

# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335



## Minutes

**Tuesday, November 12, 2024**

**2:00 PM**

**Grover W. Taylor Council Chambers**

## **City Council Meeting**

*Acquanetta Warren - Mayor*  
*Peter A. Garcia - Mayor Pro Tem*  
*John B. Roberts - Council Member*  
*Jesus "Jesse" Sandoval - Council Member*  
*Phillip Cothran - Council Member*  
*Germaine Key - City Clerk*  
*Janet Koehler-Brooks, City Treasurer*

## **WORKSHOP:**

### **A. 12:00 P.M. City Council and Planning Commission Joint Workshop**

The Joint Workshop meeting with the Planning Commission and City Council was held on Tuesday, November 12, 2024, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, CA 92335.

Mayor Warren called the meeting of the City Council to order at 12:03 p.m.

Planning Commission Vice-Chair Sanchez called the meeting of the Planning Commission to order at 12:03 p.m.

#### **ROLL CALL:**

City Council Members:

**PRESENT:** Mayor Warren, Mayor Pro Tem Garcia, Council Members Cothran, Roberts and Sandoval

**ABSENT:** None

City Clerk Key and City Treasurer Koehler-Brooks were also in attendance.

Planning Commission:

**PRESENT:** Vice-Chair Sanchez, Secretary Quintana and Commissioners Sangha and Thrasher

**ABSENT:** Chair Fort

The invocation was led by Council Member Roberts, followed by the pledge of allegiance led by Council Member Cothran.

Chair Fort arrived at 12:08 p.m.

City Clerk Key noted for the record that there were no public communication requests for this workshop.

#### **1. FOOTHILL/SIERRA CORRIDOR**

Deputy City Manager Phillip Burum introduced the item.

Senior Planner Rina Leung provided the staff report and provided background information on the Foothill/Sierra Corridor and entertainment overlay district.

Senior Planner Leung also discussed the three Entertainment Center nodes at key

intersections, along with the established and the permitted uses for each.

Beautification requirements for the Entertainment Center were discussed and examples of monument signage and public art themes were provided.

Mayor Pro Tem Garcia inquired about the reasoning behind the node locations being set up outside of the downtown corridor.

Deputy City Manager Burum explained that the nodes were designed to focus on key areas along Foothill Boulevard and Sierra Avenue, aiming to encourage expansive entertainment and food-related uses and establish destination points.

Council Member Cothran asked why the focus was solely on the Entertainment Center nodes and not Foothill Boulevard as a whole.

Deputy City Manager Burum stated that the Senate Bill 2 grant the City received addressed areas south of Foothill Boulevard and Sierra Avenue, which guided the focus.

Council Member Roberts expressed concern about restrictions on automotive uses at Sierra Avenue and Marygold Avenue, emphasizing the need to ensure the viability of existing auto-related businesses.

Mayor Warren agreed that further discussion on automotive uses was necessary.

Council Member Sandoval voiced concerns about the potential impact of the changes on small businesses.

Commissioner Ricardo Quintana asked how prohibited uses for each node were determined, specifically for Entertainment Node 3 at Foothill Boulevard and Cherry Avenue.

Senior Planner Leung explained the rationale behind the designated uses for each node, adding that adjustments could be made if needed.

Deputy City Manager Burum noted that the Foothill Boulevard and Cherry Avenue node lacks the same traffic counts as other nodes.

Chair Fort raised concerns about restrictions on medical uses in one of the nodes.

Deputy City Manager Burum explained that the area already includes over 11,000 medical uses, primarily due to the presence of the Kaiser Permanente Medical Center.

Planning Commission Chair Fort inquired about Alcohol Beverage Control (ABC) permitting for restaurants.

Deputy City Manager Burum stated that the City aims to streamline ABC permitting through the Conditional Use Permit process.

Chair Fort requested additional criteria for sit-down restaurants and a formalized process and guidelines for public art, monuments, and signage in the Entertainment Center.

Vice-Chair Sanchez suggested holding existing businesses to higher standards to promote growth rather than incentivizing relocation.

Deputy City Manager Burum noted that rising real estate prices might naturally displace certain auto-related businesses over time.

Mayor Warren emphasized the importance of fostering expansion within the area while adhering to established criteria.

## 2. MASTER STORM DRAIN PLAN (MSDP)

Senior Project Manager Rob Kilpatrick of David Evans and Associates provided the staff report on the MSDP update, discussed the need for the update and the structure of the MSDP, and presented an overview of the goals and objectives.

Engineering Manager Dave Hammer delivered an update on the detention basin policy.

## 3. FONTANA SEWER MASTER PLAN UPDATE

Senior Engineer Kris Danielson, Albert A. Webb Associates provided an overview of the Sewer Master Plan, covering the following key topics: Land Use and Population considerations, Planning and Design Criteria. Existing Facilities Description, Projected Wastewater Flows, System Hydraulic Model, and Capital Improvement Program (CIP).

Senior Engineer Danielson discussed model development and results, near-term and long-term CIP improvements, and proposed facilities.

Mayor Pro Tem Garcia asked about onsite water retention for two-acre projects and raised concerns regarding aesthetics.

Engineering Manager Dave Hammer explained that most retention sites are located underground.

Council Member Cothran inquired whether it would be more cost-effective to combine sewer and storm drain improvements in certain areas.

The City Council and Planning Commission reached a consensus to direct staff and consultants to incorporate the changes discussed during the workshop.

The Workshop was adjourned at 1:04 p.m.

## **CLOSED SESSION:**

### **A. 1 P.M. CLOSED SESSION**

The Closed Session meeting of the Fontana City Council was held in the Executive

Conference Room, 8353 Sierra Avenue, Fontana, CA 92335, on Tuesday, November 12, 2024.

Mayor Warren called the meeting to order at 1:04 p.m., with all members of the City Council present.

**PUBLIC COMMUNICATION - CLOSED SESSION:**

There were no public communications received for the following items:

**1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

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

Name of Case: PERKINS, et al. v. CITY OF FONTANA; SGT. KYLE GUTHRIE; ALEX MILLAN [USDC Case No.: 5:23-cv-01272-SSS-SK]

**2. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE**

SECTION 54957.6 City Negotiator: Matthew Ballantyne, City Manager and Rakesha Voss, 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; Police Officers Association and Management/Confidential Employees.

**CALL TO ORDER/ROLL CALL:**

**A. 2:00 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, CA 92335, on Tuesday, November 12, 2024.

Mayor Warren called the Regular City Council Meeting to order at 2:08 p.m.

**ROLL CALL:**

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

City Treasurer Janet Koehler-Brooks and City Clerk Germaine Key were also present.

**ABSENT:** None

**INVOCATION/PLEDGE OF ALLEGIANCE:**

**A. Invocation/Pledge of Allegiance:**

The invocation was given by Council Member Roberts, followed by the pledge of allegiance led by Council Member Cothran.

## **CLOSED SESSION ANNOUNCEMENT:**

City Attorney Ruben Duran reported that the City Council met in Closed Session on the items listed on the agenda, provided direction to staff, and took no reportable action.

## **SPECIAL PRESENTATIONS:**

### **A. Special Presentations**

1. Mayor Warren and the City Council swore-in new San Bernardino County Firefighters., Alex Lee, Elijah Arrington, and Jordan Wilson.
2. Mayor Warren and the City Council recognized Fontana resident Kyree King for representing the United States in the men's 4x100 relay team at the Paris 2024 Olympic Games.
3. Troy Ament, Associate Superintendent of Administrative Services and Emergency Operations at Chaffey College, provided an update on their new Fontana Campus.

Mayor Pro Tem Garcia exited the meeting at 2:33 p.m.

## **PUBLIC COMMUNICATIONS:**

### **A. Public Communications**

Frank Atry expressed concerns about the meeting start time. Also, voiced concerns about the discouragement of profane language and name-calling during public communications.

Theresa expressed concerns about transients along Alder Street and panhandling in residential areas and near the 7-Eleven convenience store. Also Reported an incident involving a transient who nearly assaulted a minor and harassed her. Last, she noted challenges with using the Fontana 311 system due to the inability to provide a specific physical address for incidents.

Marina Caballero expressed concern with a proposed cannabis dispensary located near her neighborhood.

Jose Caballero expressed concern with a proposed cannabis dispensary located near his neighborhood.

## **CONSENT CALENDAR:**

Prior to the motion being made, Council Member Sandoval stated that he would be voting No on Consent Calendar Items "H," "I," and "N."

**ACTION: Motion was made by Council Member Cothran, seconded by Council Member Roberts, and passed by a vote of 4-0 to approve Consent Calendar Items “A-R” with Council Member Sandoval voting No on Items “H,” “I,” and “N.” The motion carried by the following vote: AYES: Warren, Cothran, Roberts, and Sandoval; NOES: None; ABSTAIN: None; ABSENT: Garcia**

- A. Approval of Minutes 21-3409**  
Approve the minutes of the October 22, 2024, Regular City Council Meeting.
- B. Adoption of Ordinance No. 1958 (Second Reading), Authorizing the Levy of Special Taxes within Community Facilities District No. 116M. 21-3410**  
Second Reading/Adopt **Ordinance No. 1958** Authorizing the Levy of Special Taxes within Community Facilities District No. 116M
- C. Approve a License Agreement with Southern California Edison (SCE) Company for I-15 Logistics (Caprock) 21-3104**  
Approve and authorize the City Manager to execute the License Agreement with Southern California Edison (SCE) Company for I-15 Logistics (Caprock).
- D. Adopt a Resolution Summarily Vacating Portions of Lytle Creek Road within the Ventana Specific Plan 21-3301**  
Adopt **Resolution No. 2024-121**, summarily vacating a portion of Lytle Creek Road within the City, south of Duncan Canyon Road, pursuant to Streets and Highways Code section 8830, Et. Seq.
- E. Acceptance of Final Map for Tract No. 20580 and Authorize the City Manager to Execute a Private Street Maintenance Covenant and Agreement with RC Homes (Glen at Fontana Borrower, LLC) for a portion of Cascade Drive within Tract No. 20580, Master Case No. 22-128, and Design Review No. 22-059 21-3333**
1. Approve the Final Map for Tract No. 20580, located between Catawba Avenue and Salt Point Way, along Cascade Drive; and accept dedicated right-of-way and easements; and
  2. Authorize the City Manager to enter into a Subdivision Improvement Agreement with the subdivider; and
  3. Approve and authorize the City Manager to execute a Private Street Maintenance Covenant and Agreement with RC Homes (Glen at Fontana Borrower, LLC) for a portion of Cascade Drive within Tract No. 20580, as required by Condition No. 27 of the previously adopted Conditions of Approval for Master Case No. 22-128, Tentative Tract Map 20580 (TTM22-000008), and Design Review No. 22-059.

- F. Approve and Authorize the City Manager to Execute Lytle Creek 21-3384 Road Exchange Agreement within the Ventana Specific Plan with the Developer (HDO4 LLC)**  
Approve and authorize the City Manager to execute Lytle Creek Road Exchange Agreement and all other necessary documents within the Ventana Specific Plan with HDO4 LLC.
- G. Accept Donation from Kaiser Permanente (Fresh, Fit & Fun Fair) 21-3397**  
Accept donation from Kaiser Permanente in the amount of \$2,500 for use towards 2024 Fresh, Fit, & Fun Fair.
- H. Acceptance of Final Parcel Map No. 20456 for the Development 21-3399 of a Warehouse Facility at the Northwest Corner of Cypress Avenue and Slover Avenue and the Abandonment of a Certain Portion of Right-of-Way of Boyle Avenue**
1. Approve Final Parcel Map No. 20456, located on the north side of Slover Avenue between Oleander Avenue and Cypress Avenue.
  2. Accept dedication of public streets and easements.
  3. Authorize the Mayor and City Clerk to certify the abandonment of a certain portion of right-of-way of Boyle Avenue.
- I. Declaring Surplus Land- Property located 8572 Sierra Ave. 21-3408**
1. Approve **Resolution No. 2024-122**, declaring that the City-owned property on (Assessor's Parcel Number) is "Surplus Land" pursuant to the Surplus Land Act, Government Code Section 54220 Et Seq.; and approving the form of Notice of Availability.
  2. Authorize the City Manager and/or his designee(s) to take all actions necessary or appropriate to comply with the Surplus Land Act.
- J. Amendment of the Conflict-of-Interest Code for the City of Fontana, Pursuant to the Political Reform Act of 1974 21-3412**  
Adopt **Resolution No. 2024-123**, of the City Council of the City of Fontana, California, adopting and approving the amended Conflict-of-Interest Code for the City of Fontana, Pursuant to the Political Reform Act of 1974.
- K. Storm Drain Development Impact Fee Credit Agreement related to Ventana Specific Plan with HDO4, LLC 21-3421**  
Approve Storm Drain Development Impact Fee Credit Agreement related to Ventana Specific Plan with HDO4, LLC.

**L. Approve the Final Change Order with California Professional Engineering for the Citrus Avenue at Chase Road Traffic Signal Project (Bid No. SB-08-DE-22) 21-3424**

Authorize the City Manager to approve Change Order No. 4 with California Professional Engineering in the amount of \$11,601.30 for the construction of the Citrus Avenue at Chase Road Traffic Signal Project (SB-08-DE-22).

**M. Authorization to Apply for 2024 Older Adults Home Modification Grant Program 21-3430**

1. Authorize the Fontana Housing Department to apply for the 2024 U.S. Department of Housing and Urban Development Older Adults Home Modification Grant Program (OAHMP).
2. Authorize the City Manager, or City Manager's designee, to execute and transmit any documents necessary or desirable to ensure the City's timely submittal and execution of the Older Adults Home Modification Grant Program (OAHMP).

**N. Authorization for Submission of Letter Supporting Bus Stop Enhancements in Key Transit Corridors 21-3431**

Staff recommends that the City Council approve the attached letter, authorize its submission, and authorize the Mayor to sign on behalf of the City of Fontana.

**O. Declaring Surplus Land- Arrow & Spring 21-3435**

1. Approve **Resolution No. 2024-124**, declaring that the City-owned property on (Assessor's Parcel Number) is "Surplus Land" pursuant to the Surplus Land Act, Government Code Section 54220 Et Seq.; and approving the form of Notice of Availability.
2. Authorize the City Manager and/or his designee(s) to take all actions necessary or appropriate to comply with the Surplus Land Act.

**P. Award bid for 17133 Valley Blvd Improvements - The Path (BID PW-25-45-SB).. 21-3436**

Award bid and authorize the City Manager to execute a construction contract with Final Touch Construction (DS-25-45-SB) for improvements to 17133 Valley Blvd - The Path, formerly known as the Homelessness Prevention Resources and Care Center (HPRCC) in the amount of \$428,470.00 and authorize a 15% contingency in the amount of \$64,270.50.

**Q. Authorization to Apply for 2024 Housing and Homelessness Incentive Program 21-3439**

1. Authorize the Fontana Housing Department to apply for the 2024 San Bernardino County Housing and Homelessness Incentive Program (HHIP).

2. Authorize the City Manager, or City Manager's designee, to execute and transmit any documents necessary or desirable to ensure the City's timely submittal and execution of the San Bernardino County Housing and Homelessness Incentive Program (HHIP).

**R. Cost Sharing Agreement with Sunrise Ford for the Digital Reader Board Replacement 21-3379**

1. Adopt **Resolution No. 2024-125** and approve the cost sharing Sale Agreement with Sunrise Ford, to fund the digital freeway sign upgrade located 16005 Valley Blvd. Fontana, CA 92335.
2. Authorize the City Manager to execute any documents necessary or appropriate to effectuate said approvals and/or agreement.

**PUBLIC HEARINGS:**

**A. Municipal Code Amendment (MCA) No. 24-006: Consideration of an Urgency Ordinance Amending Section 30-467 of the Fontana Municipal Code Regarding Accessory Dwelling Units and Junior Accessory Dwelling Units to Comply with Recent Changes in State Law; and Finding the Action to Be Statutorily Exempt from CEQA Under Section 21080.17 of the Public Resources Code 21-3366**

Open the public hearing, receive public testimony, close the public hearing and by motion:

1. Find that the adoption of the proposed urgency ordinance is statutorily exempt from review under the California Environmental Quality Act ("CEQA") under Public Resources Code section 21080.17.
2. Waive full reading and introduce for first reading by title only **Ordinance No. 1959** entitled: "AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA AMENDING SECTION 30-467 OF THE CITY OF FONTANA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE statutorily EXEMPT FROM CEQA under Public Resources Code § 21080.17."

Associate Planner Cecily Session-Goins provided the staff report.

Mayor Warren opened the public hearing.

City Clerk Key announced that there were no written correspondences received for this item.

With no one interested to speak in favor or opposition of this item Mayor Warren closed the Public Hearing.

City Attorney Duran advised the Council that Urgency Ordinance No. 1959 required a 4/5 vote to pass.

**ACTION: Motion was made by Council Member Roberts, seconded by Council Member Cothran, and passed by a vote of 4-0 to approve Public Hearing Item "A." The motion carried by the following vote: AYES: Warren, Cothran, Roberts, and Sandoval; NOES: None; ABSTAIN: None; ABSENT: Garcia**

## **CITY MANAGER COMMUNICATIONS:**

### **A. City Manager Communications**

City Manager Matt Ballantyne thanked Council Member Sandoval, San Bernardino County Supervisor Jesse Armendarez, and Adam Perez for their support of the recent Veterans Day Celebration, as well as all veterans who serve the country.

## **ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

### **A. Elected Officials Communications/Reports**

City Clerk Key congratulated Kyree King on his Olympic accomplishments and welcomed the newly sworn-in firefighters. Expressed satisfaction with the progress on the Fontana Campus at Chaffey College. Wished everyone a Happy Thanksgiving.

City Treasurer Koehler-Brooks congratulated all students who participated in and won the Dr. Charles Koehler Writing and Art Contest honoring veterans. Extended congratulations to the newly sworn-in San Bernardino County firefighters.

Council Member Cothran encouraged residents to remove wind chimes during high wind events.

Mayor Warren recommended informing residents about securing trash can lids and other items during high wind events through the City newsletter or advisory letters.

Council Member Sandoval thanked Amazon for sponsoring the Veterans Day Celebration. Suggested improving logistics for future essay contests. Shared insights from a Veterans Day luncheon and proposed using it as a model for next year's event. Requested City Manager Ballantyne to explore collaborating with the Fontana Unified School District to install higher fences to keep transients off the Fontana Middle School campus.

Council Member Roberts congratulated the newly sworn-in San Bernardino County firefighters. Discussed the recent Veterans Day Celebration.

Mayor Warren addressed comments regarding statement read at each meeting about not

using profane or offensive language during public comments and the meeting start time.

Discussed the City's efforts and progress towards addressing homelessness and her representing the City on the County Interagency Council on Homelessness (ICH). Also thanked staff for their efforts with addressing homelessness throughout the city.

Also recognized staff for organizing the Veteran's Day Celebration and the pinning ceremony for Vietnam veterans organized by Congresswoman Norma Torres. Recognized all of those who served the country. Thanked the firefighters sworn in at today's meeting and encouraged all to pray for Ventura citizens affected by the recent wildfires and congratulated Olympian Kyree King on his accomplishments. Thanked all who attended the recent Mayor's Gala in support of the Boys and Girls Club and wished all a Happy Thanksgiving.

## **ADJOURNMENT:**

### **A. Adjournment**

Mayor Warren adjourned the meeting at 3:13 p.m. to the Special City Council Meeting on Tuesday, November 19, 2024, at 12:00 p.m. at the Jesse Turner Community Center at 15556 Summit Avenue, Fontana, California.

*Christina Rudsell*

---

Christina Rudsell, CMC  
Deputy City Clerk

**THE FOREGOING MINUTES WERE ADOPTED AND APPROVED BY THE FONTANA CITY COUNCIL ON DECEMBER 10, 2024.**

*Germaine Key*

---

Germaine Key  
City Clerk

### Certificate Of Completion

Envelope Id: D517F9EF156D4A698CE19D281638D893  
Subject: City Council Meeting Minutes 11-12-2024  
Source Envelope:  
Document Pages: 12  
Certificate Pages: 5  
AutoNav: Enabled  
Envelopeld Stamping: Enabled  
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed

Envelope Originator:  
City Clerk  
8353 Sierra Avenue  
Fontana, CA 92335  
clerks@fontana.org  
IP Address: 192.146.186.96

### Record Tracking

Status: Original  
12/12/2024 | 11:30 AM

Holder: City Clerk  
clerks@fontana.org

Location: DocuSign

### Signer Events

Christina Rudsell  
crudsell@fontanaca.gov  
City Clerk  
Security Level: Email, Account Authentication  
(None)

### Signature

*Christina Rudsell*

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

### Timestamp

Sent: 12/12/2024 | 11:32 AM  
Viewed: 12/12/2024 | 11:44 AM  
Signed: 12/12/2024 | 11:44 AM

**Electronic Record and Signature Disclosure:**  
Not Offered via DocuSign

Germaine Key  
gkey@fontanaca.gov  
City Clerk  
Security Level: Email, Account Authentication  
(None)

*Germaine Key*

Signature Adoption: Pre-selected Style  
Using IP Address: 174.194.201.144  
Signed using mobile

Sent: 12/12/2024 | 11:44 AM  
Viewed: 12/12/2024 | 11:49 AM  
Signed: 12/12/2024 | 11:49 AM

**Electronic Record and Signature Disclosure:**  
Accepted: 12/12/2024 | 11:49 AM  
ID: 1a4ec69d-8fd0-4ad5-a2e5-07dbd7c8d180

### 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

Kathy Kasinger  
kkasinger@fontana.org  
Records Coordinator  
Security Level: Email, Account Authentication  
(None)

**COPIED**

Sent: 12/12/2024 | 11:49 AM  
Viewed: 12/12/2024 | 01:44 PM

**Electronic Record and Signature Disclosure:**  
Accepted: 8/12/2024 | 11:49 AM  
ID: 110b28a7-9576-4058-ac79-3dd5ee7f7b8c

**Witness Events****Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

Envelope Sent

Hashed/Encrypted

12/12/2024 | 11:32 AM

Certified Delivered

Security Checked

12/12/2024 | 11:49 AM

Signing Complete

Security Checked

12/12/2024 | 11:49 AM

Completed

Security Checked

12/12/2024 | 11:49 AM

**Payment Events****Status****Timestamps****Electronic Record and Signature Disclosure**

## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

From time to time, City of Fontana (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

### **Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### **Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

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.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

**How to contact City of Fontana:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: ctejeda@fontana.org

**To advise City of Fontana of your new e-mail address**

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at ctejeda@fontana.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

**To request paper copies from City of Fontana**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

**To withdraw your consent with City of Fontana**

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

**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"> <li>•Allow per session cookies</li> <li>•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection</li> </ul>

\*\* 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.

**Acknowledging your access and consent to receive materials electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify City of Fontana as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Fontana during the course of my relationship with you.