

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
OCTOBER 13, 2010**

WORKSHOP

A workshop meeting of the Fontana City Council was held on Wednesday, October 13, 2010, in the City of Fontana Executive Conference Room, 8353 Sierra Avenue, Fontana, California. Mayor Scialdone called the workshop to order at 5:30 p.m.

ROLL CALL:

Present: Mayor Scialdone and Council Members Roberts and Rutherford.

Absent: Mayor Pro Tem Warren.

The Fontana City Council Regular Meeting Agenda was reviewed.

City Manager Comments were heard.

The workshop meeting adjourned at 5:35 p.m. to the 6 p.m. Closed Session.

REGULAR CITY COUNCIL MEETING

The Regular Meeting of the City of Fontana City Council was held on Wednesday, October 13, 2010, in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, California. Mayor Scialdone called the meetings to order at 7:00 p.m.

ROLL CALL:

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

Absent: None.

CLOSED SESSION:

City Attorney Stephen Deitsch announced that the City Council had met in Closed Session at 6 p.m. 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

Following the Invocation by Council Member Roberts, the Pledge of Allegiance was led by Boy Scout Troop 525 Scout Chance Goum.

SPECIAL PRESENTATION

- A) Mayor Scialdone introduced Police Chief Rod Jones who introduced the Eddie Eagle GunSafe Program and H. Paul Payne, NRA Liaison to the Executive Vice President, who presented the Fontana Police Department with the Eddie Eagle mascot costume as support of gun safety in the community.

Mayor Scialdone thanked the NRA for their continued support and efforts for gun safety in Fontana.

A brief recess was taken from 7:08-7:18 p.m. due to technical difficulties.

PUBLIC COMMUNICATIONS:

The following Public Communications were received:

Janie Burgo announced the Relay 4 Life Kick-Off to occur on October 26, 2010, at 6 p.m. at the Fontana Senior Center, and the 11th Relay 4 Life to occur from May 14-15, 2011, at Summit High School. Ms. Burgo thanked the City for its support and presented a plaque to the Mayor and City Council on behalf of the American Cancer Society.

Adrienne Record of the American Cancer Society thanked the City for funds raised to support cancer victims and provide opportunities for victims, survivors, and their families.

Mayor Scialdone thanked the American Cancer Society and Relay for Life Team for their dedicated support.

Lydia Salazar Wibert expressed thanks to the City, community, former Mayor Nuaimi, Police Chief Jones, and others for their support during recent passing of her granddaughter.

Staff Sergeant Frank Verdugo thanked the Fontana Family and community for its support during his daughter's fight of Leukemia.

Larry Meyer, President of Fontana Library Foundation Board, thanked the City for its assistance with fundraising efforts, announced the Uncorked Event to occur on October 23, 2010, from 6-9 p.m. at the Lewis Library and Technology Center for fundraising support and entertainment to include wine, music, hor d'oeuvres, exhibits, and workforce center highlights. The Foundation also continues its Library Tuesdays at Mimi's Café on the third Tuesday of each month with flyer discounts. For more information please contact Carmen Fleming in the City Clerk's Office at 909-350-7604 or email cflaming@fontana.org.

Mayor Scialdone thanked the Fontana Library Foundation Board for its continued support of the Lewis Library

Milo Victoria, CEO of OmniTrans, introduced himself, discussed the 27 bus routes, ten of which serve Fontana as the largest service area, the 50,000 people transported each day, and thanked Council Member Roberts who serves on the OmniTrans Board.

Mayor Scialdone announced that although the “green screen” technical difficulties are gone, tonight’s meeting is not being transmitted to Channel 3 due to technical difficulties and is being recorded for later transmission.

Miguel Espinoza spoke regarding his campaign for City Council, the City’s debt and budget, the City Council vacancy that was filled four years ago by an appointment, and candidate endorsements. Those requesting more information can visit www.espinoza4fontana.org.

Mayor Scialdone discussed healthy redevelopment debt and bond payments, City project area revenue, community facilities districts, and surplus funding of various City projects that included the Fontana Senior Center, City parks, and the Lewis Library.

David Eshleman reported two accidents that occurred today on the corner intersection of Cypress and Santa Ana Avenues and requested the Mayor and City Council to address the dangerous intersection.

Joanna Payne-Jones, owner of a childcare center in Fontana, discussed the recent business struggles she has faced and requested City support to continue to be part of the community.

Mayor Scialdone referred Ms. Payne-Jones to Community Services Department Manager Frances Hernandez for more information.

Tressy Capps spoke regarding the importance of voting, the November 2, 2010, her campaign for the City Council race, campaign funding, and the recent Candidate Forums. For more information voters can visit www.cappsforcouncil.com.

Bill Kezar spoke regarding immigration.

Tami Wetzel spoke regarding the current City Election, recent mailers, and political party affiliations.

Raymond Herrera, We The People California’s Crusader Member, spoke regarding candidates for the November 2, 2010, Election and immigration.

Mayor Scialdone announced that the technical difficulties have been solved and the Council Meeting has been transmitting correctly on television for the past 15 minutes.

Robin Hvidston, We The People California’s Crusader Member, spoke regarding candidates for the November 2, 2010, Election

Lolly Clark spoke regarding a recent remark made by a Mayoral Candidate.

Jess Vizkano, Field Representative for U.S. Congressman Joe Baca, spoke regarding funding that was awarded to the City of Fontana by the Department of Justice COPS Hiring Program and announced Academy Information Night to be held on October 27, 2010, at the District Office located at 201 North E. Street. For more information please call 909-885-2222.

Ron Wall, Chairman of the San Bernardino County Democratic Central Committee, spoke regarding candidates for the November 2, 2010, Election, the fiscal responsibility of Fontana, and the importance of voter registration.

Ann Knickerbocker spoke regarding candidates for the November 2, 2010, Election, immigration, the Eddie the Eagle Special Presentation held earlier this evening, current and past Fontana elected officials, and concerns regarding unethical Police Officers.

Lina Montes spoke regarding the City's budget, a recent Democratic Group meeting, comments expressed by a local restaurant owner, recent election campaign mailers, and political signs.

Salvador Lopez spoke regarding Auto Club Speedway noise matters.

Lynda Gonzalez spoke regarding candidates for the November 2, 2010, Election, recent election campaign mailers, and voting deadlines.

Mark Nuaimi spoke regarding the recent Candidate Forums, recent remarks made by candidates, and upcoming City projects.

CONSENT CALENDAR:

- A) Approval of Minutes.
Approve the Minutes of the September 22, 2010, Regular Meeting of the City Council.
- B) Adoption of Ordinance No. 1625
Waive further reading of and adopt **Ordinance No. 1625**, an Ordinance of the City Council of the City of Fontana, California, approving an amendment to Chapter 28, Article IV, of the Municipal Code, regarding landscaping and water conservation, and an amendment to Chapter 30, Article X, of the Zoning and Development Code, regarding general landscaping requirements.
- C) Approval of Resolution Supporting SCAG's "Business Friendly Principles"
Adopt **Resolution 2010-103** of the City Council of the City of Fontana, supporting "Business Friendly Principles" as part of Southern California Association of Government's (SCAG) development of a Southern California Economic Growth Strategy.
- D) Accept Donation from Boys and Girls Club of Fontana
Accept donation from Boys and Girls Club of Fontana of miscellaneous prize items valued in the amount of \$500.00 for use towards Healthy Fontana programs.

- E) Final Acceptance of the Baseline Avenue Street Improvement Project
(1) Accept as complete the work performed by Riverside Construction Company for construction of the Baseline Avenue Street Improvement Project from Citrus Avenue to Sierra Avenue; approve the final construction amount of \$12,017,628.71; and authorize the City Engineer to execute and file the Notice of Completion (Bid No. SB-264-DE-08).
(2) Adopt **Resolution No. 2010-104** of the City Council of the City of Fontana, accepting sewers in Baseline Avenue from Citrus Avenue to Sierra Avenue as part of the City sewer system.
- F) Accept Donation from Lowe's Home Improvement
Accept donation from Lowe's Home Improvement of garden plants valued in the amount of \$750.00 for use towards Healthy Fontana programs.
- G) Acceptance of Homeland Security Grant
(1) Adopt **Resolution No. 2010-105** of the City Council of the City of Fontana, approving and accepting a grant in the amount of \$60,000 from the Office of Homeland Security.
(2) Authorize the Chief of Police, or his designee, to sign all related grant documents and make purchases of equipment as outlined in the grant.
- H) Glass Repair and Replacement Services
Authorize the City Manager to enter into a contract service agreement with Smith Brothers Glass, Inc., for glass window repair and replacement services for a period of two years from date of award and renewable for three additional one year increments at the sole discretion of the City.
- I) Award of Contract for the Purchase of Honda Vehicles
Award bid and authorize the City Manager to enter into a contract with Rock Honda for the purchase of Honda vehicles for a period of two (2) years, renewable with three (3) additional one-year increments at the City's sole discretion.
- J) Award of contract for the repair and maintenance of the Fontana Police Department Motorcycles
Authorize the City Manager to enter into a contract with BMW Motorcycles of Riverside as a "Alternative Source" vendor for full service repair and maintenance of the Police Departments fleet of BMW patrol motorcycles for a period of two (2) years from the date of award, renewable for three (3) additional one-year increments at the sole discretion of the City of Fontana.

ACTION: Motion was made by Council Member Rutherford, seconded by Council Member Roberts, and carried unanimously by vote of 4-0, to approve Consent Calendar Items "A-J."

PUBLIC HEARINGS:

- A) Hearing was opened to consider the use of property tax increment funds for the proposed Fire Station 71 Renovation and Expansion Project.

No written communication was received.

Staff presentation was given by Management Services Director/Deputy City Treasurer Lisa Strong.

No one spoke in favor or opposition.

The hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Warren, and carried unanimously by vote of 4-0, to:

Adopt **Resolution No. 2010-106** of the Fontana City Council accepting the conveyance of certain property, and approving the Redevelopment Agency's use of Property Tax Increment Funds for the Fire Station 71 Renovation and Expansion Project pursuant to Health and Safety Code Section 33445 and making certain findings with regard thereto.

- B) Hearing was opened to consider the issuance of 2010 Lease Revenue Bonds.

No written communication was received.

Staff presentation was given by Management Services Director/Deputy City Treasurer Lisa Strong.

No one spoke in favor or opposition.

The hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Rutherford, and carried unanimously by vote of 4-0, to:

- (1) Adopt **Resolution No. 2010-107** of the City Council of the City of Fontana, California, authorizing the execution and delivery of documents relating to the sale and delivery of not to exceed \$5,420,000 Fontana Public Financing Authority 2010 Lease Revenue Bonds (Taxable Revenue Zone Economic Development Bonds), and authorizing certain documents and directing certain actions in connection therewith.
- (2) Adopt **Resolution No. 2010-108** of the City Council of the City of Fontana, California, finding significant public benefit with respect to certain public capital improvements to be located within the boundaries of the City and approving the sale of bonds in connection therewith.

Mayor Scialdone commented on the open meeting opportunity at this City Council Meeting to discuss the Public Hearing Item regarding Fire Station No. 71.

Councilmember Roberts commented on the much needed improvements to Fire Station No. 71 to continue to serve this community.

Mayor Scialdone commented that Fire Station No. 71 improvements will serve the core of this community.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

- A. Discussion was held to consider appointment of an applicant to fill the Parks and Recreation Commission vacancy.

Mayor Pro Tem Warren nominated City resident Lourdes Goni to fill the vacancy.

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Warren, and carried unanimously by vote of 4-0, to appoint Lourdes Goni to the current vacancy on the Parks and Recreation Commission.

Mayor Pro Tem Warren announced Fontana Community Clean-Up Day which will occur on Saturday, October 23, 2010, from 8 a.m. to 1 p.m. at the West Valley Material Center located on 13373 Napa Street in Fontana. For questions on acceptable wastes that can be dropped off, please call 909-350-6760.

Mayor Pro Tem Warren reminded residents to participate in the Healthy Fontana Challenge and to visit www.HealthyFontana.org.

Mayor Pro Tem Warren expressed thanks for community prayers and support received and expressed the honor it has been to serve this community's needs.

Council Member Rutherford discussed the wonderful services of Loveland Church that she and Mayor Pro Tem Warren, as well as other Fontana residents have recently attended, and the Church's plans to build in Rancho Cucamonga in addition to their local Ontario location.

Council Member Rutherford discussed the great improvements to take place at Fire Station No. 71 and reminded residents to attend the Open House to occur on Saturday, October 16, 2010, from 10 a.m.-2 p.m. at Fire Station No. 71 at Sierra and Arrow Avenues.

Council Member Rutherford commented on the theme of the public communications heard this evening, the recent campaign mailer attacks on the City, the need for focus on the real community issues, and expressed thanks for community prayers and those members in the public who have remained in the audience this evening.

Council Member Roberts expressed kudos to Council Member Rutherford's comments and discussed the non-partisan local election and the great parks and afterschool program that benefit this community.

Council Member Roberts expressed thanks for the support and prayers on the speedy recovery of his son who was recently injured during military service.

Mayor Scialdone thanked the Chamber of Commerce for hosting the Candidate Forums this election season and encouraged residents to view the Forums at www.fontana.org.

Thursday, October 14, 2010, beginning at 7 p.m. concludes the series with the Fontana Unified School District Candidate Forum.

Mayor Scialdone announced his attendance at the newly upgraded Fontana Court House dedication on September 30, 2010, where the new upgrades will serve this community well.

Mayor Scialdone announced his attendance at the Lung Association Air Walk which took place on October 2, 2010, and thanked Mayor Pro Tem Warren and also those who attended the great event.

Mayor Scialdone thanked and recognized Fontana resident Larry Volk for his dedication to the Annual Veterans Car Show at Loma Linda Hospital and the outstanding organization, attendance, and funds raised from his great volunteerism efforts.

Mayor Scialdone announced that he participated in the McDonald's Family Meal Time Literacy Night on October 6, 2010, at the McDonald's located on Citrus Avenue and Foothill Boulevard. The event stressed the importance of reading among parents and children, as well as promotion of education.

Mayor Scialdone congratulated Elizabeth Lemmerich on her 105th birthday that was celebrated this past week on October 7, 2010, and in which he had the great opportunity to attend. Ms. Lemmerich has been a resident of Fontana since 1930 and Mayor Scialdone enjoyed the discussion of Fontana's great history.

Mayor Scialdone congratulated Margaret "Marge" Camaioni Bulik on her 90th birthday on October 9, 2010, and in which he had the great opportunity to attend and present Mrs. Bulik with a Proclamation. Mrs. Bulik has been a Fontana resident since 1949 and she is the wife of Jack Bulik who was one of the first Council Members in Fontana and after which one of our great parks is named after.

Mayor Scialdone announced the next Community Meeting to be held on Monday, October 18, 2010, at 6:30 p.m. at DW Long Elementary School in Hunter's Ridge.

Mayor Scialdone corrected Mayoral Candidate Keith McCarter's comments made at the Candidate Forum in regards to Fontana's dedicated Police Officers. Mayor Scialdone stated that the Fontana Police Department's Officers and himself shaved their heads in honor of Police Lieutenant Bobby Doyle at an American Cancer Society fundraiser event in April 2005.

Mayor Scialdone commented on the questionable integrity of San Bernardino County Supervisor Paul Biane in relation to a recent Citizens Against Corruption Committee campaign mailer sent to Rancho Cucamonga residents which compared Rancho Cucamonga and Fontana and commented on the safeness and healthy budget of this community. Mayor Scialdone thanked Rancho Cucamonga for being a great neighbor and regional partner.

CITY MANAGER COMMUNICATIONS:

A) Discussion was held to consider the possible cancellation of the November 10, 2010, Regular City Council Meeting.

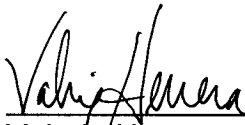
ACTION: They Mayor and City Council unanimously and without formal motion, directed City Manager Hunt to cancel the November 10, 2010, Regular City Council Meeting, and schedule a Special Meeting to occur on November 17, 2010.

City Manager Hunt expressed well wishes to Community Services Director Garth Nelson who will return on November 1, 2010.

City Manager Hunt thanked City Clerk Toni Lewis for her assistance with agenda-related tasks and for her hard work, dedication, and responsiveness to community concerns.

ADJOURNMENT:

The Regular City Council Meeting Adjourned at 9:15 p.m. to the next Regular City Council Meeting which will be held on October 27, 2010, with a workshop at 5:00 p.m. and then the regular meeting at 7:00 p.m. in the Council Chambers located at 8353 Sierra Avenue, Fontana, California.



Valerie Herrera
Administrative Analyst II

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 27TH DAY OF OCTOBER, 2010.



Tonia Lewis
City Clerk