

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

WORKSHOP:

A. 5:00 P.M. WORKSHOP

Due to the applicant's withdrawal of the request for an appeal hearing, the Code Enforcement Appeal Hearing (Case CED 16-000238 & CED 12-001711-Mohammad Monshizadeh-8012 Oleander Avenue, Fontana) was cancelled.

B. 5:30 P.M. WORKSHOP

A Fontana City Council Workshop was held on Tuesday, July 12, 2016 in the Fontana City Hall Executive Conference Room, 8353 Sierra Avenue, Fontana, California. The workshop was called to order by Mayor Warren at 5:34 p.m., with Mayor Pro Tem Salazar-Wibert and Council Members Roberts, Tahan and Sandoval present.

Deputy City Manager Debbie Brazill and Planning Manager Zai AbuBakar introduced the Oxbow Partners, who presented an Executive Home Project on the Southridge Village Quarry property in south Fontana. The Fontana City Council Agenda was reviewed and City Manager Comments were heard.

PUBLIC COMMUNICATION:

There were no Public Communications received.

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 Item:

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Labor Negotiations Update

City Negotiator: Kenneth R. Hunt, City Manager

Employee Organization(s): Teamsters Local 1932 Yard Unit.

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, July 12, 2016 in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:10 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 Police Chaplain Brian Snowball, the Pledge of Allegiance was led by Police Explorers Honor Guard in memory of the Dallas, Texas shooting victims.

CLOSED SESSION ANNOUNCEMENT:

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

SPECIAL PRESENTATIONS:

A. Fontana Community Senior Center Softball Team Special Recognition

Mayor Warren and the City Council recognized the Fontana Community Senior Center Softball Club, for their participation in the Senior Games in Pasadena on June 16-17, 2016, for receiving a bronze medal. Community Services Supervisor Tiffany Starks introduced the team members and coaches.

B. Police Department April 2016 Employee of the Month

Mayor Warren and the City Council recognized Police Officer Jason Coillot as the Police Department's April 2016 Employee of the Month. Chief Ramsey presented the accomplishments of Police Officer Coillot, who was present to accept.

C. Report on the Sunset on Sierra Event

Engineering Manager Kevin Ryan and Administrative Analyst II Monique Reza presented an Informative report on the Sunset on Sierra Event to take place on Saturday, July 30, 2016.

PUBLIC COMMUNICATIONS:

A. Public Communications

Mr. Jerry Loess, Bloomington resident, spoke on his concerns regarding illegal fireworks.

Mr. Dave Schultz, Fontana resident, spoke on fireworks and that he went up to the Panorama area to watch the fireworks and was told by security guards that he had to move. He added that no illegal fireworks were being used and was not sure what law had been broken; he simply wanted to watch the fireworks. Mayor Warren referred Mr. Schultz to Police Captain Weissmann for follow up.

Ms. Josie Miller Brown, Fontana resident, spoke on her concerns regarding illegal fireworks and asked how many fines were given. Ms. Brown asked whether police cadets could assist in patrolling because it felt like a war zone.

Mayor Warren stated that the police officers were out all weekend and were collecting illegal fireworks. Mayor Warren stated that it would be helpful if citizens contacted the City to report these activities, and referred Ms. Brown to the Police Department for a report on the fines that were issued.

Ms. Tressy Capps, Fontana resident, spoke on her concerns regarding the Sunset on Sierra event to be held on July 30, 2016, and that funding for the event was from a SCAG grant. Ms. Capps added that the gist of the grant was to get people out of their cars, and that the City continued to take federal money to implement things that the citizens did not want.

Ms. Capps spoke on her concerns regarding City Manager Ken Hunt's salary and that he is the No. 1 top paid person in the County of San Bernardino. In her estimation, his entire package came to \$453,000.

Ms. Diane Olivares, Fontana resident, spoke on her concerns regarding the Fontana Woman's Club and not being able to contact someone regarding a membership application.

Ms. Darlene Scalf, Fontana resident, spoke on an illegal tree removal at the Fontana Woman's Club by Mr. Phil Cothran without the proper permits.

Ms. Karen Coleman, Fontana resident, spoke on her concerns regarding the Fontana Woman's Club, and presented a copy of a lease agreement between the Woman's Club and Mr. Phil Cothran, and that the lease was for a fixed term of 20 years. Ms. Coleman added that she was informed that it was for five years, and referred to Page 12 of the agreement that stated that Mr. Cothran could purchase the building at any time he chose.

Ms. Patty Espinoza, Fontana resident, spoke on her concerns regarding the Fontana Woman's Club, and asked that the City Council direct City Manager Hunt to audit the books of the Woman's Club and see where the money went that the City gave them for \$10,000.

Mr. Doug Whiteman, George's Shell, spoke on his concerns regarding code enforcement and the City's sign code regulations for banners.

Mr. Ted Hunt, Fontana Police Officer's Association Executive Director, announced a Chillin & Grillin Barbecue to be held on September 10, 2016, at the Jesse Turner

Community Center. He also announced National Night Out to be held on August 2, 2016.

Mr. Farron Dozier, announced a free lecture and screening for the sickle cell trait, to be held on August 27, 2016, 10 a.m. to 2 p.m., City of Fontana Flex Conference Room, to bring awareness to the sickle cell trait.

Mr. Daniel Vasquez, Calvary Chapel Summit Church Pastor, announced the Love Fontana Event to be held on Saturday, July 16, 2016, at Jack Bulik Park, and at Bill Martin Park to be held on August 19, 2016. Pastor Vasquez also talked about the recent shooting that occurred at Bill Martin Park and the Shady Trails community.

Mr. Jim Gardner, District 71 Little League Baseball, spoke on his concerns regarding the shooting at Bill Martin Park and had received a lot of support from Community Services Supervisor Hector Vasquez. Mr. Gardner added that the bathrooms had been vandalized and there had been thefts and asked what was going to be done, so that it did not happen anymore.

Mayor Warren stated that the staff would continue to work with the Leagues and that the City was doing its best to address the issue.

Ms. Kathy Ponce, Fontana resident, spoke on her concerns regarding the Planning Commission meeting to be held on the Arboretum Specific Plan.

Ms. Chirstine Rincon, Fontana Little League, spoke on her concerns regarding safety of the parks and was concerned about the safety of children that play baseball at the parks. She added that homeless people were hanging out at the park.

CONSENT CALENDAR:

City Manager Hunt announced that Consent Calendar Item CC-E would be removed from the agenda and be brought back at another time, and that an overview on Consent Calendar Item CC-I would be provided by Mayor Warren and Council Member Tahan.

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

A. Approval of Minutes

Approve the Minutes of the June 28, 2016 Regular City Council Meeting.

B. Approve a Memorandum of Understanding (MOU) for the Sunset on Sierra Event

Authorize the City Manager to execute Memorandum of Understanding No. M-012-16 with Southern California Associated Governments and San Bernardino Associated Governments for the Sunset on Sierra Event.

C. Approve an Agreement with Alta Planning and Design for the Active Transportation Plan

Authorize the City Manager to execute a Professional Services Agreement with Alta Planning and Design to complete an Active Transportation Plan.

D. Award Construction Contract for Cured In Place Plastic (CIPP) Spot Repair Project SB-20-PW-16

1. Award bid and authorize the City Manager to execute a construction contract with Hoffman Southwest Corporation DBA Professional Pipe Services, in the amount of \$186,405 and authorize a 10% contingency amount of \$18,640 for the CIPP Spot Repair Project SB-20-PW-16.

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

E. Body Worn Camera Grant

Consent Calendar Item CC-E was pulled from the agenda.

1. Adopt **Resolution No. 2016-_____** of the City Council of the City of Fontana, approving the Body Worn Camera Memorandum of Understanding between the San Bernardino Police Department and Fontana Police Department, approve the Body Worn Camera Memorandum of Understanding between the San Bernardino Police Department, Fontana Police Department and the County District Attorney's office.

2. Accept the Department of Justice Grant in concert with the City of San Bernardino.

3. Approve the transfer of funds from Proposition 30 and the State Asset Seizure Fund to Grant Fund 301 to pay for all remaining expenses for the development, implementation, and deployment of the initial phase of the Body Worn Camera Program.

4. Authorize the Chief of Police to make purchases of equipment as outlined in the grant.

F. Joint Use Facility Agreement with Colton Joint Unified School District for the After School Program and Use of Field Space

1. Approve Amendment 3 To Joint Use Agreement with Colton Joint Unified School District and the City of Fontana for use of facilities for the After School Program at Michael D'Arcy, Jurupa Vista, and Sycamore Hills Elementary Schools.

2. Approve Amendment 3 To Joint Use Agreement with Colton Joint Unified School District and the City of Fontana for the use of playfield at Jurupa Vista Elementary School.

3. Approve Amendment 3 to Joint Use Agreement with Colton Joint Unified School District and the City of Fontana for the use of playfield at Michael D'Arcy Elementary School.

4. Authorize the City Manager or his designee to sign the amendments to the Joint Use Agreements with Colton Joint Unified School District and the City of Fontana.

G. LAIF Authorization

Adopt **Resolution No. 2016-049** designating City officers who are authorized to deposit or withdraw funds in the Local Agency Investment Fund (LAIF) for the City of Fontana.

H. 2016 Statement of Investment Policy - Revision

1. Revise the City of Fontana Statement of Investment Policy for 2016 to update list of Investment Officers.
2. Adopt **Resolution No. 2016-050** designating City officers who are authorized to invest funds for the City of Fontana and repealing Resolution No. 2012-07.

I. Professional Services Agreement with Jones Lang Lasalle (JLL)

Approve a Professional Services Agreement with Jones Lang Lasalle (JLL) to facilitate the marketing and procurement of selected "Full-Service" restaurant facilities on behalf of the City Of Fontana, in an amount not to exceed \$78,000 and authorize the City Manager to execute any documents necessary to effectuate said agreement.

Council Member Tahan reported that the City was working with a company to bring more restaurants and there had been interest in coming to Fontana. Mr. Tahan reported that a number of them are interested but that the City was also competing with other cities.

Mayor Warren reported that more family, sit down restaurants were needed and that consideration was being given to bringing in a broker company, that has a relationship with various restaurants. Mayor Warren reported that they were working on possibilities for the center part of town and that the staff had been limited because of the loss of redevelopment money. Mayor Warren asked for the support of the City Council.

J. Resolution Ratifying the 2016-2019 Memorandum of Understanding for the Police Officer's Association and the Associated Salary Table

Adopt **Resolution No. 2016-051**, ratifying the 2016-2019 Memorandum of Understanding for the Police Officer's Association and the associated salary table.

PUBLIC HEARINGS:

A. Master Case Number (MCN) No. 16-025 and Zoning Code Amendment (ZCA) No. 16-005, an amendment to Chapter 30, Article I (General Provisions), Division 2 Section 30-11, and Article III (Design and Administrative Site Plan Review) Section 30-104 and Section 30-113 of the Fontana Zoning and Development Code

Mayor Warren opened Public Hearing Item PH-A.

Planning Manager Zai AbuBakar and Assistant Planner Alejandro Ricco provided the staff report.

Council Member Tahan stated that the projects would be reduced to 50,000 square feet for industrial and 25,000 square feet for residential.

Assistant Planner Ricco stated that in general there would be more development in the

Inland Empire, including Fontana, and that changing the development thresholds would give the City more potential.

Council Member Roberts stated that there has been tremendous work on improving the South Fontana area; however, that he had a concern with the Valley Boulevard corridor adjacent to the I-10 Freeway. He added that there has been numerous complaints on the unsightly view from Citrus Avenue to Etiwanda Avenue, on the north side. Mr. Roberts stated that he would like to amend the motion to add another section to permit an area along this corridor, Valley Boulevard/I-10 and Citrus/Etiwanda Avenue, to permit an overlay district for industrial use buildings.

Council Member Sandoval inquired whether big box buildings were to be built on Valley Boulevard.

Council Member Roberts stated that he did not see that there was really enough room for big box development.

Council Member Sandoval inquired whether it would be for commercial or storage buildings.

Council Member Roberts stated that it would be both.

Council Member Tahan stated that it would be a good use and that a lot of small business owners needed smaller square footage and maybe some screening could be added from the freeway.

Mayor Warren referred to a model in the City of Ontario and many of the companies' exposure was off the I-10 Freeway.

Mayor Pro Tem Salazar-Wibert stated that it would be a clean up for the area.

City Manager Hunt stated that the City Council could not take an action at the meeting to establish the overlay district and asked whether the City Council wanted to ask staff to initiate the action to create an overlay for the area.

Discussion ensued regarding directing the staff to initiate the process.

No one else spoke in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Tahan, and unanimously passed by a vote of 5-0 to adopt Public Hearing Item "PH-A", as amended with direction to staff to create a Valley Boulevard overlay district (AYES: Warren, Salazar-Wibert, Roberts, Tahan and Sandoval; NOES: None) as follows:

1. Find that there will be no significant environmental impacts caused by this Zoning Code Amendment, and direct staff to file a Notice of Exemption pursuant to Sections 15378 (Project) and 15061 (b) (3) (Review of Exemption) of the California Environmental

Quality Act.

2. Waive further reading and introduce **Ordinance No. 1744** an Ordinance of the City Council of the City of Fontana, approving an amendment to Chapter 30, Article I (General Provisions), Division 2 Section 30-11, and Article III (Design and Administrative Site Plan Review) Section 30-104 and Section 30-113 of the Fontana Zoning and Development Code in order to modify the threshold requirements for administrative site plans and design reviews to allow the Planning Commission to review more discretionary entitlements in commercial and industrial districts, and that the reading of the title constitutes the first reading thereof.

NEW BUSINESS:

A. Approve Electronic Signature Ordinance

Information Technology Director Ray Ebert provided the staff report.

No one spoke in favor or opposition.

ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Roberts, 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:

Waive further reading of and introduce **Ordinance No. 1745** to allow the use of electronic signatures on City contracts, forms, and other documents; and that the reading of the title constitutes the first reading thereof.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Committee Reports

City Treasurer Janet Koehler-Brooks did not provide any comments.

City Clerk Tonia Lewis spoke on illegal fireworks that had been very annoying and disrespectful to neighbors and the community, during the 4th of July.

Council Member Roberts inquired about traffic signals and the left turn yield on green lights.

Engineering Director Ricardo Sandoval stated that at the last City Council goal setting session the topic had been discussed and staff had done some analysis of surrounding cities. Mr. Sandoval added that staff could bring back the item to Council. Discussion ensued regarding the appropriate use.

Mayor Pro Tem Salazar-Wibert thanked City Manager Hunt for spending time with her and the pallet yard companies at a meeting that was held on Saturday. Mrs. Salazar-Wibert added that she did not realize how important pallet companies are to the trucking industry and that they also export them internationally.

Mayor Pro Tem Salazar-Wibert announced that she had a great tour of AR Tech Tarpaulins and everything they had was needed in Fontana.

Mayor Pro Tem Salazar-Wibert announced that the Concerts in the Park have been great and a round of applause was given to Community Services Director Garth Nelson and his staff for a job well done.

Mayor Pro Tem Salazar-Wibert announced that she had attended the car show and that the event had been great.

Mayor Pro Tem Salazar-Wibert announced that the 4th of July fireworks show had been great and thanked Community Services Director Garth Nelson and the Community Services Department staff.

Mayor Pro Tem Salazar-Wibert announced that the Farmer's Market was going well.

Mayor Pro Tem Salazar-Wibert announced that she had attended the Senior Dance.

Mayor Pro Tem Salazar-Wibert thanked Police Chief Ramsey and his department for their hard work, and added that the City could capitalize on Citizen Patrols and to call Ms. Olga Hernandez at (909) 350-7750 for more information on Citizen Patrol.

Mayor Pro Tem Salazar-Wibert thanked the Fontana Fire Department for their hard work and appreciated everything they do for the community.

Mayor Pro Tem Salazar-Wibert thanked many of her dear friends for being there for her.

Mayor Pro Tem Salazar-Wibert wished Council Member Roberts, City Clerk Lewis and City Treasurer Koehler-Brooks a happy birthday.

Mayor Pro Tem Salazar-Wibert sent well wishes to the Fontana Little League President Rick Minniefield and hoped he got better soon.

Mayor Pro Tem Salazar-Wibert sent condolences to the Rovere Family for the loss of Mr. Ron Rovere.

Mayor Pro Tem Salazar-Wibert stated that she did not quite agree that our businesses could not put up a sign, because in a few months, political signs would be going up. Mrs. Salazar-Wibert added that maybe Code Enforcement can get with the business owners and see if anything could be done on the ordinance.

Mayor Pro Tem Salazar-Wibert announced that there were issues with fireworks and would be meeting with the people who put up the booths.

Mayor Pro Tem Salazar-Wibert asked that everyone continue to support our law enforcement, fire department and the military and their families.

Council Member Sandoval announced that the Senior Softball Team's first three years did

not result in a single game win, but that this year, all the teams had respected the Senior Softball Team.

Council Member Sandoval congratulated the Community Services Department for the fantastic fireworks show on the 4th of July.

Council Member Sandoval stated that illegal fireworks started before the 4th of July and suggested that more overtime for police officers be provided earlier and for citizen patrols to go out block-by-block. Mr. Sandoval added that perhaps the We-Tip program or hotline for people to call could be used.

Council Member Sandoval stated that on the 4th of July there was a fireworks display and there was a memorial at the cemetery, and suggested that City Manager Hunt bring back the cost for a parade to appreciate our veterans on the 4th of July. The parade route could be from Upland Avenue to Arrow Boulevard and Arrow Boulevard to Orange Way.

Council Member Sandoval requested an update on when a meeting would take place with the veterans regarding the memorial.

Council Member Sandoval wished the electeds a happy birthday and wished his daughter, Theresa, who was visiting from Florida a happy birthday.

Council Member Tahan stated that at a national level it had been a tough time and a grieving time, and thanked the police department and Police Chief Ramsey for being there and making sure that we are all safe. Mr. Tahan added that the tragedy that occurred in Dallas, Texas affected all of us.

Council Member Tahan stated that Code Enforcement was doing a great job and some unfortunate situations do occur.

Council Member Tahan congratulated the Senior Softball Team and that they had represented Fontana well, and thanked Council Member Sandoval for representing Fontana as well.

Council Member Tahan stated that compensation for the City Manager was based on the qualifications of the individual. Mr. Tahan added that Mr. Hunt has been the most stable City Manager in the Inland Empire, and that he had all the confidence in the City Manager, and that the City paid for the best in order to have the best leadership for the city. Mr. Tahan stated that the City Council expected the best from all the City's department heads.

Mayor Warren stated that compensation of employees and people that worked hard were entitled to the benefit. Mayor Warren added that there are over 1,000 employees under the leadership of City Manager Hunt and that Mr. Hunt has the record on longevity, as the longest City Manager in the state. Mayor Warren stated that the City Council stood behind City Manager Hunt's salary and that his efforts are supported.

Mayor Warren discussed the illegal fireworks and that it is a major commodity that is sold. Mayor Warren announced that more people needed to stand up and say something about

the illegal fireworks, and that they did not support them because they are dangerous. Mayor Warren added that the police officers did have other calls in addition to addressing illegal fireworks use during this time. Mayor Warren mentioned that in the City of Rialto people used yard signs that say illegal fireworks were not permitted in their neighborhood.

Mayor Warren stated that Bill Martin Park is a very active park and that the City needed the public's help to let staff know about negative activity occurring in the park.

Mayor Warren announced that the Community Services Department had done an exceptional job with their outreach regarding the concerts in the park, and mentioned that Rolls Royce and Bretton Wood would be at Miller Park on Thursday, July 14 and that admission was free.

Mayor Warren stated that the Fontana Woman's Club was a private club and the City had no authority regarding the club's activities, and the club was not subject to public notice or public rules. Mayor Warren added that the Fontana Woman's Club was subject to their own bylaws and had 45 members and were growing. Mayor Warren stated that the historical trees that were mentioned at the Woman's Club were not on the registry, and the Woman's Club is the oldest building in the City and was not for sale. Mayor Warren explained that the contract from the City was only for utilities and the City used the land or building for activities, and the audit was not part of the contract because it is a private club and added that the Council had no jurisdiction over the club.

Mayor Warren stated that there had been events that had occurred this past year around the United States. She read an article to be published in the Herald News regarding a peaceful demonstration, in which fellow Americans exercised their First Amendment rights, which ended in tragedy on July 7. Mayor Warren concluded by stating that we are "One Fontana" and the only way we all remain safe is to work together.

CITY MANAGER COMMUNICATIONS:

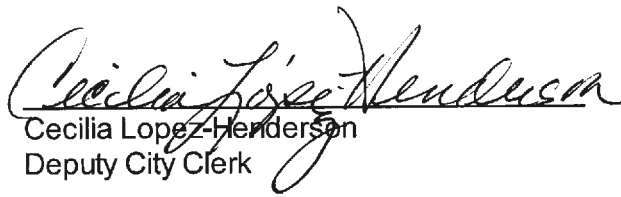
A. City Manager Communications

There were no City Manager Communications received.


ADJOURNMENT:

A moment of silence was held for the Dallas, Texas shooting victims and Mr. Ron Rovere, City Volunteer, who recently passed. Mayor Warren requested that Mr. Rick Minniefield, Little League District 71 President, be kept in our thoughts due to illness.

The Regular City Council Meeting adjourned at 9:46 p.m. in memory of the Dallas, Texas shooting victims and Mr. Ron Rovere, who recently passed, and Mr. Rick Minniefield be kept in our thoughts, due to illness, to the next Regular City Council Meeting to be held on Tuesday, July 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 JULY, 2016.**



Tonia Lewis
City Clerk