

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

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**WORKSHOP:**

**A. 5:30 P.M. WORKSHOP**

A Workshop of the Fontana City Council was held on Tuesday, November 8, 2016 in the Fontana City Hall Executive Conference Room, 8353 Sierra Avenue, Fontana, California.. The workshop was called to order by Mayor Pro Tem Salazar-Wibert at 5:30 p.m. with Council Members Roberts, Tahan and Sandoval present; Mayor Warren was absent.

The Fontana City Council Regular Agenda was reviewed. City Manager comments were heard.

**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, November 8, 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, Council Members Roberts, Tahan and Sandoval.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

Following the Invocation by Mayor Warren, the Pledge of Allegiance was led by Council Member Sandoval.

**CLOSED SESSION ANNOUNCEMENT:**

Mayor Warren announced that a closed session had not been held; therefore, no announcement from City Attorney Ballinger was necessary.

**SPECIAL PRESENTATIONS:**

**A. Special Recognition of Fontana Resident Mr. Dan Sitter**

Mayor Warren and the City Council recognized Fontana resident Mr. Dan Sitter for

receiving a Guinness World Records Certification for the world's largest collection of 1123 Model Internal Combustion Engines. Mr. Sitter summarized his accomplishment and thanked Mayor Warren and the City Council for the special recognition.

## **B. Police Department Swearing In Ceremony**

Mayor Warren and the City Council swore in new Fontana Police Officers Paul Beltran, Noah Paculba, Joshua Passas, Adam Turpin and Abraham Valles. Chief Ramsey introduced the new Police Officers, who were present with their family members.

## **PUBLIC COMMUNICATIONS:**

### **A. Public Communications**

Ms. Lynda Dykes, Fontana resident, expressed concern about the negative election campaign, disappointed with candidate Jesse Armendarez, tired of political signs on trees and Mayor Warren's robo calls, and questioned who were the three Political Action Committees (PACs), and whether they included Mayor Warren, Council Member Roberts and Mr. Phil Cothran.

Ms. Susan Farmer, AYSO, was not available to provide public comments.

Ms. Donna May, Fontana resident, expressed disappointment concerning behavior of citizens in Fontana and language that had been used. She read a letter into the record concerning negative campaign material regarding the candidates and added that she supported Mayor Warren and candidate Jesse Armendarez.

## **CONSENT CALENDAR:**

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

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

Approve the Minutes of the October 25, 2016 Regular City Council Meeting.

### **B. Adoption of Ordinance No.1750**

Second Reading/ Adopt **Ordinance No. 1750** an Ordinance of the City Council of the City of Fontana, approving an amendment to Chapter 30 Article V, (Residential Zoning Districts), Section 30-160.1.9, and Article VI, (Commercial and Mixed-Use Zoning Districts) Division 3 Section 30-202.A, and Section 30-205 of the Fontana Municipal Code. The amendment will allow fortune-telling to be permitted by-right.

### **C. Co-Sponsorship Approval**

1. Review and approve (3) Co-Sponsorship applications for Fiscal Year July 1, 2016 - June 30, 2017, for a total funding amount of \$8,913 as recommended by the Parks & Community Services Commission.

2. Approve \$5,972 in additional "in-kind" Co-Sponsorship support for FY 2016-2017.

**D. Acceptance of Final Map for Tract No. 18825-1 located at the northeast corner of Citrus Avenue and Summit Avenue**

Accept the Final Map for Tract No.18825-1 located at the northeast corner of Citrus Avenue and Summit Avenue; accept as public dedicated streets and easements; and authorize the City Manager to enter into a Subdivision Agreement with the subdivider.

**E. Acceptance of Final Map for Tract No. 18881 Located at the Southwest Corner of Sierra Lakes Parkway and Beech Avenue**

Accept the Final Map for Tract No. 18881 located on the southwest corner of Sierra Lakes Parkway and Beech Avenue; accept as public all dedicated streets and easements; and authorize the City Manager to execute any and all agreements with the subdivider.

**F. Approve a Cooperative Agreement for the San Bernardino Valley Coordinated Traffic Signal System Operation and Maintenance Project**

Authorize and approve the City Manager to execute Cooperative Agreement No. 16-1001389 with the San Bernardino County Transportation Authority for the San Bernardino Valley Coordinated Traffic Signal System Operation and Maintenance Project.

**G. Award Bid for Center Stage Theater LED Panel Wall, SP-46-CS-16**

Award bid to VisualizeLED San Diego, California for a 4.81 mm LED wall (SP-46-CS-16) in the amount of \$131,113.08.

**H. Award Contract for Weed Abatement and Rubbish Removal Services SP-05-PD-17**

Award bid and authorize the City Manager to execute a contract with California Landscape and Design, Inc., for a period of two (2) years, renewable for three (3) one-year extensions at the City's sole discretion (SP-05-PD-17) in the amount of \$115,000 for city owned property.

**I. Purchase and Sale Agreement between the City of Fontana and New Legacy Development Corporation**

1. Find that there will be no significant environmental impacts caused by this agreement and pursuant to Section 15378 of the California Environmental Quality Act (CEQA) there is no potential for physical change in the environment and where it can be seen with absolute certainty that there is no possibility that this agreement will have a significant effect on the environment, this activity is not subject to CEQA, and therefore, a Notice of Exemption will be filed.

2. Approve a Purchase and Sale Agreement between the City of Fontana and New Legacy Development Corporation to facilitate the sale of property commonly known as Assessor Parcel Number 0190-022-41, located north of Foothill Boulevard and east of Citrus Avenue in the Northgate Specific Plan.

3. Authorize the City Manager to execute any documents to effectuate said sale of the

property.

**J. Resolution of Approval for Youth Soccer and Recreation Development Program Grant Application**

Adopt **Resolution No. 2016-093**, confirming compliance with State requirements and approving application for Youth Soccer and Recreation Development Program Grant Funds from the California State Department of Parks and Recreation; and approving and authorizing the Public Works Director to be the designated signature authority or his designee for the grant application on behalf of the City of Fontana.

**K. Adoption of Resolution of Intent and to Set the Public Hearing on Annexing Territory to Community Facilities District No. 63M for Street Lighting, Landscaping and Park Maintenance; the District is Located South of Miller and West of Beech**

1. Adopt **Resolution No. 2016-094** of the City Council of the City of Fontana declaring intention to Annex Territory to Community Facilities District No. 63M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 1). Located south of Miller and west of Beech.
2. Set the Public Hearing for December 13, 2016, for the Annexation of Territory to the District and call for the Special Election for December 13, 2016.

**L. Adoption of Resolution of Intent and to Set the Public Hearing on Establishing Community Facilities District No. 83M for Street Lighting, Landscaping and Park Maintenance for Tract 18881; the District is Located South of Sierra Lakes Parkway between Beech and Hemlock**

1. Adopt **Resolution No. 2016-095** of Intention of the City Council of the City of Fontana with respect to Establishment of Proposed Community Facilities District No. 83M of the City of Fontana.
2. Set the Public Hearing for December 13, 2016, for the Formation of the District and Call for the Special Election for December 13, 2016.

**M. Adoption of Resolution of Intent and to Set the Public Hearing on Establishing Community Facilities District No. 84M for Street Lighting, Landscaping, and Park Maintenance; the District is Located Southwest of Walnut Village Parkway and Mango Avenue**

1. Adopt **Resolution No. 2016-096** of Intention of the City Council of the City of Fontana with respect to Establishment of Proposed Community Facilities District No. 84M of the City of Fontana.
2. Set the Public Hearing for December 13, 2016, for the Formation of the District and Call the Special Election for December 13, 2016.

**PUBLIC HEARINGS:**

**A. Ordinance of the City Council of the City of Fontana adding Section 5-609 through 5-614 to Article XXI of Chapter 5 of the City of Fontana Municipal Code to Create an Expedited Permitting Process for Electric Vehicle Charging Station Systems**

Mayor Warren opened Public Hearing Item PH-A.

Building Official Gil Estrada provided the staff report.

Council Member Tahan asked about the length of time for processing and whether it applied to commercial and residential areas.

Building Official Estrada stated that the processing time was typically two to three weeks.

Council Member Tahan inquired whether the permit processing time included the plan check.

Building Official Estrada responded yes.

Council Member Tahan inquired about parking locations for commercial areas.

Building Official Estrada stated that the applicant would be required to submit a site plan.

Council Member Tahan asked whether existing parking could be used.

Building Official Estrada stated that existing parking stalls could be used and added that there were new requirements for accessible stalls.

Discussion ensued regarding parking stalls.

Mayor Warren stated that most of the parking would be done in new development.

Building Official Estrada responded yes.

Discussion continued regarding parking stalls.

No one spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Council Member Sandoval, seconded by Council Member Roberts, 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. Determine that this Ordinance does not commit the City to any action that may have a significant effect on the environment per Section 15378 of the California Environmental Quality Act; therefore, such action does not constitute a project subject to the requirements of CEQA.

2. Introduce and waive further reading of **Ordinance No. 1751**, an Ordinance of the City Council of the City of Fontana adding Sections 5-609 through 5-614 to Article XXI of Chapter 5 of the Fontana Municipal Code to Create an Expedited Permitting Process for Electric Vehicle Charging Station Systems, and that the reading of the title constitutes the first reading thereof.

**B. Master Case No. 15-065 - Specific Plan Amendment No. 15-001; General Plan Amendment No. 15-003; Development Agreement No. 16-004; Tentative Tract Map Nos. 19960, 19961, 19962; Administrative Site Plan Nos. 15-035, 15-037 and Amendment to Advance and Reimbursement Agreement (Arboretum Specific Plan)**

Mayor Warren opened Public Hearing Item PH-B.

Senior Planner Orlando Hernandez provided the staff report.

Council Member Tahan stated that people in northern Fontana were always concerned about schools and asked whether staff had talked to the school district about the extra space and the option to buy.

Senior Planner Hernandez stated that the school district was part of the City's Development Advisory Board (DAB) and had received the project and were not interested in pursuing the 10 acres.

Council Member Tahan asked whether the new park standards had been applied.

Senior Planner Hernandez responded yes.

Discussion ensued regarding the facility and the amenities.

Council Member Tahan asked about a club house.

Senior Planner Hernandez stated that a club house was not in this particular area and the development was not to be a gated community.

Council Member Tahan asked about the new standards for mail boxes.

Senior Planner Hernandez stated that the new standards for mail boxes would be implemented.

Applicant representative Ms. Stacey Sassaman, VP Planned Communities, Lewis Management Corporation, requested that the affordable housing fee be removed from the staff recommendation.

City Attorney Ballinger clarified that the staff recommendation included the affordable housing fee.

Mayor Warren inquired whether the request was to include or exclude the fee.

Senior Planner Hernandez stated that the staff recommendation was to include the fee and the applicant was requesting that the fee be excluded.

City Manager Hunt provided background regarding the need for the fee and the loss of redevelopment and that the City was no longer getting the low to mod income housing.

No one else spoke in favor or opposition.

The Public Hearing was closed.

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

1. Adopt the Addendum to the Arboretum Specific Plan Environmental Impact Report (Arboretum EIR) (SCH No. 2006071109) and direct staff to file a Notice of Determination;
2. Waive further reading of and introduce **Ordinance No. 1752**, an ordinance of the City Council of the City of Fontana, California, approving Specific Plan Amendment No. 15-001 - a request to change the land use designation of approximately 31.2 acres from Residential Multi-Family (8.1 - 16.0 dwelling units per acre) to Residential Multi-Family (3.0 - 8.0 dwelling units per acre), and that the reading of the title constitutes the first reading thereof.
3. Waive further reading of and introduce **Ordinance No. 1753**, an ordinance of the City Council of the City of Fontana, California, approving the First Amendment to the Arboretum Development Agreement, and that the reading of the title constitutes the first reading thereof.
4. Adopt **Resolution No. 2016-097**, a resolution approving General Plan Amendment No. 15-003 - a request to amend the Circulation Element of the General Plan changing the street classification of Cypress Avenue from a Modified Primary Highway to a Secondary Highway.
5. Adopt **Resolution No. 2016-098**, a resolution approving First Amendment to Advance and Reimbursement Agreement.
6. Approve Tentative Tract Map Nos. 19960, 19961 and 19962 based upon the Findings and subject to the Conditions of Approval.
7. Approve Administrative Site Plan Nos. 15-035 and 15-037 based upon the Findings and subject to the Conditions of Approval.

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

### **A. Discussion and Action Regarding Cancelling the November 22, 2016 City Council Meeting – Councilmember Sandoval**

Mayor Warren announced that discussion and action regarding cancellation of the November 22, 2016 City Council Meeting had been requested by Council Member Sandoval.

Council Member Sandoval inquired about cancelation of the November 22, 2016 Council meeting.

City Manager Hunt stated that he had planned on having the Council meeting; however,

there was nothing on the agenda that could not be pushed to the December 13, 2016 City Council meeting. Mr. Hunt added that the swearing in of the newly-elected officials would be held on December 13, 2016.

Council Member Sandoval stated that due to the upcoming Thanksgiving Holiday that the City Council meeting would fall during the same week.

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

To cancel the November 22, 2016 Regular City Council Meeting.

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

City Treasurer Janet Koehler-Brooks stated that the Above the Limits program for special needs individuals was open to all age groups.

City Treasurer Koehler-Brooks stated that a Halloween event had been held for special needs individuals and that the event had been fabulous.

City Treasurer Koehler-Brooks announced that the Thanksgiving Event would be held on Friday, November 18, 2016, at the Heritage Community Center.

City Clerk Tonia Lewis thanked the staff for the party that was held at the Cypress Center.

City Clerk Lewis wished everyone a wonderful evening and hoped everyone had gone to vote.

Council Member Tahan thanked everyone who ran for a position on the council and school board.

Council Member Tahan wished his son, Adam Tahan, a happy birthday.

Council Member Sandoval provided comments about the cancelation of the November 22, 2016 Council meeting.

Council Member Roberts stated that he appreciated all the efforts for those who wanted a council seat.

Council Member Roberts reminded the community that the Veterans Day celebration would be held on Friday, November 11, 2016.

Mayor Pro Tem Salazar-Wibert congratulated Mr. Jack Long on receiving the Chaffey College Alumni of the Year Award.

Mayor Pro Tem Salazar-Wibert congratulated the participants at Bloomington High School for having completed the FLIP program.

Mayor Pro Tem Salazar-Wibert announced that the Police Explorers came in No. 1 and



thanked all the police officers.

Mayor Pro Tem Salazar-Wibert thanked Post 772 for the invitation to the Veterans Parade.

Mayor Pro Tem Salazar-Wibert wished her husband, David, and son Daniel, and grand children, Eliza, Henry and Leslie, a happy birthday.

Mayor Pro Tem Salazar-Wibert requested that everyone continue to support law enforcement and our military troops.

Mayor Warren stated that everyone was entitled to their own opinion and that the City Council would return to the dais and needed to work together and decide on what was good for Fontana.

Mayor Warren stated that this was the time that America was the greatest and that everyone had the right to vote and support who they wanted in office.

Mayor Warren announced that the City had an incredible month coming up and several incredible events, and that the Veterans Day celebration would be held on November 11, 2016.

Mayor Warren announced that the Christmas Tree Lighting Ceremony would be held on Wednesday, November 30, 2016, at 6:00 p.m.

Mayor Warren announced that the City's Activities Brochure was available and had all the upcoming holiday activities.

Mayor Warren thanked everyone for attending the Council meeting.

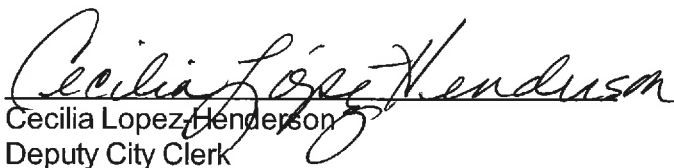
## **CITY MANAGER COMMUNICATIONS:**

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

There were no City Manager Communications provided.

## **ADJOURNMENT:**

The City Council Meeting adjourned at 8:04 p.m. to the next Regular City Council Meeting to be held on Tuesday, December 13, 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**

13TH DAY OF DECEMBER, 2016.

A handwritten signature in cursive script that reads "Tonia Lewis".

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Tonia Lewis  
City Clerk