

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR CITY COUNCIL MEETING  
September 12, 2017**

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**WORKSHOP:**

**A. 5:30 P.M. Joint City Council and Planning Commission Workshop**

A Joint City Council and Planning Commission Workshop was held on Tuesday, September 12, 2017 in the Fontana City Hall Executive Conference Room, 8353 Sierra Avenue, Fontana, California. Mayor Warren called the Workshop to order at 5:30 p.m. with Mayor Pro Tem Sandoval, Council Members Roberts, Tahan and Armendarez present.

Planning Commissioners Vasquez, Meyer, Sanchez and Fort were also present.

Byran Jones with Alta Planning and Design presented a presentation on the Active Transportation Plan.

Discussion ensued regarding the Active Transportation Plan.

The City Council Regular Meeting Agenda was reviewed and City Manager comments were heard.

The Joint City Council and Planning Commission Workshop adjourned at 6:00 p.m.

**CLOSED SESSION:**

**A. 6:00 P.M. CLOSED SESSION**

A Closed Session was held at 6:00 p.m. in the City Hall Executive Conference Room with Mayor Warren, Mayor Pro Tem Sandoval, Council Members Roberts, Tahan and Armendarez present.

**PUBLIC COMMUNICATIONS:**

There were no public communications received on the following closed session items:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR – PURSUANT TO GOVERNMENT CODE SECTION 54956.8.

Properties: APN #0191-162-36 through 38.

Located at the North-West Corner of Arrow Blvd. and Nuevo Avenue

Negotiating Parties: City of Fontana & New Legacy Corporation

Negotiator: David R. Edgar, Deputy City Manager  
Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR – PURSUANT TO  
GOVERNMENT CODE SECTION 54956.8.

Properties: APN #0191-071-26. 8363 Sierra Avenue  
Negotiating Parties: City of Fontana & Goma S. Darwish  
Negotiator: David R. Edgar, Deputy City Manager  
Under Negotiation: Price and Terms

## **CALL TO ORDER/ROLL CALL:**

### **A. 7:00 P.M. Call the Meeting to Order**

The Regular Meeting of the Fontana City Council was held on September 12, 2017, in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:03 p.m.

### **ROLL CALL:**

Present: Mayor Warren, Mayor Pro Tem Sandoval, Council Members Roberts, Tahan and Armendarez.

Absent: None.

### **INVOCATION/PLEDGE OF ALLEGIANCE:**

Following the Invocation by Pastor Marlon Jackson, Loveland Church, the Pledge of Allegiance was led by Council Member Roberts.

### **CLOSED SESSION ANNOUNCEMENT:**

City Attorney Jeff Ballinger reported that there was no reportable action on the Closed Session Items.

## **PROCLAMATIONS:**

### **A. Prostate Cancer Awareness Month**

The proclamation presentation of Prostate Cancer Awareness Month was pulled from the agenda.

### **B. National Senior Center Month**

Mayor Warren and the City Council Proclaimed September 2017 as National Senior Center Month. Community Services Supervisor Tiffany Starks accepted the proclamation

### **C. National Public Lands Day**

Mayor Warren and the City Council Proclaimed September 30, 2017 as National Public Lands Day. Community Services Supervisor Rob Bock accepted the proclamation.

## **SPECIAL PRESENTATIONS:**

**A. Check Presentation from Southern California Edison**

Mayor Warren and the City Council accepted a \$1,000 check from Southern California Edison for the Explorer Leadership Program and Fontana Leadership Intervention Program. Southern California Edison Government Affairs Representative Jennifer Menjivar-Shaw presented the check.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

Brandon Reece Carter spoke on creating a foundation for a Mental and Physical Health Program for teens.

Kareem Gongora requested that tonight's meeting be adjourned in memory of Joe Dean, an American Legion member and Fontana resident. Mr. Gongora spoke on district based elections. Mr. Gongora spoke in opposition of the electric fence item scheduled under Public Hearing. Mr. Gongora spoke on the need for a crosswalk and crossing guard at Summit High School.

Deborah Hall Lindsey spoke on the Chillin and Grillin Barbeque Competition scheduled for Saturday, September 16, 2017, 11:00 a.m. to 3:00 p.m. at the Jessie Turner Center.

**CONSENT CALENDAR:**

**ACTION:** Motion was made by Council Member Tahan, seconded by Council Member Roberts, and passed unanimously by a vote of 5-0 to approve Consent Calendar Items "CC-A" through "CC-E". (AYES: Warren, Sandoval, Roberts, Tahan, and Armendarez: NOES: None) as follows:

**A. Approval of Minutes**

Approve the Minutes of the August 22, 2017 Regular City Council Meeting.

**B. Adoption of Ordinance No.1766**

Second Reading/ Adopt **Ordinance No. 1766** an Ordinance of the City of Fontana approving the Third Amendment to the Citrus Heights North Development Agreement between the City of Fontana and SC Fontana Development Company, LLC.

**C. Approve a Traffic Signal Reimbursement Agreement and a Traffic Signal Maintenance Agreement with the City of Rancho Cucamonga - East Avenue and Miller Avenue**

1. Approve and authorize the City Manager to execute a Traffic Signal Reimbursement Agreement with the City of Rancho Cucamonga for the installation of a new traffic signal at East Avenue and Miller Avenue.

2. Appropriate \$90,000.00 from Local Measure I Fund No. 246 to Project No. 3319.

3. Approve and authorize the City Manager to execute a Traffic Signal Maintenance

Agreement with the City of Rancho Cucamonga for the ongoing maintenance of shared traffic signals.

**D. Authorize a Cooperative Agreement between the City of Fontana and San Bernardino County for Cherry Avenue Street Improvements**

1. Approve a Cooperative Agreement between the City of Fontana and San Bernardino County to construct street improvements on Cherry Avenue between Valley Boulevard and Whittram Avenue in the amount of \$1,134,625.

2. Authorize the City Manager to execute the Cooperative Agreement between the City of Fontana and San Bernardino County for street improvements.

**E. Final Acceptance of the Cured In Place Pipe (CIPP) Spot Repair Project SB-20-PW-16**

1. Final Acceptance of the construction contract for the Cured In Place Pipe (CIPP) Spot Repair Project SB-20-PW-16 in the amount of \$165,407.51.

2. Authorize the Public Works Director to file a Notice of Completion and release the 5% retention.

**PUBLIC HEARINGS:**

**A. Electric Fence Ordinance Amendment (Master Case [MCN] No. 13-001, Zoning Code Amendment [ZCA] No. 16-004 and Specific Plan Amendment [SPA] No. 15-003)**

Mayor Warren opened Public Hearing Item PH-A.

Director of Community Development Zai AbuBakar and Senior Planner Paul Gonzales provided the staff report.

Nathan Leophart with Electric Guard Dog, spoke in favor of the Public Hearing Item.

Council Member Tahan commended Mr. Leophart for working with the City of Fontana on this project.

Discussion was held on what areas of the city electric fences would be allowed and who would approve the use of electric fences.

The Public Hearing was closed.

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Armendarez, and passed by a vote of 3-2 to adopt Public Hearing Item "PH-A" (AYES: Warren, Roberts, and Armendarez; NOES: Sandoval and Tahan) as follows:

1. Determine that ZCA No. 16-004 and SPA No. 15-003 will not have a significant effect on the environment pursuant to the California Environmental Quality Act (CEQA) 15061(b) (3) (Review of Exemption), and direct staff to file a Notice of Exemption;

2. Waive further reading of and introduce **Ordinance No. 1768**, an Ordinance of the City of Fontana approving ZCA No. 16-004, amending the Zoning and Development Code (Chapter 30) for Light Industrial (M-1) and General Industrial (M-2) zoning districts and permitting electric fences in the General Commercial (C-2) zone subject to the electric fence development standards and amending Miscellaneous Provisions and Offenses (Chapter 16) text of the Fontana Municipal Code in regard to electric fences, and that the reading of the title constitutes the first reading thereof.

3. Waive further reading of and introduce **Ordinance No. 1769**, an Ordinance of the City of Fontana approving SPA No. 15-003, amending the Southwest Industrial Park Specific Plan (SWIP) text in regard to electric fences for the Speedway Industrial, Freeway Industrial, Slover West, Slover East, Slover Central, Jurupa North, and Jurupa South land use districts of the SWIP Specific Plan, and that the reading of the title constitutes the first reading thereof.

## **UNFINISHED BUSINESS:**

### **A. Second Reading – Council Election Districts Ordinance**

Deputy City Manager David Edgar provided the staff report.

No one spoke in favor or opposition.

**ACTION:** Motion was made by Council Member Armendarez, seconded by Council Member Roberts, and passed by a vote of 3-2 to adopt Unfinished Business Item “UB-A” (AYES: Warren, Roberts, and Armendarez; NOES: Sandoval and Tahan) as follows:

That the Mayor and City Council have a Second Reading/ Adopt **Ordinance No. 1767** of the City Council of the City of Fontana, California, adding a new Section 2-42 to Article II, Chapter 2 of the Fontana Municipal Code to change the City’s Electoral System from at-large to by-district elections with respect to electing City Council members and maintaining an elective Mayor, establishing District boundaries and scheduling elections within the Districts.

## **NEW BUSINESS:**

### **A. Adopt an Ordinance Establishing New Speed Reduction (Speed Limit) Zones**

Associate Engineer Dave Teater and City Engineer Ricardo Sandoval provided the staff report.

No one spoke in favor or opposition.

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Armendarez, and passed by a vote of 5-0 to adopt New Business Item “NB-A” (AYES: Warren, Sandoval Roberts, Tahan, and Armendarez; NOES: None) as follows:

Waive further reading of and introduce **Ordinance No. 1770**, establishing new speed reduction (speed limit) zones within the City of Fontana, and that the reading of the title constitutes the first reading thereof.

## **ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

### **A. Elected Officials Communications/Reports**

City Treasurer Janet Koehler-Brooks spoke on the Above the Limits Karaoke Night.

City Clerk Tonia Lewis spoke on the loss of Joe Dean and sent her condolences to his family.

Council Member Tahan sent his condolences to the family of Joe Dean.

Council Member Tahan requested a General Plan update be brought forward at the next City Council meeting.

Council Member Armendarez announced he attended the Smart Cities conference in Washington, D.C.

Council Member Armendarez spoke on the loss of Mr. Joe Dean.

Council Member Roberts announced he attended the Smart Cities conference in Washington, DC.

Council Member Roberts echoed City Clerk Lewis' sentiments on the loss of Joe Dean.

Mayor Pro Tem Sandoval announced he attended the Smart Cities conference in Washington, DC.

Mayor Pro Tem Sandoval echoed his colleagues' sentiments on the loss of Joe Dean.

Mayor Pro Tem Sandoval requested information on how and when the City Council voted to only commemorate 9/11 every five years. Mr. Sandoval asked for the allocation of resources for a yearly event to recognize first responders and asked that this item be brought back before the City Council.

Mayor Warren suggested a discussion be held with first responders to see if they want a 9/11 event every year.

Council Member Roberts spoke on the 9/11 event held at the Senior Center.

Council Member Tahan stated he doesn't recall a vote being taken on having the 9/11 event every 5 years.

By consensus, Mayor Warren requested that the City Manager speak with first responders for further discussion on future 9/11 events.

Mayor Pro Tem Sandoval thanked the first responders and volunteers of the Houston and Florida disasters.

Council Member Roberts thanked Mayor Pro Tem Sandoval's daughter, Teresa, for making him a lemon cake for his birthday.

City Treasurer Janet Koehler-Brooks expressed her condolences on the death of Joe Dean.

Mayor Warren spoke on the recent natural disasters and the need for donations.

Mayor Warren announced she attended the 9/11 Day of Service at the Senior Center and it was outstanding.

Mayor Warren spoke on Fontana Walks and the community walk scheduled for September 23, 2017.

Mayor Warren spoke on Fontana being in the Where We Live Communities for All Ages magazine and commended staff for all the work they do.

Mayor Warren spoke about the upcoming Chillin and Grillin event on Saturday, September 16, 2017, and thanked the sponsors of the event.


## **CITY MANAGER COMMUNICATIONS:**

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

City Manager Hunt noted that the City Council will be adjourning to the League of California Cities Annual Conference in Sacramento, California.

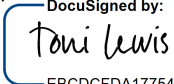
## **ADJOURNMENT:**

The City Council meeting adjourned in memory of Joe Dean at 8:12 p.m. to the 2017 League of California Cities Annual Conference in Sacramento, California from September 13-15, 2017, then to the next Regular City Council Meeting which will be held on Tuesday, September 26, 2017, 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 Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

DocuSigned by:  
  
6215EB89E9C04DA...  
Ysela Aguirre  
Recording Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 26<sup>th</sup> DAY OF SEPTEMBER 2017.**

DocuSigned by:



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Tonia Lewis  
City Clerk



## Certificate Of Completion

Envelope Id: 3248795D4B6646CC8763E3E38BA7208F	Status: Completed
Subject: Please DocuSign: 9-12-17 Minutes-DRAFT.pdf	
Source Envelope:	
Document Pages: 8	Signatures: 2
Supplemental Document Pages: 0	Initials: 0
Certificate Pages: 5	
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	City Clerk
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	8353 Sierra Avenue
	Fontana, CA 92335
	clerks@fontana.org
	IP Address: 10.102.101.11

## Record Tracking

Status: Original 9/27/2017 10:07:47 AM	Holder: City Clerk clerks@fontana.org	Location: DocuSign
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## Signer Events

Ysela Aguirre  
yselac13@aol.com  
Security Level: Email, Account Authentication (None)

## Signature

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6215EB89E9C04DA...  
Using IP Address: 76.206.62.154  
Signed using mobile

## Timestamp

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Viewed: 9/28/2017 11:28:54 PM  
Signed: 9/28/2017 11:30:55 PM

**Electronic Record and Signature Disclosure:**  
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ID: 5a5333b6-c424-47cf-bbf4-dbd5ca4a1af9

Toni Lewis  
tlewis@fontana.org  
City Clerk  
City of Fontana  
Security Level: Email, Account Authentication (None)

DocuSigned by:  
  
EBCDCFDA17754F5...  
Using IP Address: 76.218.56.24

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Signed: 9/29/2017 9:17:54 AM

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

## In Person Signer Events

## Signature

## Timestamp

## Editor Delivery Events

## Status

## Timestamp

## Agent Delivery Events

## Status

## Timestamp

## Intermediary Delivery Events

## Status

## Timestamp

## Certified Delivery Events

## Status

## Timestamp

## Carbon Copy Events

## Status

## Timestamp

Evelyne Ssenkoloto  
essenkol@fontana.org  
Security Level: Email, Account Authentication (None)

**COPIED**

Sent: 9/29/2017 9:17:56 AM  
Viewed: 10/2/2017 8:20:26 AM

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

Carbon Copy Events	Status	Timestamp
Kathy Kasinger kkasinger@fontana.org Security Level: Email, Account Authentication (None)	COPIED	Sent: 9/29/2017 9:17:56 AM
<b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign		

Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	9/29/2017 9:17:56 AM
Signing Complete	Security Checked	9/29/2017 9:17:56 AM
Completed	Security Checked	9/29/2017 9:17:56 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

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**Required hardware and software**

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none"> <li>•Allow per session cookies</li> <li>•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection</li> </ul>

\*\* These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

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