

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
January 23, 2018**

ARTIST SHOWCASE:

A. 5:30 P.M. Artist Showcase

The work of Artist Mardi de Veuve Alexis was presented at 5:30 p.m. in the Grover W. Taylor Council Chambers and Foyer.

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 Tuesday, January 23, 2018, 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 Roberts and Council Members Tahan, Sandoval and Armendarez.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation by Pastor Shawn Koester from Church of the Chimes, the Pledge of Allegiance was led by Council Member Armendarez.

SPECIAL PRESENTATIONS:

A. Artist Recognition

Mayor Warren and the City Council recognized Mardi de Venue Alexis as the artist in the Artist Showcase. Community Services Coordinator Ana Casillas presented the recognition. Ms. Mardi de Venue Alexis was present to accept.

B. Police Department Swearing In Ceremony

Mayor Warren and City Council swore in four new Fontana Police Officers. Chief Ramsey introduced Officers Michael Bernath, Mario Martinez, Shaun Pisani, and Samuel Saenz and were sworn in.

C. Police Department November 2017 Employees of the Month

Mayor Warren and City Council recognized the Fugitive Apprehension Team as the Police Department's November 2017 Employees of the Month. Chief Ramsey highlighted their accomplishments. All members of the Fugitive Apprehension Team were present to accept.

PUBLIC COMMUNICATIONS:

A. Public Communications

Jessica Rodriguez spoke in opposition of any more warehouses being built in the City due to health concerns related to air pollution.

Darlene Scalf spoke in opposition to the proposed Southwest Fontana Logistics Center Warehouse and Park. Ms. Scalf spoke on the average salary of a warehouse worker, cost of living, utilization of vacant warehouses in Fontana.

Deborah Hall Lindsey spoke on the 50th Annual Black Awareness Scholarship Pageant and thanked sponsors for believing in the pageant and providing an opportunity to the contestants. Ms. Hall Lindsey thanked Mayor Warren for presenting certificates at the event.

Ms. Hall Lindsey announced that the annual Black History Parade and Expo will be held on February 24, 2018, from 10:00 a.m. to 12:00 p.m.

Maria Medina, Summit High School senior, and MYAC Chair, spoke on the upcoming Teen Leadership Summit to be held on Saturday, February 17, 2018, from 10:00 a.m. to 2:00 p.m. at Summit High School.

CONSENT CALENDAR:

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

A. Approval of Minutes

Approve the Minutes of the January 9, 2018 Regular City Council Meeting.

B. Accept Donation From Mariscos El Paisa

Accept donation from Mariscos El Paisa in the amount of \$1,000.00 for use towards the 2017 Festival of Winter.

C. Accept Donation From Thompson Building Materials

Accept donation from Thompson Building Materials in the amount of \$2,500.00 for use towards the 2017 Festival of Winter.

D. Adopt Resolution and Accept the 2017 Homeland Security Grant Program

1. Adopt **Resolution No. 2018 - 002** of the City Council of the City of Fontana, approving and accepting a grant in the amount of \$42,305 from the Office of Homeland Security;
2. Authorize the City Manager or his designee to sign all related grant documents for the grant and expend funds as outlined in the grant;

E. After School Education and Safety (ASES) Program Services Agreement

1. Approve a two year revised agreement between the Fontana Unified School District (FUSD) and the City of Fontana to operate grant-funded after school programs at twenty-eight (28) elementary schools and five (5) middle schools;
2. Authorize the City Manager or designee to sign the agreement, all related documents, and any amendments for the term of the agreement.

Community Services Director Garth Nelson presented the staff report.

F. Amendment to Community Facilities District #74B (Citrus/Summit) Letter of Credit and Funding Agreement and authorization of an Acquisition Agreement

Approve **Resolution No. 2018-003** authorizing the execution and delivery of an amended and restated Letter of Credit and Funding Agreement and an Acquisition Agreement.

G. Authorize to Piggy-Back National Joint Powers Alliance (NJPA) Contracts

1. Approve and authorize the Purchasing Office to "Piggy-Back" on the National Joint Powers Alliance (NJPA) Purchase Program.
2. Purchase four (4) Portable Generators from Quinn Power Systems in the amount of \$109,686.00.

H. Award Jessie Turner Health and Fitness Center Audio Visual System Update

Award bid and authorize the City Manager to execute a contract with Matrix Audio Visual Designs to provide equipment and services to upgrade the audio and video technology located in the Jessie Turner Health and Fitness Center Banquet Hall in the amount of \$118,424.53 and a 10% Contingency in the amount of \$11,842.45.

Information Technology Director Ray Ebert provided the staff report.

PUBLIC HEARINGS:

- A. Master Case No. 15-089; General Plan Amendment No. 15-006; Zone Change No. 16-003; Specific Plan Amendment No. 16-002; Tentative Parcel Map No. 19711 (TPM No.15-010); Design Review Project No. 15-017; Development Agreement No. 16-005 - Southwest Fontana Logistics Center Warehouse and Park Site Environmental Impact Report (EIR) (State Clearing House No.**

2016091057)

Mayor Warren opened Public Hearing Item PH-A.

Rina Leung, Associate Planner provided the staff report.

Sarah Owsowitz, Best, Best & Krieger, City Attorney and Kent Norton, LSA Consultant, spoke on the opposition letter received from Kathleen Dale.

Asic Richmond spoke on environmental and health concerns and is opposed to the project.

Yassi Kavezade spoke in opposition to the project. Ms. Kavezade spoke on concerns that warehouses cause pollution and don't bring quality jobs.

Esther Portillo spoke on concerns with air quality, adverse health effects and that the proposed project is close to schools and homes.

Glenda Barillas spoke on the General Plan not being updated since 2003 and not being completed in 2017, as expected. Ms. Barillas spoke in opposition of warehouses.

Demi Espinoza spoke in opposition to the project and safety concerns for families and children traveling to and from school. Ms. Espinoza spoke on meeting with the developer to discuss her concerns and outlined some mitigation strategies, but was not satisfied with the City and the Developer's responses.

Kathleen Dale spoke in opposition to the project and stated that she submitted written comments prior to tonight's meeting; Ms. Dale spoke on the amount of information just released on the project and needed time to go through the information and requested that approval of the project be denied.

Bobbi Jo Chavarria spoke in opposition to the project and stated that more information is needed to make an informed decision. Ms. Chavarria provided an opposition letter to City Clerk Lewis.

Thomas Rocha spoke in opposition to the location of the project and the negative effects to the quality of life of surrounding communities.

Maha Riza & Maria Arias read a letter from Assembly Member Eloise Gomes Reyes and Senator Connie Leyva in opposition to the project.

Matt Slowik spoke in support of the project and provided clarification on air quality concerns.

Mary Sandoval spoke in opposition to the project, had concerns for the health of the kids in the area.

James Gilson spoke on the City's lack of electric vehicle charging stations. Mayor Warren directed Mr. Gilson to speak with Public Works Director Chuck Hays.

Jim Tusko spoke in support of the project and stated there will be over 1,000 possible jobs.

Ward Mace, the project applicant spoke in support of the project and spoke about all the enhancements that have been added to the project.

The Public Hearing was closed.

Discussion ensued on the pros and cons of the proposed project.

Council Member Tahan asked City Manager Ken Hunt for history of the proposed park.

City Manager Ken Hunt provided background information on the park element connected to this project.

Council Member Tahan asked for more time to hold community meetings on the project before a final decision is made on the project.

Council Member Tahan thanked the developer for investing in Fontana.

Council Member Tahan stated that he had concerns with warehouses in the south and recalls the City Council wanting to duplicate the north park sports complex in the south.

Council Member Tahan spoke on the project concerns regarding pollution and traffic issues.

Council Member Armendarez spoke on the company having invested over \$200 million into the community.

Council Member Armendarez spoke on the concerns the public has regarding air quality.

City Council Member Sandoval stated he was not on the Council in June 2012 when this project was initially approved.

City Council Member Sandoval spoke on concerns he has heard at community meetings about warehouses; kids developing asthma, not enough traffic officers, and declining elementary school enrollment.

Mayor Pro Tem Roberts spoke on industrial development in north Fontana at Cherry Avenue and Baseline Avenue and that most people do not even know it is there, and stated the perceived impacts never materialized.

Mayor Pro Tem Roberts spoke on having industrial projects next to residential that make the land viable and creates no impact on the residential areas, and that the two uses can work together for the benefit of having jobs and a tremendous increase in assessed valuation that helps pay for services.

Mayor Pro Tem Roberts spoke on a sign on the dais that says "Is this good for Fontana?" and makes that determination by weighing all the factors of a project.

Mayor Pro Tem Roberts spoke on issues that are of concern to people, but thinks the concerns are not nearly as significant as people may think they are. Mayor Pro Tem Roberts stated he has lived in south Fontana for 50 years and has been making decisions from the dais for a long time and has seen the area evolve.

Mayor Warren thanked the Fontana residents that attended the meeting, the groups concerned with those that live here, and staff for the amazing work on this project.

Mayor Warren stated she has spent time in south Fontana and has spoken with residents that have thanked her for the improvements that have been made in the area.

Mayor Warren thanked staff for taking the time to make sure studies are conducted in an appropriate manner.

Mayor Warren spoke on the location and benefits of the proposed park and that everyone in the area will be able to enjoy it.

ACTION: Motion was made by Council Member Armendarez, and seconded by Mayor Pro Tem Roberts, and passed by a 3-1-1 vote to adopt Public Hearing Item "PH-A" (AYES: Warren, Roberts, and Armendarez; NOES: Sandoval; ABSTENTION: Tahan) as follows:

1. Adopt **Resolution No. 2018-004**, a Resolution to certify the Environmental Impact Report (EIR) (State Clearing House No. 2016091057), adopt a Statement of Overriding Consideration, a Mitigation Monitoring and Reporting Program, and a Statement of Facts and Findings, and direct staff to file a Notice of Determination;
2. Adopt **Resolution No. 2018-005**, a Resolution approving General Plan Amendment No. 15-006 to change the General Plan land use designation from Residential Planned Community (R-PC) to General Industrial (I-G);
3. Waive further reading of and introduce **Ordinance No. 1771** an Ordinance of the City of Fontana approving Zone Change No. 16-003, to change the Zoning District Map from R-PC to Southwest Industrial Park Specific Plan (SWIP); and that the reading of the title constitutes the first reading thereof;
4. Waive further reading of and introduce **Ordinance No. 1772** an Ordinance of the City of Fontana approving Specific Plan Amendment No. 16-002, to amend the existing SWIP to expand the specific plan boundaries east and encompass the proposed project site as part of the Slover East Industrial District (SED) within the SWIP; and, that the reading of the title constitutes the first reading thereof;
5. Waive further reading of and introduce **Ordinance No. 1773** an Ordinance of the City of Fontana approving Development Agreement No.16-005 in which the applicant provides property for a future park and installation of curb, gutter, and sidewalks on streets adjacent to the park; and, that the reading of the title constitutes the first reading thereof;

6. Adopt **Resolution No. 2018-006**, a Resolution approving Tentative Parcel Map No. 19711 (TPM No. 15-010) and approving Design Review No. 15-017 subject to the attached Findings and Conditions of Approval.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Clerk Lewis welcomed the new City of Fontana police officers.

Mayor Pro Tem Roberts announced he attended funeral services in Utah for former Fontana resident Earl Bond.

Council Member Sandoval spoke on the Veteran Banner Program and asked if it was underfunded and stated that some of the banners need to be replaced. Council Member Sandoval asked for information on the agreement for the banner program including if banners are being put up only for those that are active and retired military.

City Manager Hunt stated that only active service members are being highlighted.

Council Member Sandoval requested to look at expanding the program.

Mayor Warren stated that she will be meeting with the Veterans group to discuss the program, and will bring back the information from the meeting to the Council.

Council Member Sandoval spoke on his son visiting from Texas and will be having a family reunion with all his children together.

Mayor Pro Tem Roberts wished Council Member Sandoval a happy birthday.

Council Member Tahan announced he attended the Miss Black Awareness Scholarship Pageant and congratulated all the participants.

Council Member Armendarez concurred with Council Member Sandoval on the Veterans banner program.

Council Member Armendarez congratulated Mayor Warren on the State of the City.

Council Member Armendarez announced he attended the League of California Cities meeting.

Council Member Armendarez wished Council Member Sandoval a happy birthday.

Council Member Armendarez requested a study on the benefits of providing additional funding for the After School Program.

Council Member Sandoval requested the study also include county area schools.

Mayor Warren asked the Council if there was consensus to bring back for consideration additional funding for the After School Program. The Mayor and Council agreed to bring the item back for consideration.

Mayor Warren asked the City Manager to work with school districts to check into expanding the program.

Mayor Warren stated that there is a potential tenant that could bring 1,500 to 2,000 jobs.

Mayor Warren thanked staff and the Chamber of Commerce for their work on the State of the City event.

Mayor Warren thanked everyone for the well wishes for her sister.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

There were no City Manager communications received.

ADJOURNMENT:

A moment of silence was held in memory of Lowell Rillera, Richard Lewis, Earl Bond and two students killed at a school shooting in Kentucky

The City Council meeting adjourned in memory of Lowell Rillera, Richard Lewis, Earl Bond and two students killed at a school shooting in Kentucky at 10:06 p.m. to the Adjourned Regular City Council Meeting to be held on Saturday, February 10, 2018, at 9:00 a.m. at the Jessie Turner Center located at 15556 Summit Avenue, Fontana, California; and to the next Regular City Council Meeting to be held on Tuesday, February 13, 2018, 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:

Ysela Aguirre

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Ysela Aguirre

Recording Secretary

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 13th DAY OF FEBRUARY 2018.

DocuSigned by:

Tonia Lewis

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Tonia Lewis City Clerk

Certificate Of Completion

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| Envelope Id: 157A5A4CD6DA4678A0F43D3E40B435AD | Status: Completed |
| Subject: Please DocuSign: 1-23-2018 CC Minutes-DRAFT.pdf | |
| Source Envelope: | |
| Document Pages: 8 | 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

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Signer Events

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

Signature

DocuSigned by:
Ysela Aguire
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Timestamp

Sent: 2/14/2018 11:41:15 AM
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Signed: 2/17/2018 10:48:18 PM

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Electronic Record and Signature Disclosure:
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ID: dcbe6c6f-cd68-4159-a859-cb4c118c5583

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

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Toni Lewis
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Signed: 2/18/2018 7:50:53 AM

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Electronic Record and Signature Disclosure:
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In Person Signer Events

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Intermediary Delivery Events

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

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Electronic Record and Signature Disclosure:
Not Offered via DocuSign

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

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| Carbon Copy Events | Status | Timestamp |
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| Certified Delivered | Security Checked | 2/18/2018 7:50:54 AM |
| Signing Complete | Security Checked | 2/18/2018 7:50:54 AM |
| Completed | Security Checked | 2/18/2018 7:50:54 AM |

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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"> •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.

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