

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
June 28, 2016**

WORKSHOP:

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

A Joint Fontana City Council and Planning Commission Workshop was held on Tuesday, June 28, 2016 in the Fontana City Hall Executive Conference Room, 8353 Sierra Avenue, Fontana. The workshop was called to order by Mayor Warren at 5:31 p.m., with Mayor Pro Tem Salazar-Wibert and Council Members Roberts, Tahan and Sandoval present. Planning Commission Chair Garcia and Planning Commissioners Meyer, Quiroga and Gongora were present; Commissioner Sanchez was absent.

Acting City Manager Debbie Brazill introduced Planning Manager Zai AbuBakar and Engineering Director Ricardo Sandoval, who provided the staff presentation on three (3) proposed projects located north of the I-15 freeway: 1) Monarch Hills Residential Community, 2) Lytle Creek Mixed Use Development, and 3) Cap Rock Partners Industrial Building. The Fontana City Council Agenda was reviewed and Acting City Manager Comments were heard.

PUBLIC COMMUNICATION:

Ms. Kathy Ponce, Mr. Eddie McCloud and Mr. Jim Tusko, spoke in opposition to the proposed three projects.

Ms. Tressy Capps spoke on the Eleanor Chambers v. City of Fontana Closed Session Item.

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:

Ms. Tressy Capps spoke in opposition to the closed session item regarding the pending Eleanor Chambers v. City of Fontana case.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO

GOVERNMENT CODE SECTION 54956.9(a)
CASE: Eleanor Chambers v. City of Fontana
San Bernardino Superior Court , Court Case Number: CIVDS 1500130.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) 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, June 28, 2016 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 Salazar-Wibert, and Council Members Roberts, Tahan and Sandoval.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation by Calvary Chapel Summit Church Pastor Daniel Vasquez, the Pledge of Allegiance was led by Council Member Roberts.

CLOSED SESSION ANNOUNCEMENT:

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

PROCLAMATIONS:

A. Dovard Howard Day

Mayor Warren and the City Council proclaimed July 1, 2016 as Dovard Howard Day, to recognize Mr. Dovard Howard for his contributions toward improving Fontana's history by turning adversity into opportunity, for a more tolerant and inviting community. Certificates of Recognition were presented by representatives of Assemblymember Cheryl Brown, Senator Connie Leyva, Congressman Pete Aguilar, and County of San Bernardino Board of Supervisors. In honor of Dovard Howard Day, the Fontana Chamber of Commerce presented a 40-inch television to the family of Mr. Howard.

B. Parks and Recreation Month

Mayor Warren and the City Council proclaimed the Month of July 2016 as Parks and Recreation Month in the City of Fontana. Parks and Community Services Commission Chairperson Luisa "Patty" Espinoza and Director of Community Services Garth Nelson were present to accept.

SPECIAL PRESENTATIONS:

A. Police Department March 2016 Employee of the Month

Mayor Warren and the City Council recognized Corporal Edward Stewart as the Police Department's March 2016 Employee of the Month. Police Chief Ramsey summarized Corporal Stewart's exemplary and quick thinking on the job; Corporal Stewart was present to accept.

PUBLIC COMMUNICATIONS:

A. Public Communications

Mr. Paul Belinski, Fontana resident, spoke on porta potties at concerts in the park and the Metrolink station that should be handicap accessible.

Pastor Daniel Vasquez, Calvary Chapel Summit Church spoke on the Love Fontana event and how successful the event had been. Nine homes were selected and volunteers from the Summit High School football team assisted with clean up. Pastor Vasquez announced two upcoming Love Fontana events to be held on July 15, 2016, Sevaire Park, 6:00 p.m. to 9:00 p.m., and August 19, 2016, Rosena Park East, 6:00 p.m. to 9:00 p.m.

Mr. Curt Lewis, representing Congressman Pete Aguilar, announced the Inland Empire Jobs Fair to be held on Friday, July 22, 2016, 9:00 a.m. to 12:00 p.m., at the Frank Gonzales Community Center, 670 Colton Avenue in Colton.

Ms. Deborah Hall Lindsey, the Concerned Citizens for the Development of North Fontana, thanked the Mayor and City Council for their continued support. Ms. Lindsey announced the Richard T. Fields Bar Association 5th Annual Installation & Awards Gala to be held on July 23, 2016, at the Riverside Convention Center, and that she had been selected to receive the Community Service Award.

Ms. Alicia Haag, Fontana resident, spoke on concerns regarding the landscape maintenance in the Village of Heritage. Mayor Warren referred Ms. Haag to Public Works Manager Dan Chadwick for follow up.

Ms. Marilyn Lane, Bloomington resident, spoke on her concerns about crime in Bloomington and that she could not find affordable housing in Fontana. Mayor Warren referred Ms. Lane to Deputy City Manager David Edgar for follow up.

Ms. Lisa Blacksher, representing Assemblymember Cheryl Brown, presented Certificates of Recognition to Council Member Sandoval for having been selected as one of the 2016 Men of Distinction.

Ms. Kathy Ponce, Fontana resident, spoke on concerns regarding the landscape maintenance for the Village of Heritage. Ms. Ponce stated that through a Public Records Request she had requested a copy of the 2014, 2015 and 2016 budgets for the Village of Heritage to understand how the money was being spent.

Mr. Matt Slowik, Fontana resident, announced the Art Association's art exhibit to be held in conjunction with the City's Fontana Arts Festival at Sunset on Sierra on July 30, 2016.

CONSENT CALENDAR:

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

A. Approval of Minutes

Approve the Minutes of the June 14, 2016 Regular City Council Meeting.

B. Fiscal Year 2015/16 Fourth Quarter Budget Status Report

Approve the recommended Fourth Quarter Budget adjustments.

C. Annual Placement of Sewer Charges on the Property Tax Rolls

Adopt **Resolution No. 2016-044** of the City Council of the City of Fontana, California, directing the placement of sewer charges on the property tax bills for collection.

D. Annual Placement of Rubbish Charges on the Property Tax Rolls

Adopt **Resolution No. 2016-045** of the City Council of the City of Fontana, California, directing the placement of rubbish charges on the property tax bills for collection.

E. Annual Placement of Weed Abatement Charges on the Property Tax Rolls

Adopt **Resolution No. 2016-046** of the City Council of the City of Fontana, California, directing the placement of weed abatement charges on the property tax bills for collection

F. Approval of a Conservation Easement with Riverside Land Conservancy for the Jurupa Hills and Mary Vagle Conservation Areas

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

2. Approve the Conservation Easement between the City of Fontana and Riverside Land Conservancy for the Jurupa Hills and Mary Vagle Conservation Sites.

3. Approve an appropriation of \$35,000 from Project No. 9432301301.8329 to the Fly Habitat project.

G. Award Bid for Graffiti Removal Chemicals, SB-42-PW-16

Award Bid and authorize the City Manager to enter into a two-year contract with Enivortek Corporation, with three one-year extensions at the sole discretion of the City, for chemicals that remove graffiti.

H. Award Bid to Sysco for Food Purchases, Product Supplies and Delivery Service for the Fontana Community Senior Center

Award a bid (SB-47-CS-16) for annual food purchases, product supplies and delivery services for the Fontana Community Senior Center Nutrition Program and other City special events and programs to Sysco Riverside, Inc. on an as needed basis for two years from the date of award, renewable for three additional one-year increments at the sole discretion of the City.

I. Co-Sponsorships for Fiscal Year 2016/2017

Review and approve the twenty-one (21) co-sponsorships recommended for Fiscal Year July 1, 2016 – June 30, 2017 for a total funding amount of \$36,467 as recommended by the Parks and Community Services Commission.

J. Crossing Guard Service Agreement

Approve and authorize the City Manager and Chief of Police to enter into a Crossing Guard Service Agreement with Fontana Unified School District and Etiwanda School District for Crossing Guard Services Provided by All City Management Services.

K. Final Acceptance of the Valley Boulevard at Poplar Avenue Traffic Signal and Street Improvement Project

Accept as complete the work performed by Smart Tech Group, Inc. for construction of the Valley Boulevard at Poplar Avenue Traffic Signal and Street Improvement Project and approve the final construction amount of \$570,540.82. (SB-24-DE-15)

L. Radiator, Cooling System, Air Conditioning/Heating Service and Mechanical Repair Services Contract, SB-45-PW-16

Award bid and authorize the City Manager to execute a contract with The Radiator Man for Radiator, Cooling System, Air Conditioning/Heating Service and Mechanical Repair Services for a period of two (2) years, renewable for three (3) one (1) year increments at the City's sole discretion.

PUBLIC HEARINGS:

A. Quarterly Lien Action for Delinquent Sewer, Rubbish and Weed Abatement Accounts

Mayor Warren opened Public Hearing Item PH-A.

Management Services Director Lisa Strong provided the staff report.

No one spoke in favor or opposition.

The Public Hearing was closed.

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

1. Authorize staff to complete and record lien notices against real property for those sewer accounts sixty days or more delinquent as described in the Certified Lien List and direct staff to forward recorded liens to the County for collection.
2. Authorize staff to complete and record liens against real property for those rubbish accounts more than ninety days delinquent as described in the certified Lien List and direct staff to forward recorded liens to the County for collection.
3. Adopt **Resolution No. 2016-047** of the City Council of the City of Fontana adopting the statement of unpaid expenses for weed abatement and imposing a lien against real property for payment thereof.

NEW BUSINESS:

A. Issuance of Special Tax Bonds for CFD #71 Sierra Crest

Management Services Director Lisa Strong provided the staff report.

No one spoke in favor or opposition.

ACTION: Motion was made by Mayor Pro Tem Salazar-Wibert, seconded by Council Member Sandoval, and unanimously passed 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:

Adopt **Resolution No. 2016-048** of the City Council of the City of Fontana authorizing the issuance of City of Fontana Community Facilities District No. 71 (Sierra Crest) Special Tax Bonds, Series 2016, in an aggregate principal amount of not to exceed \$6,000,000, authorizing the execution and delivery of an Indenture, a Bond Purchase Agreement and a Continuing Disclosure Agreement, authorizing the distribution of an Official Statement in connection therewith and authorizing the execution of necessary documents and certificates and related actions.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Committee Reports

City Treasurer Janet Koehler-Brooks thanked and congratulated the Howard Family and added that the tribute had been wonderful.

City Clerk Tonia Lewis congratulated the Howard Family and congratulated the City Council for the wonderful tribute. Mrs. Lewis added that she had been out of the country when it happened and came home to the shock of the news, and tried to put the tragedy out of her mind because it was such an awful thing that had happened.

City Clerk Lewis asked the community to be responsible with their fireworks and to please be considerate of their neighbors and their pets.

City Clerk Lewis thanked Mr. Jack Long and his foundation for the wonderful contribution

that they made to the Fontana Historical Society, which once again showed the love in the community.

Council Member Tahan announced that it was a great honor to designate July 1 as Dovard Howard Day, which will ensure that we remember how this community came together.

Council Member Tahan congratulated the Fontana Chamber of Commerce for a great installation event and thanked Mr. Idilio Sanchez for his service and for doing a great job for the community. Mr. Tahan announced that Mr. Phil Cothran was the incoming Chamber President.

Council Member Tahan announced that the Kia grand opening had been a great event and was long awaited for the City to add another dealership to the Auto Center in the north end of the City. Mr. Tahan congratulated the family and everyone involved in making this happen, and hoped that more dealerships could be added to make it more attractive to the region as the Fontana Auto Center.

Council Member Tahan reminded everyone to be careful on July 4th and that the City's ordinance was put in place to have safe and sane fireworks, and to have fun but be safe.

Council Member Tahan announced that the City was part of SANBAG's grant for electrical cars, which has had been a great event for the City. Mr. Tahan added that he looked forward to working with SANBAG and the state for more grants to help with cleaner air and gas emissions.

Council Member Tahan asked whether Council meetings were to be held in July because the agendas had become lighter. Mayor Warren stated in the event that the agendas became really light, Council would discuss with City Manager Hunt.

Council Member Sandoval congratulated the Howard Family. Mr. Sandoval stated that he has been in the community for many years and lived two houses down from the Hell's Angels and walking by their house on a daily basis just to go to school, he could understand some of things the Howard Family had gone through, and how they had to live north of Baseline Avenue and could not live in the center of Fontana. Mr. Sandoval added, at that time, Hispanic people could not come across the I-10 Freeway to go to school in Fontana and had to stay in the south end of town to go to school. Mr. Sandoval stated that the City had really come a long way and the citizens of Fontana have changed the history of Fontana. It is a community of one with many different cultures.

Council Member Sandoval congratulated his daughter on her fifth wedding anniversary.

Council Member Sandoval wished his wife Mary a happy anniversary; they had been married for 34 years as of June 30th.

Council Member Roberts congratulated Council Member Sandoval on his wedding anniversary.

Council Member Roberts explained the difference between safe and sane fireworks and

illegal fireworks, and anything that shot into the air or exploded was considered an illegal firework. Mr. Roberts added that there is a fine and after July 4th the City Council may begin to hear from people, who were asking for some relief on the fines that they had received. Mr. Roberts stated that the downside was that injuries could occur when you have things explode.

Council Member Roberts announced that he was proud to see the Public Works staff attend the City Council meeting in honor of the Howard Family. Mr. Roberts stated that the Howard Family were an amazing family because they did not allow an act of evil to define who they were. Mr. Howard's son spoke and said that they were not victims and that their father instilled in them what it meant to be an upstanding member of this community.

Council Members Roberts thanked Mayor Warren for taking the initiative to honor Mr. Howard.

Mayor Pro Tem Salazar-Wibert announced that she had been invited to the Rainbow Church to see Dr. D.C. Thomas, who gave a great speech on "love" and how it impacted every decision that is made. Mrs. Salazar-Wibert thanked Dr. Thomas for the invitation and that it had been Friendship Day and she had met a lot of new friends.

Mayor Pro Tem Salazar-Wibert announced that the acknowledgement for the Howard Family had been well deserved and was proud to know him and his family.

Mayor Pro Tem Salazar-Wibert announced that she had attended the grand opening for the Siena Apartments. Mrs. Salazar-Wibert stated that at a previous City Council meeting someone had mentioned that they did not want affordable housing. Mrs. Salazar-Wibert clarified that affordable housing was needed throughout the community and that not everyone could afford to purchase a house.

Mayor Pro Tem Salazar-Wibert announced that the summer concerts had been well attended at Miller Park in Fontana.

Mayor Pro Tem Salazar-Wibert thanked the staffs of Police Chief Ramsey and Fire Chief Birtchfield for a job well done in her time of need. She gave a shout out to dispatcher Sherie Hunt, who remained calm and everything that she needed had been addressed and also thanked the City Yard for their assistance as well. Mayor Pro Tem Salazar-Wibert also thanked her friends Marco, Rosemary, Denise, Dan and Virginia for helping her out.

Mayor Pro Tem Salazar-Wibert sent well wishes to Mr. Don Lewis and to Mr. Ron Rovere.

Mayor Pro Tem Salazar-Wibert wished her husband David a happy anniversary and looked forward to another 35 years.

Mayor Pro Tem Salazar-Wibert announced that she was very sad for the loss of her dear friend, Ms. Mary Budisalovich, who recently passed and that she had just had a birthday. Mrs. Salazar-Wibert added that the City had lost a great person from the community, who was an active volunteer.

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

Mayor Warren gave Calvary Chapel Summit Church Pastor Vasquez a huge shout out for the Love Fontana event. Mayor Warren announced that she had attended the event and saw all the young people volunteering from Summit High School football team, who had assisted nine deserving families. Mayor Warren gave a huge thank you to Burrtec Waste Industries for their support and participation at the event and for hauling away the debris.

Mayor Warren thanked Rock Honda for assisting the Fontana Boys and Girls Club with hamburgers and hot dogs, which was very much appreciated.

Mayor Warren gave kudos to the Rusich Family for opening the Kia dealership and that the City has a wonderful dealership, and that the dealership was helping to move Fontana's economy along.

Mayor Warren announced the upcoming July 4th events and for everyone to keep their neighbors safe, by attending the 4th of July event to be held at Fontana High School starting at 6:00 p.m. Mayor Warren added that as part of the event, a concert, food and vendors would be provided. Tickets were on sale for \$4/person at various community centers throughout the City and at Fontana City Hall. No event tickets would be sold at the gate.

Mayor Warren talked about the Village of Heritage maintenance issues and the brown grass due to the drought, and asked the public to please let the staff know about maintenance issues by calling (909) 428-PARK, using the City application ACCESS Fontana or emailing the staff.

Mayor Warren announced that there might be some relief, as the state had just released information that if you have enough water stored for three years and if you are certified, you do not need to have the drought tiers any more, so we might get relief on our water bills. Mayor Warren added that if a water bill went up, then so did the landscaping bill because it was the same company.

Mayor Warren thanked the staff for putting together the great special presentation and video of Mr. Howard, and special thanks to KFON staff for their incredible job. Mayor Warren added that they did not want to create any discomfort for Mr. Howard but that the staff had done a phenomenal job.

Mayor Warren thanked Public Information Coordinator Martha Hurtado-Guzman who had done an incredible job handling the city's messaging and making sure protocol with the press is followed.

Mayor Warren gave special thanks to Assistant to the City Manager Amy Colbrunn who is always there to assist the entire City Council and who worked with the Howard Family as well.

Mayor Warren announced that as part of a group that addressed the Task Force on Aging for the entire nation for the U.S. Conference of Mayors, she had been a speaker along with the President of the AARP and the First Lady of New York City. Mayor Warren stated that the AARP has a few new presentations to make to our aging population, which will be posted onto the City's website. Mayor Warren reported that the wife of the Mayor of New York City had done a presentation on mental illness and how it affected our aging community as well as how it impacted the homeless community.

Mayor Warren thanked Ms. Fran Givens, Fontana resident, for the presentation that she provided and for her testimony, which was submitted to the U.S. Conference of Mayors Task Force on Aging. Mayor Warren added that the City will be able to work with them on Healthy Aging.

Mayor Warren thanked everyone for their congratulatory comments for her position on the U.S. Conference of Mayors Leadership Team, and added that our voices will be heard on a national level.

Mayor Warren announced that the City Council thanked a man who ultimately sacrificed to work, to be a veteran and to be a dad. Mayor Warren added that although Mr. Howard had been negatively impacted, it did not stop him from caring for others. Mayor Warren stated that this is the story of Fontana and the community that we live in and that we are all proud of.

Mayor Warren announced that the City Council meeting would adjourn in memory of Ms. Mary Budisalovich, a wonderful member of the community, former Parks Commissioner and City volunteer, who recently passed.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

Acting City Manager Debbie Brazill announced, as a reminder, that the Council would be adjourning to the Fontana Housing Authority and the Fontana Fire Protection District. There were no other Acting City Manager Communications received.

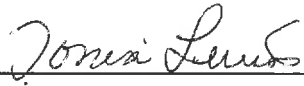
ADJOURNMENT:

A moment of silence was held for City volunteer and former Parks Commissioner Ms. Mary Budisalovich, who recently passed.

The Regular City Council Meeting adjourned at 8:55 p.m. in memory of Ms. Mary Budisalovich to the next Regular City Council Meeting to be held on Tuesday, July 12, 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
12TH DAY OF JULY, 2016.

A handwritten signature in cursive script, appearing to read "Tonia Lewis", is written above a horizontal line.

Tonia Lewis
City Clerk