

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Regular Agenda

Ord. No. 1893 Reso. No 2022-031

****AMENDED AGENDA****

Tuesday, May 10, 2022

7:00 PM

**CLOSED SESSION - 6:00 P.M.
REGULAR MEETING - 7:00 P.M.**

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*

Welcome to a meeting of the Fontana City Council.

Welcome to a meeting of the Fontana City Council. A complete agenda packet is located in the binder on the table in the lobby of the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335. To address the Council, please fill out a card located at the entrance to the right indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the City Clerk. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act of 1990 (42 USC § 12132), the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335 is wheelchair accessible, and a portable microphone is available. Upon request, this agenda will be made available in appropriate alternative forms to persons with disabilities, as required by Section 12132 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such a request to the City Clerk's Office at (909) 350-7602 at least 48 hours before the meeting, if possible. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection in the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335.

Traducción en Español disponible a petición. Favor de notificar al Departamento "City Clerk". Para mayor información, favor de marcar el número (909) 350-7602.

6:00 P.M. CLOSED SESSION:**PUBLIC COMMUNICATION - CLOSED SESSION:**

This is an opportunity for citizens to speak to the City Council for up to 3 minutes on the following Closed Session. The Mayor and City Council reserve the right to adjust this time limit based on the number of speakers who wish to address the Mayor and City Council.

A. Public Communications - Closed Session**CLOSED SESSION:**

- A. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6** [21-1379](#)
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: Kapena Kamakawiwoole vs. City of Fontana
Case No. CIVDS 1708327

CALL TO ORDER/ROLL CALL:

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

INVOCATION/PLEDGE OF ALLEGIANCE:

- A. Fontana Police Department Chaplain / Pledge of Allegiance:

PROCLAMATION:

- A. 1. Mayor Warren and City Council to proclaim May 15-21, 2022, as National Public Works Week (Public Works Manager Dan West to present). [21-1287](#)
2. Mayor Warren and City Council to proclaim May as Older Americans Month (Community Services Supervisor Douglas Johnson to present).
3. Mayor Warren and the City Council to proclaim May as National Water Safety Month (Acting Community Services Director Daniel Schneider to present).

SPECIAL PRESENTATIONS:

- A. 1. Mayor Warren and the City Council to recognize the award received from California Parks and Recreation Society, Aquatics Section in March 2022 for the 2021 Innovative Aquatics Programming for the Fontana Special Olympics Aquatics (California Parks and Recreation Society, Past President Lydie Gutfeld to present). [21-1333](#)
2. Mayor Warren and the City Council to recognize the award received from California Parks and Recreation Society, Facility Design Section in March 2022 for the 2021 Central City Park Project (California Parks and Recreation Society, Past President Lydie Gutfeld to present).
3. Mayor Warren and City Council to recognize Administrative Assistant Susana Gallardo as City Clerk's Department Employee of the Year (Deputy City Clerk Ashton R. Arocho, MMC, to present).

PUBLIC COMMUNICATIONS:

This is an opportunity for members of the public to address the City Council for up to three (3) minutes total on items either on the Agenda or items not on the Agenda, but within the City Council's jurisdiction. Note that Public Hearing items have individual and specific public input opportunities during the public hearing and testimony on those items will only be taken during the public hearing. The Council is prohibited by law from discussing or taking immediate action on non-agendized items. The Mayor and City Council reserve the right to adjust this time limit based on the number of speakers who wish to address the Mayor and City Council.

A. Public Communications**CONSENT CALENDAR:**

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for discussion.

A. Approval of Minutes [21-1362](#)

Approve the minutes of the April 26, 2022, Regular City Council Meeting.

Attachments: [Minutes - April 26, 2022.pdf](#)

B. Adoption of Ordinance No. 1892 (Second Reading) [21-1361](#)

Second Reading/Adopt **Ordinance No. 1892**, an Ordinance of the City of Fontana Adopting a Military Equipment Policy Pursuant to AB 481.

Attachments: [Fontana AB 481 Ordinance](#)

[Policy 709](#)

[Fontana Police Department Military Equipment Inventory](#)

C. Accept an Active Transportation Program (ATP) Grant for the Date Elementary School Street Improvements Project and Adopt a Resolution for a Master Agreement with Caltrans for Reimbursement of State Funded Projects [21-1342](#)

1. Approve and authorize the City Manager to accept the Active Transportation Program (ATP) Grant in the amount of \$1,808,000.00 for the Date Elementary School Street Improvements Project and authorize staff to request reimbursements to grant requirements.

2. Authorize staff to increase revenues up to \$1,808,000.00 and appropriate budget up to \$1,808,000.00 in Grant Fund 301 according to the grant allocation schedule.

3. 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 Date Elementary School Street Improvements Project.

4. Adopt **Resolution No. 2022-031** authorizing the City Manager to execute the Master Agreement No. 08-5307S21 with the California Department of Transportation (Caltrans)

Attachments: [Resolution 2022-031](#)

[Vicinity Map](#)

[2020 ATP Staff Recommended Projects](#)

[Master Agreement](#)

D. Adopt the New Job Description and Corresponding Salary Range for the Classification of Director of Public Works/City Engineer and the Updated Job Description and Corresponding Salary Range for the Classification of Budget Manager [21-1364](#)

Adopt **Resolution No. 2022-032**, a resolution of the City Council of the City of Fontana adopting new and updated job descriptions for specific classifications throughout the City.

Attachments: [Resolution No. 2022-032 Adopting Director of Public Works/City Engineer and Accounting Manager Job Descriptions and Salary Tables](#)

[Public Works Director/City Engineer Job Description](#)

[Budget Manager Job Description](#)

[Management/Confidential Salary Table 05/11/2022](#)

[Executive Salary Table 05/11/2022**AMENDMENT](#)

- E. **Approve the purchase of Sandy Spin Inc. Skillastics curriculum for the Fontana Expanded Learning Program's school sites** [21-1327](#)

Authorize the Community Services to utilize Article V. PURCHASING Sec. 10-152(3). - Exceptions from bid procedures of the Fontana City Code to acquisition the proprietary Skillastics curriculum from Sandy Spin Inc. for the Fontana Expanded Learning Program (FELP).

Attachments: [Skillastics Quote](#)

- F. **Adopt a Resolution Appointing Ricardo Sandoval as Interim Director of Public Works/City Engineer and Approving Employment Agreement** [21-1375](#)

Adopt **Resolution No. 2022-033**, A Resolution of the City Council of the City of Fontana appointing Ricardo Sandoval as Interim Director of Public Works/City Engineer and Approving Employment Agreement.

Attachments: [City of Fontana Interim Director of Engineering-City Engineer Employment Agreement \(Ricardo Sandoval\)](#)
[City of Fontana Resolution Appointing Ricardo Sandoval as Interim Director of Public Works City Engineer](#)

- G. **Approve Amendment No. 1 to Professional Services Agreement with De Novo Planning Group for SB 2 Planning Grant Implementation** [21-1385](#)

1. Approve and authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement with De Novo Planning Group in the additional amount of \$76,000 for SB 2 Planning Grant Implementation (SP-101-DS-20).
2. Approve and authorize the City Manager to execute any future amendments to the Professional Services Agreement.

Attachments: [Attachment No. 1 - DeNovo letter](#)

Approve Consent Calendar Items as recommended by staff.

PUBLIC HEARINGS:

To speak on Public Hearing Items, submit comments via e-mail at publiccomments@fontana.org. In the subject of your e-mail please indicate whether you are in favor or opposition of the item. Comments must be received no later than 5:00 P.M. on the day of the meeting. Comments of no more than three (3) minutes will be read into the record at the appropriate time during the meeting. If you challenge in court any action taken concerning a Public Hearing item, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City at, or prior to, the Public Hearing.

All Public Hearings will be conducted following this format:

- (a) hearing opened
- (b) written communication
- (c) council/staff comments
- (d) applicant comments (applicant not limited to 5 minutes)
- (e) oral - favor
- (f) oral - opposition
- (g) hearing closed

- A. **Appeal No. 22-001: A request for an appeal to overturn the Planning Commission's March 15, 2022 decision approving Tentative Parcel Map No. 20447 (TPM No. 21-017) and Design Review No. 21-030 for a new industrial commerce center building totaling approximately 137,000 square feet. The building includes two potential office spaces totaling approximately 10,000 square feet, 26 warehouse dock doors, and one (1) ground level door; the site plan includes 37 trailer parking spaces, and 50 passenger car parking spaces. The building will have a maximum height of 40-feet. The site is located on the northeast corner of the intersection of Santa Ana Avenue and Calabash Avenue within the Slover West Industrial District (SWD) of the Southwest Industrial Park (SWIP) Specific Plan of the City of Fontana.** [21-1341](#)

Deny Appeal No. 22-001 and uphold the Planning Commission's March 15, 2022 decision approving Tentative Parcel Map No. 20447 (TPM No. 21-017) and Design Review No. 21-030 for a new industrial commerce center building totaling approximately 137,000 square feet including two potential office spaces totaling approximately 10,000 square feet, including 26 warehouse dock doors, one (1) ground level door, 37 trailer parking spaces, and 50 passenger car parking spaces.

Attachments: [Attachment No. 1 - Vicinity Map](#)
[Attachment No. 2 - Tentative Parcel Map No. 20447](#)
[Attachment No. 3 - Site Plan](#)
[Attachment No. 4 - Elevations](#)
[Attachment No. 5 - Staff Report - Planning Commission](#)
[Attachment No. 6 - Planning Commission Minutes Excerpt](#)
[Attachment No. 7 - Appellant Letter and Response Letter](#)
[Attachment No. 8 - Clerk of the Board Receipt and NOD](#)
[Attachment No. 9 - Appeal 22-001 Public Hearing Notice](#)

NEW BUSINESS:

- A. **User Fees for City Services** [21-1363](#)

Adopt **Resolution No. 2022-034**, a resolution of the City of Fontana adjusting existing user fees for various services provided by the City.

Attachments: [Resolution No. 2022-034](#)
[Exhibit A.pdf](#)

CITY MANAGER COMMUNICATIONS:

- A. City Manager Communications

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

- A. Elected Officials Communications/Reports

ADJOURNMENT:

- A. Adjournment

Adjourn to the next Regular City Council Meeting on June 14, 2022 at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.