

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Regular Agenda

Ord. No. 1943 Reso. No. 2024-012

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

Welcome to a meeting of the Fontana City Council.

Welcome to a meeting of the Fontana City Council. Meetings are held at the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335. To address the Council, please fill out a card located at the entrance to the right indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the City Clerk. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act of 1990 (42 USC § 12132), the Council Chambers is wheelchair accessible, and a portable microphone is available. Upon request, this agenda will be made available in appropriate alternative forms to persons with disabilities, as required by Section 12132 of the Americans with Disabilities Act of 1990. Any person with a disability who requires accommodation to participate in a meeting should direct such a request to the City Clerk's Office at (909) 350-7602 at least 48 hours before the meeting, if possible. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at the City Clerk's Office.

Para traducción en Español, comuníquese con la oficina, "City Clerk" al (909) 350-7602.

The City of Fontana is committed to ensuring a safe and secure environment for its residents to engage with the government. No oversized bags or backpacks (size limit of 14"x14"x6") will be allowed inside the Council Chambers. All bags are subject to search. Face masks are prohibited in the Council Chambers, but clear masks will be provided upon request to accommodate individuals with medical needs, ensuring their safety and well-being. Before entering the Council Chambers, you may be subject to a metal detector screening. The City Manager retains the discretion to grant any exemptions. Fontana aims to provide safe buildings for our community members, employees, and visitors.

2:00 P.M. CALL TO ORDER/ROLL CALL:

- A. Call To Order/Roll Call:

INVOCATION/PLEDGE OF ALLEGIANCE:

- A. Invocation/Pledge of Allegiance:

SPECIAL PRESENTATIONS:

- A. Special Presentations

- A. 1. Mayor Warren and City Council to recognize Officers [21-2927](#)
Derrick Tamanaha & Records Supervisor Vanessa Hernandez and Annette Logan as December 2023 Employees of the Month/ Employees of the Year (Chief Michael Dorsey to present).
2. Mayor Warren and City Council to recognize, Plans Examiner I, Lauren Reynosa, as 2024 Building and Safety

Employee of the Year (Building and Safety Director Jeffrey Baughman to present).

PUBLIC COMMUNICATIONS:

This is an opportunity for members of the public to address the City Council for up to three (3) minutes total on items either on the Agenda or items not on the Agenda, but within the City Council's jurisdiction. Note that Public Hearing items have individual and specific public input opportunities during the public hearing and testimony on those items will only be taken during the public hearing. The Council is prohibited by law from discussing or taking immediate action on non-agendized items. The Mayor and City Council reserve the right to adjust this time limit based on the number of speakers who wish to address the Mayor and City Council .

A. Public Communications

CONSENT CALENDAR:

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for discussion.

Approve Consent Calendar Items as recommended by staff.

- A. Approval of Minutes** [21-2919](#)
Approve the minutes of the March 26, 2024, Regular City Council Meeting.
Attachments: [City Council Meeting Minutes 03-26-2024.pdf](#)
- 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.
Attachments: [Ord 1942.docx](#)
- 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.

Attachments: [Project Report.pdf](#)
[Proposal rev.pdf](#)
[Ranking Score.pdf](#)

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.

Attachments: [McDermott Fencing.pdf](#)
[Summary Bid Results.pdf](#)
[Dash Construction Company, Inc.'s Bid - PW-24-139-CC.pdf](#)

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.

Attachments: [Final Sewer Agreement with IEUA County Speedway \(3-1-24\).pdf](#)
[Wastewater Connection Location.pdf](#)
[Project Location.pdf](#)

F. Police Department Monthly Information Update [21-2918](#)

Accept the Police Department monthly information update for February 2024.

Attachments: [Feburary 2024 Report for City Council Rev.pptx](#)

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).

Attachments: [Resolution of Intent](#)
[Reso Declaring Necessity To Incur Bonded Indebtedness](#)
[Boundary Map](#)

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.

Attachments: [Resolution of Intent](#)
[Proposed Calendar of Events](#)
[Consent and Waiver](#)

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

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.

Attachments: [MatrixAV Scope - CO 1.pdf](#)
[MatrixAV Scope - CO 2.pdf](#)
[MatrixAV Scope - CO 3.pdf](#)
[MatrixAV Agreement SP-71-IT-23 2 9 2023.pdf](#)

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.

Attachments: [FY22 EMPG Project Approval Notification Letter.pdf](#)
[FY22 EMPG Fontana Project Leger.pdf](#)

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 an authorize the City Manager to execute all non-material contract amendments on behalf of the City of Fontana for the renovation of Stage RED.

Attachments: [Final Touch Bidder Detail.pdf](#)
[StageRED Interior Remodel Bid Specs Pkg \(DE-24-25-SB\).pdf](#)
[Bid Results.pdf](#)

PUBLIC HEARINGS:

To speak on Public Hearing Items, submit comments via e-mail at publiccomments@fontanaca.gov. In the subject of your e-mail please indicate whether you are in favor or opposition of the item. Comments must be received no later than 12:00 P.M. on the day of the meeting. Comments of no more than three (3) minutes will be read into the record at the appropriate time during the meeting. If you challenge in court any action taken concerning a Public Hearing item, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City at, or prior to, the Public Hearing.

All Public Hearings will be conducted following this format:

- (a) hearing opened
- (b) written communication
- (c) council/staff comments
- (d) applicant comments (applicant not limited to 5 minutes)
- (e) oral - favor
- (f) oral - opposition
- (g) hearing closed

A. First Combined General Plan Amendments and Projects for the 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 [21-2864](#)

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.

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.

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 through -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.

Attachments: [Attachment No. 1 \(Part No. 1\) - Resolution for General Plan Amendment, Tentative Tract Map, Conditional Use Permit, Design Review and Mitigated Negative Declaration](#)
[Attachment No. 2 \(Part No. 1\) - Ordinance for Zoning District Map Amendment](#)
[Attachment No. 3 \(Part No. 1\) - Planning Commission Minutes from January 16, 2024](#)
[Attachment No. 4 \(Part No. 1\) - Planning Commission Packet - MCN No. 20-073](#)
[Attachment No. 5 \(Part No. 1\) - Public Hearing Notice](#)
[Attachment No. 6 \(Part No. 2\) - Resolution for General Plan Amendment, Tentative Parcel Map and Administrative Site Plan](#)
[Attachment No. 7 \(Part No. 2\) - Ordinance for Zoning District Map Amendment](#)
[Attachment No. 8 \(Part No. 2\) - Ordinance for Specific Plan Amendment](#)
[Attachment No. 9 \(Part No. 2\) - Ordinance for Development Agreement](#)
[Attachment No. 10 \(Part No. 2\) - Planning Commission Minutes - March 19, 2024](#)
[Attachment No. 11 \(Part No. 2\) - Planning Commission Packet - MCN No. 23-013](#)
[Attachment No. 12 \(Part No. 2\) - Public Hearing Notice](#)
[Attachment No. 13 \(Part No. 3\) - Resolution for General Plan Amendment, Tentative Parcel Map and Design Review](#)
[Attachment No. 14 \(Part No. 3\) - Ordinance for Zoning Code District Map Amendment](#)
[Attachment No. 15 \(Part No. 3\) - Ordinance for Development Agreement](#)
[Attachment No. 16 \(Part No. 3\) - Planning Commission Minutes from March 19, 2024](#)
[Attachment No. 17 \(Part No. 3\) - Planning Commission Packet - MCN No. 22-115](#)
[Attachment No. 18 \(Part No. 3\) - Public Comments Received](#)
[Attachment No. 19 \(Part No. 3\) - Public Hearing Notice](#)

CITY MANAGER COMMUNICATIONS:

- A. City Manager Communications

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

- A. Elected Officials Communications/Reports

ADJOURNMENT:

A. Adjournment

Adjourn to the next Regular City Council Meeting on April 23, 2024 at 2:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.