

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

CLOSED SESSION:

A. 5:30 P.M. CLOSED SESSION

A Closed Session was held remotely at 5:35 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:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

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 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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957

Title of Position: City Attorney

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, August 11, 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 Mayor Pro Tem Armendarez.

CLOSED SESSION ANNOUNCEMENT:

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

SPECIAL PRESENTATIONS:

A. Special Recognition of May Covid WOW Contest Winner

Mayor Warren and City Council recognized Heather Stanton of George's Sierra Shell as one of four Service Champion heroes for the May Covid WOW contest.

PUBLIC COMMUNICATIONS:

A. Public Communications

There were no public communications received.

CONSENT CALENDAR:

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-G" (AYES: Warren, Armendarez, Roberts, Sandoval and Cothran: NOES: None) as follows:

A. Approval of Minutes

Approve the Minutes of the July 14, 2020 and July 28, 2020 Regular City Council Meetings.

B. Accept a Local Roadway Safety Plan (LRSP) Grant and Adopt a Resolution for an Agreement with Caltrans for Reimbursement of Grant Funds for the City of Fontana's LRSP

1. Approve and authorize the City Manager to accept the Local Roadway Safety Plan (LRSP) Grant in the amount of \$72,000.00 for the City of Fontana's LRSP and authorize staff to request reimbursements according to grant requirements.

2. Approve funds for the local match requirement in the amount of \$8,000.00.

3. Authorize staff to increase revenue and expenditure budgets in Grant Fund #301 by \$72,000.00 according to the grant allocation schedule and increase expenditure budget in

the Local Measure I Fund #246 by \$8,000.00.

4. Adopt **Resolution No. 2020-117** authorizing the City Manager to execute the Program Supplement Agreement No. U91 with the California Department of Transportation (Caltrans) for the City of Fontana's LRSP No. LRSPL-5307(030).

C. Acceptance of Final Map for Tract No. 18135 Located on Banana Avenue, South of Foothill Boulevard

Accept Final Map for Tract No. 18135 located on Banana Avenue, south of Foothill Boulevard; accept as public dedicated streets and easements; and authorize the City Manager to enter into a Subdivision Agreement with the subdivider.

D. Approve the Measure I Five Year Local Street Capital Improvement Program for Fiscal Years 2020/2021-2025/2026

Adopt **Resolution No. 2020-118**, adopting the Measure I Five Year Local Street Capital Improvement Program (CIP) for Fiscal Years 2020/2021-2025/2026.

E. Award Bid and Contract for Pool Chemicals to Waterline Technologies, Inc

Award bid and authorize the City Manager to enter into a two-year contract with Waterline Technologies, Inc. of Santa Ana, CA for pool chemical supplies, with three one-year extensions at the sole discretion of the City.

F. Award of Contract for Pavement Markings - Thermoplastic and Paint Services, SB-89-PW-20

Award bid and authorize the City Manager to enter into a Contract Agreement with Chrisp Company for a two-year period, renewable for three (3) additional one (1) year increments at the City's sole discretion for Pavement Markings - Thermoplastic and Paint Services.

G. Resolution Granting the City Manager Authority to Issue Special Temporary Outdoor Operating Permits to Businesses Reopening under COVID-19 County and State Guidelines

1. Determine that this action/resolution qualifies for a categorical exemption from the California Environmental Quality Act (CEQA) under Section 15301, Class 1 (Existing Facilities), of the CEQA Guidelines. and direct staff to file a Notice of Exemption;

2. Adopt **Resolution No. 2020-119**, a Resolution of the City Council of The City of Fontana, California granting the City Manager authority to issue Special Temporary Outdoor Operating Permits to businesses reopening under Covid-19 County and State Guidelines; and finding such action Exempt from the California Environmental Quality Act; and rescinding Resolution No. 2020-045

PUBLIC HEARINGS:

A. Membership in the Statewide Community Infrastructure Program Through the California Statewide Development Authority

Mayor Warren opened Public Hearing Item PH-A.

Deputy City Manager Chuck Hays 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 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 **Resolution No. 2020-120**, a resolution of the City Council of the City of Fontana, California, authorizing the City to join the Statewide Community Infrastructure Program; for Community Facilities Districts; authorizing the California Statewide Communities Development Authority to accept applications from property owners, to form Community Facilities Districts within the territory of the City of Fontana; embodying a Joint Community Facilities Agreement setting forth the terms and conditions of Community Facilities District financings; approving form of Acquisition Agreement for use when applicable; repealing Resolution No. 2020-087; and authorizing related actions.

NEW BUSINESS:

A. Amendment to First Amended and Restated Billboard Agreement and Three Property Leases with Lamar Central Outdoor, LLC Regarding Portions of Certain City-Owned Real Properties (Item Continued from July 14, 2020).

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

No one spoke in favor or opposition.

ACTION: Motion was made by Council Member Sandoval, 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. Determine that pursuant to § 15060(c) of the California Environmental Quality Act (the "CEQA") Guidelines (i.e., California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387), approval of the Resolutions is exempt from CEQA because the actions described therein will not result in a direct or reasonable foreseeable indirect physical change in the environment and the actions described therein are not a "Project", as defined within § 15378 of the CEQA Guidelines.

2. Adopt **Resolution No. 2020-121**, a resolution of the City Council of the City of Fontana, California, approving an Amendment to First Amended and Restated Billboard Relocation Agreement with Lamar Central Outdoor, LLC authorizing the relocation of certain existing outdoor advertising signs consistent with § 3-177(3)(a) of the Fontana Municipal Code, and approving certain related actions.

3. Adopt **Resolution No. 2020-122**, a Resolution of the City Council of the City of

Fontana, California, approving three property leases with Lamar Central Outdoor, LLC, regarding portions of certain city-owned real properties, and authorizing related actions.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Designation of Voting Delegate and Alternate for the League of California Cities Annual Conference, October 7 - 9, 2020, Long Beach, California

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 Elected Officials Communications/Reports "A" (AYES: Warren, Armendarez, Roberts, Sandoval and Cothran: NOES: None) as follows:

Appoint Mayor Warren as the voting delegate, and Council Member Sandoval as the alternate voting delegate for the League of California Cities Annual Conference to be held October 7-9, 2020, in Long Beach, California.

B. Cancellation of three (3) Regular City Council Meetings due to Holiday Schedule

ACTION: Motion was made by Council Member Cothran, seconded by Council Member Sandoval, and passed unanimously by a vote of 5-0 to approve Elected Officials Communications/Reports "B" (AYES: Warren, Armendarez, Roberts, Sandoval and Cothran: NOES: None) as follows:

Cancellation of three (3) regular City Council Meetings due to the holiday schedule:

August 25, 2020
November 24, 2020
December 22, 2020

C. Elected Officials Communications/Reports

Mayor Pro Tem Armendarez wished everyone a good night.

Council Member Roberts thanked Public Works and Engineering staff for the traffic signal installation at Live Oak Avenue and Jurupa Avenue.

Council Member Sandoval wished his son-in-law Willy and sister Betty a happy birthday.

Council Member Cothran thanked the Code Enforcement team for all the work they do to maintain a beautiful city.

Mayor Warren spoke on working with legislators to understand the impact of Covid-19 on city budgets, staff, public, vendors and the business community.

Mayor Warren stated that information on cooling centers and updates can be found at fontana.org.

Mayor Warren spoke on the virtual Fontana Walks to be held on Saturday, August 15, 2020.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Denny announced that Cooling Centers will be open during the heatwave.

ADJOURNMENT:

A moment of silence was held for Gabriella and Gregory O'Donnell and Rudy Favila.

The meeting adjourned at 7:30 p.m. in memory of Gabriella and Gregory O'Donnell, and Rudy Favila, to the next Regular City Council Meeting on Tuesday, September 8, 2020, at 7:00 p.m. that will be available remotely.

DocuSigned by:

Karen Porlas

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Karen Porlas
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 8TH DAY OF SEPTEMBER, 2020.

DocuSigned by:

Tonia Lewis

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Tonia Lewis
City Clerk

Certificate Of Completion

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Source Envelope:	
Document Pages: 6	Signatures: 2
Certificate Pages: 5	Initials: 0
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Time Zone: (UTC-08:00) Pacific Time (US & Canada)	8353 Sierra Avenue
	Fontana, CA 92335
	clerks@fontana.org
	IP Address: 192.146.186.96


Record Tracking

Status: Original	Holder: City Clerk	Location: DocuSign
9/14/2020 8:39:14 AM	clerks@fontana.org	

Signer Events

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

Signature


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Toni Lewis
tlewis@fontana.org
City Clerk
City of Fontana
Security Level: Email, Account Authentication (None)

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EBBCDFDA17754F5...
Signature Adoption: Pre-selected Style
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Viewed: 9/14/2020 8:43:42 AM
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Electronic Record and Signature Disclosure:
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In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

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Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Kathy Kasinger
kkasinger@fontana.org
Records Coordinator
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Carbon Copy Events	Status	Timestamp
Evelyne Ssenkoloto essenkol@fontana.org Security Level: Email, Account Authentication (None)	COPIED	Sent: 9/14/2020 8:47:27 AM Viewed: 9/14/2020 8:50:25 AM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	9/14/2020 8:47:27 AM
Certified Delivered	Security Checked	9/14/2020 8:47:27 AM
Signing Complete	Security Checked	9/14/2020 8:47:27 AM
Completed	Security Checked	9/14/2020 8:47:27 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

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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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