

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR CITY COUNCIL MEETING  
October 25, 2016**

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**ARTIST SHOWCASE:**

**A. 5:30 P.M. Artist Showcase**

The work of Artist Jennifer Duran 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 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 – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)**

Case: DRIVER, Amy v. City of Fontana

United States District Court, Central District of California, Eastern Division-Riverside;

Case Number: 5:15-cv-2093

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT SECTION 54956.8**

Property: APN: 0251-201-07 – North of the I-10 Freeway, South of Valley Blvd, West side of Sierra Avenue

Property: APN 0191-011-06 – Southeast corner of Foothill Blvd., and Citrus Avenue

Negotiating Parties: City of Fontana and Lamar Central Outdoor

Negotiator: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8**

Property: East of Citrus Avenue & North of Foothill Boulevard, North Gate Park,

APN: 0190-022-41

Owner: City of Fontana  
Negotiating Parties: City of Fontana and New Legacy Development Corporation  
Negotiator: Debbie Brazill, Deputy City Manager

## **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, October 25, 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, Council Members Roberts, Tahan and Sandoval.

### **INVOCATION/PLEDGE OF ALLEGIANCE:**

Following the Invocation by Council Member Roberts, the Pledge of Allegiance was led by Council Member Tahan.

### **CLOSED SESSION ANNOUNCEMENT:**

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

## **PROCLAMATIONS:**

### **A. A.B. Miller High School College Application Kick-off Day**

Mayor Warren and the City Council proclaimed November 3, 2016 as A.B. Miller High School College Application Kick-off Day in the City of Fontana. A.B. Miller High School Assistant Principal Dr. Barbara Kelley, Fontana Unified School District Co-Superintendent Porter and FUSD Board Members Corona and Chavez were present to accept the proclamation.

### **B. Domestic Violence Prevention Month**

Mayor Warren and the City Council proclaimed October as Domestic Violence Prevention Month in the City of Fontana, to help bring awareness on the impact that domestic violence has on families and the community.

## **SPECIAL PRESENTATIONS:**

### **A. Artist Recognition**

Mayor Warren and the City Council recognized Ms. Jennifer Duran as the artist in the Artist Showcase. Community Services Coordinator Ana Casillas introduced Ms. Duran, who thanked the Mayor and the City Council for the arts program.

### **B. Special Recognition of Fontana District 71 Championship Teams from American Little League**

Mayor Warren and the City Council recognized Fontana District 71 Championship teams from the American Little League. Southwest Little League President Lynn Durrett and Team Coaches introduced the team members.

### **C. Introduction of Mayor's Youth Advisory Council (MYAC)**

Mayor Warren and the City Council introduced the new Mayor's Youth Advisory Council (MYAC). Community Services Coordinator Felix Bobo was present and self-introductions were made by the new MYAC members.

### **D. Police Department August 2016 Employees of the Month**

Mayor Warren and the City Council recognized the Fontana Police Officers Association Board of Directors: Detective Andrew Vestey, Officer Richard Guerrero, Detective Ronald Vogelsang, Corporal Marc Gonzales and Officer Robert Miller, as the Police Department's August 2016 Employees of the Month. Chief Ramsey summarized their accomplishments and thanked them for all their hard work.

## **PUBLIC COMMUNICATIONS:**

### **A. Public Communications**

Planning Manager Zai AbuBakar announced the General Plan Update Land Use and Transportation Open House to be held on Saturday, October 29, 2016, 9:00 a.m. to 12 noon, Fontana Senior Center, 16710 Ceres Avenue in Fontana. Communications and Marketing Manager Martha Guzman-Hurtado provided the announcement in Spanish.

Ms. Cathy Ritchey, Kiwanis Club, announced the Annual United Service Clubs Christmas Luncheon, December 6, 2016, 12 noon to 3:00 p.m., Fontana Elks Lodge, 1540 Rialto Avenue in Fontana. The cost is \$15/person and the donation of one unwrapped toy. All proceeds and toys are to be donated to the needy children throughout the community.

Mr. Stephen Pateraeau, Fontana resident, stated his concerns regarding the negative campaign flyers that had been mailed out from the Inland Empire Citizens Committee located in Elk Grove, California.

Ms. Lynda Dykes, Fontana resident, spoke on domestic violence and that Ms. Caroline Armendarez once had a restraining order against candidate Jesse Armendarez. She chastised Mayor Warren and Council Member Roberts for supporting Mr. Armendarez in the election, and also spoke on the negative campaign flyers that had been mailed out.

Ms. Tressy Capps, Fontana resident, spoke on the negative campaign flyers that had been mailed out, encouraged residents to vote no on Measure I, and mentioned that she had seen a lot of candidate Jesse Armendarez' campaign flyers at a Fontana High School dance performance that she had attended with her niece. She added that he should know the rules because he was on the Fontana School Board.

Mr. Rafael Garcia, Fontana resident, stated that he had been offended by the campaign flyers from Mayor Warren regarding incumbent Salazar-Wibert having family members in

the business sector. He also spoke on a variety of community issues.

Ms. Darlene Scalf, Fontana resident, spoke on the political flyer that was mailed and was disappointed to find that Ms. Kathy Binks was mentioned in the flyer. She also spoke on the Fontana Woman's Club.

Ms. Shirley Yamamoto, concerned citizen, spoke on the negative campaign material regarding incumbent Salazar-Wibert. She added that the City and the Fontana School District were two separate entities.

Mr. Dale Radford, Fontana resident, spoke on the trees that had been taken down by Mr. Phil Cothran at the Fontana Woman's Club. He added that City Manager Hunt was not doing his job in the City and was not overseeing the permitting process.

Mr. Calvin and Mrs. Sharon Williams, Fontana residents, spoke on an incident that had occurred on October 6, 2016 regarding a police report written by Officer Ryan and that the report had misinformation. Mayor Warren referred the Williams to Police Department staff.

Ms. Karen Coleman, Fontana resident, spoke on election costs and campaign flyers and referred to campaign material from the Inland Empire Citizens Committee in Elk Grove, California.

Ms. Millie Henson, Fontana resident, spoke about the Fontana Woman's Club.

Mr. John Porter, Fontana Unified School District Co-Superintendent, spoke on the search for the future superintendent of FUSD. He encouraged the Mayor and City Council, City staff, and the community to provide feedback. He announced a meeting to be held on Tuesday, November 1, 2016, 5:00 p.m., Jesse Turner Community Center in Fontana, to meet with the search firm regarding traits and characteristics for the future superintendent. Comments can be provided on-line and are considered confidential, and encouraged everyone to participate.

Ms. Diane Olivares, Fontana resident, spoke about corruption in local government and the reasons why it occurred.

Ms. Lorena Corona wished Ms. Millie Henson a happy 91st birthday.

Ms. Corona spoke in support of incumbent Salazar-Wibert, and added that the residents in Fontana supported the veterans. She spoke about keeping children in the City and creating jobs to meet their future needs, so that they could work and live in the City.

Mr. Joe Dean, Fontana resident, spoke about the upcoming election and the negative campaign flyers. He stated that he supported incumbents Salazar-Wibert and Sandoval.

Mr. Danny Marquez, Veterans Partnering with Communities, spoke about the many services and programs that were offered at the Veterans Resource Center. He stated that he supported incumbents Salazar-Wibert and Sandoval for City Council.

Mr. Marquez announced the Veterans Day event to be held on Friday, November 11, 2016 and that 65 families would be recognized because they had been part of the military banner program.

Ms. Fran Givens, Fontana resident, thanked the City for the new sidewalk on Marygold Avenue. She personally thanked Public Works Director Chuck Hays and staff for installing the sidewalk.

Ms. Givens spoke about her concerns regarding people hanging around stores and suggested that the Chamber of Commerce speak to the store owners about the problem.

Ms. Givens spoke about November 11th and the various military service branches and the number of veterans with health issues. For the veterans crisis line, the contact number provided was (800) 273-8255. She also talked about housing for veterans and provided the contact number of the Inland Housing Board at (909) 984-2254, Ext. 177 for assistance.

Mr. David Matuguina, Fontana resident, stated that the City Council was doing a good job and the Fontana School District was in good shape. He added that a City Council was not needed to run the School District. He stated that he supported incumbent Salazar-Wibert.

Mr. Matuguina suggested that the City work with the county to make the West End look better and more safe routes to school were needed.

Ms. Kathy Ponce, Fontana resident, stated that there were Democrats and Republicans in the same room and were all united and working together to open people's eyes to corruption. She talked about the negative campaign flyers, and added that she supported incumbents Salazar-Wibert and Sandoval.

Ms. BarBara Chavez, Fontana resident, spoke about the dirty politics and the negative campaign flyers. She stated that she supported incumbents Salazar-Wibert and Sandoval.

## **CONSENT CALENDAR:**

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

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

Approve the Minutes of the October 11, 2016 Regular City Council Meeting.

### **B. Fiscal Year 2016/17 First Quarter Budget Status Report**

1. Approve the recommended Fiscal Year 2016/2017 First Quarter Budget adjustments.
2. Adopt **Resolution No. 2016-092** of the City Council of the City of Fontana establishing the title and job description for the Pump Maintenance Assistant classification at an existing salary range (salary range 6YD-40, \$3,844.53 - \$4,671.33)

and adopting the updated job description for the classification of Police Cadet.

**C. Approval of Contract Services Agreements for On-Call Environmental and Planning Consulting Services**

1. Approve Selection of Nine (9) Qualified Firms to provide On-Call Environmental and Planning Consulting Services; and,
2. Authorize the City Manager to Execute a Master Agreement with the nine (9) Firms to Provide On-Call Environmental and Planning Consulting Services for a three (3) year contract to be reviewed on an annual basis at the sole discretion of the City.

**PUBLIC HEARINGS:**

**A. Zoning Code Amendment No. 16-006, an Amendment to the Zoning and Development Code to Allow Fortune-Telling Businesses to Operate By-Right in Commercial and Mixed Use Zones**

Mayor Warren opened Public Hearing Item PH-A.

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

Council Member Tahan asked how many businesses had been permitted.

Assistant Planner Ricco stated that two businesses had been permitted.

Council Member Tahan inquired about the 1,000 foot separation requirement.

Assistant Planner Ricco stated that the 1,000 foot separation was required.

Discussion ensued regarding the entitlement and by-right process.

Council Member Tahan asked whether there were any restrictions on the 1,000 foot separation to be away from schools and added that he would like to see more restrictions.

Mayor Warren asked whether there had been any issues with these types of businesses.

Assistant Planner Ricco stated that there had been no issues.

City Attorney Ballinger stated that the City needed to treat fortune telling like any other business. He added that from a planning and zoning perspective that there were not very many impacts from members of the public obtaining advice from a fortune teller.

No one spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Council Member Roberts, 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. 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 Section 15061 (b) (3), because the Code Amendment does not permit specific development or indicate the placement of physical structures.

2. Waive further reading and introduce **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, and that the reading of the title constitutes the first reading thereof.

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

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

City Treasurer Koehler-Brooks wished Ms. Millie Henson a happy birthday.

City Treasurer Koehler-Brooks announced that the Red Ribbon Breakfast had been great.

City Clerk Lewis encouraged everyone to vote and announced that the absentee mail ballot box was located at the front counter of the City Clerk's Department, Monday through Thursday, 8:00 a.m. to 6:00 p.m.

City Clerk Lewis wished Ms. Millie Henson a happy 91st birthday.

Council Member Sandoval thanked the citizens that attended the City Council meeting and provided their comments.

Council Member Sandoval said "hi" to his grandson, Sebastian.

Council Member Tahan wished Ms. Millie Henson a happy birthday.

Council Member Tahan announced that the design for the sidewalk at Sierra Avenue and Ceres Avenue, near the Metrolink station, had been finalized and construction would begin in February or March 2017.

Council Member Tahan stated that during an election season everyone needed to be true and vote for who would be the best person for the City.

Mayor Pro Tem Salazar-Wibert thanked all her friends who came out and spoke on her behalf.

Mayor Pro Tem Salazar-Wibert announced that she had attended a dance at the Senior Center and had a great time.

Mayor Pro Tem Salazar-Wibert announced that she had attended a talent show for adult special needs individuals at the Steelworkers' Auditorium.

Mayor Pro Tem Salazar-Wibert announced that she had attended a Swing and Sway Dance by the Church of Latter Day Saints (LDS) and had a great time.

Mayor Pro Tem Salazar-Wibert gave a shout out to Community Services Department staff for the Lights on After School Event.

Mayor Pro Tem Salazar-Wibert stated that the Red Ribbon Breakfast had been great.

Mayor Pro Tem Salazar-Wibert announced that she had attended a reception hosted by the BIA (Building Industry Association) and that the reception had been well attended.

Mayor Pro Tem Salazar-Wibert wished Ms. Millie Henson a happy birthday.

Mayor Pro Tem Salazar-Wibert sent well wishes to Ms. Joan Geist, who had not been well.

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

Mayor Pro Tem Salazar-Wibert asked everyone to continue to remember our first responders, police and fire staff, and military troops.

Mayor Pro Tem Salazar-Wibert reminded everyone to vote on November 8, 2016, election day.

Council Member Roberts wished Ms. Millie Henson a happy birthday and that she had been Miss Fontana in 1946.

Council Member Roberts stated that he really appreciated all his colleagues and that sometimes they may find themselves on different sides. He encouraged everyone to vote on November 8, election day.

Mayor Warren thanked City staff for all that they do.

Mayor Warren announced that she had attended the Lights on After School event and that it had been a great event at Fontana Middle School. Mayor Warren mentioned a volcano exhibit that had been displayed by the students.

Mayor Warren announced that she had attended the Red Ribbon Breakfast and that the event had been great and the keynote speaker gave a heartfelt speech.

Mayor Warren congratulated the chiefs of the Police Department and School District.

Mayor Warren announced that she had attended a Survivors Event.

Mayor Warren announced that Ms. Ellen Turner and the Concerned Citizens for the Development of North Fontana had held a health fair and congratulated their efforts on



that day.

Mayor Warren announced that she had attended the Dr. Phil Show and had a chance to talk to Dr. Phil. Mayor Warren added that a few high schools have been contacted to determine if there was interest in having groups of students attend a show and that transportation could be arranged.

Mayor Warren stated that everyone had an opinion and that there were 15 days left before the election. Mayor Warren encouraged everyone to vote on November 8, 2016.

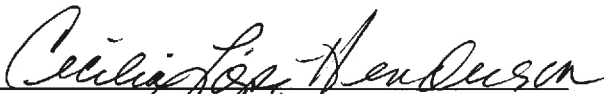
## **CITY MANAGER COMMUNICATIONS:**

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

City Manager Hunt stated that two committee meetings, Fire and Housing, would follow the adjourned City Council meeting.

## **ADJOURNMENT:**

The City Council Meeting adjourned at 9:12 p.m. to the next Regular City Council Meeting to be held on Tuesday, November 8, 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 8TH DAY OF NOVEMBER, 2016.**



Tonia Lewis  
City Clerk