

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, February 25, 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. 12:30 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, February 25, 2025.

Mayor Pro Tem Garcia called the meeting to order at 12:31 p.m. Mayor Pro Tem Garcia, Council Members Cothran, Roberts and Sandoval were present. Mayor Warren was absent.

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: Matthew Ballantyne, City Manager and Rakesha Voss, Director of Human Resources and Risk Management. Employee Organization(s): Police Management Association and Police Officers Association.

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Gov. Code Section 54956.9(d)(1))

Name of Case: CORONA, OSCAR v. CITY OF FONTANA, LT. MATT KRAUT, SGT. KYLE SLUSSER, CPL. CHRISTOPHER GONZALES, OFFICER JACOB GREGG Case No. 5:22-cv-00034-WLH-SPx.

WORKSHOP:

A. 1:30 P.M. City Council Workshop

The Workshop of the Fontana City Council was held on Tuesday, February 25, 2025, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, CA 92335. Mayor Warren called the meeting to order at 1:46 p.m. with all members of the City Council present.

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

1. CCA Power Purchase Option Presentation

City Clerk Key stated there were no public communications received for Workshop Item 1.

Howard Choy and Amber Gschwend of EES Consulting provided an update on the Community Choice Aggregation (CCA) Feasibility Study.

Mayor Pro Tem Garcia inquired about the CCA's purchasing power compared to Southern California Edison (SCE). Mr. Choy explained the differences in power purchasing and overhead costs between SCE and a CCA.

Mayor Pro Tem Garcia also asked about the participation rate needed for a CCA to be

feasible. Mr. Choy noted that larger CCAs are less affected by customer retention rates and stated that the average opt-out rate is typically 5-10%.

Council Member Cothran and Mayor Warren asked whether opting into a CCA would impact SCE's underground infrastructure improvements. Mr. Choy stated that it would not and that a successful CCA could potentially contribute to such improvements.

Council Member Sandoval inquired about CCA start-up funding. Mr. Choy explained that start-up costs are typically funded through loans or lines of credit, with lenders favoring CCAs due to their automatic customer base.

The Mayor and City Council reached a consensus to proceed with further investigation and refinement of the feasibility study and directed the City Manager to explore partnerships with the County and surrounding cities.

The Workshop adjourned at 2:12 p.m. to the Regular City Council Meeting at 2:00 P.M.

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, February 25, 2025.

Mayor Warren called the Regular City Council Meeting to order at 2:12 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 Cothran.

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. Special Presentations

A. Mayor Warren and City Council to honor Army Veteran, Sergeant Rudy Garcia for his Military Service.

Mayor Warren and the City Council recognized Army Veteran, Sergeant Rudy Garcia for his Military Service.

B. Mayor Warren and City Council to recognize Officer Christine Tomicic, Lead Property Control Clerk Yvonne Jimenez, Property Clerks Stefanie Cendejas-Otzoy, Jeana Grantley, and Diane Kimball, Senior Community Service Officer Adrianna Manning and Community Service Officer I David Martinez as the Police Department's 2024 Employees of the Year (Chief Dorsey to present).

Mayor Warren and the City Council recognized Officer Christine Tomicic, Lead Property Control Clerk Yvonne Jimenez, Property Clerks Stefanie Cendejas-Otzoy, Jeana Grantley, and Diane Kimball, Senior Community Service Officer Adrianna Manning and Community Service Officer I David Martinez as the Police Department's 2024 Employees of the Year.

C. Mayor Warren and City Council to recognize Engineering/ Public Works Employees of the Year (Public Works Director/City Engineering, Gia Kim to present).

Mayor Warren and City Council recognized Engineering/ Public Works Employees of the Year Travis Almgren, Rudy Cisneros, Jeffrey Krohn, Darrin Huggins, Estephany Monroy, and Sergio Quiroz.

D. Mayor Warren and City Council to recognize, Parks & Landscape Technician, Jose Orozco on his retirement (Public Works Director/City Engineering, Gia Kim to present).

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PUBLIC COMMUNICATIONS:

A. Public Communications

Deborah Hall Lindsay provided an update on the Black History Month Parade and Expo, thanked the Council for their attendance, and invited the community to the Chill N' Grill event in September.

Frank Atry addressed the City's settlement with Thomas Perez, Jr., expressing concerns regarding the Fontana Police Department's interrogation policies, procedures, and oversight.

Mark Nuaimi of Water of Life Church thanked City Manager Matt Ballantyne and Deputy City Manager Philip Burum for their support in advancing Consent Calendar Item J. He also highlighted collaborative efforts between the City, County, and church to address

homelessness and expressed appreciation for their support.

A representative from One Legacy thanked Mayor Warren, the City Council, and City Clerk Key for their support. They noted that March is National Kidney Month, encouraged organ donation, and invited the community to a complimentary screening of a documentary about kidney donors.

CONSENT CALENDAR:

Prior to the motion, the following occurred:

- City Council Item B and Fontana Housing Authority Item O:

Mayor Warren announced that corrections were made to certain items after the agenda was posted.

City Attorney Duran clarified that Items B and O were companion items related to a project outlined in the staff report. He noted that redline corrections were made to both items after posting, with copies provided to the Council and the public in advance of the meeting.

Mayor Warren inquired whether both items could be approved at the March 4th Special Meeting.

City Manager Ballantyne confirmed that the Council could approve both items at the current meeting and provided an overview of the corrections.

- City Council Item F:

Mayor Pro Tem Garcia requested to pull this item for discussion and suggested a correction to clarify that any commitment of additional funding to the Committed Fund Balance Contingency Reserve should be at the direction of the City Council rather than the City Manager.

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

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| A. | Approval of Minutes | 25-0081 |
| | Approve the minutes of the February 11, 2025, Regular City Council Meeting | |
| B. | City of Fontana Sewer System Management Plan 2025 | 21-3467 |
| | Adopt Resolution No. 2025-012 approving the City of Fontana 2025 Sewer System Management Plan. | |

C. City of Fontana Sewer Master Plan and Storm Drainage Master Plan Updates 21-3496

Adopt **Resolution No. 2025-013**, finding that the City of Fontana 2023 Sewer Master Plan Update is not subject to the California Environmental Quality Act and approving the Update and **Resolution No. 2025-014** finding that the City of Fontana 2025 Storm Drain Master Plan Update is not subject to the California Environmental Quality Act and approving the Update.

D. Permanent Local Housing Allocation (PLHA) Year 5 Allocation Acceptance and Application 25-0033

1. Accept the State of California Permanent Local Housing Allocation (PLHA) Year 5 Funds in the amount of \$644,681;
2. Authorize the City Manager, or City Manager's designee, to execute and transmit any documents necessary or desirable to ensure the City's timely receipt and execution of Permanent Local Housing Allocation (PLHA) programs;
3. Authorize the City Manager, or City Manager's designee, to execute and transmit any documents necessary or desirable, including but not limited to purchase agreements that may include acquisitions costs up to the full amount of the allocated funds, to facilitate the timely administration of the Permanent Local Housing Allocation (PLHA) Acquisition, Rehabilitation, and Rental Program including but not limited to property purchase agreements;
4. Authorize the City Manager, or City Manager's designee, to award and execute any construction contracts up to \$200,000 to facilitate the timely administration of the Permanent Local Housing Allocation (PLHA) Acquisition, Rehabilitation, and Rental Program.

E. Approve an Increase in Construction Contingency for the Fiber to City Facilities Project (Bid No. DE-24-181-SB) 25-0039

Approve and authorize the City Manager to increase the construction contingency in the amount of \$500,000.00, for a total contingency amount of \$644,314.00.

F. General Fund Balance and Reserve Policy 25-0040
Approve the revised General Fund Balance and Reserve Policy.

G. Approve Extra Work to the Tree Maintenance Services Contract (PW-24-191-SP) for Necessary Tree and Stump Removals on the Citywide Sidewalk Reconstruction Project #2 (Bid No. DE-25-56-SB) 25-0043

1. Approve and authorize the Extra Work to Tree Maintenance Service Contract PW-24-191-SP in the not-to-exceed amount of \$172,885.00 with

West Coast Arborists Inc. for Tree Removal Services.

2. Approve and authorize the purchase order to West Coast Arborists Inc. and any future change orders necessary to complete the project.

H. Approve the Professional Services Agreement for Environmental Services with UltraSystems Environmental, Inc. for the Foothill Boulevard from Hemlock Avenue to Almeria Avenue Street Improvement Project (Malaga Bridge) 25-0044

1. Award contract (Request for Proposals DE-25-67-SP) and authorize the City Manager to execute the Professional Services Agreement with UltraSystems Environmental, Inc. for the Foothill Boulevard from Hemlock Avenue to Almeria Avenue Street Improvement Project (Malaga Bridge) in the amount of \$379,509.23.
2. Approve and authorize the City Manager to execute future individual Professional Services Agreement Amendments not exceeding \$100,000.00 for the Foothill Boulevard from Hemlock Avenue to Almeria Avenue Street Improvement Project (Malaga Bridge).

I. Final Acceptance of the Construction of the West Liberty Parkway at Miller Avenue Traffic Signal Project (Bid No. SB-07-DE-22) 25-0045

Accept as complete the work performed by Crosstown Electrical and Data, Inc. for the construction of the West Liberty Parkway at Miller Avenue Traffic Signal Project (Bid No. SB-07-DE-22).

J. Resolution and Agreement to Waive Certain Development Impact Fees for the Water of Life Community Church Project. 25-0047

Adopt **Resolution No. 2025-015**, approving a development impact fee waiver in the amount of \$279,158.42 related to a project located at 16029 Arrow Blvd and authorizing the City Manager to execute documentation evidencing the City's approval of the waiver and a development impact fee waiver agreement on behalf of the City.

K. Award a Contract for the Demolition of 16815 Spring Street 25-0048

Award bid (PW-25-83-SB) and Authorize the City Manager to execute a contract with AMPCO Contracting Inc. of Irvine, CA in the amount of \$130,050 for the Demolition of 16815 Spring Street and authorize a 10% contingency in the amount of \$13,005.

L. Award a Contract for the Demolition of 16803 Spring Street 25-0049

Award bid (PW-25-84-SB) and Authorize the City Manager to execute a contract with AMPCO Contracting Inc. of Irvine, CA in the amount of \$147,135 for the Demolition of 16803 Spring Street and authorize a 10% contingency in the amount of \$14,714.

- M. Award a Contract for the Demolition of 16779 Spring Street 25-0050**
Award bid (PW-25-82-SB) and Authorize the City Manager to execute a contract with Ad Improvements Inc. in the amount of \$132,200 for the Demolition of 16779 Spring Street and authorize a 10% contingency in the amount of \$13,220.
- N. Award a Contract for the Demolition of 16726 Spring Street 25-0052**
Award bid (PW-25-80-SB) and Authorize the City Manager to execute a contract with AMPCO Contracting Inc. in the amount of \$102,790 for the Demolition of 16726 Spring Street and authorize a 10% contingency in the amount of \$10,279.
- O. Consideration of an amendment to the disposition and agreement development between the City of Fontana, the Fontana Housing Authority and Fontana Courtplace I Housing Partners, L.P., for development of 1.94 acres of unimproved land located on Sierra Avenue, between Santa Ana Avenue to the north and Jurupa Avenue to the south 25-0064**
Acting as the City Council and the Housing Authority Board of Directors, jointly adopt the attached **Resolution No. 2025-016** and **Resolution No. HA 2025-001** entitled: "A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, AND THE HOUSING AUTHORITY OF THE CITY OF FONTANA, APPROVING, PURSUANT TO A PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION AND MITIGATION, MONITORING, AND REPORTING PROGRAM, AN AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE FONTANA HOUSING AUTHORITY, CITY OF FONTANA, AND FONTANA COURTPLACE I HOUSING PARTNERS, L.P.; AND DIRECTING STAFF TO FILE A NOTICE OF DETERMINATION"
- P. Emergency Deployment of Mobile CCTV Surveillance System 12-month contract with Everon Solutions 25-0088**
1. Approve the lease of two Emergency Mobile Camera Systems from Everon Solutions including all equipment and software for a one-year term.
 2. Approve and authorize the City Manager or his assigned designee to execute all necessary leasing agreements and documents.
 3. Approve an increase in budget appropriations in the amount of \$60,000 in the General Fund (10140300.8420).

NEW BUSINESS:

A. New Business

- A. Fiscal Year 2024-25 Midyear Budget Status Report 21-3509**
Approve the recommended Fiscal Year 2024-25 Midyear Budget adjustments and organizational changes.

Chief Financial Officer Jessica Brown provided the staff report.

Mayor Warren inquired whether the new Engineering Department positions were designated for the Traffic Division.

Chief Financial Officer Brown clarified that the new position was for an Associate Engineer.

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 New Business Item “A” as follows:

1. Approve the recommended Fiscal Year 2024-25 Midyear Budget adjustments.

The motion carried by the following vote: AYES: Warren, Garcia, Cothran, Roberts, and Sandoval; NOES: None; ABSTAIN: None; ABSENT: None

City Clerk Key left the meeting at 3:30 p.m.

- B. Discussion and Possible Action Regarding Appointment 25-0041**
to the Parks, Community, and Human Services Commission for a two-year term

Mayor Warren requested that this item be tabled to keep the application period open until filled. She also stated that applicants who have already submitted will receive confirmation of receipt.

City Manager Ballantyne encouraged interested individuals to apply as soon as possible, noting that the initial review of applications will likely take place within the next few weeks.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Cothran, and passed unanimously by a vote of 5-0 to table New Business Item “B” to a future meeting. 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 congratulated all staff recognized at the meeting and Mayor Warren and the City Council on a successful State of the City event. He also thanked staff for organizing a successful Jazz Festival.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Koehler Brooks congratulated all staff recognized at the meeting and commended those involved in organizing the State of the City event and Black History Parade. She also praised Chief Financial Officer Brown for the Mid-Year Budget presentation.

Council Member Cothran expressed pride in representing the City at the Black History Parade and commended the Fontana Chamber of Commerce and Marketing and Communications Manager Monique Carter for their efforts in organizing the State of the City event.

Mayor Pro Tem Garcia congratulated Mayor Warren and the City Council on a successful State of the City event. He also highlighted the employee-focused State of the City event and thanked staff for their hard work in showcasing the City's accomplishments.

Council Member Sandoval had no comments.

Council Member Roberts congratulated Mayor Warren and the City Council on a successful State of the City event and recognized all staff honored at the meeting. He also commended staff for the 2024 Annual Report.

Mayor Warren thanked those who attended the Black History Parade, noting she was unable to attend due to a family bereavement. She congratulated the City Council, Marketing and Communications Manager Carter, and the Fontana Chamber of Commerce for a successful State of the City event. She also discussed the City's ongoing efforts to address homelessness and expressed gratitude to the Mayor's Youth Advisory Council, City Council, Parks and Planning Commissions, service providers, partners, congressional leaders, state leaders, and assembly members for their support. Mayor Warren commended city staff and stakeholders for their contributions to the City's progress, congratulated the Community Services Department for a successful Jazz Festival, and highlighted the upcoming Teen Leadership Summit, encouraging the community to visit the City's website and recreation brochure for event details. Lastly, she announced that ZM Motors' grand opening event would take place on February 28.

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

1. Roy Smith

Mayor Warren adjourned the meeting at 4:01 p.m. to the Special City Council Meeting on Tuesday, March 4, 2025, at 10:00 a.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Christina Rudsell, CMC
Chief Deputy City Clerk

THE FOREGOING MINUTES WERE ADOPTED AND APPROVED BY THE FONTANA CITY COUNCIL ON MARCH 11, 2025.

Germaine Key
City Clerk