

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, April 22, 2025

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

CLOSED SESSION:

A. 1:00 P.M. CLOSED SESSION

The Closed Session meeting of the Fontana City Council was held in the Executive Conference Room, 8353 Sierra Avenue, Fontana, CA 92335, on Tuesday, April 22, 2025.

Mayor Warren called the meeting to order at 1:00 p.m. with all members of the City Council present.

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

PUBLIC COMMUNICATION - CLOSED SESSION:

There were no public communications received for the following items:

1. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6

City Negotiator: John Bakhit, Labor Counsel. Employee Organization(s): Police Officers Association.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Government Code section 54956.9(d)(4))

Initiation of litigation: One Potential Case

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 22, 2025.

Mayor Warren called the Regular City Council Meeting to order at 2:09 p.m.

ROLL CALL:

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

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

ABSENT: None

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 Council Member Sandoval.

CLOSED SESSION ANNOUNCEMENT:

City Attorney Ruben Duran reported that the City Council met in Closed Session on the items listed on the agenda, provided direction to staff, and took no reportable action.

SPECIAL PRESENTATIONS:

A. Mayor Warren and City Council to recognize, Officers Dustin Mullins, Andrew O'Brien, Samuel Saenz and Dominic Galvan and Administrative Analyst I Justice Montgomery as February 2025 Employees of the Month (Captain Brian Binks to present).

Mayor Warren and the City Council recognized, Officers Dustin Mullins, Andrew O'Brien, Samuel Saenz and Dominic Galvan and Administrative Analyst I Justice Montgomery as February 2025 Employees of the Month.

B. Measure T, CIP Program Presentation

Public Works Director/City Engineer Gia Kim delivered a presentation on the use of Measure T funds for Capital Improvement Projects.

Mayor Warren thanked Public Works Director/City Engineer Kim for the informative presentation.

Council Member Cothran voiced his support for road improvements in the Southridge area. He also inquired about the potential for selling sponsorships or naming rights for the artificial turf fields. City Manager Matt Ballantyne responded that staff would explore that possibility.

City Manager Ballantyne also expressed appreciation to the community for supporting Measure T, emphasizing that the presentation reflects the City's commitment to dedicating half of the funds to infrastructure improvements. He noted that both the Capital Improvement Projects and the 7-Year Capital Improvement Plan are dynamic and subject to change.

PUBLIC COMMUNICATIONS:

The following individuals spoke under public communications:

Fontana Chamber of Commerce Executive Director Danielle Holley presented the Chamber's Third Quarter Report. She thanked the Mayor and City Council for their support and for the

successful execution of the recent State of the City event. She also encouraged everyone to attend the upcoming Chamber Luncheon, where Mayor Warren will be the featured speaker.

CONSENT CALENDAR:

Prior to the motion, the following occurred:

- City Council Item K:

Council Member Sandoval requested to pull this item for discussion.

Public Works Director/City Engineer Kim presented the staff report.

Council Member Sandoval inquired about the project's completion date and emphasized the importance of notifying residents about the dog park's opening, noting that the community has been waiting a long time for its completion. Public Works Director/City Engineer Kim responded that Phases I and II are scheduled for completion in the fall.

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

- | | | |
|-----------|---|----------------|
| A. | Approval of Minutes | 25-0159 |
| | Approve the minutes of the April 8, 2025, Regular City Council Meeting. | |
| B. | Second Reading and Adoption of Ordinance No. 1966, Approving Municipal Code Amendment No, 24-006 to Amend Section 30-467 of the Fontana Municipal Code, Pursuant to a Statutory Exemption from CEQA Under Public Resources Code § 21080.17 and Directing Staff to File a Notice of Exemption. | 25-0166 |
| | Adopt Ordinance No. 1966 (Second Reading), Approving Municipal Code Amendment No, 24-006 to Amend Section 30-467 of the Fontana Municipal Code, Pursuant to a Statutory Exemption from CEQA Under Public Resources Code § 21080.17 and Directing Staff to File a Notice of Exemption. | |
| C. | Authorize the Renewal of VMware Software Licensing and Dell VxRail Hardware Maintenance | 25-0122 |
| | <ol style="list-style-type: none"> 1. Authorize the Purchasing Office to procure software licensing and maintenance support utilizing the Purchasing Policy and Procedure Manual 3.1.5 Non-Competitive Proposal - Purchase by Another Agency. 2. Authorize Purchasing Division to use the National Association of State Procurement Officials (NASPO) ValuePoint contract 7-17-70-40-05 to purchase 3 Year VMware/Broadcom vSAN software licensing (\$119,380 per year) and 1 Year Dell VxRail hardware maintenance and support | |

(\$152,619.45) from authorized reseller SidePath of Laguna Hills, CA.

D. Award a Construction Contract for the 2024/25 Citywide Pavement Rehabilitation Project (DE-25-102-SB) 25-0133

1. Award bid and authorize the City Manager to execute a construction contract with Match Corporation for the construction of the 2024/25 Citywide Pavement Rehabilitation Project, in the amount of \$4,476,528.27 and authorize a 10% contingency in the amount of \$447,652.83 (DE-25-102-SB).
2. 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 2024/25 Citywide Pavement Rehabilitation Project.

E. Final Acceptance of the Rose Avenue Pavement Rehabilitation Project (DE-24-86-SB) 25-0134

Accept as complete the work performed by Dash Construction Company, Inc. for the Rose Avenue Pavement Rehabilitation Project.

F. Award a Construction Contract for the Active Transportation Program (ATP) Date Elementary School Street Improvements Project Federal ID No. ATPSB1L-5307(032), (Bid No. DE-24-248-SB) 25-0138

1. Award bid and authorize the City Manager to execute a construction contract with Universal Construction and Engineering for the construction of the Active Transportation Program (ATP) Date Elementary School Street Improvements Project Federal ID No. ATPSB1L-5307(032), in the amount of \$1,531,066.25 and authorize a 10% contingency in the amount of \$153,106.63 (Bid No. DE-24-248-SB).
2. 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 Active Transportation Program (ATP) Date Elementary School Street Improvements Project Federal ID No. ATPSB1L-5307(032), (Bid No. DE-24-248-SB).

G. Adoption of a Resolution Accepting, Pursuant to the Certified Southridge Village Specific Plan Environmental Impact Report No. 81-3 (SCH No. 81052210) and Adopted Addendum, the Conveyance of that Certain Property Located at Live Oak Avenue, West of Old Live Oak Avenue, from the Fontana Public Financing Authority, Declaring a Portion of the Property a Right-of-Way and Establishing Conditions for Final Acceptance of Related Roadway Improvements 25-0143

1. Adopt **Resolution No. 2025-021**, accepting, pursuant to the certified Southridge Village Specific Plan Environmental Impact Report No. 81-3

(SCH No. 81052210) and Adopted Addendum, the conveyance of that certain property located at Live Oak Avenue, west of Old Live Oak

Avenue, from the Fontana Public Financing Authority, declaring a portion of the property a right-of-way, and establishing conditions for final acceptance of related roadway improvements and directing staff to file a Notice of Determination.

2. Provide the City Manager with the authority to take all necessary actions to ensure the successful execution and completion of the conveyance of that certain real property located at Live Oak Avenue, west of Old Live Oak Avenue in the City of Fontana, from the Fontana Public Financing Authority to the City of Fontana.

H. Accept Donation from Burrtec Waste Industries, Inc. (2025 Fontana Days Run) 25-0146

Accept donation from Burrtec Waste Industries, Inc. in the amount of \$1,000 for use towards the 2025 Fontana Days Run

I. Accept Donation from Bel-Air Swap-Meet, Inc. (2025 Fontana Days Run) 25-0147

Accept donation from Bel-Air Swap-Meet, Inc. in the amount of \$10,000 for use towards the 2025 Fontana Days Run.

J. Accept Donation from Les Schwab Tire Center (2025 Fontana Car Show) 25-0148

Accept donation from Les Schwab Tire Center in the amount of \$1,000 for use towards the 2025 Fontana Car Show.

K. Award a Construction Contract for the Southridge Dog Parks (East and West) Project (Bid No. DE-25-97-SB) 25-0151

1. Award bid and authorize the City Manager to execute a construction contract with Zeco, Inc. for the construction of the Southridge Dog Parks (East and West) Project, in the amount of \$541,326.50 and authorize a 10% contingency in the amount of \$54,132.65 (Bid No. DE-25-97-SB).
2. 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 Southridge Dog Parks (East and West) Project (Bid No. DE-25-97-SB).

L. Approve Amendment No. 2 to the Professional Services Agreement for Architectural Design Services for the City Hall Renovation Project - Phase II (City Hall) (DE-24-147-SP) 25-0153

Approve and authorize the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Sillman Wright Architects for

Architectural Design Services for the City Hall Renovation Project - Phase II (DE-24-147-SP), in the amount of \$766,670.00 for a total contract amount of \$1,956,160.00.

M. Police Department Monthly Information Update 25-0155

Accept the Police Department monthly information update for February 2025.

N. Annual Update on Military Equipment Usage 25-0156

Adopt the “2024 Fontana Police Department Annual Military Equipment Use Inventory Report” in accordance with Ordinance No. 1892 of the Fontana Municipal Code, Governing Military Equipment Usage.

NEW BUSINESS:

A. New Business

A. Introduction and First Reading of Ordinance No. 1968, adding Article VII to Fontana Municipal Code Chapter 16 regarding Camping in the City. 25-0154

Introduce and conduct the first reading, by title only, for **Ordinance No. 1968**, an Ordinance adding Article VII entitled “Camping” to Chapter 16 of the Fontana Municipal Code, establishing procedures for the handling of camping and associated matters.

Deputy City Manager Ray Ebert presented the staff report.

Council Member Cothran sought clarification that the ordinance applies to public rights-of-way, public spaces, government buildings, and similar areas—not private property. He noted that camping on private property constitutes trespassing and should be handled by law enforcement. Deputy City Manager Ebert confirmed this understanding.

Mayor Warren and City Manager Ballantyne highlighted the Council’s ongoing investments in social services provided by the City and partnering agencies.

Council Member Sandoval asked whether the ordinance applies solely within city limits. Deputy City Manager Ebert confirmed that the ordinance is limited to the City’s jurisdiction.

ACTION: Motion was made by Mayor Pro Tem Garcia, seconded by Council Member Cothran, and passed unanimously by a vote of 5-0 to approve staff recommendation on New Business Item “A.” The motion carried by the following vote: AYES: Warren, Garcia, Cothran, Roberts, and Sandoval; NOES: None; ABSTAIN: None; ABSENT: None

B. Annual Comprehensive Financial Report for Fiscal Year Ended June 30, 2024. 25-0158

Receive and File the City of Fontana’s Annual Comprehensive Financial Report (ACFR) for Fiscal Year ended June 30, 2024.

Deputy Finance Officer Marlene Galvan and Roger Alfaro of EideBailly presented the staff report.

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Garcia, and passed unanimously by a vote of 5-0 to approve staff recommendation on New Business Item “B.” The motion carried by the following vote: AYES: Warren, Garcia, Cothran, Roberts, and Sandoval; NOES: None; ABSTAIN: None; ABSENT: None

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Ballantyne had no comments.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Koehler Brooks congratulated the Police Department’s February Employees of the Month.

City Clerk Key also extended congratulations to the Police Department’s February Employees of the Month.

Council Member Roberts congratulated the Police Department’s February Employees of the Month.

Council Member Sandoval congratulated the Police Department’s February Employees of the Month. He also recognized his third-grade grandson, Francisco, for receiving a reading and math award and achieving an 8th-grade reading and math level. He congratulated his grandson Sabastian for having his poem published in a schoolbook and wished his grandson Tommy a happy birthday. He expressed appreciation to Fontana schools and the school district for their role in supporting his grandsons’ academic achievements.

Council Member Cothran had no comments.

Mayor Pro Tem Garcia wished everyone a happy Earth Day.

Mayor Warren shared her experience attending the recent Senior Prom event at the Senior Center, as well as the Time for Change Foundation event, commending organizer Kim Carter. She encouraged the community to attend the upcoming Fontana Days Parade on May 3. She also commended the Community Services Department for a successful Easter Egg Hunt and thanked those who gifted her cartons of eggs. Additionally, she spoke about the recent ribbon-cutting ceremony for the Fontana Water Company’s Summit Treatment Plant Upgrade. Mayor Warren concluded by expressing condolences to the family of Mr. JD Kim.

ADJOURNMENT:

A. Adjournment

Mayor Warren and the City Council led a moment of silence in memory of the following individuals:

1. Jung Duk Kim aka JDKim.

Mayor Warren adjourned the meeting at 3:13 p.m. to the Regular City Council Meeting on Tuesday, May 13, 2025, at 2:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Christina Rudsell

Christina Rudsell, CMC
Chief Deputy City Clerk

THE FOREGOING MINUTES WERE ADOPTED AND APPROVED BY THE FONTANA CITY COUNCIL ON MAY 13, 2025.

Germaine Key

Germaine Key
City Clerk

Certificate Of Completion

Envelope Id: 80198E87-0B1C-4543-85CC-6DD010C17E99

Subject: City Council Meeting Minutes 4-22-2025

Source Envelope:

Document Pages: 9

Signatures: 2

Certificate Pages: 5

Initials: 0

AutoNav: Enabled

Envelopeld Stamping: Enabled

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed

Envelope Originator:

City Clerk

8353 Sierra Avenue

Fontana, CA 92335

clerks@fontana.org

IP Address: 192.146.186.96

Record Tracking

Status: Original

5/13/2025 | 04:51 PM

Holder: City Clerk

clerks@fontana.org

Location: DocuSign

Signer Events

Christina Rudsell

crudsell@fontanaca.gov

City Clerk

Security Level: Email, Account Authentication
(None)

Signature

Christina Rudsell

Signature Adoption: Pre-selected Style

Using IP Address: 192.146.186.96

Timestamp

Sent: 5/13/2025 | 04:51 PM

Viewed: 5/13/2025 | 04:55 PM

Signed: 5/13/2025 | 04:55 PM

Electronic Record and Signature Disclosure:

Not Offered via Docusign

Germaine Key

gkey@fontana.org

Security Level: Email, Account Authentication
(None)

Germaine Key

Signature Adoption: Pre-selected Style

Using IP Address: 174.195.130.186

Signed using mobile

Sent: 5/13/2025 | 04:55 PM

Viewed: 5/13/2025 | 05:05 PM

Signed: 5/13/2025 | 05:06 PM

Electronic Record and Signature Disclosure:

Accepted: 5/13/2025 | 05:05 PM

ID: 06e5571f-71f8-4ea3-99a5-484360ba99c4

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Kathy Kasinger

kkasinger@fontana.org

Records Coordinator

Security Level: Email, Account Authentication
(None)

COPIED

Sent: 5/13/2025 | 05:06 PM

Viewed: 5/14/2025 | 10:06 AM

Electronic Record and Signature Disclosure:

Accepted: 4/29/2025 | 05:03 PM

ID: 3bf2d2b3-1e4b-4016-b397-aaefd5c1b58d

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent

Hashed/Encrypted

5/13/2025 | 04:51 PM

Certified Delivered

Security Checked

5/13/2025 | 05:05 PM

Signing Complete

Security Checked

5/13/2025 | 05:06 PM

Completed

Security Checked

5/13/2025 | 05:06 PM

Payment Events

Status

Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Fontana (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Fontana:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: cteveda@fontana.org

To advise City of Fontana of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at cteveda@fontana.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from City of Fontana

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to cteveda@fontana.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Fontana

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to cteveda@fontana.org and in the body of such request you must state your e-mail, full name, US Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none">•Allow per session cookies•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify City of Fontana as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Fontana during the course of my relationship with you.