

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR MEETING
JANUARY 12, 2011**

WORKSHOP

A workshop of the Fontana City Council was held on Thursday, January 12, 2011, in the City of Fontana Executive Conference Room, 8353 Sierra Avenue, Fontana, California. Council Member Roberts called the workshop to order at 5:20 p.m.

ROLL CALL:

Present: Mayor Warren (arrived at 5:35 p.m.) and Council Members Roberts, Slowik, Tahan, and Wibert.

Absent: None.

The Fontana City Council regular meeting agenda was reviewed.

City Manager comments were heard.

A Water Softener Ordinance update was given by Inland Empire Utilities Agency General Manager Thomas Love and Executive Manager of Policy Development Martha Davis.

The workshop adjourned at 6:03 p.m. to closed session.

REGULAR CITY COUNCIL MEETING

The Regular Meeting of the City of Fontana City Council was held on Wednesday, January 12, 2011, in the City Council Chambers, 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:10 p.m.

ROLL CALL:

Present: Mayor Warren and Council Members Roberts, Slowik, Tahan and Wibert.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation given by Council Member Roberts, the Pledge of Allegiance was led by Council Member Slowik.

CLOSED SESSION:

The City Attorney stated the City Council met in Closed Session to discuss the following items with no reportable action.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APN's: 240-101-21, 29, and 30 (Approximately 1.066 acres located on the west side of Sierra Avenue and north of Baseline Avenue)

Owner: City of Fontana

Negotiator: Debbie Brazill, Deputy City manager

Under Negotiation: Price and Terms

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

Case: City of Fontana v. Renova

San Bernardino Civil Division Court Case No. CIVDS908675

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

Name of Case: Cliff Ohler and Kurt Schlotterbeck vs. City of Fontana

U.S. District Court, Central District Case No. CV10-09892

PROCLAMATIONS:

- A. Proclamation to former Mayor Frank Scialdone and Council Member Janice Rutherford.

Mayor Warren welcomed the many individuals and agencies here this evening to present proclamations to former Mayor Scialdone:

John Van Winkle on behalf of Assemblyman Mike Morrell; Lydia Wibert and Kathy Binks on behalf Fontana Unified School District; Supervisor Janice Rutherford on behalf of the San Bernardino County Board of Supervisors and Supervisor Gonzales; Mike Parmer on behalf of the Fontana Community Coalition; Jesse Armandarez on behalf of the Fontana Exchange Club; Pete Aguilar, Redlands Mayor, on behalf of the League of California Cities and Jan Hudson on behalf of the Chamber of Commerce.

Mayor Scialdone thanked the City Council and the community.

Mayor Warren welcomed the many individuals and agencies here this evening to present proclamations to former City Council Member Rutherford:

Linda Burton on behalf of Water of Life Church; Lydia Wibert and Kathy Binks on behalf of the Fontana Unified School District; John Van Winkle on behalf of

Assemblyman Mike Morrell; Jan Hudson on behalf of the Chamber of Commerce; Pete Aguilar, Redlands Mayor, on behalf of the League of California Cities; and Jesse Armandarez on behalf of the Fontana Exchange Club.

City Council Members and Mayor Warren thanked former Mayor Scialdone and former City Council Member Rutherford.

SPECIAL PRESENTATIONS:

Mayor Warren and the City Council introduced Police Chief Rod Jones and recognized Community Policing Technician Heather Howard as the October 2010 Employee of the Month.

PUBLIC COMMUNICATIONS:

The following Public Communications were received:

Angelica Baltazar, Field Representative San Bernardino County Board of Supervisors, 5th District, invited the public to a County Visioning Workshop for the Fontana community on Tuesday, January 18, 2011, from 6:00 to 8:00 p.m. at the Jessie Turner Health and Fitness Center.

Joe Olague, League of Latin American Citizens (LULAC), Council No. 3163, read a letter written to the editor of the Daily Bulletin on redevelopment.

David Ver read a letter written to the editor of the Daily Bulletin on redevelopment.

Dayle Jamieson thanked the City Council for the sidewalks that were fixed and for listening to their constituents.

Tami Wetzel wished everyone a Happy New Year and spoke in opposition of Ordinance No. 1626.

Andrea Ortega spoke on the California Dream Act.

Mike Espinoza spoke on City corruption.

CONSENT CALENDAR:

A) Approval of Minutes

Approve the Minutes of the December 16, 17, 20, and 21, 2010, Adjourned Regular City Council Meetings and December 23, 2010, Emergency City Council Meeting.

B) Continuation of Adoption of **Ordinance No. 1626** Off-Calendar – *Pulled for Discussion and Continued to January 25, 2011, meeting.*

Community Development Director Don Williams provided background information on this item. Director Williams stated that staff will research the matter and bring back an updated ordinance that addresses any deficiencies.

C) Adoption of **Ordinance No. 1627**

Waive further reading of and adopt **Ordinance No 1627** of the City Council of the City of Fontana California amending the City of Fontana Municipal Code, Chapter 2, Article IV, Section 2-142, changing the days of the Regular City Council Meetings.

D) Final Acceptance of Subdivision Improvements for Tract No. 17108

(1) Accept as complete the Subdivision Improvements for Tract No. 17108 located east of Citrus Avenue between Baseline Avenue and Miller Avenue

(2) Adopt **Resolution No. 2011-001**, of the City Council of the City of Fontana, accepting sewers in Tract No. 17108 as part of the City sewer system.

E) Authorize a Cooperative Agreement between the City of Fontana and the City of Rialto for street improvements on Baseline Avenue.

Authorize the City Manager to execute a Cooperative Agreement with the City of Rialto to construct street improvements on Baseline Avenue between Palmetto and Maple Avenue.

F) Authorize a Cooperative Agreement between the City of Fontana and San Bernardino County for street improvements on Valley Boulevard.

Authorize the City Manger to execute a Cooperative Agreement between the City of Fontana and San Bernardino County to construct street improvements on Valley Boulevard from Banana Avenue to Catawba Avenue.

G) Authorize the purchase of Ford Crown Victoria Police Vehicles

(1) Authorize the purchase of Ford Crown Victoria Police Vehicles.

(2) Approve appropriation of \$410,000 from the Fleet Operations Undesignated Fund Balance to Account Number 3841175108319.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Tahan, and carried unanimously by vote of 5-0, to approve Consent Calendar Items "A-G" with Item B being pulled for discussion and continued to the January 25, 2011 meeting.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A) Notification of Property Ownership

City Manager Hunt stated that the notification was received and filed. No further action is needed.

B) Appointment of Mayor Pro Tem

ACTION: Motion was made by Council Member Tahan seconded by Council Member Wibert and carried unanimously by vote of 5-0 to appoint John Roberts as Mayor Pro Tem for a term of one year.

C) Discussion of Commission Appointments

ACTION: Motion was made by Council Member Tahan seconded by Council Member Slowik and carried unanimously by a vote of 5-0 to appoint Phil Cothran and Bob Baker to vacancies on the Planning Commission.

City Manager Hunt noted that Bob Baker was a Parks and Recreation Commissioner and this appointment creates a vacancy on that Commission. Mayor Warren asked for the City Council to wait until the next regular meeting to make a recommendation for appointment to the Parks and Recreation Commission.

Council Member Roberts spoke on this being a great New Year, having a great new City Council, and the great people dedicating their lives to public service and their community.

Council Member Wibert spoke on having a great support group for all the projects she is involved in.

Council Member Wibert thanked staff for embracing her in her new role.

Council Member Wibert provided her phone number for anyone to contact her with any suggestions or issues. She can be reached at 909.829.2310

Council Member Wibert thanked everyone present at the meeting tonight and those viewing at home.

Council Member Wibert asked everyone to keep the troops in prayer.

Council Member Slowik thanked Pastor Danny Carrol, Pastor Emory James, and all Pastors that organized Sunday's worship celebration for the new City leadership.

Council Member Slowik congratulated Supervisor Josie Gonzales on being appointed the Chair of the San Bernardino County Supervisors.

Council Member Slowik stated that this is the first time in history that City of Fontana is represented by two people on the San Bernardino County Supervisors at the same time.

Council Member Slowik thanked Council Member Roberts for his kind comments.

Council Member Slowik requested that tonight's meeting be adjourned in memory of Connie Aaron Wisdom and Mark Eric Mena.

Council Member Tahan thanked Pastor Emory James and everyone that helped with the worship day celebration.

Council Member Tahan thanked William Martinez and the Pony Baseball league players for pitching in and providing toys for the Christmas Toy Drive.

Council Member Tahan thanked the Southwest Little League for helping out with the Christmas Toy Drive.

Council Member Tahan congratulated Supervisor Josie Gonzales on being appointed the Chair of the San Bernardino County Supervisors.

Council Member Tahan wished Mayor Scialdone a happy retirement.

Council Member Tahan clarified that he does not own Cal Trop, he left them in 2005 as Vice President, and that he is a partner of TCM Group. Council Member Tahan further asked those making false comments to check the record.

Council Member Tahan stated that he is not making money from the City of Fontana as a businessman and he is invested in the community.

Mayor Warren wished everyone a Happy New Year.

Mayor Warren stated that these are exciting times for the City, yet it is facing very serious challenges. The news of the Governor's plans for redevelopment funds will impact the City's ability to provide services to the Fontana Community.

Mayor Warren stated that the City Manager has a blog that provides important information on redevelopment and its role in the community.

Mayor Warren thanked Pastor Emory James for the prayer service at the Water of Life Church.

Mayor Warren asked the community not to be misguided by speakers and their talk of grand jury and FBI investigations; nothing will stop this Mayor, City Council or great staff from getting their job done.

Mayor Warren stated that education on redevelopment is available.

Mayor Warren thanked Pastor Danny Carroll at Water of Life Church for the ceremony.

Mayor Warren thanked former Mayor Eshleman for speaking so eloquently on where the City has been and where it is going.

Mayor Warren thanked former Mayor Nuaimi for his guidance and assistance.

Mayor Warren thanked the public for their “kudos” and signs at the Rose Parade.

Mayor Warren congratulated Josie Gonzales on becoming the Chair of the San Bernardino County Board of Supervisors.

Mayor Warren announced a Dr. King event being held; she invited Pastor Emory James to speak on the program at his church.

Pastor Emory James invited the community to the 18th Annual MLK celebration on Saturday, January 15, 2011, at 3:00 p.m. at Ephesians New Testament Church, 16380 Merrill Avenue.

Mayor Warren shared the Fontana Parks and Recreation brochure that lists the many City activities and programs.

CITY MANAGER COMMUNICATIONS:

Manager Hunt invited anyone interested to review books, practices, and policies, of the City.

Manager Hunt spoke on where redevelopment funds go to in the City and the amount of City property taxes that go to the state (96.4 cents of every dollar).

Manager Hunt invited everyone to look at Fontana 360 for redevelopment project information.

Manager Hunt stated that the Governor is taking City taxpayer money and spending it elsewhere. The state has taken \$40 million out of the City’s pockets and yet, the state’s problem has not been solved.

Manager Hunt asked everyone to understand the importance of redevelopment.

Manager Hunt encouraged everyone to contact legislators to encourage them to leave redevelopment agency funds alone.

Mayor Warren spoke on the benefits of redevelopment.

Council Member Slowik stated that statewide, Fontana has been one of the most successful in dollars generated by redevelopment.

City Manager Hunt announced a modification to tonight’s adjournment.


ADJOURNMENT:

The City Council meeting adjourned by consensus in memory of Connie Wisdom and Mark Mena, at 9:26 p.m. to the League of California Cities Conference, from January 19-21, 2011, in Sacramento, California, then to the Adjourned Regular City Council Meeting on Saturday, January 22, 2011, with a workshop meeting at 8:30 a.m., in the City Hall Development Services Building-Development Advisory Board (DAB) Conference Room, located at 8353 Sierra Avenue, Fontana, California, and then to the Adjourned Regular Meeting to be held on Tuesday, January 25, 2011, with a workshop at 5:00 p.m. and then the Adjourned Regular Meeting at 7:00 p.m., in the Council Chambers located at 8353 Sierra Avenue, Fontana, California.



Ysela Aguirre
Boards and Commissions Secretary

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 25TH DAY OF JANUARY 2011.



Tonia Lewis
City Clerk