

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
CITY COUNCIL MEETING
JANUARY 25, 2011**

ARTIST SHOWCASE:

The work of Artist Dodd Holsapple was presented at 5:00 p.m. in the City of Fontana Council Chambers and foyer.

WORKSHOP:

A workshop meeting of the Fontana City Council was held on Tuesday, January 25, 2011, in the City of Fontana Executive Conference Room located at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the workshop to order at 5:40 p.m. with Council Members Roberts, Slowik, Tahan, and Wibert present. The Fontana City Council Regular Meeting Agenda was reviewed and City Manager Comments were heard.

CLOSED SESSION:

The Mayor and City Council adjourned to Closed Session at 6:03 p.m.

A. ADJOURNED REGULAR CITY COUNCIL MEETING

The Adjourned Regular Meeting of the City of Fontana City Council was held on Tuesday, January 25, 2011, in the City Council Chambers located at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:08 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 Mayor Warren.

CLOSED SESSION ANNOUNCEMENT:

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

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

Name of Case: Omar Villanueva v. City of Fontana
United States District Court Case No. ED CV09-01536 SGL (OPX)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: APNs 0251-131-03 and 0251-131-24 (16166 Washington Drive)
Owner: Brian and Catherine Hyndman
Negotiator: Debbie Brazill, Deputy City Manager
Under Negotiation: Price and Terms

SPECIAL PRESENTATIONS:

A. Artist Recognition

Mayor Warren introduced Community Services Coordinator Courtney Hodnick who recognized Dodd Holsapple as the artist in the Artist Showcase. Mayor Warren and the City Council thanked Artist Holsapple for his great art work.

B. Planning Commissioner Recognition

Mayor Warren and the City Council recognized former Planning Commissioner Kenneth Galasso on his twelve years of service on the Planning Commission.

Former Commissioner Galasso thanked the City for the recognition and for the opportunity to serve the City residents.

C. Police Department Employees of the Month

Mayor Warren introduced Police Chief Rod Jones who recognized Officer Christine Billings and Officer Wayne Blessinger as the November 2010 Employees of the Month.

D. Public Works Department Employees of the Year

Mayor Warren introduced Public Works Director Chuck Hays who recognized the following Public Works Department Employees of the Year:
Support Services - John Harr; Maintenance Worker II;
Operations - Richard Cortez, Crew Chief; and
Parks & Landscape - Victor Ibarra, Maintenance Worker II

E. 2010 Fontana Pee Wee SuperBowl Winners

Mayor Warren introduced Fontana Trojans Assistant Head Coach Larry Jackson and recognized the 2010 Fontana Pee Wee SuperBowl Winners.

Mayor Warren and the City Council thanked the Fontana Trojans players,

coaches, parents, and staff for their great efforts and dedication.

PUBLIC COMMUNICATIONS:

The following Public Communications were received:

A. Public Communications

Danny Marquez spoke regarding local Veterans Programs, the thousands of Veterans that live in the community, and the opportunity to begin a Veteran Center to include business outreach, job training, and counseling services.

Chris Burgess spoke regarding his military service, his residence in the City since 2001, and the need for a Veterans Center in the City.

Melba Kirby spoke in thanks for the great Fontana Community Senior Center and opportunity to be part of the planning process.

Jimmy Crickon spoke in thanks of the great Fontana Community Senior Center.

Fran Givens spoke regarding an old news article she located regarding the sale of the 40 acre site for the what is now Miller High School which donated to City Clerk Toni Lewis on behalf of the Fontana Historical Society.

Michael Townsend, representing Congressman Joe Baca, announced the Annual Black History Month Student Recognition Program to be held on February 24, 2011, in the Bloomington High School Auditorium.

CONSENT CALENDAR:

ACTION: Motion was made by Council Member Tahan, seconded by Roberts, and passed unanimously by a vote of 5-0 to approve Consent Calendar Items "A-E," with a correction to page 6 of the January 12, 2011, meeting minutes to correct the typographical error in Council Member's Tahan elected official communications to read Southwest Little League.

A. Approval of Minutes

Approve the Minutes of the January 12, 2011, Adjourned Regular City Council Meeting, with a correction to a typographical error suggested by Council Member Wibert to correct an elected official communication on page 6 of the January 12, 2011, Minutes to read: "Council Member Tahan thanked the Southwest Little League for helping out with the Christmas Toy Drive."

B. Adopt a Resolution Approving a Cooperative Agreement for I-10 Citrus Avenue Interchange

Adopt **Resolution No. 2011-002** of the City Council of the City of Fontana, approving Construction Cooperative Agreement No. C11092 with the San

Bernardino Associated Governments and the County of San Bernardino for the I-10 Citrus Avenue Interchange.

C. Adopt a Resolution Approving a Cooperative Agreement for I-10 Cherry Avenue Interchange Project

Adopt **Resolution No. 2011-003** of the City Council of the City of Fontana, approving Construction Cooperative Agreement No. C11091 with the San Bernardino Associated Governments and the County of San Bernardino for the I-10 Cherry Avenue Interchange Project.

D. Annual Report on Development Impact Fees

Adopt **Resolution No. 2011-004** of the City Council of the City of Fontana, approving the Annual Report on Development Impact Fees and making findings as to unexpended funds.

E. City of Fontana 2011 Statement of Investment Policy

Adopt the City of Fontana Statement of Investment Policy for 2011.

Council Member Slowik abstained from voting on the following public hearing item and left the dais.

PUBLIC HEARINGS:

A. Appeal No. 10-002 (Building Color) for Mariscos El Paisa Restaurant located at 9511 Sierra Avenue (Continued from 11-17-2010 Meeting) was opened.

ACTION: Motion was made by Tahan, seconded by Roberts, and passed by a vote of 4-1 (Warren).

(1) Determine that the project is Categorically Exempt pursuant to Section 15311, Class 32 (Infill Development) of the California Environmental Quality Act, direct staff to file a Notice of Exemption.

City Manager Hunt clarified that if the Mayor and Council were to vote to *approve* the appeal, they would be doing so in light of the ability of the Mayor and Council to make the following findings:

1. This proposal meets or exceeds the criteria contained in Chapter 30 of the Municipal Code and will result in an appropriate and desirable development.
2. The proposal is in its design and appearance aesthetically and architecturally pleasing while enhancing the character of the surrounding neighborhood.
3. The site improvements are appropriate and will result in a safe, well designed facility.
4. The proposal is consistent with the General Plan and applicable Community/Specific Plan.

5. The proposal promotes the public health, safety, and welfare of the community.

ACTION: Motion was made by Tahan, seconded by Wibert, and passed by a vote of 4-1 (Warren).

(2) Approve Appeal No. 10-002 (DR 87-022R1).

Council Member Slowik returned to the dais at 8:38 p.m. for the remainder of the meeting.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

The following Elected Officials Communications were received:

A. Appointments to Local Organizations

(1) San Bernardino County Association of Governments (SANBAG) Board of Directors

ACTION: Motion was made by Wibert, seconded by Slowik, and passed unanimously by a vote of 5-0 to appoint Council member Tahan as Regular Member and Council Member Roberts as Alternate Member to the San Bernardino County Association of Governments (SANBAG) Board of Directors.

(2) Inland Empire Utilities Agency (IEUA) Sewage Program Policy Committee

ACTION: The Mayor and City Council unanimously appointed Mayor Warren as Regular Member and Council Member Slowik as Alternate Member to the Inland Empire Utilities Agency (IEUA) Sewage Program Policy Committee. There was no opposition.

(3) Omnitrans Board of Directors

ACTION: The Mayor and City Council unanimously appointed Council Member Roberts as Regular Member and Council Member Wibert as Alternate Member to the Omnitrans Board of Directors. There was no opposition.

(4) Bernardino County Solid Waste Advisory Task Force (SWAT)

ACTION: The Mayor and City Council unanimously appointed Council Member Wibert as Regular Member and Council Member Slowik as Alternate Member to the San Bernardino County Solid Waste Advisory Task Force (SWAT). There was no opposition.

(5) Corridor Design Authority Board of Directors

ACTION: The Mayor and City Council unanimously appointed Council Member Roberts as Regular Member and Strategic Transportation Engineering Manager Kevin Ryan as Alternate Member to the Corridor Design Authority Board of Directors in relation to the Interstate-210 Freeway Joint Powers Agreement. There was no opposition.

Elected Officials Communications/Reports

Council Member Wibert asked City Manager Hunt the procedure to provide a report on the State Governor's interest in removing Redevelopment Agencies.

City Manager requested direction from Mayor Warren.

Mayor Warren directed the public to view the City Manager 360 Degrees Blog available on the City website and stated that she would include comments on the State interest to remove redevelopment agencies during her elected official communications this evening.

Council Member Wibert announced her attendance at a South Fontana landowner meeting yesterday evening with City Manager Hunt and Council Member Tahan. Council Member Wibert also requested direction on how a survey could be issued to the landowners for consideration of a zone change.

City Attorney Alsop suggested that should the Mayor and Council wish to proceed with the matter, that it be agendaized at a future City Council Meeting.

City Manager Hunt clarified that the Mayor and Council could also provide such direction to the City Manager to agendaize the matter at a future City Council Meeting.

Mayor Warren commented that this matter has come before the Mayor and City Council in the past and the current Mayor and Council at that time suggested that the zoning be handled through the general plan.

The Mayor and Council voted 3-2 (Tahan and Wibert) to not agendaize the survey matter at this time. Council Member Wibert thanked her sister and brother-in-laws who are visiting from San Diego and brother-in-law and nephew visiting from Arkansas and also wished them many more visits to Fontana.

Council Member Wibert announced that she attended the League of California Cities Conference in Sacramento from January 19-21, 2011, for new Council Members and Mayors. Council Member Wibert is happy to say that there was much to learn to do a great job as Council Member.

Council Member Wibert thanked the viewers, audience, staff, and the employees and local football team recognized this evening. Council Member Wibert would like to see more great recognitions and also welcomes any advice from residents.

Council Member Slowik announced that he attended the League of California Cities Conference in Sacramento from January 19-21, 2011, for new Council Members and Mayors.

Council Member Slowik reported on the many items he has been involved with during his first 21 days as Council Member, which include his role as new Chair of the San Bernardino County Fish and Game Commission.

Council Member Slowik presented a San Bernardino County shooting area map to Police Chief Jones on behalf of the County Fish and Game Commission.

Council Member Slowik discussed Governor Brown's proposal to do away with redevelopment agencies of Cities and Counties. Council Member Slowik encouraged residence to write in opposition to their State and local elected officials.

Council Member Slowik congratulated the 2010 Fontana Trojans Pee Wee Champions that were recognized this evening.

Council Member Slowik thanked Executive Secretary Karen Porlas, Assistant to the City Manager Amy Colbrunn, and Systems/Network Specialist Joseph Cundiff for their support and coordination for both himself and Council Member Wibert.

Council Member Roberts expressed kudos to Council Member Slowik. Council Member Roberts discussed the City improvements over the last 15 years which were made possible with Redevelopment funds and the State taking these funds would prevent Fontana from continuing to progress.

Council Member Roberts thanked the City Animal Control Division for their great work, great staff, and their dedication to service which is second to none.

Council Member Tahan thanked City staff for the great work over the past few weeks and for the preparation of the State of City Address.

Council Member Tahan discussed the Goal Setting Session held last Saturday, January 22, 2011, which set the goals and objectives for the upcoming year to keep Fontana moving forward. Council Member Tahan thanked City Manager Hunt for his leadership during the meeting and for staff that took time to answer his and the Council's questions.

Council Member Tahan announced that he attended the League of California Cities Conference in Sacramento from January 19-21, 2011, for new Council Members and Mayors. Council Member Tahan discussed the great learning experience and observations from the conference.

Council Member Tahan congratulated Mayor Warren for her keynote speech at the Martin Luther King Unity Breakfast held on January 17, 2011. Council Member Tahan announced that Mayor Warren was a great inspiration to many of the listeners at the breakfast.

Council Member Tahan congratulated Mayor Warren for the being named the Grand Marshall at the Black History parade to be held in San Bernardino on February 5, 2011, at 9:30 a.m. on the corner of 8th and E Streets.

Mayor Warren announced that it has been a great month in Fontana. The Fontana Team is a Democracy and full of different opinions.

Mayor Warren thanked the Council, City Manager Hunt, and Police Chief Jones for their attendance at Martin Luther King Unity Breakfast held on January 17, 2011.

Mayor Warren announced that she attended the League of California Cities Conference in Sacramento from January 19-21, 2011, for new Council Members and Mayors, along with Council Members Tahan, Slowik, and Wibert, and City Manager Hunt. The conference was a great networking opportunity and she spoke with Governor Brown three times.

Mayor Warren discussed Governor Brown's intent to remove redevelopment agencies from Cities and Counties and the regional efforts needing to be undertaken by this great region to protect our redevelopment agencies and great projects in the City which were built with Redevelopment funds. Mayor Warren encouraged residents to view the City Manager's 360 Degrees Blog at www.fontana.org to correct the miscommunications on Redevelopment Agency funding and to tune in to be part of the regional effort.

Mayor Warren announced the State of City Address to be held on Thursday, January 27, 2011, at the Jessie Turner Community Center. The lunch session is sold out. Those interested in attending can visit the City Website before tickets sell out for the breakfast session.

Mayor Warren discussed the importance of working hard, working smart, and supporting our youth.

Mayor Warren announced that she will speak at a Press Conference which will be held tomorrow at 1:00 p.m. at the southwest corner of Foothill Boulevard and East Avenue.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Hunt announced that he met with five City Managers today and that kudos were expressed to Mayor Warren for doing a great job. City Manager

thanked Mayor Warren for being a great Mayor.

City Manager Hunt announced his excitement to hear the State of City Address this Thursday.

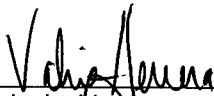
City Manager Hunt announced that the City Council Meeting will be adjourned to the State of the City Address on Thursday, January 27, 2011, with two sessions at 7:30 a.m. and 12:00 p.m. at the Jessie Turner Community Center, then to a Monday, January 31, 2011, Adjourned Regular Meeting to hear Fireworks Appeals at 6:00 p.m. here in the Council Chamber, and then to a February 8, 2011, Adjourned Regular Meeting with a workshop at 5:00 p.m. and the Adjourned Regular Meeting at 7:00 p.m. here in the Council Chamber.

City Manager Hunt commented on the lost opportunities for this community, should the Governor succeed in removing Redevelopment Agencies.

City Manager Hunt also expressed his joy in coming to work each day with great staff, as he has just finished his 12th year as City Manager of Fontana.

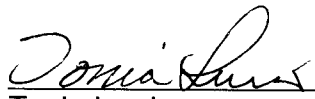
ADJOURNMENT:

The City Council meeting adjourned by consensus at 9:17 p.m. to the State of the City Address to be held on Thursday, January 27, 2010, at 7:30 a.m. at the Jessie Turner Center located at 15556 Summit Avenue, Fontana, California, then to an Adjourned Regular City Council Meeting which will be held on Monday, January 31, 2011, at 6:00 p.m. in the Council Chambers located at 8353 Sierra Avenue, Fontana, California, and then to an Adjourned Regular City Council Meeting which will be held on Tuesday, February 8, 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.



Valerie Herrera
Administrative Analyst II

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 8TH DAY OF FEBRUARY, 2011.



Tonia Lewis
City Clerk