

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
CITY COUNCIL MEETING
MARCH 8, 2011**

WORKSHOP:

A Workshop Meeting of the Fontana City Council was held on Tuesday, March 8, 2011, in the Fontana City Hall Executive Conference Room located at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the Workshop Meeting to order at 5:32 p.m. with Mayor Pro Tem Roberts, and Council Members Slowik, Tahan, and Wibert present. Lamar Advertising Direct of Real Estate Services Brian Smith and General Manager Randy Straus, along with Gresham and Savage Attorney Donovan Collier provided a presentation on electronic billboards. The Fontana City Council Regular Meeting Agenda was reviewed and City Manager Comments were heard. The Workshop Meeting adjourned at 6:03 p.m. to closed session in the Fontana City Hall Executive Conference Room.

CLOSED SESSION:

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

Name of Case: Brian McGuigan v. City of Fontana

United States District Court, Central District of California Case No. ED CV 10-0278-DMG (VBKx)

A. Regular City Council Meeting

The Regular Meeting of the City of Fontana City Council was held on Tuesday, March 8, 2011, in the City Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Mayor Warren called the meeting to order at 7:03 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 Fontana Police Department Chaplain Gregory Peck, the Pledge of Allegiance was led by Mayor Pro Tem Roberts.

CLOSED SESSION ANNOUNCEMENT:

City Attorney Clark Alsop announced the City Council had met in closed session with no reportable action taken.

SPECIAL PRESENTATIONS:

A. Miss Fontana Scholarship Pageant Contestants

Mayor Warren introduced 2010-2011 Miss Fontana Jacklyne Aceves and Junior Princess Melissa Au who introduced the 2011 Miss Fontana Scholarship Pageant Contestants. Mayor Warren and the City Council congratulated this year's 14 contestants. The Miss Fontana Scholarship Pageant will be held on Saturday, March 19, 2011, at 6 p.m. in the Steelworkers' Auditorium. Tickets are \$12 and can be purchased from the contestants or at the Fontana Chamber of Commerce.

PUBLIC COMMUNICATIONS:

The following Public Communications were received:

A. Public Communications

Chelsi Chastain spoke regarding redevelopment funding and debt, the Fontana Unified School District deficit, current news on the Cities of Bell and Upland, and the Interstate-10 at Citrus Avenue Interchange.

Michael Townsend, representing Congressman Joe Baca, thanked the City for its great students who participated in the African American Student Recognition Program held last month, spoke regarding the 2010 Census results, and announced free low-income tax services to be held at the Boys and Girls Club on Almeria Avenue, the Fontana Community Senior Center on Ceres Avenue, and at Water of Life Church on Nuevo Avenue.

CONSENT CALENDAR:

ACTION: Motion was made by Council Member Wibert, seconded by Mayor Pro Tem Roberts, and passed unanimously by a vote of 5-0, to approve Consent Calendar Items "A-I," with Council Member Tahan abstaining from voting on Item A, Minutes of the February 22, 2011, Regular City Council Meeting, and with revision to the contract amount in the Public Road Crossing Overhead Structure Agreement in Item C, and revision to the CalRecycle Resolution in Item G.

A. Approval of Minutes

Approve the Minutes of the February 22, 2011, Regular City Council Meeting.

Council Member Tahan abstained from voting on the Minutes.

B. Adopt a Resolution of Intent to Set a Public Hearing to Sell Surplus Property

(1) Adopt **Resolution No. 2011-010** of the City of Fontana declaring its intention to sell surplus land located at 9595 Cypress Avenue, commonly known as a portion of Assessor Parcel No. 0193-212-31 and to set a Public Hearing for the consideration of protests.

(2) Set the Public Hearing for March 22, 2011, For the consideration of the sale of surplus property located at 9595 Cypress Avenue.

C. Adopt a Resolution Approving an Agreement for the Interstate-10 Citrus Avenue Interchange Project

Adopt **Resolution No. 2011-011** of the City Council of the City of Fontana, authorizing the City Manager to execute a Public Road Crossing Overhead Structure Agreement between the City of Fontana, Union Pacific Railroad Company and the State of California Department of Transportation for the Construction of the Interstate-10 Citrus Avenue Interchange Project, UPRR Folder No. 2594-68.

The contract amount was revised from \$136,500 to \$113,000 due to a typographical error.

D. Adopt a Resolution approving Amendment No. 1 to the Construction Cooperative Agreement for the Interstate-10 Citrus Avenue Interchange Project

Adopt **Resolution No. 2011-012** of the City Council of the City of Fontana, authorizing the City Manager to execute Amendment No. 1 to Construction Cooperative Agreement No. C11092 between the City of Fontana, the County of San Bernardino and the San Bernardino Associated Governments for the I-10 Citrus Avenue Interchange Project.

E. Adopt a Resolution approving Amendment No. 1 to the Construction Cooperative Agreement for the Interstate-10 Cherry Avenue Interchange Project

Adopt **Resolution No. 2011-013** of the City Council of the City of Fontana, authorizing the City Manager to execute Amendment No. 1 to Construction Cooperative Agreement No. C11091 between the City of Fontana, the County of San Bernardino and the San Bernardino Associated Governments for the I-10 Cherry Avenue Interchange Project.

F. Accept Donations for 2010 Red Ribbon Breakfast

Accept donations from multiple donors totaling \$1,788 for the 2010 Red Ribbon Breakfast.

G. Reimbursement Application and Acceptance from CalRecycle for Pavement Rehabilitation Projects

Adopt **Resolution 2011-014** of the City of Fontana, authorizing the submittal of grant applications for all CalRecycle Grants for which the City of Fontana is eligible and authorizing acceptance and execution of these grants.

The resolution was revised due to a typographical error.

H. Final Acceptance of ARAM Pavement Rehabilitation Project SB-23-PW-10

- (1) Accept as complete and authorize the Director of Public Works to execute and file a Notice of Completion for Project SB-23-PW-10.
- (2) Approve the final construction amount of \$1,430,573.12.
- (3) Approve the release of the 10 percent retention upon satisfactory closure of the contract.

I. Final Acceptance of CDBG Pavement Rehabilitation Project, SB-22-PW-10

- (1) Accept as complete and authorize the Director of Public Works to execute and file a Notice of Completion for Project SB-22-PW-10.
- (2) Approve the final construction amount of \$787,209.05.
- (3) Approve the release of the 10 percent retention upon satisfactory closure of the contract.

PUBLIC HEARINGS:

A. Resolution for Sale of Surplus Property located on Sierra Avenue, north of Baseline Avenue

Real Property Analyst Supervisor Delia Mejia provided the staff report.

No written communications were received.

No one spoke in favor or opposition.

ACTION: Motion was made by Council Member Tahan, seconded by Mayor Pro Tem Roberts, and passed unanimously by a vote of 5-0 to:

- (1) Adopt Resolution No. 2011-015, of the City of Fontana, finding that the public interest and convenience require the sale of surplus property, known as Assessor Parcel Nos. 0240-101-21, 0240-101-29 and 0240-101-30, located on Sierra Avenue, north of Baseline Avenue, and approving the sale of such property to Forestar Fontana, LLC.
- (2) Authorize the City Manager of the City of Fontana to negotiate and execute on behalf of the City Council the grant deeds and take any other actions necessary to effectuate said approval for sale of the property at fair market value.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

The following Elected Officials Communications were received:

A. Elected Officials Communications/Reports

Council Member Tahan thanked everyone for their prayers and support during a recent loss to his family.

Council Member Tahan announced his attendance in Washington D.C. this past week along with Mayor Warren, City Manager Ken Hunt, Assistant to the City Manager Amy Colbrunn, and Public Works Director Chuck Hays in which they lobbied for water and transportation issues. The trip was very productive due to the relationship-building meetings with many jurisdictions and elected officials.

Council Member Wibert announced her attendance as a guest at a recent Centennial Gala held in the City of Perris. Council Member Wibert met with the City Manager and elected officials and invited them to visit our Center Stage Theater an inspiration for their theater remodel plans.

Council Member Wibert announced her attendance at the Little League Opening Ceremony held at Bill Martin Park this past Saturday and thanked the parents and volunteers for their support of our youth. This Opening Ceremony is only one of many to occur this season.

Council Member Wibert thanked Congressman Baca for the wonderful African American Student Recognition Program held on February 24, 2011, which she was present at and which rewarded great student achievement.

Council Member Wibert announced her attendance along with Mayor Warren at the 5th Annual State of Women this past Saturday that held in the City of Rialto and which was filled with great speeches of encouragement.

Council Member Wibert announced upcoming Jurupa Hills High School Honk Musical (tickets are \$8.00 at the door and sponsor donations are welcome) to be held Thursday, March 10th and Friday, March 11th, at 7:00 p.m. and the Fontana High School Godspell Performance (tickets are \$10.00 at the door) to be held on Thursday, March 10th at 3:30 p.m., Friday and Saturday, March 11-12th at 7:00 p.m., and Sunday, March 13th at 2:30 p.m.

Council Member Wibert encouraged residents to continue to support our troops.

Council Member Slowik thanked the Fontana Unified School District for conducting the recent field trips to the school sites being improved from Bond Measure Funds.

Council Member Slowik announced his attendance at last Friday's Cruise Night and thanked staff for their great work that brings a great turnout each month.

Council Member Slowik congratulated the Little League and Softball teams for

the Opening Ceremony held this past Saturday at Bill Martin Park and thanked parents and volunteers for their support of our youth. Council Member Slowik encouraged the community to attend the many other Opening Ceremonies to occur this season.

Council Member Slowik thanked the many community and agencies for their event invitations and announced his support of their goals and hopes to attend a future event.

Council Member Slowik encouraged residents to support the Miss Fontana Scholarship Pageant on Saturday, March 19, 2011.

Council Member Slowik announced that Wednesday, March 16, 2011, is Arbor Day and encouraged residents to attend the event from 9 a.m. to 1:30 p.m. at the Mary Vagle Nature Center.

Council Member Slowik announced that he looks forward to attending the upcoming County Conference on March 25th and March 26th and the State of County Session on April 6, 2011.

Council Member Slowik announced the upcoming April 14th Volunteer Recognition Banquet, the April 16th Special Olympics at 9 a.m. at Fontana High School, as well as the Fontana Karate-Do Fundraising event in which himself and Council Member Wibert will participate to raise funds for the students to attend a national tournament in April.

Council Member Slowik thanked the community for their continued support and prayers of Bill Martin and his family.

Council Member Slowik regretfully announced the passing of Dorothy May Crilly MacGregor-Cartwright who was a 55-year Fontana resident and lived across the street from the Fontana Police Department. He expressed condolences for her family and requested that tonight's meeting be adjourned in her memory.

Mayor Pro Tem Roberts request Fire Chief Salvate to speak on the recent passing of Fire Department individual.

Fire Chief Salvate announced the recent loss of Fire Engineer Erik Wright, for whom which services were held yesterday for in Norco.

Mayor Pro Tem Roberts requested that tonight's meeting also be adjourned in Erik Wright's memory.

Mayor Warren announced her attendance in Washington D.C. this past week and the importance of the City's efforts to explain its needs for the community, secure grant funding, and support redevelopment.

Mayor Warren explained that Fontana is a living example of redevelopment done right and the recent Little League Opening Ceremony held at Bill Martin Park are a great example. Mayor Warren also commented on a recent audit of cities that

did not audit cities in San Bernardino Counties because we are using redevelopment the right way here.

Mayor Warren announced the My Vote Counts Campaign in cooperation with the League of California Cities and the California Redevelopment Association to fight the elimination of redevelopment. Mayor Warren encouraged residents to visit www.myvotecountsca.org to cast their vote and to stay tuned for the Press Conference to be held this Thursday.

Mayor Warren also commented on the results of the November election for Proposition 22 which resulted in California voters voting to keep funds local and the State's desire to ignore that vote.

Mayor Warren commented on the 2010 Census results which show that Fontana is the third largest growing City next to Los Angeles and Irvine.

Mayor Warren commented on the recent calls she has received on the Fontana Unified School District (FUSD) and asked the community to pray for FUSD and all other school districts. Mayor Warren thanked parents for their phone calls and encouraged parents to become more involved in volunteering and community members to become more involved with working with elected officials for positive growth.

Mayor Warren commented on her commitment to continue to support this community, work with agencies that support our community, and most importantly, to support our youth who are Fontana's future. Mayor Warren also commented on this Council's commitment to the City's growth in a positive manner.

CITY MANAGER COMMUNICATIONS:

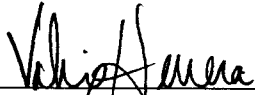
A. City Manager Communications

City Manager Hunt thanked the Mayor and Council for the recent legislative trip to Washington D.C. this past week.

City Manager Hunt thanked Assistant to the City Manager Amy Colbrunn for her great work in scheduling the trip and Engineering Administrative Analyst Monique Molina and Engineering Intern Ed Booth for the legislative materials provided for the trip.

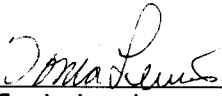
ADJOURNMENT:

The City Council meeting adjourned by consensus at 7:55 p.m. in memory of Dorothy May Crilly MacGregor-Cartwright and Fire Engineer Erik Wright to the next Regular City Council Meeting on Tuesday, March 22, 2011, with a workshop at 5:30 p.m. in the City Hall Executive Conference Room and the regular meeting at 7:00 p.m. in the Council Chambers at 8353 Sierra Avenue, Fontana, California.



Valerie Herrera
Administrative Analyst II

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON
THE 22ND DAY OF MARCH, 2011.**



Tonia Lewis
City Clerk