

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR MEETING  
DECEMBER 8, 2010**

**TREE LIGHTING CEREMONY**

The Tree Lighting Ceremony was held at 5:00 p.m. in front of City Hall at 8353 Sierra Avenue, Fontana, California.

**ROLL CALL:**

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

Absent: None.

**REGULAR CITY COUNCIL MEETING**

- (A) The Regular Meeting of the City of Fontana City Council was held on Wednesday, December 8, 2010, in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, California. Mayor Scialdone called the meeting to order at 7:02 p.m.
- (B) Mayor Scialdone introduced the following events:  
The Invocation was led by Water of Life Community Church Pastor Dan Carroll.  
The Fontana Police Explorers presented the colors.  
The Pledge of Allegiance was led by Mayor-Elect Warren.  
Mr. Phill Perry sang the *National Anthem*.  
Mr. Steven Dudek played *America the Beautiful*.
- (C) Certificate of Election

**ACTION:** Motion was made by Mayor Scialdone, seconded by Council Member Roberts, and carried unanimously by vote of 3-0, to

Adopt **Resolution No. 2010-118** of the City Council of the City of Fontana, California, reciting the facts of the General Municipal Election held on November 2, 2010, and declaring the results thereof and such other matters as provided by law.

Mayor Scialdone invited Mayor Warren to introduce Mr. Steven Dudek to play *A Change is Gonna Come*.

(D) Oaths of Affirmation of Allegiance

The following Oaths of Affirmation of Allegiance were given:

Fifth District Supervisor Josie Gonzales of the San Bernardino County Board of Supervisors provided the Oath of Affirmation of Allegiance to Mayor Acquanetta Warren.

Mayor Scialdone presented the congratulated Mayor Warren, presented the gavel, and replaced his name tag at the dais with Mayor Warren's.

Mayor Warren too her seat at the dais and conducted the remaining items.

Fifth District Supervisor Josie Gonzales of the San Bernardino County Board of Supervisors provided the Oath of Affirmation of Allegiance to Council Member Michael Tahan.

Second District Supervisor Janice Rutherford of the San Bernardino County Board of Supervisors provided the Oath of Affirmation of Allegiance to Council Member John B. Roberts.

Council Member John B. Roberts provided the Oath of Affirmation of Allegiance to City Clerk Tonia "Toni" Lewis.

Council Member John B. Roberts provided the Oath of Affirmation of Allegiance to City Treasurer Janet Koehler-Brooks.

**ROLL CALL:**

Present: Mayor Warren and Council Members Roberts and Tahan.

Absent: None.

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

Council Member Roberts thanked the voters for the opportunity to serve a sixth term as Council Member. Council Member Roberts expressed his content with the great things that have occurred in the City over the past 10-15 years and expects great things to come at both the City and County level. Council Member Roberts also announced his attendance at the December 7, 2010, San Bernardino County Board of Supervisors Meeting where Second District Supervisor Janice Rutherford was sworn in.

Council Member Tahan thanked the voters, his family, and supporters for the opportunity to serve as Council Member. Council Member Tahan expressed his excitement over this historic evening and looks forward to working with the community to “keep Fontana moving forward.”

Mayor Warren thanked the community and her family for the opportunity to serve as Mayor. Mayor Warren thanked the many elected officials, family members, friends, and community for their attendance this evening. Mayor Warren also discussed the items she will be involved with completing during her first one hundred days of office, which included filling the two City Council vacancies, keeping Fontana going forward, living within our means, becoming more regional and working with Chamber of Commerce, promoting safety and jobs, supporting our youth and senior citizens, and ensuring that residents have ample resources.

Mayor Warren introduced City Clerk Toni Lewis to discuss the procedure for Public Communications.

**PUBLIC COMMUNICATIONS:**

The following Public Communications were received:

John Macmillan spoke regarding the CIF National Championship game to be played by Summit High School this Saturday, December 11, 2010, at 7 p.m. at the Elsinore field and invited residents to attend.

Michael Myers congratulated the newly elected Mayor and the City Council, and spoke regarding the appointment process to fill City Council vacancies.

Raymond Herrera congratulated newly elected Mayor Warren, and spoke regard jobs, resident e-verification, and the Dream Act.

Robin Hvidston congratulated newly elected Mayor Warren, and spoke regard public safety, jobs, the Fontana Police Department, and the Dream Act

Bill Kezar congratulated former Mayor Scialdone and newly elected Mayor Warren.

Cheryl Brown congratulated the newly elected Mayor and City Council and spoke regarding regional support.

Fifth District Supervisor Josie Gonzales of the San Bernardino County Board of Supervisors congratulated the newly elected Mayor and City Council, and expressed the honor to work with the City and begin a regional partnership.

Bridget Davis congratulated the newly elected Mayor and City Council.

Reginal Veal congratulated the newly elected Mayor and City Council.

Joe Dean of American Legion Post 772 spoke regarding the veterans community.

Elvia Lopez expressed her hopes to continue to work with the Mayor and Council and build a positive relationship. Ms. Lopez also encouraged residents to donate knitted socks, hats, and gloves to American Legions Post 772.

City Manager Ken Hunt commented that the Mayor and Council will be recognizing former Mayor Scialdone and Council Member Rutherford at the January 12, 2010, Council Meeting.

James Smith congratulated the newly elected Mayor and City Council and spoke regarding the Native Sons of the Golden West Organization.

Ethel Miller congratulated newly elected Mayor Warren and announced that the Yes We Can Newspaper would like to work with her on a space for the paper.

Pastor Emory B. James congratulated the newly elected Mayor and City Council, spoke regarding positive changes in leadership, and announced a January 9, 2011, Blessing of the Season Event to occur at Water of Life Community Church at 7625 East Avenue.

Willie Walker congratulated newly elected Mayor Warren and announced a December 26, 2010, event

Oriental Cherry Colleen congratulated newly elected Mayor Warren.

Larry Meyer, President of Fontana Library Foundation Board thanked the City for their support of the Uncorked Event held in October and Secretary Carmen Fleming for her assistance. Mr. Meyer also announced that Steelworkers Auditorium seats can be purchased for \$250.00 each. For more information please contact Carmen Fleming in the City Clerk's Office at 909-350-7604 or email [cflaming@fontana.org](mailto:cflaming@fontana.org).

Victor Quiroz congratulated the newly elected Mayor and City Council, and spoke regarding America's Auto Workforce, jobs, and the process to fill the City Council vacancies.

Fran Givens congratulated the newly elected Mayor and City Council, and spoke regarding a time for change, the Fontana Senior Center, and the need for a Senior Affairs Commission.

**PUBLIC HEARING:**

- A) Consideration of General Plan Amendment No. 09-011, Zone Change No. 09-006, and Development Agreement No. 10-0001 located near the Northeast corner of Citrus and Summit Avenues. (Continued from 10-27-10)

No one spoke in favor or opposition and no written communications were received.

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Tahan, and carried unanimously by vote of 3-0, to continue the item to the December 16, 2010, Adjourned Regular City Council Meeting.

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

- A) Discussion and possible action regarding filling two City Council vacancies. (Rutherford/Warren)

Council Member Roberts requested City Manager Hunt to comment on the process to fill City Council vacancies.

City Manager Hunt commented that there are two options to fill a City Council vacancy: (1) Conduct a Special City Election; or (2) Utilize an Appointment Process. City Manager Hunt also commented on the State Code's 30 day limitation to fill the vacancies and the new legislation which may have change the limitation to 60 days.

Council Member Tahan requested legal clarification on the Appointment Process and if appointees were not agreed upon.

City Manager Hunt commented that the Election Code is silent on not locating an appointee.

City Attorney Clark Alsop agreed that the Election Code is silent on not locating an appointee, that there would be an option for a challenge to filed with the court, and the 60 day limitation in the new legislation could also be utilized.

Mayor Warren commented on the Appointment Process, her use of the process to serve as Council Member, and the need for immediate action to start the New Year with a full City Council body.

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Tahan, and carried unanimously by vote of 3-0, to utilize the Appointment Process to fill the current City Council vacancies (Rutherford/Warren).

City Manager Hunt announced that applications are available starting this evening and will be available at the City Clerk's Office and online tomorrow morning.

Following discussion, the following Appointment Process Schedule was unanimously agreed upon:

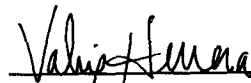
- December 8 and 9, 2010 – Council Applications will be available
- December 16, 2010 – 5:00 p.m. – Council Applications are due
- December 17, 2010 – 3:00 p.m. – Special Council Meeting to review applications
- December 20, 2010 – 7:00 p.m. – Special Council Meeting to conduct the interviews
- December 21, 2010 – 7:00 p.m. – Special Council Meeting to appoint new Council Members

**CITY MANAGER COMMUNICATIONS:**

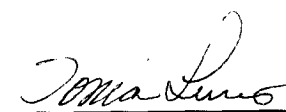
City Manager Hunt had no further comments.

**ADJOURNMENT:**

The Regular City Council Meeting Adjourned at 8:44 p.m. to an Adjourned Regular City Council Meeting which will be held on December 16, 2010, with a workshop beginning at 5:30 p.m. in the City Hall Executive Conference Room and then the Regular Meeting beginning at 7:00 p.m. in the City Council Chambers located at 8353 Sierra Avenue, Fontana, California.

  
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Valerie Herrera  
Administrative Analyst II

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 16TH DAY OF DECEMBER, 2010.

  
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Tonia Lewis  
City Clerk