

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF FONTANA
REGULAR CITY COUNCIL MEETING
June 8, 2021**

WORKSHOP:

A. 5:30 P.M. Workshop

A City Council Workshop was held remotely on Tuesday, June 8, 2021. Mayor Warren called the Workshop to order at 5:34 p.m. with Mayor Pro Tem Cothran, Council Members Garcia, Roberts, and Sandoval present.

The City Council Regular Meeting Agenda was reviewed and Council Member Garcia requested to pull Item C from the Consent Calendar for a staff presentation.

Police Chief Billy Green and Assistant Fire Chief Jeff Birchfield provided a brief presentation on the Community Outreach and Support Team (COAST) with the assistance of Police Officer Mike Hall, Firefighter BJ Meyers, and Representatives from Department of Behavioral Health Vivian Bermudez, Alice Alvarez, and Fabiola Lazaro.

The following individuals spoke during the live call-in:

Elizabeth Sena thanked City staff for implementing a program to help the community struggling with mental health.

Michael McGinnis recognized the City and Public Safety for their efforts in assisting those experiencing homelessness and struggling with mental health.

City Manager comments were heard.

The Workshop adjourned at 6:02 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 Garcia, Roberts, and Sandoval 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; Police Management Association; Police Benefits Association; 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 concurrently with the Fontana Housing Authority; Fontana Fire Protection District; and the Fontana Community Foundation. All meetings were held remotely on Tuesday, June 8, 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. City Treasurer Koehler-Brooks was also present.

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 Duran announced that the Mayor and City Council met in Closed Session on the two items listed on the agenda. The City Council provided direction to Negotiator Denny for the Conference with Labor Negotiator. In addition, the City Council unanimously voted to approve a settlement with Kinard, Hawkins and the City of Fontana.

PUBLIC COMMUNICATIONS:

A. Public Communications

The following individuals commented during live call-in:

Elizabeth Sean thanked the public for their continued participation in Council meetings and spoke on the need for residents to be heard during these discussions and decisions taking place.

Ivan Nicholas-Cisneros spoke on past implemented curfews within the community and voiced his concerns regarding the landmark of the Fontana Women's Club.

Rayna Gordon spoke in opposition of the development of the Fontana Sierra Business Center.

Lizeth Aparicio spoke in opposition of the development of the Fontana Sierra Business Center.

Andre Cisneros spoke on concerns regarding the lack of sidewalk development near Summit Highschool.

Julia A. spoke in opposition of warehouse development.

Maria Arias spoke in opposition of the Fontana Unified School District's Special Education Department and their failed implementation of Special Needs assistance for their students.

Samuel Arias spoke on behalf of the Special Education Students within the community and the failed implementation of Special Needs assistance by the Fontana Unified School District's Special Education Department.

Ariana Miramontes spoke on concerns of the current Cambria Park in Walnut Village and provided comments on possible improvements.

Ben Vasquez requested a public apology from Planning Commissioner Sanchez and spoke on affordable housing and COVID-19 concerns.

Antonio Cruz spoke in opposition of warehouse developments and requested a public apology from Planning Commissioner Sanchez.

Nancy Vargas commented on the current closure of the Don Day Community Center and spoke in opposition of warehouse developments.

Elisa Delgado spoke in opposition of warehouse development.

Sunny Renteria spoke in opposition of warehouse development.

Robert Gonzalez spoke to raise awareness on the lack of affordable housing within the community.

Amparo Munzo spoke in opposition of warehouse development.

The following individual was called upon but disconnected during the public comment period:

Julyssa Palacios Pizano

City Council entered into a recess at 8:04 p.m., resuming at 8:12 p.m.

CONSENT CALENDAR:

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Garcia, and passed by a roll call vote of 5-0 to approve Consent Calendar Items "A-E", with the removal of Item C for discussion. (AYES: Warren, Cothran, Garcia, Roberts, and Sandoval NOES: None) as follows:

A. Approval of Minutes

Approve the Minutes of the the May 25, 2021, Regular City Council Meeting.

B. Amendment No. 7 to the City/County Waste Disposal Agreement

Approve Amendment No. 7 to the Waste Disposal Agreement (WDA) with the County of San Bernardino.

C. Fontana Chamber of Commerce Agreement Amendment

This item was pulled from the consent calendar by Councilmember Garcia for a staff presentation.

City Manager Mark Denny provided the staff report.

The following individuals spoke during the live call-in:

Ivan Nicholas Cisneros spoke in opposition of Item C.

Robert Gonzalez spoke in opposition of Item C.

Amparo Munoz spoke in opposition for Items B-E.

Andrea De Leon, Representative from the Fontana Chamber of Commerce, spoke in support of Item C.

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

Approve and authorize the City Manager to execute the amendment of the contractual services agreement between the City of Fontana and Fontana Chamber of Commerce in an amount of \$150,000, to provide services and outreach to the business community, as well as develop and implement a COVID Recovery Program for Fontana Businesses.

D. Intention to Levy Assessments for Fiscal Year 2021-2022 for Landscape and Lighting Maintenance Districts

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Garcia, and passed by a roll call vote of 3-0 to approve Consent Calendar Items "D". Mayor Warren and Mayor Pro Tem Cothran abstained from staff recommendation #2 due to owning property within the Landscape Maintenance District No. 2. (AYES: Garcia,

Roberts, and Sandoval; NOES: None; ABSTAIN: Warren, Cothran) as follows:

1. Adopt **Resolution No. 2021-034**, of the City of Fontana, California, Declaring its Intention to Levy and Collect Assessments within Landscape Maintenance District No. 1 ("LMD #1") for Fiscal Year 2021-2022 and Giving Notice of and Setting the Time and Place of the Hearing on the Levy of the Proposed Assessment.
2. Adopt **Resolution No. 2021-035**, of the City of Fontana, California, Declaring its Intention to Levy and Collect Assessments within Landscape Maintenance District No. 2 ("LMD # 2") for Fiscal Year 2021-2022 and Giving Notice of and Setting the Time and Place of the Hearing on the Levy of the Proposed Assessment.
3. Adopt **Resolution No. 2021-036**, of the City of Fontana, California, Declaring its Intention to Levy and Collect Assessments within Landscape Maintenance District No. 3 ("LMD # 3") for Fiscal Year 2021-2022 and Giving Notice of and Setting the Time and Place of the Hearing on the Levy of the Proposed Assessment.
4. Adopt **Resolution No. 2021-037**, of the City of Fontana, California, Declaring its Intention to Levy and Collect Assessments within Landscape Maintenance District No. 3-1 ("LMD # 3-1") for Fiscal Year 2021-2022 and Giving Notice of and Setting the Time and Place of the Hearing on the Levy of the Proposed Assessment.
5. Adopt **Resolution No. 2021-038**, of the City of Fontana, California, Declaring its Intention to Levy and Collect Assessments within Local Lighting Maintenance District No. 3 ("LLMD # 3") for Fiscal Year 2021-2022 and Giving Notice of and Setting the Time and Place of the Hearing on the Levy of the Proposed Assessment.

E. Resolution of Intent to form Community Facilities District No. 106 (Mountainview)

1. Adopt **Resolution No. 2021-039**, of the City Council of the City of Fontana of Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes.
2. Adopt **Resolution No. 2021-040**, of the City Council of the City of Fontana to Incur Bonded Indebtedness of the Proposed City of Fontana Community Facilities District No. 106 (Mountainview).

PUBLIC HEARINGS:

A. Capital Improvement Program Budget for Fiscal Years 2021/2022-2027/2028

Mayor Warren opened Public Hearing Item PH-A and New Business Items A for City Council and Committees concurrently.

Management Services Director Lisa Strong provided a staff report.

The following individuals spoke during the live call-in:

Amparo Munoz spoke in opposition of the proposed budget and commented on the inaccessible report prior to the meeting.

Ivan Nicholas Cisneros spoke in opposition of the proposed budget.

Mayor Warren closed the Public Hearing for Item PH-A and New Business Item A for City Council and Committees concurrently.

ACTION: Motion was made by Mayor Pro Tem Cothran, seconded by Council Member Roberts, and passed by a roll call 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. Determine that the project is categorically exempt pursuant to Sections No. 15378 (Project), 15061b.3 (Review of Exemption), 15304 (Minor Alterations to Land), and 15305 (Minor Alterations in Land Use Limitations) of the California Environmental Quality Act (CEQA), and Section No. 3.22 of the Local 2019 Guidelines for Implementing CEQA, and direct staff to file a Notice of Exemption.
2. Adopt **Resolution No. 2021-041**, of the City Council of the City of Fontana, California, adopting the Fiscal Years 2021/2022 through 2027/2028 Capital Improvement Program (CIP).

NEW BUSINESS:

A. Proposed Operating Budget for Fiscal Years 2021/22 and 2022/23

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Garcia, and passed by a roll call vote of 5-0 (AYES: Warren, Cothran, Garcia, Roberts, and Sandoval and NOES: None; ABSTAIN: None) to approve:

1. Adopt **Resolution No. 2021-042**, of the City Council of the City of Fontana adopting the City's Annual Operating Budget for Fiscal Years 2021/2022 and 2022/2023.
2. Adopt **Resolution No. 2021-043**, of the City Council of the City of Fontana establishing a General Fund Appropriations limit of \$309,774,607 pursuant to Article XIII (B) of the California Constitution for Fiscal Year 2021/2022.
3. Adopt **Resolution No. 2021-044**, of the City Council of the City of Fontana adopting the updated job description and salary range for the classification of (IT) Support Supervisor, the new job description and salary range for the classification of Public Safety Systems Administrator, and the updated Management Confidential salary table.
4. Adopt **Resolution No. 2021-045**, of the City Council of the City of Fontana adopting the updated Fontana Police Officers' Association salary table for the Fiscal Year 2021/2022.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Mayor Warren: Discuss and Consider Resolution from California Mayors Coalition Supporting Local Control of Zoning and Housing Issues

Mayor Warren discussed in detail the proposed Resolution for consideration that is being brought forward by the California Mayor's Coalition to support local control of zoning and housing issues.

The following individuals spoke during live call-in:

Elizabeth Sena spoke in opposition of the proposed Resolution.

Ariana Miramontes spoke in opposition of the proposed Resolution.

Nancy Vargas spoke in opposition of the proposed Resolution.

Elisa Delgado spoke in opposition of the proposed Resolution.

Gabriela Mendez spoke in opposition of the proposed Resolution.

Council discussion ensued regarding the differences of control the City would have if this Resolution was adopted or not.

ACTION: Motion was made by Council Member Garcia, seconded by Mayor Pro Tem Cothran, and passed by a roll call vote of 4-1 (AYES: Warren, Cothran, Garcia, and Roberts and NOES: Sandoval; ABSTAIN: None) to approve:

Adopt **Resolution No. 2021-046**, a resolution of the Council of the City of Fontana expressing support for actions to further strengthen local democracy, authority, and control as related to local zoning and housing issues.

B. Elected Officials Communications/Reports

City Treasurer Koehler-Brooks thanked Management Services Director Lisa Strong, and Management Services staff Fabiola Barrita and William Castrillon, on all their hard work on this year's budget process.

City Attorney Duran added the following to augment the report out of Closed Session: the settlement announced on behalf of the Kinard and Hawkins matter was responding to a claim against the City under Government Code Section 900 et seq.

Council Member Garcia thanked Management Services staff for the prepared budget and wished everyone a good evening.

Mayor Pro Tem Cothran thanked Management Services Director Lisa Strong and her team for the prepared budget. Recognized the Department Heads who had to reduce

their budgets due to COVID-19 and thanked Community Services Director Nelson for his excellent work in doing so and is excited to welcome programming back to the community. Recognized the work that Mayor Warren and Cal Trans put together with implementing the new all-way stop at Beech Ave and I-210 Freeway.

Council Member Roberts thanked Management Services staff for the prepared budget.

Council Member Sandoval thanked Management Services Director Lisa Strong for the prepared and balanced budget. In addition, thanked Public Works staff for meeting with Sierra Lakes resident on resolving an issue. Congratulated all the recent graduates from local High Schools within the community. Offered his condolences to the family of fallen San Bernardino County Sherriff Sgt. Dominic Vaca, as well as all our fallen officers and fire fighters throughout the State and Country. In conclusion, offered his sincere condolences to Mr. Nixon, for his wife's passing due to COVID-19.

Council Member Sandoval addressed City Manager Denny regarding a possible donation of a fire engine to the high school for their fire technical program; hiring of additional life guards for the community pools; and additional transportation drivers for Senior care.

Council Member Sandoval recognized Police Chief Green and Assistant Fire Chief Birchfield on their creation of the Community Outreach and Support Team (COAST). Discussed a recent conversation with Senator Leyva regarding the ACES program and Early Education Learning funding that is available to the community.

Mayor Pro Tem Cothran added comments as President of the Fire District Authority, regarding the current efforts on obtaining an engine for student use and need through the Fontana Unified School District for the School's Fire program.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

A. Response to City Council Directive - Vehicular Traffic

Police Chief Green and Dawn Rowe provided the staff report and answered questions from City Council.

The following individuals spoke during the live call-in:

Elizabeth Sena spoke on the effects that warehouse development and truck drivers have on the streets within the community.

Ben Vasquez spoke in opposition of the proposed plan for the Amazon warehouse.

Nancy Vargas spoke on concerns for the proposed truck route for the Amazon warehouse.

Sunny Renteria spoke in opposition of the Amazon warehouse development and the

proposed truck route.

Elisa Delgado spoke on the effects that warehouse development and truck drivers have on the streets within the community.

B. City Manager Communications

City Manager Denny informed the Council that staff will draft a Letter to the State Legislation Delegation requesting that they fulfill the VLF to fund the five Police Officer positions that are currently unfunded due to lack of commitment from the State.

In addition, City Manager Denny highlighted that the intersection of Beech Ave and the I-210 freeway will have an all-way stop installed by Cal Trans effective by end of day June 9, thanks to City staff for taking the initiative to pursue a Cal Trans encroachment permit for this location.

Reported that staff has submitted request for funding for the Malaga Bridge project that crosses Foothill Blvd and was approved to be included in the House Version Structure Program and is now going to the Senate for approval.

Recognized the Management Services Department for their assistance on this year's budget, as well as all departments for their assistance.

In conclusion, spoke on the planned elimination of the tier restrictions from the Governor's Office and will maintain to watch closely on the status as it progresses.

ADJOURNMENT:

A moment of silence was held for fallen San Bernardino County Sheriff Sgt. Dominic Vaca.

The meeting adjourned at 10:46 p.m. in memory of Sgt. Dominic Vaca, to the next Regular City Council Meeting on Tuesday, June 22, 2021, at 7:00 p.m. that will be available remotely.

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Ashton R. Gout, CMC
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 22ND DAY OF JUNE 2021.

DocuSigned by:



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Tonia Lewis
City Clerk

Certificate Of Completion

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Signer Events

Ashton Gout
agout@fontana.org
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Signature

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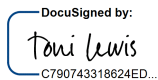
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Toni Lewis
tlewis@fontana.org
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Evelyne Ssenkoloto
essenkol@fontana.org
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Carbon Copy Events	Status	Timestamp
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Required 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

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