

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR CITY COUNCIL MEETING  
January 8, 2019**

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**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 Roberts, Council Members Sandoval, Armendarez and Cothran 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**

Property:

0193-381-01 (SWC I-10 Frwy/Sierra Ave)

0254-221-50 (NEC Sierra & Slover)

0228-301-21 (6536 Citrus Ave.)

0228-301-20 (16089 Highland Ave)

1108-211-50 (near SWC Lytle Creek Rd./Summit Ave)

1107-261-32 (NWC Lytle Creek Rd./Summit Ave)

0227-901-43 (Baseline Rd./west of Americana Way)

Negotiating Parties: City of Fontana and Lamar Central Outdoor

Negotiator: Debbie Brazill, Deputy City Manager

Under Negotiation: Price and Terms

**CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (one (1) potential case—Complaint in Arbitration: Downing Construction, Inc. v. City of Fontana)

**CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (one (1) potential case)

**CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (One (1) potential case)

## **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 8, 2019, in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 7:12 p.m.

### **ROLL CALL:**

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

Absent: None.

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

Following the Invocation by Mayor Warren, the Pledge of Allegiance was led by Council Member Cothran.

### **CLOSED SESSION ANNOUNCEMENT:**

City Attorney Steve Deitsch reported that there was no reportable action on the Closed Session Items.

## **SPECIAL PRESENTATIONS:**

### **A. Retirement Recognition for Fontana Human Resources Director Annette Henckel**

Mayor Warren and City Council recognized Human Resources Director Annette Henckel on her retirement. City Manager Ken Hunt presented the recognition. Ms. Henckel was present to accept.

## **PUBLIC COMMUNICATIONS:**

### **A. Public Communications**

Guillermo Velasco introduced himself to the City Council as an applicant for the Parks, Community and Human Services Commission.

Janeth Rodriguez announced that Chaffey College spring class registration begins January 14, 2019; the Partner Promise Program for free tuition; and the Panther Welcome Day on Friday, January 11, 2019, at the Fontana campus.

Bishop Emory James spoke on the upcoming Martin Luther King Jr. Cultural Celebration being held on January 18, 2019; and appealed for scholarship funding from the community.

Maha Rizvi invited everyone to attend the swearing in ceremony for Assembly Member Eloise Gomez Reyes.

Kristine Scott provided an update on Southern California Gas Company and shared the benefits of natural gas.

## **CONSENT CALENDAR:**

Mayor Warren asked that Consent Calendar Item "E" be pulled and brought back at a workshop for further discussion; there were no objections.

Council Member Armendarez asked for clarification on Consent Calendar Item "H"; Human Resources Director Annette Henckel stated that this action was a formality and that there were no changes to the City Manager's contract.

**ACTION:** Motion was made by Council Member Armendarez, seconded by Mayor Pro Tem Roberts, and passed unanimously by a vote of 5-0 to approve Consent Calendar Items "A-K" Item "E" was pulled to be brought back at a future meeting (AYES: Warren, Roberts, Cothran, Sandoval and Armendarez; NOES: None) as follows:

### **A. Approval of Minutes**

Approve the Minutes of the December 11, 2018 Regular City Council Meeting.

### **B. Approve Utility Agreements for the Valley Boulevard and Oleander Avenue Traffic Signal 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 Valley Boulevard and Oleander Avenue Traffic Signal Project.

### **C. Approve Amendment No. 1 with the County of San Bernardino for Construction of the Storm Drain Lateral to the West Fontana Channel**

Approve and authorize the City Manager to execute Amendment No. 1 to Cooperative Agreement No. 18-205 with the San Bernardino County Flood Control District for the construction of a storm drain lateral to the West Fontana Channel.

### **D. Approve a Quitclaim Deed related to the dedication of right of way for Parcel Map No. 19061**

Approve and Authorize the City Manager to execute a Quitclaim Deed related to the dedication of right of way related to Parcel Map No. 19061.

### **E. City of Fontana Use of Logo Policy**

Authorize the City Manager to accept the City of Fontana Use of City Seal and Logo policy document.

### **F. City of Fontana Social Media Policy**

To authorize the City Manager to accept the City of Fontana Social Media Policy document.

### **G. CCTV Camera Upgrade for Lewis Library & Technology Center**

Approve and authorize the Information Technology Department to issue a purchase

order to Vector Resources, Inc. in the amount of \$84,148.61 for the replacement and upgrade of the CCTV security cameras and needed cabling at the Lewis Library and Technology Center.

**H. Employment Agreement for the Position of Director of Human Resources and Risk Management; and updated Executive Salary Tables**

Approve and authorize the City Manager to sign the Employment Agreement for the Position of Director of Human Resources and Risk Management and Adopt a Resolution Approving Updated Executive Salary Tables.

**I. Resolution of Intent to form Community Facilities District No. 93M (Tract 15697).**

1. Adopt **Resolution No. 2019-001** of Intention of the City Council of the City of Fontana with Respect to Establishment of Proposed Community Facilities District No. 93M of the City of Fontana, County of San Bernardino, State of California.
2. Set the Public Hearing for February 12, 2019, for the Formation of the Community Facilities District No. 93M and call for the Special Election for February 12, 2019.

**J. Resolution of Intent to Form Community Facilities District No. 94M (Tract 19959)**

1. Adopt **Resolution No. 2019-002** of Intention of the City Council of the City of Fontana with Respect to Establishment of Proposed Community Facilities District No. 94M of the City of Fontana, County of San Bernardino, State of California.
2. Set the Public Hearing for February 12, 2019, for the Formation of the District and call for the Special Election for February 12, 2019.

**K. Wood Fiber Playground Surfacing Chips**

Approve and award bid (SB-26-PW-19) and authorize the City Manager to enter into a (2) two-year contract with Miracle Playground Sales, Inc. for playground wood chips, with (3) three one-year extensions at the sole discretion of the city.

**PUBLIC HEARINGS:**

**A. Public Hearing on Formation of Community Facilities District No. 89 (Belrose)**

Mayor Warren opened Public Hearing Item PH-A.

Management Services Director Lisa Strong 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 Cothran, and passed unanimously by a vote of 5-0 to approve Public Hearing Item "A" (AYES: Warren, Roberts, Cothran, Sandoval and Armendarez: NOES: None) as follows:

1. Adopt **Resolution No. 2019-003** of the City Council of the City of Fontana modifying Resolution of Intention and approving Amended and Restated Rate and Method of Apportionment.
2. Adopt **Resolution No. 2019-004** of the City Council of the City of Fontana of formation of the City of Fontana Community Facilities District No. 89 (Belrose), authorizing the levy of a special tax within the community facilities district and establishing an appropriations limit for the community facilities district.
3. Adopt **Resolution No. 2019-005** of the City Council of the City of Fontana deeming it necessary to incur bonded indebtedness within the City of Fontana Community Facilities District No. 89 (Belrose).
4. Adopt **Resolution No. 2019-006** of the City Council of the City of Fontana calling special election for City of Fontana Community Facilities District No. 89 (Belrose).
5. Adopt **Resolution No. 2019-007** of the City Council of the City of Fontana declaring results of special election and directing the recording of notice of special tax lien.
6. Waive further reading of and introduce **Ordinance No.1787** levying special taxes within the City of Fontana Community Facilities District No. 89 (Belrose); and that the reading of the title constitutes the first reading thereof.
7. Adopt **Resolution No. 2019-008** of the City Council of the City of Fontana authorizing the execution and delivery of a Letter of Credit and Funding Agreement.

## **B. Energy Services Contracts**

Mayor Warren opened Public Hearing Item PH-B.

Public Works Director Chuck Hays provided the staff report.

No one spoke in favor or opposition.

Mayor asked ABS representatives if they agreed to add \$500 a day for liquidated damages clause; ABS representatives agreed to the change.

The Public Hearing was closed.

**ACTION:** Motion was made by Council Member Armendarez, seconded by Council Member Cothran, and passed by a vote of 4-1 to approve Public Hearing Item B with a stipulation that a \$500 a day for liquidated damages clause be added. (AYES: Warren, Roberts, Cothran, and Armendarez; NOES: Sandoval) as follows:

Consider and Potentially Take Action on a Resolution Making A Determination For A Categorical Exemption Under The California Environmental Quality Act And Findings On Energy Savings Under California Government Code Section 4217.10 et seq. And Approving And Determining Other Matters In Connection With An Energy Services Project.

**C. Development Agreement No. 18-001 for the Summit at Rosena Specific Plan; Tentative Tract Map No. 20154 and Tentative Tract Map No. 20213 for 257 Single-Family Lots Located on the South Side of Casa Grande Drive between Cypress Avenue and Sierra Avenue.**

Mayor Warren opened Public Hearing Item PH-A

Assistant Planner Ivan Galeazzi provided the staff report.

No one spoke in favor or opposition.

Council Member Armendarez stated that he would like to see future communities gated.

Council Member Armendarez asked if the basketball courts next to the Tot Lot had been relocated.

Community Development Director Zai AbuBakar stated that the relocation of the basketball courts has been addressed.

The Public Hearing was closed.

**ACTION:** Motion was made by Council Member Armendarez, seconded by Council Member Cothran, and passed by a vote of 4-1 to approve Public Hearing Item C (AYES: Warren, Roberts, Cothran, and Armendarez; NOES: Sandoval) as follows:

1. Find that the previously certified Summit at Rosena Specific Plan Environmental Impact Report (SCH No. 200421079) adopted and certified by the City Council on March 22, 2006 has adequately identified the impacts associated with the project, pursuant to Section 15162 of the CEQA Guidelines and direct staff to file a Notice of Determination;

2. Adopt **Ordinance No. 1788**, an Ordinance of the City of Fontana, California, approving a Development Agreement between the City of Fontana, California and CalAtlantic Group, Inc., a Delaware Corporation to lock in the timing and construction of community amenities and public improvements, purchase of 1.3-acre fire station pad, and street widening and improvements along Sierra Avenue; and that the reading of the title constitutes the first reading thereof.

3. Adopt **Resolution No. 2018-009**, a Resolution of the City Council of the City of Fontana, California, approving: Tentative Tract Map No. 20154 (TTM No. 18-006), and approving Tentative Tract Map 20213 (TTM No. 18-007), within the Summit at Rosena Specific Plan.

**ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

**A. Appointment of Mayor Pro Tem for a Term of One Year**

**ACTION:** Motion was made by Mayor Warren, seconded by Council Member Cothran, and passed by a vote of 3-1-1 to appoint Council Member Armendarez as Mayor Pro

Tem for a term of one year. (AYES: Warren, Roberts, and Cothran: NOES: Sandoval, ABSTAIN: Armendarez).

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

Mayor Pro Tem Roberts congratulated Human Resources Director Annette Henckel on her retirement and commended her for 35 years of dedicated service to the City of Fontana.

Mayor Pro Tem Roberts wished everyone a happy new year.

Council Member Sandoval congratulated Ms. Henckel on her retirement and commended her for services to the City of Fontana.

Council Member Sandoval spoke on being appointed to two policy committees with the League of California Cities; and that he will need to make a decision on which committee he will serve on.

Council Member Sandoval requested information on when a child can use a forward facing car seat.

Council Member Sandoval stated that baseball season is starting soon and he will be managing t-ball at Jack Bulik Park.

Council Member Cothran congratulated Council Member Sandoval on his appointment to serve on a committee with the League of California Cities.

Council Member Cothran congratulated Mayor Warren on her appointment to the League of California Cities.

Council Member Cothran congratulated his brother and his wife on the birth of their daughter, Ever Rain Cothran.

Council Member Armendarez thanked the City Council for their support for him to serve as Mayor Pro Tem.

Council Member Armendarez congratulated Ms. Annette Henckel on her retirement and welcomed the new Human Resources Director.

Council Member Armendarez announced that his wife gave birth to a baby girl on December 28, 2018, and welcomed Grace Abigail Armendarez.

Council Member Armendarez congratulated Council Member Cothran on becoming an uncle again and congratulated Robert Cothran on his new daughter.

Council Member Armendarez requested an item be brought to the city council regarding a no parking ordinance on street sweeping days.

Mayor Warren discussed the process for bringing the no parking ordinance item forward.



Mayor Warren asked staff to research the no parking ordinance and present at a future council workshop.

City Treasurer Koehler-Brooks congratulated the Cothran family on the new baby.

City Treasurer Koehler-Brooks congratulated Ms. Henckel on her retirement.

City Treasurer Koehler-Brooks welcomed new Human Resources Director Rakesha Thomas.

City Treasurer Koehler-Brooks congratulated new Mayor Pro Tem Armendarez.

City Treasurer Koehler-Brooks sent get well wishes to City Clerk Lewis.

City Treasurer Koehler-Brooks wished her son, Evan Brooks, a happy birthday.

Deputy City Clerk Porlas sent get well wishes to City Clerk Lewis.

Mayor Warren wished City Clerk Lewis a speedy recovery.

Mayor Warren congratulated Kaiser High School Band for participating in the Rose Parade. Mayor Warren thanked all the donors and supporters of Kaiser High School.

Mayor Warren spoke on proclaiming Kaiser High School Day at the January 22, 2019 council meeting.

Mayor Warren spoke on fixing education and her plans to work with community organizations to make education a top priority for the youth in Fontana.

Mayor Warren announced she attended the swearing in ceremony of the new Lieutenant Governor.

Mayor Warren praised everyone that spoke about how great the City of Fontana is and encouraged everyone to attend community meetings.

Mayor Warren encouraged everyone to read the Community Services brochure so that they do not miss community events.

Mayor Warren announced the US Conference of Mayors appointed her vice-chair of the Business Council; and is excited about serving in that capacity.

## **CITY MANAGER COMMUNICATIONS:**

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

City Manager Hunt thanked Human Resources Director Annette Henckel for her 35 years of service to the City of Fontana and wished her all the best on her retirement.

City Manager Hunt introduced Rakesha L. Thomas as the new Human Resources



Director.

## ADJOURNMENT:

A moment of silence was held for Dr. Raymond L. Brown.

The meeting adjourned at 8:48 p.m. in memory of Dr. Raymond L. Brown to the State of the City Address to be held on Thursday, January 17, 2019, at 7:30 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, January 22, 2019, 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:  
*Karen Porlas*

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Karen Porlas  
Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 22ND DAY OF JANUARY, 2018.**

DocuSigned by:  
*Evelyne Ssenkoloto*

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Evelyne Ssenkoloto  
Senior Administrative Analyst

## Certificate Of Completion

Envelope Id: 7AA85CCE45774CE6A7E53228C80C3841	Status: Completed
Subject: Please DocuSign: Rev 1-8-2019 CC-Minutes-Draft.pdf	
Source Envelope:	
Document Pages: 9	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
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	Fontana, CA 92335
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## Signer Events

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## Electronic Record and Signature Disclosure:

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## In Person Signer Events

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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	1/31/2019 10:54:50 AM
Certified Delivered	Security Checked	1/31/2019 10:54:50 AM
Signing Complete	Security Checked	1/31/2019 10:54:50 AM
Completed	Security Checked	1/31/2019 10:54:50 AM

Payment Events	Status	Timestamps
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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>

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