

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
March 9, 2021**

WORKSHOP:

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

A City Council Workshop was held remotely on Tuesday March 9, 2021. Mayor Warren called the Workshop to order at 5:03 p.m. with Mayor Pro Tem Cothran, Council Members Roberts, Sandoval and Garcia present.

Also present were Planning Commissioners Idilio Sanchez, Cathline Fort, Raj Sangha, Matthew Gordon and Ralph Thrasher.

Senior Planner Dawn Rowe provided a presentation on the Arboretum Specific Plan Amendment.

Discussion ensued on the proposed gated community, support for the dog park in place of a putting green, parking concerns and proposed amenities.

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

The Workshop adjourned at 5:26 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 Cothran, Council Members Roberts, Sandoval and Garcia present.

PUBLIC COMMUNICATIONS:

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (D) (1) Case: Sierra Club et al v. City of Fontana San Bernardino Superior Court Court Case No. CIVSB2028894

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d) (1)

Case: Marlo Rayo, et al v. City of Fontana
United States District Court, Central District of California
Court Case Number: 5:19-cv-01264 JGB (SHKx)

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; Police Management Association; Police Benefits Association; and Management/Confidential Employees

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

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, March 9, 2021. Mayor Warren called the meeting to order at 7:03 p.m.

ROLL CALL:

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

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation by Council Member Sandoval, the Pledge of Allegiance was led by Council Member Garcia.

CLOSED SESSION ANNOUNCEMENT:

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

SPECIAL PRESENTATIONS:

A. American Rescue Plan Presentation by Congressman Pete Aguilar

Congressman Pete Aguilar provided details about the American Rescue Plan.

Mayor and Council commended Congressman Aguilar for his dedication, hard work and his commitment to the City of Fontana.

PUBLIC COMMUNICATIONS:

A. Public Communications

The following individuals commented during live call-In:

Cynthia Gonzales, Alejandro Collazo, Carlos Tinoc, Evelyne Andrade spoke on the desire to bring the voicemail option back for public communications. Elisa Rodriguez, Kelly Tinoc, Kareem Gongora, Armando Martinez, Rebecca Martinez spoke on the desire to bring the voicemail option back for public communications and in opposition of warehouses.

Sammuel Arias, Maria Arias, Marianne Grosner and Ilda Rios spoke on issues related to Fontana Unified School District.

CONSENT CALENDAR:

City Manager Mark Denny announced that Consent Calendar item "C" was pulled from the agenda and would be brought back at a later date.

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

A. Approval of Minutes

Approve the Minutes of the the February 23, 2021 Regular City Council Meeting.

B. Annual Ford Vehicle Purchase Contract, Service and OEM Parts Contract (SB-36-PW-21)

1. Award bid to Sunrise Ford of Fontana, CA to purchase new and used vehicles, service and OEM parts for two years with an option for three additional one-year increments.

2. Authorize the Purchasing Office to dispose of surplus vehicles.

C. Approve the First Amendment to the Memorandum of Understanding with the City of Rancho Cucamonga for the San Sevaine Trail Project

Approve and authorize the City Manager to execute the First Amendment to the Memorandum of Understanding (MOU) for the Cooperative Planning and Development of the San Sevaine Trail with the City of Rancho Cucamonga.

PUBLIC HEARINGS:

A. Public Hearing on Formation of Community Facilities District No. 105M

Mayor Warren opened Public Hearing Item PH-A.

Accountant Justin Marietta provided a staff report.

No one spoke in favor or opposition.

ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Garcia, and passed by a vote of 5-0 to approve Public Hearing Item "A" Items 1-2 (AYES: Warren, Cothran, Roberts, Sandoval and Garcia and NOES: None; ABSTAIN: None) as follows:

1. Adopt **Resolution No. 2021-016** of the City Council of the City of Fontana Establishing Community Facilities District No. 105M of the City of Fontana, County of San Bernardino, State of California, and Establishing the Boundaries Thereof.

2. Adopt **Resolution No. 2021-017** of the City Council of the City of Fontana Calling a Special Election and Submitting to the Voters of Community Facilities District No. 105M 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 by a vote of 5-0 to approve Public Hearing Item "A" Items 3-4 (AYES: Warren, Cothran, Roberts, Sandoval and Garcia and NOES: None; ABSTAIN: None) as follows:

3. Adopt **Resolution No. 2021-018** of the City Council of the City of Fontana Declaring the Results of the Special Election for Community Facilities District No. 105M 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. 1864** Authorizing the Levy of a Special Tax within Community Facilities District No. 105M, that the reading of the Title constitutes the first reading thereof.

B. Zoning and Development Code Amendment

Mayor Warren opened Public Hearing Item PH-B.

Senior Planner Paul Gonzales provided the staff report.

Gary Lopez and Ashley Lopez spoke in opposition of re-zoning.

The following called in to speak during public communications for Public Hearing Item "B": Elizabeth Sena, Robin Gomez, Jose Valdez, Veronica Perez, Brenda Quispe, Rudy Nunez, Raul Perez and Gabriela Mendez. City Attorney Ruben Duran explained that public communications for the public hearing must be related to the public hearing item being heard.

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

1. Determine that the project is exempt pursuant to Section 15061 (b) (3) (General Rule Exemption), of the California Environmental Quality Act (CEQA) and Section No. 3.07 of the 2019 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Exemption; and,
2. Read by title only and waive further reading of and introduce **Ordinance No. 1865**, an Ordinance of the City Council of the City of Fontana, approving amendments to Chapter 30 (Zoning and Development Code) of the Fontana Municipal Code, and that the reading of the title constitutes the first reading thereof;

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

Council Member Roberts thanked Building Official Jeffrey Baughman for responding to a constituents complaint.

Council Member Sandoval spoke on the COVID vaccine event that the County of San Bernardino recently hosted and is hoping they will host another event.

Council Member Sandoval commended Walgreens for offering COVID vaccines to City employees involved in the ACES program.

Council Member Sandoval stated that Kaiser Hospital is going to begin offering vaccines to people 55 and older.

Council Member Garcia spoke about street racing being a city wide problem.

Council Member Garcia thanked the Fontana School Board for giving parents a choice to send their children back to school.

Mayor Pro Tem Cothran congratulated his sister and brother-in-law on the birth of their son Dallas Samuel Carroll.

Mayor Pro Tem Cothran encouraged residents to use the Fontana App to report graffiti, abandoned shopping carts and other city related issues.

Mayor Pro Tem Cothran spoke about spending the day at the Mary Vagle Center with his father and daughter and spoke about all the great things you can do at the Center.

Mayor Warren thanked everyone for calling in to the meeting and encouraged civic engagement.

Mayor Warren encouraged residents to look at the City Website and Social Media pages for events, updates and upcoming projects.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Mark Denny spoke on COVID numbers continuing to go down and that the County of San Bernardino is moving into the red tier. City Manager Denny is hoping to go back to in person Council Meetings in the near future.

ADJOURNMENT:

A moment of silence was held for Ilaiasi Tuitupou.

The meeting adjourned at 8:38 p.m. in memory of Ilaiasi Tuitupou to the next Regular City Council Meeting on Tuesday, March 23, 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 23RD DAY OF MARCH 2021.

DocuSigned by:

Tonia Lewis

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Tonia Lewis
City Clerk

Certificate Of Completion

Envelope Id: 084D1A74DFD24C5C9D24657969C34C62	Status: Completed
Subject: Please DocuSign: 3-9-2021 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
3/24/2021 1:39:15 PM	clerks@fontana.org	

Signer Events

Karen Porlas
kporlas@fontana.org
City Clerk's Department
Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

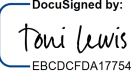
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Timestamp

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Viewed: 3/24/2021 1:39:52 PM
Signed: 3/24/2021 1:40:07 PM

Electronic Record and Signature Disclosure:
Accepted: 3/24/2021 1:39:52 PM
ID: 48784370-4209-4f57-95f9-e6855ca97afc

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

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Viewed: 3/24/2021 2:55:52 PM
Signed: 3/24/2021 2:56:13 PM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
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Editor Delivery Events	Status	Timestamp
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Agent Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Evelyne Ssenkoloto
essenkol@fontana.org
Security Level: Email, Account Authentication (None)

COPIED

Sent: 3/24/2021 2:56:14 PM
Viewed: 3/24/2021 3:53:02 PM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Carbon Copy Events	Status	Timestamp
Kathy Kasinger kkasinger@fontana.org Records Coordinator Security Level: Email, Account Authentication (None)	COPIED	Sent: 3/24/2021 2:56:14 PM
Electronic Record and Signature Disclosure: Accepted: 3/15/2021 3:33:20 PM ID: 1f1b700e-a4ff-4a9f-bfdb-0421ce6eac30		

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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Signing Complete	Security Checked	3/24/2021 2:56:13 PM
Completed	Security Checked	3/24/2021 2:56:14 PM

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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