

# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335



## Minutes

Tuesday, April 9, 2024

2:00 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 Key - City Clerk*  
*Janet Koehler-Brooks, City Treasurer*

## **CALL TO ORDER/ROLL CALL:**

### **A. 2:00 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, CA 92335, on Tuesday, April 9, 2024.

Mayor Warren called the Regular City Council Meeting to order at 2:03 p.m.

## **ROLL CALL:**

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

City Treasurer Janet Koehler-Brooks and City Clerk Germaine Key were also present.

**ABSENT:** Council Member Sandoval

## **INVOCATION/PLEDGE OF ALLEGIANCE:**

### **A. Invocation/Pledge of Allegiance:**

The invocation was given by Council Member Roberts, followed by the pledge of allegiance led by Mayor Pro Tem Garcia.

## **SPECIAL PRESENTATIONS:**

### **A. Special Presentations**

Mayor Warren and City Council recognized Officer Derrick Tamanaha and Records Supervisors Vanessa Hernandez and Annette Logan as Fontana Police Department's December 2023 Employees of the Month/Employees of the Year.

Mayor Warren and City Council recognized Plans Examiner I Lauren Reynosa as the 2024 Building and Safety Employee of the Year.

## **PUBLIC COMMUNICATIONS:**

### **A. Public Communications**

Mayor Warren read a statement from the City regarding Planned Parenthood.

The following individuals spoke under public communications:

Angela Garcia of the West Valley Water District invited the community to attend their Earth Day Celebration on April 20th.

Danielle Holley of the Fontana Chamber of Commerce discussed their third quarter events along with recent and upcoming events.

Brock Champion of the Fontana Exchange Club discussed their scholarship program and thanked the City for their partnership. Also invited the community to attend the Fontana Days Parade and Fontana Days Carnival.

Susana Morales spoke in opposition of Planned Parenthood.

Ellen Miller spoke in opposition of Planned Parenthood.

Rebecca P. spoke in opposition of Planned Parenthood.

Maria P. spoke in opposition of Planned Parenthood.

Mark Richichi spoke in opposition of Planned Parenthood.

Catherine Contreras spoke in opposition of Planned Parenthood.

Evan Webb spoke in support of Planned Parenthood.

Paul Reyes spoke in opposition of Planned Parenthood.

Mary Kay Woodward spoke in opposition of Planned Parenthood.

Jose Valdez spoke in opposition of Planned Parenthood.

## **CONSENT CALENDAR:**

Prior to the motion being made, Mayor Warren stated that Item E would be continued to the next meeting.

**ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Garcia, and passed by a vote of 4-0 to approve Consent Calendar Items “A-D” and “F-L.” The motion carried by the following vote: AYES: Warren, Garcia, Cothran, and Roberts; NOES: None; ABSTAIN: None; ABSENT: Sandoval**

- A. Approval of Minutes 21-2919**  
Approve the minutes of the March 26, 2024, Regular City Council Meeting.
  
- B. Adoption of Ordinance No. 1942 (Second Reading) 21-2931**  
Adopt **Ordinance No. 1942** on Second Reading, an Ordinance of the City Council of the City of Fontana, amending Article III to Chapter 7 of Fontana Municipal Code Regarding Electronic and Paper Methods of Filing Campaign Disclosure Statements.

- C. Award Bid for Pool Maintenance Services (PW-24-144-SP) 21-2910**
1. Award bid and authorize the City Manager to execute a contract with Service First of Santa Ana, CA for City-Wide Pool Maintenance Services for two (2) years with three (3) one-year extension in the amount of \$580,859 annually.
  2. Approve and authorize the City Manager to execute any future contract amendments to the contract with Service First for City-Wide Pool Maintenance Services.
- D. Award a Construction Contract for the McDermott Soccer Field Iron Fencing Removal and Installation Project (PW-24-139-CC) 21-2916**
- Award construction bid and authorize the City Manager to execute a construction contract with Dash Construction Company, Inc. for the McDermott Soccer Field Iron Fencing Removal and Installation Project (PW-24-139-CC) in the amount of \$172,400.00 and authorize 10% contingency in the amount of \$17,240.00.
- E. Approve an Agreement with the Inland Empire Utilities Agency, Speedway SBC Development, LLC, and San Bernardino County for Wastewater Services for Speedway SBC Development, LLC 21-2917**
- Approve and authorize the City Manager to execute an agreement with the Inland Empire Utilities Agency (“IEUA”), Speedway SBC Development, LLC, and San Bernardino County (“County”) for wastewater services for Speedway SBC Development, LLC.
- F. Police Department Monthly Information Update 21-2918**
- Accept the Police Department monthly information update for February 2024.
- G. Resolution of Intent to form Community Facilities District No. 113 (The Gardens Phase 2). 21-2925**
1. Adopt **Resolution No. 2024-012**, 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. 2024-013**, of the City Council of the City of Fontana to Incur Bonded Indebtedness of the Proposed City of Fontana Community Facilities District No. 113 (The Gardens Phase Two).
- H. Resolution of Intent to Form Community Facilities District No. 114M (Tract 20512) 21-2928**
1. Adopt **Resolution No. 2024-014**, declaring the intention of the City

Council of the City of Fontana to form the City of Fontana Community Facilities District No. 114M.

**I. Approve Change Orders to the Equipment Purchase Agreement 21-2932 (SP-71-IT-23) for Stage RED Theater's Audio Visual System Update**

1. Approve and authorize the City Manager to execute Change Order No. 1, 2 and 3 to the Equipment Purchase Agreement (SP-71-IT-23) with Matrix Audio Visual Designs, Inc. in the amount of \$131,829.55 for a total contract of \$1,067,013.42 for the Stage Red audio visual system upgrades.
2. Approve and authorize the City Manager to execute any future amendments to the Agreement.

**J. FY 2022 Emergency Management Performance Grant Program Award (EMPG) 21-2934**

1. Accept the FY 2022 Emergency Management Performance Grant in the amount of \$39,853.
2. Authorize the Emergency Services Coordinator to sign all related grant documents including extensions or modifications for the grant; and expend funds as outlined in the grant agreement.
3. Approve the City's in-kind match of \$39,853.
4. Approve to increase revenues and appropriation in the amount of Emergency Management Performance Grant to fund #301.

**K. Fundraiser Event Approval 21-2937**

Council Consider Approval of Fundraising Event.

**L. Award a Contract for the Interior Renovation for Stage RED 21-2942**

1. Award bid and authorize the City Manager to execute a lump sum construction contract with Final Touch Construction for the Stage Red Interior remodel 2A (Bid No. DE-24-25-SB) in an amount not to exceed \$1,575,000.
2. Approve and authorize the City Manager to execute all non-material contract amendments on behalf of the City of Fontana for the renovation of Stage RED.

## **PUBLIC HEARINGS:**

- A. First Combined General Plan Amendments and Projects for the 21-2864 1st General Plan Cycle of 2024; Part No. 1 - Monte Vista Residential Project and associated Mitigated Negative Declaration, Part No. 2 - Fontana Business Center and associated Mitigated Negative Declaration, and Part No. 3 - Citrus and Boyle Industrial Commerce Center and associated Mitigated Negative Declaration.**

### **Part No. 1 - Monte Vista Residential Project**

**Master Case No. 20-073: General Plan Amendment No. 20-015, Zoning District Map Amendment No. 20-015, Conditional Use Permit No. 22-013, Tentative Tract Map No. 20-006 (TTM No. 20358), and Design Review No. 20-028 for property comprised of APNs: 0233-122-28, -29, -60, -63 Amendment of the subject site's General Plan land use designation from Single-Family Residential (R-SF) to Medium Density Residential (R-M), amendment of the Zoning District Map from Single-Family Residential (R-1) to Medium Density Residential (R-2), a Conditional Use permit to establish the minimum requirements and specific site development standards under a Planned Unit Development for a 53-lot single-family residential project, a Tentative Tract Map to subdivide four (4) parcels for the development of a 53-lot subdivision, and Design Review for the site and architectural review of a new 53-lot single-family detached residential project within a site comprised of approximately 8.8 acres, pursuant to a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.**

1a) Adopt **Resolution No. 2024-015**, (Part No. 1 of General Plan Amendment Cycle No. 1 of 2024,) a Resolution of the City Council of the City

of Fontana adopting a Mitigated Negative Declaration, approving a Mitigation Monitoring and Reporting Program pursuant to the California Environmental Quality Act (CEQA) and approving General Plan Amendment (GPA) No. 20-015 (Part No. 1 of General Plan Amendment Cycle No. 1 of 2024) amending Exhibit 15.8 of General Plan Chapter 15 (Land Use, Zoning and Urban Design) to change the land use designation from Single-Family Residential (R-SF) to Medium Density Residential (R-M) for APNs: 0233-122-28, -29, -60 and -63 totaling approximately 8.8 acres located between Poplar Avenue and Catawba Avenue, south of Orchid Avenue, and approving Conditional Use Permit No. 22-013 to establish a Planned Unit Development, Tentative Tract Map No. 20-006 (TTM No. 20358) to subdivide four (4) parcels (approximately 8.8 acres) for the development of a 53-lot subdivision, and Design Review No. 20-028 for the construction of a 53-lot single-family residential detached dwellings on four parcels, APNs: 0233-122-28, -29, -60 and -63, totaling approximately 8.8 acres, subject to

the Conditions of Approval, and;

1b) Read by title only and waive further reading of and introduce **Ordinance No. 1943**, an Ordinance of the City Council of the City of Fontana, approving, pursuant to a Mitigated Negative Declaration, Zoning District Map Amendment No. 20-015 to update the zoning map from Single-Family Residential (R-1) to Medium Density Residential (R-2) for four (4) parcels APNs: 0233-122-28, -29, -60 and -63, and that the reading of the title constitutes the first reading thereof.

Associate Planner Jon Dille provided the staff report.

City Clerk Key stated that there was no written correspondence received.

Mayor Warren opened the public hearing.

With no one interested to speak in favor or opposition of this item Mayor Warren closed the Public Hearing.

**ACTION: Motion was made by Mayor Pro Tem Garcia, seconded by Council Member Cothran and passed by a vote of 4-0 to approve staff recommendation on Public Hearing Item "A" Part 1. The motion carried by the following vote: AYES: Warren, Garcia, Cothran, and Roberts; NOES: None; ABSTAIN: None; ABSENT: Sandoval**

### **Part No. 2 - Fontana Business Center 3 Project**

**Master Case No. 23-013: General Plan Amendment (GPA) No. 23-001, Zoning District Map Amendment (ZCA) No. 23-002, Specific Plan Amendment (SPA) No. 23-001, Tentative Parcel Map No. 23-003 (TPM No. 20795), Administrative Site Plan (ASP) No. 23-006 and Development Agreement No. (AGR) 23-001 for property comprised of APNs: 0255-101-24 and 0255-101-30 - Amendment of the subject site's General Plan land use designation from Residential Planned Community (R-PC) to General Industrial (I-G), amendment of the Zoning District Map from Residential Planned Community (R-PC) to Southwest Industrial Park Specific Plan (SWIP), a Specific Plan Amendment to include the project site in the Southwest Industrial Park Specific Plan (SWIP), a Tentative Parcel Map for the consolidation of two (2) parcels into one (1) parcel, an Administrative Site Plan for the site and architectural review of a 33,585 square foot industrial commercial center building within a project site comprised of approximately 1.6 acres, and a Development Agreement including provision for a public benefit fee, pursuant to a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.**

2a) Adopt **Resolution No. 2024-016**, (Part No. 2 of General Plan

Amendment Cycle No. 1 of 2024,) a Resolution of the City Council of the City of Fontana adopting a Mitigated Negative Declaration, approving a Mitigation Monitoring and Reporting Program pursuant to the California Environmental

Quality Act (CEQA), and approving General Plan Amendment No. 23-011 (Part No. 2 of General Plan Amendment Cycle No. 1 of 2024) amending Exhibit 15.8 of General Plan Chapter 15 (Land Use, Zoning, and Urban Design) to change the land use designation from Residential Planned Community (R-PC) to General Industrial (I-G) for APNS: 0255-101-24 and -30 totaling approximately 1.6 acres located on the east side of Juniper Avenue, south of Santa Ana Avenue, and approving Tentative Parcel Map No. 23-002 (TPM No. 20795) to consolidate two (2) parcels into one (1) parcel, and Administrative Site Plan No. 23-006 for the construction of an approximately 33,585 square foot industrial commerce building on approximately 1.6 acres, subject to the Conditions of Approval; and,

2b) Read by title only and waive further reading of and introduce **Ordinance No. 1944**, an Ordinance of the City Council of the City of Fontana, approving, pursuant to the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Fontana Business Center 3 project, Zoning District Map Amendment No. 23-002 to change the zoning designation for APNs: 0255-101-24 and -30 from Residential Planned Community (R-PC) to Southwest Industrial Park (SWIP) Specific Plan, Slover East Industrial District for approximately 1.6 acres located on the east side of Juniper Avenue, south of Santa Ana Avenue, and that the reading of the title constitutes the first reading thereof; and,

2c) Read by title only and waive further reading of and introduce **Ordinance No. 1945**, an Ordinance of the City Council of the City of Fontana, approving, pursuant to the project Mitigated Negative Declaration and Mitigation Monitoring and Report Program, Specific Plan Amendment No. 23-001, an amendment to the Southwest Industrial Park (SWIP) Specific Plan to include 1.6 acres in the Slover East Industrial District on the east side of Juniper Avenue, south of Santa Ana Avenue, and that the reading of the title constitutes the first reading thereof; and,

2d) Read by title only and waive further reading of and introduce **Ordinance No. 1946**, an Ordinance of the City Council of the City of Fontana, approving, pursuant to an adopted Mitigated Negative Declaration, a Development Agreement No. 23-001 between the City of Fontana and Chase Partners, which provides a public benefit fee in the amount of \$150,896.25, and that the reading of the title constitutes the first reading thereof.

Associate Planner Cecily Session-Goins provided the staff report.

Council Member Cothran asked if it was possible to relocate the entrance so the warehouse does not have to be accessed by passing South Fontana Park.

Associate Planner Cecily Session-Goins stated that traffic was not anticipated around the warehouse.

City Clerk Key stated that there was no written correspondence received.

Mayor Warren opened the public hearing.

With no one interested to speak in favor or opposition of this item Mayor Warren closed the Public Hearing.

**ACTION:** Motion was made by Council Member Roberts, seconded by Council Member Cothran and passed by a vote of 4-0 to approve staff recommendation on Public Hearing Item “A” Part 2. The motion carried by the following vote: **AYES:** Warren, Garcia, Cothran, and Roberts; **NOES:** None; **ABSTAIN:** None; **ABSENT:** Sandoval

### **Part No. 3 - Citrus and Boyle Industrial Commerce Center Project**

**Master Case No. 22-115: General Plan Amendment (GPA) No. 22-009, Zoning District Map Amendment (ZCA) No. 22-009, Tentative Parcel Map No. 22-029 (TPM No. 20834), Design Review (DRP) No. 22-054 and Development Agreement (AGR) No. 22-096 for property comprised of APNs: 0251-151-03 through -07, -09 and -10, -14 through -16, -18 through -22, and -39 through -44 - Amendment of the General Plan land use designation for APN: 0251-151-10 from Community Commercial (C-C) to Light Industrial (I-L) and amendment of the Zoning District Map for APN 0251-151-10 from Community Commercial (C-1) to Light Industrial (M-1), and a Tentative Parcel Map for the consolidation of twenty-one (21) parcels into one parcel, and Design Review for site and architectural review to construct a 355,995 square foot industrial commerce building within a project site comprised of approximately 15.84 acres (APNs: 0251-151-03 through -07, -09 and -10, -14 through -16, -18 through -22, and -39 through -44), and a Development Agreement including provision for a public benefit fee, pursuant to a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.**

3a) Adopt **Resolution No. 2024-017**, (Part No. 3 of General Plan Amendment Cycle No. 1 of 2024,) a Resolution of the City Council of the City of Fontana adopting a Mitigated Negative Declaration and approving a Mitigated Monitoring and Reporting Program pursuant to the California Environmental Quality Act (CEQA), and approving General Plan Amendment No. 22-009 (Part No. 3 of General Plan Amendment Cycle No. 1 of 2024), amending Exhibit 15.8 of General Plan Chapter 15 (Land Use, Zoning, and Urban Design) to change the land use designation from Community Commercial (C-C) to Light Industrial (I-L) for APN: 0251-151-10 totaling approximately 0.9 acres of land located on the north side of Slover Avenue and east of Citrus Avenue, Tentative Parcel Map No. 22-029 (TPMM No. 20834) to consolidate twenty-one parcels into one (1) parcel and Design Review No. 22-054 for the development of a 355,995 square foot industrial commerce center building on APNs 0251-151-03 though -07, -09 and -10, -14 through -16, -18 through -22 and -39 through -44 totaling approximately 15.84 acres located north of Slover Avenue, east of Citrus Avenue, subject to the Conditions of Approval; and,

3b) Read by title only and waive further reading of and introduce **Ordinance No. 1947**, an Ordinance of the City Council of the City of Fontana, pursuant to

an adopted Mitigated Negative Declaration and approved Mitigation Monitoring and Reporting Program for the Citrus and Boyle Project, Zoning District Map Amendment No. 22-009 to change the zoning designation for APN: 0251-151-10 from Community Commercial (C-1) to Light Industrial (M-1) for approximately 0.9 acres located on the north side of Slover Avenue, east of Citrus Avenue, and that the reading of the title constitutes the first reading thereof; and,

3c) Read by title only and waive further reading of and introduce **Ordinance No. 1948**, an Ordinance of the City Council of the City of Fontana, approving, pursuant to an adopted Mitigated Negative Declaration, a Development Agreement No. 23-096 between the City of Fontana and Chipt Fontana Citrus Avenue, L.P., which provides a public benefit fee in the amount of \$49,722.00, and that the reading of the title constitutes the first reading thereof.

Associate Planner Irene Romero provided the staff report.

Council Member Cothran asked how the delivery trucks driving east on Slover Avenue would be able to access the site due to the median and inability to make a left turn from Slover Avenue.

Associate Planner Irene Romero stated that left-turn pockets would be located along Slover Avenue to provide access.

Council Member Cothran asked why the truck dock doors were located on Slover Avenue instead of Boyle Avenue.

Deputy City Manager Phillip Burum stated the recent sustainability ordinance update required dock doors to face away from sensitive receptors which were located on the north side of Boyle Avenue.

Mayor Warren opened the public hearing.

City Clerk Key stated that the City Clerk's Department received two (2) written correspondences in opposition of this item and one (1) in support which were provided to the Council in advance.

The following individuals spoke in opposition:

1. Alfonso Avalos
2. Debbie Hemphill

The following individuals spoke in favor:

1. Rafael Legido, of the Western States RCC Local 909
2. Vicki Duran
3. Joseph Quezada

Jonathan Shardlow, representative for the applicant, addressed concerns and discussed attempts to reach out to property owners along Oleander Avenue. Also stated that his firm was willing to consider any offers from property owners.

Mr. Shardlow stated for the record that the applicant would consider entering into an agreement with any adjacent and continuous property owner west of Oleander Avenue at a price that was within 25 percent of the appraised value. Noted this offer could be considered a voluntary condition of approval or an agreement that was read into the record depending on the City's preference.

City Attorney Ruben Duran did not recommend including the offer as a condition of approval since the agreement was between the developer and the property owners.

Applicant George Garcia, discussed the proposed project, stated they were excited to move the project forward and thanked the Council for their support.

Mayor Warren closed the public hearing.

**ACTION: Motion was made by Mayor Pro Tem Garcia, seconded by Council Member Roberts and passed by a vote of 4-0 to approve staff recommendation on Public Hearing Item "A" Part 3. The motion carried by the following vote: AYES: Warren, Garcia, Cothran, and Roberts; NOES: None; ABSTAIN: None; ABSENT: Sandoval**

## **CITY MANAGER COMMUNICATIONS:**

### **A. City Manager Communications**

City Manager Matthew Ballantyne did not have any comments.

## **ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

### **A. Elected Officials Communications/Reports**

City Treasurer Koehler-Brooks had no comments.

City Clerk Key had no comments.

Council Member Roberts had no comments.

Council Member Cothran invited all to attend the Flag Football fundraiser on April 12th and Chamber Luncheon on April 11th. Wished his brother Robert and sister-in-law Stephanie a happy anniversary. Also wished his brother Robert a happy birthday.

Mayor Pro Tem Garcia discussed the recent Spaggi's ribbon cutting ceremony and encouraged all to dine there.

Mayor Warren congratulated Fontana High School student Lucia Otanez for being awarded Amazon's Future Engineer Scholarship for \$40,000. Also welcomed new Fontana Postmaster Christopher Italia who thanked the Mayor and Council for their support. Mayor Warren also encouraged any resident with a damaged mailbox to contact her via the City's website. Lastly, she asked the community to donate towards the Cruz Family's Go Fund Me page and attend

the Women's Flag Football fundraiser game on April 12<sup>th</sup>. Also noted that County Supervisor Jesse Armendarez would be at the event.

**ADJOURNMENT:**

**A. Adjournment**

Mayor Warren adjourned the meeting at 4:11 p.m. to the next Regular City Council Meeting on Tuesday, April 23, 2024, at 2:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

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Christina Rudsell, CMC  
Deputy City Clerk

**THE FOREGOING MINUTES WERE ADOPTED AND APPROVED BY THE FONTANA CITY COUNCIL ON APRIL 23, 2024.**

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Germaine Key  
City Clerk