

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
March 28, 2017**

WORKSHOP:

A. 5:30 P.M. Joint City Council and Planning Commission Workshop

A Joint Fontana City Council and Planning Commission Workshop was held on Tuesday, March 28, 2017, in the Fontana City Hall Executive Conference Room at 8353 Sierra Avenue, Fontana, California. Mayor Pro Tem Sandoval called the workshop to order at 5:31 p.m. with Council Members Roberts, Tahan and Armendarez present. Mayor Warren arrived at 5:37 p.m. Also present were Planning Commissioners Larry Meyer, Idilio Sanchez, Cathline Fort, Laura Vasquez and Daniel Quiroga. The Fontana City Council Regular Meeting Agenda was reviewed and City Manager Comments were heard.

Melissa Dugan with Stantec Consulting Services, and Laura Muna-Landa with Arellano Associates presented a report on the Malaga Bridge project.

Discussion ensued regarding the Malaga Bridge project.

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 Sandoval and Council Members Roberts, Tahan and Armendarez present.

PUBLIC COMMUNICATION:

There were no Public Communications received on the following Closed Session Item:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Paragraph (2) of subdivision (d) of Section 54956.9: (Three (3) potential cases).

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, March 28, 2017, in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California.

Mayor Warren called the meeting to order at 7:02 p.m.

ROLL CALL:

Present: Mayor Warren, Mayor Pro Tem Sandoval, Council Members Roberts, Tahan and Armendarez.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation by Mayor Pro Tem Sandoval, the Pledge of Allegiance was led by Council Member Roberts.

CLOSED SESSION ANNOUNCEMENT:

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

PROCLAMATIONS:

A. Arbor Day

Mayor Warren and City Council proclaimed March 30, 2017 as Arbor Day. Director of Public Works Chuck Hays accepted the proclamation. Mr. Hays invited the community to the Annual Arbor Day Celebration at Mary Vagle Nature Center on March 30, 2017, at 10:00 a.m. The City of Fontana is celebrating its 25th year as a Tree City USA. He thanked the City Council for providing the tools and resources to make it happen.

SPECIAL PRESENTATIONS:

A. California Park & Recreation Society (CPRS) Awards of Excellence

Mayor Warren and City Council announced the City of Fontana received a CPRS Awards of Excellence in Creating Community Health and Wellness; Community Services Supervisor Tiffany Starks and Community Services Coordinator Dede Benson presented the award to the City Council.

Mayor Warren recognized Community Services Coordinator Dede Benson for her service and commitment to the City of Fontana and the Healthy Fontana program.

B. National Community Renaissance Appreciation Plaque

National Community Renaissance Community Manager Josie Castro presented an appreciation plaque to Mayor Warren and City Council.

C. Police Department January 2017 Employee of the Month

Mayor Warren and the City Council recognized Officer Bradley Carlson as the Police Department's January 2017 Employee of the Month. Chief Ramsey highlighted Officer Carlson's accomplishments. Officer Carlson was present to accept.

PUBLIC COMMUNICATIONS:

A. Public Communications

Ms. Teresa Reed spoke on her frustration with Code Enforcement for tumbleweeds and trash.

Ms. Lauren Fray Dove spoke on her community staying true to the promise of security, equal opportunity and justice. Ms. Dove proposed solutions and a progressive dialogue regarding Fontana's role in the undocumented immigrant crisis. Ms. Dove spoke on Fontana being one of the Best Places to Raise a Family, one of the nation's 100 Best Communities for Young people, as well as one of the safest cities in the nation. These titles should also be extended to undocumented immigrants. Ms. Dove spoke on providing the youth with a platform to relay their needs and concerns to the City of Fontana.

Ms. Grace Stewart spoke on street racing on Mission Avenue. Ms. Stewart stated she has a petition signed by almost 36 neighbors asking to have speed bumps, signs and police patrol.

Mr. Danny Marquez spoke on the Incredible Edible Community Garden and announced the upcoming Veteran's Health and Wellness Community Resource Fair to be held on April 8, 2017, from 10:00 a.m. to 2:00 p.m. at the Fontana Community Senior Center.

Mr. Alexander Lewis spoke on concerns at the Metro Station regarding restrooms.

Mr. Samuel Sukaton spoke on the Earned Income Tax Credit being available to residents that qualify. Mr. Sukaton is reaching out to the City of Fontana to support the tax credit and get information out to the community. Information is available at CALEITC4ME.org or at 909.499.6855.

CONSENT CALENDAR:

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

A. Approval of Minutes

Approve the minutes of the March 14, 2017 Regular City Council Meeting.

B. Accept Donation From Seidner & Co., Inc. (Seidner's Collision Center)

Accept donation from Seidner & Co., Inc. (Seidner's Collision Center) in the amount of \$2,000.00 for use towards the 2017 Fontana Car Show.

C. Approve a Partial Satisfaction of Development Impact Fees Credit Agreement for Parcel Map No. 19659 Located on the North Side of Santa Ana Avenue between Catawba Avenue and Citrus Avenue

Approve and authorize the City Manager to execute a Partial Satisfaction of Development Impact Fees Credit Agreement with LIT Industrial Limited Partnership for Parcel Map No. 19659 and Design Review Project No. 15-008 located on the north side of Santa Ana Avenue between Catawba Avenue and Citrus Avenue.

D. Adoption of 2017 Legislative Priorities

Staff recommends that the City Council adopt the attached 2017 Legislative Platform.

PUBLIC HEARINGS:

A. Composition of Potential City Council Election Districts

Mayor Warren opened Public Hearing Item PH-A.

Deputy City Manager David Edgar presented the staff report.

City Attorney Jeff Ballinger presented an overview of the election district process.

Ms. Barillas spoke on the City of Redlands having a lot of public input and a committee of residents working on the map; as well as online information available to make it easier for everyone. Ms. Barillas asked about having more districts due to the size of the city; and for Fontana being a city that leads she would like to hear what others have to say about this process.

The Public Hearing was closed.

City Attorney stated that there is no action needed on this item.

Council Member Tahan thought it would be a good idea to have a website with maps.

Deputy City Manager David Edgar commented that there is no drafting of maps until after the second public hearing; once it is drafted and presented, it will be on the webpage for everyone to review.

Council Member Tahan spoke on wanting input from the public as they are here to serve at the pleasure of the community.

Mayor Warren stated that those are all good suggestions.

B. Quarterly Lien Action for Delinquent Sewer, Rubbish and Weed Abatement Accounts

Mayor Warren opened Public Hearing Item PH-B.

No written correspondence was received for this item.

Accounting Manager Dawn Brooks provided the staff report.

No one else spoke in favor or opposition.

The Public Hearing was closed.

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

1. Authorize staff to complete and record lien notices against real property for those sewer accounts sixty days or more delinquent as described in the Certified Lien List and direct staff to forward recorded liens to the County for collection.
2. Authorize staff to complete and record liens against real property for those rubbish accounts more than ninety days delinquent as described in the certified Lien List and direct staff to forward recorded liens to the County for collection.
3. Adopt **Resolution No. 2017-015** of the City Council of the City of Fontana adopting the statement of unpaid expenses for weed abatement and imposing a lien against real property for payment thereof.

C. User Fees for City Services

Mayor Warren opened Public Hearing Item PH-C.

No written correspondence was received for this item.

Accounting Manager Dawn Brooks provided the staff report.

Mayor Pro Tem Sandoval asked about the hourly fee for athletic field rentals for non-city groups. He stated that it costs the City \$89, but the city is only charging \$23; the cities to the west and east of Fontana are charge more; he would like to see the fees higher for private or out of city organizations because Fontana parks are outstanding compared to other cities. He requested staff relook at the item.

Mayor Warren asked if the private youth groups were Fontana residents. Community Services Director Garth Nelson stated that some of them were Fontana based travel ball teams and many may be inviting other cities.

Mayor Warren asked if those organizations could apply for co-sponsorship. Community Services Director Nelson stated that they may not qualify.

Mayor Warren spoke on trying to provide affordable fees.

Mayor Warren agreed with Mayor Pro Tem Sandoval and would like to look into increasing those fees.

Mayor Pro Tem Sandoval recommended at least a \$50 to \$60 fee.

Council Member Tahan recommended a \$60 fee.

Council Member Armendarez asked what the percentage increase was. Community Services Director Garth Nelson stated that it was a 13% increase. Council Member Armendarez suggested an incremental approach.

Discussion ensued regarding usage, not increasing fees for Fontana residents but an incremental increase on non-residents.

Mayor Warren asked staff to go back and look at the usage and its impacts.

Mayor Pro Tem Sandoval asked staff to look at this one item and recommend a fee.

Council Member Tahan commented on subsidizing outside teams; local teams fighting to find facilities; community members complaining about hourly rates for facility rentals; he asked for a report on conference room rentals, their usage and income.

City Manager Hunt suggested holding a workshop in the future to have some discussion on fees; but approve the item as proposed with a change to the fee from \$23 to \$40.

No one else spoke in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Mayor Pro Tem Sandoval, and seconded by Council Member Roberts, and passed by a 4-1 vote to adopt "PH-C" (AYES: Warren, Sandoval, Roberts, and Tahan; NOES: Armendarez) as follows:

Adopt **Resolution No. 2017-016** adopting certain new fees and increasing, decreasing or deleting certain existing fees for various City services, with a change of the fee for athletic field rentals non-city groups from \$23 to \$40.

D. Negative Declaration; General Plan Amendment (GPA) No. 16-003; Zoning Code Amendment (ZCA) No. 16-011; Specific Plan Amendment (SPA) No. 17-001 to Establish a Warehousing Distribution, Logistics, and Business Park Overlay District within the Area West of Catawba Avenue, East of Cherry Avenue, South of Valley Boulevard and North of the I-10 Freeway - to be known as the "Valley Business Park Overlay"

Mayor Warren opened Public Hearing Item PH-C.

No written correspondence was received for this item.

Community Development Director Zai AbuBakar provided the staff report.

Mayor Pro Tem Sandoval asked why the corner of Cherry and Valley were not included in this project. Community Development Director AbuBakar replied that it is part of SWIP and is designated commercial; this overlay is for warehouse distribution, logistics and business parks. It can be included if the Council would like. Mayor Pro Tem Sandoval requested it be included.

Mayor Pro Tem Sandoval asked about the Caltrans Rest Area. City Manager Ken Hunt stated that it is being used for material storage and Caltrans has no plans for reopening it as a rest stop.

Mayor Pro Tem Sandoval asked what happens to the no electric fencing requirement if the subcommittee looking into the electric fencing issue says “yes”. City Manager Hunt stated that if City Council approves electric fencing, then this project would be updated to allow electric fencing.

Council Member Armendarez asked if the emergency shelter designation area was included in this project. Community Development Director AbuBakar answered that it was and it would be excluded from the proposal; if someone wants to use the site, they would have to find another site for the emergency shelter.

Council Member Tahan asked if these would be big box projects. Director AbuBakar answered that it would also include business parks.

Council Member Tahan spoke on the need for smaller office condos. Deputy City Manager Debbie Brazill spoke on the intent to have business parks, warehouse distribution, logistics – an industrial business park.

Council Member Tahan asked if they could have a certain percentage designated for business parks. Deputy City Manager Brazill answered that the direction was to allow for warehouses.

Mayor Warren asked if the city had requests for that type of product.

Community Development Director AbuBakar stated this is based on market demand, if we put restrictions, it will be difficult. She suggested if people want to develop condos or small buildings, they should submit an application. Deputy City Manager Brazill added that all of SWIP permits that use, but they do not see the interest from developers for small buildings.

Council Member Tahan remembered when high density was not in the market and it depends on the cycle; and needing to look at what we want to see. He would like a commitment from his colleagues that that General Plan will have to zone other areas that have this type of requirements.

Mayor Warren agreed with Council Member Tahan and the need to work to see this product in our community by marketing to developers.

Council Member Roberts spoke on the developer not being precluded.

Mr. Victor Quiroz spoke on being a member of GPAC and thanked staff for the bus trip. Mr. Quiroz spoke on the improvement from 35 years ago. Mr. Quiroz spoke on what this specific plan is going to allow and what SWIP should allow. Mr. Quiroz spoke on finding a balance in what kind of business we want to see.

Mayor Warren spoke on marketing the city and developers stepping up and businesses

providing their input to provide what they need; the beauty of this overlay is an opportunity to attract businesses.

Mr. Matt Slowik spoke on the property on Cherry and Valley not fitting into the overlay and the difficulty of understanding which development standards apply if it is included in this project. Mr. Slowik cautioned that discreet boundaries would lessen the potential of confusion regarding development standards. Discussion was held on including the vacant lot.

The Public Hearing was closed.

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

1. Find that the project has no direct impacts on the environment pursuant to Section No. 15070 of the California Environmental Quality Act (CEQA), adopt a Negative Declaration, and direct staff to file the Notice of Determination;
2. Approve General Plan Amendment (GPA) No. 16-003, an amendment to modify the General Plan Land Use Map; Approve Zoning Code Amendment (ZCA) No. 16-011, an amendment to Chapter 30 (Zoning and Development Code), Article IX (Overlay Districts);
3. Approve Specific Plan Amendment (SPA) No. 17-001, an amendment to modify the text and land use map of the Southwest Industrial Park (SWIP) Specific Plan, Chapter 6 (Freeway Industrial/Commercial District).

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

Treasurer Janet Koehler Brooks attended the Above the Limits Program Ice Cream Social and commended Community Services Director Nelson.

City Clerk Tonia Lewis thanked all of her friends for the cards and well wishes on her son’s recovery; and thanked her son for being a good patient.

Council Member Tahan announced his attendance at the Annual City-County Conference from March 16 - 17, 2017, at the Lake Arrowhead Resort.

Council Member Tahan announced his attendance at the NASCAR Auto Club Speedway and enjoyed the event; it was nice to meet people from other places.

Council Member Tahan invited everyone to the “Coffee with Michael Tahan” on Friday, March 31, 2017, from 9:00 a.m. to 10:00 a.m. at Panera Bread.

Council Member Armendarez announced his attendance at the Annual City-County Conference from March 16 - 17, 2017, at the Lake Arrowhead Resort and was enlightened with the disaster preparedness and other sessions.

Council Member Armendarez attended Dolores Haydusko's 91st birthday celebration.

Council Member Armendarez announced his attendance at the WELL Conference – March 23-24th, 2017 in San Diego. The conference focused on water in San Diego; it provided great insight on recycled water and provided him with questions for the IEUA.

Council Member Armendarez volunteered at the Auto Club Speedway 20th anniversary.

Council Member Roberts attended the City County Conference and was enlightened with the earthquake preparedness; it was very informative.

Council Member Roberts attended the CISCO event in San Jose. It was a great opportunity to look at bringing Wifi to Fontana.

Mayor Pro Tem Sandoval announced his attendance at the Smoke Busters meeting on March 17, 2017, with Summit Peer Leaders; they collected 1,800 cigarette butts; he requested the City look into no smoking ordinance for smoke free parks. It will fit in with Healthy Fontana.

Mayor Warren asked staff to look into types of no smoking ordinances.

Mayor Pro Tem Sandoval wished Cecilia Bolanos a happy birthday.

Mayor Warren announced her attendance at the Annual City-County Conference from March 16 - 17, 2017, at the Lake Arrowhead Resort. The more she listened, it made sense that as a community, region, state and nation, we need to think about emergency preparedness. The most important is that a family needs to have an out of state phone number.

Mayor Warren congratulated the Auto Club Speedway on their 20th anniversary and thanked the great volunteers.

Mayor Warren announced her attendance at the CISCO meeting in San Jose, California from March 20 – 21, 2017. She stated it would be a great opportunity for this community if the internet accessibility project can be provided.

Mayor Warren participated in the safe and sober press conference related to prom and graduation parties in cooperation with the Fontana Unified School District. We want them to be safe, we care about the young people.

Mayor Warren asked for prayers for her brother.

Mayor Warren announced that Koehler Gallery is hosting an adult class on March 29, 2017, from 6:00 p.m. to 8:00 p.m.; Nancy Koehler is part of the group and does a fantastic job.

Mayor Warren announced that she is a Fellow for the Water Education Latino Leaders.

Fontana Unified School District Board Member Mary Sandoval shared the poster that businesses that are participating in the party safe and sober program will have posted, and encouraged everyone to support those businesses.

Mayor Warren congratulated Fontana businesses participating in the party safe and sober program.

CITY MANAGER COMMUNICATIONS:

A. Discussion and Possible Action Regarding the Creation of a Fontana City Council and Colton Unified School District (CUSD) Ad-hoc Sub-Committee

City Manager Ken Hunt provided the staff report.

ACTION: Motion was made by Council Member Tahan, seconded by Council Member Armendarez, and passed by a 5-0 vote to appoint Mayor Pro Tem Sandoval and Council Member Roberts to the Fontana City Council and Colton Unified School District Ad-Hoc Sub-Committee (AYES: Warren, Sandoval, Roberts, Tahan, and Armendarez; NOES: None).

B. City Manager Communications

City Manager Ken Hunt announced his attendance at the Annual City-County Conference from March 16 - 17, 2017, at the Lake Arrowhead Resort, and the CISCO meeting in San Jose, California from March 20 – 21, 2017.

City Manager Hunt commented on modifying the adjournment of tonight's meeting to Washington, DC. then to a City Council Workshop on Monday, April 10, 2017, at 5:00 p.m. in the Executive Conference Room, and then to the Regular City Council Meeting on April 11, 2017.

ADJOURNMENT:

A moment of silence was held for the victims of the London, U.K. attack.

The City Council Meeting adjourned in memory of the victims of the London, U.K. attack at 9:15 p.m.; to the next Legislative Advocacy Trip from April 4-6, 2017, in Washington D.C., and then to the next Regular City Council Meeting to be held on Tuesday, April 11, 2017, with a workshop at 5:30 p.m. and Closed Session at 6:00 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.

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Ysela Aguirre
Recording Secretary

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE

11TH DAY OF APRIL, 2017.

DocuSigned by:
Tonia Lewis

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Tonia Lewis
City Clerk

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Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none"> •Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

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