

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, February 28, 2023

7:00 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 McClellan Key - City Clerk
Janet Koehler-Brooks, City Treasurer

JOINT WORKSHOP:

- A. 5:00 P.M. Joint City Council and Planning Commission Workshop**

The Joint Workshop meeting with the Planning Commission and City Council was held on Tuesday, February 28, 2023, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, CA 92335.

Mayor Warren called the meeting of the City Council to order at 5:03 p.m.

Planning Commission Chair Fort called the meeting of the Planning Commission to order at 5:03 p.m.

ROLL CALL:

City Council Members

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

ABSENT: Council Member Cothran

City Clerk Key and City Treasurer Koehler-Brooks were also in attendance.

Planning Commission

PRESENT: Chair Fort, Vice-Chair Sangha, Secretary Sanchez, Commissioner's Quintana and Thrasher

ABSENT: None

The invocation was led by Planning Commissioner Fort, followed by the pledge of allegiance led by Mayor Warren.

City Clerk Key noted for the record that there were no public communication requests for this meeting.

The Regular City Council meeting agenda was reviewed and no items were pulled for report or discussion.

City Manager Ballantyne had no comments.

WORKSHOP ITEMS:

A. Leap Grant and SB 2 Presentation

Planning Director Patty Nevins introduced Dave Barquist, Kimley-Horn and Associate Planner Cecily Session-Goins to present on the Leap Grant.

Following City Council and Planning Commissioner questions and comments, Associate Planner Alejandro Rico and Planning Director Nevins presented on SB2.

Mayor Warren thanked the Planning Commission for their attendance at the workshop and

insight on these important topics in Fontana.

Mayor Warren adjourned the City Council Workshop at 5:47 p.m.

Planning Commission Chair Fort adjourned the Planning Commission Workshop at 5:47 p.m.

CLOSED SESSION:

A. 6:00 P.M. CLOSED SESSION

A Closed Session was held in the Executive Conference Room at 6:00 p.m. located at 8353 Sierra Avenue, Fontana, California, with all members of the City Council present, with the exception of Council Member Cothran who was absent.

PUBLIC COMMUNICATION - CLOSED SESSION:

A. Public Communications - Closed Session

There were no public communications received for the following items:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

Name of Case: John B. Starks, Jr. vs. City of Fontana, et al.

Case #: CIV SB 2124569

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

Name of Case: Alonso Perez vs. City of Fontana

Claim # 3020536

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov. Code Section 54956.9(d)(2)

One Potential Case

CALL TO ORDER/ROLL CALL:

A. 7:00 P.M. Call To Order/Roll Call:

A 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 28, 2023. Mayor Warren called the meeting to order at 7:07 p.m.

ROLL CALL:

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

ABSENT: Council Member Cothran

City Clerk Key and City Treasurer Koehler-Brooks were also in attendance.

INVOCATION/PLEDGE OF ALLEGIANCE:**A. Invocation/Pledge of Allegiance:**

The invocation was given by Fontana Police Department Chaplain Valerie Torres, followed by the pledge of allegiance led by Council Member Roberts.

CLOSED SESSION ANNOUNCEMENT**A. Closed Session Announcement**

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

SPECIAL PRESENTATIONS:**A.**[21-2029](#)

A. Mayor Warren and City Council to recognize Senior Engineer Ricardo Garay, Senior Civil Engineer Kimberly Young, Maintenance Worker II Mike Sanchez, Parks Technical Crew Chief David Kurowski, and Chief Equipment Mechanic Wes Winters, as the 2023 Public Works and Engineer Department Employees of the Year. (Public Works Director / City Engineer Gia Kim to present).

Director Kim shared a small video clip of all the recognized employees and was accompanied by the Mayor and City Council when presenting the awards to the Employees of the Year.

PUBLIC COMMUNICATIONS:**A. Public Communications**

The following individuals spoke under public communications:

1. Mark Schnose, representative from Mathasium, commented on upcoming ribbon cutting ceremony.
2. Amy Nevarez, representative from Chaffey College - Fontana Campus, commented on upcoming events and class registration.

CONSENT CALENDAR:

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Garcia, to approve Consent Calendar Items 'A-I'. The motion carried by a unanimous 4-0 roll call vote as follows: **AYES:** Warren, Garcia, Roberts, and Sandoval; **NOES:** None; **ABSENT:** Cothran

A. Approval of Minutes[21-2001](#)

Approve the minutes of the February 14, 2023, Regular City Council meeting.

B. Prohousing Incentive Pilot Program Resolution Authorizing Submittal of Application and Other Grant Related Documents[21-1996](#)

RECOMMENDATION:

1. Adopt **Resolution No. 2023-011**, a resolution of the City Council of the City of Fontana authorizing application for, and receipt of, up to \$1,490,000 of Prohousing Incentive Pilot Program Funds.
 2. Authorize the City Manager to execute and transmit any documents necessary or appropriate to ensure the City's timely submission of the Prohousing Incentive Pilot Program application.
- C.** Acceptance of Final Map for Parcel Map No. 20499 and Abandonment of a Certain Portion of Right of Way of Banana Avenue [21-2000](#)
- Accept Parcel Map No. 20499 located at the southwest corner of Santa Ana Avenue and Banana Avenue; accept as public dedicated streets and easements; and authorize the Mayor and City Clerk to certify the abandonment of a certain portion of right of way of Banana Avenue.
- D.** 2023 Statement of Investment Policy [21-2009](#)
- Adopt the City of Fontana Statement of Investment Policy for 2023.
- E.** Communications and Marketing Service Agreement [21-2012](#)
- Approve and authorize the City Manager to execute a contractual services agreement between the City of Fontana and 20/20 Network in an amount not to exceed \$716,000 over 2.5 years to provide communications and marketing services and support.
- F.** Final Acceptance of the South Fontana Park and Santa Ana Landscape Median Projects [21-2018](#)
- Accept as complete the work performed by Bogh Engineering for the construction of South Fontana Park and Santa Ana Landscape Median Projects and approve the final construction amount of \$11,810,454.82 (SB-18-DE-22).
- G.** Senior Transportation Vendor Selection [21-2021](#)
1. Award bid to GoGo Technologies, Inc. and Lyft, Inc. to provide Senior Transportation Services Program in the total amount of not to exceed \$277,200.00 annually.
 2. Authorize the City Manager to execute an agreement with GoGo Technologies, Inc. for one year with additional four one-year renewal.
 3. Authorize the City Manager to execute any documents necessary with Lyft, Inc. to effectuate said agreements and future amendments for the Senior Transportation Services Program.
- H.** Purchase and Sale Agreement for 8470 Nuevo Avenue - Downtown Fontana Property [21-2026](#)
1. Approve a Purchase and Sale Agreement for the purchase of a building and associated land in the approximate amount of \$1,825,000 located at 8470 Nuevo Avenue, west of Sierra Avenue in Downtown Fontana, more

specifically described as APN #0191-162-35 and 0191-162-34.

2. Authorize the City Manager to execute any documents necessary or appropriate to effectuate said approvals and/or agreement.
3. Approve the required increase in appropriation of \$1,825,000 in Fund 601 to be included in the Third Quarter Budget Report.

- I. Amend Administrative Policy 20-17, Employee Travel Expenditures Policy to the City of Fontana's Administrative Policy and Procedures. [21-2036](#)

Adopt **Resolution No. 2023-012** of the City of Fontana, amending Administrative Procedure Section 20-17 "Employee Travel Expenditures"

NEW BUSINESS:

- A. Fiscal Year 2022-23 Midyear Budget Status Report [21-2028](#)

ACTION: Motion was made by Mayor Pro Tem Garcia, seconded by Council Member Roberts, to

1. Approve the recommended Fiscal Year 2022-23 Mid-Year Budget adjustments.
2. Approve Resolution No. 2023-013 a Resolution of the City Council of the City of Fontana adopting new and updated job descriptions and salary ranges for specific classifications throughout the City and the updated corresponding salary tables.

The motion carried by a unanimous 4-0 roll call vote as follows: AYES: Warren, Garcia, Roberts, and Sandoval; NOES: None; ABSENT: Cothran

- B. An ordinance of the City Council of the City of Fontana, California, amending Chapter 33, "Cannabis Businesses and Activities" and finding that the Ordinance is exempt from the California Environmental Quality Act. [21-2040](#)

Deputy City Manager Phil Burum presented the staff report and answered questions of the City Council.

ACTION: Motion was made by Council Member Roberts, seconded by Mayor Pro Tem Garcia, to approve:

1. Determine that the project is Categorically Exempt pursuant to Section 15061(b)(3) and State CEQA Guidelines Section 15060(c)(2).
2. Read by title only and waive further reading of and introduce Ordinance No. 1912 an Ordinance of the City Council of the City of Fontana, California, amending Chapter 33, "Cannabis Businesses and Activities," and the reading of the titled constitutes the first reading thereof.

The motion carried by a unanimous 4-0 roll call vote as follows: AYES: Warren, Garcia, Roberts, and Sandoval; NOES: None; ABSENT: Cothran

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Ballantyne thanked Monique Carter, Communications Manager, for an excellent presentation at this year's State of the City Address; invited the community to attend the upcoming ribbon cutting ceremony for South Fontana Park; and congratulated Police Captain Michael Dorsey on being selected as the new Police Chief.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Koehler-Brooks congratulated the Employees of the Year and thanked the entire Finance Department for all their hard work on the Budget Report.

City Clerk Key complimented the great State of the City presentation; congratulated Captain Dorsey for being selected as the new Police Chief; and wished grandson Jayden a Happy Birthday.

Mayor Pro Tem Garcia commented on Fontana being fiscally healthy and thanked Monique Carter, Communications Manager, for a great presentation at the recent State of the City address.

Council Member Roberts complimented the great State of the City presentation and congratulated Police Chief Green on his retirement.

Council Member Sandoval thanked the entire Finance Department for all their hard work on the Budget Report; mentioned some maintenance requests for staff; and wished Deputy City Clerk Arocho a Happy Birthday.

Mayor Warren thanked Monique Carter, Communications Manager, for a great presentation at the recent State of the City address; commented on newly approve Marketing Agreement on the agenda; commented on Fontana being fiscally healthy; thanked the entire Finance Department and CFO Brown for maintaining our finances; commented on employment opportunities within the City; asked residents to support restaurants and to eliminate use with illegal street vendors; recognized the end of the Governor State of Emergency from the pandemic; thanked first responders and staff for working through the difficult three years; recognized February as Black History Month; commented on the recent snow fall in Fontana; and commented on recently attended events.

ADJOURNMENT:

A. Adjournment

The meeting was adjourned to the next Regular City Council Meeting on Tuesday, March 14, 2023, at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Mayor Warren adjourned the meeting at 8:41 p.m.

Ashton R. Arocho, MMC
Deputy City Clerk

THE FOREGOING MINUTES WERE ADOPTED AND APPROVED BY THE FONTANA CITY COUNCIL ON MARCH 14, 2023.

Germaine Key
City Clerk