knew about Fontana and were willing to help the City.

Mayor Warren announced that she had received a message from the USDA (U.S. Department of Agriculture) who would continue to work on community gardens and help with the Fontana Market.

Mayor Warren announced that it was an historical moment for the City Council because they were able to select one of their own for the City's Police Chief and added that the community was excited.

Mayor Warren congratulated new Police Chief Ramsey and noted the importance of Blue Ribbon Week for public safety personnel.

Mayor Warren announced that summer would be a busy time and referred to Fontana's Activities Brochure and encouraged residents to participate in the many activities and events that the City offered.

Mayor Warren announced that the upcoming summer concert series would include Rolls Royce and Bretton Wood on July 14, 2016. Mayor Warren announced that the theme would be the 70's and encouraged everyone to wear 70's clothing and a prize for the best clothing would be awarded by the Mayor.

Mayor Warren announced that in light of the 24 murders that had occurred in the City of San Bernardino that the situation was out of control and should be considered a regional

issue. Mayor Warren added that safety was taken for granted and we needed to appreciate how lucky we were in the City. Mayor Warren stated that something had to be done and recommended that a march be held starting in Fontana and ending in San Bernardino in December, to honor the victims.

CITY MANAGER COMMUNICATIONS:

A. Etiwanda/Slover Intersection Project Update (Noel Castillo, Engineering Manager to Present)

Engineering Manager Noel Castillo provided an update on the Etiwanda/Slover Intersection project. Mr. Castillo stated that currently the intersection was operating at an unacceptable level of service. He added that the plans were moving forward to begin construction in the summer of 2017.

Council Member Tahan inquired about a SANBAG funding plan.

City Manager Hunt stated a funding plan would be discussed with SANBAG and the Cities of Fontana and Ontario.

Council Member Sandoval stated that he was glad staff was moving forward on the project.

B. Drawing to select Fireworks Booth Permits

Management Services Director Lisa Strong and Customer Service Coordinator Pam Strand provided the staff report.

Mayor Warren announced that discussion was to consider a drawing for the selection of Fireworks Booth Permits.

Mayor Warren called for public communications.

Rainbow Community Praise Center Pastor D. C. Thomas referred to correspondence from the City regarding the number of permits that had exceeded the number of applications and referred to Municipal Code Section 16-08A and voiced concerns regarding the application process. Pastor Thomas asked that no church be excluded.

Principle of Faith Pastor Brodie referred to correspondence from the City and voiced concerns regarding the application process. Pastor Brodie recommended that seniority be considered for the applicants and whether they were in good standing with the City.

City Attorney Jeff Ballinger stated that the ordinance was adopted years ago by the voters and could be amended by another vote of the people. City Attorney Ballinger added that the ordinance did not provide for seniority but it addressed a cap and therefore a random drawing had to be conducted.

Council Member Tahan stated that some of the organizations were from outside Fontana.

Mrs. Strong stated that as long as they had meetings in Fontana, used a permitted

meeting place in Fontana and it was verified, and they had minutes of their meeting, then the organization could be considered.

Council Member Tahan asked about the 501(c)(3) status.

Mrs. Strong stated that the 501(c)(3) made it a non-profit organization.

Council Member Tahan inquired about the leases.

City Attorney Ballinger stated that the ordinance did not talk about leases; the organizations shared space with other organizations.

Council Member Tahan stated that the ordinance referred to the Fire Chief being involved in the decision making process.

Discussion ensued regarding the Fire Chief's inclusion in the decision making process and affiliate organizations.

City Attorney Ballinger stated that this was the first year that the City had a cap.

Council Member Sandoval stated that amendments to the fireworks code section would require a ballot measure.

City Attorney Ballinger stated that was correct.

Mayor Pro Tem Salazar-Wibert stated that the list included two organizations outside of the City, one from Rancho Cucamonga and one from San Bernardino, and asked how were the organizations verified.

Mrs. Strong stated that the applications were reviewed and showed that they had meetings at the location in the city.

Discussion ensued regarding the verification of the applications and leasing information for actual meetings that took place.

Mayor Pro Tem Salazar-Wibert requested that staff contact the organizations by phone to possibly work something out.

Mayor Warren stated that the initiative was quite clear and the City Council had not been involved in the drafting of the ballot measure. Mayor Warren added that over 80% of the voters supported the measure and it was passed.

No written communications were received.

Mayor Warren announced that she would perform a random drawing to reduce the number of applicants from 49 to 46 permissible organizations to operate fireworks booths for 2016.

Mayor Warren opened the envelopes sealed with names of each organization and

randomly drew two applicants from the religious category and one applicant from the athletic category for elimination, and announced the results of the drawing. The hand drawn slips were placed in a white hat; Mayor Warren drew two slips and announced the following alternate organizations:

- Alternate No. 1 - Jurupa Hills High School Football Booster Club
- Alternate No. 2 - New Life Community Church of Rancho

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Tahan, and passed unanimously by a vote of 5-0 to accept the first and second alternates (AYES: Warren, Salazar-Wibert, Roberts, Tahan and Sandoval; NOES: None).

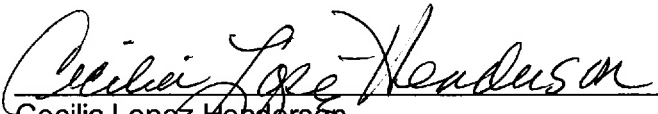
Mayor Pro Tem Salazar-Wibert added that she would like to see a change in the ordinance and would like the fireworks companies to pay for the amendment.

C. City Manager Communications

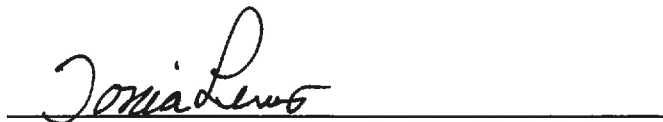
City Manager Hunt announced that there had been several meetings that they had in Washington, D.C. and thanked Assistant to the City Manager Amy Colbrunn for all her hard work in coordinating the trip.

ADJOURNMENT:

The City Council Meeting adjourned at 8:58 p.m. to the next Regular City Council Meeting to be held on Tuesday, May 10, 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 10TH DAY OF MAY 2016.


Tonia Lewis
City Clerk