

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
November 14, 2017**

WORKSHOP:

A. 5:30 P.M. WORKSHOP

A City Council Workshop was held on Tuesday, November 14, 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.

City Attorney Jeff Ballinger updated the Mayor and Council on a request for Amicus Support in Higginson v. Poway, the lawsuit is challenging the City of Poway's move to District Based Elections. City Attorney Ballinger stated that the Plaintiff has asked other cities to add their name in support of his efforts.

Mayor Warren, Council Members Roberts and Armendarez stated they would like to add the City's name in support of the challenge, Mayor Pro Tem Sandoval and Council Member Tahan were opposed to doing anything at this time.

City Attorney Ballinger stated he would notify the Plaintiff's attorney that the City of Fontana will add their name in support of the challenge.

Kathy Ponce spoke in favor of the City joining the challenge and stated that 40 cities have already joined in support of the challenge.

City Manager Ken Hunt spoke on a recent development issue that prompted a Council Member to ask him to bring forward a policy change that would allow the City Manager to have the authority to make a decision related to conditions of approval that need to be changed or amended immediately.

Discussion ensued on the proposed policy change and it was agreed that the item would be brought forward for action at a future council meeting.

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

The City Council 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 item:

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

Property: Highland Village, Northeast Corner of Sierra Avenue and South Highland Avenue

Negotiating Parties: City of Fontana and Jerry Bajwa

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 November 14, 2017, in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:02 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 Kermit Boyd, the Pledge of Allegiance was led by Mayor Pro Tem Sandoval.

CLOSED SESSION ANNOUNCEMENT:

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

PUBLIC COMMUNICATIONS:

A. Public Communications

Rose and Jacqui spoke on the local non-profit Project Boone "Eat and Be Well" Event, that will be held on Wednesday, November 22, 2017, from 11:00 a.m. to 3:00 p.m., at Seville Park.

Danny Marquez spoke on the many programs offered at the Veterans Center located at 16779 Spring Street. Mr. Marquez also spoke on raising funds for the Veterans Memorial.

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-O". (AYES: Warren, Sandoval, Roberts, Tahan, and Armendarez: NOES: None) as follows:

A. Approval of Minutes

Approve the Minutes of the October 24, 2017 Regular City Council Meeting.

B. Accept Donations from Multiple Donors

Accept monetary and gift donations from various individuals and local companies valued at \$5,323.40. Donations to be used towards the 2017 National Night Out Event.

C. Accept the Southern California Association of Governments Urban Greening Landscape Grant

1. Accept a Southern California Association of Governments (SCAG) Sustainability Planning Grant in the amount of \$200,000.00 for a Citywide Urban Greening Landscape Plan;

2. Authorize the City Manager or designee, to execute any and all agreements with SCAG;

3. Approve the City of Fontana contribution of \$50,000.00 for in-kind staff time and materials.

D. Active Transportation Plan

Adopt the City of Fontana Active Transportation Plan (ATP) and direct staff to use the Plan to guide future grant funding opportunities.

E. Agreement with Inland Empire Utilities Agency for Industrial Wastewater Pretreatment Program Services

1. Approve an agreement between the City of Fontana and Inland Empire Utilities Agency to provide industrial wastewater pretreatment program services.

2. Authorize the City Manager to execute the agreement between the City of Fontana and Inland Empire Utilities Agency.

F. Approve a Development Impact Fees Credit Agreement with CalAtlantic Homes for Tract 18881 Located at the Southwest Corner of Sierra Lakes Parkway and Beech Avenue

Approve and authorize the City Manager to execute a Partial Satisfaction of Circulation Development Impact Fees Credit Agreement with CalAtlantic Group, Inc. for Tract No. 18881 located at the southwest corner of Sierra Lakes Parkway and Beech Avenue.

G. Approve a Development Impact Fees Credit Agreement with Pulte Homes for Tract No.'s 17059 and 17377

Approve and authorize the City Manager to execute a Partial Satisfaction of Development Impact Fees Credit Agreement with Pulte Homes for Tract No.'s 17059 and 17377 located at the southwest corner of Beech Avenue and Miller Avenue.

H. Approve a Development Impact Fees Credit Agreement for Parcel Map No. 19618/ Design Review No. 15-002R1

Approve and authorize the City Manager to execute a Partial Satisfaction of Development Impact Fees Credit Agreement with ARI Highland Village, L.P. for Parcel Map No. 19618/Design Review No. 15-002R1 for a commercial shopping center to be located at the Northeast corner of Sierra Avenue and So. Highland Avenue.

I. Approve Multi-Year License Plate Reader Plan and Purchases

1. Approve the multi-year License Plate Reader Plan which includes the purchase of three (3) Vigilant combination Message Board/Radar Speed Display Trailers with License Plate Readers (LPRs), the purchase and installation of Vigilant LPR systems at 19 intersections throughout the City, and the purchase and installation of Vigilant LPR systems on 10 police vehicles;

2. Authorize the Purchasing Department to issue purchase orders as funding becomes available to the Police Department's current vendor, Vigilant Solutions, for the purchase and installation of the Plan's LPR systems from the Federal Asset Seizure Fund #223 or other non-General Fund sources;

3. Each LPR interface box requires a Wi-Fi card at a cost of approximately \$50.00 per card per month. Total annual cost is \$4,200 for Phase I (3 trailers and the Valley Blvd and Sierra Ave intersection). Approve a recurring appropriation in the City Technology Fund #103 to 26212103.8019 for Wi-Fi cards for Phase I; 4. Approve a recurring appropriation from General Fund #101 to 40402101.8210 for Capital Recovery, Operations and Maintenance costs estimated at \$6,500 per unit for an estimated annual amount of \$19,500 for three (3) Vigilant combination Message Board/Radar Speed Display LPR Trailers.

J. Authorize the Purchase of a Haaker Equipment Vector 2115P-18 Plus Jet Rodder Sewer Mainline Cleaning Truck

Approve and authorize the Purchasing Office to "Piggy-Back" on the National Joint Powers Alliance (NJPA) Purchase Program (Contract No. 022014-FSC) for the purchase of a new Vector 2115P-18 Plus Jet/Rodder Combination Truck from Haaker Equipment Company.

K. Award Bid for School Supplies and Specialty Items, WB-18-CS-17

Award bid to S&S Worldwide for the purchase of sports equipment, educational, and activity supplies City-wide on an as needed basis for a period of one year increments through June 30, 2021.

L. Award Contract for On-Call Regulatory Assistance for NPDES Municipal

Stormwater Program

1. Award contracts with pre-qualified Professional Service Vendors established by San Bernardino County Flood Control District for on-call regulatory assistance to ensure compliance with requirements for the Municipal Stormwater Permit (Order No. R8-2010-0036; NPDES CAS618036) (MS4 Permit).
2. Authorize the City Manager to enter into a contract with each of the firms through June 30, 2019.

M. Award a Construction Contract for the Arrow Boulevard and Fontana Avenue Safe Routes to School Project

1. Approve and authorize the City Manager to execute a construction contract with Sully-Miller Contracting for the construction of the Arrow Boulevard and Fontana Avenue Safe Routes to School Project in the amount of \$982,000.00 and authorize a 10% contingency in the amount of \$98,200.00 (Bid No. SB-101-DE-17);
2. Approve and authorize the City Manager to execute any and all utility agreements, utility easements, and subsequent agreements on behalf of the City of Fontana for the Arrow Boulevard and Fontana Avenue Safe Routes to School Project.

N. Award a Construction Contract for the Juniper Avenue at Ceres Avenue Traffic Signal Project

1. Approve and authorize the City Manager to execute a construction contract with Alfaro Communications Construction, Inc. for the construction of the Juniper Avenue at Ceres Avenue Traffic Signal Project in the amount of \$278,330.00 and authorize a 10% contingency in the amount of \$27,833.00 (Bid No. SB-49-DE-17);
2. Approve and authorize the City Manager to execute any and all utility agreements, utility easements, and subsequent agreements on behalf of the City of Fontana for the Juniper Avenue at Ceres Avenue Traffic Signal Project.

O. Place an Advertisement in the Commemorative Program Book for the Inland Valley News 20th Annual Celebration of Excellence Awards Gala

Authorize the City Manager to place an advertisement in the Commemorative Program Book for the Inland Valley News 20th Annual Celebration of Excellence Awards Gala

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Appointments to San Bernardino County Solid Waste Advisory Task (SWAT) Force

ACTION: Motion was made by Council Member Tahan, seconded by Council Member Roberts, and passed unanimously by a vote of 5-0 to Appoint Council Member Armendarez as the Regular Member and Mayor Warren as the Alternate Member to the San Bernardino County Solid Waste Advisory Task Force (SWAT). (AYES: Warren, Sandoval, Roberts, Tahan, and Armendarez: NOES: None)

B. Discussion and Possible Action Regarding Winter Wonderland Co-Sponsorship (\$4,258.99)

Mayor Warren provided an over view of the proposed Winter Wonderland Co-Sponsorship

ACTION: Motion was made by Council Member Armendarez, seconded by Mayor Warren, and passed unanimously by a vote of 5-0 to approve the Winter Wonderland Event Co-Sponsorship in the amount of \$4,258.99. (AYES: Warren, Sandoval, Roberts, Tahan, and Armendarez: NOES: None).

C. Elected Officials Communications/Committee Reports

Mayor Pro Tem Sandoval asked Fire Chief Birchfield to provide an update on the upcoming fund raising event being put on by the Fire District. Chief Birchfield spoke about the "Fill the Boot" campaign that raises funds for Muscular Dystrophy.

Mayor Pro Tem Sandoval announced he attended several of the recent Halloween events and that there were a lot of children in attendance.

Mayor Pro Tem Sandoval wished everyone a Happy Thanksgiving.

Council Member Roberts wished everyone a Happy Thanksgiving and asked for prayers for those suffering from the recent shooting in Northern California.

Council Member Tahan announced he attended the recent Veterans Day event and thanked all the Veterans for their service, and stated that it's unfortunate that our nation does not do more to help our Veterans.

Council Member Tahan spoke about donating to those in need at Thanksgiving, and also noted that Fontana Santa's are getting ready to start collecting for their annual toy drive.

Council Member Armendarez asked to keep the families of the shooting victims in Northern California in their prayers.

Council Member Armendarez announced that he attended several of the Halloween events and also the Veteran's Day event.

Council Member Armendarez wished everyone a Happy Thanksgiving.

Mayor Warren spoke about an upcoming fundraising event to be held on November 18-19, 2017, at All & One Auto Repair located at 10554 Hemlock Avenue, the event is to collect items for the victims of the resent 8.2 earthquake in Oaxaca, Mexico.

Mayor Warren shared that the new Community Services brochure is out for distribution.

Mayor Warren asked to keep all those affected by the recent shooting in Northern California in their prayers.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Hunt thanked the Fontana Police Department Labor Bargaining Groups for purchasing bricks for the Veterans Memorial to honor all the Fontana Police Officers that have served in the military.


City Manager Hunt spoke about a recent experience trying to help an elderly friend in need of senior housing and services. City Manager Hunt stated that services provided to seniors in Fontana are the best in the area.

City Manager Hunt thanked Deputy City Manager David Edgar and Community Services Director Garth Nelson, for doing an excellent job dealing with low income and senior housing and all the programs available to provide assistance to seniors in the Fontana Community.

ADJOURNMENT:


A moment of silence was held for the four victims in the Northern California shooting.

The City Council meeting adjourned at 7:38 p.m. in memory of the four victims in the Northern California shooting; to the next Regular City Council Meeting to be held on Tuesday, November, 28, 2017, with a Workshop at 5:30, 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:

E522540C465D4B9...

Karen Porlas
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 28TH DAY OF NOVEMBER 2017.

DocuSigned by:

EBCDCFDA17754F5...

Tonia Lewis
City Clerk

Certificate Of Completion

Envelope Id: 971548D743E446A8976390C7E4B3E265	Status: Completed
Subject: Please DocuSign: 11-14-17 Minutes-DRAFT.pdf	
Source Envelope:	
Document Pages: 7	Signatures: 2
Certificate Pages: 5	Initials: 0
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: 192.146.186.96

Record Tracking

Status: Original	Holder: City Clerk	Location: DocuSign
11/29/2017 10:53:33 AM	clerks@fontana.org	

Signer Events

Karen Porlas
kporlas@fontana.org
Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

E522540C465D4B9...

Timestamp

Sent: 11/29/2017 10:53:39 AM
Viewed: 11/29/2017 12:35:46 PM
Signed: 11/29/2017 12:36:39 PM

Using IP Address: 192.146.186.96

Electronic Record and Signature Disclosure:

Accepted: 11/29/2017 12:35:46 PM
ID: aaacdf43-3f3c-4ad5-81de-25866db5f9ea

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

DocuSigned by:

EBCDCFDA17754F5...

Sent: 11/29/2017 12:36:39 PM
Viewed: 11/29/2017 4:05:23 PM
Signed: 11/29/2017 4:06:46 PM

Using IP Address: 76.218.56.24

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

Kathy Kasinger
kkasinger@fontana.org
Security Level: Email, Account Authentication (None)

COPIED

Sent: 11/29/2017 4:06:47 PM
Viewed: 11/30/2017 8:56:07 AM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

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

COPIED

Sent: 11/29/2017 4:06:47 PM
Viewed: 11/29/2017 4:33:23 PM

Carbon Copy Events	Status	Timestamp
---------------------------	---------------	------------------

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Notary Events	Signature	Timestamp
----------------------	------------------	------------------

Envelope Summary Events	Status	Timestamps
--------------------------------	---------------	-------------------

Envelope Sent	Hashed/Encrypted	11/29/2017 4:06:47 PM
Certified Delivered	Security Checked	11/29/2017 4:06:47 PM
Signing Complete	Security Checked	11/29/2017 4:06:47 PM
Completed	Security Checked	11/29/2017 4:06:47 PM

Payment Events	Status	Timestamps
-----------------------	---------------	-------------------

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Fontana (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

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.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Fontana:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: ctejeda@fontana.org

To advise City of Fontana of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at ctejeda@fontana.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from City of Fontana

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Fontana

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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"> •Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** 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.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify City of Fontana as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Fontana during the course of my relationship with you.