

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Regular Agenda

Ord. No.1959 Reso. No. 2024-121

Tuesday, November 12, 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.

WORKSHOP:**A. 12:00 P.M. City Council Workshop**

- A. 1. City Council and Planning Joint Workshop [21-3440](tel:213440)
Foothill & Sierra Corridor, (Deputy City Manager, Phillip Burum to present).**
- 2. Fontana Master Storm Drain Plan (Senior Project Manager, Rob Kilpatrick, with David Evans and Associates to present).**
- 3. Fontana Sewer Master Plan Update (Senior Engineer, Kris Danielson with Albert A. Webb Associates to present).**

PUBLIC COMMUNICATION - CLOSED SESSION:

This is an opportunity for citizens to speak to the City Council for up to 3 minutes on the following Closed Session. 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 - Closed Session

CLOSED SESSION:

A. 1:00 P.M. CLOSED SESSION

- A. 1. CONFERENCE WITH LEGAL COUNSEL - EXISTING [21-3425](#)
LITIGATION
(Gov. Code Section 54956.9(d)(1))
Name of Case: PERKINS, et al. v. CITY OF FONTANA; SGT. KYLE GUTHRIE; ALEX MILLAN
[USDC Case No.: 5:23-cv-01272-SSS-SK]**

2. 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): Teamsters Local 1932 City Hall Bargaining Unit; Teamsters Local 1932 Yard Bargaining Unit; Police Management Association; Police Benefits Association; Police Officers Association and Management/Confidential Employees.

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, United States Olympian, Kyree King (Coach John Bolton to accept). [21-3411](#)**
- 2. Mayor Warren and City Council to swear in new Fontana Fire Fighters.**
- 3. Chaffey College Presentation- New Fontana Campus Update (Associate Superintendent of Administrative Services and Emergency Operations, Troy Ament 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 [21-3409](#)**
Approve the minutes of the October 22, 2024, Regular City Council Meeting.
Attachments: [City Council Meeting Minutes 10-22-2024.pdf](#)
- B. Adoption of Ordinance No. 1958 (Second Reading), [21-3410](#)
Authorizing the Levy of Special Taxes within Community
Facilities District No. 116M**
Second Reading/Adopt **Ordinance No. 1958** Authorizing the Levy of Special
Taxes within Community Facilities District No. 116M
Attachments: [Ord 1958.docx](#)
- C. Approve a License Agreement with Southern California [21-3104](#)
Edison (SCE) Company for I-15 Logistics (Caprock)**
Approve and authorize the City Manager to execute the License Agreement
with Southern California Edison (SCE) Company for I-15 Logistics (Caprock).
Attachments: [DRAFT 9.8611 CITY OF FONTANA - Exhibit.pdf](#)
[SCE Fontana Final 11042024.pdf](#)
- D. Adopt a Resolution Summarily Vacating Portions of Lytle [21-3301](#)
Creek Road within the Ventana Specific Plan**
Adopt **Resolution No. 2024-121**, summarily vacating a portion of Lytle Creek
Road within the City, south of Duncan Canyon Road, pursuant to Streets and
Highways Code section 8830, Et. Seq.
Attachments: [Resolution for Summary Vacation - FINAL 10.15.24.doc](#)
[Exhibit A & Exhibit B - FINAL 10.15.24.pdf](#)

E. Acceptance of Final Map for Tract No. 20580 and Authorize the City Manager to Execute a Private Street Maintenance Covenant and Agreement with RC Homes (Glen at Fontana Borrower, LLC) for a portion of Cascade Drive within Tract No. 20580, Master Case No. 22-128, and Design Review No. 22-059 [21-3333](#)

1. Approve the Final Map for Tract No. 20580, located between Catawba Avenue and Salt Point Way, along Cascade Drive; and accept dedicated right-of-way and easements; and
2. Authorize the City Manager to enter into a Subdivision Improvement Agreement with the subdivider; and
3. Approve and authorize the City Manager to execute a Private Street Maintenance Covenant and Agreement with RC Homes (Glen at Fontana Borrower, LLC) for a portion of Cascade Drive within Tract No. 20580, as required by Condition No. 27 of the previously adopted Conditions of Approval for Master Case No. 22-128, Tentative Tract Map 20580 (TTM22-000008), and Design Review No. 22-059.

Attachments: [1. TM 20580 - VICINITY MAP.pdf](#)
[2. TM 20580 - SUBDIVISION IMPROVEMENT AGREEMENT WITH BONDS.pdf](#)
[3. TM 20580 - FINAL MAP.pdf](#)
[4. TM 20580 - ORIGINAL PC RESOLUTION 2023-030 WITH CONDITIONS.pdf](#)
[2024.11.12 File 21-3333 Private Street Maintenance Covenant and Agreement.pdf](#)

F. Approve and Authorize the City Manager to Execute Lytle Creek Road Exchange Agreement within the Ventana Specific Plan with the Developer (HDO4 LLC) [21-3384](#)

Approve and authorize the City Manager to execute Lytle Creek Road Exchange Agreement and all other necessary documents within the Ventana Specific Plan with HDO4 LLC.

Attachments: [Lytle Creek Road Exchange Agreement with Exhibits - Final 10.6.24.pdf](#)

G. Accept Donation from Kaiser Permanente (Fresh, Fit & Fun Fair) [21-3397](#)

Accept donation from Kaiser Permanente in the amount of \$2,500 for use towards 2024 Fresh, Fit, & Fun Fair.

Attachments: [101724 Kaiser Permanente \(Fresh, Fit & Fun Fair\).pdf](#)

H. Acceptance of Final Parcel Map No. 20456 for the Development of a Warehouse Facility at the Northwest Corner of Cypress Avenue and Slover Avenue and the Abandonment of a Certain Portion of Right-of-Way of Boyle Avenue [21-3399](#)

1. Approve Final Parcel Map No. 20456, located on the north side of Slover Avenue between Oleander Avenue and Cypress Avenue.
2. Accept dedication of public streets and easements.
3. Authorize the Mayor and City Clerk to certify the abandonment of a certain portion of right-of-way of Boyle Avenue.

Attachments: [PM 20456.pdf](#)
[PM 20456 VICINITY MAP.pdf](#)
[PM 20456 LAND IMPROVEMENT AGREEMENT AND BOND.pdf](#)

I. Declaring Surplus Land- Property located 8572 Sierra Ave. [21-3408](#)

1. Approve **Resolution No. 2024-122**, declaring that the City-owned property on (Assessor's Parcel Number) is "Surplus Land" pursuant to the Surplus Land Act, Government Code Section 54220 Et Seq.; and approving the form of Notice of Availability.
2. Authorize the City Manager and/or his designee(s) to take all actions necessary or appropriate to comply with the Surplus Land Act.

Attachments: [SLA Resolution 8572 Sierra.docx](#)
[0191-274-33 HCD](#)
[SLA TA NoticeAvailability CoverLetter.docx](#)

J. Amendment of the Conflict-of-Interest Code for the City of Fontana, Pursuant to the Political Reform Act of 1974 [21-3412](#)

Adopt **Resolution No. 2024-123**, of the City Council of the City of Fontana, California, adopting and approving the amended Conflict-of-Interest Code for the City of Fontana, Pursuant to the Political Reform Act of 1974.

Attachments: [Reso 2024- Conflict of Interest Code.doc](#)
[Fontana Amended Conflict of Interest Code 2024 REDLINE 11-12-2024.docx](#)
[Fontana Amended Conflict of Interest Code 2024 FINAL 11-12-2024.docx](#)
[2024 Local Agency Notice Fontana.pdf](#)
[Fontana Notice of Intention 2024-c1-c1.doc](#)

- K. Storm Drain Development Impact Fee Credit Agreement related to Ventana Specific Plan with HDO4, LLC** [21-3421](#)
- Approve Storm Drain Development Impact Fee Credit Agreement related to Ventana Specific Plan with HDO4, LLC.
- Attachments:** [Ventana Fee Credit Agreement - Final.pdf](#)
- L. Approve the Final Change Order with California Professional Engineering for the Citrus Avenue at Chase Road Traffic Signal Project (Bid No. SB-08-DE-22)** [21-3424](#)
- Authorize the City Manager to approve Change Order No. 4 with California Professional Engineering in the amount of \$11,601.30 for the construction of the Citrus Avenue at Chase Road Traffic Signal Project (SB-08-DE-22).
- Attachments:** [CCO #4 \(Quantity Balancing\)](#)
[Vicinity Map](#)
- M. Authorization to Apply for 2024 Older Adults Home Modification Grant Program** [21-3430](#)
1. Authorize the Fontana Housing Department to apply for the 2024 U.S. Department of Housing and Urban Development Older Adults Home Modification Grant Program (OAHMP).
 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 submittal and execution of the Older Adults Home Modification Grant Program (OAHMP).
- N. Authorization for Submission of Letter Supporting Bus Stop Enhancements in Key Transit Corridors** [21-3431](#)
- Staff recommends that the City Council approve the attached letter, authorize its submission, and authorize the Mayor to sign on behalf of the City of Fontana.
- Attachments:** [Letter to OmniTrans - City of Fontana Bus Stops Enhancements10-2024.pdf](#)
- O. Declaring Surplus Land- Arrow & Spring** [21-3435](#)
1. Approve **Resolution No. 2024-124**, declaring that the City-owned property on (Assessor's Parcel Number) is "Surplus Land" pursuant to the Surplus Land Act, Government Code Section 54220 Et Seq.; and approving the form of Notice of Availability.
 2. Authorize the City Manager and/or his designee(s) to take all actions necessary or appropriate to comply with the Surplus Land Act.

Attachments: [SLA Resolution Spring Street parcels.docx](#)
[Spring & Arrow APN HCD](#)
[SLA TA NoticeAvailability CoverLetter.docx](#)

P. Award bid for 17133 Valley Blvd Improvements - The Path (BID PW-25-45-SB) [21-3436](#)

Award bid and authorize the City Manager to execute a construction contract with Final Touch Construction (DS-25-45-SB) for improvements to 17133 Valley Blvd - The Path, formerly known as the Homelessness Prevention Resources and Care Center (HPRCC) in the amount of \$428,470.00 and authorize a 15% contingency in the amount of \$64,270.50.

Attachments: [Bid Result List - DS-25-45-SB.pdf](#)
[Project Report.pdf](#)

Q. Authorization to Apply for 2024 Housing and Homelessness Incentive Program [21-3439](#)

1. Authorize the Fontana Housing Department to apply for the 2024 San Bernardino County Housing and Homelessness Incentive Program (HHIP).
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 submittal and execution of the San Bernardino County Housing and Homelessness Incentive Program (HHIP).

R. Cost Sharing Agreement with Sunrise Ford for the Digital Reader Board Replacement [21-3379](#)

1. Adopt **Resolution No. 2024-125** and approve the cost sharing Sale Agreement with Sunrise Ford, to fund the digital freeway sign upgrade located 16005 Valley Blvd. Fontana, CA 92335.

2. Authorize the City Manager to execute any documents necessary or appropriate to effectuate said approvals and/or agreement.

Attachments: [Fontana- Knight Sunrise Ford LED Sign License and Reimbursement Agreement Resolution-c1.docx](#)
[Fontana - Knight Sunrise Ford LED Sign License and Reimbursement Agreement-c1.docx](#)
[Copy of Sale Agreement Fontana.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. Municipal Code Amendment (MCA) No. 24-006: [21-3366](#)
 Consideration of an Urgency Ordinance Amending Section 30-467 of the Fontana Municipal Code Regarding Accessory Dwelling Units and Junior Accessory Dwelling Units to Comply with Recent Changes in State Law; and Finding the Action to Be Statutorily Exempt from CEQA Under Section 21080.17 of the Public Resources Code**

Open the public hearing, receive public testimony, close the public hearing and by motion:

1. Find that the adoption of the proposed urgency ordinance is statutorily exempt from review under the California Environmental Quality Act (“CEQA”) under Public Resources Code section 21080.17.
2. Waive full reading and introduce for first reading by title only **Ordinance No. 1959** entitled: “AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA AMENDING SECTION 30-467 OF THE CITY OF FONTANA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE statutorily EXEMPT FROM CEQA under Public Resources Code § 21080.17.”

Attachments: [Attachment No. 1 - Urgency Ordinance](#)
[Attachment No. 2 - Exhibit A to the Urgency Ordinance](#)

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 December 10, 2024 at 2:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.