

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
August 23, 2016**

ARTIST SHOWCASE:

A. 5:30 P.M. Artist Showcase

The work of Artist Darren Inouye was presented at 5:30 p.m. in the Grover W. Taylor Council Chambers 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, Council Members Roberts, Tahan and Sandoval present.

PUBLIC COMMUNICATIONS:

There were no public communications received on the following closed session item:

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

Properties: Fontana Auto Center (South Highland Avenue between Sierra and Citrus Avenues).

Negotiating Parties: City of Fontana, FUSD & Gary Dou

Negotiator: David R. Edgar, 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, August 23, 2016 in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:00 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 Mayor Pro Tem Salazar-Wibert, the Pledge of Allegiance was led by Council Member Tahan.

CLOSED SESSION ANNOUNCEMENT:

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

SPECIAL PRESENTATIONS:

A. Artist Recognition

Mayor Warren and the City Council recognized Artist Darren Inouye as the artist in the Artist Showcase. Artist Darren Inouye was present to accept.

B. Fontana Days Run Sponsors

Mayor Warren and City Council recognized Sponsors of the 2016 Annual Fontana Days Run. Community Services Coordinator Bianca Morales presented to Contributing Sponsors: Aldi, 7-Eleven and San Antonio Regional Hospital were present to accept. Thompson Building Materials and Fontana Water Company were not present.

PUBLIC COMMUNICATIONS:

A. Public Communications

Ms. Karen Coleman, resident of Fontana, spoke on concerns related to the Fontana Woman's Club. In support of Karen Coleman's comments, ten residents stated their name and how long they have lived in the City of Fontana.

Ms. Darlene Scalf, Fontana resident, thanked staff in Public Works for graffiti removal within the city. Ms. Scalf also stated that she has called Public Works several times to remove items dumped in the public right of way, but has not received a response.

Mr. Autry Oday, Civil Rights Activist, spoke on issues related to police.

Mr. Charles Avila, Kaiser High School Band, announced that the Band and Color Guard have been invited to perform at the Fiesta Bowl. He asked for assistance raising funds for the cost related to expenses to attend. The approximate cost is \$130,000.

Mr. Bert Gamboa, Shellmolly Construction, spoke on programs and financing related to energy retrofits.

Mr. Danny Marquez, Veteran's Resource Center, spoke on issues related to the homeless. Mr. Marquez stated that several events are being planned to raise funds for homeless veteran's. Mr. Marquez asked the City Council for funds to support the military banner program.

Ms. Fran Givens, Fontana resident, spoke on homeless issues and requested that sidewalks in the area of Sierra Avenue and Marygold Avenue be widened.

CONSENT CALENDAR:

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

A. Approval of Minutes

Approve the minutes of the August 9, 2016 Regular City Council Meeting.

B. Accept Donation from Fox Theater

Accept donation of 500 tickets to "Which One's Pink," 500 tickets to "Rat Pack," and 4 tickets to Daniel Tiger from the Fox Theater in Riverside for a combined total value of \$16,202.00 to enhance the Sunset on Sierra Event and for promotion of the Fontana General Plan. The tickets are to be used in raffles and as promotional give-aways.

C. Accept Donation from Fontana Police Officers' Association

Accept donation of one Electra Cruiser bicycle with an estimated value of \$275.00 for use toward the Sunset on Sierra Event from the Fontana Police Officers' Association.

D. Accept Donation from the Police Benefit Association

Accept donation of one Mongoose Brawler Pro Style BMX Bicycle with an estimated value of \$99.00, from the Fontana Police Benefit Association for use toward the Sunset on Sierra Event in a raffle drawing.

E. Adopt Administrative Media Relations Policy

Adopt the Administrative Media Relations Policy (30-09).

F. Administrative Social Media and Website Policy Update

Accept the updated policy documents, City Web (20-40) and City of Fontana Social Media Policy (30-07).

G. Adoption of Resolution of Intent and to set the Public Hearing on Annexing Territory to Community Facilities District No. 54M for Street Lighting, Landscaping and Park Maintenance

1. Adopt **Resolution No. 2016-076** of the City Council of the City of Fontana declaring intention to Annex Territory to Community Facilities District No. 54M of the City of Fontana and Adopting a Map of the area proposed to be Annexed thereto (Annexation No. 1) Located southeast of San Bernardino Avenue and Citrus Avenue.

2. Set the Public Hearing for September 27, 2016, for the Formation of the District and call the Special Election for September 27, 2016.

H. Adoption of Resolution of Intent and to Set the Public Hearing on Establishing Community Facilities District No. 82M for Street Lighting, Landscaping and Park Maintenance for Tracts 18347 and 18439 Located Southeast of Arrow Avenue and Oleander Avenue

1. Adopt **Resolution No. 2016-077** of Intention of the City Council of the City of Fontana with respect to Establishment of Proposed Community Facilities District No. 82M of the City of Fontana.

2. Set the Public Hearing for September 27, 2016, for the Formation of the District and call the Special Election for September 27, 2016.

I. Authorize the Purchase of a Haaker Equipment Vactor 2115P-18 Plus Jet Rodder Sewer Mainline Cleaning Truck

Authorize the Purchasing Office to "Piggy-Back" on the National Joint Powers Alliance (NJPA) Purchasing Program (Contract No. 022014-FSC) for the purchase of One New Vactor 2115P-18 Plus Jet/Rodder Combination Truck from Haaker Equipment Company.

J. Award a Construction Contract for the Bus Shelter Installation Project

1. Approve and authorize the City Manager to execute a construction contract with Humphrey Constructors for the construction of the Bus Shelter Installation Project in the amount of \$186,850.00 and authorize a 10% contingency in the amount of \$18,685.00. (Bid No. SB-66-DE-16);

2. Authorize an appropriation of \$45,000.00 in additional funds to Project No. 3330 from AQMD Fund 241.

3. Authorize the City Manager to execute any and all utility agreements, utility easements, and any related items on behalf of the City of Fontana for the Project.

Council Member Sandoval asked about the bus shelter locations. City Manager Hunt stated that a map of locations was attached to the staff report, and that City Engineer Sandoval could also provide information on the proposed locations.

PUBLIC HEARINGS:

A. Pacific Auto Center Operating Covenant Agreement (OCA)

Mayor Warren opened Public Hearing Item PH-A.

Deputy City Manager David Edgar presented the staff report.

No one spoke in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Council Member Tahan, seconded by Council Member Sandoval, and passed unanimously 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. Adopt **Resolution No. 2016-78** of the City Council of the City of Fontana, California, accepting the Economic Development Subsidy Report prepared pursuant to Government Code Section 53083 regarding an Operating Covenant Agreement by and between the City of Fontana and Pacific Auto Center, LLC;
2. Approve the Operating Covenant Agreement between the City of Fontana and Hossein Yasdani/Pacific Auto Center/Yazdani Properties LLX and making related findings;
3. Authorize the City Manager to execute any documents necessary or appropriate to effectuate said approvals and/or agreements.

B. Municipal Code Amendment Regulating Recreational, Medical and Commercial Uses of Marijuana in the City of Fontana

Mayor Warren opened Public Hearing Item PH-B.

Police Chief Robert Ramsey presented the staff report.

No one spoke in favor or opposition.

The Public hearing was closed.

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

1. Waive further reading of and introduce Ordinance No. 1747, an Ordinance of the City Council amending Section 30-7 of the Municipal Code to regulate the personal, medical and commercial uses of marijuana in all zones in the City of Fontana, and that the reading of the title constitutes the first reading thereof.
2. Determine that the project is Exempt pursuant to Section 150619b)(3) of the California Environmental Quality Act and direct staff to file a Notice of Exemption

C. Appeal No. 16-001 is a Request by the Applicant, Stacy Sassaman, of LCD Sierra Crest LLC, to Overturn the Planning Commission's Decision on July 19, 2016, Denying the Time Extension for Tentative Tract Map No. 13-011EX (Tentative Tract Map 18944) Located on the Northeast Corner of Sierra Avenue and Segovia Avenue

Mayor Warren opened Public hearing Item PH-C.

Associate Planner Paul Gonzales presented the staff report.

Council Member Tahan asked if the appeal was for lot size or for a time extension. Mr. Gonzales stated that the applicant wants more time and not to change the lot size.

Mayor Warren clarified that the appeal was for a time extension.

Mayor Warren asked City Attorney Ballinger if the City Council could uphold the Planning Commission denial and close item, and then make a motion to allow for a five year extension. City attorney Ballinger stated that they could proceed as requested.

The Public Hearing was Closed.

ACTION: Mayor Warren made a motion to allow for a five year time extension, seconded by Council Member Tahan, and unanimously passed by a vote of 5-0 to allow for a five year extension on "PH-C". (AYES; Warren, Salazar-Wibert, Roberts, Tahan and Sandoval; NOES: None)

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Committee Reports

City Treasurer Koehler-Brooks wished Deputy City Clerk Cecilia Lopez-Henderson a Happy Birthday.

City Treasurer Koehler-Brooks thanked the Fontana Art Association for the special needs artist showcase.

City Clerk Lewis wished a Happy Birthday to City Attorney Ballinger, City Manager Hunt and Deputy City Clerk Cecilia Lopez-Henderson.

City Clerk Lewis thanked Council Member Sandoval for his help maintaining and installing plaques at the Rose Garden.

Council Member Sandoval attended the "Downtown Plan" event on Saturday, August 20, 2016. He would like to look at establishing a Senior Commission and a Historical Commission to include all ages.

Council Member Sandoval asked the City Manager to look at creating a homeless advocate, possibly dedicating a Police Officer to assisting the homeless.

Council Member Sandoval asked that the city look at assisting Kaiser High School Band with fund raising.

Council Member Sandoval thanked the Fontana Police Officers and praised them for all they do.

Council Member Tahan commented on the recent fire in Cajon Pass. He thanked the Fire

Department, the Police Department, and staff at the Jessie Turner Center for all they did.

Council Member Tahan attended the Love Fontana Event put on by Calvary Chapel and thanked Calvary Chapel for putting on the event.

Council Member Tahan visited the Skate Park with his children and stated that it was very busy and a nice facility.

Council Member Roberts reached out to the local Service Organization's to assist Kaiser High School Band to raise funds.

Council Member Roberts thanked Calvary Chapel for the Love Fontana events. They were a huge success.

Council Member Roberts stated that the Fontana Fire District really stepped up during the recent Blue Cut Fire and thanked them for all their efforts. Council Member Roberts thanked the staff at the Jessie Turner Center, and the Police Department for, feeding people at the shelter.

Mayor Pro Tem Salazar-Wibert wished Katherine Harrington a Happy 90th Birthday.

Mayor Pro Tem Salazar-Wibert thanked all who participated in the BBQ fundraiser for the three teens killed, put on by Fontana Police Department.

Mayor Pro Tem Salazar-Wibert thanked Sam Gordon for inviting her to attend a BBQ put on by North Fontana Community Baptist Church.

Mayor Pro Tem Salazar-Wibert attended a South Fontana reunion and thanked the group for the invite.

Mayor Pro Tem Salazar-Wibert thanked the individuals that formed a group "Big Brothers and Big Sisters, the group will be run by twenty young adults from Fontana that will mentor young students..

Mayor Pro Tem Salazar-Wibert thanked Calvary Chapel for the Love Fontana event.

Mayor Pro Tem Salazar-Wibert thanked the Fontana Police Department for putting on a BBQ for the displaced fire victims. Thank you to Karen Gerber for her efforts at the Jessie Community Center and Community Services for stepping up during the recent fire.

Mayor Pro Tem Salazar-Wibert stated that her husband was a Deputy Sherriff for Los Angeles County for thirty-four years. She stated that being a Police Officer today is much different than it was years ago and that it's not an easy job. She asked the community to thank the Police and Fire Departments.

Mayor Pro Tem Salazar-Wibert asked everyone continue to support Police, Fire and active military.

Mayor Warren thanked Pastor Danny Vasquez for the Love Fontana event.

Mayor Warren congratulated the Mayors Youth Academy for the recent get together to discuss their goals.

Mayor Warren thanked all those attended the downtown event on August 20, 2016.

Mayor Warren would like to work with the community and service organizations to work on a plan to raise funds for the Kaiser High School Band.

Mayor Warren thanked those involved in the art exhibit with special thanks to Janet Koehler-Brooks for the great event.

Mayor Warren thanked the Police Department for the recent BBQ to help families of the teens killed. She thanked all that attended and donated funds.

Mayor Warren announced that she spent time at the evacuation center at Jessie Turner Center, she stated that everyone was thankful for the help. Mayor Warren thanked Police, Fire and Community Services who all worked as a team.

Mayor Warren thanked the Red Cross for their efforts during the recent fire. Mayor Warren asked that people donate to the Red Cross, as they are helping with many fires across the country.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Hunt announced that the City Council would be adjourning to the ICSC Conference (International Conference of Shopping Centers) in San Diego, August 30 through September 2, 2016, and that a majority of the City Council would be attending.

City Manager Hunt thanked Senior Planner Shannon Casey for his hard work and dedication. Mr. Casey braved the elements during the recent Blue Cut Fire to attend a Planning workshop on Saturday August 20, 2016.

City Manager Hunt thanked Karen Porlas, Executive Secretary to the City Manager, for filling in as the Recoding Secretary.

ADJOURNMENT:

A moment of silence was held for all those impacted by the recent Blue Cut Fire.

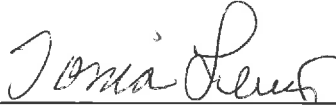
The City Council Meeting adjourned at 8:45 p.m. to the ICSC Conference in San Diego August 30, through September 2, 2016, and then to the next Regular City Council Meeting which will be held on Tuesday, September 13, 2106, with a workshop at 5:30 p.m. in the City Hall Executive Conference Room and the Regular meeting at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.



Karen Porlas

Executive Secretary to the City Manager

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE
13TH DAY OF SEPTEMBER, 2016.**



Tonia Lewis

City Clerk