

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
CITY COUNCIL MEETING  
SEPTEMBER 13, 2011**

**WORKSHOP:**

A Workshop Meeting of the Fontana City Council was held on Tuesday, September 13, 2011, in the Fontana City Hall Executive Conference Room located at 8353 Sierra Avenue, Fontana, California. Mayor Pro Tem Roberts called the Workshop Meeting to order at 5:35 p.m. with Mayor Warren (arrived at 5:38 p.m.), Council Members Roberts, Slowik, Tahan, and Wibert all present. Board President Jan Hudson, Vice President Eric Bishop, and Secretary/Treasurer Kyle Schultzy provided an update and discussion was held to partner with the City and support of local businesses. The Fontana City Council Regular Meeting Agenda was reviewed and City Manager comments were heard. The Workshop Meeting adjourned at 6:15 p.m.

**CLOSED SESSION:**

Closed Session was held at 6:00 p.m. in the City Hall Executive Conference Room with Mayor Warren and all Council Members present.

**PUBLIC COMMUNICATIONS:** There were no public communications received on the following closed session.

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a) Case: In the matter of the application of San Gabriel Valley Water Company before the California Public Utilities Commission- Application No. 11-07-005

City Attorney announced there was no reportable action taken in closed session.

**A. 7:00 P.M. Call the meeting to order**

The Regular Meeting of the City of Fontana City Council was held on Tuesday, September 13, 2011, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:21 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 Mayor Pro Tem Roberts, the Pledge of Allegiance was led by Council Member Slowik.

**PROCLAMATIONS:**

**A. Retirement Proclamation**

Mayor Warren introduced Chief Jones, who introduced Marie Carter and recognized Ms. Carter for her 34 years of service to the City of Fontana's Police Department and for her selection as Employee of the Month for August.

Council Member Tahan presented Ms. Carter with a proclamation on her retirement from the City and thanked Ms. Carter for her great service and dedication to the City and wished her well on her retirement. Council Member Roberts presented Ms. Carter a plaque for August Employee of the Month.

**B. "World Wide Play Day" Proclamation**

Mayor Warren introduced Community Services Director Garth Nelson and Chief Professional Officer Terri Schneider. Community Services Director Nelson spoke regarding World Wide National Play Day. Mr. Nelson presented Ms. Schneider a proclamation declaring September 24, 2011, as World Wide Play Day in Fontana.

Ms. Schneider stated that the World Wide Play Day will take place on Saturday, September 24, 2011, at the Boys and Girls Club located at 7723 Almeria Avenue from 12:00 p.m. to 3:00 p.m. Ms. Schneider encouraged all residents to come out and enjoy the fun at the Play Day event.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

Kyle Schulty, Secretary/Treasurer of the Chamber of Commerce spoke regarding the accomplishments thus far and goals for the upcoming year for the Chamber of Commerce. Ms. Schulty spoke regarding the new services now being offered through the Chamber of Commerce, and encouraged anyone interested in supporting the Chamber to contact the Chamber of Commerce office or visit the website at [www.fontanachamber.org](http://www.fontanachamber.org).

Mark Rush representing the Associated Artist of Inland Empire spoke regarding the Fine Art Show being held September 17 & 18 at the Victoria Gardens. The show will be Saturday from 10:00 a.m. to 10:00 p.m. and Sunday from 10:00 a.m. to 4:00 p.m. Mr. Rush encouraged the public to visit the Fine Art Show this weekend.

Terrie Schneider, Chief Professional Officer of the Boys and Girls Club spoke regarding the upcoming Mayor's Jazz Jam on October 8, 2011 from 6:00 p.m. to

11:00 p.m. She stated that all the proceeds will benefit the Boys and Girls Club. Ms. Schneider stated she placed an envelope containing tickets to sell at the dias for the Mayor and City Council Members. Tickets are \$50 each. Ms. Schneider encouraged everyone to attend this wonderful event to be held at the new Fontana Senior Center on Ceres Way.

Victor Sanchez spoke regarding the Sierra Lakes Elementary Golf Tournament held this past weekend. He thanked everyone for their support and gave special thanks and recognition to Council Member Tahan. Mr. Sanchez presented Council Member Tahan with a plaque thanking Mr. Tahan for his leadership and continual support of Sierra Lakes Elementary School.

Mary Visor, from First Step Day Care Program, thanked Council Member Tahan and Roberts for their support of the day care program. Ms. Visor presented Council Member Tahan with an art picture made by the children attending the day care program.

Danny Marquez, member of the San Bernardino County Advisory Board for Veterans, thanked the Mayor and City Council for their support of the veterans. Mr. Marquez announced that the new Veterans Center is scheduled to be opened in March 2012. He read a letter of support by Mayor Warren for grant funding to help with the new Veteran Center. Mr. Marquez thanked Mayor Warren for writing the letter of support.

Michael Townsend, representing Congressman Baca, announced that Congressman Baca will be running for the 63rd District Congressional Seat. Mr. Townsend spoke regarding Congressman Baca's tour of A & R Tarpaulins in Fontana, and the Latino Student Recognition Program to be held on September 29, 2011, at 6:00 p.m. at Colton High School.

## **CONSENT CALENDAR:**

**ACTION:** Motion was made by Council Member Wibert, seconded by Council Member Tahan, and passed unanimously by a vote of 5-0, to approve Consent Calendar Items "A-J." with Item F being pulled for a staff report.

### **A. Approval of Minutes**

Approve the Minutes of the August 23, 2011, Regular City Council Meeting.

### **B. Fontana Art Association Quarterly Report**

Receive and order filed the written staff report.

### **C. Approve a Cooperative Agreement with the City of Rancho Cucamonga for the East Avenue Storm Drain Line 8 Project**

(1) Authorize the City Manager to execute a Cooperative Agreement with the City of Rancho Cucamonga for the East Avenue Master Plan Storm Drain Line 8 Project.

(2) Appropriate \$34,100 from Storm Drain Fund 622 to Project 3292.

**D. Approve a Memorandum of Understanding for the San Bernardino Valley Coordinated Traffic Signal Timing System Program**

Authorize the City Manager to enter into Memorandum of Understanding (MOU) No. C11223 between the City of Fontana, et. al. and San Bernardino Associated Governments (SANBAG) for the San Bernardino Valley Coordinated Traffic Signal Timing System Program Tiers 1, 2, 3, & 4.

**E. Award a Construction Contract for the Arrow Boulevard and Oleander Avenue Traffic Signal Project**

(1) Authorize the City Manager to execute a construction contract with Social Engineers, Inc. for the construction of the Arrow Boulevard and Oleander Avenue Traffic Signal Project in the amount of \$150,054.00 and authorize a 10% contingency in the amount of \$15,005.40. (Bid No. SB-55-DE-11)(2) Authorize the City Manager to execute any and all utility agreements and any related items on behalf of the City of Fontana for Arrow Boulevard and Oleander Avenue Traffic Signal Project.

**F. Award a Contract for the Jurupa Hills High School Routes to School Project**

(1) Authorize the City Manager to execute a construction contract with Mamco Inc. for the construction of the Jurupa Hills High School Routes to School Project consisting of Citrus Avenue Street Improvements from Jurupa Avenue to Slover Avenue, Santa Ana Avenue Street Improvements from Citrus Avenue to Cypress Avenue, Slover Avenue Street Improvements from Citrus Avenue to Cypress Avenue, and the Slover Avenue at Oleander Avenue Traffic Signal Improvement in the amount of \$1,851,494.31 and authorize a 10% contingency in the amount of \$185,149.43. (Bid No. SB-12-DE-11)(2) Appropriate \$100,000.00 from Measure I Fund 246 to Project 3286 (Slover Avenue at Oleander Avenue Traffic Signal Improvement Project).(3) Authorize the City Manager to execute any and all utility agreements, utility easements, and any related items on behalf of the City of Fontana for Jurupa Hills Route to School Improvement Project.

Staff Report

Senior Engineer Noel Castillo provided a brief staff report. Mr. Castillo stated that the City is working with Fontana Unified School District in providing safer routes to and from school.

Council Member Slowik wanted the public to be aware that the City is working to provide safer routes to school.

**G. Community Facilities District No. 11 (Heritage West End) Bond**

## **Refinancing**

Approve the financing team for the issuance of refunding bonds for Community Facilities District No. 11 (Heritage West End).

### **H. Resolution of Intent to establish Community Facilities District No. 68M for Street Lighting, Landscaping and Park Maintenance for Tract 17389.**

(1) Adopt Resolution No. 2011-092 of Intention of the City Council of the City of Fontana with respect to establishment of proposed Community Facilities District No. 68M of the City of Fontana.(2) Set the Public Hearing for October 25, 2011, for the formation of the District and call the Special Election for October 25, 2011.

### **I. Authorize a Cooperative Agreement for street improvements on Calabash Avenue from Foothill Boulevard to Whittram Avenue**

Authorize the City Manager to execute a Cooperative Agreement between the City of Fontana and San Bernardino County to construct street improvements on Calabash Avenue from Foothill Boulevard to Whittram Avenue.

### **J. Authorize a Cooperative Agreement for street improvements on Randall Avenue between Cherry Avenue and Poplar Avenue and on Merrill Avenue between Cherry Avenue and Catawba Avenue**

Authorize the City Manager to execute a Cooperative Agreement between the City of Fontana and San Bernardino County to construct street improvements on Randall and Merrill Avenues.

## **PUBLIC HEARINGS:**

### **A. Hearing was opened for the Consolidated Annual Performance Evaluation Report (CAPER)**

Deputy City Manager Edgar provided the staff report.

No written communications were received.

No one spoke in favor or opposition.

The hearing was closed.

**ACTION:** Motion was made by Council Member Slowik, seconded by Council Member Wibert, and passed unanimously by a vote of 5-0 to:

(1) Conduct a public hearing on the Consolidated Annual Performance and Evaluation Report that was prepared for the U.S. Department of Housing & Urban Development to report on specific federal housing assistance and community development activities undertaken by the City of Fontana during Fiscal Year 2010-2011; and

(2) Authorize the City Manager to execute any documents necessary to submit the report, along with any comments received during the public hearing and public comment period, to the Department of Housing & Urban Development.

**B. Hearing was opened for Municipal Code Amendment No. 11-019, an amendment to the General Landscape Requirements (Chapter 30, Article X), of the Zoning and Development Code.**

Assistant Planner Arely Monarez provided the staff report.

No written communications was received

No one spoke in favor or opposition.

The hearing was closed.

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

(1) Determine that the project is Categorically Exempt pursuant to Section No. 15061(b)(3) (General Rule Exemption), of the California Environmental Quality Act (CEQA), and direct staff to file a Notice of Exemption; and

(2) Waive further reading of and introduce **Ordinance No. 1637** of the City Council of the City of Fontana, California, approving an amendment to Chapter 30, Article X, of the Zoning and Development Code; and that the reading of the title constitutes the first reading thereof.

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

The following Elected Officials Communications were received:

**A. Elected Officials Communications/Reports**

Council Member Slowik thanked PTA Members and everyone who supported the Shark Shootout Golf Tournament held this past weekend, in which the proceeds will benefit Sierra Lakes Elementary School.

Council Member Slowik announced his attendance to the ICSC Conference on September 7, 2011, in San Diego.

Council Member Slowik apologized for not being present at the 9/11 Ceremony, but he was there in spirit. Council Member Slowik stated the anniversary of this tragic event is to pay tribute to those who lost their lives on 9/11, but also to pay tribute to the Police and Fire who sacrifice their lives everyday to save others.

Council Member Slowik thanked Paster Emory James and Pastor Dennis Larkin for the invites to their church services and events. Council Member Slowik stated he will be attending both events.

Council Member Slowik sent out a prayer and well wishes for Fontana Unified School District Superintendent Cali Binks.

Council Member expressed condolences for the family of Phillip Fortner, Mr. Fortner was a resident of Fontana for 66 years. Mr. Slowik asked that the meeting be adjourned in memory of Phillip Fortner.

Council Member Roberts announced his attendance to the ICSC Conference in San Diego. Overall there were good meetings with potential businesses that may be interested in doing business in Fontana.

Council Member Roberts stated that he attended the 9/11 Memorial Ceremony, and stated this is a time to reflect on those who lost their lives on that tragic day. Council Member Roberts gave special thanks to Community Services, Fire and Police Departments for a great event.

Council Member Tahan commented on his attendance to the ICSC Conference in San Diego, stating that he spoke with several potential businesses interested in doing business in Fontana. Mr. Tahan spoke regarding the power outage while in San Diego. Council Member Tahan stated that everything was shut down and out of reach. This shows how much we are all dependent on technology and how much everyone is vulnerable in a crisis of this nature.

Council Member Tahan announced he attended the 9/11 Ceremony in Fontana and stated that its a day to remind us of all those individuals who lost their lives on September 11, 2001.

Council Member Tahan asked City Manager if another workshop can be held to discuss in more detail development fees and processes.

City Manager Hunt stated that if more than a half hour is needed for the workshop a separate meeting will need to be scheduled.

City Manager Hunt asked the Mayor and City Council if they wish to have a workshop on development fees and processes, to please let him know how the majority feel. City Manager Hunt stated that he will contact the Mayor and City Council individually about their concerns.

Mayor Warren suggested that Council submit their questions and concerns relative to development fees and processes to City Manager Hunt. Based on the questions submitted, it will be determined if more than a half hour is needed for the workshop.

Council Member Tahan stated that the City has been blessed with good news. The City will receive approximately \$30 million for the I-10 Cherry/Citrus Interchange Projects. Construction of these project will be moving forward with the

assistance of SANBAG.

Council Member Wibert announced her attendance to the ICSC Conference in San Diego, and stated that the conference was very successful in that she met with many potential businesses. Ms. Wibert stated she hopes the City will see the fruits of the labor soon. Council Member Wibert also thanked staff for a great job in putting the booth together.

Council Member Wibert thanked the Woman's Club for hosting the Ice Cream Social on 9/11, and stated that the decorations for the event were right in line with the 9/11 Ceremony.

Council Member Wibert thanked Chief Jones, staff, and volunteers for the resources that were available for the parents and their children at the Safety Fair.

Council Member Wibert thanked Chief McGenney, for providing Sgt. Wolverton, and Officers Bautista and Hautman for their assistance in the snow cone and popcorn booth. Ms. Wibert also thanked Vanessa Valles and Lorraine Meeks for working the popcorn and snow cone booths, they were very busy.

Council Member Wibert thanked Danny Marquez for the numerous hours he has devoted for the new veterans research center.

Council Member Wibert congratulated Matt Balingier and Dominique Polmer, police volunteers who received awards from the Attorney General's Office for their volunteerism in Fontana . Also Officers Steve Sullivan and Jose Ferrera, CERT volunteers also received awards from the Attorney General.

Council Member Wibert congratulated Administrative Analyst Valerie Herrera on her recent marriage.

Council Member Wibert commented regarding the wonderful 9/11 Ceremony held, and thanked all those who attended at the ceremony. Ms. Wibert stated the ceremony was very touching and gave a special thanks Community Services Director Nelson. Council Member Wibert gave a special thanks to Fire and Police for all the sacrifices they make everyday. We will always remember those who lost their lives on 9/11.

Council Member Wibert thanked Community Services Coordinator, Bianca Gutierrez for helping Commander Joe Dean.

Council Member Wibert thanked owner Doug Whiteman of George's Shell Gas Station on the corner of Sierra and San Bernardino Avenues for being the most patriotic business on 9/11. There were over 100 flags displayed at the Shell Gas Station.



Council Member Wibert stated that several restaurants were mentioned this past week in the dining section of the Daily Bulletin. The restaurants mentioned include: J&M Cafe, Dona Timo Mexican Grill, OmokaseSushi, and Mario Pizza and Pasta.

Council Member Wibert congratulated Carols Anzora and Janet Koehler-Brooks, as they are being honored as Hometown Heros at the Pomona Fair on September 28, 2011 at 4:00 p.m.

Council Member Wibert wished Fontana Unified School District Superintendent Cali Banks a get well wish.

Council Member Wibert encouraged everyone to attend the Mayor's Jazz Jam and challenged her colleagues to see who can sell the most tickets. Tickets are \$50 and the event is on October 8, 2011, from 6:00 p.m. to 11:00 p.m. at the Fontana Community Senior Center. Council Member Wibert stated that Mayor Warren will provide the prize for the winner.

Mayor Warren thanked KFON staff for their assistance in filming the new show Fontana is Open for Business. Recently A & R Tarpaulins was featured on Fontana is Open for Business. Mayor Warren stated that there will be many more businesses featured in the future so stay tuned.

Mayor Warren commented on the successful golf tournament hosted by the Fontana Chamber of Commerce. Mayor Warren gave a special thanks to Otis Greer for making sure everyone attended the tournament.

Mayor Warren announced her attendance to the ICSC Conference in San Diego. Mayor thanked staff for giving her an emergency kit two years ago, as it came in handy for the power outage in San Diego. Mayor Warren encouraged everyone to get prepared for an emergency because you never know when an emergency can happen.

Mayor Warren attended the Woman's Club Ice Cream Social, and stated it was wonderful to see all the women get together. Mayor Warren encouraged all women to join the Woman's Club.

Mayor Warren stated the 9/11 Ceremony was a well attended and great event. Mayor Warren thanked staff for allowing everyone the opportunity to attend an awesome event.

Mayor Warren commented on the upcoming Jazz Jam on October 8, 2011, stating that the event will benefit the Fontana Boys and Girls Club. The entertainment will be provided by Reggie Visions Band and the food will be provided by Spaggi's Restaruant. Mayor Warren stated tickets are only \$50, and encouraged everyone to purchase a ticket.

Mayor Warren wished Fontana Unified School District Superintendent Cali Banks a quick recovery and get well wish.

Mayor Warren presented the new Community Services activity book. She encouraged everyone to look through the book to view all the services being offered to the public.

## **CITY MANAGER COMMUNICATIONS:**

### **A. City Manager Communications**

City Manager Hunt congratulated Chaffey College for the grand opening held for Phase III. The expansion of the Chaffey College is a core asset for Fontana, as this provides the opportunity for everyone to attend college. Mr. Hunt thanked Deputy City Manager David Edgar for assisting Chaffey College in building Phases I, II and III.

City Manager Hunt stated that not much new development is occurring in Fontana, but there are some new developments being developed related to housing projects. Currently there are a couple projects the City hopes will come to fruition. Mr. Hunt thanked Housing staff who have really stepped up the bar for this community. Mr. Hunt gave special thanks to Project Manager Brent Mickey for doing a wonderful job in seeing that those projects come together.

## **ADJOURNMENT:**

A moment of silence was held due to the recent passing of Phillip Fortner. The City Council Meeting adjourned in memory of Phillip Fortner at 8:36 p.m. to the League of California Cities 2011 Annual Conference from September 21-23, 2011, in San Francisco, CA, and then to the next Regular City Council Meeting on Tuesday, September 27, 2011, with a Workshop at 5:30 p.m. and the Regular Meeting at 7:00 p.m. in the Council Chambers at 8353 Sierra Ave, Fontana, CA.



Sandra Medina  
Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON  
THE 27TH DAY OF SEPTEMBER, 2011.**



Tonia Lewis  
City Clerk