

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Regular Agenda

WORKSHOP - 5:30 P.M.

REGULAR MEETING - 7:00 P.M.

Ord. No. 1926 Reso. No. 2023-097

Tuesday, September 26, 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 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.

Traducción en Español disponible a petición. Favor de notificar al Departamento "City Clerk". Para mayor información, favor de marcar el número (909) 350-7602.

WORKSHOP:**A. City Council Workshop**

5:30 P.M. City Council Workshop

A. 1. Park & Trail Discussion/ Needs Assessment.

[21-2494](#)

CALL TO ORDER/ROLL CALL:**A. Call To Order/Roll Call:****INVOCATION/PLEDGE OF ALLEGIANCE:****A. Invocation/Pledge of Allegiance:****PROCLAMATION:****A. Proclamation****A. 1. Mayor Warren and City Council to proclaim September 26, 2023, as Human Resources Professional Day (Director of Human Resources and Risk Management Rakesha Voss to present).**

[21-2485](#)

SPECIAL PRESENTATIONS:**A. Special Presentations**

- A. 1. Mayor and City Council to recognize local Fontana Athletes of World Cup, Maryrose Ortiz and Destinea Aguiree. [21-2486](#)**
- 2. Special Recognition of Fontana PONY Baseball Leagues.**
- 3. Mayor Warren and City Council to recognize Officer Shaun Pisani, Lead Property Control Clerk Yvonne Jimenez, Property Clerks Stefanie Cendejas-Otzoy, Diane Kimball and Community Service Officer David Martinez as August Employees of the month (Captain Angela Stover and Police Administrative Support Service Manager Michelle Blank to present).**
- 4. Mayor Warren and City Council to recognize Human Resources and Risk Management Department Employee of the Year: Melvin Alegado, Senior Human Resources Analyst (Human Resources and Risk Management Director Rakesha Voss 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.

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- A. Approval of Minutes [21-2487](#)**
Approve the minutes of the September 12, 2023, City Council Meeting.
Attachments: [City Council Meeting Minutes 9-12-2023.pdf](#)
- B. Second Amendment to the City Manager Employment Agreement between the City of Fontana and Matthew C. Ballantyne. [21-2311](#)**
Approve the Second Amendment to the City Manager Employment Agreement between the City of Fontana and Matthew C. Ballantyne.
Attachments: [Second Amendment to City Manager Employment Agreement for Council 09/12/2023](#)
- C. Final Acceptance of the Police Facility Fence Installation Project [21-2391](#)**
Accept as complete the work performed by J & A Engineering Corp. for the construction of the Police Facility Fence Installation Project (#37600021) and approve the final construction amount of \$369,687.37 (SB-03-DE-23).
Attachments: [Vicinity Map.pdf](#)
- D. Accept a Carbon Reduction Program (CRP) Grant for San Sevaine Trail Phase 1-Segment 2 Project [21-2402](#)**
Approve and authorize the City Manager to accept the CRP Grant in the amount of \$2,721,400 for the San Sevaine Trail Phase 1-Segment 2 Project, and authorize staff to request reimbursements to grant requirements.
Attachments: [SCAG Agenda Recommending Award](#)
- E. Declare City Property to be Public Right of Way and Accept the Property into the City Street System [21-2410](#)**
Adopt **Resolution No. 2023-097**, declaring the Subject Property as public right of way, and pursuant to Section 1806 of the Streets and Highways Code, to be accepted by the City of Fontana into the City Street system
Attachments: [File 21-2410 Resolution.docx](#)
[Exhibit A.pdf](#)
[Figure 1.pdf](#)

F. Approve Measure I Five-Year Capital Project Needs Analysis Amendment and Annual Adoption [21-2465](#)

Adopt **Resolution No. 2023-098**, approving an amendment to the Fiscal Years 2023/2024 - 2027/2028 Measure I Five Year Capital Project Needs Analysis (CPNA) and adopting the Measure I Five Year CPNA for Fiscal Years 2024/2025 - 2028/2029.

Attachments: [CPNA Resolution No. 2023-XX](#)
[FINAL 2024-2028 Amended CPNA .pdf](#)
[FINAL of 2025-2029 New CPNA .pdf](#)

G. 2024 ABC Grant [21-2467](#)

1. Approve an ABC Grant in the amount of \$23,990.00 to increase the department's proactive efforts of ABC education and enforcement. The funding will be used for the current employee's salary, operation, and equipment
2. Authorize the Chief of Police to sign the agreement between the Department of Alcoholic Beverage Control and the Fontana Police Department for the total amount of \$23,990.00.
3. Approve the expenditure plan for the use of the funds to help offset the cost of personnel within the Police Department
4. Approve to increase revenues and appropriation in the amount of \$23,990.00 to project #40100003-301-A.

Attachments: [23-APP16 std213.pdf](#)
[Exhibits.pdf](#)

H. Police Department Monthly Information Update [21-2473](#)

Accept the Police Department monthly information update for August 2023.

Attachments: [August 2023 Report for City Council Rev.pptx](#)

I. Fontana Chamber of Commerce - Contract Renewal [21-2484](#)

Approve and authorize the City Manager to execute a contractual services agreement between the City of Fontana and the Fontana Chamber of Commerce in the amount of \$50,000.

Attachments: [Fontana Chamber Contract. Final.pdf](#)

**J. Authorize City to enter into Regional Contract with the [21-2502](#)
Inland Empire Utilities Agency (IEUA)**

Authorize the City to enter into a regional contract with the Inland Empire Utilities Agency (IEUA) for the transmission, treatment, and disposal of sewage delivered by contracting agencies.

Attachments: [2023.08.09 - REGIONAL SEWER CONTRACT DRAFT FINAL FOR SIGNATURE.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 5:00 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. Quarterly Lien Action for Delinquent Sewer, Rubbish and [21-2476](#)
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. 2023- 099**, 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.

Attachments: [Public Hearing Notice - Rubbish](#)
[Public Hearing Notice - Sewer](#)
[Public Hearing Notice - Weed Abatement](#)
[Weed Abatement Resolution September 2023](#)

- B. Master Case No. 23-062 and Appeal No. 23-016: Appeal of the Planning Commission's decision to uphold the Director of Planning's approval of Administrative Site Plan No. 22-028 and Minor Use Permit No. 22-007, for the request to install a new wireless telecommunications facility consisting of a 75' mono-palm with 14 antennas, supporting equipment, and an equipment enclosure of 347 square feet total, pursuant to CEQA determinations. [21-2407](#)**

Based on the information in the staff report and subject to the attached Findings, staff recommends that the City Council:

1. Deny Appeal No. 23-016, thereby upholding the decision of the Planning Commission and Director of Planning approving Administrative Site Plan No. 22-028 and Minor Use Permit No. 22-007, for the request to install a new wireless telecommunications facility consisting of a 75' mono-palm with 14 antennas, supporting equipment, and an equipment enclosure of 347 square feet total.
2. Direct staff to prepare, execute, and file a CEQA Notice of Exemption with the County Clerk, as appropriate, within five (5) working days of the Council's final action on Administrative Site Plan No. 22-028 and Minor Use Permit No. 22-007.

Attachments: [Attachment No. 1 - Uniform Appeal Letter from Appellant](#)
[Attachment No. 2 - Vicinity Map](#)
[Attachment No. 3 - Director's Approval Packet.pdf](#)
[Attachment No. 4 - Planning Commission Packet](#)
[Attachment No. 5 - Notice of Public Hearing](#)
[Attachment No. 6 - AT&T's Response Letter](#)

NEW BUSINESS:

- A. New Business**

A. Issuance of Special Tax Bonds for CFD #100 (Victoria) [21-2474](#)

Adopt **Resolution No. 2023-100**, of the City Council of the City of Fontana authorizing the issuance of City of Fontana Community Facilities District No. 100 (Victoria) Special Tax Bonds, Series 2023, in an aggregate principal amount of not to exceed \$6,000,000, 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.

Attachments: [Resolution](#)
[Indenture](#)
[Continuing Disclosure Agreement](#)
[Bond Purchase Agreement](#)
[Preliminary Official Statement](#)
[Appraisal Report](#)

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 October 10, 2023 at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.