

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
August 28, 2018**

ARTIST SHOWCASE:

A. 5:30 P.M. Artist Showcase

The work of Artist Timothy Robert Smith was presented at 5:30 p.m. in the Grover W. Taylor Council Chambers and Foyer.

CLOSED SESSION:

A. 5:45 P.M. CLOSED SESSION

A Closed Session was held at 5:45 p.m. in the City Hall Executive Conference Room with Mayor Warren, Mayor Pro Tem Roberts, Council Members Tahan, Sandoval and Armendarez present.

PUBLIC COMMUNICATIONS:

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

CONFERENCE WITH LEGAL COUNCIL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d) (1)

Case: Sandra Perez v. City of Fontana
San Bernardino Superior Court, Case No: CIVDS 1712658

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d) (1)

Case: CACERES, John Jr., et al v. City of Fontana
San Bernardino Superior Court; Case No. CIVDS 150251

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d) (1)

Case: David Stanley v. City of Fontana
San Bernardino Superior Court Case No. CIVDS 1714848

An open session was held at 6:20 p.m. on the following item:

PUBLIC EMPLOYEE DISCIPLINE/ DISMISSAL/ RELEASE

Mayor Warren, Mayor Pro Tem Roberts, Council Members Tahan and Sandoval were present.

Council Member Armendarez recused himself.

City Attorney Joseph Ortiz presented the arbitrator's report recommending that employee Corporal (Cpl.) David Moore be discharged.

PUBLIC COMMUNICATIONS:

Dr. D.C. Thomas spoke in support of Cpl. David Moore.

Francine Brookins spoke in support of Cpl. David Moore.

Russell S. Anderson spoke in support of Cpl. David Moore.

Lorena Corona spoke in support of Cpl. David Moore.

Brandi Harper spoke in support of Cpl. David Moore.

Cpl. David Moore spoke on why he should not be discharged.

Mayor Warren announced at 6:50 p.m. that the Mayor and Council would reconvene to closed session and stated if they could not reach a decision by 7:00 p.m., they would hold the 7:00 p.m. regular City Council Meeting, and reconvene to closed session thereafter.

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, August 28, 2018, in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:11 p.m.

ROLL CALL:

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

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation by Mayor Pro Tem Roberts, the Pledge of Allegiance was led by Council Member Tahan.

CLOSED SESSION ANNOUNCEMENT:

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

City Attorney Ballinger announced that the Mayor and Council would reconvene to closed session after the council meeting to continue the fourth item.

SPECIAL PRESENTATIONS:

A. Artist Recognition

Mayor Warren and City Council recognized Timothy Robert Smith as the artist in the Artist Showcase. Community Services Coordinator Ana Casillas presented the recognition. Mr. Smith was present to accept.

B. Fontana Days Run Sponsors

Mayor Warren and City Council recognized Sponsors of the 2018 Annual Fontana Days Run. Community Services Coordinator Bianca Morales presented to Thompson Building Materials; Bel-Air Swap Meet; Manheim Southern California; Nestle Waters Fontana; and Foundation of Hope. Mr. Park from Bel-Air Swap Meet, and Mr. Long from Foundation of Hope were present to receive recognition.

C. Special Recognition of Empire Karate Team

Mayor Warren and City Council recognized Empire Karate Team on their Championship. Inland Empire Karate Team Coach Stan Money introduced the team and highlighted their accomplishments.

D. Police Department June 2018 Employees of the Month

Mayor Warren and City Council recognized Sergeant Coughlin, Officer Amanda Losch, Officer Frank Losch, Training Specialist Lynndee Gomes, Personnel and Training Secretary Sabrina Vega, and Dispatchers Maricela Edmonds, Mary Jo Grincer, Kasi Montano, and Kristin Powers as the Police Department's June 2018 Employees of the Month. Captain Jim Escarpe highlighted their accomplishments.

PUBLIC COMMUNICATIONS:

A. Public Communications

Deborah Hall Lindsey spoke on the Chillin and Grillin Barbeque Competition that will be held on Saturday, September 29, 2018, 11:00 a.m. to 3:00 p.m. at the Jessie Turner Center, and also spoke on the First Responders theme for the 2019 Black History Parade.

Darlene Scalf spoke on the process for speaking at City Council meetings and stated no one has contacted her about questions and concerns regarding the Fontana Woman's Club.

Victor Muniz spoke on receiving a parking ticket while picking up his grandchild at Sierra Lakes Elementary School. Mayor Warren directed Mr. Muniz to speak to staff regarding his concerns.

Madeline Chero spoke on homelessness and described job duties associated with warehouse jobs.

Danny Marquez spoke on homelessness issues and announced the National Day of Service and Remembrance of 9/11 will be held on September 8, 2018, and requested information from other organizations holding events on that day.

CONSENT CALENDAR:

Matthew Slowik spoke on Consent Calendar Item M.

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

A. Approval of Minutes

Approve the Minutes of the August 14, 2018 Regular City Council Meeting.

B. Adoption of Ordinance No. 1777

Second Reading/ Adopt **Ordinance No. 1777**, an ordinance of the City Council of the City of Fontana, amending in part Article III of Chapter 13 of the Fontana Municipal Code expanding its smoking prohibitions within the City to include all portions of City Parks and prohibiting electronic smoking devices in City's owned and operated locations.

C. Accept Donations for the National Night Out Event

Accept monetary and gift donations from multiple donors for the 2018 National Night Out Event with a total value of \$3,489.70.

D. Accept the 2018 Justice Assistance Grant (JAG)

1. Approve the Interlocal Agreement with the Town of Apple Valley, Cities of Adelanto, Barstow, Chino, Colton, Fontana, Hesperia, Highland, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, City of San Bernardino, Upland, Victorville, and San Bernardino County concerning distribution of the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$59,411;

2. Authorize the City Manager to sign the Interlocal Agreement on behalf of the City of Fontana for the 2018 Justice Assistance Grant and any other documents and/or amendments required to comply with this grant award;

3. Approve the expenditure plan for use of the funds to help offset the cost of one police officer position within the Police Department.

E. Approve Contract Amendment No. 1 with Red Arrow Kennels

Approve Amendment No. 1 to Contract No. MS-296-PD-17 between the City of Fontana and Red Arrow Kennels to also include Police K-9 boarding services and K-9 training facility services at the Red Arrow Kennel site.

F. Approve a Development Impact Fees Credit Agreement for Parcel Map No. 19834 / Design Review No. 17-001 located at the Northwest corner of Jurupa Avenue and Live Oak Avenue

Approve and authorize the City Manager to execute a Partial Satisfaction of Development Impact Fees Credit Agreement with IDIG Live Oak, LLC, for Parcel Map No. 19834 / Design Review No. 17-001 located at the northwest corner of Jurupa Avenue and Live Oak Avenue.

G. Approve a Reimbursement Agreement for the Future South Fontana Sports Park Site Demolition Work

Approve and authorize the City Manager to execute a Reimbursement Agreement with GLC FONTANA II LLC for the demolition and clearing activities for the future South Fontana Sports Park site associated with the Southwest Fontana Logistics Center Warehouse Project and Development Agreement No.16-005.

H. Approve Utility Agreements for the Foothill Boulevard from Oleander Avenue to 600' East of Cypress Avenue Street Improvement Project

Approve and authorize the City Manager to execute any and all utility agreements and authorize payment of all invoices and deposits necessary for the relocation and installation of any and all public utilities work on behalf of the City of Fontana for the Foothill Boulevard from Oleander Avenue to 600' East of Cypress Avenue Street Improvement Project.

I. Authorize a Contract with Corona Clay as a Single Source Vendor of "Angel Mix" Baseball and Softball Infield Soil Mix

Authorize the City Manager to enter into a two (2) year contract with Corona Clay, with (3) three one year extensions at the sole discretion of the City.

J. Award Bid for Energy Engineering Services, SP-30-PW-18

Approve and award bid with Opterra Energy Services and TRC Engineers Inc., to provide Energy Engineering Services (SP-30-PW-18) for a period of two (2) years, renewable for three one (1) year increments at the sole discretion of the City.

K. Award a Construction Contract for the Traffic Signal Fiber Optic Interconnect Cable Installation Project along Baseline Avenue between Americana Way and Citrus Avenue

1. Approve and authorize the City Manager to execute a construction contract with International Line Builders for the construction of the Traffic Signal Fiber Optic Interconnect Cable Installation Project along Baseline Avenue between Americana Way and Citrus Avenue in the amount of \$189,126.98 and authorize a 10% contingency in the amount of \$18,912.70 (Bid No. SB-99-DE-18);

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 Traffic Signal Fiber Optic Interconnect Cable Installation Project along Baseline Avenue between Americana Way and Citrus Avenue.

3. Appropriate \$50,000.00 from Local Measure I Fund 246 to the Traffic Signal Fiber Optic Installation Project along Baseline Avenue between Americana Way and Citrus

Avenue No. 3343.

L. Execute Annual Purchase Orders to Single Source Vendor Musco Lighting

1. Authorize Purchasing to execute annual purchase orders to single source vendor Musco Lighting.

2. Authorize the City Manager to enter into a two (2) year contract with Musco Lighting with three (3) one-year extensions at the sole discretion of the City for ballfield lighting.

M. Exclusive Use Agreement with Fontana Unified School District

Authorize the City Manager to enter into a five (5) year agreement with Fontana Unified School District (FUSD) for exclusive off-hours use of the sports fields at Fontana Middle School, Alder Middle School and Wayne Ruble Middle School.

N. Final Acceptance of the Juniper Avenue at Ceres Avenue Traffic Signal Project

Accept as complete the work performed by Alfaro Communications Construction, Inc. for the construction of the Juniper Avenue at Ceres Avenue Traffic Signal Project and approve the final construction amount of \$282,971.14. (Bid No. SB-49-DE-17)

PUBLIC HEARINGS:

A. Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing – Sunrise Senior Apartments

Mayor Warren opened Public Hearing Item PH-A

Deputy City Manager David Edgar provided the staff report.

No one spoke in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Mayor Pro Tem Roberts, seconded by Council Member Sandoval, and passed unanimously by a vote of 5-0 to approve Public Hearing Item "A" (AYES: Warren, Roberts, Tahan, Sandoval and Armendarez: NOES: None) as follows:

Conduct a TEFRA hearing and adopt **Resolution No. 2018-073** approving the issuance of Revenue Bonds by the California Statewide Communities Development Authority (CSDA) in an amount not to exceed \$13,000,000 for Loveland Church in conjunction with the Sunrise Senior Apartments.

B. Master Case No. 17-036R1; Specific Plan Amendment No. 17-004; Tentative Tract Map No. 20091 (TTM No. 17-005); and Design Review No. 17-028 - A 6-Unit Single Family residential Subdivision Located within the Northgate Specific Plan on the Northeast Corner of Malaga Avenue and Lemon Street

Mayor Warren opened Public Hearing Item PH-B

Associate Planner Jon Dille provided the staff report.

Kareem Gongora spoke in favor of the project.

No one else spoke in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Tahan, and passed unanimously by a vote of 5-0 to approve Public Hearing Item "B" (AYES: Warren, Roberts, Tahan, Sandoval and Armendarez: NOES: None) as follows:

1. Determine that the project is Categorically Exempt pursuant to Section No. 15332, (Class No. 32, In-Fill Project) of the California Environmental Quality Act;
2. Waive further reading of and introduce **Ordinance No. 1778**, an Ordinance approving Specific Plan Amendment No. 17-004 to revise the zoning boundary within the Northgate Specific Plan between the Low Density Residential zoning district and the Park zoning district. The adjustment will add approximately 1.2 adjusted gross acres to the Low Density Residential zoning district; and that the reading of the title constitutes the first reading thereof.
3. Adopt **Resolution No. 2018-074**, a Resolution approving Tentative Tract Map No. 20091 (TTM No. 17-005) and approving Design Review Project No. 17-028, a proposal to subdivide a parcel of approximately 1.2 adjusted gross acres into six (6) lots, site and architecture review to construct six (6) single-family homes ranging in size from 2,393 square feet to 2,506 square feet.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Koehler-Brooks expressed condolences to the family of Michael Lee and Robert Crosby.

Council Member Tahan expressed condolences to the families of Robert Crosby and Michael Lee.

Council Member Tahan spoke on the loss of Senator John McCain and that his leadership will be a trademark for years to come.

Council Member Armendarez expressed condolences to the families of Robert Crosby, Michael Lee and also to the family of Senator John McCain.

Council Member Sandoval expressed condolences to the families of Robert Crosby and Michael Lee.

Council Member Sandoval welcomed his daughter Teresa and grandson Sebastian visiting from Florida.

Council Member Sandoval requested information regarding new storage containers at city parks and shared concerns about break-ins.

Community Services Director Garth Nelson responded that they would look at the locks on the storage containers.

Council Member Sandoval wished his grandson Christopher a happy birthday.

Council Member Sandoval announced he attended the Parks and Community Services Commission meeting and was very pleased with their report on all the programs for seniors, tiny tots, and youth sports.

Council Member Sandoval invited everyone to attend his grandson Francisco's T-ball game at Village Park on September 5, 2018.

Mayor Pro Tem Roberts expressed condolences to the families of Robert Crosby, Michael Lee and the family of Senator John McCain.

Mayor Warren spoke on the passing of Senator John McCain and offered her condolences to his family.

Mayor Warren spoke on the passing of Aretha Franklin.

Mayor Warren expressed condolences to the family of Michael Lee and the family of Robert Crosby.

Mayor Warren announced that the new Community Services brochure is out.

Mayor Warren congratulated staff for their work with Fontana Walks.

Mayor Warren congratulated the Kaiser High School Cats band on being selected to participate in the Rose Parade.

Mayor Warren congratulated the Karate Team on their accomplishments.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Hunt reminded the City Council that they will be reconvening to closed session and that Council Member Armendarez would be abstaining.

ADJOURNMENT:

A moment of silence was held for Senior Code Compliance Inspector Robert (Bob) Crosby, Michael Lee, Aretha Franklin and Senator John McCain.

The meeting adjourned at 8:35 p.m. in memory of Senior Code Compliance Inspector Robert (Bob) Crosby, Michael Lee, Aretha Franklin and Senator John McCain to


reconvene in Closed Session, then to the next Regular City Council Meeting to be held on Tuesday, September 11, 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.

Mayor Warren, Mayor Pro Tem Roberts, Council Members Tahan and Sandoval reconvened to closed session at 8:40 p.m., and then to open session at 9:15 p.m.

RECONVENED CLOSED SESSION ANNOUNCEMENT:

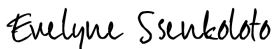
PUBLIC EMPLOYEE DISCIPLINE/ DISMISSAL/ RELEASE

City Attorney Jeff Ballinger reported that Mayor Warren and Mayor Pro Tem Roberts voted to accept the arbitrator's decision, Council Members Tahan and Sandoval voted to reject the arbitrator's decision, Council Member Armendarez abstained. Due to a 2-2 vote, the arbitrator's decision stands.

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Karen Porlas
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 11TH DAY OF SEPTEMBER, 2018.

DocuSigned by:

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Evelyne Ssenkoloto
Senior Administrative Analyst

Certificate Of Completion

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	Fontana, CA 92335
	clerks@fontana.org
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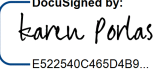
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Karen Porlas
kporlas@fontana.org
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Signature

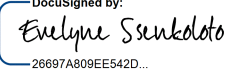
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Evelyne Ssenkoloto
essenkol@fontana.org
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kkasinger@fontana.org
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	9/12/2018 2:47:04 PM
Completed	Security Checked	9/12/2018 2:47:04 PM

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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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