

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, October 12, 2021

7:00 PM

Grover W. Taylor Council Chambers

City Council Meeting

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

WORKSHOP:

- A. 5:00 P.M. Joint City Council, Planning Commission and Parks, Community and Human Services Commission Workshop**

The Joint City Council, Planning Commission, and Parks, Community and Human Services Workshop on Tuesday, October 12, 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 Mayor Pro Tem Cothran, Council Members Roberts and Sandoval present. Council Member Garcia was absent. Planning Commission Chair Fort announced that all Commissioners were present. Parks, Community and Human Services Commission Secretary Key and Commissioner Glass were present. Parks, Community and Human Services Chair Ahumada and Commissioner Quintana were absent.

The City Council Regular meeting agenda was reviewed and City Manager's comments were heard.

Deputy City Clerk Ashton Gout announced that 6 written correspondences were received regarding Workshop Item A: Redistricting.

The following individuals spoke under public communications:

Amparo Munoz spoke on her concerns of the redistricting process.

Ana Gonzalez spoke on her concerns of the redistricting process.

Kareem Gongora spoke on his concerns of the redistricting process.

A. Redistricting

Deputy City Clerk Gout introduced Stephanie D. Smith, BBK Director of Election Services to present on Redistricting. During the presentation, Director Smith went over the Redistricting process, project timeline and next steps and hearings; noting that this is only the first Public Hearing of the required four hearings. The City of Fontana currently has four districts, with the Mayor at-large. The upcoming Public Hearing, which would be the second public hearing out of the four required, will be an opportunity for the public to provide comments regarding the districts and their neighborhoods and communities of interest. The final map must be approved by the Council and submitted to the San Bernardino County Registrar of Voters no later than April 17, 2022.

Director Smith ensured the Council and the public that the City Clerk's Office will be launching a Redistricting webpage on the City website to be used as a resource throughout this process, as well as utilizing Social Media platforms and newspapers to get the word out about upcoming Public Hearings.

B. Commission Charters

Deputy City Manager Phil Burum and Director of Parks and Community Services Garth Nelson both assisted with presenting an update on the Commission Charters Rules and Regulations. During the presentation, questions and comments were raised by the City Council regarding the processes stated within the proposed Resolution. City Council and the Commission's would like to have staff collect additional information and bring it back to a Joint meeting for discussion.

In addition, Deputy City Manager Burum proposed the remaining time of the workshop be comprised of conversation discussing drive-thru's as this meeting was agendized to discuss the Commission vision as it remains consistent with the City Council's vision. Both City Attorney Duran and Mayor Warren approved this dialogue to move forward as requested. Council voiced their desire to have more information on higher demand food chains for the need of space, as well as a more clear application process for the businesses to follow. The conversation led to staff requesting the Council and Commission's to provide staff with some input on topics so that staff can generate an agenda for a future Workshop to discuss in more length.

The Workshop adjourned at 6:02 p.m.

CLOSED SESSION:

A. 6:00 P.M. CLOSED SESSION

A Closed Session was held in the City Hall Executive Conference Room at 6:02 p.m. with all members of the City Council present.

Meeting went into Recess

Meeting Reconvened

Meeting went into Recess

Meeting Reconvened

Present:

Mayor Acquanetta Warren, Council Member Phillip W. Cothran, Council Member John Roberts, Council Member Jesus Sandoval, and Mayor Pro Tem Peter A. Garcia

PUBLIC COMMUNICATION - CLOSED SESSION:

A. Public Communications - Closed Session

No public communication was 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 – EXISTING LITIGATION

(Government Code Section 54956.9 (d)(1).)

Name of Case: Alexander Herd, et al. v. City of Fontana

U.S. District Court, Central District of California; Case No. 5:17cv-02545-AB-SP

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, October 12, 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:**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 Council Member Roberts.

CLOSED SESSION ANNOUNCEMENT

City Attorney Duran reported that the City Council met in Closed Session on the two items listed on the agenda and took no reportable action.

PROCLAMATION:**A. Mayor Warren and City Council to proclaim October as [21-945](#) Cybersecurity Awareness Month (Acting Information Technology Director Jennifer Barcenas to present).**

A. Mayor Warren and City Council to proclaim October as Cybersecurity Awareness Month (Acting Information Technology Director Jennifer Barcenas to present).

The Mayor and City Council proclaimed October as Cybersecurity Awareness Month with the assistance of Acting Information Technology Director Jennifer Barcenas.

SPECIAL PRESENTATIONS:**A. Mayor Warren and City Council to recognize City Manager [21-923](#) Mark Denny (Mayor Warren and City Council to present);**

B. Mayor Warren and City Council to swear in new Fontana Police Officers Jonathan Bagley, Luke Gober, Marcio Greggio, Jack Ho, and Hector Iniguez (Chief Green to present).

A. Mayor Warren and City Council to recognize City Manager Mark Denny (Mayor Warren and City Council to present)

The Mayor and City Council recognized City Manager Denny for his 18 months of service to the City of Fontana and congratulated him on his next endeavor. The entire Council thanked City Manager Denny for his thoughtfulness and commitment to the organization and community in such a trying time.

B. Mayor Warren and City Council to swear in new Fontana Police Officers Jonathan Bagley, Luke Gober, Marcio Greggio, Jack Ho, and Hector Iniguez (Chief Green to present).

The Mayor and City Council sworn in new Fontana Police Officers Bagley, Gober, Greggio, Ho and Iniguez, with the assistance of their family members. The Council and community welcomed the newly sworn officers and thanked them for being apart of the Fontana team.

PUBLIC COMMUNICATIONS:

A. Public Communications

The following individuals spoke under public communications:

Amparo Munoz commented on the Aquatics Center staff and thanked them for their patience and understanding with her son and asked staff to reconsider their current policy on lap swimming requirements.

Ronald Dale Evans, Representing the Fontana Exchange Club, provided a brief overview of the Exchange Club and closed in recognition of those honored during their Book of Golden Deeds Ceremony; amongst the honored was City Treasurer Janet Koehler-Brooks and City Clerk Lewis' late-husband, Don Lewis.

Elizabeth Sena spoke on the Redistricting presentation from the Workshop and encouraged the community to participate in this process; spoke on concerns of the Housing Element report; and voiced her desire for the Council moving back into a hybrid model, allowing public to participate virtually.

CONSENT CALENDAR:

No public communications were received.

Mayor Warren asked that Item B be pulled for a brief review by City Manager Denny. City Manager Denny provided a quick overview of the Telework Policy and agreement being presented to the Council.

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

- Aye:** Mayor Warren, Council Member Cothran, Council Member Roberts, and Mayor Pro Tem Garcia
- Absent:** Council Member Sandoval
- A. Approval of Minutes [21-942](#)**
Approve the minutes of the September 21, 2021 Special City Council Meeting and the September 28, 2021, Regular City Council Meeting.
- B. Adoption of the Telework Policy and Telework Agreement to City of Fontana's Administration Policy and Procedures [21-947](#)**
To adopt the Telework Policy and Telework Agreement to the Administrative Policy and Procedures
- C. Award Bid for HVAC Full-Service Maintenance and Replacement, SP-03-PW-22 [21-924](#)**
Award Bid and authorize the City Manager to execute a contract with Allison Mechanical Inc. for HVAC Full-Service Maintenance Replacement, for a period of two (2) years, renewable for (3) three one-year increments at the City's sole discretion (SP-03-PW-22).
- D. Donation of Surplus Vehicles to the Fontana Unified School District [21-913](#)**
Approve the donation of City surplus vehicles to the Fontana Unified School District.
- E. Purchase of Crossroads Software and Integration [21-864](#)**
1. Approve the purchase of the Crossroads Software for electronic collection of traffic related data and integration with Central Square RMS in the amount of \$ 102,000.00.
2. Authorize the Chief of Police or his assigned designee to sign the agreement between the Crossroads Software and the Fontana Police Department for the total amount of \$102,000.00.
3. Allow the Chief of Police or his assigned designee to continue to renew the annual maintenance agreements as long as it remains in the best interest of the City of Fontana.
- F. Resolution of the Governing Body of the City of Fontana Authorizing Participation in the State Rental Assistance Program-2 [21-928](#)**
Adopt **Resolution No. 2021-102** a Resolution of the City Council of the City of Fontana authorizing participation in the State Rental Assistance Program -2.

PUBLIC HEARINGS:

- A. Issuance of Fontana Public Facilities Financing Authority Lease Revenue Bonds, Series 2021A [21-903](#)**

Council Member Garcia announced his recusal of this item due to owning property near the project and exited the Chambers.

Mayor Warren opened the public hearing.

Accounting Manager George Pirsko provided the staff report.

There were no public communications received on this item.

Mayor Warren closed the public hearing.

ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Roberts, and passed by a vote of 4-0-1 to adopt Public Hearing Item "A" as follows:

Adopt Resolution No. 2021-103 of the City Council of the City of Fontana authorizing the execution and delivery by the City of a Ground Lease, Lease Agreement, Indenture, Escrow Agreement, Continuing Disclosure Certificate and Bond Purchase Agreement in connection with the issuance of Fontana Public Facilities Financing Authority Lease Revenue Bonds, Series 2021A, approving the issuance of such Bonds in an aggregate principal amount of not to exceed \$28,000,000, authorizing the distribution of an Official Statement in connection with the offering and sale of such Bonds and authorizing the execution of necessary documents and certificates and related actions.

The motion carried by the following vote: (AYES: Warren, Cothran, Roberts, and Sandoval; NOES: None; ABSTAIN: Garcia)

Aye: Mayor Warren, Council Member Cothran, Council Member Roberts, and Council Member Sandoval

Abstain: Mayor Pro Tem Garcia

B. Approve a Resolution Eliminating Fee Reductions for High-Cube and Light Industrial Development Circulation Fees [21-879](#)

Mayor Warren opened the public hearing.

Engineering Manager Gia Kim provided the staff report.

There were no public communications received on this item.

Mayor Warren closed the public hearing.

ACTION: Motion was made by Council Member Garcia, seconded by Council Member Roberts, and passed unanimously by a vote of 5-0 to adopt Public Hearing Item "B" as follows:

Approve Resolution No. 2021-105, Eliminating fee reductions for Development Impact Fees for the Circulation Fees

The motion carried by the following vote:(AYES: Warren, Cothran, Garcia, Roberts, and Sandoval; NOES: None; ABSTAIN: None)

Aye: Mayor Warren, Council Member Cothran, Council Member Roberts, Council Member Sandoval, and Mayor Pro Tem Garcia

CITY MANAGER COMMUNICATIONS:**A. City Manager Communications**

City Manager Denny thanked the Mayor and City Council for their recognition to his departure with the City; thanked the Executive Team and City staff for all their hard work and commitment to the organization; thanked retired Management Services Director Lisa Strong for her hard work and commitment, improving the City's credit rating; and closed in recognition of the Fontana Police Chief Billy Green and the Fontana Fire District Assistant Chief Jeff Birchfield for their commitment to the community.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**A. Elected Officials Communications/Reports**

Council Member Garcia thanked City Manager Denny for his service.

Mayor Pro Tem Cothran spoke on his recent attendance the Let's Move on the Trail event.

Council Member Sandoval welcomed the new Police Officers; thanked the Community Services and Public Works team on the recent event with the LA Dodgers at the Dream Field; asked staff to look into possible shelters to take people in Fontana who are experiencing homelessness; announced the evolving shortage of teachers and nurses due to the pandemic and recent mandates; asked staff to look into additional signage to be placed at the Senior Center; and closed in wishing Public Affairs Manager Robert Torres a Happy Birthday.

Council Member Roberts congratulated the new Police Officers; welcomed Interim City Manager, Shannon Yachzee; and closed with comments about outgoing City Manager Denny.

Mayor Warren asked staff to provide a COAST presentation update regarding homeless;

ADJOURNMENT:**A. Adjournment**

Mayor Warren adjourned the meeting at 8:24 p.m. to the next Regular City Council Meeting on October 26, 2021 at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

DocuSigned by:

Ashton R. Arocho

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Ashton R. Arocho, MMC
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 26TH DAY OF OCTOBER 2021.

DocuSigned by:

Tonia Lewis

C790743318624ED

Tonia Lewis
City Clerk

Certificate Of Completion

Envelope Id: C29CAF2510EA45F7BA9AE9371F50A10B	Status: Completed
Subject: Please DocuSign: Revised Minutes - 10.12.2021.pdf	
Source Envelope:	
Document Pages: 10	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
1/18/2022 05:16 PM	clerks@fontana.org	

Signer Events

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

Signature

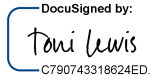
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 Ashton R. Arocho
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 Signed: 1/19/2022 | 08:12 AM

Electronic Record and Signature Disclosure:
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Toni Lewis
 tlewis@fontana.org
 1
 Security Level: Email, Account Authentication (None)

DocuSigned by:

 Toni Lewis
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 Signature Adoption: Pre-selected Style
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 Signed: 1/19/2022 | 08:13 AM

Electronic Record and Signature Disclosure:
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In Person Signer Events **Signature** **Timestamp**

Editor Delivery Events **Status** **Timestamp**

Agent Delivery Events **Status** **Timestamp**

Intermediary Delivery Events **Status** **Timestamp**

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Carbon Copy Events **Status** **Timestamp**

Evelyne Ssenkoloto essenkol@fontana.org Security Level: Email, Account Authentication (None)	COPIED	Sent: 1/19/2022 08:13 AM Viewed: 1/20/2022 08:11 AM
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Carbon Copy Events	Status	Timestamp
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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	1/19/2022 08:12 AM
Signing Complete	Security Checked	1/19/2022 08:13 AM
Completed	Security Checked	1/19/2022 08:13 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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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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