

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

**ARTIST SHOWCASE**

The work of Artist Tony Caltabiano was presented at 5 p.m. in the City of Fontana Council Chambers and foyer.

**WORKSHOP**

A workshop meeting of the Fontana City Council was held on Wednesday, October 27, 2010, in the City of Fontana Executive Conference Room, 8353 Sierra Avenue, Fontana, California. Mayor Scialdone called the workshop to order at 5:31 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 5:36 p.m. to the 6:00 p.m. closed session.

**REGULAR CITY COUNCIL MEETING**

The Regular Meeting of the City of Fontana City Council was held on Wednesday, October 27, 2010, in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, California. Mayor Scialdone called the meeting 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 Jeffrey Ballinger announced that the City Council had met in Closed Session at 6:00 p.m. to discuss the following item with no reportable action.

CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE DISCIPLINE/  
DISMISSAL/RELEASE PURSUANT TO GOVERNMENT CODE SECTION 54957  
Number of Cases: One

Following the Invocation by Fontana Police Department Chaplain Brian Snowball, the Pledge of Allegiance was led by Council Member Roberts.

**SPECIAL PRESENTATIONS:**

- A) Mayor Scialdone introduced Community Services Coordinator Courtney Hodnick who recognized Tony Caltabiano as the artist in the Artist Showcase. Mayor Scialdone presented a check and plaque to Mr. Caltabiano in appreciation of his artwork.
- B) Mayor Scialdone introduced Police Chief Rod Jones who recognized Detective David Moore as the September 2010 Employee of the Month. Mayor Scialdone thanked Detective Moore for his hardwork.
- C) Mayor Scialdone introduced Management Services Director Lisa Strong who recognized Trish Valdez for successfully completing the training, education and testing required for recognition by the California Municipal Revenue and Tax Association as a Certified Revenue Officer. Mayor Scialdone thanked Ms. Valdez for her dedication to both.
- D) Mayor Scialdone recognized Fontana's Community Heroes for 2010: Junior Hero Trevor Pascoe and Adult Hero Daniel Quiroga. Junior Hero Trevor Pascoe could not be present but was represented by his Mother Babette Pascoe. Mayor Scialdone presented plaques in recognition of their great service, leadership, and community support.

**PUBLIC COMMUNICATIONS:**

The following Public Communications were received:

Danny Marquez, Commander Joe Dean, and Lydia Salazar Wibert presented plaques to Mayor Scialdone, Mayor Pro Tem Warren, and Lolly Clark for former Police Chief Larry Clark in thanks for their support of the American Legion Post 772 Loma Vista VA Hospital Golden Age Games Golf Tournament.

Lydia Salazar Wibert thanked her family and others for their support during her City Council Campaign, encourage voters to vote on November 2, 2010, and announced the Ronald McDonalds House Pennies from the Heart Drive to help parents with critically ill children. Ms. Wibert also announced the Fontana Exchange Club Toy Luncheon to occur on December 1, 2010, at the Women's Club from 11:30 a.m. to 1:30 p.m. (contact 909-350-7655 to RSVP) and the 2010 Fontana Santas Toy Drive distribution which will

occur on December 18, 2010, and begin at the Fontana Police Department at 8 a.m. (Contact Heather Howard at 909-350-7758 for more information).

Mike Espinoza thanked all the supporters of his City Council Campaign and spoke regarding the City budget and elected official campaign resources.

Angel Santiago, Inland Empire Utilities Agency (IEUA) Representative, discussed recycled water, recharged water lines, and expressed thanks to the City and the Public Works Department for their team efforts.

Lynda Dykes, a City Clerk Candidate, spoke regarding political sign requirements in the City Code, election candidates, Code Enforcement, and unwanted phone calls.

Mayor Scialdone referred Ms. Dykes to Police Captain Ramsey.

Tressy Capps spoke regarding her City Council Campaign, the City budget, candidate campaign funding, and encouraged residents to vote on November 2, 2010.

Lina Montes encouraged residents to vote on November 2, 2010.

Leticia Garcia spoke regarding election season, public service, elected official accountability, Democracy, and moving the City forward.

Lynda Gonzalez spoke regarding past newspaper articles featuring Mayor Pro Tem Warren, Senate Bill 1070, and encouraged residents to vote on November 2, 2010.

Mayor Pro Tem Acquanetta Warren corrected misinterpretations of her comments.

Bobbi Jo Chavarria spoke regarding opportunities for public comments, the election season, her Mayoral Campaign, and encouraged residents to vote on November 2, 2010.

Jesse Sandoval spoke regarding local job funding, City landscaping contractors, and eminent domain.

Mayor Scialdone commented on the City's eminent domain process for road projects and that City bids are awarded to the lowest and most responsive bidder.

Daniel Quiroga spoke regarding the City and Mayor Pro Tem Warren's support of his student's Travel Club at Fontana Middle School and the Hispanic Community.

Oscar Zambrano spoke regarding Propositions 23 and 25, election campaigns, job creation and the Duncan Canyon Interchange, and immigration.

Mayor Scialdone spoke regarding Proposition 23 and 25, job creation anticipated in Fontana from Duncan Canyon Interchange, and the great fundraising efforts by Mr. Daniel Quiroga and the Travel Club.

Mark Nuaimi encouraged residents to vote on November 2, 2010, and spoke regarding the election season and Propositions 23 and 25. Mr. Nuaimi also spoke in support of the City, the Fontana School District, and After School Program.

Socorro Enriquez spoke regarding elected officials, public involvement, and the importance of working together and setting an example for our youth.

Amos Young, Jr. spoke regarding election campaigns, government transparency, Proposition 23, and support of local campaigns.

### **CONSENT CALENDAR:**

- A) Approval of Minutes.  
Approve the Minutes of the October 13, 2010, Regular Meeting of the City Council.
- B) Resolution Amending the Administrative Policy Manual  
Adopt **Resolution No. 2010-109** of the City Council of the City of Fontana, California, Amending Administrative Policy Sections 10-01 (Content of Administrative Policy Manual), 20-08 (Staff Reports and Interdepartmental Memorandums), 30-02 (Written Communication from the Public), 30-05 (Audio and Video Recordings of Open Session Meetings), and 30-06 (Complaints and Requests for Information) and Deleting Sections 20-32 (City Commission Recognition) and 30-07 (Employee's Newsletter).
- C) Final Acceptance of Oleander Avenue Street Improvement Project
  - (1) Authorize an increase to the contract contingency for the construction contract with Laird Construction Co., Inc. for the construction of Oleander Avenue Street Improvement Project in the amount of \$38,285.62.
  - (2) Accept as complete the work performed by Laird Construction Co., Inc., for the construction of the Oleander Avenue Street Improvement Project between Santa Ana Avenue and Slover Avenue; approve the final construction amount of \$689,770.52; and authorize the City Engineer to execute and file the Notice of Completion for City Project Bid No. SB-35-DE-10.
- D) First Quarter Budget Status Report  
Approve the recommended First Quarter Budget changes as outlined in the written staff report.
- E) 2010 Lease Revenue Bonds - Additional Leased Asset during Construction Period  
That the designation by the City Manager of (1) the Lewis Library and Technology Center or (2) such other real property of the City which is currently legally available for such purpose, as the City Manager may select, as the real

property to be leased or subleased pursuant to the Lease (and related documents) approved by the Authorizing Resolutions, is ratified, confirmed and approved; the City Manager may cause such property to form all or part of the Lease Asset for all purposes of the Authorizing Resolutions, together with or separate from the Fire Station No. 71 site at 16980 Arrow Boulevard in the City, and/or subject to substitution of the Fire Station No. 71 site therefor upon completion of construction, as set forth in the final form of Lease approved pursuant to the Authorizing Resolutions.

- F) Authorize the Purchase of a Hydro Engineering Hose Reel Trailer  
Authorize the purchase of a Hydro Engineering Hose Reel Trailer from Western Sales LLC, as a sole source vendor, in the amount of \$75,813.06.

**ACTION:** Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Warren, and carried unanimously by vote of 4-0, to approve Consent Calendar Items "A-F."

**PUBLIC HEARING:**

- A) Hearing was opened to consider General Plan Amendment No. 09-011, Zone Change No. 09-006, and Agreement No. 10-0001 located near the northeast corner of Citrus and Summit Avenues, which was continued and left open at the September 22, 2010, Meeting.

Mayor Scialdone announced that staff has requested the hearing to remain open and was continued from the September 22, 2010, Regular City Council Meeting to the October 27, 2010, Regular City Council Meeting.

Mayor Scialdone also announced that the applicant has requested a continuance to the December 8, 2010, Regular City Council Meeting.

No written communication was received.  
No one spoke in favor or opposition.

**ACTION:** Motion was made by Mayor Pro Tem Warren, seconded by Council Member Rutherford, and carried unanimously by vote of 4-0, to leave the hearing open and continue the hearing to the December 8, 2010, Regular City Council Meeting per the applicant's request.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:** None.

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

Council Member Roberts commented on the City's support of its youth and of a working relationship with the community.

Council Member Roberts encouraged residents to be informed of the matters on the ballot.

Council Member Roberts thanked those who have supported him and expressed best wishes to each candidate.

Council Member Rutherford encouraged voters to support Proposition 22 to prevent the State's taking of local funds and to keep funds local.

Council Member Rutherford announced the Community Meeting to take place on Thursday, October 28, 2010, at 6:30 p.m. at Southridge Middle School where residents have the opportunity to discuss changes and new opportunities they would like in the community.

Council Member Rutherford commented on public communications heard this evening, corrected the misconception that change would come from newly elected officials in this City, encouraged residents to remember all the programs and resources the City has to offer, and commented on the elected officials.

Mayor Pro Tem Warren announced her boldness to serve this community as Mayor and to set proper examples for our youth.

Mayor Pro Tem Warren commented on the nonpartisan City election, support for Proposition 20, and the American right to vote.

Mayor Scialdone announced his attendance at the Fontana Library Foundation Board Uncorked Fundraising Event which was held on October 23, 2010, and thanked the Board for their great efforts and support of the Lewis Library and Technology Center.

Mayor Scialdone announced that the City has received a \$1,000,000 grant from the California Transportation Commission for use on the Duncan Canyon Interchange and thanked Strategic Transportation Engineering Manager Kevin Ryan and staff for moving this great project forward.

Mayor Scialdone encouraged residents to vote on November 2, 2010, and to examine candidates fairly and to look for personal integrity in their potential elected officials.

Mayor Scialdone commented on his upcoming retirement and announced that this will be his last meeting, as he will be absent from the November 17, 2010, Special City Council Meeting. Mayor Scialdone expressed thanks to his colleagues, City staff, and family for their support over the years and commented on Fontana bright future that is ahead.

**CITY MANAGER COMMUNICATIONS:**

City Manager Hunt had no comments.

**ADJOURNMENT:**

The Regular City Council Meeting Adjourned at 8:48 p.m. to the am Adjourned Regular City Council Meeting which will be held on November 17, 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.

The November 10, 2010, Regular City Council Meeting was cancelled due to a lack of quorum.



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Valerie Herrera  
Administrative Analyst II

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 17TH DAY OF NOVEMBER, 2010.



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Tonia Lewis  
City Clerk