

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, November 9, 2021

7:00 PM

Grover W. Taylor Council Chambers

City Council Meeting

Acquanetta Warren - Mayor
Phillip W. Cothran - Mayor Pro Tem
John B. Roberts - Council Member
Jesus "Jesse" Sandoval - Council Member
Peter A. Garcia - Council Member
Tonia Lewis - City Clerk
Janet Koehler-Brooks - City Treasurer

WORKSHOP:

A. 5:00 P.M. City Council Workshop

The Regular City Council workshop on Tuesday, November 9, 2021, convened at 5:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order with all City Council Members present.

City Treasurer Janet Koehler-Brooks was also in attendance.

The City Council Regular meeting agenda was reviewed and Council Member Sandoval requested that Consent Calendar Items 'C' and 'E' to be pulled for questions of staff. Mayor Warren announced the request from City staff for the removal of Consent Calendar Item 'D' from the agenda and will not be included in the motion taken.

There were no public communications received.

City Attorney Duran informed the Mayor and City Council of a subsequent item needing to be added to the Closed Session agenda. The item is in response to a letter the City of Fontana received by Attorney Robert Morris threatening litigation. Pursuant to Government Code Section 54954.2 (b) (2), City Attorney Duran requested that the Mayor and City Council vote to approve this addition.

ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Roberts, to approve the addition of the subsequent item to be included in the Closed Session agenda for Tuesday, November 9, 2021, convening at 6:00 p.m. The motion carried by a unanimous vote. (AYES: Warren, Cothran, Garcia, Roberts, and Sandoval; NOES: None; ABSTAIN: None)

The workshop continued as follows:

A. Incident Reporting System Change

Fontana Police Chief Billy Green provided a presentation on the recently approved change from the traditional Summary Reporting System and replace it with the National Incident-Based Reporting System (NIBRS) by January 1, 2022, and answered questions of the Mayor and City Council.

B. 2022 Legislative Platform

Public Affairs Manager Robert Torres provided a presentation on the City of Fontana 2022 Legislative Platform and answered questions of the Mayor and City Council.

The Workshop adjourned at 5:33 p.m.

CLOSED SESSION:

A. 6:00 P.M. CLOSED SESSION

A Closed Session was held in the Executive Conference Room at 6:00 p.m. located at 8353 Sierra Avenue, Fontana, California, with all members of the City Council present.

PUBLIC COMMUNICATION - CLOSED SESSION:

A. Public Communications - Closed Session

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: Shannon Yauchzee, Interim 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 Benefits Association; and Management/Confidential Employees

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8)

Property: Various locations including: Baseline/15 Fwy, Citrus and Sierra Lakes Pkwy, Citrus and South Highland Avenue, Cherry and San Bernardino Avenue, and Jessie Turner Center.

City Negotiator: Shannon Yauchzee, Interim City Manager

Negotiating Parties: Lamar Central Outdoor, LLC

Under Negotiation: Price and terms of payment

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Gov. Code §54956.9(d)(2))

Significant Exposure to Litigation: One case based on correspondence with Valley Kia regarding the proposed Citrus Crossroads Project.

[21-851](#)

CALL TO ORDER/ROLL CALL:

A. 7:00 P.M. Call To Order/Roll Call:

A Regular meeting of the Fontana City Council was held in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, CA 92335 on Tuesday, November 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 Garcia, Roberts, and Sandoval.

City Treasurer Koehler-Brooks was also present.

Absent: None

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 and the third item that the Mayor and City Council unanimously voted during the Workshop to add a subsequent item under Government Code Section 54954.2 (b)(2).

There was no reportable action.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Fontana Police Department Chaplain Victor Nolen / Pledge of Allegiance

Following the invocation by Fontana Police Chaplain Victor Nolen, the Pledge of Allegiance was led by Mayor Pro Tem Cothran.

PROCLAMATION:

A. Mayor Warren and City Council to proclaim November 7-13, 2021 as Nurse Practitioner Week

Mayor Warren and the City Council presented a proclamation to the President of the Inland Empire Nurse Practitioner Association, Velma Yep.

[21-1007](#)

SPECIAL PRESENTATIONS:

A. San Bernardino Council of Governments (SBCOG) Emergency Nurse Communication System

County of San Bernardino Fire Chief, Dan Munsey, Executive Director for CONFIRE, Art Andres, and Council of Governments and Equity Programs Manager for San Bernardino Council of Governments, Monique Reza-Arellano provided the Mayor and City Council with a brief overview of the Emergency Nurse Communication System through San Bernardino Council of Governments.

[21-1006](#)

PUBLIC COMMUNICATIONS:

A. Public Communications

The following individuals spoke under public communications:

Paul Belinski spoke about his concerns at the local Metro Station.

Zina Heineman spoke about her concerns at the local Metro Station.

CONSENT CALENDAR:

Consent Calendar Items "C" and "E" were pulled for questions of staff by Council Member Sandoval. City Staff provided requested information to the Mayor and City Council. Both items were included in the motion for consideration. Mayor Warren noted for the record that City staff pulled Consent Calendar Item "D" from the agenda and the item will not be apart of the motion.

ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Garcia, and passed unanimously by a vote of 5-0 to adopt Consent Calendar Items "A-C,E-H", with the removal of Consent Calendar Item "D". The motion carried by the following vote: (AYES: Warren, Cothran, Garcia, Roberts, and Sandoval; NOES: None; ABSTAIN; None)

- A.** Adoption of Ordinance No.1875 [21-1005](#)
Second Reading/Adopt **Ordinance No. 1875** levying special taxes within the City of Fontana Community Facilities District No. 107 (Highland).
- B.** Approve the Purchase and Sale Agreement between the City of Fontana and Rosemead Properties, Inc. [21-999](#)
1. Approve a Purchase & Sale Agreement between the City of Fontana and Rosemead Properties Inc. for the sale of two vacant properties located on the South-West corner of Arrow Blvd. and Citrus Avenue.
2. Authorize the City Manager to execute any documents necessary or appropriate to effectuate said approvals and/or agreement.
- C.** Award of Contract for Annual On-Call Concrete Services [21-977](#)
Award and authorize the City Manager to execute a contract with CT&T Concrete Paving Inc. for Annual On-Call Concrete Services (SB-10-PW-22).
- D.** Award a Construction Contract for Fire Station No. 81 [21-980](#)
1. Authorize the City Manager to execute a Construction Contract with TELACU Construction Management, Inc. for the construction of the Fire Station No. 81 project in the amount of \$8,205,000.00 and authorize a 10% contingency in the amount of \$820,500.00 (Bid No. SB-06-DE-22).
2. Authorize the City Manager to execute any and all utility agreements, utility easements, and any related items on behalf of the City of Fontana for Fire Station No. 81.
This item was pulled by City Staff and was not apart of the motion.
- E.** Award a Construction Contract for South Fontana Park [21-981](#)
1. Authorize the City Manager to execute a Construction Contract with Bogh Engineering for the construction of the South Fontana Park Project in the amount of \$11,239,000.00 and authorize a 10% contingency in the amount of \$1,123,900.00 (Bid No. SB-18-DE-22).
2. Authorize the City Manager to execute any and all utility agreements, utility easements, and any related items on behalf of the City of Fontana for South Fontana Park.
- F.** Extension to Exclusive Negotiation Agreement for Courtplace Apartments [21-998](#)
Approve an extension to the Exclusive Negotiation Agreement (ENA) between the Fontana Housing Authority and the Related Companies of California, LLC, to facilitate the development of an affordable multifamily housing community at the

Southridge Detention Basin and authorize the City Manager to execute the Agreement.

G. Permitting System Replacement [21-1000](#)

1. Authorize the Purchasing Office to "Single Source" the Land Management/Permitting System utilizing another public agency's formal competitive bid (City of Santa Clarita).

2. Purchase the subscription service for Accela Civic Platform system for five (5) years in the amount of \$1,877,382.63 and any additional renewals.

H. Resolution Ratifying the 2021-2023 Memorandum of Understanding for the Fontana Police Benefit Association [21-982](#)

Adopt **Resolution No. 2021-118**, a resolution of the City Council of the City of Fontana ratifying the Memorandum of Understanding between the City of Fontana and the Fontana Police Benefit Association.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

No City Manager Communications were received.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

Mayor Pro Tem Cothran wished all those who served and currently serve within our military a Happy Veteran's Day.

Council Member Sandoval thanked current Legislature on providing the community with an after school program for the youth; wished his grandson a happy birthday; inquired about the City Veteran's banner program; and closed with announcing of upcoming community events.

Council Member Roberts thanked City staff for all their hard work on the South Fontana park project.

Mayor Warren announced recent attendance at community events; congratulated new businesses within Fontana; recognized the Mayor's Education Coalition Series - Planes, Trains and Autonomous Vehicle (PTAV) on their recent win for the Inland Empire Economic Partnership award for Public-Private Partnerships; announced upcoming Veteran's Day celebration; and wished everyone a safe and healthy Thanksgiving holiday.

ADJOURNMENT:

A. Adjournment

The meeting adjourned at 7:52 p.m. to the International Council of Shopping Centers (ICSC) from December 5-7, 2021, in Las Vegas, Nevada, and then to the next Regular City Council Meeting on December 14, 2021 at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

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 14TH DAY OF DECEMBER 2021.

DocuSigned by:

Tonia Lewis

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Tonia Lewis
City Clerk

Certificate Of Completion

Envelope Id: 35DEB9227CBB4DB090B72F2F3DB6FC90	Status: Completed
Subject: Please DocuSign: Minutes - 11.09.2021.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 1/4/2022 12:05 PM	Holder: City Clerk clerks@fontana.org	Location: DocuSign
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Signer Events

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

Signature

DocuSigned by:

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Signature Adoption: Pre-selected Style
Using IP Address: 192.146.186.96

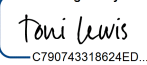
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Signed: 1/5/2022 | 11:05 AM

Electronic Record and Signature Disclosure:

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Toni Lewis
tlewis@fontana.org
1
Security Level: Email, Account Authentication (None)

DocuSigned by:

C790743318624ED...

Signature Adoption: Pre-selected Style
Using IP Address: 172.58.29.115
Signed using mobile

Sent: 1/5/2022 | 11:05 AM
Resent: 1/11/2022 | 12:53 PM
Viewed: 1/11/2022 | 01:18 PM
Signed: 1/11/2022 | 01:19 PM

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

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Viewed: 1/11/2022 | 03:01 PM

Electronic Record and Signature Disclosure:

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Carbon Copy Events	Status	Timestamp
Kathy Kasinger kkasinger@fontana.org Records Coordinator Security Level: Email, Account Authentication (None)	COPIED	Sent: 1/11/2022 01:19 PM
Electronic Record and Signature Disclosure: Accepted: 12/2/2021 03:19 PM ID: 0321d70c-ce1f-42a6-ac17-f732b9b386d3		

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	1/11/2022 01:18 PM
Signing Complete	Security Checked	1/11/2022 01:19 PM
Completed	Security Checked	1/11/2022 01:19 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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