

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
February 11, 2020**

WORKSHOP:

A. 5:30 P.M. WORKSHOP

A City Council Workshop was held on February 11, 2020, in the City Hall Executive Conference Room at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the Workshop to order at 5:32 p.m., with Mayor Pro Tem Armendarez, Council Members Roberts, Sandoval and Cothran present.

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

The Workshop adjourned at 5:45 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 items:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1)
CITY OF FONTANA vs. CORONADO STONE MFG., INC.,
Superior Court of the State of California, County of San Bernardino
Case Number CIVDS1905568

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)
Eddie Macias, Jr. v. City of Fontana
Name of Court: San Bernardino County Superior Court
Case Number CIVDS 1614243

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO

GOVERNMENT CODE SECTION (54956.9 (d)(1)
County of San Bernardino v. City of Fontana, et al.
San Bernardino County Superior Court
Case No. CIV DS 1911476

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, February 11, 2020, 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 Victor Nolen, the Pledge of Allegiance was led by Mayor Pro Tem Armendarez.

CLOSED SESSION ANNOUNCEMENT:

City Attorney Ruben Duran reported that there was no reportable action on the Closed Session Items. City Attorney Duran stated that there was no discussion on the second closed session item (Eddie Macias, Jr. vs. City of Fontana).

SPECIAL PRESENTATIONS:

A. Black History Month Artist Recognition

Mayor Warren and City Council recognized Dyamond Gordon as the Black History Month Artist, Community Services Supervisor Nathan Hunt accepted on behalf of Dyamond Gordon.

B. 2019 Public Works Department Employee of the Year

Mayor Warren and City Council recognized the Public Works Department 2019 employees of the Year: Jerry Stinson, Maintenance Services Crew Chief - Operations Division, Michael Springer, Landscape Technician - Parks & Landscape Division and Eddie Espinoza, Maintenance Services Crew Chief - Support Services Division. Public Works Manager Keith Kramer highlighted their accomplishments.

C. Police Department December 2019 Employees of the Month

Mayor Warren and City Council recognized Officer Joshua MacMillan and Training Specialist Sabrina Vega as the Police Department's December 2019 Employees of the Month. Captain Burton and Lieutenant Binks highlighted their accomplishments.

PUBLIC COMMUNICATIONS:

A. Public Communications

Julie Leyba from the office of Congresswoman Norma Torres spoke on grants and upcoming events.

Deborah Hall Lindsey spoke on the upcoming Black History parade to be held on Saturday, February 29, 2020.

CONSENT CALENDAR:

City Attorney Ruben Duran read into record CC Item "E" Ordinance No. 1822.

City Attorney Ruben Duran provided a staff report on CC Item "H".

Marketing Communications Assistant Devyn Fisher provided a staff report on CC item "F".

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

A. Approval of Minutes

Approve the Minutes of the January 28, 2020 Regular City Council Meeting.

B. Acceptance of Final Map for Tract No. 19957 located at the southeast corner of Tokay Avenue and Miller Avenue

Accept the Final Map for Tract No. 19957 located at the southeast corner of Tokay Avenue and Miller Avenue; accept as public dedicated streets and easements; and authorize the City Manager to enter into a Subdivision Agreement with the subdivider.

C. Acceptance of Final Map for Tract No. 20212 Located within the Summit at Rosena Specific Plan

Accept the Final Map for Tract No. 20212 located north of Casa Grande Avenue and east of Cypress Avenue within the Summit at Rosena Specific Plan; accept any and all public dedicated streets and easements; and authorize the City Manager to enter into a Subdivision Agreement with the subdivider.

D. Acceptance of Final Map for Tract No.'s 17039 and 17039-1 Located in within the Citrus Heights North Specific Plan (Shady Trails)

Accept the Final Map for Tract No.'s 17039 and 17039-1 located south of Knox Avenue and west of Citrus Avenue within the Citrus Heights North Specific Plan (Shady Trails); accept any and all public streets and easements; and authorize the City Manager to enter into a Subdivision Agreement with the subdivider.

E. Sidewalk Vending Amendment

1 . Determine that the proposed sidewalk vending ordinance is not subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060(c)(3) and 15061(b)(3). Pursuant to CEQA Guidelines Section 15060(c)(3) and Section 3.01 of the City of Fontana 2019 Local Guidelines, the proposed regulations do not constitute a project under CEQA and have no potential to result in a direct or reasonably foreseeable indirect physical change in the environment; and direct staff to file a Notice of Exemption.

2. Read by title only and waive further reading of and introduce **Ordinance No. 1822**, an Ordinance of the City of Fontana amending Section 15-819, 15-822, and 15-823 of Article II and Article XIV of Chapter 15 of the Fontana Municipal Code Relating to Sidewalk Vending; and that the reading of the title constitutes the first reading thereof.

F. 2020 Census Outreach Funding from State

1. Authorize the City Manager to execute a contractual agreement with San Bernardino County to opt-in to \$12,500 in allocated funds by the California Complete Count Census 2020 to provide census outreach activities in the City of Fontana. The \$12,500 will pay for a one-time event "Census Celebration" on Tuesday, March 31st at the Fontana Lewis Library to encourage participation in the census and ensure a complete and accurate count in Fontana.

2. Increase revenues by \$12,500 and appropriate it into budget unit 10110400

G. 2020 Community Oriented Policing Services Hiring Program Grant - Authorization to Apply

1. Authorize the Fontana Police Department to apply for the Department of Justice (DOJ) 2020 Community Oriented Policing Services (COPS) Hiring Program grant;

2. Authorize the Chief of Police or his assigned designee to sign the application for the DOJ 2020 COPS Hiring Program Grant.

H. Approve Employment Agreement for the Position of Public Works Director

Approve and authorize the City Manager to sign the Employment Agreement for the position of Public Works Director.

PUBLIC HEARINGS:

A. Master Case No. 19-0116; Certificate of Appropriateness (HPA No. 19-001) for a Change of Use with Minor Interior Alterations on a Site that has been Locally Designated as a Historical Resource as listed in Section 5-365 of the Fontana Municipal Code located at 16880 Seville Avenue (Fontana Woman's Club)

Council Member Cothran recused himself due to the proximity of his place of business to the Public Hearing Item location.

Mayor Warren opened Public Hearing Item PH-A

Community Development Director Zai AbuBakar provided the staff report

No one spoke in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Armendarez, and passed by a vote of 4-0-1 to approve Public Hearing Item "A" (AYES: Warren, Armendarez, Roberts, Sandoval; NOES: None; ABSTAIN: Cothran) as follows:

Adopt **Resolution No. 2020-011**, a Resolution of the City Council of the City of Fontana, California, approving Certificate of Appropriateness (HPA No. 19-001) and determining that the project is Categorically Exempt pursuant to Sections 15301 (Class No. 1 Existing Facilities) and 15332 (Class No. 32 Infill) of the California Environmental Quality Act (CEQA) and Section No. 3.22 of the 2019 Local Guidelines for Implementing CEQA.

B. First Amendment to Operating Covenant Agreement with the Fontana Woman's Club

Council Member Cothran recused himself due to the proximity of his place of business to the Public Hearing Item location.

Mayor Warren opened Public Hearing Item PH-B.

Community Development Director Zai AbuBakar provided the staff report.

Council Member Sandoval asked for clarification as to why additional funds were needed.

James Barber spoke in opposition.

The Public Hearing was closed.

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Armendarez, and passed by a vote of 3-1-1 to approve Public Hearing Item "B" (AYES: Warren, Armendarez, Roberts; NOES: Sandoval; ABSTAIN; Cothran) as follows:

1. Adopt **Resolution No. 2020-012** of the City Council of the City of Fontana approving the First Amendment to Operating Covenant Agreement (OCA) with the Fontana Woman's Club and authorize the City Manager to execute the OCA amendment.
2. Find that the amendment to the Operating Covenant Agreement is exempt from the California Environmental Quality Act Review (CEQA) under Sections 15301, 15331, and 15332 of the State CEQA Guidelines and Section 3.22 (Class I, Class 31, and Class 32) of the 2019 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Exemption within five days.

C. Zoning and Development Code Cleanup

Mayor Warren opened Public Hearing Item PH-C.

Community Development Director Zai AbuBakar provided the staff report.

Gordon Nichols with the Building Industry Association spoke in favor of the Public Hearing Item.

The Public Hearing was closed.

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

1. Determine that the project has been reviewed under a previously approved Final Environmental Impact Report (State Clearinghouse No. 2016021099) for the General Plan, pursuant to Section 15162 through 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.10 of the City of Fontana's 2020 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Determination; and
2. Read by title only and waive further reading of and introduce **Ordinance No. 1823**, an Ordinance of the City Council of the City of Fontana, approving amendments to Chapter 30 (Zoning and Development Code) of the Fontana Municipal Code, and that the reading of the title constitutes the first reading thereof.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Koehler-Brooks congratulated Keith Kramer on his appointment to Public Works Director.

Council Member Sandoval expressed his condolences to the families of Spotty Stevens, Dr. Logan and Ray Banks.

Council Member Sandoval announced his attendance to State of the City and the KB Homes Ribbon Cutting Ceremony.

Council Member Sandoval wished his wife a happy Valentine's Day.

Council Member Roberts expressed his condolences to the families of Spotty Stevens, Dr. Logan and Ray Banks.

Council Member Roberts congratulated Keith Kramer on his appointment to Public Works Director.

Council Member Roberts announced the birth of his grandson.

Council Member Cothran acknowledged the presence of Leeann Schneider and welcomed her to the meeting.

Mayor Pro Tem Armendarez announced his attendance at the State of the City event.

Mayor Pro Tem Armendarez wished his mother-in-law a happy birthday.

Mayor Pro Tem Armendarez congratulated Keith Kramer on his appointment to Public Works Director.

Mayor Pro Tem Armendarez wished his wife a happy Valentine's Day.

Mayor Pro Tem Armendarez expressed his condolences to the families of Spotty Stevens, Dr. Logan and Ray Banks.

Mayor Pro Tem Armendarez congratulated Council Member Roberts on the birth of his 10th grandchild.

Mayor Warren spoke on the 2020 Census and the importance of being counted.

Mayor Warren spoke on the State of the City and announced the video is available at www.fontana.org.

Mayor Warren spoke on the loss of three remarkable community members: Spotty Stevens, Dr. Logan and Ray Banks.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

Interim City Manager Michael Milhiser thanked the Mayor for the remarkable State of the City event.

Interim City Manager Milhiser thanked the Mayor and City Council for the opportunity to work as Interim City Manager.

Interim City Manager Milhiser commended staff for working hard at every City Council meeting and throughout the week.

ADJOURNMENT:

A moment of silence was held for Ray Banks, James Logan and Spotty Stevens.

The meeting adjourned at 7:58 p.m. in memory of Ray Banks, James Logan and Spotty Stevens to the next Regular City Council Meeting to be held on Tuesday, February 25, 2020, with a Workshop at 5:00 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:

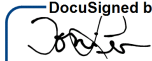


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Karen Porlas
Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE
25TH DAY OF FEBRUARY, 2020.**

DocuSigned by:



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Tonia Lewis
City Clerk

Certificate Of Completion

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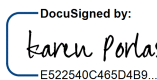
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Signer Events

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

Signature

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Viewed: 2/26/2020 8:09:55 AM
Signed: 2/27/2020 9:00:04 AM

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Toni Lewis
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City Clerk
City of Fontana
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Viewed: 2/27/2020 9:28:20 AM
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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

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Carbon Copy Events

Status

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

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Carbon Copy Events	Status	Timestamp
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	2/27/2020 9:28:56 AM
Completed	Security Checked	2/27/2020 9:28:56 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"> •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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