

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
July 28, 2020**

WORKSHOP:

A. 5:30 P.M. Joint City Council and Planning Commission Workshop

A Joint City Council and Planning Commission Workshop was held remotely on July 28, 2020. Mayor Warren called the Workshop to order at 5:33 p.m., with Mayor Pro Tem Armendarez, Council Members Roberts, Sandoval and Cothran present.

Also present were Planning Commissioners Cathline Fort, Daniel Quiroga, Idilio Sanchez and Raj Sangha.

Zai AbuBakar, Director of Community Development, and DiTanyon Johnson, Senior Planner, provided a presentation on Housing Element Update.

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

The Workshop adjourned at 5:59 p.m.

CLOSED SESSION:

A. CLOSED SESSION (Commencing Immediately after Workshop)

A Closed Session was held remotely 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

(Paragraph (1) of subdivision (d) of Section 54956.9)

City of Fontana v. Coronado Stone MFG., Inc.,

Superior Court case number CIVDS1905568

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

Properties: APN's 0254-221-50, 1107-261-32, 0190-164-06, 1119-181-14, 0191-011-06

Negotiating Parties: Lamar Central Outdoor, 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, July 28, 2020. Mayor Warren called the meeting to order at 7:07 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 Jeff Ballinger reported that there was no reportable action on the Closed Session Items.

PUBLIC COMMUNICATIONS:

A. Public Communications

There were no public communications received.

CONSENT CALENDAR:

City Attorney Ballinger announced the following abstentions:

Mayor Warren - Consent Calendar Item "G" (CFD-2)
Mayor Pro Tem Armendarez - Consent Calendar Item "G": (CFD #56M, 79M and 98M)
Council Member Cothran - Consent Calendar Item "G" (CFD #2)
Council Member Sandoval - Consent Calendar Item "G" (CFD #98M)

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem

Armendarez, and passed by a vote of 5-0 to approve Consent Calendar Items "A-Y" (AYES: Warren, Armendarez, Roberts, Sandoval and Cothran: NOES: None) Abstain: Warren Item G-CFD 2, Armendarez Item G-CFD 56M, 79M and 98M, Cothran Item G-CFD 2, Sandoval Item G-CFD 98M, as follows:

A. Approval of Minutes

Approve the Minutes of the July 2, 2020 Adjourned Regular City Council Meeting.

B. Adoption of Ordinance No. 1844

Second Reading/Adopt **Ordinance No. 1844** levying special taxes within the City of Fontana Community Facilities District No. 99 (The Retreat).

C. Adoption of Ordinance No. 1845

1. Second Reading/Adopt **Ordinance No. 1845**, an Ordinance of the City Council of the City of Fontana approving Specific Plan Amendment No. 19-010 to amend Southwest Industrial Park Specific Plan (SWIP) Specific Plan - Slover Central Manufacturing/Industrial District (SCD) and Slover West Industrial District (SWD) to include motor vehicle rental, sales, and lease with approval of a Conditional Use Permit,

2. Determine that the project is categorically exempt, respectively from the California Environmental Quality Act (CEQA) pursuant to Sections Nos. 15301 (Class No. 1, Existing Facilities) and 15303 (Class No. 3, New Construction), and Section No. 3.22 of the Local 2019 Guidelines for Implementing the CEQA;

D. Amendment to the Measure I Five Year Local Street Capital Improvement Program and the Five Year Capital Project Needs Analysis

Adopt **Resolution No. 2020-090**, approving an amendment to the Fiscal Year 2019/2020 - 2023/2024 Measure I Five Year Local Street Capital Improvement Program and the Measure I Five Year Capital Project Needs Analysis for Fiscal Years 2019/2020-2023/2024.

E. Approve Crossing Guard Service Agreement Amendment No.6 between Fontana Unified School District, Etiwanda School District, and the City of Fontana

1. Approve Amendment No. 6 of the Crossing Guard Services Agreement with Fontana Unified School District (FUSD), Etiwanda School District (ESD), and the City of Fontana (COF) renewing year five (5) of the contract at the new rate of \$22.06 per hour due to state minimum wage increases;

2. Approve a recurring appropriation from General Fund #101 to 10140352.8130 to provide for the annual contract increase over the prior year in the amount of \$32,967.00.

F. Award of Contract for Pavement Management System Services

1. Approve and Award a Contract to Infrastructure Management Services, Inc. to provide Pavement Management System Services in the amount of \$699,995 through a Piggy Back process of the City of Pasadena's existing contract.

2. Authorize the City Manager to enter into a two year contract with three one year

extensions at the City's sole discretion.

G. Levy of a Special Tax in Community Facilities Districts for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-091** Authorizing the Levy of a Special Tax within Community Facilities Districts (Maintenance) for Fiscal Year 2020-2021.

H. Levy of a Special Tax in Community Facilities District No. 1 (Southridge Village) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-092** Authorizing the Levy of a Special Tax in Community Facilities District No. 1 (Southridge) for Fiscal Year 2020-2021.

I. Levy of a Special Tax in Community Facilities District No. 7 (Country Club Estates) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-093** 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 2020-2021.

J. Levy of a Special Tax in Community Facilities District No. 11 (Heritage West End) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-094** 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 2020-2021.

K. Levy of a Special Tax in Community Facilities District No. 12 (Sierra Lakes) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-095** 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 2020-2021.

L. Levy of a Special Tax in Community Facilities District No. 22 (Sierra Hills South) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-096** 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 2020-2021.

M. Levy of a Special Tax in Community Facilities District No. 31 (Citrus Heights North) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-097** 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 2020-2021.

N. Levy of a Special Tax in Community Facilities District No. 37 (Montelago) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-098** 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 2020-2021.

O. Levy of a Special Tax in Community Facilities District No. 70 (Avellino) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-099** 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 2020-2021.

P. Levy of a Special Tax in Community Facilities District No. 71 (Sierra Crest) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-100** Authorizing the Levy of Special Tax in Community Facilities District No. 71 (Sierra Crest) for Fiscal Year 2020-2021.

Q. Levy of a Special Tax in Community Facilities District No. 74B and 74M (Citrus/Summit) for Fiscal Year 2020-2021

1. Adopt **Resolution No. 2020-101** Authorizing the Levy of a Special Tax in Community Facilities District No. 74B (Citrus/Summit) for Fiscal Year 2020-2021.
2. Adopt **Resolution No. 2020-102** Authorizing the Levy of a Special Tax in Community Facilities District No. 74M (Citrus/Summit) for Fiscal Year 2020-2021.

R. Levy of a Special Tax in Community Facilities District No. 80 (Bella Strada) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-103** Authorizing the Levy of Special Tax in Community Facilities District No. 80 (Bella Strada) for Fiscal Year 2020-2021.

S. Levy of a Special Tax in Community Facilities District No. 81 (Gabriella) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-104** Authorizing the Levy of Special Tax in Community Facilities District No. 81 (Gabriella) for Fiscal Year 2020-2021.

T. Levy of a Special Tax in Community Facilities District No. 85 (The Meadows) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-105** Authorizing the Levy of Special Tax in Community Facilities District No. 85 (The Meadows) for Fiscal Year 2020-2021.

U. Levy of a Special Tax in Community Facilities District No. 86 (Etiwanda Ridge) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-106** Authorizing the Levy of Special Tax in Community Facilities District No. 86 (Etiwanda Ridge) for Fiscal Year 2020-2021.

V. Levy of a Special Tax in Community Facilities District No. 87 (El Paseo) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-107** Authorizing the Levy of Special Tax in Community Facilities District No. 87 (El Paseo) for Fiscal Year 2020-2021.

W. Levy of a Special Tax in Community Facilities District No. 88 (Sierra Crest II) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-108** Authorizing the Levy of Special Tax in Community Facilities District No. 88 (Sierra Crest II) for Fiscal Year 2020-2021.

X. Levy of a Special Tax in Community Facilities District No. 89 (Belrose) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-109** Authorizing the Levy of Special Tax in Community Facilities District No. 89 (Belrose) for Fiscal Year 2020-2021.

Y. Levy of a Special Tax in Community Facilities District No. 90 (Summit @ Rosena Phase 1) for Fiscal Year 2020-2021

Adopt **Resolution No. 2020-110** Authorizing the Levy of Special Tax in Community Facilities District No. 90 (Summit @ Rosena Phase 1) for Fiscal Year 2020-2021.

PUBLIC HEARINGS:

A. Public Hearing to Establish Fiscal Year 2020-2021 Assessment Rates for Landscape and Lighting Maintenance Districts

Mayor Warren opened Public Hearing Item PH-A (Items 1, 3, 4, and 5).

Accountant Justin Marietta provided the staff report on items 1, 2, 3, 4 and 5.

No communication was received in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Cothran, and passed unanimously by a vote of 5-0 to approve Public Hearing Item "A" (#'s 1, 3, 4, and 5) (AYES: Warren, Armendarez, Roberts, Sandoval and Cothran; NOES: None) as follows:

1. Adopt **Resolution No. 2020-111**, 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 2020-2021.

3. Adopt **Resolution No. 2020-113**, 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 2020-2021.

4. Adopt **Resolution No. 2020-114**, 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 2020-2021.

5. Adopt **Resolution No. 2020-115**, 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 2020-2021.

Mayor Warren and Council Member Cothran recused themselves from the meeting.

Mayor Pro Tem Armendarez opened Public Hearing Item PH-A (Item 2).

No communication was received in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Council Member Sandoval, seconded by Mayor Pro Tem Armendarez, and passed by a vote of 3-0-2 to approve Public Hearing Item "A" (# 2) (AYES: Armendarez, Roberts, and Sandoval; NOES: None; ABSTAIN: Warren, Cothran) as follows:

2. Adopt **Resolution No. 2020-112**, 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 2020-2021.

B. Disposition and Development Agreement and Density Bonus Agreement with New Legacy Development Corporation Related to the City-Owned Property Located at the Northwest Corner of Arrow Boulevard and Nuevo Avenue and the Accompanying Economic Opportunity Report

Mayor Warren opened Public Hearing Item PH-B.

Steve Dukette, TKE Engineering, Inc., provided the staff report.

No communication was received 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) as follows:

Adopt **Resolution No. 2020-116**, a resolution of the City Council of the City of Fontana, California, approving a Disposition and Development Agreement and a Density Bonus Agreement between the City of Fontana and New Legacy Development Corporation, for the development of certain real property located at the northwest corner of Arrow Boulevard and Nuevo Avenue in Fontana, California (APNs 0191-162-36, 37 & 38) and the Economic Opportunity Report related thereto pursuant to California Government Code § 52201.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

Council Member Cothran wished everyone a good night.

Mayor Pro Tem Armendarez wished everyone a good night.

Council Member Roberts thanked the Police Department, Fire Department and Riverside County responders for their work on the Jurupa fire that burned 250 acres.

Council Member Sandoval wished everyone a good night.

Mayor Warren wished Mayor Pro Tem Armendarez a happy birthday.

Mayor Warren thanked everyone for her birthday blessings.

Mayor Warren requested continual prayer for our community and expressed condolences to the families of the 36 deaths due to Covid-19.

Mayor Warren shared that Fontana Unified School District Superintendent Bassett would soon provide information on school re-opening.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

There were no City Manager communications received.

ADJOURNMENT:

A moment of silence was held for Congressman John Lewis, William Coxon, and Natasha Renee Sams.

The meeting adjourned at 7:29 p.m. in memory of Congressman John Lewis, William Coxon, and Natasha Renee Sams to the next Regular City Council Meeting on Tuesday, August 11, 2020, with a Workshop at 5:30 p.m. and the Regular Meeting at 7:00 p.m. that will be available remotely. (Due to the evolving situation with the COVID-19 Novel Coronavirus and the health recommendations for social distancing from the Center for Disease Control (CDC)).

DocuSigned by:

Karen Porlas

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Karen Porlas
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 11TH DAY OF AUGUST, 2020.

DocuSigned by:

Tonia Lewis

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Tonia Lewis
City Clerk

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Witness Events	Signature	Timestamp
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Signing Complete	Security Checked	8/12/2020 10:25:53 AM
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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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