

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
October 27, 2020**

CLOSED SESSION:

A. 6:00 P.M. CLOSED SESSION

A Closed Session was held remotely at 6:00 p.m. on Tuesday, October 27, 2020, 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 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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54965.9 (d) (1)

Case: Ralph Lopez v. City of Fontana

US District Court - Los Angeles; Court Case Number: 5:19-cv-1727

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, October 27, 2020. Mayor Warren called the meeting to order at 7:00 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.

PUBLIC COMMUNICATIONS:

A. Public Communications

Voicemail comments were received from the following:

No name caller commented in support of Council Member Sandoval.

Michael (no last name) commented on his displeasure with Council Member Sandoval.

Tad Avalos commented on the need to regulate late night loud music and fireworks in neighborhoods.

CONSENT CALENDAR:

Consent Calendar Item "C" was pulled for a staff report.

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 Consent Calendar Items "A-G" (AYES: Warren, Armendarez, Roberts, Sandoval and Cothran; NOES: None; ABSTAIN: None) as follows:

A. Approval of Minutes

Approve the Minutes of the October 13, 2020 Regular City Council Meeting.

B. Accept Coronavirus Relief Fund Allocation for Cities and Counties from San Bernardino County

1. Authorize the City Manager to execute and transmit any documents necessary to ensure the City's timely receipt of Coronavirus Relief Fund Allocation for Cities and Counties-CARES Act funding from San Bernardino County; 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. Approve Replacement of Securities for Tract Map No. 17784 Located South of San Bernardino Avenue and East of Lime Avenue

Approve replacement of securities for Tract No. 17784 located south of San Bernardino Avenue east of Lime Avenue and authorize the City Manager to enter into a Subdivision Agreement with Apple 7, LLC for the construction of required public infrastructure improvements.

D. Authorize a Cooperative Agreement between the City of Fontana and San Bernardino County for Alder Avenue Street Improvements

1. Approve a Cooperative Agreement between the City of Fontana and San Bernardino County to construct street improvements on Alder Avenue between San Bernardino Avenue and Taylor Avenue in the amount of \$1,135,000 with a maximum increase of up to 25% for a total of \$1,418,750.

2. Authorize the City Manager to execute the Cooperative Agreement between the City of Fontana and San Bernardino County for street improvements.

E. Resolution Authorizing Application for Prop 68 Per Capita Grant Funds

Adopt **Resolution No. 2020-134**, approving the City Manager to approve an application to the California Department of Parks and Recreation for Prop 68 Per Capita Grant funding.

F. Resolution Authorizing Submittal of an Application for Statewide Park Development and Community Revitalization Program Grant Funds

Adopt **Resolution No. 2020-135**, authorizing the City Manager to approve an application for Statewide Park Development and Community Revitalization Program Grant Funds.

G. Second Amendment to the Water of Life Lease

Approve the Second Amendment to the Water of Life Community Outreach, Inc. lease.

PUBLIC HEARINGS:

A. Master Case No. 20-016, Zoning Code Amendment No. 20-005, Tentative Parcel Map No. 20203; Conditional Use Permit No. 20-010; Design Review No. 20-002; Modify Text in the Zoning & Development Code, Subdivide Two (2) Parcels into Three (3) Parcels, Type 21 ABC License and Site and Architectural Review for a Commercial Shopping Center Anchored by Northgate Gonzalez Market

Mayor Warren opened Public Hearing Item PH-A.

Planning Manager Orlando Hernandez provided the staff report.

No one spoke in favor or opposition.

Mayor Warren and City Council commended the development team and staff on a job well done on the project.

Discussion ensued regarding maintenance of the project going forward and future development plans for pads 1, 2 and 3.

Project applicants Tom Hunt, Carl Middleton and Gavin Reid addressed the City Council.

The Public Hearing was closed.

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 Public Hearing Item

“A” (AYES: Warren, Armendarez, Roberts, Sandoval and Cothran: NOES: None; ABSTAIN: None) as follows:

1. Adopt **Resolution No. 2020-136**, a Resolution of the City Council of the City of Fontana, to adopt the Initial Study, Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, approving Tentative Parcel Map No. 20203, approving Conditional Use Permit No. 20-010, approving Design Review No. 20-002, and direct staff to file a Notice of Determination.

2. Read by title only and waive further reading of and introduce **Ordinance No. 1846**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Zoning & Development Code text for Section 30-359.A, 30-360, 30-368 and 30-402 pertaining to setbacks, open space requirements and frontage coverage requirements, and that the reading of the title constitutes the first reading thereof.

B. Public Hearing and Adoption of HUD CDBG-CV and ESG-CV Substantial Amendment

Mayor Warren opened Public Hearing Item PH-B.

Housing Development Manager Valerie Gonzales 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 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; ABSTAIN: None) as follows:

1. Adopt the draft Substantial Amendment to the CDBG-CV and ESG-CV Action Plan;

2. 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-CARES Act (CDBG-CV) and Emergency Solutions Grant-CARES Act (ESG-CV) funding.

C. Public Hearing and Adoption of Consolidated Annual Performance Evaluation Report (CAPER) and Citizen Participation Plan Amendment

Mayor Warren opened Public Hearing Item PH-C.

Housing Development Manager Valerie Gonzales provided the staff report.

No one spoke in favor or opposition.

The Public Hearing was closed.

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 Public Hearing Item “C” (AYES: Warren, Armendarez, Roberts, Sandoval and Cothran: NOES: None;

ABSTAIN: None) as follows:

1. Conduct a public hearing for the Consolidated Annual Performance and Evaluation Report (CAPER) prepared for the U.S. Department of Housing & Urban Development to report on specific Federal housing assistance and community development activities undertaken by the City of Fontana during Fiscal Year 2019-2020.
2. Authorize the City Manager to execute any documents necessary to submit the CAPER, along with any comments received during the public hearing and public comment period, to the Department of Housing & Urban Development.

NEW BUSINESS:

A. Issuance of Special Tax Bonds for CFD #89 (Belrose)

Accounting Manager George Pirsko provided the staff report.

No one spoke in favor or opposition.

ACTION: Motion was made by Council Member Roberts, 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; ABSTAIN: None) as follows:

Adopt **Resolution No. 2020-137** of the City Council of the City of Fontana authorizing the issuance of City of Fontana Community Facilities District No. 89 (Belrose) Special Tax Bonds, Series 2020, in an aggregate principal amount of not to exceed \$7,000,000, 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.

B. Fiscal Year 2020/21 First Quarter Budget Status Report

Budget and Payroll Manager Fabiola Barrita provided the staff report.

No one spoke in favor or opposition.

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

1. Approve the recommended Fiscal Year 2020/2021 First Quarter Budget adjustments.
2. Adopt **Resolution No. 2020-138** of the City Council of the City of Fontana adopting the new and updated job descriptions for the classification of Park Maintenance Technician.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

Council Member Roberts encouraged everyone to participate in the upcoming Virtual Community Meeting to discuss the South Fontana Sports Park project.

Council Member Cothran reiterated City Manager Denny's comments regarding the upcoming Virtual Community Meeting to discuss the South Fontana Park project and urged everyone to attend.

Council Member Cothran spoke regarding power outages in Northern Fontana. Council Member Cothran stated City Council is working with Southern California Edison to restore power in the area.

Council Member Cothran expressed his condolences to Deputy City Clerk Karen Porlas for the passing of her father Ernest R. Blodgett.

Council Member Sandoval announced the upcoming Dr. Charles Koehler Writing and Art Contest and reminded everyone that all entries are due Sunday, November 1, 2020.

Council Member Sandoval thanked the Police Department, Public Works Department and City Manager's Office for their quick response in taking care of graffiti on Valley Boulevard.

Relative to the voice mail public comments early in the evening, Council Member Sandoval clarified the roles of City Council members elected by district versus elected at large. Mr. Sandoval highlighted the great things that have been implemented and accomplished in the City.

Council Member Sandoval expressed his condolences to Deputy City Clerk Karen Porlas for the passing of her father Ernest R. Blodgett.

Mayor Warren acknowledged the remote presence of City Treasurer Koehler Brooks and extended get well wishes to City Clerk Lewis.

Mayor Warren expressed her condolences to Deputy City Clerk Karen Porlas and family for the passing of her father Ernest R. Blodgett and asked that tonight's meeting be adjourned in his memory.

Mayor Warren announced that the Mayor's Youth Advisory Council (MYAC) is participating in voter engagement. MYAC aims to educate, encourage and motivate voters to register and vote.

Mayor Warren encouraged everyone to exercise their right to vote.

Mayor Warren reminded and encouraged the community to get tested for COVID-19 at the Jessie Turner Center and the Jack Bulik Center.

Mayor Warren commended City Manager's Office Marketing and Communication staff,

Community Services, Fire , Public Works and Police Departments for their dedication and hard work.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

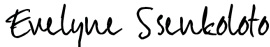
City Manager Denny announced the opening of a second COVID-19 Testing Center at the Jack Bulik Community Center.

City Manager Denny announced the upcoming Virtual Community Meeting to discuss the South Fontana Sports Park Project. The meeting will be held on Wednesday, October 28, 2020, at 5:30 p.m.


ADJOURNMENT:

A moment of silence was held for Retired Chief Master Sergeant Ernest R. Blodgett, United States Air Force, father of Deputy City Clerk Karen Porlas.

The meeting adjourned at 8:21 p.m. in memory of Ernest R. Blodgett to the next Regular City Council Meeting on Tuesday, November 10, 2020, at 7:00 p.m. that will be available remotely.

DocuSigned by:

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Evelyne C. Ssenkoloto
Senior Administrative Analyst

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

DocuSigned by:

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Tonia Lewis
City Clerk

Certificate Of Completion

Envelope Id: A66FB80E229440A7BA32722F321EE35D	Status: Completed
Subject: Please DocuSign: 10-27-2020 City Council Meeting Minutes - DRAFT.pdf	
Source Envelope:	
Document Pages: 7	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped 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

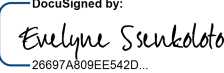
Record Tracking

Status: Original	Holder: City Clerk	Location: DocuSign
11/16/2020 10:02:48 AM	clerks@fontana.org	

Signer Events

Evelyne Ssenkoloto
 essenkol@fontana.org
 Security Level: Email, Account Authentication (None)

Signature

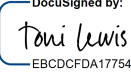
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Timestamp

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

DocuSigned by:

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Electronic Record and Signature Disclosure:
 Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
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

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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: 11/16/2020 10:38:43 AM
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	11/16/2020 10:38:22 AM
Signing Complete	Security Checked	11/16/2020 10:38:42 AM
Completed	Security Checked	11/16/2020 10:38:43 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

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- ii. send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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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- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
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