

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR CITY COUNCIL MEETING  
January 12, 2021**

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**WORKSHOP:**

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

A City Council Workshop was held remotely on Tuesday January 12, 2021. Mayor Warren called the Workshop to order at 5:00 p.m. with Council Members Roberts, Sandoval, Cothran and Garcia present.

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

De Novo Consulting Firm provided the presentation on SB2 Planning Grant Administration Project. Discussion ensued on the following:

- SB2 requirements and implementation
- Project schedule
- Stakeholder Engagement - Council & Commission interviews
- Built Environment, Placemaking, Market Conditions and Development Feasibility Analysis
- Next steps in the process including feedback from survey

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, Council Members Roberts, Sandoval, Cothran and Garcia present.

**PUBLIC COMMUNICATIONS:**

There were no public communications received on the following closed session items:

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

Properties: Properties boarded by South Highland on the south, Highland Avenue on the north, Catawba Avenue on the west and Citrus Avenue on the east.  
Negotiating Parties: City of Fontana and Citrus Development LLC.  
Negotiator: Mark Denny, City Manager,  
Under Negotiation: Price and Terms of Payment

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

Properties: APN's 1110-161-14, 25, 26, 28, 29 (Beech Avenue between Foothill Boulevard and Pacific Electric Trail)  
Negotiating Parties: City of Fontana and San Gabriel Valley Water Company and City of Fontana and Rosemead Properties, Inc.  
Negotiator: Ricardo Sandoval, Director of Engineering/City Engineer  
Under Negotiation: Price and Terms

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 Yard Bargaining Unit; and Management/Confidential Employees

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

**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, January 12, 2021. Mayor Warren called the meeting to order at 7:01 p.m.

**ROLL CALL:**

Present: Mayor Warren, Council Members Roberts, Sandoval, Cothran and Garcia.

Absent: None.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

Following the Invocation by Council Member Roberts, 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.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

The following commented during live call-In:

Jose Montero commented on an issue he had with the police.

Elizabeth Sena commented in opposition of warehouse.

## **CONSENT CALENDAR:**

City Attorney Duran announced that Consent Calendar Item "K" should have been placed on the agenda as Public Hearing Item "E", and noted that the Public Hearing was properly noticed. The item was moved to Public Hearing.

**ACTION:** Motion was made by Council Member Cothran, seconded by Council Member Sandoval, and passed unanimously by a vote of 5-0 to approve Consent Calendar Items "A-K" (AYES: Warren, Roberts, Sandoval, Cothran and Garcia: NOES: None) (Garcia abstained from Item "A" only) as follows:

### **A. Approval of Minutes**

Approve the Minutes of the December 8, 2020 Regular City Council Meeting.

### **B. Adoption of Ordinance No. 1859**

Second Reading/Adopt **Ordinance No. 1859**, levying special taxes within the City of Fontana Community Facilities District No. 100 (Victoria).

### **C. Adopt a Resolution Approving Updated Salary Table for the Executive Group Pay Schedule**

Adopt **Resolution No. 2021-001**, of the City Council of the City of Fontana, adopting updated salary table for the Executive Group.

### **D. Adoption of Employer Paid Member Contribution and Adoption of 401(a) Defined Contribution Plan**

1. Adopt **Resolution No. 2021-002** for paying and reporting the value of employer paid member contributions.
2. Adopt **Resolution No. 2021-003** to adopt the City of Fontana money purchase plan (plan #10-0189), trust and adoption agreement.

### **E. Approve Single Sole Source Vendor for Pool Maintenance Services**

Authorize the purchasing department to designate Knorr Systems as a single source vendor for the maintenance, parts and repairs of Lochinvar pool heaters and E.P.D pool filters based on amounts approved in the annual operating budget.

### **F. Authorize Annual Purchase Order for Imperial Irrigation Supply Inc. for Irrigation Controller Equipment and Parts**

Authorize the purchasing department to designate Imperial Irrigation Sprinkler Inc. as a single source vendor of Toro Sentinel central control system in Southern California based on amounts approved in the annual operating budget.

### **G. 2021 Statement of Investment Policy**

1. Adopt the City of Fontana Statement of Investment Policy for 2021.
2. Adopt **Resolution No. 2021-004** designating City officers who are authorized to invest funds for the City of Fontana and repealing Resolution No. 2016-050.

#### **H. Copy Machine Replacements**

Approve and authorize the Purchasing Office to "piggy-back" off the National State Procurement Office (NASPO) Contract #7-19-70-46-02 for the lease of HP multi-function copy machines for various City departments on an as-needed basis.

#### **I. Final Acceptance of Jurupa Avenue at Live Oak Avenue Traffic Signal Project**

Accept as complete the work performed by Sturgeon Electric California, LLC for the construction of the Jurupa Avenue at Live Oak Avenue Traffic Signal Project and approve the final construction amount of \$642,862.45. (SB-80-DE-19)

#### **J. LAIF Authorization**

Adopt **Resolution No. 2021-005** designating City officers who are authorized to deposit or withdraw funds in the Local Agency Investment Fund for the City of Fontana.

#### **K. Sale of Surplus Property Located North of Boyle Avenue and West of Cypress Avenue**

Item was moved to Public Hearing Item "E".

### **PUBLIC HEARINGS:**

#### **A. Public Hearing on Formation of Community Facilities District No. 104M**

Mayor Warren opened Public Hearing Item PH-A.

Accountant Justin Marietta provided the staff report.

No one spoke 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" Numbers 1-2 (AYES: Warren, Roberts, Sandoval, Cothran and Garcia; NOES: None; ABSTAIN: None) as follows:

1. Adopt **Resolution No. 2021-006** of the City Council of the City of Fontana Establishing Community Facilities District No. 104M of the City of Fontana, County of San Bernardino, State of California, and Establishing the Boundaries Thereof.

2. Adopt **Resolution No. 2021-007** of the City Council of the City of Fontana Calling a Special Election and Submitting to the Voters of Community Facilities District No. 104M of the City of Fontana, County of San Bernardino, State of California, a Proposition with

Respect to the Annual Levy of Special Taxes within said Community Facilities District to Pay the Costs of Certain Services to be provided by the Community Facilities District and a Proposition with Respect to the Establishment of an Appropriations Limit for said Community Facilities District.

Deputy City Clerk Karen Porlas opened the ballot and announced it was in favor.

**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" Numbers 3-4 (AYES: Warren, Roberts, Sandoval, Cothran and Garcia: NOES: None; ABSTAIN: None) as follows:

3. Adopt **Resolution No. 2021-008** of the City Council of the City of Fontana Declaring the Results of the Special Election for Community Facilities District No. 104M of the City of Fontana, County of San Bernardino, State of California, on the Propositions with Respect to (I) The Annual Levy of Special Taxes to Pay the Costs of Certain Services to be provided by the Community Facilities District and (II) The Establishment of an Appropriations Limit.

4. Read by title only, and waive further reading of and introduce **Ordinance No. 1860** Authorizing the Levy of a Special Tax within Community Facilities District No. 104M, that the reading of the Title constitutes the first reading thereof.

**B. Appeal No. 20-003 is a Request by the Applicant, Michael Kohanoff, to Overturn the Planning Commission's Decision on October 20, 2020 Denying Administrative Site Plan (ASP) No. 16-018R1 to Amend a Previously Approved 5,469 Square Foot Multi-Tenant Commercial Building to Add a Drive-Through Lane on a 3.21 Adjusted Gross Acre Site Located at 16111 Valley Boulevard.**

Mayor Warren opened Public Hearing Item PH-A.

Senior Planner Dawn Rowe provided the staff report.

No one spoke in favor or opposition.

Discussion ensued with the applicant on traffic concerns with cars backing up onto Citrus Avenue.

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

To continue Item to the February 9, 2021 City Council Meeting.

**C. Specific Plan Amendment No. 20-003 to Amend the Southwest Industrial Park Specific Plan (SWIP) Specific Plan to Revise the Nonconforming Provisions and Definition of Industrial Equipment, Materials Along with the**

**Following Changes to the Land Use Tables in SWIP: Allow Truck and/or Trailer Storage Only as an Ancillary Use; Add Registered Vehicle Storage Use in the Jurupa South Research and Development District with Approval of a Conditional Use Permit; and Require that Cellular Communication Antennas Comply to Standards/Procedures Set Forth in the Municipal Code Chapters 25 and 32.**

Mayor Warren opened Public Hearing Item PH-C.

Associate Planner Rina Leung provided the staff report.

No one spoke in favor or opposition.

The Public Hearing was closed

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

1. Read by title only and waive further reading of and introduce **Ordinance No. 1861**, an Ordinance of the City Council of the City of Fontana, approving Specific Plan Amendment No. 20-003 to revise the nonconforming provisions and definition of Industrial Equipment, Materials along with the following changes to the land use tables in Southwest Industrial Park Specific Plan (SWIP) Specific Plan (SWIP): allow Truck and/or Trailer Storage only as an ancillary use; add Registered Vehicle Storage use in the Jurupa South Research and Development District with approval of a Conditional Use Permit; and require that cellular communication antennas comply to standards/procedures set forth in the Municipal Code Chapters 25 and 32, and the reading of the title constitutes the first thereof.

**D. Municipal Code Amendment (AMD) No. 20-001 – A Request to Amend Chapter 25 of the Municipal Code to Add Article VII to Establish Regulations, Standards, and Processing Procedures for Wireless Telecommunications Facilities in the Public Right-of-Way Throughout the City.**

Mayor Warren opened Public Hearing Item PH-D.

Associate Planner Rina Leung 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 Council Member Roberts, and passed unanimously by a vote of 5-0 to approve Public Hearing Item "D" (AYES: Warren, Roberts, Sandoval, Cothran and Garcia: NOES: None; ABSTAIN: None) as follows:

1. Read by title only and waive further reading of and introduce **Ordinance No. 1862**, an

Ordinance of the City Council of the City of Fontana, California, approving Municipal Code Amendment (AMD) No. 20-001 to amend Chapter 25 of the Municipal Code to add Article VII to establish regulations, standards, and processing procedures for wireless telecommunications facilities in the public right-of-way throughout the city, and the reading of the title constitutes the first thereof; and

2. Adopt **Resolution No. 2021-009**, a Resolution of the City Council of the City of Fontana, California, to adopt design standards and location preferences for wireless telecommunication facilities in the public rights-of-way.

### **E. Sale of Surplus Property Located North of Boyle Avenue and West of Cypress Avenue**

Mayor Warren opened Public Hearing Item PHE.

Senior Engineer Kathy Raasch 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 Council Member Sandoval, and passed unanimously by a vote of 5-0 to approve Public Hearing Item "E" (AYES: Warren, Roberts, Sandoval, Cothran and Garcia; NOES: None; ABSTAIN: None) as follows:

1. The proposed sale of the property is exempt from environmental review pursuant to the California Environmental Quality Act (Pub. Resources Code, §§21000 et seq.) (CEQA) and the State CEQA Guidelines (Cal. Code Regs. tit. 14, §§15000 et seq.) Specifically, the proposed project qualifies for the Class 12 Categorical Exemption (State CEQA Guidelines, § 15312), which applies to surplus government property.

2. Adopt **Resolution No. 2021-010** approving a sale of City-owned exempt surplus property located north of Boyle Avenue and west of Cypress Avenue to Duke Realty Limited Partnership, an Indiana Limited Partnership ("Developer") and make the requisite findings contained therein following public hearing.

3. Approve and authorize the City Manager to execute the Purchase and Sale Agreement with Developer.

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

### **A. Appointment of Mayor Pro Tem for a Term of One Year**

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Garcia, and passed unanimously by a vote of 5-0 to appoint Council Member Cothran as

Mayor Pro Tem (AYES: Warren, Roberts, Sandoval, Cothran and Garcia: NOES: None; ABSTAIN: None) as follows:

Appoint Council Member Cothran to Mayor Pro Tem for a Term of One year.

**B. Elected Officials Communications/Reports**

Council Member Roberts congratulated Community Improvement Program Manager Ted Porlas on his retirement and thanked him for 21 years of service to the City of Fontana.

Council Member Roberts congratulated Community Development Director Zai Abubakar on her retirement.

Council Member Sandoval wished all the employees that recently retired a happy retirement.

Council Member Sandoval offered his condolences to the families of Art Flores, Rachel Ann Jacobson, Patty Brocks and Don Lewis.

Council Member Garcia congratulated Council Member Cothran on his appointment to Mayor Pro Tem.

Council Member Garcia congratulated Zai Abubakar on her retirement.

Council Member Garcia thanked Police Chief Green for the tour of the Police Department.

Council Member Cothran thanked Community Improvement Manager Ted Porlas on his 21 years of service and commended his efforts and the efforts of the Code Enforcement Division for striving to keep the city looking beautiful.

Mayor Warren wished everyone a Happy New Year.

Mayor Warren provided an update on COVID-19 numbers, testing sites and vaccines.

Mayor Warren encourage small businesses to contact the Fontana Chamber of Commerce regarding available grants.

Mayor Warren spoke on Martin Luther King, Jr. events that will be held virtually.

Mayor Warren commended the communications staff for keeping the community informed of City Events.

**CITY MANAGER COMMUNICATIONS:**

**A. City Manager Communications**

City Manager Denny wished everyone a Happy New Year.

**ADJOURNMENT:**



A moment of silence was held for Don Lewis, Herbert L. Daniels, Sr., Art Flores, Rachel Ann Jacobson, Patty Brocks and Bill Reynolds.

The meeting adjourned at 8:21 p.m. in memory of Don Lewis, Herbert L. Daniels, Sr., Art Flores, Rachel Ann Jacobson, Patty Brocks and Bill Reynolds to the next Regular City Council Meeting on Tuesday, February 9, 2021 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 26TH DAY OF JANUARY 2021.**

DocuSigned by:

*Tonia Lewis*

ERCDCEDA17754E5

Tonia Lewis  
City Clerk

## Certificate Of Completion

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## Signer Events

Karen Porlas  
 kporlas@fontana.org  
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 tlewis@fontana.org  
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## In Person Signer Events

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Evelyne Ssenkoloto  
 essenkol@fontana.org  
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Sent	Hashed/Encrypted	1/27/2021 2:55:14 PM
Certified Delivered	Security Checked	1/27/2021 4:10:38 PM
Signing Complete	Security Checked	1/27/2021 4:10:58 PM
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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"> <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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