

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

Tuesday, June 25, 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

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, June 25, 2024.

Mayor Warren called the meeting to order at 1:04 p.m., with all members of the City Council present. Mayor Pro Tem Garcia was absent.

PUBLIC COMMUNICATION - CLOSED SESSION:

There were no public communications received for the following items:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d) (1)

Case: Jesse Marez vs. City of Fontana; Jesus Mauricio Garcia
Case No. CIVSB2214214

2. CONFERENCE WITH LABOR NEGOTIATORS - ALL BARGAINING UNITS EXCEPT POLICE OFFICER'S ASSOCIATION (Gov. Code Section 54957.6)

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8)

Property: APN # 0191-162-21 & 0191-162-22
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: American Legion Steele Towne Post 77
Under Negotiating: Price and Terms of payment

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8)

Property: 15186 Foothill Blvd.
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: Aldea Fontana Foothill, LLC
Under Negotiating: Price and Terms of payment

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, June 25, 2024.

Mayor Warren called the Regular City Council Meeting to order at 2:03 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 Jason Baltimore 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

1. San Bernardino County Second District Supervisor, Jesse Armendarez presented City Council with a check for \$10,000.
2. Mayor Warren and City Council recognized Officers Adam Sein and Jacob Hernandez, as Fontana Police Department April 2024 Employees of the Month.
3. Mayor Warren and City Council recognized, Payroll Coordinator, Rita Coventry on her retirement and for being selected as Finance Department Employee of the Year.

PUBLIC COMMUNICATIONS:

A. Public Communications

Patrick Coston spoke regarding a claim that he filed against the city.

Mark Christensen spoke regarding electric motorized dirt bikes being operated throughout the city.

Richard Montano also commented on electric motorized dirt bikes and concerns regarding young kids destroying city property.

Rosemary Brown spoke in opposition to property tax roll billing.

Julius spoke in opposition to property tax roll billing.

CONSENT CALENDAR:

City Attorney Baltimore provided the public with a verbal announcement regarding executive compensation salaries as it relates to Item “S” on the Consent Calendar.

Council Member Sandoval abstained from Consent Calendar Item “A”.

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

A. Approval of Minutes 21-3062

Approve the minutes of the June 18, 2024, Special City Council Meeting.

**B. Calling of the November 5, 2024, General Municipal Election; 21-3061
Requesting Consolidation with the Statewide General Election
to be conducted by the San Bernardino County Registrar of
Voters; and Providing Regulations for Candidates**

1. Adopt **Resolution No. 2024-045**, a Resolution of the City Council of the City of Fontana, California, Calling And Giving Notice of a General Municipal Election to be held in the City of Fontana on Tuesday, November 5, 2024, for the Election of Certain Officers of the City as Required By the Provisions of the Laws of The State of California Relating To General Law Cities;
2. Adopt **Resolution No. 2024-046**, a Resolution of the City Council of the City of Fontana, California, Requesting the Board of Supervisors of the County of San Bernardino to Consolidate a General Municipal Election to be held on November 5, 2024, with the Statewide General Election to be held on the date Pursuant To § 10403 of the Elections Code;
3. Adopt **Resolution No. 2024-047**, a Resolution of the City Council of the City of Fontana, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at a General Municipal Election to be held on Tuesday, November 5, 2024.

- C. Approve and Amended Cooperative Agreement between the City of Fontana and the San Bernardino County Public Works Department for annual routine maintenance and emergency response projects. 21-3019**
 Approve and authorize the City Manager to execute the first amendment of the Cooperative Agreement with the San Bernardino County Public Works Department for annual routine maintenance and emergency response projects.
- D. Accept Donation from Burrtec Waste Industries, Inc. (2024 Fontana Days Run) 21-3024**
 Accept donation from Burrtec Waste Industries, Inc in the amount of \$1,000 for use towards 2024 Fontana Days Run.
- E. Accept Donation from Bel-Air Swap-Meet, Inc. (2024 Fontana Days Run) 21-3025**
 Accept donation from Bel-Air Swap-Meet, Inc in the amount of \$10,000 for use towards 2024 Fontana Days Run.
- F. Accept Donation from Fontana Foundation of Hope (2024 Fontana Days Run) 21-3026**
 Accept donation from Fontana Foundation of Hope in the amount of \$5,000 for use towards 2024 Fontana Days Run.
- G. Accept donation from Fontana Chrysler Dodge Jeep Ram (2024 Fontana Car Show) 21-3027**
 Accept donation from Fontana Chrysler Dodge Jeep Ram in the amount of \$3,000 for use towards 2024 Fontana Car Show.
- H. Annual Placement of Rubbish Charges on the Property Tax Rolls 21-3044**
 Adopt **Resolution No. 2024-048**, of the City Council of the City of Fontana, California, directing the placement of rubbish charges on the property tax bills for collection.
- I. Annual Placement of Sewer Charges on the Property Tax Rolls 21-3045**
 Adopt **Resolution No. 2024-049**, of the City Council of the City of Fontana, California, directing the placement of sewer charges on the property tax bills for collection.
- J. Annual Placement of Weed Abatement Charges on the Property Tax Rolls 21-3046**
 Adopt **Resolution No. 2024-050**, of the City Council of the City of Fontana,

California, directing the placement of weed abatement charges on the property tax bills for collection.

K. 2024-2025 Statement of Investment Policy 21-3048

Adopt the City of Fontana Statement of Investment Policy for Fiscal Year 2024-2025.

L. Award Bid for City-Wide Tree Maintenance Services (PW-24-191-SP) 21-3057

1. Award bid and authorize the City Manager to execute a contract with West Coast Arborists, Inc. of Anaheim, CA for City-Wide Tree Maintenance Services. The contract term shall be for two and a half (2.5) years with three (3) additional one-year extensions at the City's sole discretion.
2. Approve and authorize the City Manager to execute any future contract amendments to this contract with West Coast Arborists, Inc. for City-Wide Tree Maintenance Services.

M. Accept Grant Award from Kaiser Permanente 21-3063

Accept grant award from Kaiser Permanente in the amount of \$18,000 for use towards Healthy Fontana's "Feeding Fontana."

N. Approve Pre-Qualified Public Works and Engineering Firms to Provide On-Call Professional Services 21-3064

1. Approve the Pre-Qualified Firms List to provide various On-Call Professional Public Works and Engineering Services and authorize the Purchasing Division to add and remove firms during the valid time frame of the short list.
2. Authorize the City Manager to execute a On-Call Professional Agreements with selected firms on an as-needed basis for a period of five (5) years from approval
3. Authorize the City Manager to execute any future amendments to the On-Call Professional Agreements.

O. Police Department Monthly Information Update 21-3067

Accept the Police Department monthly information update for April 2024.

P. Award a Construction Contract for the ARPA - Fiber to City Facilities Project (Bid No. DE-24-181-SB) 21-3069

1. Award Bid and authorize the City Manager to execute a construction

contract with GA Technical Services, Inc. for the construction of the ARPA - Fiber to City Facilities Project in the amount of \$1,443,140.00, and authorize a 10% contingency in the amount of \$144,314.00 (Bid No. DE-24-181-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 ARPA - Fiber to City Facilities Project.

Q. Approve a Professional Services Agreement for Engineering Design Services for the Arrow Boulevard Sewer Main Improvement Project (DE-24-202-SP) 21-3072

1. Approve and authorize the City Manager to execute a Professional Services Agreement in a not-to-exceed amount of \$355,618 with TKE Engineering, Inc. for Engineering Design Services for the Arrow Boulevard Sewer Main Improvement Project (DE-24-202-SP).
2. Approve and authorize the use of funds in the amount of \$355,618 from Fund 302 as part of the City's American Rescue Plan Act Expenditure Plan (ARPA).
3. Approve and authorize the City Manager to execute any future amendments to the Professional Service Agreement not exceeding \$100,000.00 for the Arrow Boulevard Sewer Main Improvement Project, Request for Proposals DE-24-202-SP.

R. Fontana 311 Customer Relationship Management System Renewal and Improvement 21-3075

1. Award bid and authorize the City Manager to execute 3 year renewal subscription of Salesforce software/ platform with Salesforce in the amount of \$619,909.20.
2. Approve and Authorize the City Manager to execute Contract Services agreement with StackNexus in the amount of \$71,560.
3. Authorize the City Manager to execute any future amendments to the Salesforce and StackNexus agreements.

S. Adopt a Resolution of the City Council of the City of Fontana, California, Adopting Updated Salary Tables for Executive and Management Confidential Employees. 21-3077

Adopt **Resolution No. 2024-051**, a resolution of the City Council of the City of Fontana adopting the updated Executive and Management Confidential salary tables, effective July 13, 2024.

- T. Approve the Purchase Order for Decorative Wrapping of Traffic Signal Controller Cabinets 21-3084**
 Authorize the City Manager to execute purchase orders for decorative wrapping of traffic signal controller cabinets in the amount of \$366,770.91 with Econolite as sole source.
- U. Amendment to the Acquisition and Funding Agreement for CFD #111 (Monterado) 21-3087**
 Adopt **Resolution No. 2024-052**, of the City Council of the City of Fontana which approves the amendment of the Acquisition and Funding Agreement related to the City of Fontana Community Facilities District No. 111 (Monterado) and authorizes designated members of the City Council or Authorized Officers of the City to execute and deliver such amendment for execution.
- V. Auditing Services Contract for Fiscal Years Ending June 30, 2024, 2025, 2026 21-3088**
1. Approve and award the professional auditing services contract to Eide Bailly for the three fiscal years beginning with the fiscal year ending June 30, 2024 to June 30, 2026, in the amount of \$119,000 for first year, \$124,951 for second year and \$131,199 for third year, and with the option of two (2) subsequent years in the amount of \$135,134 for 2027 and \$139,190 for 2028, respectively, and to authorize the City Manager to execute the auditing services agreement.
 2. Authorize the City Manager to execute any future amendments to the auditing services agreement on behalf of the City of Fontana.
- W. Sales Tax Audit Services 21-3089**
1. Authorize Finance to procure the Sales Tax Audit Services utilizing the Purchasing Policy and Procedure Manual Section 3.1.5 Non-Competitive Proposal to maintain the continuity of the service.
 2. Authorize the City Manager to execute a contract with the Hinderliter, de Llamas and Associates to provide sales tax audit services for (5) five years.
 3. Authorize the City Manager to execute any future amendments to the contract.
- X. Award Bid for Maintenance Services Agreements with Bear Electrical Solutions, Inc. and Yunex Traffic for Traffic Signal Maintenance and Repair Services 21-3092**

1. Award bid and authorize the City Manager to execute Maintenance Services Agreements with Bear Electrical Solutions, Inc. and Yunex Traffic not to exceed \$120,000 each but not to exceed \$120,000 in total annual expenditures, to provide traffic signal maintenance and repair services on an as-needed basis. The Agreement period shall be two (2) years with an option of three (3) additional one (1) year renewals, at the sole discretion of the City.
2. Authorize the City Manager to execute any future amendments to the Maintenance Services Agreements.

Y. Accept a Grant, and Approve and Authorize City Manager to Execute the Grant Agreement Under the Fiscal Year 2023 Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program in the amount of \$2,000,000 for the Leveraging Advanced Adaptive Signal Timing for Freight to Improve Safety, Climate, and Mobility Project 21-3093

1. Authorize and approve the City Manager to execute the Grant Agreement Under the Fiscal Year 2023 Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program for the Leveraging Advanced Adaptive Signal Timing for Freight to Improve Safety, Climate, and Mobility.
2. Accept Grant funding in the amount of \$2,000,000 for the Strengthening Mobility and Revolutionizing Transportation (SMART) Grant Program from the United States Department of Transportation (USDOT) for the Leveraging Advanced Adaptive Signal Timing for Freight to Improve Safety, Climate, and Mobility.

Z. Consideration to Proceed with the Biennial Review of the Conflict-of-Interest Code for the City Council and Authorize the Filing of the 2024 Local Agency Biennial Notice. 21-3096

Staff recommends that the City Council direct staff to proceed with the biennial review of its Conflict-of-Interest Code and authorize the filing of a Local Agency Biennial Notice by October 1, 2024.

PUBLIC HEARINGS:

A. Quarterly Lien Action for Delinquent Sewer, Rubbish and Weed Abatement Accounts

1. Authorize staff to complete and record lien notices against real property for those sewer accounts sixty days or more delinquent as described in

Certified Lien List and direct staff to forward recorded liens to the County for collection.

2. Authorize staff to complete and record liens against real property for those rubbish accounts more than ninety days delinquent as described in the Certified Lien List and direct staff to forward recorded liens to the County for collection.
3. Adopt **Resolution No. 2024-053**, of the City Council of the City of Fontana adopting the statement of unpaid expenses for weed abatement and imposing a lien against real property for payment thereof.

Mayor Warren opened the public hearing.

Mayor Warren left the dais.

City Clerk Key announced that there were no written correspondences received for this item.

No one spoke in favor or opposition of this item.

Mayor Pro Tem Garcia closed the public hearing.

ACTION: Motion was made by Council Member Cothran, seconded by Council Member Sandoval, and passed by a vote of 4-0 to approve staff recommendation on Public Hearing Item "A." The motion carried by the following vote: AYES: Garcia, Cothran, Roberts and Sandoval; NOES: None; ABSTAIN: None; ABSENT: Warren

B. User Fees for City Services

1. Adopt **Resolution No. 2024-054**, a resolution of the City of Fontana adjusting existing user fees for various services provided by The City.
2. Adopt **Resolution No. 2024-055**, a resolution of the City of Fontana adopting new Community Services fees

Mayor Pro Tem Garcia opened the public hearing.

Chief Financial Officer, Jessica Brown provided the staff report.

Council Member Sandoval inquired about fee increases to Senior and Youth Programming.

Council Member Cothran requested clarification on time of completion for the fee study.

City Clerk Key announced that there were no written correspondences received for this item.

No one spoke in favor or opposition of this item.

Mayor Pro Tem Garcia closed the public hearing.

ACTION: Motion was made by Council Member Roberts, seconded by Council Member Sandoval, and passed by a vote of 4-0 to approve staff recommendation on Public Hearing Item “B.” The motion carried by the following vote: AYES: Cothran, Garcia, Roberts, and Sandoval; NOES: None; ABSTAIN: None; ABSENT: Warren

Mayor Warren returned to the dais.

NEW BUSINESS:

A. New Business

A. Issuance of Special Tax Bonds for CFD #107 (Highland)

Adopt **Resolution No. 2024-056**, of the City Council of the City of Fontana authorizing the issuance of City of Fontana Community Facilities District No. 107 (Highland) Special Tax Bonds, Series 2024, in an aggregate principal amount of not to exceed \$3,595,000, authorizing the execution and delivery of an Indenture, a Bond Purchase Agreement and a Continuing Disclosure Agreement, authorizing the distribution of an Official Statement in connection therewith and authorizing the execution of necessary documents and certificates and related actions.

Accountant II, Justin Murrieta, provided the staff report.

ACTION: Motion was made by Council Member Cothran, seconded by Council Member Sandoval passed 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, Sandoval; NOES: None; ABSTAIN: None; ABSENT: None

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Matt Ballantyne encouraged the community to attend the Independence Day Celebration at Summit High School on Saturday, June 29th from 6 – 9 p.m. Also congratulated Innovation and Technology Director Jennifer Barcenas on recently completing the Certified Government Chief Information Officer program.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Koehler-Brooks congratulated Payroll Coordinator Rita Coventry on her retirement and thanked AV Technician II Francisco Vega for his service and wished him the best in future endeavors. Also thanked the Fontana Chamber of Commerce for the recent

installation dinner and wished Council Member Roberts a happy birthday.

City Clerk Key congratulated Payroll Coordinator Rita Coventry on her retirement. Also thanked the Fontana Chamber of Commerce for the recent installation dinner and wished her grandson Carter a happy birthday.

Council Member Roberts thanked all for the birthday wishes and congratulated Payroll Coordinator Rita Coventry on her retirement.

Council Member Sandoval discussed recent Washington, DC conference he attended. Also thanked Deputy City Manager Phillip Burum on completing the Stage Red project and Public Works for the improvements in the Southridge area including the Don Day parking lot and Jurupa Avenue center median. Wished Council Member Roberts a happy birthday, his daughter Cecelia and son-in-law Willie a happy anniversary and his wife a happy 41st wedding anniversary. Also thanked Community Services Director Daniel Schneider and his staff for quickly attending to an injury he sustained while participating in a softball game.

Council Member Cothran wished Council Member Roberts a happy birthday and thanked the Fontana Chamber of Commerce for the recent installation dinner. Asked City Manager Ballantyne if water and cooling stations would be available at the Independence Day Celebration since outside coolers are not allowed.

City Manager Ballantyne confirmed that water would be available at the event.

Mayor Pro Tem Garcia wished Council Member Roberts a happy birthday. Clarified that there would be no increase in trash service rates due to the service now being include on the property tax roll.

Mayor Warren wished Council Member Roberts a happy birthday. Thanked staff, vendors and Sammy Hagar for the successful Stage Red opening event. Also thanked Deputy City Manager Burum for completing the Stage Red project. Also discussed the benefits of transitioning the trash service billing to the property tax rolls and the recent US Conference of Mayors event. Commended Public Works staff on completing the Sierra Avenue widening, the pickleball courts and congratulated Payroll Coordinator Rita Coventry on her retirement. Also encouraged all to visit Fire Station 81 and discussed the downtown parking structure project.

ADJOURNMENT:

A. Adjournment

Mayor Warren adjourned the meeting at 3:13 p.m. to the next Regular City Council Meeting on Tuesday, July 9, 2024, at 2:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Christina Rudsell, CMC
Deputy City Clerk

THE FOREGOING MINUTES WERE ADOPTED AND APPROVED BY THE FONTANA CITY COUNCIL ON JULY 9, 2024.

Germaine Key
City Clerk