

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
September 8, 2020**

WORKSHOP:

A. 5:00 P.M. Joint City Council and Planning Commission Workshop

A City Council Workshop was held remotely on September 8, 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.

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

Community Development Director Zai Abubakar, and Sean O'Malley from SWA provided a presentation on the first phase (area 6) of the Ventana Project.

Discussion ensued on parking issues, maximum height of the project focal point and balcony size of proposed town homes.

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

The Workshop adjourned at 5:58 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:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (one potential case)

CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION, Gov't Code § 54959.6(d)(1)

Case: Moore, et al. v. City of Fontana; SBSC Case #CIVDS1610471

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, September 8, 2020. Mayor Warren called the meeting to order at 7:18 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 Mayor Pro Tem Armendarez, 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 the Closed Session Items.

PROCLAMATIONS:

A. National Preparedness Month

Mayor Warren and City Council proclaimed September as National Preparedness Month.

B. National Senior Center Month

Mayor Warren and City Council proclaimed September 2020 as National Senior Center Month.

PUBLIC COMMUNICATIONS:

A. Public Communications

E-mail comments were received from the following:

Timothy Dershowitz commented on his displeasure with Council Member Sandoval.

Cameron Steger commented on allowing basketball hoops to be put back up at parks.

Nestor and Sunny Renteria commented in opposition of warehouses.

Voicemail comment was received from the following:

Terri commented in opposition of warehouses.

CONSENT CALENDAR:

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 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 August 11, 2020 Regular City Council Meeting.

B. Accept Coronavirus Relief Fund Allocation for Cities and Counties

1. Authorize the City Manager to execute and transmit any documents necessary or desirable to ensure the City's timely receipt of Coronavirus Relief Fund Allocation for Cities and Counties-CARES Act funding from the State of California; and

2. Authorize staff to increase revenue and expenditures in the amount of \$2,629,939 from the Coronavirus Relief Fund Allocation for Cities and Counties-CARES Act.

C. Acceptance of Recycled Water Conversion Rebate Funds

1. Accept Recycled Water On-Site Retrofit Program rebate funds in the amount of \$224,000 from San Gabriel Valley Water Company.

2. Authorize staff to increase revenue and expenditure budgets in Recycled Water Retrofit Project in the Capital Improvement Fund #602 by \$224,000.

D. Approve a Bond Reduction for Tract No. 18944

Approve a reduction of the Faithful Performance/Labor and Materials bonds posted by Arroyo Cap I, LLC for Tract No. 18944 located at the northeast corner of Sierra Avenue and Segovia Lane.

E. Adoption of Regional Memorandum of Understanding (MOU)

Approve and Authorize the City Manager to enter into a Regional Water Policy and Management Memorandum of Understanding.

F. Award Bid for Dictation Equipment, Software Licenses, Maintenance and Support

1. Award bid to Code 3 Technology for equipment and Nuance Communications, Inc. software for licenses/maintenance and support (Single source vendor) and authorize the City Manager to execute all related agreements for this 5-year program for a cost of \$163,950.38;

2. Approve a multi-year End User License Agreement with Nuance Communications, Inc. to provide maintenance and support for Dragon Law Enforcement integrated software solution.

G. Award Contract for SB 2 Planning Grant Implementation

Award bid and authorize the City Manager to enter into a contract with De Novo Consulting Firm in the amount of \$614,980 to prepare and facilitate the administration of the SB 2 Planning Grant Program with a not to exceed the budgeted amount.

H. Support Letter for the DesertXpress High-Speed Rail Project - Phase 2

Approve and authorize the Mayor to provide a Letter of Support for the extension of the DesertXpress High-Speed Rail Project from the Victor Valley Station to the Rancho Cucamonga Metrolink Station - Phase 2.

NEW BUSINESS:

A. Issuance of Special Tax Bonds for CFD #85 (The Meadows)

Accountant Justin Marietta provided the staff report.

No communication was received in favor or opposition.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Sandoval, 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:

Adopt **Resolution No. 2020-123** of the City Council of the City of Fontana authorizing the issuance of City of Fontana Community Facilities District No. 85 (The Meadows) Special Tax Bonds, Series 2020, in an aggregate principal amount of not to exceed \$25,000,000, authorizing the execution and delivery of an Indenture, a Bond Purchase Agreement and a Continuing Disclosure Agreement, authorizing the distribution of an Official Statement in connection therewith and authorizing the execution of necessary documents and certificates and related actions.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

Elected Officials Communications/Reports

A.

Mayor Pro Tem Armendarez thanked City staff for opening the cooling stations during the recent heat wave.

Council Member Cothran spoke on Etiwanda School District being prepared for students to continue their education in case of power shutdowns.

Council Member Cothran reminded the community to always be prepared for any potential disaster.

Council Member Sandoval spoke on wearing green in honor of Newborn Intensive Care Unit (NICU) Month.

Council Member Sandoval requested prayers for all the firefighters fighting fires.

Council Member Sandoval wished his grandson Francisco and his niece Monica, a happy birthday.

Council Member Sandoval wished everyone a safe and healthy weekend and reminded everyone to wear masks.

Council Member Roberts requested prayers for firefighters fighting fires and for the Police Department as they deal with the civil unrest issues.

Council Member Roberts thanked the Public Works Department for the trash cans on the horse trail in south Fontana.

Mayor Warren provided an update on Covid-19 case numbers.

Mayor Warren requested prayers for the families that have lost loved ones due to Covid-19.

Mayor Warren spoke on 9/11 events not being held due to Covid-19 and requested that everyone honor the victims with a moment of silence at 10:00 a.m. on September 11, 2020.

Mayor Warren thanked the firefighters for their efforts and reminded everyone to be safe.

Mayor Warren spoke on the winds in Fontana and reminded everyone to be prepared and be safe.

Mayor Warren reminded everyone to pay attention to National Preparedness and have a plan in place.

Mayor Warren spoke on receiving letters from families of those being remembered tonight.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Denny spoke on Covid-19 testing being available at the Jessie Turner Center through October 2020.

City Manager Denny spoke on receiving notice from Southern California Edison regarding possible electricity shut off in North Fontana.

ADJOURNMENT:

A moment of silence was held for Richard Adams, Randal Fernandez, Barbara Henderson, Margie Lee Pellum, Karmen Juarez and Sharon Lewis.

The meeting adjourned at 7:53 p.m. in memory of Richard Adams, Randal Fernandez, Barbara Henderson, Margie Lee Pellum, Karmen Juarez and Sharon Lewis, to the next Regular City Council Meeting on Tuesday, September 22, 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 22ND DAY OF SEPTEMBER 2020.

DocuSigned by:

Tonia Lewis

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Tonia Lewis
City Clerk

Certificate Of Completion

Envelope Id: 54A9F09D38BC4B53A52FC73AEA04112B	Status: Completed
Subject: Please DocuSign: 9-8-2020 City Council Meeting Minutes - DRAFT.pdf	
Source Envelope:	
Document Pages: 6	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	City Clerk
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
9/23/2020 10:01:18 AM	clerks@fontana.org	

Signer Events

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

Signature


DocuSigned by:

E522540C465D4B9...
Signature Adoption: Pre-selected Style
Using IP Address: 192.146.186.96

Timestamp

Sent: 9/23/2020 10:01:23 AM
Viewed: 9/23/2020 10:02:44 AM
Signed: 9/24/2020 7:14:23 AM

Electronic Record and Signature Disclosure:
Accepted: 9/23/2020 10:02:44 AM
ID: d436da7b-188a-44bf-998b-7862c9ff619d

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

DocuSigned by:

EBBCDFDA17754F5...
Signature Adoption: Pre-selected Style
Using IP Address: 76.218.56.24
Signed using mobile

Sent: 9/24/2020 7:14:24 AM
Viewed: 9/24/2020 7:15:42 AM
Signed: 9/24/2020 7:18:13 AM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

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
Security Level: Email, Account Authentication (None)

COPIED

Sent: 9/24/2020 7:18:15 AM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Carbon Copy Events	Status	Timestamp
Evelyne Ssenkoloto essenkol@fontana.org Security Level: Email, Account Authentication (None)	COPIED	Sent: 9/24/2020 7:18:15 AM Viewed: 9/24/2020 9:14:34 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	9/24/2020 7:18:15 AM
Certified Delivered	Security Checked	9/24/2020 7:18:15 AM
Signing Complete	Security Checked	9/24/2020 7:18:15 AM
Completed	Security Checked	9/24/2020 7:18:15 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

** 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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