

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR MEETING  
FEBRUARY 12, 2008**

A workshop of the Fontana City Council was held on Tuesday, February 12, 2008, in the Executive Conference Room, 8353 Sierra Avenue, Fontana, CA. Council Member Roberts called the meeting to order at 5:21 p.m.

**ROLL CALL:** Present: Mayor Nuaimi, Mayor Pro Tem Warren (arrived ROLL CALL at 5:40 p.m.), Council Members Roberts, Rutherford and Scialdone

Absent: None

A presentation was given by Kathy Barr, A T & T.

Following agenda review and City Manager comments, the workshop adjourned at 5:56 p.m. to the Closed Session.

The Regular Meeting of the City of Fontana City Council was held on Tuesday, February 12, 2008 in the City of Fontana Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Nuaimi called the meeting to order at 7:05 p.m.

**ROLL CALL:** Present: Mayor Nuaimi, Mayor Pro Tem Warren, ROLL CALL  
Council Members Roberts, Rutherford, and  
Scialdone

Absent: None

Following the Invocation by Council Member Roberts, the Pledge of Allegiance was led by Mayor Nuaimi.

The City Attorney announced they met in Closed Session to discuss: C S

CONFERENCE WITH LEGAL COUNSEL PURSUANT TO  
GOVERNMENT CODE SECTION 54956.95  
Claim No. 2005-127; Burger vs. City of Fontana

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT  
TO GOVERNMENT CODE SECTION 54956.9  
Property: APN 0251-164-05 (Cypress Avenue Overcrossing)  
Property Negotiator: Debbie Brazill, Deputy City Manager  
Under Negotiation: Price and Terms

The first item was pulled and there was no reportable action on the second item.

The following Special Presentations were received:

S P

Mayor and Council recognized Sergeant David Ashton on his retirement from the Fontana Police Department, presented by Police Chief Rod Jones.

Mayor and Council recognized Officer John MacMillian as the Police Department's November "Employee of the Month", presented by Police Chief Rod Jones.

Mayor and Council recognized the Multiple Enforcement Team (MET-17 Members) as the "Employees of the Month/Year – December 2007". Sergeant Billy Green, Sergeant Carlo Granillo, Sergeant Mike Dorsey, Corporal Adam Clabaugh, Officer Daniel Romero, Officer Tracy Dills, Officer Joseph Binks, Officer Brian Keyner, Officer Ron Curtis, Officer Marc Gonzales, Officer Ron Vogelsang, Corporal Keith Zagorin, Officer Jorge Rodriguez, Officer Valerie Tripodi, Officer Jason Herreman, Officer Brandon Bowie and Officer Nick Saddler – accompanied by Lieutenant Dave Faulkner, presented by Police Chief Rod Jones.

Mayor and Council recognized Officer Andrew Vesty as the Police Department's January 2008 "Employee of the Month", presented by Police Chief Rod Jones.

Mayor and Council recognized donors of the holiday programs, presented by Police Chief Rod Jones, Heather Howard, and Lydia Wibert.

Mayor and Council recognized Jeff McPherson on his service to the City of Fontana.

The following Public Communications were received:

P C

Cory Whitfield, Fontana Community Players, 9529 Palmetto, spoke regarding the Community Theater.

COMMUNITY  
THEATER

Connie Campbell, 14033 Loma Vista Court, and Julie Ramos, Southridge Little League expressed concerns regarding the Village Park snack bar and restrooms.

VILLAGE PARK  
SNACK BAR/RR

Tony Orlich, Randall Avenue spoke of the media.

MEDIA

Tony Orlich questioned Consent Calendar Item "B,"

C C.

Council Member Scialdone stated he will abstain from Consent Calendar Item "F".

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Rutherford, approving Consent Calendar Items "A-H(5)" as follows:

- |        |  |   |
|--------|--|---|
| A.     | Approving the minutes of the January 22, 2008 Regular City Council Meeting.  | MINUTES                                 |
| B. (1) | Adopting <b>Resolution No. 2008-07</b> , declaring intention to annex territory to Community Facilities District No. 38M of the City of Fontana and declaring intention to annex territory to Community Facilities District No. 38M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 4), located south of Walnut Avenue between Oleander Avenue and Citrus Avenue. | ADPT RES 08-07<br>CFD 38M               |
|        | (2) Setting the hearing for March 25, 2008, for the formation of the District and calling a special election for March 25, 2008.   |   |
| C. (1) | Adopting <b>Resolution No. 2008-08</b> , declaring intention to annex territory to Community Facilities District No. 56M of the City of Fontana and adopting a map of the area proposed to be annexed thereto (Annexation No. 2), located north of Foothill Boulevard between Cypress and Oleander Avenues.  | ADPT RES 08-08<br>CFD 56M               |
|        | (2) Setting the public hearing for March 25, 2008 for the formation of the District and calling the special election for March 25, 2008.   |   |
| D. (1) | Accepting grant award in the amount of \$116,044 from the Law Enforcement Terrorism Prevention Program (LETPP) and the State Homeland Security Grant Program (SHSGP).  | ACCPT GRANT<br>LAW ENFORCE<br>TERRORISM |
|        | (2) Increasing revenues in Grant Fund 301 for Fiscal Year 07/08 by \$116,044; and, appropriating for expenditures.   |   |
|        | (3) Authorizing the Police Department Emergency Services Lieutenant to sign all related grant documents for the term of the grant; and, make purchases of equipment as outlined in the grant.  |   |
| E.     | Accepting donations for use in the Police Department's Annual Bicycle Giveaway, Holiday, Community Outreach and Volunteer Programs.  | DONATIONS                               |
| F. (1) | Accepting as complete the work performed by Ryland Homes, Inc., for the construction of the street, sewer and storm drain improvements within Community Facilities District No. 37.  | ADPT RES 08-09<br>CFD 37                |

- (2) Adopting **Resolution No. 2008-09**, accepting sewers within Community Facilities District No. 37.

G. Authorizing the City Manager to enter into an agreement with Metropolitan Water District of Southern California for the use of their easement for the purpose of an open landscape area as part of Fontana Park. AGREE METRO WATER FONTANA PARK EASEMENT

H. (1) Approving, authorizing and directing the City Manager to execute a contract between the City of Fontana and Sigmanent, Inc., of Ontario, California in the amount of \$587,400.00, plus shipping and sales tax. CONTRACT SIGMAMENT

(2) Approving, authorizing and directing the City Manager to execute a contract between the City of Fontana and Software Escource Computer Center of Irvine, California in the amount of \$44,000.00, plus shipping and sales tax. CONTRACT ESOURCE

(3) Approving, authorizing and directing the City Manager to execute a contract between the City of Fontana and Systems Technology of Tustin, California in the amount of \$38,500.00, plus shipping and sales tax. CONTRACT SYSTEMS TECH

(4) Approving, authorizing and directing the City Manager to execute a contract between the City of Fontana and Tech Depot of Turmbill, Connecticut in the amount of \$33,500.00, plus shipping and sales tax. CONTRACT TECH DEPOT

(5) Approving a 10% contingency for Information Technology contracts in an overall amount not to exceed \$70,340.00

Motion carried unanimously.

Public hearing was opened regarding Community Facilities District No 21M.

PH-A ADPT RES  
08-10 CFD 21M

No written communications were received.

Staff presentation was given by Senior Accountant Jeff Moriarty and Finance Manager Mel Drown.

No one spoke in favor. Speaking in opposition was Tony Orlich.

The hearing was closed.

**ACTION:** Motion was made by Council Member Warren, seconded by Council Member Scialdone, adopting **Resolution No. 2008-10**, calling a special election and submitting the qualified electors of territory proposed to be annexed to Community Facilities District No. 21M of the City of Fontna the question of levying special taxes within the territory proposed to be annexed (Annexation No. 3). Motion carried unanimously.

City Clerk Tonia Lewis announced there were 8 votes in favor.

**ACTION:** Motion was made by Council Member Scialdone, seconded by Council Member Warren, adopting **Resolution No. 2008-11**, declaring the results of the special election for Community Facilities District No. 21M of the City of Fontana on the proposition of the annual levy of special taxes within the territory proposed to be annexed to said Community Facilities District to pay the costs of certain services to be provided by the Community Facilities District, determining that the territory proposed to be annexed is added to and part of said Community Facilities District with full legal effect, and ordering the recording of an amendment to the Notice of Special Tax Lien for said Community Facilities District, including the territory annexed thereto (Annexation No. 3). Motion carried unanimously.

Public hearing was opened regarding Southwest Industrial Park Specific Plan Amendment.  
No written communications were received.  
Staff presentation was given by Planner DiTanyon Johnson and Community Development Director Don Williams.  
No one spoke in favor or opposition. The hearing was closed.

PH-B INTRO ORD  
1572 SWIP SPA

**ACTION:** Motion was made by Council Member Rutherford, seconded by Council Member Scialdone, (1) adopting a Mitigated Negative Declaration of Environmental Impact and the State of California Department of Fish and Game DeMinimis Impact Finding pursuant to the local guidelines for implementing the California Environmental Quality Act (2006) and directing staff to file a Notice of Determination for Specific Plan Amendment No. 07-02, Tentative Parcel Map No. 18749, and Design Review No. 07-027; (2) waiving further reading of and introducing **Ordinance No. 1572**, approving Specific Plan Amendment (Southwest Industrial Park Specific Plan Amendment), to change the maximum lot coverage to sixty percent (60%) for the Light Industrial (M-1) and Medium Industrial (M-2) Zoning Districts, for one or more parcels with a combined area of five acres or more; and (3) approving Tentative Parcel Map No. 18749 and Design Review No 07-027, subject to the attached Findings and Conditions of Approval. Motion carried unanimously.

The following Elected Officials Communications were received:

E O C

A. Planning Commission and Parks and Recreation Appointments.

ELECTION  
PLANNING  
PARKS & REC.  
COMMISSIONS

**ACTION:** By consensus of the City Council, appointed the following to the Planning Commission and Parks and Recreation Commission:  
Planning Commission – Ken Galasso, Carole Lee, Lawrence Meyer, Matthew Slowik, and Amos Young, Jr.  
Parks and Recreation Commission – Robert Baker, Jasmin Hall, Michael

**CITY COUNCIL MINUTES**

**FEBRUARY 12, 2008**

Tahan, John Tigner, and D. C. Thomas.

Council Member Rutherford mentioned the upcoming Fontana Basketball Challenge at the Boys and Girls Club to be held on the evening of Thursday, March 6, 2008.	BASKETBALL CHALLENGE
Council Member Rutherford encouraged Fontana residents to come out to the Community meetings in their area.	COMM. MTGS
Council Member Rutherford stated that the current Library will be having an Open House on February 20, 2008.	LIB. OPEN HOUSE
Council Member Rutherford stated that she had attended a meeting of the League of Cities this week.	LEAGUE OF CITIES
Council Member Roberts congratulated Fontana's new Police Chief Rod Jones.	CHIEF JONES
Council Member Roberts requested that this evening's meeting be adjourned in memory of Dr. Arlene Piazza.	DR. PIAZZA
Mayor Pro Tem Warren stated there was a library meeting on February 2, 2008, celebrating Black History.	BLACK HIST.
Mayor Pro Tem Warren encouraged everyone to keep Dr. Arlene Piazza's family and friends in their thoughts and prayers.	DR. PIAZZA
Mayor Pro Tem Warren wished everyone a Happy Valentines Day.	VALENTINES
Council Member Scialdone congratulated all of the great employees of the City of Fontana Police Department.	GREAT PD
Council Member Scialdone encouraged all to support the Boys and Girls Club of Fontana.	BOYS & GIRLS CLUB
Council Member Scialdone congratulated the Mayor on another wonderful Mayor's Round Table Event.	MAYOR ROUND TABLE
Council Member Scialdone stated that he attend the League of Cities lunch on January 31, 2008, and stated Fontana is ahead of the curve.	LEAGUE OF CITIES
Council Member Scialdone stated there will be a Teen Fest event at Jack Bulik Park on Saturday, February 16, 2008, from noon to 4:00 p.m. and encouraged our teens to come out and participate.	TEEN FEST

**CITY COUNCIL MINUTES**

**FEBRUARY 12, 2008**

Mayor Nuaimi expressed thoughts and prayers to Dr. Arlene Piazza and the Fontana Unified School District.	DR. PIAZZA
Mayor Nuaimi thanked the Fontana Chamber of Commerce for the Business Round Table event, both the breakfast and the lunch.	ROUND TABLE
Mayor Nuaimi stated that Fontana is a great community to live and raise a family.	GREAT COMM.
Mayor Pro Tem Warren stated that it was great to accept the award in Washington D.C. on behalf of the City of Fontana and to be able to meet Mrs. Powell.	D.C. AWARD
Mayor Nuaimi thanked the creativity in furnishing services to the Fontana Community by the F.U.S.D., Boys and Girls Club, Kaiser, and City of Fontana.	CREATIVE SERVICES
Mayor Nuaimi mentioned the upcoming openings of the new Library and Fontana Park.	NEW LIBRARY FONTANA PARK
Mayor Nuaimi informed the Fontana Community of the I-10 Corridor progress.	I-10 CORRIDOR
City Manager Hunt mentioned this evenings meeting should be adjourned to Friday, February 15, 2008, at 8:00 a.m. for the City Council goals setting meeting.	ADJOURN 2/15/08
The City Council meeting adjourned by consensus, at 8:34 p.m. in memory of Fontana Unified School District Board Member Dr. Arlene Piazza, to the goal setting Adjourned Regular City Council Meeting at 8:00 a.m. on Friday, February 15, 2008 in the Development Services Room, then to the next Regular City Council Workshop on Tuesday, February 26, 2008 at 5:00 p.m. in the Executive Conference Room, and then to the regular City Council meeting at 7:00 p.m. in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA.	ADJOURN

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Orvene M. Steenbock  
City Clerk Assistant

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 11<sup>th</sup> DAY OF MARCH 2008.

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Tonia Lewis  
City Clerk