

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, April 26, 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
Germaine McClellan Key - City Clerk
Janet Koehler-Brooks - City Treasurer

WORKSHOP:

A. 5:30 P.M. City Council Workshop

The Workshop of the Fontana City Council was held on Tuesday, April 26, 2022, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, CA 92335. Mayor Warren called the meeting to order at 5:31 p.m. with all members of the City Council present.

City Clerk Germaine McClellan Key and City Treasurer Janet Koehler-Brooks was also in attendance.

The Regular City Council meeting agenda was reviewed and Council Member Cothran requested to pull Consent Calendar Item 'C' for staff presentation.

City Manager Matt Ballantyne had no City Manager comments but announced his gratitude for being at the dais as his first meeting with Fontana.

No public communications were received.

Deputy City Manager Phil Burum opened up the Workshop item on Urban Greening Zoning and Development Code Updates with the assistance of Senior Engineer Shannon J. Casey.

Comments from the Mayor and City Council were heard.

The Workshop adjourned at 6:03 p.m.

CLOSED SESSION:

A. 6:00 P.M. CLOSED SESSION

A Closed Session was held in the Executive Conference Room at 6:03 p.m. located at 8353 Sierra Avenue, Fontana, California, with all members of the City Council present.

PUBLIC COMMUNICATION - CLOSED SESSION:

A. Public Communications - Closed Session

There were no public communications received on the following Closed Session Items:

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO
GOVERNMENT CODE SECTION 54957.6**

City Negotiator: Matt Ballantyne, City Manager and Rakesha Thomas,
Director of Human Resources and Risk Management

Employee Organization(s): Police Officers Association; Police Management Association

**CONFERENCE WITH LEGAL COUNSEL – EXISTING
LITIGATION PURSUANT TO GOVERNMENT CODE
SECTION 54956.9(d)(1)**

Case: Daryl Avila v. City of Fontana Police

Claim No. 210300082

**CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
(Gov. Code section 54956.9(d)(2).)**

Significant exposure to litigation.

Number of potential cases: (2) Two

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

Property: APN #0237-411-13 & APN #0237-411-15

Property Owner: City of Fontana

Negotiating Parties: Phillip Burum, Deputy City Manager & NewBridge Homes

Under Negotiation: Price and terms of payment

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

Property: APN #0191-162-05

Property Owner: Mitch Porras

Negotiating Parties: Phillip Burum, Deputy City Manager & Mitch Porras

Under Negotiation: Price and terms of payment

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 92335, on Tuesday, April 26, 2022. Mayor Warren called the meeting to order at 7:06 p.m.

ROLL CALL:

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

Absent: None

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

INVOCATION/PLEDGE OF ALLEGIANCE:**A. Fontana Police Department Chaplain Deylyne McCampbell / Pledge of Allegiance:**

Following the invocation led by Fontana Police Department Chaplain Greg Peck, the pledge of allegiance was led by Council Member Cothran.

PROCLAMATION:**A.**[21-1290](#)

1. Mayor Warren and City Council to proclaim April as Organ Donation Month (Donate Life Representative Elaine Jones to accept).

Donate Life Representative Elaine Jones accepted the proclamation and encouraged residents to registered as a Organ Donor to help save a life .

2. Mayor Warren and City Council to proclaim May as Mental Health Awareness Month (Community Services Manager Michael Wright to accept).

Community Services Manager Wright and Community Services Coordinator Jasmine Sarsadias accepted the proclamation, after sharing a quick Public Service Announcement on Mental Health.

3. Mayor Warren and City Council to proclaim May 1-7 as Professional Municipal Clerks Week (Deputy City Clerk Ashton R. Arocho to accept).

Deputy City Clerk Arocho accepted the proclamation with the City Clerk Department staff; City Clerk McClellan Key; Senior Administrative Analyst Evelyne Ssenkoloto; Records Coordinator Kathy Kasinger; and Administrative Assistant Susana Gallardo.

4. Mayor Warren and City Council to proclaim May as Building and Safety month (Building Official Jeffrey Baughman to accept).

Building Official Baughman accepted the proclamation and shared ways that the Building and Safety Department will be celebrating in the month of May.

SPECIAL PRESENTATIONS:**A.**[21-1323](#)

1. Mayor Warren and City Council to recognize the Fontana Unified School District collaboration partners Michael A. Garcia and Renee Castanon for their support on the 7th annual Teen Leadership Summit (Community Services Coordinator Andrew Solares to present).

Community Services Coordinator Solares, Mayor Youth Advisory Secretary Natalie Gutierrez and Historian Aleish Cuaresma presented Fontana Unified School District Director Michael A. Garcia with an award.

Renee Castanon was unable to attend.

2. Mayor Warren and City Council to recognize retiring Director of Engineering Ricardo Sandoval (Deputy City Manager Phillip Burum to present).

Deputy City Manager Burum and the entire City Council congratulated Director of Engineering Sandoval on his retirement and thanked him for his 35 years of service.

3. Mayor Warren and City Council to recognize Officer Matthew Rodgers and Records Specialist II Kelly Janusz as the Police Department's March 2022 Employees of the Month (Captain Stover and Captain Dorsey to present).

Captain Stover recognized Officer Matthew Rodgers and Captain Dorsey recognized Records Specialist II Kelly Janusz as the March 2022 Employees of the Month.

PUBLIC COMMUNICATIONS:

A. Public Communications

The following individual spoke under public communications:

1. R. Dale Evans Sr. spoke on behalf of the Fontana Exchange Club regarding upcoming community events.

CONSENT CALENDAR:

Council Member Cothran requested that Consent Calendar Item 'C' be pulled for a staff presentation. Deputy City Manager Phil Burum provided a brief staff report and answered questions of the City Council.

Mayor Warren requested that Consent Calendar Item 'H' be pulled for a staff presentation. Interim Deputy City Manager Ray Ebert provided a brief staff report and answered questions of the City Council.

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

A. Approval of Minutes

[21-1340](#)

- Approve the minutes of the April 12, 2022, Regular City Council Meeting and the April 13, 2022, Special City Council Meeting.
- B.** Adopt a Resolution Approving the Application for Grant Funds from the Recreational Trails Program [21-1343](#)
Adopt **Resolution No. 2022-028** of the City Council of the City of Fontana approving the application for grant funds from the Recreational Trails Program.
- C.** Adopt Resolution for Projects Funded by the State of California [21-1359](#)
Road Repair and Accountability Act SB-1
Adopt **Resolution No. 2022-029**, of the City Council of the City of Fontana to incorporate projects funded by SB-1, the Road Repair and Accountability Act for Fiscal Year 2022/2023.
- D.** Approve a Dedication of Right of Way for Assessor Parcel No. 0232-201-12 related to the Arrow Blvd at Tokay Avenue Traffic Signal Project [21-1318](#)
Approve and authorize the City Manager to execute a dedication of right of way for Assessor Parcel No. 0232-201-12 related to the Arrow Blvd at Tokay Avenue Traffic Signal Project
- E.** Award a Construction Contract for the Sierra Avenue Widening Project between Foothill Boulevard and Baseline Avenue [21-1319](#)
1. Approve and authorize the City Manager to award and execute a construction contract with the lowest responsible/responsive bidder for the Sierra Avenue Widening Project between Foothill Boulevard and Baseline Avenue (Bid No. SB-86-DE-22)
2. Authorize the City Manager to execute any and all utility agreements and any related items on behalf of the City of Fontana for the Sierra Avenue Widening Project between Foothill Boulevard and Baseline Avenue
3. Authorize the City Manager to execute Quit Claim deeds for any and all Temporary Construction easements and related documents upon project completion for the Sierra Avenue Widening Project between Foothill Boulevard and Baseline Avenue
4. Authorize the City Manager to execute any and all contract amendments on behalf of the City of Fontana for the Sierra Avenue Widening Project between Foothill Boulevard and Baseline Avenue
- F.** Final Acceptance of Energy Services Project Park Lighting Upgrade (MS-209-PW-20) [21-1322](#)
1. Accept as complete the work performed by Alliance Building Solutions, Inc. for Energy Services Project Park Lighting Upgrade, and approve the final construction cost of \$3,697,716;
2. Authorize the Public Works Director to file a Notice of Completion and release the 5% retention

- G.** Police Department Monthly Information Update [21-1332](#)
Accept the Police Department monthly information update for March 2022.
- H.** 311 Implementation Partner [21-1294](#)
Approve and authorize the City Manager to execute a contract with StackNexus (California Multiple Award Schedule CMAS Number 3-21-09-1034) in the amount of \$800,000 and a 10% contingency of \$80,000.

PUBLIC HEARINGS:

- A.** Introduce an Ordinance to Adopt Police Department Policy 709 (Military Equipment Policy) Pursuant to Assembly Bill 481 ("AB 481") [21-1356](#)

Mayor Warren opened the public hearing.

City Clerk McClellan Key noted for the record that no written correspondences were received on the item.

Police Chief Green and Police Lieutenant Binks provided the staff report and answered questions of the City Council.

Mayor Warren closed the public hearing as there was no one present who wished to speak on the item.

ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Roberts, and passed unanimously by a roll call vote of 5-0 to adopt Public Hearing Item 'A' as follows:

Read by title only and waive further reading of and introduce Ordinance No. 1892, an Ordinance of the City of Fontana Adopting a Military Equipment Policy Pursuant to AB 481, and the reading of the Title Constitute the first reading thereof.

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

NEW BUSINESS:

- A.** Issuance of Special Tax Bonds for CFD #95 (Summit at Rosena Phase 2) [21-1330](#)

Mayor Pro Tem Garcia announced that the project site is located within distance to his personal property and will remove himself from the dais during the report.

Mayor Pro Tem Garcia exited Council Chambers.

Accountant I Justin Marietta provided the staff report and answered questions of the City Council.

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

Adopt Resolution No. 2022-030, of the City Council of the City of Fontana authorizing the issuance of City of Fontana Community Facilities District No. 95 (Summit at Rosena Phase Two) Special Tax Bonds, Series 2022, in an aggregate principal amount of not to exceed \$11,000,000, authorizing the execution and delivery of an Indenture, a Bond Purchase Agreement and a Continuing Disclosure Agreement, authorizing the distribution of an Official Statement in connection therewith 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

Mayor Pro Tem Garcia returned to Council Chambers.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Ballantyne recognized his first Council meeting as the new City Manager and thanked the City Council and staff for being so forthcoming during his on boarding and this transition.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Koehler-Brooks congratulated retiring Engineer Director Ricardo Sandoval after 35 years of service and welcomed City Manager Ballantyne.

City Clerk McClellan Key congratulated retiring Engineer Director Ricardo Sandoval after 35 years of service, welcomed City Manager Ballantyne, and spoke on recent attendance at community events.

Mayor Pro Tem Garcia congratulated retiring Engineer Director Ricardo Sandoval after 35 years of service.

Council Member Cothran congratulated retiring Engineer Director Ricardo Sandoval after 35 years of service and mentioned an upcoming meeting with the biking community group.

Council Member Roberts congratulated retiring Engineer Director Ricardo Sandoval after 35 years of service and wished Charles Koehler a post-humorous 100th birthday, thanking him for his past mentorship and public service.

Council Member Sandoval congratulated retiring Engineer Director Ricardo Sandoval after 35 years of service; extended sincere condolences to the Ramirez family for their recent loss; echoed Council Member Robert's comments on Charles Koehler; recognized the entire City Clerk's Office for their hardwork and dedication; and commented on his recent attendance at the Community garden, encouraging residents to take part.

Council Member Sandoval also announced the start of Farmer Markets and asked staff for clarification on the selection of start and end times for the event.

Acting Community Services Director Daniel Schneider provided clarification and identified that the times were selected based off a community survey that recently went out.

Council Member Sandoval closed his final comments with wishing those who are mothers, a Happy Mother's Day.

Mayor Warren recognized Jackie Robinson's 75th Anniversary and the Dodger Dreamfield in Fontana; recent attendance at the E-Merge Summit in Miami, FL; encouraged residents to use the Fontana app to report pot holes and other instances throughout the community.

ADJOURNMENT:

A. Adjournment

Mayor Warren adjourned the meeting in memory of Susanne Justice and Ruby Ramirez at 8:36 p.m.

The next Regular City Council Meeting will be held on Tuesday, May 10, 2022 at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Ashton R. Arocho, MMC
Deputy City Clerk

THE FOREGOING MINUTES WERE APPROVED AND ADOPTED BY THE FONTANA CITY COUNCIL ON THE 10TH DAY OF MAY 2022.

Germaine McClellan Key
City Clerk