

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR CITY COUNCIL MEETING  
May 12, 2020**

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**WORKSHOP:**

**A. 5:00 P.M. WORKSHOP**

A City Council Workshop was held remotely on May 12, 2020. Mayor Warren called the Workshop to order at 5:05 p.m., with Mayor Pro Tem Armendarez, Council Members Roberts, Sandoval and Cothran present.

Planning Manager Orlando Hernandez provided a presentation on Accessory Dwelling Units.

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

The Workshop adjourned at 5:20 p.m.

**CLOSED SESSION:**

**A. 6:00 P.M. CLOSED SESSION**

A Closed Session was held remotely at 6:00 p.m., 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:

THREAT TO PUBLIC SERVICES OR FACILITIES (Gov't Code § 54957)  
Consultation with Police Department Chief William Green

CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Properties: Ventana at Duncan Canyon Specific Plan (I-15 Freeway/Duncan Canyon Road/Citrus Avenue)

Negotiating Parties: City of Fontana and HDO4, LLC

Negotiator: Mark Denny, City Manager,

Under Negotiation: Price and Terms of Payment

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6

City Negotiator: Mark Denny, City Manager and Rakesha Thomas, Director of Human Resources and Risk Management

Employee Organization(s): Teamsters Local 1932 City Hall Bargaining Unit; Teamsters Local 1932 Yard Bargaining Unit; and Management/Confidential Employees.

**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 remotely on Tuesday, May 12, 2020. Mayor Warren called the meeting to order at 7:10 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 Council Member Roberts, the Pledge of Allegiance was led by Council Member Cothran.

**CLOSED SESSION ANNOUNCEMENT:**

City Attorney Ruben Duran reported that there was no reportable action on the Closed Session Items.

**PROCLAMATIONS:**

**A. National Police Officers Memorial Day**

Mayor Warren and City Council proclaimed May 15, 2020, as National Police Officers Memorial Day.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

E-mail comments were received from the following:

Beatriz Traverso commented on the county's order making the wearing of masks optional.

S. Buckland commented on the desire to return to church with safety precautions.

Rick Vanderham commented in opposition to the Governor's Executive Orders as it relates to the COVID-19 crisis, the desire for park parking lots to open and the wearing of masks.

Lauren Ensberg commented on Chaffey College staff being available to help students transition to Chaffey College and online class enrollment.

Melissa Jaunal commented on the number of positive COVID-19 cases in the county and the need to require face coverings in the City of Fontana.

Voicemail comments were received from the following:

Denise Barajas requested information on when churches will be open and why police helicopters are flying over the City of Fontana.

Kathleen Tiegs expressed gratitude for the City's response during the pandemic; and applauded the City's efforts and assistance to the community.

## **CONSENT CALENDAR:**

**ACTION:** Motion was made by Council Member Sandoval, seconded by Council Member Roberts 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 April 28, 2020 Regular City Council Meeting.

### **B. Adoption of Ordinance No. 1827**

Second Reading/ Adopt **Ordinance No. 1827** Authorizing the Levy of a Special Tax within Community Facilities District No. 103M.

### **C. Adoption of Ordinance No. 1828**

1. Second Reading/Adopt **Ordinance No. 1828**, 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.

2. Determine that the project has been reviewed under a previous Final Environmental Impact Report (State Clearinghouse No. 2016021099), pursuant to Sections 15162 through 15164, and Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.10 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Determination.

### **D. Adoption of Ordinance No. 1829**

1. Second Reading/Adopt **Ordinance No. 1829**, an Ordinance of the City Council of the City of Fontana granting an automatic twelve (12) month extension of time for Building and Engineering Permits, Administrative Site Plan (ASP), Design Review (DR), Minor Use Permit (MUP), and Conditional Use Permit (CUP) approvals and associated implementing approvals that would have expired on or after March 3, 2020 and before December 31, 2020. This automatic extension does not apply to any tentative subdivision map, parcel map or any vesting map, nor to any entitlement affecting property that is the subject of any code enforcement action or proceeding.

2. That the City Council determine that this action is not subject to environmental review under the California Environmental Quality Act (CEQA) per Section 15378(b)(2) and (b) (5) of CEQA because the continued administrative activities and organization activities that will not result in a direct or indirect physical change in the environment, are not CEQA projects. The proposed time extensions are simply granting a limited number of previously approved entitlements a limited extension of time due to the COVID-19 Pandemic, which caused and will cause delays in completion of development projects. Additionally, pursuant to CEQA Guidelines Section 15061(b)(3), CEQA does not apply to this granting of a time extension because there is no potential for causing a significant effect on the environment. Therefore, no further environmental review is necessary and direct staff to file the Notice of Exemption.

**E. Acceptance of Final Map for Tract No. 20214-5 Located within the Summit at Rosena Specific Plan**

Accept the Final Map for Tract No. 20214-5 located north of Summit Avenue and west of Sierra Avenue within the Summit at Rosena Specific Plan; accept as public dedicated streets and easements; and authorize the City Manager to enter into a Subdivision Agreement with the subdivider.

**F. Final Acceptance of the San Bernardino Avenue at Cypress Avenue Traffic Signal Project**

Accept as complete the work performed by International Line Builders for the construction of the San Bernardino Avenue at Cypress Avenue Traffic Signal Project and approve the final construction amount of \$395,152.15. (SB-16-DE-19)

**G. Award Contract for the Housing Element 6th Cycle Update**

Award bid (SP-28-DS-20) and authorize the City Manager to enter into a contract with Kimley Horn in the amount of \$216,414.00 which includes a 10% Contingency, to prepare the 6th Cycle Housing Element, which covers the period of October 2021 through October 2029.

**H. Approve Quitclaim Deed related to the Dedication of Right of Way for Lot Line Adjustment No. 19-009**

Approve and Authorize the City Manager to execute a Quitclaim Deed related to the dedication of right of way related to Lot Line Adjustment No. 19-009.

**PUBLIC HEARINGS:**

**A. Public Hearing and Adoption of Housing and Urban Development (HUD) Planning Documents including the Five-Year Consolidated Plan (2020-2024), the Five-Year Analysis of Impediments to Fair Housing Choice (2020-2024) and the One-Year Action Plan (2020-2021)**

Mayor Warren opened Public Hearing Item PH-A.

Housing Development Manager Valerie Gonzales provided the staff report.

No communication was received in favor or opposition.

The Public Hearing was closed.

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

1. Adopt the draft Five-Year Consolidated Plan (2020-2024); and
2. Adopt the draft Five-Year Analysis of Impediments to Fair Housing Choice (2020-2024); and
3. Adopt the draft One-Year Action Plan (2020-2021); and
4. Authorize the City Manager to execute and transmit any documents necessary or desirable to ensure the City's timely receipt of Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG) funding.

## **NEW BUSINESS:**

### **A. Award Contract for Specialized Legal Services for Real Estate-Related Negotiations**

Mayor Warren opened New Business Item A.

City Manager Mark Denny provided the staff report.

No communication was received in favor or opposition.

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

1. Authorize the City Manager to enter into a contract for legal services with Rutan & Tucker, LLP for specialized legal services for real estate-related negotiations for a period of one (1) year with one (1) one-year extension at the sole discretion of the City.

## **ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

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

Mayor Pro Tem Armendarez wished everyone a good night.

Council Member Cothran spoke on parks the reopening when it is safe to do so.

Council Member Cothran wished Parks, Community, and Human Services Commissioner

Craig Johnson a happy birthday.

Council Member Roberts commended the City Manager for getting up to speed on everything going on in the city.

Council Member Roberts wished Parks, Community, and Human Services Commissioner Craig Johnson a happy birthday.

Council Member Sandoval wished Parks, Community, and Human Services Commissioner Craig Johnson a happy birthday.

Council Member Sandoval requested that a Celebration of Life ceremony honoring members of the senior community that have passed away, to be broadcasted on KFON

Council Member Sandoval spoke on citizens being able to enjoy the parks with safety precautions.

Council Member Sandoval encouraged citizens to reach out to City Council Members or the City Manager for information or concerns.

Mayor Warren spoke on adjourning in memory of former County of San Bernardino Supervisor Dennis Hansberger and the National Police Officers Memorial Day.

Mayor Warren spoke on participating in weekly calls with the County Board of Supervisors.

Mayor Warren spoke about a COVID-19 testing event at the Speedway.

Mayor Warren spoke on the Chamber of Commerce working hard to help businesses during the crisis.

Mayor Warren spoke on businesses being able to apply to the County for a grant to purchase safety supplies so that they can be ready for reopening and being COVID-19 compliant.

Mayor Warren commended KFON staff's efforts providing updated information to the community.

Mayor Warren thanked the County Department of Aging for their senior programming for delivering three meals a day to seniors.

## **CITY MANAGER COMMUNICATIONS:**

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

City Manager Mark Denny spoke on City staff working on plans to develop an adaptive strategy to reopen City services.


City Manager Denny noted that City Clerk Lewis and City Treasurer Koehler-Brooks were

participating in the meeting from home.


**ADJOURNMENT:**

A moment of silence was held in honor of National Police Officers Memorial Day and former County of San Bernardino Supervisor Dennis Hansberger.

The meeting adjourned at 7:50 p.m. in memory of National Police Officers Memorial Day and former County of San Bernardino Supervisor Dennis Hansberger to the next Regular City Council Meeting on Tuesday, May 26, 2020, at 7:00 p.m. that will be available to the public remotely.

DocuSigned by:  
  
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Karen Porlas  
Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 26TH DAY OF MAY 2020.**

DocuSigned by:  
  
EBCDCEDA17754E5...  
Tonia Lewis  
City Clerk

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	Fontana, CA 92335
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## Signer Events

Karen Porlas  
kporlas@fontana.org  
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City Clerk  
City of Fontana  
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Kathy Kasinger  
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Evelyne Ssenkoloto  
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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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