

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
JANUARY 27, 2010**

ARTIST SHOWCASE

The work of Artist Martiros Adialion was presented.

WORKSHOP: None

REGULAR CITY COUNCIL MEETING

The Regular and Special Meetings of the City of Fontana City Council were held on Wednesday, January 27, 2010, in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, California. Mayor Nuaimi called the meeting to order at 7:04 p.m.

ROLL CALL:

Present: Mayor Nuaimi, Mayor Pro Tem Scialdone, and Council Members Roberts, Rutherford, and Warren.

Absent: None.

CLOSED SESSION:

The City Attorney announced that the City Council had met in Closed Session to discuss the following item with no reportable action.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)
Number of Cases: One

The City Attorney announced that the City Council had met in Closed Session to discuss the following Special City Council Meeting item with no reportable action.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT
CODE SECTION 54957.6
City Negotiator: Kenneth R. Hunt, City Manager
Employee Organizations: Police Management Association and Police Officer's
Association

Following the Invocation by Center of Christ Ministries Co-Pastor Kathy Flowers, the Pledge of Allegiance was led by Mayor Nuaimi.

SPECIAL PRESENTATIONS:

- A. Mayor and City Council recognized Martiros Adialion as the artist in the Artist Showcase. Mayor Nuaimi introduced Community Services Coordinator Courtney Hodnick who presented a plaque and check to Martiros Adialion. His work will be featured until February 26, 2010, and a free reception will be held at the Art Depot on February 5, 2010, from 6-9 p.m.
- B. Mayor and City Council recognized 35th Annual National Police Athletic League Boxing Championship Bronze Medalists Anthony Ramirez and Yoban Nava. Mayor Nuaimi introduced Fontana Boxing Club Coaches Frank Ramirez and Jesse Acosta and presented a certificate to Bronze Medalist Anthony Ramirez. Yoban Nava could not be present and Coach Jesse Acosta accepted the certificate on his behalf.

PUBLIC COMMUNICATIONS:

The following Public Communications were received:

Jeane Rossiter, 1136 W. Lewis Street, Rialto, California, spoke regarding a voter registration booth and meet-and-greet event to be held outside the vacant Circuit City building located at Sierra Lakes Parkway on Saturday, February 20, 2010, from 10 a.m. to 4 p.m. for public assistance in voter registration. Ms. Rossiter also requested a voter registration booth on Cruise Night to be held on February 5, 2010.

Mayor Nuaimi reminded Ms. Rossiter of the City requirements for a Temporary Use Permit for such events with 50 people or more.

CONSENT CALENDAR:

- A. Approval of Minutes
- (1) Approve the minutes of the January 8, 2010, adjourned regular City Council meeting and January 13, 2010, regular City Council Meeting, with a correction to the January 13, 2010, Minutes to show Mayor Pro Tem Scialdone present during the workshop.
- B. Adoption of Ordinance Nos. 1613 and 1614
- (1) Adopt **Ordinance No. 1613** of the City Council of the City of Fontana, California, to repeal and replace 17-136.5 of the Code of the City of Fontana to refer to the City's Schedule of Penalties; amend Section 17-147 to include commercial trailers; deleting and replacing Sections of 30-312 relating to the parking of commercial trailers; amending Section 17-144 relating to parking for certain purposes

prohibited; adding Section 17-148 clarifying the City's authority to tow vehicles.

- (2) Adopt **Ordinance No. 1614** of the City Council of the City of Fontana, California, amending Chapter 4, Section 4-1 of the Fontana Municipal Code allowing prosecutorial discretion for the charging of violations of animal regulations thereof.

C. Annual Report on Development Impact Fees

- (1) Adopt **Resolution No. 2010-05** approving the Annual Report on Development Impact Fees and making findings as to unexpended funds.

D. Donation for 2009 Fontana Police Department Holiday Program

- (1) Accept donation from Schneider National for use in the Fontana Santa's Holiday Program in the amount of \$1,500.

Approve Consent Calendar Items "A-D" as recommended by staff.

ACTION: Motion was made by Mayor Pro Tem Scialdone, seconded by Council Member Rutherford, and carried unanimously, to approve Consent Calendar items "A-D".

PUBLIC HEARINGS:

- A. The Public Hearing continued from December 9, 2010 regarding Appeal No. 09-001 (Monterey Villa Apartments) of the decision of the Planning Commission on November 3, 2009, to approve Design Review No. 09-008, a 100-unit apartment complex with 12 units designated for very low-income households was considered for continuation to February 10, 2010.

No written comments were received.

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Scialdone, and carried unanimously to:

- (1) Grant the applicant's request for continuance of Appeal No. 09-001 of Paul Minnick of MCG Development Co., Inc., an appeal to the City Council, of the unanimous decision of the Planning Commission on November 3, 2009, to approve Design Review No. 09-008, a 100-unit apartment complex with 12 units designated for very low-income households, to February 10, 2010.

- B. The Public Hearing was opened regarding the Chino Basin Water Efficient Landscape Ordinance.

No written comments were received.

Staff presentation was given by Assistant Planner Arely Monarez.

Council Member Warren requested clarification that the new Landscape Ordinance would apply only to new construction and rehabilitated landscape projects.

Assistant Planner Arely Monarez confirmed that was correct.

No one spoke in favor or opposition.
The hearing was closed.

ACTION: Motion was made by Mayor Pro Tem Scialdone, seconded by Council Member Warren, and carried unanimously to:

(1) Determine that the project is Categorically Exempt pursuant to Section 15307 (Actions by Regulatory Agencies for Protection of Natural Resources) of the California Environmental Quality Act (CEQA), and direct staff to file a Notice of Exemption.

(2) Introduce Ordinance No. 1615, an Ordinance of the City Council of the City of Fontana, California, Approving the Chino Basin Water Efficient Landscape Ordinance, and the reading of the title constitutes the first reading thereof.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

None.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

Council Member Rutherford encouraged voter registration and reminded the community of local opposition to State "borrowing" of City funds.

Council Member Rutherford thanked residents from Southern Fontana at last Thursday night's neighborhood meeting.

Council Member Rutherford encouraged community participation in the 2010 Census.

Council Member Roberts announced recent news of economic conditions in the State and for the City of Los Angeles and reminded residents of the current City of Fontana budget conditions.

Council Member Roberts announced the recent passing of previous Planning Secretary Martha Steenbock and that the City Council Meeting would be adjourned in her honor.

Council Member Warren thanked residents for their support towards the Haitian Crisis and encouraged continued support.

Council Member Warren reminded residents of the local Center Stage performances and the Platters Concert to be held there this weekend from Friday-Sunday evening.

Council Member Warren reminded residents to participate in the Healthy Fontana Challenge at www.HealthyFontana.com and to meet at Lefty's Family 5K Run.

Mayor Pro Tem Scialdone congratulated staff on the recent Plaza at Sierra Grand Opening and for support of the Senior and Downtown community with the new facility.

Mayor Pro Tem Scialdone announced his recent attendance at the Employee Service Award breakfast and thanked all City of Fontana employees for their dedicated service to the community.

Mayor Pro Tem Scialdone announced his attendance at the League of California Cities Public Safety Policy Meeting held in Sacramento this past Friday, January 22, 2010, regarding community safety and release of parolees.

Mayor Pro Tem Scialdone encouraged residents to attend the Flapjack Fundraiser to be hosted by the Academy for Martial Arts and to be held at the Applebee's Restaurant at 16867 Sierra Lakes Parkway on Saturday, February 6, 2010, from 8-10 a.m.

Mayor Pro Tem Scialdone reminded residents of the Area 2 West Community Meeting at Heritage Community Center on February 8, 2010, at 6:30 p.m.

Mayor Nuaimi congratulated staff and supporting partners on the opening of the Plaza at Sierra.

Mayor Nuaimi announced that he was not able to attend the Employee Service Awards due to his attendance at the Transit-Oriented Development Meeting held in Ontario.

Mayor Nuaimi announced the State of the City Address to be held in several sessions on Thursday, January 28, 2010, at the Jesse Turner Center with a free session to be held at 7 p.m.

CITY MANAGER COMMUNICATIONS:

City Manager Kenneth Hunt discussed the \$8.2 million budget gap facing the City and thanked the Police Management and Police Officers Associations who have agreed to give up their merit increases to further close that budget gap and "be

part of the solution” to aid the Community. City Manager Hunt announced that an action plan would be presented at the mid-year budget review.

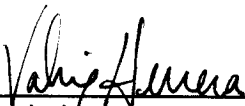
City Manager Hunt stressed the importance of community participation in the Census 2010.

City Manager Hunt announced his attendance at a Community City Manager Meeting regarding the current economic conditions and an announcement made by various City Managers who recognized the support the City of Fontana has given to Census 2010. City Manager Hunt thanked Don Williams and Cheryl Cabaruvias for their increased involvement in the Census 2010.

City Manager Hunt encouraged residents to attend the State of the City Address to be held on Thursday, January 28, 2010, at the Jesse Turner Center.

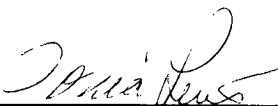
ADJOURNMENT:

The City Council meeting adjourned by consensus at 7:48 p.m. in memory of Martha Steenbock. The next meeting will be held on February 10, 2010, with a workshop at 5:00 p.m. then the regular meeting at 7:00 p.m. in the Council Chambers at 8353 Sierra Avenue, Fontana, California.



Valerie Herrera
Administrative Analyst II

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 10th DAY OF FEBRUARY 2010.



Tonia Lewis
City Clerk