

# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335



## Minutes

Tuesday, July 27, 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*

## **CLOSED SESSION:**

### **A. 6:00 P.M. CLOSED SESSION**

A Closed Session was held in the City Hall Executive Conference Room at 6:00 p.m. with Mayor Warren, Mayor Pro Tem Cothran, Council Members Garcia, Roberts, and Sandoval present.

## **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 NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8:**

Properties: APN # 025510122 and APN # 025510123

Property Owner: City of Fontana

Negotiating Parties: City of Fontana and The Related Companies

Negotiator: Mark Denny, City Manager

Under Negotiation: Price and Terms of Payment for potential Lease

#### **CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8:**

Properties: APN's 0190-153-10, 0190-171-02, and 0190-131-13

(Sierra Avenue Widening Project)

Negotiating Parties: City of Fontana and Cindy Huynh, City of Fontana and Constant Family Trust, and City of Fontana and Jorge L. Vargas, Marisabel Fulton, Amelia Coronel, and Jorge Vargas

Negotiator: Ricardo Sandoval, Director of Engineering/City Engineer

Under Negotiation: Price and Terms of Payment

#### **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

## **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. Mayor Warren called the meeting to order at 7:06 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:****A. Fontana Police Department Chaplain Gregory Peck / Pledge of Allegiance**

Following the invocation by Fontana Police Chaplain Gregory Peck, the Pledge of Allegiance was led by Council Member Roberts.

**CLOSED SESSION ANNOUNCEMENT**

City Attorney Duran announced that the Mayor and City Council met in Closed Session and took no reportable action.

**SPECIAL PRESENTATIONS:**

[21-755](#)

Police Captain Jim Burton introduced Officer Joshua Patty as the June 2021 Police Department Employee of the Month.

**PUBLIC COMMUNICATIONS:****A. Public Communications**

The following individuals spoke during public communications:

Russell DeLaFuente Sr. commented on current Labor Negotiations with the City and thanked the Council for their support.

City Attorney Duran interjected prior to the next public speaker to remind the City Council that public comment is a time for the public to address the Council and that outbursts of applause from the audience are typically not appropriate during this time and reminded the audience to respect the time.

Rebecca Peck announced an upcoming community art event.

Robert Gonzalez commented on the recent lawsuit filed by Attorney General Rob Bonta regarding an approved warehouse development on Slover and Oleander.

Nancy Vargas requested the Council to look into the current traffic concerns in South Fontana.

Alejandra Collazo commented on the recent lawsuit filed by Attorney General Rob Bonta regarding an approved warehouse development on Slover and Oleander.

Eddie Lopez congratulated Officer Patty on his achievement as Employee of the Month; commented on the recent lawsuit filed by Attorney General Rob Bonta regarding an approved warehouse development on Slover and Oleander; and reminded the public of the upcoming General Municipal Election in November 2022.

Elizabeth Sena commented on the recent lawsuit filed by Attorney General Rob Bonta regarding an approved warehouse development on Slover and Oleander; and reminded the public of the upcoming General Municipal Election in November 2022.

Amparo Munoz spoke on a prior comment regarding essential workers; commented on health concerns for outdoor workers; and closed with comments regarding the Council's actions that effect the community.

Mayor Warren interjected prior to the next public speaker and reminded the audience to be respectful of those speaking at the podium by refraining from out bursts and applause.

Gabriela Mendez commented on the recent lawsuit filed by Attorney General Rob Bonta regarding an approved warehouse development on Slover and Oleander.

Ben commented on the recent lawsuit filed by Attorney General Rob Bonta regarding an approved warehouse development on Slover and Oleander; and spoke on the Fontana Women's Club project.

Ana Gonzalez commented on the recent lawsuit filed by Attorney General Rob Bonta regarding an approved warehouse development on Slover and Oleander.

Cynthia Gonzalez commented on the recent lawsuit filed by Attorney General Rob Bonta

regarding an approved warehouse development on Slover and Oleander; commented on District representative Council Member Roberts; made a comment regarding the City webpage; and spoke on the mosquito infestation near Oak Park.

Bobbi Jo Chavarria spoke as a representative of the Sierra Club, commented on the recent lawsuit filed by Attorney General Rob Bonta and the Sierra Club regarding an approved warehouse development on Slover and Oleander.

### **CONSENT CALENDAR:**

The following individuals spoke on matters of the Consent Calendar:

Ana Gonzalez spoke on traffic assessment concerns for Item "E".

Amparo Munoz spoke on street repair and infrastructure concerns for Items "E, I".

**ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Cothran, and passed unanimously by a vote of 5-0 to adopt the Consent Calendar Items "A-AF" with the following abstentions due to Real Estate Property interests: Mayor Warren on Items "M, P"; Mayor Pro Tem Cothran on Items "M, P"; and Council Member Garcia on Items "T, AE".**

- A.** Approval of Minutes [21-756](#)  
Approve the minutes of the July 12, 2021 Special City Council Meeting and the July 13, 2021 Regular City Council Meeting.
- B.** Adoption of Ordinance No.1872 [21-736](#)  
Second Reading/Adopt **Ordinance No. 1872**, levying special taxes within the City of Fontana Community Facilities District No. 106 (Mountainview).
- C.** Approve Agreements for the Acquisition of Real Property for the [21-715](#)  
Sierra Avenue Widening Project

  1. Approve and authorize the City Manager to execute an Agreement for Real Property Acquisition between the City of Fontana and Foothill Shopping Center, LP a California Limited Partnership for Assessor Parcel Number 0190-201-26, located on the east side of Sierra Avenue north of Foothill Boulevard related to the Sierra Avenue Widening Project.
  2. Approve and authorize the City Manager to execute an Agreement for Real Property Acquisition between the City of Fontana and P. Robert Packer and Karen K. Packer, Trustees of the Packer Family Trust for Assessor Parcel Number 0190-163-08/09/10, located on the west side of Sierra Avenue north of Paine Street related to the Sierra Avenue Widening Project.
  3. Approve and Authorize the City Manager to execute any other documents necessary or appropriate to complete the proposed transaction.
- D.** Approve an Agreement with the City of Jurupa Valley for the [21-716](#)  
Joint Maintenance of Traffic Signals and Safety Lighting for the Intersection of Mulberry Avenue/Country Village Road at Philadelphia Avenue

Approve and authorize the City Manager to execute an agreement with the City of Jurupa Valley for joint maintenance of traffic signals and safety lighting at Mulberry Avenue/Country Village Road and Philadelphia Avenue.

- E.** Approve the Measure I Five Year Local Street Capital Improvement Program for Fiscal Years 2021/2022-2026/2027 [21-717](#)  
Adopt **Resolution No. 2021-064**, adopting the Measure I Five Year Local Street Capital Improvement Program (CIP) for Fiscal Years 2021/2022-2026/2027.
- F.** Approve a Professional Services Agreement for Right of Way Appraisal and Acquisition Services for Fontana's Safe Routes to School Pedestrian Improvements Project on Ramona, Alder, and Locust Avenues [21-718](#)
1. Approve and authorize the City Manager to execute a Professional Services Agreement in a not to exceed amount of \$220,000.00 with Epic Land Solutions, Inc. for Right of Way Appraisal and Acquisition Services for the Active Transportation Program (ATP) Safe Routes to School (SRTS) Pedestrian Improvements Project along Ramona, Alder, and Locust Avenues Federal ID No. ATPSB1L-5307(027), Request for Proposals SQ-42-DE-21.
  2. Approve and authorize the City Manager to execute any future amendments to the Professional Services Agreement.
  3. Appropriate \$30,000.00 from Air Quality Management District Fund No. 241 to the Safe Routes to School Pedestrian Improvements Project along Ramona, Alder, Locust Avenues Project No. 3339.
- G.** Approve and Authorize the City Manager to Execute an Agreement Regarding Lytle Creek Road Right of Way Exchange and Joint Escrow Instructions; and Authorize the City Manager to execute any and all documents related to this transaction [21-726](#)
- H.** Approve a Professional Services Agreement for Engineering Design Services for the Fontana Safe Routes to School Gap Closure Project [21-729](#)
1. Approve and authorize the City Manager to execute a Professional Services Agreement in a not to exceed amount of \$230,000.00 with KOA Corporation for engineering design services for the Active Transportation Program (ATP) Safe Routes to School (SRTS) Fontana Gap Closure Project, Federal ID No. ATPSB1L-5307(029), Request for Proposals SP-76-DE-21.
  2. Approve and authorize the City Manager to execute any future amendments to the Professional Services Agreement.
  3. Appropriate \$20,000.00 from Measure I Local Fund No. 246 to the Safe

Routes to School Fontana Gap Closure Project No. 0003.

- I. Award a Construction Contract for the Etiwanda Avenue at Slover Avenue/Airport Drive SCE Undergrounding Project. [21-738](#)
1. Award and authorize the City Manager to execute a construction contract with E.E. Electric, Inc. for the construction of the Etiwanda Avenue at Slover Avenue/Airport Drive SCE Undergrounding Project in the amount of \$479,845.25 and authorize a 10% contingency in the amount of \$47,984.53 (Bid No. SB-02-DE-22).
  2. Approve and authorize the City Manager to execute any and all utility agreements, utility easements, and subsequent agreements on behalf of the City of Fontana for the Etiwanda Avenue at Slover Avenue/Airport Drive SCE Undergrounding Project.
- J. American Rescue Plan Act (ARPA) - update to the July 13, 2021 City Council workshop. [21-789](#)
- Approve and file
- K. Final Acceptance as Complete the Work Performed by Alliance Building Solutions (ABS) for Energy Services Contract MS-220-PW-19. [21-779](#)
1. Accept as complete the work performed by Alliance Building Solutions (ABS) for Energy Services Contract MS-220-PW-19 in the amount of \$4,556,193.37.
  2. Authorize the Public Works Director to File a Notice of Completion and release the 5% retention.
- L. Police Department Monthly Information Update [21-740](#)
- Accept the Police Department monthly information update for June 2021.
- M. Levy of a Special Tax in Community Facilities Districts (Maintenance) for Fiscal Year 2021-2022 [21-776](#)
- Adopt **Resolution No. 2021-065** Authorizing the Levy of a Special Tax within Community Facilities Districts (Maintenance) for Fiscal Year 2021-2022.
- N. Levy of a Special Tax in Community Facilities District No. 1 (Southridge Village) for Fiscal Year 2021-2022 [21-742](#)
- Adopt **Resolution No. 2021-066** Authorizing the Levy of a Special Tax in Community Facilities District No. 1 (Southridge) for Fiscal Year 2021-2022.
- O. Levy of a Special Tax in Community Facilities District No. 7 (Country Club Estates) for Fiscal Year 2021-2022 [21-743](#)
- Adopt **Resolution No. 2021-067** of the City Council of the City of Fontana, California, authorizing the Levy of a Special Tax in Community Facilities District No. 7 (Country Club Estates) for Fiscal Year 2021-2022.
- P. Levy of a Special Tax in Community Facilities District No. 11 (Heritage West End) for Fiscal Year 2021-2022 [21-747](#)

Adopt **Resolution No. 2021-068** of the City Council of the City of Fontana, California, authorizing the Levy of a Special Tax in Community Facilities District No. 11 (Heritage West End) for Fiscal Year 2021-2022.

- Q.** Levy of a Special Tax in Community Facilities District No. 12 (Sierra Lakes) for Fiscal Year 2021-2022. [21-761](#)

Adopt **Resolution No. 2021-069** of the City Council of the City of Fontana, California, authorizing the Levy of a Special Tax in Community Facilities District No. 12 (Sierra Lakes) for Fiscal Year 2021-2022

- R.** Levy of a Special Tax in Community Facilities District No. 22 (Sierra Hills South) for Fiscal Year 2021-2022. [21-762](#)

Adopt **Resolution No. 2021-070** of the City Council of the City of Fontana, California, authorizing the Levy of a Special Tax in Community Facilities District No. 22 (Sierra Hills South) for Fiscal Year 2021-2022.

- S.** Levy of a Special Tax in Community Facilities District No. 31 (Citrus Heights North) for Fiscal Year 2021-2022. [21-763](#)

Adopt **Resolution No. 2021-071** of the City Council of the City of Fontana, California, authorizing the Levy of a Special Tax in Community Facilities District No. 31 (Citrus Heights North) for Fiscal Year 2021-2022.

- T.** Levy of a Special Tax in Community Facilities District No. 37 (Montelago) for Fiscal Year 2021-2022. [21-764](#)

Adopt **Resolution No. 2021-072** of the City Council of the City of Fontana, California, authorizing the Levy of Special Tax in Community Facilities District No. 37 (Montelago) for Fiscal Year 2021-2022.

- U.** Levy of a Special Tax in Community Facilities District No. 70 (Avellino) for Fiscal Year 2021-2022. [21-765](#)

Adopt **Resolution No. 2021-073** of the City Council of the City of Fontana, California, authorizing the Levy of Special Tax in Community Facilities District No. 70 (Avellino) for Fiscal Year 2021-2022.

- V.** Levy of a Special Tax in Community Facilities District No. 71 (Sierra Crest) for Fiscal Year 2021-2022. [21-766](#)

Adopt **Resolution No. 2021- 074** Authorizing the Levy of Special Tax in Community Facilities District No. 71 (Sierra Crest) for Fiscal Year 2021-2022.

- W.** Levy of a Special Tax in Community Facilities District No. 74B and 74M (Citrus/Summit) for Fiscal Year 2021-2022. [21-767](#)

1. Adopt **Resolution No. 2021-075** Authorizing the Levy of a Special Tax in Community Facilities District No. 74B (Citrus/Summit) for Fiscal Year 2021-2022.

2. Adopt **Resolution No. 2021-076** Authorizing the Levy of a Special Tax in Community Facilities District No. 74M (Citrus/Summit) for Fiscal Year 2021-2022.

- X.** Levy of a Special Tax in Community Facilities District No. 80 (Bella Strada) for Fiscal Year 2021-2022 [21-768](#)  
Adopt **Resolution No. 2021-077** Authorizing the Levy of Special Tax in Community Facilities District No. 80 (Bella Strada) for Fiscal Year 2021-2022.
- Y.** Levy of a Special Tax in Community Facilities District No. 81 (Gabriella) for Fiscal Year 2021-2022 [21-769](#)  
Adopt **Resolution No. 2021-078** Authorizing the Levy of Special Tax in Community Facilities District No. 81 (Gabriella) for Fiscal Year 2021-2022.
- Z.** Levy of a Special Tax in Community Facilities District No. 85 (The Meadows) for Fiscal Year 2021-2022 [21-770](#)  
Adopt **Resolution No. 2021-079** Authorizing the Levy of Special Tax in Community Facilities District No. 85 (The Meadows) for Fiscal Year 2021-2022.
- AA.** Levy of a Special Tax in Community Facilities District No. 86 (Etiwanda Ridge) for Fiscal Year 2021-2022. [21-771](#)  
Adopt **Resolution No. 2021-080** Authorizing the Levy of Special Tax in Community Facilities District No. 86 (Etiwanda Ridge) for Fiscal Year 2021-2022.
- AB.** Levy of a Special Tax in Community Facilities District No. 87 (El Paseo) for Fiscal Year 2021-2022 [21-772](#)  
Adopt **Resolution No. 2021-081** Authorizing the Levy of Special Tax in Community Facilities District No. 87 (El Paseo) for Fiscal Year 2021-2022.
- AC.** Levy of a Special Tax in Community Facilities District No. 88 (Sierra Crest II) for Fiscal Year 2021-2022 [21-773](#)  
Adopt **Resolution No. 2021-082** Authorizing the Levy of Special Tax in Community Facilities District No. 88 (Sierra Crest II) for Fiscal Year 2021-2022.
- AD.** Levy of a Special Tax in Community Facilities District No. 89 (Belrose) for Fiscal Year 2021-2022 [21-774](#)  
Adopt **Resolution No. 2021-083** Authorizing the Levy of Special Tax in Community Facilities District No. 89 (Belrose) for Fiscal Year 2021-2022.
- AE.** Levy of a Special Tax in Community Facilities District No. 90 (Summit @ Rosena Phase 1) for Fiscal Year 2021-2022 [21-775](#)  
Adopt **Resolution No. 2021-084** Authorizing the Levy of Special Tax in Community Facilities District No. 90 (Summit @ Rosena Phase 1) for Fiscal Year 2021-2022.
- AF.** Levy of a Special Tax in Community Facilities District No. 95 (Summit @ Rosena Phase 2) for Fiscal Year 2021-2022 [21-777](#)  
Adopt **Resolution No. 2021-085** Authorizing the Levy of Special Tax in Community Facilities District No. 95 (Summit @ Rosena Phase 2) for Fiscal Year 2021-2022.

**PUBLIC HEARINGS:**

- A. Public Hearing to Establish Fiscal Year 2021-2022 Assessment Rates for Landscape and Lighting Maintenance Districts [21-739](#)

Mayor Warren opened Public Hearing Item A.

Prior to the staff report presentation, Mayor Warren and Mayor Pro Tem Cothran both announced their need to abstain from staff recommendation item 2, due to Real Estate Property Interest.

City Attorney Duran announced that due to this item being a Public Hearing, City staff have prepared a presentation for the item that should be heard by the entire Council. Due to the abstentions, staff recommendation items 1, 3, 4, and 5 will be motioned together, with staff recommendation item 2 being pulled for this motion as Mayor Warren and Mayor Pro Tem Cothran will both leave the dais.

Accountant Justin Marietta provided the staff report.

The following individual spoke under public communications on this item:

Amparo Munzo spoke in favor of the item and questioned when adequate lighting will be added to Central Fontana.

Mayor Warren closed the Public Hearing.

**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 Public Hearing Item "A" as follows: (AYES: Warren, Cothran, Garcia, Roberts, and Sandoval; NOES: None; Abstain: None)**

**1. Adopt Resolution No. 2021-086 of the City Council of the City of Fontana, California, Confirming a Diagram and Assessment, and Levying the Assessment for Landscape Maintenance District No. 1 ("LMD #1" throughout the City) for Fiscal Year 2021-2022.**

**3. Adopt Resolution No. 2021-088 of the City Council of the City of Fontana, California, Confirming a Diagram and Assessment, and Levying the Assessment for Landscape Maintenance District No. 3 ("LMD #3" Hunter's Ridge) for Fiscal Year 2021-2022.**

**4. Adopt Resolution No. 2021-089 of the City Council of the City of Fontana, California, Confirming a Diagram and Assessment, and Levying the Assessment for Landscape Maintenance District No. 3-1 ("LMD #3-1" Empire Center) for Fiscal Year 2021-2022.**

**5. Adopt Resolution No. 2021-090 of the City Council of the City of**

**Fontana, California, Confirming a Diagram and Assessment, and Levying the Assessment for Local Lighting Maintenance District No. 3 ("LLMD #3" Hunter's Ridge) for Fiscal Year 2021-2022.**

**Mayor Warren and Mayor Pro Tem left Chambers due to their conflict of interest. Due to the Mayor leaving the dais, Council Member Roberts called for a motion.**

**ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Garcia, and passed unanimously by a vote of 3-0-2 to adopt Public Hearing Item "A" as follows: (AYES: Garcia, Roberts, and Sandoval; NOES: None; Abstain: Warren, Cothran)**

**2. Adopt Resolution No. 2021-087, of the City Council of the City of Fontana, California, Confirming a Diagram and Assessment, and Levying the Assessment for Landscape Maintenance District No. 2 ("LMD #2" Village of Heritage) for Fiscal Year 2021-2022.**

**Mayor Warren and Mayor Pro Tem returned to Chambers.**

- B.** Hearing for the Consideration of a Resolution of Necessity to Acquire Fee, Permanent Easement and Temporary Construction Easement Interests in Certain Real Property Located in the City of Fontana, San Bernardino County, California, More Particularly Described as Assessor Parcel Nos. 0190-153-10, 0190-171-02, and 0190-131-13, by Eminent Domain, for the Sierra Avenue Widening Project [21-714](#)

Mayor Warren opened Public Hearing Item B.

Engineering Manager Jeffrey Kim provided the staff report.

Deputy City Clerk Gout noted for the record that one written correspondence was received by Robert Constant.

Due to no one who wished to speak in favor or against this item, Mayor Warren closed the Public Hearing.

**ACTION: Motion was made by Council Member Roberts, seconded by Council Member Garcia, and passed unanimously by a vote of 5-0 to adopt Public Hearing Item "B" as follows: (AYES: Warren, Cothran, Garcia, Roberts, and Sandoval; NOES: None; ABSTAIN: None)**

**1. Conduct a public hearing to consider the adoption of a proposed Resolution of Necessity, including providing all interested parties of the affected property, their attorneys or their representatives an opportunity to be heard on the issues relevant to the resolution of necessity.**

2. Make the following findings as hereinafter described in this report:

- (a) The public interest and necessity require the proposed project;
- (b) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;
- (c) The real property described in Exhibits A, B and C are necessary for the proposed project;
- (d) The offers required by section 7267.2 of the California Government Code were made; and
- (e) The public use for which the property sought to be acquired and described in the Resolution of Necessity is a more necessary public use than the use to which the property is appropriated.

3. Adopt Resolution No. 2021-091. Resolution of Necessity by the City Council of the City of Fontana, declaring that the acquisition of fee, permanent easement and temporary construction easement interests in certain real property located in the City of Fontana, San Bernardino County, California, more particularly described as Assessor Parcel Numbers 0190-153-10, 0190-171-02 and 0190-131-13, by eminent domain, are necessary for street widening and related public infrastructure improvements to Sierra Avenue (between Foothill Boulevard and Baseline Avenue) for the Sierra Avenue Widening Project, in the City of Fontana, San Bernardino County, California.

- C. A 257 Attached Multi-Unit Project Within Planning Area 6 of the [21-730](#)  
Ventana Specific Plan. MCN No. 20-099, SPA No. 21-004, TPM No.  
21-003, and DRP No. 21-002  
Mayor Warren opened Public Hearing Item C.

Senior Planner Paul Gonzalez provided the staff report.

Since there was no one who wished to speak in favor or against this item, Mayor Warren closed the Public Hearing.

**ACTION:** Motion was made by Mayor Pro Tem Cothran, seconded by Council Member Garcia, and passed unanimously by a vote of 4-1 to adopt Public Hearing Item "C" as follows: (AYES: Warren, Cothran, Garcia, and Robert; NOES: Sandoval; ABSTAIN: None)

1. Adopt Resolution No. 2021-092, a Resolution of the City Council of the City of Fontana, California, determining that the project has been reviewed under a previous Final Environmental Impact Report (State Clearing House No. (2005111048), pursuant to Section 15162 through 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.10 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Determination for an Addendum to the Final Environmental Impact Report; and adopting a resolution approving Tentative Parcel Map No 21-003, and Design Review

**No. 21-002 for 257 multi-family residential units and an approximate 6,493 square foot fitness center, clubhouse and pool area subject to the findings and conditions of approval; and**

**2. Read by title only, and waive further reading of and introduce Ordinance No. 1873 an Ordinance of the City Council of the City of Fontana, approving Specific Plan Amendment No. 21-004, to amend development standards within Planning Area 6 of the Ventana Specific Plan that include modifications to site layout, increased building height, monumentation unit size, and parking standards within the 11.6 acre site; and that the reading of the title constitutes the first reading thereof**

- D.** MCN NO. 21-048 & ZCA 21-003 - A proposed Zoning Code Amendment to Chapter 30 of the Fontana Municipal Code to include flexibility in the application of the Zoning and Development Code standards in order to remove housing constraints for individuals with disabilities [21-732](#)

Mayor Warren opened Public Hearing Item D.

Assistant Planner Cecily Session-Goins provided the staff report.

Since there was no one who wished to speak in favor or against this item, Mayor Warren closed the Public Hearing.

**ACTION: Motion was made by Council Member Sandoval, seconded by Mayor Pro Tem Cothran, and passed unanimously by a vote of 5-0 to adopt Public Hearing Item "D" as follows: (AYES: Warren, Cothran, Garcia, Roberts, and Sandoval; NOES: None; ABSTAIN: None)**

**1. Determine that the project is exempt pursuant to Section 15061 (b) (3) (General Rule Exemption), of the California Environmental Quality Act (CEQA) and Section No. 3.07 of the 2019 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Exemption; and,**

**2. Read by title only and waive further reading of and introduce Ordinance No. 1874, an Ordinance of the City Council of the City of Fontana, approving an amendment to Chapter 30 (Zoning and Development Code) of the Fontana Municipal Code to include flexibility in the application of the Zoning and Development Code standards in order to remove housing constraints for individuals with disabilities, and that the reading of the title constitutes the first reading thereof;**

## **CITY MANAGER COMMUNICATIONS:**

- A. City Manager Communications**

City Manager Denny announced that Mayor Warren recently celebrated a birthday and the entire City Council joined in song to wish Mayor Warren Happy Birthday. A cake was presented to Mayor Warren from the City Council and staff.

City Manager Denny had no additional comments.

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

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

City Treasurer Koehler-Brooks wished Mayor Warren a Happy Birthday, along with her son Matthew and sister Nancy.

Council Member Roberts spoke on his recent attendance with the South Fontana residents.

Council Member Sandoval spoke on his recent attendance for his District Community meeting; commented on a concern of parker car and cars for sale by residents and asked staff for the policies the City has on such matters; requested that a member of the Chief's Roundtable do a presentation at a future District community meeting to explain the program; and closed with wishing his wife, Mary, a Happy Birthday.

Council Member Sandoval urged the City Council to consider sending a Resolution to the Governor and Local Legislators asking them to bring the vehicle license fees back.

Council Member Sandoval closed with the announcement of his new granddaughter, Valerie.

Mayor Warren congratulated Council Member Sandoval on his recent addition to his family and mentioned an ongoing legislative program to try to get the vehicle license fee back and that it is currently sitting on the Governor's desk. Mayor Warren noted that the City has as great lobby group that represents us and that they continue to introduce items to the Senate and Assembly that we need the vehicle license fee.

Mayor Pro Tem Cothran wished Mayor Warren a Happy Birthday; wished Council Member Sandoval's wife, Mary, a Happy Birthday; spoke on a recent ride-along with Fire Station #76; commented that he plans to do a ride-along with the Fontana Police Department next, as he hopes to make reoccurring appearances with those who are in Public Safety; and closed with comments on the new park amenities that will be coming to the City for youth.

Mayor Pro Tem Cothran wished Fontana students a safe return back to school and announced upcoming community events.

Council Member Garcia wished Mayor Warren a Happy Birthday; congratulated Mayor Warren on being named one of the Top 10 Mayor to Watch by Route Fifty; announced his daughter, Catherine's upcoming birthday; and closed with wishing the public a good evening.

Mayor Warren thanked the community for supporting their Council and providing them with great feedback; reminded the public that they are not able to make comment regarding active lawsuits; announced upcoming community events; thanked the public for being patient while the City reinstates community events as we re-open due to COVID-19 regulations; reminded the public that there were so many family members, friends and community members lost during the pandemic and the City's top priority is to ensure the health and safety of the entire community; commented on the hopes to officially recognize those we lost during COVID.

Mayor Warren announced the need for back to school supplies are being requested by

Water of Life Church to help those in the community; announced an upcoming hygiene event that will be brought to those who are experiencing homelessness; recognized what the Fontana Police Department and Fire Department does for those who are experiencing homelessness.

**ADJOURNMENT:****A. Adjournment**

The meeting adjourned at 9:02 p.m. in memory of former Council Member Armendarez's Brother-In-Law, Jonathan Gonzalez; Retired Fontana Police Department Lieutenant A.T. Fowlkes and Corporal Jay Sayegh; and to the Special City Council Meeting/ Diversity Training Workshop to be held on July 28, 2021, at 9:00 a.m. at the Fontana Center Stage Theater located at 8463 Sierra Avenue, Fontana, California 92335; and to the next Regular City Council Meeting on Tuesday, September 14, 2021, at 7:00 p.m. to be held in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

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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 SEPTEMBER 2021.**

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Tonia Lewis  
City Clerk