

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
July 23, 2019**

WORKSHOP:

A. 4:00 P.M. WORKSHOP

A City Council Workshop was held on July 23, 2019 in the City Hall Executive Conference Room at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the Workshop to order at 4:07 p.m., with Mayor Pro Tem Armendarez, Council Members Roberts, Sandoval and Cothran present.

Orlando Hernandez, Planning Manager presented a discussion on the Form-Based Code (FBC) for the Downtown Area and Major Corridors and explained how it would streamline the Planning process for projects.

Senior Planner Dawn Rowe and Assistant Planner Cecily Session-Goins provided an overview of the proposed development standards for projects that would be approved administratively.

Discussion ensued on projects being approved administratively without going to the Planning Commission.

Council Members Sandoval and Cothran were not in favor of approving projects administratively and want all future projects to continue going to the Planning Commission for review.

Mayor Warren, Mayor Pro Tem Armendarez and Council Member Roberts were in favor of projects moving forward administratively with the following conditions:

1. The Planning Commission would be given a list of all projects being approved administratively.
2. Approving the projects administratively would be on a trial basis for one year.

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

The Workshop adjourned at 5:32 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 Armendarez, Council Members Roberts, Sandoval and Cothran 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:

Properties:0254-221-50 (NEC Sierra & Slover); 1107-262-32 (NWC Lytle Creek Rd. & Summit Avenue); 1119-181-14 (NEC Citrus Ave. & 210 Frwy); 1100-691-01 (Baseline Ave, w/o Cherry Ave)

Negotiating Parties: City of Fontana and Lamar Central Outdoor

Negotiator: Debbie Brazill, 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 Tuesday, July 23, 2019, 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 Armendarez, Council Members Roberts, Sandoval and Cothran.

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation by Fontana Police Department Chaplain Deylyne McCampbell, 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 Item.

SPECIAL PRESENTATIONS:

A. Special Recognition of Fontana Elks Little League Softball Team

The special presentation was postponed and will be presented at a future meeting.

B. Police Department Swearing In Ceremony

Mayor Warren swore in new Fontana Police Officers Fabiana Peiro, Corey Garcia, and

Aaron Alcala. Captain Burton introduced the new officers.

PUBLIC COMMUNICATIONS:

A. Public Communications

Howard Malafa spoke on concerns regarding the weekly street sweeping schedule in Walnut Village.

Patty Espinoza spoke on flooding in front of schools, the departure of City Manager Ken Hunt, issues at the special needs playground at Miller Park, and commended Community Services Director Garth Nelson and staff for all the work they do.

Deborah Hall Lindsey spoke on upcoming events for the "Concerned Citizens for the Development of North Fontana" organization.

CONSENT CALENDAR:

City Attorney Ballinger noted that Mayor Warren, Mayor Pro Tem Armendarez, and Council Member Cothran would abstain from Consent Calendar Item "E".

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Cothran, and passed unanimously by a vote of 5-0 to approve Consent Calendar Items "A-U" (AYES: Warren, Armendarez, Roberts, Sandoval and Cothran; NOES: None; ABSTAIN: Warren, Armendarez and Cothran from Item "E") as follows:

A. Approval of Minutes

Approve the Minutes of the July 9, 2019 Regular City Council Meeting and July 15, 2019 Special City Council Meeting.

B. Accept Donation From Options For Youth-Acton

Accept donation from Options For Youth - Acton in the amount of \$1,000.00 for use towards the 2019 Fontana Summer Concerts.

C. Award Contract to Graffiti Tracker, Inc for Graffiti Incident Tracking and Analysis Services

1. Authorize the City Manager to enter into a one-year contract with Graffiti Tracker, Inc. for Graffiti Incident Track and Analysis services.

2. Authorize Graffiti Tracker, Inc. as a Sole Source Vendor.

D. Approve a Bond Reduction for Tract No. 18944 Offsite Improvements for Sierra Avenue and Segovia Lane

Approve a reduction of the Faithful Performance and Labor and Materials bonds posted by LCD Sierra Crest, LLC for Tract No. 18944 Offsite Improvements for Sierra Avenue and Segovia Lane.

E. Levy of a Special Tax in Community Facilities Districts for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-098** Authorizing the Levy of a Special Tax within Community Facilities Districts (Maintenance) for Fiscal Year 2019-2020.

F. Levy of a Special Tax in Community Facilities District No. 1 (Southridge Village) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-099** Authorizing the Levy of a Special Tax in Community Facilities District No. 1 (Southridge) for Fiscal Year 2019-2020.

G. Levy of a Special Tax in Community Facilities District No. 7 (Country Club Estates) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-100** of the City Council of the City of Fontana, California, authorizing the Levy of a Special Tax in Community Facilities District No. 7 (Country Club Estates) for Fiscal Year 2019-2020.

H. Levy of a Special Tax in Community Facilities District No. 11 (Heritage West End) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-101** of the City Council of the City of Fontana, California, authorizing the Levy of a Special Tax in Community Facilities District No. 11 (Heritage West End) for Fiscal Year 2019-2020.

I. Levy of a Special Tax in Community Facilities District No. 12 (Sierra Lakes) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-102** of the City Council of the City of Fontana, California, authorizing the Levy of a Special Tax In Community Facilities District No. 12 (Sierra Lakes) for Fiscal Year 2019-2020.

J. Levy of a Special Tax in Community Facilities District No. 22 (Sierra Hills South) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-103** of the City Council of the City of Fontana, California, authorizing the Levy of a Special Tax in Community Facilities District No. 22 (Sierra Hills South) for Fiscal Year 2019-2020.

K. Levy of a Special Tax in Community Facilities District No. 31 (Citrus Heights North) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-104** of the City Council of the City of Fontana, California, authorizing the Levy of a Special Tax in Community Facilities District No. 31 (Citrus Heights North) for Fiscal Year 2019-2020.

L. Levy of a Special Tax in Community Facilities District No. 37 (Montelago) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-105** of the City Council of the City of Fontana, California, authorizing the Levy of Special Tax in Community Facilities District No. 37 (Montelago) for Fiscal Year 2019-2020.

M. Levy of a Special Tax in Community Facilities District No. 70 (Avellino) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-106** of the City Council of the City of Fontana, California, authorizing the Levy of Special Tax in Community Facilities District No. 70 (Avellino) for

Fiscal Year 2019-2020.

N. Levy of a Special Tax in Community Facilities District No. 71 (Sierra Crest) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-107** Authorizing the Levy of Special Tax in Community Facilities District No. 71 (Sierra Crest) for Fiscal Year 2019-2020.

O. Levy of a Special Tax in Community Facilities District No. 74B and 74M (Citrus/Summit) for Fiscal Year 2019-2020

Adopt **Resolutions No. 2019-108 and 2019-109** Authorizing the Levy of a Special Tax in Community Facilities District No. 74B and 74M (Citrus/Summit) for Fiscal Year 2019-2020.

P. Levy of a Special Tax in Community Facilities District No. 80 (Bella Strada) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-110** Authorizing the Levy of Special Tax in Community Facilities District No. 80 (Bella Strada) for Fiscal Year 2019-2020.

Q. Levy of a Special Tax in Community Facilities District No. 81 (Gabriella) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-111** Authorizing the Levy of Special Tax in Community Facilities District No. 81 (Gabriella) for Fiscal Year 2019-2020.

R. Levy of a Special Tax in Community Facilities District No. 85 (The Meadows) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-112** Authorizing the Levy of Special Tax in Community Facilities District No. 85 (The Meadows) for Fiscal Year 2019-2020.

S. Levy of a Special Tax in Community Facilities District No. 86 (Etiwanda Ridge) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-113** Authorizing the Levy of Special Tax in Community Facilities District No. 86 (Etiwanda Ridge) for Fiscal Year 2019-2020.

T. Levy of a Special Tax in Community Facilities District No. 88 (Sierra Crest II) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-114** Authorizing the Levy of Special Tax in Community Facilities District No. 88 (Sierra Crest II) for Fiscal Year 2019-2020.

U. Levy of a Special Tax in Community Facilities District No. 89 (Belrose) for Fiscal Year 2019-2020

Adopt **Resolution No. 2019-115** Authorizing the Levy of Special Tax in Community Facilities District No. 89 (Belrose) for Fiscal Year 2019-2020.

PUBLIC HEARINGS:

A. Public Hearing to Establish Fiscal Year 2019-2020 Assessment Rates for Landscape and Lighting Maintenance Districts

Mayor Warren opened Public Hearing Item PH-A

Accountant I, Justin Marrietta, provided the staff report.

No one spoke in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Council Member Cothran, seconded by Council Member Roberts, and passed by a vote of 5-0 to approve Public Hearing Item "A" No's. 1, 3, 4 and 5 (AYES: Warren, Armendarez, Roberts, Sandoval and Cothran: NOES: None)

Mayor Warren and Council Member Cothran recused themselves from the dais before a vote was taken for Public Hearing Item "A" No 2.

ACTION: Motion was made by Mayor Pro Tem Armendarez, seconded by Council Member Roberts, and passed by a vote of 3-0-2 to approve Public Hearing Item "A" No. 2 (AYES: Armendarez, Roberts, Sandoval (NOES: None; ABSTAIN: Warren, Cothran) as follows:

1. Adopt **Resolution No. 2019-116**, of the City Council of the City of Fontana, California, Confirming a Diagram and Assessment, and Levying the Assessment for Landscape Maintenance District No. 1 ("LMD #1" throughout the City) for Fiscal Year 2019-2020.
2. Adopt **Resolution No. 2019-117**, of the City Council of the City of Fontana, California, Confirming a Diagram and Assessment, and Levying the Assessment for Landscape Maintenance District No. 2 ("LMD #2" Village of Heritage) for Fiscal Year 2019-2020.
3. Adopt **Resolution No. 2019-118**, of the City Council of the City of Fontana, California, Confirming a Diagram and Assessment, and Levying the Assessment for Landscape Maintenance District No. 3 ("LMD #3" Hunter's Ridge) for Fiscal Year 2019-2020.
4. Adopt **Resolution No. 2019-119**, of the City Council of the City of Fontana, California, Confirming a Diagram and Assessment, and Levying the Assessment for Landscape Maintenance District No. 3-1 ("LMD #3-1" Empire Center) for Fiscal Year 2019-2020.
5. Adopt **Resolution No. 2019-120**, of the City Council of the City of Fontana, California, Confirming a Diagram and Assessment, and Levying the Assessment for Local Lighting Maintenance District No. 3 ("LLMD #3" Hunter's Ridge) for Fiscal Year 2019-2020.

B. Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing – Dino Papavero Senior Apartments

Mayor Warren opened Public Hearing Item PH-B

Project Specialist, Valerie Gonzales, provided the staff report.

No one spoke in favor or opposition.

The Public Hearing was closed.

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

Conduct a TEFRA Hearing and Adopt **Resolution No. 2019-121** approving the issuance of Revenue Bonds by The California Municipal Finance Authority (CMFA) in an amount not to exceed \$18,700,000 for Elderly Housing Development and Operations Corporation (EHDOC) in conjunction with the Dino Papavero Senior Apartments.

C. Rate Increase for Refuse Collection and Recycling Services

Mayor Warren opened Public Hearing Item PH-C

Public Works Director, Chuck Hays provided the staff report.

City Clerk Lewis announced that 19 letters of opposition to this item were received by staff.

Militza Seehaver spoke in opposition to the proposed increase.

Yvette Humphrey spoke in opposition to the proposed increase.

Mike Arreguin spoke on behalf of Burrtec and explained why the increase was necessary.

The Public Hearing was closed.

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

Approve **Resolution No. 2019-122** of the City of Fontana, California approving changes to rates for refuse collection services within the City.

NEW BUSINESS:

A. Interim City Manager Employment Agreement

City Attorney Jeff Ballinger provided the staff report.

No one spoke in favor or opposition.

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Warren, and passed by a vote of 4-1 to approve New Business Item "A" (AYES: Warren, Armendarez, Roberts, and Cothran: NOES: Sandoval; ABSTAIN: None) as follows:

Approve the Employment Agreement for Interim City Manager.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Koehler-Brooks wished Mayor Warren a happy birthday.

City Treasurer Koehler-Brooks wished her sister, Nancy Koehler, a happy birthday.

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

City Clerk Lewis welcomed Interim City Manager Mike Milhiser to the City of Fontana.

City Clerk Lewis welcomed the new police officers.

City Clerk Lewis complimented the Police Officers that responded to an incident in her neighborhood.

City Clerk Lewis wished Mayor Warren a happy birthday.

Mayor Warren wished Mayor Pro Tem Armendarez a happy birthday.

Mayor Pro Tem Armendarez wished Mayor Warren a happy birthday.

Mayor Pro Tem Armendarez thanked everyone for the birthday wishes.

Mayor Pro Tem Armendarez spoke on the great things happening in Fontana.

Council Member Cothran stated that he is looking forward to working with the Interim City Manager.

Council Member Cothran spoke about street sweeping concerns.

Council Member Cothran thanked Mike Arreguin from Burrtec for speaking on the rate increase.

Council Member Cothran welcomed the new police officers.

Council Member Cothran requested his niece to be kept in prayer.

Council Member Roberts congratulated G. Michael Milhiser on becoming Interim City Manager.

Council Member Roberts wished former City Manager Ken Hunt a happy retirement.

Council Member Roberts congratulated his son, Evan, on being promoted to Sergeant with the San Bernardino County Sherriff's Department.

Council Member Roberts welcomed the new police officers to Fontana.

Council Member Sandoval requested information on the broken equipment at the special needs playground at Miller Park.

Council Member Sandoval spoke on the Burrtec Waste rate increase and why it was necessary.

Council Member Sandoval wished his wife, Mary Sandoval, a happy birthday.

Mayor Warren thanked everyone for the birthday wishes.

Mayor Warren thanked retiring City Manager Ken Hunt for his years of service.

Mayor Warren stated that she is looking forward to working with Interim City Manager G. Michael Milhiser.

Mayor Warren welcomed and encouraged citizens to speak at City Council meetings.

Mayor Warren spoke on all the events in the Community Services brochure and encouraged residents to read the brochure.

Mayor Warren welcomed Oggi's restaurant to the City of Fontana.

Mayor Warren spoke on Fontana being "Open for Business".

Mayor Warren stated she spoke at the Options for Youth event.

Mayor Warren spoke on the City Council being committed to moving the city forward.

Mayor Warren thanked staff for their patience during the transition of City Managers.

Mayor Warren spoke on being a key note speaker at for the Women in Water event.

Mayor Warren welcomed Interim City Manager G. Michael Milhiser.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

Interim City Manager Mike Milhiser thanked Deputy City Manager Debbie Brazil for filling in for him at the next City Council Meeting.

Interim City Manager G. Michael Milhiser congratulated former City Manager Ken Hunt on his retirement and commended him for all of his accomplishments in Fontana. City Manager Milhiser stated that he is looking forward to working in the City of Fontana.

ADJOURNMENT:

The meeting adjourned at 8:21 p.m. to the next Regular City Council Meeting on Tuesday, August 13, 2019, with a workshop at 5:00 p.m. in the City Hall Executive conference Room and to 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
13TH DAY OF AUGUST 2019.**

DocuSigned by:

Tonia Lewis

EBCDCEDA17754E5

Tonia Lewis
City Clerk

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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

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