

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
February 25, 2020**

WORKSHOP:

A. 5:00 P.M. WORKSHOP

A City Council Workshop was held on February 25, 2020, in the City Hall Executive Conference Room at 8353 Sierra Avenue, Fontana, California. Mayor Pro Tem Armendarez called the Workshop to order at 5:00 p.m., with Council Members Roberts, Sandoval and Cothran present.

Information Technology Director, Ray Ebert; Information Technology Supervisor, Jennifer Barcenas; and Software Development Supervisor, Dorian Moison provided a presentation on CoderDojo – Teaching kids how to program computers. Mayor Pro Tem Armendarez, Council Members Roberts, Sandoval and Cothran were in support of the program.

The presentation on AB 1486 Surplus Land Act was postponed to the March 10, 2020 City Council Workshop.

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

The Workshop adjourned at 5:26 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 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 – ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (Five potential cases)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO

GOVERNMENT CODE SECTION 54956.8:

Property: 1100-111-51 (SCE Corridor north of South Heritage Circle and south of Baseline Avenue)

Negotiating Parties: City of Fontana and Water of Life Community Church

Negotiator: Chuck Hays, Deputy City Manager

Under Negotiation: Price and Terms of Payment

PUBLIC EMPLOYEE APPOINTMENT pursuant to Government Code section 54957 Title:
City Manager

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 25, 2020, in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California. Mayor Pro Tem Armendarez called the meeting to order at 7:05 p.m.

ROLL CALL:

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

Absent: Mayor Warren

INVOCATION/PLEDGE OF ALLEGIANCE:

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

CLOSED SESSION ANNOUNCEMENT:

City Attorney Ruben Duran reported that there was no reportable action on two of the three Closed Session Items. The Closed Session Item listed below had the following reportable action:

PUBLIC EMPLOYEE APPOINTMENT pursuant to Government Code section 54957 Title:
City Manager

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Armendarez, and passed by a vote of 3-1-1 to appoint Mark Denny as City Manager. (AYES: Armendarez, Roberts, and Cothran; NOES: Sandoval; ABSENT: Warren).

SPECIAL PRESENTATIONS:

A. Helen Putnam Award

This special presentation was moved to the March 24, 2020, City Council Meeting.

B. Police Department 2019 Employees of the Year

Mayor Pro Tem Armendarez and City Council recognized Corporal Kyle Guthrie and Field Evidence Technicians Andrea Boone, Aimee Gregory and Lisa Young as the Police

Department's 2019 Employees of the Year. Police Chief Green highlighted staff's accomplishments.

C. Police Department Swearing In Ceremony

Mayor Pro Tem Armendarez swore in new Fontana Police Officers Zachary Bloom, Steven Gomez, and Mark Tucker. Police Chief Green introduced the new officers.

PUBLIC COMMUNICATIONS:

A. Public Communications

Community Services Coordinator Andrew Solares introduced the Mayor's Youth Advisory Council Chair Jerry Feng and Co-Chair Carla Medina; they spoke on the upcoming Teen Leadership Summit to be held on March 7, 2020.

Deborah Hall-Lindsey spoke on the upcoming Black History Month Parade and Expo to be held on February 29, 2020; and requested prayers for Ellen Turner's son.

CONSENT CALENDAR:

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

Mark Denny spoke on being appointed as the new Fontana City Manager. Mr. Denny stated that he is honored to be chosen as the new City Manager and looks forward to implementing the goals and vision of the Mayor and City Council.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Sandoval, and passed by a vote of 4-0-1 to approve Consent Calendar Items "A-J" (AYES: Armendarez, Roberts, Sandoval and Cothran; NOES: None; ABSENT: Warren) and

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Armendarez, and passed by a vote of 3-1-1 to approve Consent Calendar Item "K" (AYES: Armendarez, Roberts, and Cothran; NOES: Sandoval; ABSENT: Warren) as follows:

A. Approval of Minutes

Approve the Minutes of the February 11, 2020 Regular City Council Meeting.

B. Fiscal Year 2019-20 Mid-Year Budget Status Report

1. Approve the recommended Mid-Year Budget adjustments.

2. Adopt **Resolution No. 2020 -013** of the City Council of the City of Fontana adopting the new and updated job descriptions and salary ranges for the classifications of Economic Development Analyst, Records Coordinator and Senior Human Resources Analyst.

C. Adoption of Ordinance No. 1822

Second Reading/ Adopt **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.

D. Adoption of Ordinance No. 1823

Second Reading/ Adopt **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.

E. Accept Donation From Bel-Air Swap-Meet, Inc.

Accept donation from Bel-Air Swap-Meet, Inc. in the amount of \$5,000.00 for use towards the 5th Annual Teen Leadership Summit hosted by the Mayor's Youth Advisory Council (MYAC).

F. Accept Donation From Kaiser Permanente-Kaiser Foundation Health Plan Inc.

Accept donation from Kaiser Permanente, Kaiser Foundation Health Plan Inc. in the amount of \$1,000.00 for use towards 'Let's Move On The Trail' 2020 sponsorship.

G. Approve a Development Impact Fee Credit Agreement for Parcel Map No. 19964

Approve and authorize the City Manager to execute a Partial Satisfaction of Development Impact Fee Credit Agreement with Live Oak Avenue Industrial Owner, L.P., a Delaware limited partnership, for the construction of Storm Drain for Parcel Map No. 19964.

H. Approve a Development Impact Fee Credit Agreement for Parcel Map No. 20056

Approve and authorize the City Manager to execute a Development Impact Fee Credit Agreement with BCIF Sierra IC LP, a Delaware limited partnership, for Parcel Map No. 20056 located at the southeast corner of Sierra Avenue and Casa Grande Avenue.

I. Award Dell VxRail Systems RFP SB-62-IT-20

Approve and award bid SB-62-IT-20 to Sidepath in the amount of \$857,103.39 to provide hardware, software, services, and training related to three (3) separate Dell VxRail systems to replace the City's three (3) existing HP server and 3PAR storage environments.

J. Donation and Placement of a Concrete Bench

1. Approve a request from the Baha'i Community of Fontana to donate a concrete bench to the City.
2. Approve the location and placement of this bench north of the main entrance of the Lewis Library and Technology Center.

K. Approve Employment Agreement for the Position of City Manager

1. Approve and authorize the Interim City Manager to sign the Employment Agreement

for the position of City Manager.

2. Adopt **Resolution No. 2020-014**, a resolution of the City Council of the City of Fontana adopting the updated Executive Salary table.

PUBLIC HEARINGS:

A. Master Case No. 19-027, General Plan Amendment No. 19-003, Design Review Project No. 19-011, and Conditional Use Permit No. 19-009 - Arrowhead Regional Medical Center

Mayor Pro Tem Armendarez opened Public Hearing Item PH-A.

Community Development Director Zai AbuBakar provided the staff report.

The project applicant, Chris Post, spoke in favor of the project and agreed to work with staff on improving the design of the building.

Matt Slowik spoke on the design of the project as it relates to wheelchair drop off location and pedestrian accessibility.

The Public Hearing was closed.

Discussion ensued on improving the overall aesthetics of the building and creating a pedestrian walkway path from the parking lot to the entrance of the building.

ACTION: Motion was made by Mayor Pro Tem Armendarez, seconded by Council Member Roberts, and passed by a vote of 3-1-1 to approve Public Hearing Item "A" with direction to staff to work with the applicant on modifying/improving the design of the project. (AYES: Roberts, Sandoval and Cothran; NOES: Armendarez; ABSENT: Warren) as follows:

1. Find that the project will not have a significant effect on the environment; adopt an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and direct staff to file a Notice of Determination pursuant to the California Environmental Quality Act (CEQA) and 2019 Local Guidelines for Implementing CEQA; and

2. Adopt **Resolution No. 2020-015** approving General Plan Amendment No. 19-003, to change the General Plan land use map on three (3) parcels (APNs: 0240-111-03, 04, and -13) totaling approximately 2.0 adjusted gross acres from Medium Density Residential (R-M) to Walkable Mixed-Use (WMXU-1), approve Design Review Project No. 19-011, and approve Conditional Use Permit No. 19-009 subject to the findings and conditions of approval.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

Council Member Sandoval spoke on the passing of Pedro Pelayo and Silver Valdepena and requested that the meeting be adjourned in their memory.

Council Member Sandoval announced his attendance at a conference on climate change in Palm Springs, California.

Council Member Cothran announced his attendance at a climate change conference in Palm Springs, California.

Council Member Roberts announced his attendance at a meeting at Chaffey College in Ontario, California.

Council Member Roberts welcomed the new City Manager Mark Denny to the City of Fontana and stated he is looking forward to working with him.

City Clerk Lewis welcomed Mr. Denny to the City of Fontana and stated she is looking forward to working with him.

City Clerk Lewis congratulated the new Police Officers that were sworn in and the Police Department Employees of the Year.

City Treasurer Koehler-Brooks thanked the Community Services Department for the Above the Limits Valentine's Party and the Jazz Fest event.

City Treasurer Koehler-Brooks congratulated Mayor Warren on receiving a Legacy Award from Inland Valley News.

City Treasurer Koehler-Brooks congratulated the new Police Officers that were sworn in and the Police Department Employees of the Year.

City Treasurer Koehler-Brooks congratulated Mr. Denny and stated she is looking forward to working with him.

Mayor Pro Tem Armendarez welcomed Mr. Denny to the team and stated he is looking forward to working with him.

Mayor Pro Tem Armendarez spoke on what an honor it was to swear in the new Police Officers.

Mayor Pro Tem Armendarez congratulated the Police Department Employees of the Year.

Mayor Pro Tem Armendarez congratulated Mayor Warren for receiving the Legacy Award from the Inland Valley News.

Mayor Pro Tem Armendarez reminded everyone to vote in the Presidential Primary Election on Tuesday, March 3, 2020.

Mayor Pro Tem Armendarez spoke on the life of his uncle, Martin Hernandez, who

recently passed away and requested that the meeting be adjourned in his memory and in memory of all of those in the community that recently passed away.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

Interim City Manager Milhiser welcomed Mr. Denny to the City of Fontana and stated he is looking forward to the transition.

Interim City Manager Milhiser thanked Human Resources Director Rakesha Thomas and committee members Greg Deveraux, Mike Messina, and Steve Lambert for their assistance with the recruitment of the new City Manager.

ADJOURNMENT:

A moment of silence was held for Martin Hernandez, Pedro Pelayo and Silver Valdepena.

The meeting adjourned at 8:12 p.m. in memory of Martin Hernandez, Pedro Pelayo and Silver Valdepena, to the next Regular City Council Meeting on Tuesday, March 10, 2020, 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 Ave, Fontana, California.

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Karen Porlas
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 10TH DAY OF MARCH, 2020.

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Tonia Lewis
City Clerk