

# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335



## Regular Agenda

Ord. No. 1913 Reso. No. 2023-014

Tuesday, March 14, 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*

**Welcome to a meeting of the Fontana City Council.**

Welcome to a meeting of the Fontana City Council. A complete agenda packet is located in the binder on the table in the lobby of 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 Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335 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 a modification or accommodation in order 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 in the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335.

Traduccion en Español disponible a peticion. Favor de notificar al Departamento "City Clerk". Para mayor informacion, favor de marcar el numero (909) 350-7602.

**CALL TO ORDER/ROLL CALL:**

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

**INVOCATION/PLEDGE OF ALLEGIANCE:**

- A. Invocation/Pledge of Allegiance:

**SPECIAL PRESENTATIONS:**

- A. 1. Mayor Warren and City Council to recognize Outgoing [21-2053](#)  
Parks, Community, and Human Services Commissioner Anahi  
Perez (Mayor Warren to present).
2. Mayor Warren to swear in newly appointed Chief of Police  
Michael Dorsey (Mayor Warren 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 .

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**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.

**A. Approval of Minutes [21-1872](#)**

Approve the minutes of the February 28, 2023, Regular City Council meeting.

**Attachments:** [February 28, 2023 Minutes.pdf](#)

**B. Adoption of Ordinance No. 1912 (Second Reading) [21-2063](#)**

Second Reading / Adoption of **Ordinance No. 1912**, 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.

**Attachments:** [Ordinance - Amending Chapter 33 Cannabis Businesses and Activities \(1\).pdf](#)

**C. Approve task order for Engineering Services for pavement rehabilitation and sidewalk installation project on Randall Avenue from Citrus Avenue to Catawba Avenue. [21-2020](#)**

1. Approve and authorize the City Manager to execute a Task Order in the amount of \$117,720.00 with Onward Engineering, for Engineering services for the pavement rehabilitation and sidewalk installation project on Randall Ave from Citrus to Catawba. Request for proposal SQ- 87-DE-19-44.
2. Approve and authorize the City Manager to execute any future amendments to the Task Order.

**Attachments:** [vicinity map.](#)  
[Ranking.pdf](#)  
[proposal.pdf](#)

**D. Approve Amendment to Fenagh Engineering & Testing Task Order for Geotechnical, Inspection and Testing Support Services for Construction of Fire Station No. 81 at 16615 Casa Grande Avenue. [21-2027](#)**

1. Approve and authorize the City Manager to execute Task Order 3.2 to Fenagh Engineering & Testing in the amount of \$58,901.52 for Support Services on Fire Station No. 81, for a total Task Order amount of \$125,756.52.

2. Approve and authorize the City Manager to execute any future amendments to the Task Order.

**Attachments:** [Vicinity Map](#)  
[Task Order Amendment #2 Scope and Fee](#)

**E. Approve a Cooperative Agreement with the City of Rialto for Construction of the Baseline Avenue at Palmetto Avenue Traffic Signal Project** [21-2025](#)

1. Approve and authorize the City Manager to execute a Cooperative Agreement for Construction of the Baseline Avenue at Palmetto Avenue Traffic Signal Project.
2. Accept outside Agency contribution of \$236,341.00 for Project No. 0031 - Baseline Avenue at Palmetto Avenue Traffic Signal Project.
3. Authorize the City Manager to execute any future amendments to the Cooperative Agreement for the Baseline Avenue at Palmetto Avenue Traffic Signal Project.

**Attachments:** [Baseline-Palmetto Coop Agreement.pdf](#)  
[Baseline & Palmetto Vicinity Map](#)

**F. Approve a Cooperative Agreement with the City of Rialto for Construction of the Sierra Avenue at Riverside Avenue Traffic Signal Project** [21-2031](#)

1. Approve and authorize the City Manager to execute a Cooperative Agreement for Construction of the Sierra Avenue at Riverside Avenue Traffic Signal Project.
2. Accept outside Agency contribution of \$120,000.00 for Project No. 3329 - Sierra Avenue at Riverside Avenue Traffic Signal Project.
3. Authorize the City Manager to execute any future amendments to the Cooperative Agreement for the Sierra Avenue at Riverside Avenue Traffic Signal Project.

**Attachments:** [Sierra-Riverside Coop Agreement.pdf](#)  
[Sierra Riverside Vicinity Map](#)

**G. Approve a Cooperative Agreement with the City of Rialto for the Pavement Rehabilitation Project on Maple Avenue between Baseline Avenue and Miller Avenue** [21-2032](#)

1. Approve and authorize the City Manager to execute a Cooperative Agreement for the Pavement Rehabilitation Project on Maple Avenue

between Baseline Avenue and Miller Avenue

2. Authorize the City Manager to execute any future amendments to the Cooperative Agreement for the Pavement Rehabilitation Project on Maple Avenue between Baseline Avenue and Miller Avenue.

**Attachments:** [Maple Coop Agreement.pdf](#)  
[Maple Rehab Vicinity](#)

**H. Final Acceptance of Subdivision Improvements for Tract Map No. 18981 located on the northwest corner of Citrus Avenue and Curtis Avenue. [21-2033](#)**

1. Accept as complete the Subdivision Improvements for Tract No. 18981 located on the northwest corner of Citrus Avenue and Curtis Avenue.
2. Adopt **Resolution No. 2023-014**, accepting sewers in Tract No. 18981 as part of the City sewer system.

**Attachments:** [Tract Map.pdf](#)  
[Vicinity Map.pdf](#)  
[Sewer Resolution.doc](#)

**I. Approve Amendment to David Volz Design Landscape Architects Task Order for Design Services for the Jurupa Landscape Median Project. [21-2037](#)**

1. Approve and authorize the City Manager to execute Task Order No. 1.2 to David Volz Design Landscape Architects in the amount of \$63,205.00 for the Design Services of Jurupa Avenue Landscape Median Project. for a total contract amount of \$222,719.
2. Approve and authorize the City Manager to execute any future amendments to the Task Order.

**Attachments:** [David Volz Task Order Amendment](#)  
[Vicinity Map](#)

**J. Award a bid for the 7714 Tamarind Ave Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Construction SB-91-HD-23 [21-2041](#)**

Award and authorize the City Manager to execute a construction contract with Lancet Contracting Inc for the construction of the 7714 Tamarind Ave Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) in the amount of \$273,000 and authorize a 10% contingency in the amount of \$27,300 (Bid No. SB-91-HD-23).

**Attachments:** [Summary Bid Results SB-91-HD-23.pdf](#)  
[Lancet Bid Details.pdf](#)  
[7714 Tamarind Ave ADU & JADU - Lancet Contracting Contract.DOCX](#)

**K. Miscellaneous Project No. 23 - 004 - Review of 2022 General Plan Annual Progress Report [21-2044](#)**

Direct staff to send the 2022 General Plan Annual Progress Report to the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD).

**Attachments:** [Attachment No. 1 General Plan Annual Report](#)  
[Attachment No. 2 Housing Element Annual Report](#)

**L. Proposed Distribution of Ad Valorem Taxes for LAFCO 3261 for reorganization and annexation of APN 0239-072-02 (Debris Basin for I-15 Logistic Project) to the City of Fontana and Detachment from County Service Area 70. The annexation area generally lies along the north side of Lytle Creek Road, and west of Sierra Avenue. [21-2047](#)**

Adopt **Resolution No. 2023-015**, accepting the proposed distribution of Ad Valorem taxes as requested by the San Bernardino County auditor controller's office for LAFCO 3261, which is for the reorganization and annexation to the City of Fontana and detachment from County Service Area 70 for APN 0239-072-02 (Debris Basin for I-15 Logistics project).

**Attachments:** [Vicinity Map and Site Plan](#)  
[Ad Valorem Tax Resolution](#)  
[Exhibit A to Ad Valorem Tax Resolution](#)

**M. Approve Memorandum of Understanding for Crossing Guards Services with Colton Joint Unified School District [21-2052](#)**

1. Approve Memorandum of Understanding between Colton Joint Unified School District (CJUSD) and the City of Fontana for crossing guard services provided by All City Management Services for one (1) year with up to four (4) additional one (1) year terms.
2. Authorize the City Manager to execute the Memorandum of Understanding and future amendments.
3. Approve a recurring appropriation from Fund 101 to 10140352.8130 to allow the City to fund 50% of the cost of crossing guard services for the 3 CJUSD elementary schools that fall within the City of Fontana.

**Attachments:** [CJUSD MOU exp 23.pdf](#)

**N. Approve Purchase of the Jacobs Technology Inc. Rapid Solutions System [21-2054](#)**

1. Authorize the purchase and installation of the Base Station System from Jacobs Technology, Inc. in the amount of \$920,098.94.
2. Approve the Sole Source Purchasing method under Section 3.1.5 Non-Competitive Proposal of the City's Purchasing Policies and Procedures and authorize the Fontana Police Department to purchase the cellular geo-location product from Jacobs Technology Inc.
3. Approve and authorize the City Manager or his assigned designee to execute documents related to the purchase of the Jacobs Technology Inc. Rapid Solutions System.

**Attachments:** [Condor quote.pdf](#)

**O. Resolution of Intent to form Community Facilities District No. 112 (The Gardens Phase One). [21-2055](#)**

1. Adopt **Resolution No. 2023-016**, 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. 2023-017**, of the City Council of the City of Fontana to Incur Bonded Indebtedness of the Proposed City of Fontana Community Facilities District No. 112 (The Gardens Phase One).

**Attachments:** [Resolution of Intent](#)  
[Resolution to Incur Bonded Indebtedness](#)  
[Proposed Boundary Map](#)

**P. Consider Opting into Settlement Agreements with Distributors of Opioids, Walgreens Co., Walmart, Inc., and Cvs Health Corporation/Cvs Pharmacy, Inc., and Opioid Manufacturers Teva Pharmaceutical Industries Ltd. and Allergan Finance, LLC/Allergan Limited [21-2061](#)**

It is recommended that the City Council adopt **Resolution 2023-018**, authorizing the City Manager to:

1. Opt into settlement agreement with opioid distributor, Walgreens Co., and direct the City Manager to execute any documents necessary to implement the action.
2. Opt into settlement agreement with opioid distributor, Walmart, Inc. and direct the City Manager to execute any documents necessary to implement the action.
3. Opt into settlement agreement with opioid distributor, CVS Health Corporation/CVS Pharmacy, Inc. and direct the City Manager to execute any documents necessary to implement the action.
4. Opt into settlement agreement with opioid manufacturer, Teva Pharmaceutical Industries Ltd., and direct the City Manager to execute

any documents necessary to implement the action.

5. Opt into settlement agreement with opioid manufacturer, Allergan Finance, LLC/Allergan Limited and direct the City Manager to execute any documents necessary to implement the action.

**Attachments:** [Fontana -- Resolution Opting into 2022 National Opioid Settlements-c1.doc](#)  
[Exhibit A - Walgreens Settlement Agreement-c1.pdf](#)  
[Exhibit B - Walmart Settlement Agreement-c1.pdf](#)  
[Exhibit C - CVS Settlement Agreement-c1.pdf](#)  
[Exhibit D - Teva Settlement Agreement-c1.pdf](#)  
[Exhibit E - Allergan Settlement Agreement-c1.pdf](#)  
[Exhibit F - Sample CA Allocation Agreement-c1.pdf](#)  
[Exhibit G - Sample Participation Agreement-c1.pdf](#)

**Approve Consent Calendar Items as recommended by staff.**

## **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 Tuesday, March 28, 2023, at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.