

RESOLUTION NO. 2025-103

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, APPROVING AN AMENDMENT TO THE AGREEMENT FOR SERVICES BETWEEN THE CITY OF FONTANA AND AMPAC BUSINESS CAPITAL

WHEREAS, the City of Fontana ("City") has previously established a Revolving Loan Fund ("RLF") in the amount of Five Hundred Thousand Dollars (\$500,000.00) to provide entrepreneurs and small businesses within the City with access to debt financing for the purposes of business growth; and

WHEREAS, the City entered into an Agreement with AmPac Tri-State CDC doing business as Ampac Business Capital ("AmPac") for the administration and servicing of said RLF; and

WHEREAS, the City and AmPac now desire to update and clarify the terms and conditions of the Agreement to reflect their mutual understanding; and

WHEREAS, staff finds that the execution of this Amendment is in the best interest of the City and its residents, as it enhances the administration and efficacy of the RLF program.

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. The City Council finds that this Resolution is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 3. Approvals. The City Council of the City of Fontana ("City Council") approves this Amendment to the Agreement for Services Between the City of Fontana and AmPac Business Capital, a copy of which is attached hereto and incorporated herein by reference. Furthermore, the City Manager is granted the authority to negotiate and execute any subsequent non-material amendments, modifications, or changes to this Agreement that are necessary or desirable to further the intent of the RLF program, provided such changes do not result in an increase in the City's financial obligation or fundamentally alter the scope of services. The City Manager is also authorized to take all other actions necessary to implement the terms and intent of this Resolution.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

Section 5. 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 6. Certification. The City Clerk shall certify to the adoption of this Resolution.

Section 7. 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 8353 Sierra Avenue, Fontana, CA 92335. The custodian of records is the City Clerk.

APPROVED AND ADOPTED this 28th day of October, 2025.

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, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting held on the 28th day of October 2025, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk of the City of Fontana

Mayor of the City of Fontana

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ATTEST:

City Clerk