

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
January 10, 2017**

WORKSHOP:

A. 5:30 P.M. WORKSHOP

A Workshop Meeting of the Fontana City Council was held on Tuesday, January 10, 2017, in the Fontana City Hall Executive Conference Room at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 5:30 p.m. with Council Members Roberts, Tahan, Sandoval and Armendarez present. Public Works Director Chuck Hays presented a power point presentation on the proposed Miller Park Amphitheatre.

PUBLIC COMMUNICATION:

Ms. Darlene Scalf raised concerns about potential parking issues with the Miller Park Amphitheater. Ms. Scalf provided copies of a map indicating the lack of parks in the "poorest parts" of the City, to the Mayor and City Council.

Ms. Cathy Ritchey raised concerns about the lack of space for the Miller Park Amphitheater and suggested it be moved to another location with more open space. Ms. Ritchey placed an envelope in front of Mayor Warren and stated "you've been served".

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, January 10, 2017 in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:00.p.m.

Present: Mayor Warren, Council Members Roberts, Tahan, Sandoval and Armendarez.
Absent: None.

Following the Invocation by Pastor Danny Vasquez, the Pledge of Allegiance was led by Council Member Armendarez.

SPECIAL PRESENTATIONS:

A. Special Recognition of Mr. Ron Rovere

Mayor Warren and the City Council recognized Mr. Ron Rovere in memory of his participation for over 40 years in the Christmas and Fontana Days Parades. Mr. Rovere's widow, Mrs. Rovere and members of the Exchange Club were present to accept.

B. Police Department September 2016 Employees of the Month

Mayor Warren and City Council recognized the Police Department's Bike Team: Sergeant Patrick Mackey, Corporal Joshua Rice, Officer Richard Guerrero, Officer Kevin Anderson, Officer Christopher Gonzales, Officer Neil Bachman and Officer John Parsons as the Police Department's September 2016 Employees of the Month. Chief Robert Ramsey summarized the Team's efforts in dealing with the homeless issues and also finding resources to help the homeless. All recipients were present to accept.

C. Police Department October 2016 Employees of the Month

Mayor Warren and City Council recognized Corporal Jeremy Hale and Officer Marcia Pineda as the Police Department's October 2016 Employees of the Month. Chief Robert Ramsey summarized the Team's efforts in the fight against child pornography. Both Corporal Hale and Officer Pineda were present to accept.

PUBLIC COMMUNICATIONS:

A. Public Communications

Ms. Darlene Scalf spoke on a rumor that the Sizzler in Fontana was closing. Ms. Scalf stated it was just a rumor and that the Sizzler was not closing.

Ms. Scalf raised concerns that Mr. Phil Cothran cut down trees at the Fontana Woman's Club without proper permits. Ms. Scalf also stated that she does not want Mr. Cothran appointed to any of the City Commissions.

Pastor Daniel Vasquez with Calvary Chapel congratulated Jesse Sandoval on his re-election to City Council and Jesse Armendarez on his election to City Council. Pastor Vasquez is excited to serve the community and looking forward to three Fontana Love events in the summer.

Pastor Vasquez congratulated the Mayor, City Council and City Manager Ken Hunt on the City of Fontana being rated the No. 2 fiscally strong city in the country.

Mr. Danny Marquez spoke on the Military Banner Program. Mr. Marquez identified several banners in need of replacement. Mr. Marquez also stated that several of the banners are faded and the name on the banners cannot be identified.

Mr. Marquez thanked the city for honoring the Veterans in the community.

Ms. Maha Rizvi introduced herself as the area Field Representative for newly elected Assembly Member Eloise Gomez Reyes. Ms. Rizvi invited the Mayor and Council to a swearing-in ceremony for Assembly Member Gomez Reyes, which will be held on February 4, 2017, at 12:00 P.M. at San Bernardino Valley College Auditorium.

Ms. Fran Givens raised concerns about a recent carjacking in the City of Fontana. Ms. Givens reminded people to lock their car doors when they get inside their car.

Mr. Ted Hunt congratulated the Mayor, Council and City Manager Ken Hunt on being ranked as the 2nd financially strongest city in the nation.

Mr. Hunt invited the Mayor and Council to attend the POA (Police Officers Association) swearing-in ceremony on February 9, 2017 at 5:30 in the City Council Chambers.

Bishop Emory James reminded the Mayor and Council and the Community about the Martin Luther King Jr. events planned for the upcoming weekend. Bishop James stated the first event will be a worship service at Mt. View Community Church on Friday, January 13, 2017 at 7:30 p.m. The second event will be a concert at the Steelworker's Auditorium on Saturday, January 14, 2017 at 7:30 p.m. Bishop James thanked the Community for coming together and supporting the Martin Luther King Jr. events.

Mr. Carlos Bravo stated that the city has received great accolades but the success that the City has had is not just at the hands of a group of elected officials or staff members, it also includes a community of people coming together. Mr. Bravo stated that success is a team effort.

Mr. Bravo announced that Mayor Warren was served with recall papers tonight.

CONSENT CALENDAR:

Action: Motion was made by Council Member Sandoval, seconded by Council Member Roberts, and passed unanimously by a vote of 5-0 to approve Consent Calendar Items "CC-A" through CC-0", with Council Member Tahan abstaining from "CC-L". (Ayes: Warren, Roberts, Tahan, Sandoval and Armendarez: NOES: None) as follows:

A. Approval of Minutes

Approve the Minutes of the December 13, 2016 Regular City Council Meeting.

B. Adoption of Ordinance No.1754

Second Reading/ Adopt **Ordinance No. 1754** authorizing the Levy of a Special Tax within Community Facilities District No. 83M.

C. Adoption of Ordinance No.1755

Second Reading/ Adopt **Ordinance No. 1755** authorizing the Levy of a Special Tax within Community Facilities District No. 84M.

D. Accept Donations from Multiple Donors For Police Department Programs

Mayor Warren and City Council to accept donations from multiple donors for the 2016 Safety Fair/Open House, Red Ribbon Breakfast and All City Volunteer Picnic.

E. Accept the Transportation Development Act (TDA) Grant for the Citywide Bus Stop Improvements 2016 Project

1. Adopt **Resolution No. 2017-001** accepting the Transportation Development Act (TDA) Grant funds in the amount of \$40,872.00 for the Citywide Bus Stop Improvements 2016 Project.
2. Increase revenue and appropriate \$40,872.00 from Grant Fund #301 to the Project.

F. Adopt a Resolution for the Formation of Rule 20A Underground Utility District No. 12 and District No.13

1. Find that the project is exempt from further environmental review pursuant to Section 15302 Class 2 (d) of the local guidelines for implementing the California Environmental Quality Act, with no possibility of significant effects upon the environment and direct staff to file a Notice of Exemption.

2. Adopt **Resolution No. 2017-002** of the City Council of the City of Fontana, to ascertain whether the public necessity, health, safety, or welfare requires the formation of Underground Utility District No. 12 on Sierra Avenue between Baseline Avenue and Miller Avenue; District No. 13 Sierra Avenue between Miller Avenue and Paine Street.

3. Set the Public Hearing for January 24, 2016 at 7:00 p.m. in the Council Chambers for District No. 12 and District No. 13 and publish required notices.

G. Approve a Development Impact Fees Credit Agreement for Tract No's. 18825, 18825-1, and 18915

Approve and authorize the City Manager to execute a Partial Satisfaction of Circulation and Landscape Median Development Impact Fees Credit Agreement with Stratham Citrus Inc., Stratham Investments LLC and KB Home California LLC for Tract No's. 18825, 18825-1, and 18915 located at the northeast corner of Citrus Avenue and Summit Avenue.

H. Approve a Professional Services Agreement for the San Sevaine Trail Phase 1, Segment 2 Project

Approve and authorize the City Manager to execute a Professional Services Agreement with David Evans and Associates for Engineering Services for the San Sevaine Trail Phase 1, Segment 2 Project (SQ-12-DE-17) in the amount of \$504,251.00.

I. Approve a Common Use Agreement with San Bernardino County Flood Control District for the San Sevaine Trail Phase 1, Segment 2 Project

Approve and Authorize the City Manager to execute a Common Use Agreement (CUA) with San Bernardino County Flood Control District for the San Sevaine Trail Phase 1, Segment 2 Project.

J. Approve Employment Agreement for the Position of Deputy City Clerk

Approve and authorize the City Manager to sign the Employment Agreement for the position of Deputy City Clerk.

K. Award Steelworkers' Auditorium Audio Visual System Update RFP SP-40-IT-17

1. Award bid and authorize the City Manager to execute a contract with Matrix Audio Visual Designs to provide equipment and services to upgrade the audio and video technology located in the Steelworkers' Auditorium, the adjacent "wedding" room, and conference room 108 in the Lewis Library and Technology Center in the amount of \$264,137.33 and a 5% Contingency in the amount of \$13,206.87.

2. Appropriate \$94,500 from KFON fund #105 to 24131105 Audiovisual Productions budget unit.

L. Contract For Professional Services - Project Manager

Approve and authorize the City Manager to "Piggyback" onto the City of Desert Hot Springs Professional Services Agreement with Robert Half International Inc. to provide Project Management Services on Behalf of the IT Department.

M. Exclusive Negotiating Agreement (ENA) – Ventana at Duncan Canyon Property

Approve an Exclusive Negotiating Agreement (ENA) between the City Of Fontana and Majestic Realty Company to facilitate future development of the Ventana at Duncan Canyon Property located along the I15 Freeway in North Fontana and authorize the City Manager to execute the ENA.

N. Final Acceptance of Slover Avenue Pavement Rehabilitation Project SB-30-PW-16

1. Final Acceptance of the construction contract for the Slover Avenue Pavement Rehabilitation Project SB-30-PW-16 in the amount of \$1,375,223.30.

2. Authorize the Public Works Director to file a Notice of Completion and release the 5% retention.

O. Resolution Adopting Part-Time Salary Table

Adopt **Resolution No. 2017-003**, approving the Part-Time Salary Table due to Minimum Wage Increase.

PUBLIC HEARINGS:

A. Adoption of Ordinance No.1756

Mayor Warren opened Public Hearing Item PH-A.

Building Official Gil Estrada provided the staff report.

Council Member Tahan raised concerns about a business being caught between the old and new code.

Building Official Estrada assured this would not happen.

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, Roberts, Tahan, Sandoval and Armendarez; NOES: None) as follows:

Second Reading/ Adopt **Ordinance No. 1756**, an ordinance of the City of Fontana adding, amending and deleting certain articles, sections and subsections of Chapter 5 of the Code of the City of Fontana, California pertaining to the construction and maintenance of buildings, and the 2016 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, consisting of the California Building Code, Volumes 1 & 2, based on the 2015 International Building Code; the California Plumbing Code, based on the 2015 Uniform Plumbing Code; the California Electrical Code, based on the 2014 National Electrical Code; the California Mechanical Code, based on the 2015 Uniform Mechanical Code; the California Existing Building Code, based on the 2015 International Existing Building Code; the California Green Building Standards Code; the California Residential Code, based on the 2015 International Residential Code; and the 1997 Edition of the Uniform Administrative Code.

B. Amendments to the Municipal Code Regarding City Administrative Appeal Procedures

Mayor Warren opened Public Hearing Item PH-B.

ACTION: Motion made by Council Member Sandoval, seconded by Council Member Roberts, and passed unanimously by a vote of 5-0 to continue Public Hearing Item “PH B” (AYES: Warren, Roberts, Tahan, Sandoval and Armendarez; NOES: None) as follows:

Continue this public hearing item to January 24, 2017 in order to make additional changes to the proposed ordinance amending various chapters of the Fontana Municipal Code relating to City Administrative Appeal Procedures

NEW BUSINESS:

A. Adoption of the 2016 Edition of the California Building Standards Code and Corresponding Base Model Codes (Urgency Ordinance)

Building Official Gil Estrada provided the staff report.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Sandoval, and passed unanimously by a vote of 5-0 to approve New Business Item NB-A (AYES: Warren, Roberts, Tahan, Sandoval and Armendarez; NOES: None) as follows:

1. Determine that the adoption of the urgency ordinance of the City of Fontana adding,

amending and deleting certain articles, sections and subsections of Chapter 5 of the Code of the City of Fontana, California pertaining to the construction and maintenance of buildings, and adopting the 2016 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, consisting of the California Building Code, Volumes 1 & 2, based on the 2015 International Building Code; the California Plumbing Code, based on the 2015 Uniform Plumbing Code; the California Electrical Code, based on the 2014 National Electrical Code; the California Mechanical Code, based on the 2015 Uniform Mechanical Code; the California Existing Building Code, based on the 2015 International Existing Building Code; the California Green Building Standards Code; the California Residential Code, based on the 2015 International Residential Code; and the 1997 Edition of the Uniform Administrative Code does not commit the City to any action that may have a significant effect on the environment, and as per Section 15378 of the State CEQA Guidelines, such action does not constitute a project subject to the requirements of CEQA, and direct staff to file a notice of exemption.

2. Adopt **Ordinance No. 1756**, an urgency ordinance of the City of Fontana adding, amending and deleting certain articles, sections and subsections of Chapter 5 of the Code of the City of Fontana, California pertaining to the construction and maintenance of buildings, and the 2016 Edition of the California Building Standards Code, known as the California Code of Regulations, Title 24, consisting of the California Building Code, Volumes 1 & 2, based on the 2015 International Building Code; the California Plumbing Code, based on the 2015 Uniform Plumbing Code; the California Electrical Code, based on the 2014 National Electrical Code; the California Mechanical Code, based on the 2015 Uniform Mechanical Code; the California Existing Building Code, based on the 2015 International Existing Building Code; the California Green Building Standards Code; the California Residential Code, based on the 2015 International Residential Code; and the 1997 Edition of the Uniform Administrative Code.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Appointment of Mayor Pro Tem for a Term of One Year

ACTION: Motion was made by Council Member Armendarez to nominate Council Member Jesse Sandoval to serve as Mayor Pro Tem for one year, seconded by Council Member Roberts, and passed unanimously by a vote of 5-0 to approve appointment of Mayor Pro Tem (AYES: Warren, Roberts, Tahan, Sandoval and Armendarez: NOES: None)

B. Appointments to Local Agency/Regional Boards

Omnitrans:

ACTION: Motion made by Mayor Warren to keep Council Member Roberts as Omnitrans Representative, seconded by Council Member Tahan, and passed unanimously by a vote of 5-0 to approve Council Member Roberts as the Omnitrans Representative (AYES: Warren, Roberts, Tahan, Sandoval and Armendarez: NOES: None)

IEUA (Inland Empire Utilities Board):

Mayor Warren recommended Council Member Armendarez be appointed to IEUA.

Council Member Tahan asked to hear from current IEUA Representative Mayor Pro Tem Sandoval.

Mayor Pro Tem Sandoval stated he would like to continue as IEUA Representative due to outstanding issues he's dealing with and he was recently appointed as chair of the board.

Council Member Roberts would like Mayor Pro Tem Sandoval to stay on IEUA to deal with outstanding issues.

Mayor Warren stated to leave IEUA as it is.

Mayor Warren expressed her desire to serve as the Representative to SANBAG. Mayor Warren stated that she has attended most of the meetings in the past.

Council Member Tahan is the current representative and stated that it important to protect the interest of Fontana, not to please regional leaders.

Council Member Roberts stated the importance of having a good working relationship with SANBAG.

City Manager Ken Hunt would like the record to reflect that SANBAG no longer exists, it is now called SBCTA (San Bernardino County Transportation Authority) & SBCOG (San Bernardino Council of Governments)

Mayor Pro Tem Sandoval stated he would give up his seat on IEUA to be appointed as alternate to SBCTA & SBCOG. SBCTA (San Bernardino County Transportation Authority) & SBCOG (San Bernardino Council of Governments)

City Attorney Jeff Ballinger stated that one final vote should be taken for the appointments.

ACTION: Motion passed unanimously by a vote of 5-0 to approve the appointments to Omnitrans, IEUA, and SBCTA & SBCOG (AYES: Warren, Sandoval, Roberts, Tahan and Armendarez: NOES: None)

Omnitrans: Appoint Council Member Roberts as regular board member and Mayor Pro Tem Sandoval as alternate.

IEUA: Appoint Council Member Armendarez as regular board member and Council Member Tahan as alternate.

SBCTA & SBCOG: Appoint Mayor Warren as regular board member and Mayor Pro Tem Sandoval as alternate.

C. Elected Officials Communications/Committee Reports

Council Member Roberts stated that the City has come a long way since the days when the City was on the verge of bankruptcy. Council Member Roberts praised staff for tightening their belts during the bad times.

Council Member Roberts mentioned a recent death in Fontana as a result of a house fire. Council Member Roberts stated that thirty years ago the City Council made significant leaps by enacting the Fire Sprinkler Ordinance in 1986, and that fire sprinklers have saved countless lives. Unfortunately the recent fire was at a house that was built before the Fire Sprinkler Ordinance went into effect.

Council Member Sandoval thanked the Police Officer that risked his life to try and save the victim from the recent house fire.

Council Member Sandoval thanked staff for working together during the tough times.

Council Member Sandoval stated that he listens to the community concerns, staff concerns, and makes decisions about this community on what he thinks is best for the community as a whole. Council Member Sandoval stated that all elected officials should make decisions on what is best for the community, not what's best for them.

Council Member Armendarez applauded staff for working together and being conservative when making fiscal decisions. Council Armendarez also applauded the Council and past Council on being diligent with finances.

Council Member Armendarez asked for prayers for the family of the recent house fire victim and thanked the Police Officer for his heroic efforts trying to save the victim.

Council Member Tahan commented on the City being ranked the 2nd fiscally sound city in the nation. It takes a team effort of staff, Council and the City Manager in making investments in the City.

Council Member Tahan commented on the recent fire related death and asked for prayers for the family.

Council Member Tahan commented that it was a great event with the L.A. Clippers, allowing the basketball program kids to play on the L.A. Clippers floor. Thank you to staff and the kids had a great time.

City Treasurer Janet Koehler-Brooks congratulated Management services Director Lisa Strong and staff for all their hard work on the recent fiscal accomplishments.

City Treasurer Koehler-Brooks congratulated new Mayor Pro Tem Jesse Sandoval.

City Treasurer Koehler-Brooks wished her Son Evan Brooks a Happy Birthday.

City Clerk Tonia Lewis congratulated the Police on a job well done and the City is fortunate to have such a great department.

City Clerk Lewis congratulated new Mayor Pro Tem Jesse Sandoval.

City Clerk Lewis congratulated Lisa Strong and staff for making the city fiscally sound.

City Clerk Lewis is thankful for all the rain and wished everyone a happy New Year.

The Mayor announced that she has received many calls from people around the country congratulating the city on receiving the ranking of the 2nd fiscally sound city in the nation.

Mayor announced that she attended funeral services for Riverside County Supervisor John Benoit and praised him for his years of public service.

Mayor Warren stated that everyone is entitled to their own opinion, including her, that's what makes this county and city great. Mayor Warren stated that there is only one Fontana and that she will continue to make the city great.

Mayor Warren spoke on the mailbox theft issue, informed residents that if they have a concern, she will do what she can to assist to the best of her ability. Mayor Warren stated that residents need to be vocal about mailbox thefts and also contact the United States Postal Service for assistance. Mayor Warren suggested that residents form a neighborhood watch group in an effort to watch out for each other.

Mayor Warren stated that she is looking forward to the Martin Luther King Jr. events planned this weekend in the community.

Council Member Sandoval stated that Council Member Jesse Armendarez also sits on the FUSD (Fontana Unified School District) School Board. Council Member Sandoval asked Council Member Armendarez if he has dealings with IEUA (Inland Empire Utilities Agency) and whether or not this would be a conflict.

Council Member Armendarez stated that he does not have any dealings with IUEA and it would not be a conflict.

Council Member Sandoval asked Council Member Armendarez when he was going to resign from the FUSD School Board?

Council Member Armendarez stated that Council Member Sandoval could read the article in the Sun Newspaper for an explanation of when he's resigning from the FUSD School Board.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Ken Hunt stated that the city was on the verge of bankruptcy 19 years ago. Today he read the article rating the City as the 2nd most fiscally sound City in the Country. City Manager Hunt thanked the Department Heads for taking care of the day to day

activities while always striving to do more with less.

City Manager Hunt thanked Management Services Director Lisa Strong for overseeing the financial data and holding everyone accountable. City Manager Hunt also thanked the Mayor and Council for setting a standard to live within our means. City Manager also thanked City Treasurer Kohler-Brooks for her oversight of the city finances.

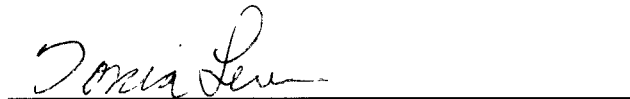
ADJOURNMENT:

The City Council Meeting adjourned at 9:10 p.m. to the next Regular City Council Meeting to be held on Tuesday, January 24, 2017, with an Artist Showcase 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
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 24TH OF JANUARY 2017.



Tonia Lewis
City Clerk