

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, March 14, 2023

7:00 PM

Grover W. Taylor Council Chambers

City Council Meeting

Acquanetta Warren - Mayor
Peter A. Garcia - Mayor Pro Tem
John B. Roberts - Council Member
Jesus "Jesse" Sandoval - Council Member
Phillip Cothran - Council Member
Germaine McClellan Key - City Clerk
Janet Koehler-Brooks, City Treasurer

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, on Tuesday, March 14, 2023.

Mayor Warren called the meeting to order at 7:07 p.m.

ROLL CALL:

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

ABSENT: None

City Clerk Key and City Treasurer Koehler-Brooks were also in attendance

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

The invocation was led by Fontana Police Department Chaplain Greg Peck, followed by the Pledge of Allegiance led by Council Member Cothran.

SPECIAL PRESENTATIONS:

A.

21-2053

1. Mayor Warren and City Council to recognize Outgoing Parks, Community, and Human Services Commissioner Anahi Perez (Mayor Warren to present).

Mayor Warren and City Council recognized Commissioner Perez and thanked her for her years of service. In addition, Mayor Warren announced that Perez recently was appointed to the San Bernardino County Parks Commission.

2. Mayor Warren to swear in newly appointed Chief of Police Michael Dorsey (Mayor Warren to present).

Mayor Warren announced the dignitaries in the room and thanked them for joining to congratulate incoming Chief Dorsey.

Mayor Warren swore in Chief Dorsey, who was accompanied by his family.

San Bernardino County 2nd District Supervisor Jesse Armendarez and Fontana Chamber of Commerce presented Chief Dorsey with a certificate of recognition.

Chief Green, Mayor Warren, and the entire City Council gave brief comments congratulating Chief Dorsey.

Chief Dorsey concluded the presentation humbly thanking those who assisted him to get to this step in his career.

PUBLIC COMMUNICATIONS:

A. Public Communications

The following individuals spoke under public communications:

1. R. Dale Evans, representative of Fontana Exchange Club, congratulated Chief Dorsey and thanked the City for their continued partnership with the Exchange Club.
2. Michael Townsend, representative of Assembly Member Reyes, introduced himself to the City Council and Community while advising of upcoming events.

CONSENT CALENDAR:

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

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|-----------|---|-----------------------|
| A. | Approval of Minutes | <u>21-1872</u> |
| | Approve the minutes of the February 28, 2023, Regular City Council meeting. | |
| B. | Adoption of Ordinance No. 1912 (Second Reading) | <u>21-2063</u> |
| | Second Reading / Adoption of Ordinance No. 1912 , An Ordinance of the City Council of the City of Fontana, California, Amending Chapter 33, "Cannabis Businesses And Activities" And Finding that the Ordinance is Exempt from the California Environmental Quality Act. | |
| C. | Approve task order for Engineering Services for pavement rehabilitation and sidewalk installation project on Randall Avenue from Citrus Avenue to Catawba Avenue. | <u>21-2020</u> |
| | <ol style="list-style-type: none"> 1. Approve and authorize the City Manager to execute a Task Order in the amount of \$117,720.00 with Onward Engineering, for Engineering services for the pavement rehabilitation and sidewalk installation project on Randall Ave from Citrus to Catawba. Request for proposal SQ- 87-DE-19-44. 2. Approve and authorize the City Manager to execute any future amendments to the Task Order. | |
| D. | Approve Amendment to Fenagh Engineering & Testing Task Order for Geotechnical, Inspection and Testing Support Services for Construction of Fire Station No. 81 at 16615 Casa Grande Avenue. | <u>21-2027</u> |
| | <ol style="list-style-type: none"> 1. Approve and authorize the City Manager to execute Task Order 3.2 to Fenagh Engineering & Testing in the amount of \$58,901.52 for Support Services on Fire Station No. 81, for a total Task Order amount of \$125,756.52. 2. Approve and authorize the City Manager to execute any future amendments to the Task Order. | |

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- E.** Approve a Cooperative Agreement with the City of Rialto for Construction of the Baseline Avenue at Palmetto Avenue Traffic Signal Project **21-2025**
1. Approve and authorize the City Manager to execute a Cooperative Agreement for Construction of the Baseline Avenue at Palmetto Avenue Traffic Signal Project.
 2. Accept outside Agency contribution of \$236,341.00 for Project No. 0031 - Baseline Avenue at Palmetto Avenue Traffic Signal Project.
 3. Authorize the City Manager to execute any future amendments to the Cooperative Agreement for the Baseline Avenue at Palmetto Avenue Traffic Signal Project.
- F.** Approve a Cooperative Agreement with the City of Rialto for Construction of the Sierra Avenue at Riverside Avenue Traffic Signal Project **21-2031**
1. Approve and authorize the City Manager to execute a Cooperative Agreement for Construction of the Sierra Avenue at Riverside Avenue Traffic Signal Project.
 2. Accept outside Agency contribution of \$120,000.00 for Project No. 3329 - Sierra Avenue at Riverside Avenue Traffic Signal Project.
 3. Authorize the City Manager to execute any future amendments to the Cooperative Agreement for the Sierra Avenue at Riverside Avenue Traffic Signal Project.
- G.** Approve a Cooperative Agreement with the City of Rialto for the Pavement Rehabilitation Project on Maple Avenue between Baseline Avenue and Miller Avenue **21-2032**
1. Approve and authorize the City Manager to execute a Cooperative Agreement for the Pavement Rehabilitation Project on Maple Avenue between Baseline Avenue and Miller Avenue
 2. Authorize the City Manager to execute any future amendments to the Cooperative Agreement for the Pavement Rehabilitation Project on Maple Avenue between Baseline Avenue and Miller Avenue.
- H.** Final Acceptance of Subdivision Improvements for Tract Map No. 18981 located on the northwest corner of Citrus Avenue and Curtis Avenue. **21-2033**
1. Accept as complete the Subdivision Improvements for Tract No. 18981 located on the northwest corner of Citrus Avenue and Curtis Avenue.
 2. Adopt **Resolution No. 2023-014**, accepting sewers in Tract No. 18981 as part of the City sewer system.
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- I.** Approve Amendment to David Volz Design Landscape Architects Task Order for Design Services for the Jurupa Landscape Median Project. **21-2037**
1. Approve and authorize the City Manager to execute Task Order No. 1.2 to David Volz Design Landscape Architects in the amount of \$63,205.00 for the Design Services of Jurupa Avenue Landscape Median Project. for a total contract amount of \$222,719.
 2. Approve and authorize the City Manager to execute any future amendments to the Task Order.
- J.** Award a bid for the 7714 Tamarind Ave Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Construction SB-91-HD-23 **21-2041**
- Award and authorize the City Manager to execute a construction contract with Lancet Contracting Inc for the construction of the 7714 Tamarind Ave Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) in the amount of \$273,000 and authorize a 10% contingency in the amount of \$27,300 (Bid No. SB-91-HD-23).
- K.** Miscellaneous Project No. 23 - 004 - Review of 2022 General Plan Annual Progress Report **21-2044**
- Direct staff to send the 2022 General Plan Annual Progress Report to the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD).
- L.** Proposed Distribution of Ad Valorem Taxes for LAFCO 3261 for reorganization and annexation of APN 0239-072-02 (Debris Basin for I-15 Logistic Project) to the City of Fontana and Detachment from County Service Area 70. The annexation area generally lies along the north side of Lytle Creek Road, and west of Sierra Avenue. **21-2047**
- Adopt **Resolution No. 2023-015**, accepting the proposed distribution of Ad Valorem taxes as requested by the San Bernardino County auditor controller's office for LAFCO 3261, which is for the reorganization and annexation to the City of Fontana and detachment from County Service Area 70 for APN 0239-072-02 (Debris Basin for I-15 Logistics project).
- M.** Approve Memorandum of Understanding for Crossing Guards Services with Colton Joint Unified School District **21-2052**
1. Approve Memorandum of Understanding between Colton Joint Unified School District (CJUSD) and the City of Fontana for crossing guard services provided by All City Management Services for one (1) year with up to four (4) additional one (1) year terms.
 2. Authorize the City Manager to execute the Memorandum of Understanding and future amendments.
 3. Approve a recurring appropriation from Fund 101 to 10140352.8130 to allow the City to fund 50% of the cost of crossing guard services for the 3 CJUSD elementary schools that fall within the City of Fontana.

- N.** Approve Purchase of the Jacobs Technology Inc. Rapid Solutions System **21-2054**
1. Authorize the purchase and installation of the Base Station System from Jacobs Technology, Inc. in the amount of \$920,098.94.
 2. Approve the Sole Source Purchasing method under Section 3.1.5 Non-Competitive Proposal of the City's Purchasing Policies and Procedures and authorize the Fontana Police Department to purchase the cellular geo-location product from Jacobs Technology Inc.
 3. Approve and authorize the City Manager or his assigned designee to execute documents related to the purchase of the Jacobs Technology Inc. Rapid Solutions System.
- O.** Resolution of Intent to form Community Facilities District No. 112 (The Gardens Phase One). **21-2055**
1. Adopt **Resolution No. 2023-016**, of the City Council of the City of Fontana of Intention to Establish a Community Facilities District and to Authorize the Levy of Special Taxes.
 2. Adopt **Resolution No. 2023-017**, of the City Council of the City of Fontana to Incur Bonded Indebtedness of the Proposed City of Fontana Community Facilities District No. 112 (The Gardens Phase One).
- P.** Consider Opting into Settlement Agreements with Distributors of Opioids, Walgreens Co., Walmart, Inc., and Cvs Health Corporation/Cvs Pharmacy, Inc., and Opioid Manufacturers Teva Pharmaceutical Industries Ltd. and Allergan Finance, LLC/Allergan Limited **21-2061**
- It is recommended that the City Council adopt **Resolution 2023-018**, authorizing the City Manager to:
1. Opt into settlement agreement with opioid distributor, Walgreens Co., and direct the City Manager to execute any documents necessary to implement the action.
 2. Opt into settlement agreement with opioid distributor, Walmart, Inc. and direct the City Manager to execute any documents necessary to implement the action.
 3. Opt into settlement agreement with opioid distributor, CVS Health Corporation/CVS Pharmacy, Inc. and direct the City Manager to execute any documents necessary to implement the action.
 4. Opt into settlement agreement with opioid manufacturer, Teva Pharmaceutical Industries Ltd., and direct the City Manager to execute any documents necessary to implement the action.
 5. Opt into settlement agreement with opioid manufacturer, Allergan Finance, LLC/Allergan Limited and direct the City Manager to execute any documents necessary to implement the action.

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Ballantyne congratulation Chief Dorsey and discussed about promotional opportunities within the Police Department.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**A. Elected Officials Communications/Reports**

City Treasurer Koehler-Brooks congratulated Chief Dorsey.

City Clerk Key congratulated Chief Dorsey and stated that Chief Green will be missed.

Council Member Sandoval congratulated Chief Dorsey and thanked our first responders for being such great role models to our youth.

Council Member Roberts congratulated Chief Dorsey and stated that Fontana Police Department is #1.

Council Member Contran mentioned recently attended Area Commander meetings within the community; congratulated Chief Dorsey; and stated that Fontana Police Department is #1 in the nation.

Mayor Pro Tem Garcia congratulated Chief Dorsey and thanked the entire Executive Team of the Police Department for their leadership.

City Manager Ballantyne interjected announcing recently promoted Captain Brian Binks.

Mayor Warren congratulated Chief Dorsey; thanked neighboring stations for attending; congratulated Chief Green for upcoming retirement; commented on recently attended events for Women's History Month; discussed recent South Fontana Park ribbon cutting success; congratulated the MYAC for another successful leadership summit; thanked the community for their thoughts and resources for those affected in the mountains by the snow and rain storm; and closed with the announcement of recently received funding from Congresswoman Norma Torres.

ADJOURNMENT:**A. Adjournment**

Mayor Warren adjourned the meeting to the next Regular City Council Meeting on Tuesday, March 28, 2023, at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Ashton Arocho

Ashton R. Arocho, MMC
Deputy City Clerk

THE FOREGOING MINUTES WERE ADOPTED AND APPROVED BY THE FONTANA CITY COUNCIL ON MARCH 28, 2023.

Germaine Key

Germaine Key
City Clerk

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Browsers (for SENDERS):	Internet Explorer 6.0? or above
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