

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
April 27, 2021**

WORKSHOP:

A. 5:30 Joint City Council and Planning Commission Workshop

A City Council Workshop was held remotely on Tuesday April 27, 2021. Mayor Pro Tem Cothran called the Workshop to order at 5:32 p.m. with Council Members Garcia, Roberts, and Sandoval present. Mayor Warren arrived at 5:37 p.m.

Also present were Planning Commissioners Sanchez, Fort, Sangha, and Thrasher. Commissioner Gordon was excused.

Senior Planner DiTanyon Johnson provided a presentation on the Housing Element.

Discussion ensued on Regional Housing Needs Assessment (RHNA) and Homeless Task Force.

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

The Workshop adjourned at 6:03 p.m.

CLOSED SESSION:

A. 6:00 P.M. CLOSED SESSION

A Closed Session was held remotely at 6:03 p.m. with Mayor Warren, Mayor Pro Tem Cothran, Council Members Garcia, Roberts, and Sandoval present.

PUBLIC COMMUNICATIONS:

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

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

Case: Lucien Leyes, et al v. City of Fontana

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

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, April 27, 2021. Mayor Warren called the meeting to order at 7:04 p.m.

ROLL CALL:

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

Absent: None.

INVOCATION/PLEDGE OF ALLEGIANCE:

Following the Invocation by Council Member Roberts, the Pledge of Allegiance was led by Mayor Pro Tem Cothran.

CLOSED SESSION ANNOUNCEMENT:

Acting City Attorney Ballinger announced that the Mayor and City Council met in Closed Session and took no reportable action.

PUBLIC COMMUNICATIONS:

A. Public Communications

The following individuals commented during live call-in:

Elizabeth Sena spoke on behalf of public communications brought forward to the City Council.

Eddie Lopez wished outgoing Deputy City Clerk Karen Porlas best wishes on her retirement and welcomed incoming Deputy City Clerk Ashton Gout. In addition, thanked the public for participating in the meeting.

CONSENT CALENDAR:

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

A. Approval of Minutes

Approve the Minutes of the the April 13, 2021, Regular City Council Meeting.

B. Final Acceptance of the Traffic Management Center (TMC) Fiber Optic Installation Project

Accept as complete the work performed by Elecnor Belco Electric, Inc. for the construction of the Traffic Management Center (TMC) Fiber Optic Installation Project and approve the final construction amount of \$1,259,299.83. (SB-01-DE-20)

C. Final Acceptance of Subdivision Improvements for Tract Map No.'s 17059 and 17377

1. Accept as complete the Subdivision Improvements for Tract Map No.'s 17059 and 17377 located south of Miller Avenue and west of Beech Avenue.

2. Adopt **Resolution No. 2021- 021**, accepting sewers in Tract Map No.'s 17059 and 17377 as part of the City sewer system.

D. Final Acceptance of Subdivision Improvements for Tract No.'s 18820 and 18820-1 Located Within The Sierra Crest Development

1. Accept as complete the Subdivision Improvements for Tract No.'s 18820 and 18820-1 located east of Sierra Avenue and north of Duncan Canyon Road within the Sierra Crest development.

2. Adopt **Resolution No. 2021- 022**, accepting sewers in Tract No.'s 18820 and 18820-1, as part of the City sewer system.

E. Approve the Memorandum of Understanding Between the United States Postal Inspection Service and the City of Fontana Police Department

1. Approve a Memorandum of Understanding (MOU) between United States Postal Inspection Service and the City of Fontana to have their respective personnel cooperate to protect the public through the investigation and prosecution of criminal offenses related to trafficking of controlled substances and other dangerous drugs, money laundering, mail and identity theft,

2. Authorize the City Manager to sign the Memorandum of Understanding, all related documents, and any amendments to continue this agreement as long as it is in the best interest of the City of Fontana.

F. Award of Construction Contract for Captain's Office and Investigations Tenant Improvements (SB-27-PW-21)

Award bid and authorize the City Manger to execute a construction contract with RS Construction and Development Inc. for the Captain's Office and Investigations Tenant Improvements (SB-27-PW-21) in the amount of \$249,000 and a 15% contingency of \$37,350.

G. Police Department Monthly Information Update

Accept the Police Department monthly information update for March 2021.

H. Purchase of Slovene Hall - 8425 Cypress Avenue

Approve the acquisition of Slovene Hall, located at 8425 Cypress Avenue in Central Fontana, and authorize the City Manager to execute any documents necessary or appropriate to effectuate said acquisition.

I. Fourth of July Operations Plan

Approve and Authorize the City Manager or his designee to sign all related documents as long as it is in the best interest of the City of Fontana.

PUBLIC HEARINGS:

A. Public Hearing and Adoption of HUD CDBG, HOME, and ESG 2021 Annual Action Plan

Mayor Warren opened Public Hearing Item PH-A.

Housing Development Manager Valerie Gonzales provided a staff report.

No one spoke in favor or opposition.

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

1. Adopt the draft FY2021-22 Annual Action Plan for CDBG, HOME, and ESG programming;
2. Authorize the City Manager to execute and transmit any documents necessary or desirable to ensure the City's timely receipt and execution of Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG) programs.

B. Master Case No. 20-050, General Plan Amendment No. 20-014, Zone Change No. 20-014, Design Review No. 20-020, and Development Agreement No. 21-01 All for the Future Development of an Approximately 194,212 Square Foot Warehouse Located on the Southeast Corner of Slover Avenue and Citrus Avenue

Mayor Warren opened Public Hearing Item PH-B.

Senior Planner DiTanyon Johnson provided a staff report.

One letter of opposition was received.

The following individuals spoke in opposition of this item: Elizabeth Sena, Eddie Lopez, Armando Martinez, Ryan DiGiulio, Antonio Avina, Julia Avina-Cruz, Sunny Renteria, Carlos Tinoc, Kelly Tinoc, Cynthia Gonzalez, Alejandra Collazo, Robert Fekay, Ana Lopez, Robert Gonzalez, Brian Kolde, Jennifer Garcia, Julian Brambila, Erick Roa, Debra Zeldin, Andrew Noguera, Veronica Perez, Alexis Robles, Maurico Flores, Shantay Thompson, Gracie Cervantes, Rebecca Gonzalez, Ivan-Nicholas Cisneros, Alexandra Hurtado, Kareem Gongora, Janet Bernabe, Anel Torres, and Jasmine Cunningham.

Mayor Warren closed the Public Hearing.

Council discussed their concerns and after further discussion, the Applicant agreed to the following terms added by the Council:

The term of the 10-year lease agreement detailed in the associated Development Agreement No. 21-001, shall begin at the same time the public benefit fee is paid.

ACTION: Motion was made by Mayor Warren, seconded by Council Member Roberts, and passed by a vote of 4-1 to approve Public Hearing Item "B" (AYES: Warren, Cothran, Garcia, and Roberts NOES: Sandoval; ABSTAIN: None) as follows:

1. Adopt **Resolution No. 2021- 023**, a Resolution of the City Council of the City of Fontana, adopting the Mitigated Negative Declaration pursuant to Section 15070 of the California Environmental Quality Act (CEQA) and Section 6.16 of the 2019 Local Guidelines for Implementing CEQA, approving General Plan Amendment No. 20-014, to change the General Plan land use designation on approximately 8.8 acres (APNs: 0255-011-02 and -03) from General Commercial (C-G) to Light Industrial (I-L) and approve Design Review No. 20-020 for the construction of an approximately 194,212 square foot warehouse subject to the findings and conditions of approval; and
2. Read by title only and waive further reading of and introduce **Ordinance No. 1866**, an Ordinance of the City Council of the City of Fontana, approving Zone Change No. 20-014 to change the zoning map on approximately 8.8 adjusted gross acres from General Commercial (C-2) to Light Industrial (M-1) APNs: 0255-011-02 and 0255-011-03, and the reading of the title constitutes the first thereof.
3. Read by title only and waive further reading of and introduce **Ordinance No. 1867**, an Ordinance of the City Council of the City of Fontana approving Development Agreement No. 21-001, between the City of Fontana a California Municipal Corporation and Citrus and Slover LLC, a California Limited Liability Company, which provides a public benefit fee in the amount of \$825,401.00 dollars and that the reading of the title constitutes the first reading thereof.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Koehler-Brooks welcomed Deputy City Clerk Gout and congratulated outgoing Deputy City Clerk Porlas on her retirement.

Council Member Garcia congratulated outgoing Deputy City Clerk Porlas on her retirement and welcomed Deputy City Clerk Gout. Discussed the concerns and comments regarding pollution and air quality and thanked the public for calling into the meeting to provide their comments.

Mayor Pro Tem Cothran thanked the public for calling into the meeting to provide their comments and urged the public to reach out to the Council to voice their concerns prior to an item being placed on the agenda. In addition, clarified the development on the corner of Sierra Ave and Baseline. Shared with the Council and public that his family has welcomed his newest nephew, Atlas Price Cothran and wished his brother Robert a happy birthday.

Council Member Sandoval congratulated Mayor Pro Tem Cothran and his family on the newest addition to the family. Welcomed Deputy City Clerk Gout and thanked outgoing Deputy City Clerk Porlas for her support throughout the years. Closed with wishing his grandson, Tommy, a Happy Birthday.

Council Member Roberts shared that he had an inquiry regarding when the City plans to reinstitute the car shows.

City Manager Denny stated that the Community Services Director and staff hope to reinstate these programs at the end of the summer, however, has been closely watching the re-opening guidelines and will assess such programs as time permits.

Council Member Roberts echoed the comments of Mayor Pro Tem Cothran and Council Member Garcia regarding the item brought before the Council this evening. Closed in welcoming Deputy City Clerk Gout and congratulating outgoing Deputy City Clerk Porlas on her retirement.

Mayor Warren thanked the residents for their comments and for those residents who met with her to discuss their concerns. In addition, praised warehouse workers and thanked them for the work that they do. Stated the importance of Fontana and the manufacturers that are housed within the City. Reiterated the vast opportunity for housing within Fontana and thanked City staff for all their hard work that they do to serve the City. Announced the Central Park opening in May. Closed congratulating outgoing Deputy City Clerk Porlas on her retirement and welcomed Deputy City Clerk Gout.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Denny congratulated outgoing Deputy City Clerk Porlas for her 35 years of service with the City and provided well wishes on her retirement. In addition, welcomed the incoming Deputy City Clerk Ashton Gout, who recently worked for the City of Palm Springs and the City of Monrovia.

ADJOURNMENT:

A moment of silence was held for Gloria Echandi.

The meeting adjourned at 9:47 p.m. in memory of Gloria Echandi, to the next Regular City Council Meeting on Tuesday, May 11, 2021, at 7:00 p.m. that will be available remotely.

DocuSigned by:

Ashton Gout

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Ashton R. Gout, CMC
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 11TH DAY OF MAY 2021.

DocuSigned by:

Tonia Lewis

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Tonia Lewis
City Clerk

Certificate Of Completion

Envelope Id: 1D598C18A1864801A3D15BCBCB36620	Status: Completed
Subject: Please DocuSign: 4-27-2021 City Council Meeting Minutes - DRAFT.pdf	
Source Envelope:	
Document Pages: 7	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope 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
5/13/2021 8:43:24 AM	clerks@fontana.org	

Signer Events

Ashton Gout
 agout@fontana.org
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

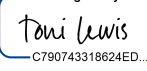
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 Signed: 5/13/2021 8:48:54 AM

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

DocuSigned by:

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 Using IP Address: 76.218.56.24
 Signed using mobile

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 Signed: 5/13/2021 9:05:43 AM

Electronic Record and Signature Disclosure:
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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: 5/13/2021 9:05:43 AM
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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: 5/13/2021 9:05:43 AM
Electronic Record and Signature Disclosure: Accepted: 4/28/2021 3:46:15 PM ID: 9c57d323-e0c3-4d38-af3f-3c27f4996aab		

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	5/13/2021 9:05:43 AM
Completed	Security Checked	5/13/2021 9:05:43 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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