

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, February 22, 2022

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
Vacant - City Clerk
Janet Koehler-Brooks - City Treasurer

WORKSHOP:

A. 4:30 P.M. City Council Workshop

The Workshop of the Fontana City Council was held on Tuesday, February 22, 2022, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, CA 92335. Mayor Warren called the meeting to order at 4:35 p.m. with all members of the City Council present, with the exception of Council Member Roberts who was excused. City Treasurer Janet Koehler-Brooks was also in attendance.

The Regular City Council meeting agenda was reviewed.

Mayor Warren requested that Consent Calendar Item 'K', for Council Member comments.

City Attorney Ruben Duran noted for the record that Consent Calendar Item 'H' had a slight ambiguity in the staff report, the operative document(s) the Council is being asked to approve make clear which property is to be dedicated. To clarify for any member of the public or the Council who may have a question, the minutes will note that the developer has agreed to dedicate approximately five (5) acres of neighboring property, which will include three-and-a-half acres of open space and trails, and a one-and-a-half acres of a proposed "Trailhead Park," which would include a passive park, and a newly constructed dog park and a parking lot.

There were no City Manager's comments heard.

No public communications were received.

Chief Financial Officer Jessica Brown provided the Mayor and City Council with a brief overview of the Mid-Year Budget Report and answered questions of the City Council.

Deputy City Manager Phil Burum introduced Kelly Hickler, representative of DeNovo Planning and Associate Planner Alejandro Rico to provide the Mayor and City Council with a thorough overview on the Downtown Plan - SB2 Grant, answering questions of the 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, with the exception of Council Member Roberts who was excused.

PUBLIC COMMUNICATION - CLOSED SESSION:

A. Public Communications - Closed Session

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

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Gov. Code section 54956.8)

Property: APN 019116305, APN 019116324, APN 019116316,
APN 019116317 & APN 019116326

City Negotiator: Shannon Yauchzee, Interim City Manager

Negotiating Parties: Bank of America

Under Negotiation: Price and terms of payment

**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; and Police Officers Association

CONFERENCE WITH LEGAL COUNSEL-EXISTING

LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: Sierra Club v. City of Fontana, et al. San Bernardino Superior Court
Case No. CIVSB2121605; and People of the State of California v. City of Fontana, et al.
San Bernardino Superior Court Case No. CIVSB2121829

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov. Code section 54956.9(d)(2)

One Potential Case

CALL TO ORDER/ROLL CALL:

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

The Regular meeting of the Fontana City Council was held in the Grover W .Taylor Council
Chambers, 8353 Sierra Avenue, Fontana, California on Tuesday, February 22, 2022.
Mayor Warren called the meeting to order at 7: 04 p.m.

ROLL CALL:

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

Absent: Council Member Roberts

INVOCATION/PLEDGE OF ALLEGIANCE:

**A. Fontana Police Department Chaplain Deylyne McCampbell /Pledge of
Allegiance**

Following the invocation led by Fontana Police Department Chaplain Jason Torres, the
pledge of allegiance was led by Mayor Warren.

SPECIAL PRESENTATIONS:

[21-1207](#)

A. Mayor Warren and City Council to recognize Officer Brandon McCaulley and Administrative Technician Cassandra Pimentel as the Police Department's January 2022 Employees of the Month (Captain Burton to present).

Captain Burton recognized Officer Brandon McCaulley and Administrative Technician Cassandra Pimentel as the Police Department's January 2022 Employees of the Month.

B. Mayor Warren and City Council to recognize Senior Administrative Analyst Evelyne C. Ssenkoloto on recent Certified Municipal Clerk (CMC) designation (Deputy City Clerk Ashton R. Arocho to present).

Deputy City Clerk Ashton R. Arocho recognized Senior Administrative Analyst Evelyne C. Ssenkoloto on her recent designation as a Certified Municipal Clerk (CMC).

PUBLIC COMMUNICATIONS:**A. Public Communications**

The following individuals spoke under public communications:

1. Community Services Coordinator Andrew Solares introduced Mayor's Youth Advisory Commission (MYAC) Secretary Natalie Gutierrez, who provided a brief report on the upcoming MYAC Teen Leadership Summit.
2. Ben commented on social media postings; the upcoming General Municipal Election in November 2022; concerns on redistricting draft maps effecting South Fontana; and closed with concerns on the process for street vendor applications.

CONSENT CALENDAR:

Mayor Warren pulled Consent Calendar Item 'K' requesting that this item be tabled and removed from the motion due to lack of understanding on the item being presented.

ACTION: Motion was made by Mayor Warren, seconded by Mayor Pro Tem Garcia and passed unanimously by a vote of 4-0-1 to adopt Consent Calendar Items "A-L", with the exception of Item "K" which was removed from the Consent Calendar. The motion carried by the following vote: AYES: Warren, Garcia, Cothran, and Sandoval; NOES: None; ABSENT: Roberts

A. Approval of Minutes [21-1209](#)

Approve the minutes of the February 8, 2022, Regular City Council Meeting and February 9, 2022, Adjourned City Council Meeting.

B. Fiscal Year 2021/22 Mid-Year Budget Status Report [21-1183](#)

Approve the recommended Fiscal Year 2021/2022 Mid-Year Budget adjustments.

- C.** Adoption of Ordinance No. 1885 [21-1197](#)
Second Reading/Adopt **Ordinance No. 1885**, 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.
- D.** Adoption of Ordinances Nos. 1886, 1887, 1888 and 1889 [21-1198](#)
- 1.b Second Reading/Adopt **Ordinance No. 1886**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Walnut Village Specific Plan to establish the Aragon West District within the Walnut Village Specific Plan.
- 1.c Second Reading/Adopt **Ordinance No. 1887**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Zoning Map removing the parcel at APN: 0240-121-22 from the Auto Center Overlay District.
- 2.c Second Reading/Adopt **Ordinance No. 1888**, an Ordinance of the City Council of the City of Fontana, approving changes to the Zoning District Map to change the zoning on multiple properties through the City to Multi-Family Medium/High Residential (R-4), Multi-Family High Residential (R-5) and designate the boundary for the “R-4 Overlay” to accommodate the 2021-2029 RHNA allocation.
- 2.d Second Reading/Adopt **Ordinance No. 1889**, an Ordinance of the City Council of the City of Fontana, approving Zone Code Amendment No. 21-004 to amend Chapter 30 (Development Code) of the Municipal Code to establish an “R-4 Overlay” to allow for additional housing at the R-4 densities.
- E.** Adoption of Ordinance No. 1890 [21-1199](#)
Second Reading/Adopt **Ordinance No. 1890**, an Ordinance of the City Council of the City of Fontana, California approving an Amendment to Chapter 24 of the Fontana Municipal Code Regarding Solid Waste Regulation.
- F.** Accept Donation from Bel-Air Swap-Meet, Inc. [21-1190](#)
Accept donation from Bel-Air Swap-Meet, Inc. in the amount of \$10,000 for use towards the 2022 67th Annual Fontana Days Run.
- G.** Accept Donation from Fontana Foundation of Hope [21-1191](#)
Accept donation from Fontana Foundation of Hope in the amount of \$10,000 for use towards the 2022 67th Annual Fontana Days Run.
- H.** Adoption of a Resolution of the City Council of the City of Fontana Declaring Its Intent to Abandon and Sell City-Owned Undeveloped Parkland [21-1221](#)

Adoption of a **Resolution No. 2022-013** of the City Council of the City of Fontana Declaring Its Intent to Abandon and Sell City-Owned Undeveloped Parkland.

- I.** After School Education and Safety Program Services Agreement & Expanded Learning Opportunities Program Funding Amendment between the City and Fontana Unified School District [21-1156](#)
1. Approve the amendment to the After School Education and Safety (ASES) Program Services Agreement inclusive of Expanded Learning Opportunities Program (ELO-P) funding with the Fontana Unified School District. (See Attachment A)
 2. Authorize the City Manager or designee to sign the Agreement Amendment, all related documents, and any amendments for the term of the agreement.
 3. Approve additional appropriations in Fund 386 as follows: FY 2021-2022 \$4,495,120.
- J.** Annual Chevrolet Vehicle Purchase Contract, Service and OEM Parts Contract (SB-20-PW-22) [21-1016](#)
- Award bid to Rotolo Chevrolet Inc. of Fontana, CA to purchase new and used vehicles, service, and OEM parts for two (2) years with an option for three (3) additional one-year increments.
- K.** Approval of a Resolution of the Fontana City Council in Opposition to Taxpayer Protection and Government Accountability Act (initiative 21-0042A1.) [21-1218](#)

This item was removed from the Consent Calendar and was not a part of the motion.

- L.** Fleet GPS Tracking System [21-1169](#)
1. Authorize the Purchasing Office to utilize the County of San Bernadino Contract No. 20-33 for mobile self-contained GPS units and tracking services.
 2. Approve the purchase of the mobile self-contained GPS units and tracking services from Forward Thinking Systems, LLC in the amount of \$378,852.

NEW BUSINESS:

- A.** Process for Filling the Elected City Clerk Vacancy [21-1163](#)
- Staff recommends that the City Council take one of the following actions:
1. Direct City staff to bring back a Resolution calling a Special Election to fill the City Clerk vacancy; or
 2. Direct City staff to open up an application period for persons interested in being appointed to fill the City Clerk seat until the upcoming General Municipal Election scheduled for November 8, 2022, and provide direction on the interview process that the Council would like to utilize to select and appoint; or
 3. Vote to appoint a qualified individual to fill the City Clerk seat until the upcoming General Municipal Election scheduled for November 8, 2022.

Deputy City Clerk Arocho presented the staff report and answered questions of the Mayor and City Council.

ACTION: Motion was moved by Council Member Cothran, seconded by Mayor Pro Tem Garcia, and passed by a vote of 4-0-1 to move forward with Option 2: Direct City staff to open up an application period starting February 23, 2022, closing March 9, 2022, at 5:00 p.m. for persons interested in being appointed to fill the City Clerk seat until the upcoming General Municipal Election scheduled for November 8, 2022, and provide direction on the interview process that the Council would like to utilize to select and appoint. The motion carried by the following vote: AYES: Warren, Garcia, Cothran, and Sandoval; NOES: None; ABSENT: Roberts.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

Interim City Manager Shannon Yauchzee provided a brief report on upcoming community events and reminded the public of the upcoming deadline to submit draft maps for consideration at the scheduled redistricting Public Hearing for March 8, 2022, at 5:00 p.m.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Janet Koehler-Brooks wished Council Member Roberts a quick recovery and sent her best wishes to the Roberts' Family.

Council Member Cothran commented on upcoming community events, thanked staff for the Downtown presentation at the prior Workshop and wished Council Member Roberts a quick recovery.

Mayor Pro Tem Garcia thanked staff for the Downtown presentation at the prior Workshop.

Council Member Sandoval thanked Community Services Department for recent Art Depo and wished Council Member Roberts a quick recovery.

Mayor Warren thanked staff for all their hard work and dedication to the community; commented on the increasing concerns around street racing and enforcement; thanked staff for the Downtown presentation at the prior Workshop; and closed with comments on Governor Newsom's recent trip to Fontana.

ADJOURNMENT:

A. Adjournment

Mayor Warren adjourned the meeting at 7:49 p.m. to the next Regular City Council Meeting on Tuesday, March 8, 2022, at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

DocuSigned by:

Ashton Arocho

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Ashton R. Arocho, MMC
Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED AND ADOPTED BY THE
FONTANA CITY COUNCIL ON THE 8TH DAY OF MARCH 2022.**

DocuSigned by:

Ashton Arocho

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City Clerk

Certificate Of Completion

Envelope Id: 787DE19114E7409B8D44FBC632B8EBED	Status: Completed
Subject: Please DocuSign: Minutes - 02.22.22.pdf	
Source Envelope:	
Document Pages: 8	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 3/9/2022 04:51 PM	Holder: City Clerk clerks@fontana.org	Location: DocuSign
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Signer Events

Ashton Arocho
aarocho@fontana.org
City Clerk's Office
Security Level: Email, Account Authentication (None)

Signature

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Ashton Arocho
9578FA5B38C44BD...
Signature Adoption: Pre-selected Style
Using IP Address: 192.146.186.96

Timestamp

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Signed: 3/10/2022 | 09:16 AM

Electronic Record and Signature Disclosure:
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Ashton Arocho
aarocho@fontana.org
City Clerk's Office
Security Level: Email, Account Authentication (None)

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

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Signed: 3/10/2022 | 09:17 AM

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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
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Evelyne Ssenkoloto
essenkol@fontana.org
Security Level: Email, Account Authentication (None)

COPIED

Sent: 3/10/2022 | 09:17 AM
Viewed: 3/10/2022 | 10:26 AM

Electronic Record and Signature Disclosure:
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ID: e7145250-7347-428b-af51-3066469cc29f

Carbon Copy Events	Status	Timestamp
Kathy Kasinger kkasinger@fontana.org Records Coordinator Security Level: Email, Account Authentication (None)	COPIED	Sent: 3/10/2022 09:17 AM
Electronic Record and Signature Disclosure: Accepted: 3/10/2022 09:05 AM ID: d6cc559d-e1c6-4d6b-959b-49f0ef8c3823		

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	3/10/2022 09:17 AM
Signing Complete	Security Checked	3/10/2022 09:17 AM
Completed	Security Checked	3/10/2022 09:17 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

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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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