

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Regular Agenda

Next: Ord. No. 1875 Reso. No. 2021-093

Tuesday, September 14, 2021

7:00 PM

Grover W. Taylor Council Chambers

City Council Meeting

Acquanetta Warren - Mayor
Phillip W. Cothran - Mayor Pro Tem
John B. Roberts - Council Member
Jesus "Jesse" Sandoval - Council Member
Peter A. Garcia - Council Member
Tonia Lewis - 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, the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335 is wheelchair accessible, and a portable microphone is available. 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.

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

- (A) Air Quality Presentation (Phil Burum, Deputy City Manager to present); [21-828](#)
- (B) Agenda Review, and
- (C) City Manager Comments

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. 6:00 P.M. CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a) [21-819](#)
Case: Misty Solberg vs. City of Fontana Workers' Compensation (Compromise and Release)
Claim Number: 08100003

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6

City Negotiator: Mark Denny, City Manager and Rakesha Thomas,
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; and Management/Confidential Employees

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Sierra Club v. City of Fontana, et al. San Bernardino Superior Court Case No. CIVSB2121605; and
People of the State of California v. City of Fontana, et al. San Bernardino Superior Court Case No. CIVSB2121829

PUBLIC EMPLOYEE APPOINTMENT pursuant to Government Code section 54957: Interim City Manager

CALL TO ORDER/ROLL CALL:

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

INVOCATION/PLEDGE OF ALLEGIANCE:

- A. Fontana Police Department Chaplain Valerie Torres/ Pledge of Allegiance

PROCLAMATION:

- A. Mayor Warren and City Council to Proclaim September as National Preparedness Month (Emergency Services Officer Aminah Mears to present). [21-860](#)

- B. Mayor Warren and City Council to Proclaim September 28, 2021 as National Voter Registration Day (Deputy City Clerk Ashton Gout to present).

SPECIAL PRESENTATIONS:

- A. Mayor Warren and City Council to recognize Officer Ryan Windell and Records Specialist Ruby Landin as the Police Department's July 2021 Employees of the Month (Captain Stover and Captain Burton to present). [21-872](#)

PUBLIC COMMUNICATIONS:

This is an opportunity for citizens to speak to the City Council for up to 3 minutes on items not on the Agenda, but within the City Council's jurisdiction. 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. The Council is prohibited by law from discussing or taking immediate action on non-agendized items.

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. Does any member of the public wish to address the City Council regarding any item on the Consent Calendar before the vote is taken?

A. Approval of Minutes [21-822](#)

Approve the minutes of the July 27, 2021 Regular City Council Meeting, July 28, 2021 and August 26, 2021 Special City Council Meetings.

Attachments: [7-27-2021 City Council Meeting Minutes - DRAFT](#)
[7-28-2021 Special City Council Meeting Minutes - DRAFT](#)
[8-26-2021 Special City Council Meeting Minutes - DRAFT](#)

B. Adoption of Ordinance No.1873 [21-823](#)

Second Reading/Adopt **Ordinance No. 1873**, an Ordinance of the City Council of the City of Fontana, approving Specific Plan Amendment No. 21-004, to amend development standards within Planning Area 6 of the Ventana Specific Plan that include modifications to site layout, increased building height, monumentation unit size, and parking standards within the 11.6 acre site.

Attachments: [Ordinance No. 1873 - Ventana Specific Plan](#)

C. Adoption of Ordinance No.1874 [21-824](#)

Second Reading/Adopt **Ordinance No. 1874**, an Ordinance of the City Council of the City of Fontana, approving an amendment to Chapter 30 (Zoning and Development Code) of the Fontana Municipal Code to include flexibility in the application of the Zoning and Development Code standards in order to remove housing constraints for individuals with disabilities.

Attachments: [Ordinance No. 1874 - Zone Code Amendment to Chapter 30 Exhibit A](#)

D. Accept Donations for the National Night Out Event [21-865](#)

Accept monetary and gift donations from multiple donors for the 2021 National Night Out Event with a total value of \$2,900.00 and cash amount in \$600.00.

Attachments: [Donation List for Council Approval](#)

E. Acceptance of Final Map for Tract No. 20224 [21-815](#)

Approve the Final Map for Tract No. 20224 located north of Duncan Canyon Road and east of Citrus Avenue; accept as public dedicated streets and easements; and authorize the City Manager to enter into a Subdivision Agreement with the subdivider.

Attachments: [Tract Map](#)
[Vicinity Map](#)

F. Final Acceptance of Landscape Improvements along the East side of Sierra Avenue from Terra Vista Drive to Segovia Lane (Sierra Crest) Project [21-778](#)

Accept as Complete the Work Performed by Kasa Construction, Inc. for the Construction of the Landscape Improvements along the east side of Sierra Avenue from Terra Vista Drive to Segovia Lane (Sierra Crest) Project and approve the final construction amount of \$617,150.49. (SB-99-DE-20)

Attachments: [Vicinity Map](#)

G. Final Acceptance of the Redwood Avenue Sewer Project [21-821](#)

1. Accept as complete the work performed by Kana Pipeline for the construction of the Redwood Sewer Project.

2. Adopt **Resolution No. 2021-_____**, accepting the sewer in Redwood Avenue from Washington Avenue to Slover Avenue as part of the City's Sewer System.

Attachments: [Redwood Avenue Resolution](#)
[Vicinity Map](#)

H. Approve Amendment No. 1 to a Professional Services Agreement for the Foothill Boulevard from Hemlock Avenue to Almeria Avenue Street Improvement (Malaga Bridge) Project [21-793](#)

1. Approve and authorize the City Manager to execute Amendment No. 1 to a Professional Services Agreement with T.Y. Lin International for Engineering Services for the Foothill Boulevard from Hemlock Avenue to Almeria Avenue Street Improvement (Malaga Bridge) Project (SQ-04-DE-19) in the amount of \$129,375.00 for a total contract amount of \$1,847,198.00.

2. Appropriate \$88,270.00 from Measure I Arterial Program Fund No. 245 with the required match of \$41,730.00 from Circulation Mitigation Fund No. 630.

Attachments: [Vicinity Map](#)
[Amendment No. 1](#)

I. Approve a Resolution Adjusting the Development Impact Fees [21-799](#)

Approve **Resolution No. 2021-_____**, Adjusting the Development Impact Fees

Attachments: [Resolution-Development Impact Fee Update](#)

J. Approve Amendment No. 2 to the Common Use Agreement for the Monarch Hills Project [21-813](#)

Approve and authorize the City Manager to execute Amendment No. 2 to the Common Use Agreement (CUA) 03-299 with San Bernardino County Flood Control District for the Monarch Hills Project.

Attachments: [Amendment No. 2](#)
[Vicinity Map](#)

K. Approve the Measure I Five Year Local Street Capital Project Needs Analysis for Fiscal Years 2022/2023 - 2026/2027 [21-855](#)

Adopt **Resolution No. 2021-_____**, adopting the Measure I Five Year Local Street Capital Project Needs Analysis (CPNA) for Fiscal Years 2022/2023 - 2026/2027.

Attachments: [Resolution](#)
[CPNA](#)

L. Authorize the purchase of a Haaker Equipment H.D. Industries Pro-Patch TCM-500-100-DHER [21-826](#)

Authorize the Purchasing Office to "Piggy-Back" on the Houston-Galveston Area Council (H-GAC) purchasing program (Contract No.SM 10-20) for the purchase of one (1) new H.D. Industries TCM-500-100-DER Patch Truck.

Attachments: [Quote](#)

M. Award Contracts for Street Signs and Supplies SB-56-PW-21 [21-862](#)

Award of contract to Safeway Sign Company and Main Street Signs & Supplies for the purchase of various signs and supplies. The term shall be for two (2) years with three (3) one-year extensions at the City's sole discretion.

Attachments: [Bid Results Safeway Sign Company Bid - SB-56-PW-21](#)
[Bid Results Main Street Signs Bid - SB-56-PW-21](#)
[Project Report Bid Details SB-56-PW-21](#)

N. Award a Construction Contract for the Foothill Boulevard at Alder Avenue Curb Ramp Project [21-853](#)

1. Award and authorize the City Manager to execute a construction contract with Gentry General Engineering, Inc. for the construction of the Foothill Boulevard at Alder Avenue Curb Ramp Project in the amount of \$233,440.68 and authorize a 10% contingency in the amount of \$23,344.07 (Bid No. SB-01-DE-22).

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 Foothill Boulevard at Alder Avenue Curb Ramp Project.

3. Appropriate \$230,000.00 from Local Measure I Fund No. 246 to the Foothill Boulevard at Alder Avenue Curb Ramp Project No. 3370.

Attachments: [Vicinity Map](#)

[Bid Results](#)

[Bid Detail](#)

O. Department of Alcoholic Beverage Control (ABC) 21-22 Multi - Program Mini Grant [21-734](#)

1. Approve an ABC Grant in the amount of \$26,545 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 \$26,545; and

3. Approve the expenditure plan for the use of the funds to help offset the cost of Personnel within the Police Department.

4. Increase expenditures and revenues in the amount of \$26,545 in the Grant Fund #301 - ABC Grant Budget Unit #30140340.

Attachments: [Exhibits](#)

P. Resolution of Intent to form Community Facilities District No. 107 (Highland) [21-854](#)

1. Adopt **Resolution No. 2021-__** 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. 2021-__** of the City Council of the City of Fontana to Incur Bonded Indebtedness of the Proposed City of Fontana Community Facilities District No. 107 (Highland).

Attachments: [Resolution of Intent](#)
[Resolution to Incur Indebtedness](#)

Q. 2021 Police Department Donations [21-733](#)

Accept monetary and gift donations from multiple donors including community programs, businesses, and citizens.

Attachments: [2021 PD Donations](#)

Approve Consent Calendar Item as recommended by staff.

PUBLIC HEARINGS:

To speak on Public Hearing Items, submit comments via e-mail at publiccomments@fontana.org. 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. Fontana Hyundai - Operating Covenant Agreement [21-846](#)

1. Approve **Resolution No. 2021-_____** of the City Council of the City of Fontana, California, accepting the economic development subsidy report prepared pursuant to government code section 53083 regarding an operating covenant agreement by and between the City of Fontana and Fontana Automotive Services East, Inc.
2. Approve the operating covenant agreement between the City of Fontana and Fontana Automotive Service East, Inc.
3. Authorize the City Manager to execute any documents necessary or appropriate to effectuate said approvals and/or agreements.

Attachments: [Fontana Hyundai OCA Resolution](#)
[Fontana Hyundai Operating Covenant Agreement \(OCA\)](#)
[Fontana Hyundai - Economic Development Subsidy Report](#)

B. Consolidated Annual Performance Evaluation Report (CAPER) [21-867](#)

1. Conduct a public hearing for the Consolidated Annual Performance and Evaluation Report (CAPER) prepared for the U.S. Department of Housing & Urban Development to report on specific Federal housing assistance and community development activities undertaken by the City of Fontana during Fiscal Year 2020-2021; and

2. Authorize the City Manager to execute any documents necessary to submit the CAPER, along with any comments received during the public hearing and public comment period, to the Department of Housing & Urban Development.

Attachments: [CAPER 2020-2021](#)

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

ADJOURNMENT:

A. Adjournment

To the 2021 League of California Cities Annual Conference in Sacramento, California from September 22-24, 2021, then to the next Regular City Council Meeting on Tuesday, September 28, 2021, at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.