

**RESOLUTION NO. 2026-009**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA,  
CALIFORNIA, APPROVING AN EASEMENT AND MAINTENANCE  
AGREEMENT WITH KB HOME CAL MANAGEMENT SERVICES LLC.**

**WHEREAS**, the City of Fontana (“City”) is the owner of certain real property more particularly described in Exhibit “A-1” of the Easement and Maintenance Agreement (“Agreement”) (hereinafter “City Property”); and

**WHEREAS**, KB Home Cal Management Services LLC (“Owner”) is the owner of certain real property more particularly described in Exhibit “A-2” of the Agreement (“Residential Property”); and

**WHEREAS**, the Residential Property is located adjacent to the City Property and is currently being developed for residential use; and

**WHEREAS**, as a condition of the development entitlements for the Residential Property, the City requires the Owner to assume certain construction and perpetual maintenance responsibilities for landscaping, fuel modifications, and related infrastructure within portions of the City Property; and

**WHEREAS**, the City and Owner have negotiated an easement and maintenance agreement to establish temporary construction easements and permanent maintenance easement over the City Property to ensure the safe and orderly development and upkeep of the area; and

**WHEREAS**, the Agreement provides that these maintenance obligations will eventually be transferred to a homeowners association, ensuring the City is protected from the long-term costs of maintaining these specific improvements; and

**WHEREAS**, pursuant to Sections 15162 and 15164 of the California Environmental Quality Act (“CEQA”) Guidelines and Section 8.06 of the City of Fontana’s 2019 Local CEQA Guidelines, an Addendum to the Southridge Village Specific Plan Environmental Impact Report (“EIR”) No. 81-3 (State Clearinghouse (“SCH”) No. 81052210) was prepared. The aforementioned EIR was adopted by the City Council in December 1981, and it anticipated the development of residential units and the construction and maintenance responsibilities for landscaping, fuel modifications and related infrastructure within portions of the City for the project. No new additional impacts beyond what was anticipated in the EIR were identified in the Addendum. Based on the CEQA Sections 15162 through 15164, staff has determined that none of the criteria requiring a subsequent environmental document have been met and that further environmental analysis is not required. A Notice of Determination has been prepared; and

**WHEREAS**, the City finds that entering into this Agreement is in the best interest of the public health, safety, and welfare of the City of Fontana.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fontana, California, as follows:

**Section 1. Recitals.** The above recitals are true, correct and by this reference incorporated herein.

**Section 2. CEQA.** Consistent with the CEQA (Pub. Resources Code § 2100 et seq.) and the State CEQA Guidelines (Cal Code Regs., tit. 14, § 15000 et seq.), the Heights at Southridge Addendum to the EIR (SCH No. 81052210) was prepared for development. The City Council finds that the Addendum contains a complete and accurate reporting of all of the environmental impacts associated with the project. The City Council further finds that the Addendum was completed in compliance with the State CEQA Guidelines and Section 6.21 of the City of Fontana's 2019 Local Guidelines for implementing CEQA.

**Section 3. Findings on the Necessity for a Subsequent or Supplemental Environmental Impact Report.** Based on the substantial evidence set forth in the record, including but not limited to, the Southridge Village Specific Plan FEIR and all written and oral evidence presented to the City Council, the City Council finds that all environmental impacts of the project have been addressed within the Southridge Village Specific Plan FEIR and the Addendum. The City Council finds that no new or additional mitigation measures or alternatives are required. The City Council further finds that there is no substantial evidence in the administrative record supporting a fair argument that the project may result in any significant environmental impacts beyond those analyzed in the Southridge Village Specific Plan FEIR and Addendum. The City Council finds that the Addendum contains a complete, objective, and accurate reporting of the environmental impacts associated with the project and reflects the independent judgement and analysis of the City Council.

**Section 4. Adoption of the Addendum to the Southridge Village Specific Plan FEIR.** The City Council hereby adopts the Addendum to the EIR for the Southridge Village Specific Plan FEIR (SCH No. 81052210) and MMRP that have been prepared pursuant to State CEQA Guidelines Sections 15162 and 15164 along with the City of Fontana's 2019 Local Guidelines for implementing CEQA. City Council directs staff to file a Notice of Determination.

**Section 5. Approvals.** The City Council hereby approves the Agreement between the City and the Owner. The City Manager, or their designee, is hereby authorized and directed to execute the Agreement on behalf of the City, subject to such minor, non-substantive changes as may be approved by the City Manager and the City Attorney.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**Section 7. Severability.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not

affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

**Section 8.** Certification. The City Clerk shall certify to the adoption of this Resolution.

**Section 9.** Custodian of Records. The documents and materials that constitute the record of proceedings on which this Resolution is based are located at the City Clerk's office located at 16860 Valencia Avenue, Fontana, CA 92335. The custodian of records is the City Clerk.

**APPROVED AND ADOPTED** this 24<sup>th</sup> day of February, 2026.

**READ AND APPROVED AS TO LEGAL FORM:**

\_\_\_\_\_  
City Attorney

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council of the City of Fontana, do hereby certify that the foregoing Resolution is the actual Resolution that was duly and regularly adopted by the City Council of the City of Fontana at a regular meeting on the 24<sup>th</sup> day of February, 2026, by the following vote to wit:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
City Clerk of the City of Fontana

\_\_\_\_\_  
Mayor of the City of Fontana

**ATTEST:**

\_\_\_\_\_  
City Clerk