

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Regular Agenda

Ord. No. 1904 Reso. No. 2022-112

Tuesday, September 13, 2022

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.

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

CLOSED SESSION:

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

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 ITEMS:

- A. CONFERENCE WITH LEGAL COUNSEL: Pending Litigation** [21-1658](#)
Government Code Section 54956.9(d)(1)
Name of Case: Marroush v. Goodland, et al.
Case Number: CIVDS2011421

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6
City Negotiator: Matt Ballantyne, City Manager and Rakesha Thomas, Director of Human Resources and Risk Management
Employee Organization(s): Executive Management Team (Non-Represented);
Management/Confidential (COU); Police Benefits Associations (PBA);
Teamsters 1932; City Hall; Public Works

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0191-161-02
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: Mike Hoch
Under Negotiating: Price and Terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0191-161-29
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: Van Blarcom Family Trust
Under Negotiating: Price and Terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0228-301-50 and 0228-021-46
City Negotiator: Phil Burum, Deputy City Manager
Negotiating Parties: Lamar Central Outdoor, LLC
Under Negotiation: Price and terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0191-161-17 and 0191-161-28
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: Jose Torres and Beatriz Reyes
Under Negotiating: Price and Terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0191-162-09

City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: Vincent Hall
Under Negotiating: Price and Terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0191-162-18
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: Eva Sandoval
Under Negotiating: Price and Terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0191-163-27
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: Doris Purola and Carole Peacock
Under Negotiating: Price and Terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0191-162-21
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: American Legion Steele Towne Post 77
Under Negotiating: Price and Terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0191-162-13 & 0191-162-40
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: Kim Family Trust
Under Negotiating: Price and Terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0191-162-07
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: Luisa A Antigua
Under Negotiating: Price and Terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov. Code section 54956.8)
Property: APN # 0191-162-06
City Negotiator: Phillip Burum, Deputy City Manager
Negotiating Party: Lancet Contracting Inc.
Under Negotiating: Price and Terms of payment

CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation

(Gov. Code section 54956.9(d)(2).)
Potential Case: One matter

CALL TO ORDER/ROLL CALL:

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

INVOCATION/PLEDGE OF ALLEGIANCE:

- A. Invocation/Pledge of Allegiance

PROCLAMATION:

- A. Proclamation

- A. A. Mayor Warren and City Council to proclaim the month of September as National Preparedness Month (Emergency Manager Aminah Mears to present). [21-1659](#)

- B. Mayor Warren and City Council to proclaim the month of September as Senior Center Month (Community Services Supervisor Douglas Johnson to present).

- C. Mayor Warren and City Council to proclaim September 24, 2022, as National Public Lands Day (Community Services Coordinator Jordan Gionet to present).

- D. Mayor Warren and City Council to proclaim September 26, 2022, as Human Resources Professional Day (Director of Human Resources and Risk Management Rakesha Thomas to present).

SPECIAL PRESENTATIONS:

- A. Special Presentations

- A. A. Mayor Warren and City Council to recognize Department of Innovation and Technology's Employees of the Year: Allen Fincher, Infrastructure Team; Angel Gonzales, Development Team; Dylan Mansfield, Service Desk Team; Elias Rex, GIS Team; and Stephen Pendleton, Business Analyst Team (Director of Innovation and Technology Jennifer Barcenas to present).** [21-1661](#)
- B. Mayor Warren and City Council to recognize Human Resources and Risk Management Department Employee of the Year: Taylor Starling, Human Resources Specialist / Police Department Liaison (Human Resources and Risk Management Director Rakesha Thomas to present).**
- C. Mayor Warren and City Council to swear in new Fontana Police Officer John Isaacs (Chief Green 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.

A. Approval of Minutes [21-1662](#)

Approve the minutes of the July 26, 2022, Regular City Council Meeting and the August 25, 2022, Special City Council Meeting.

Attachments: [Council Meeting July 26, 2022.pdf](#)
[Special City Council - August 25, 2022.pdf](#)

B. Approve Task Order for the Fontana Sewer Master Plan Update Project [21-1598](#)

1. Approve and authorize the City Manager to execute a Task Order in the amount of \$478,502 with Albert A. Webb Associates, Inc. for Engineering services for the Fontana Sewer Master Plan Update Project, request for proposal SQ- 87-DE-19-32.
2. Approve and authorize the use of funds in the amount of \$424,870 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 Task Order.

Attachments: [Master Plan of Sewers Update 11x17.pdf](#)
[Sewer Master Plan Fee.pdf](#)
[Sewer Master Plan Scope.pdf](#)

C. Approve Task Order for the Fontana Storm Drain Master Plan Update Project [21-1603](#)

1. Approve and authorize the City Manager to execute a Task Order in the amount of \$375,130 with David Evans and Associates, Inc. for engineering services for the Fontana Storm Drain Master Plan Update Project, request for proposal SQ- 87-DE-19-33.
2. Approve and authorize the use of funds in the amount of \$375,130 in Fund 302, Org 3023600 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 Task Order.

Attachments: [Current Master Storm Drain Plan 11x17.pdf](#)
[Storm Drain Master Plan Scope and Fee.pdf](#)
[Reclaimed and Ground Water Recharge Scope and Fee.pdf](#)

D. Adoption of Ordinance No. 1897 (Second Reading) [21-1667](#)

Second Reading/Adopt **Ordinance No. 1897**, Approving Zone Change No. 21-002, To Amend The Zoning District Map Designation From General Commercial (C-2) To Light Industrial (M-1) For Approximately 4.49 Acres Located At The Northeast Corner Of Sierra Avenue And Summit Avenue (APN 1118-041-06).

Attachments: [Ordinance No. 1897.pdf](#)
[Written Correspondence \(1\).pdf](#)
[Written Correspondence \(2\). pdf](#)

E. Adoption of Ordinance No. 1900 (Second Reading) [21-1668](#)

Second Reading/Adoption of **Ordinance No. 1900**, an Ordinance of the City Council of the City of Fontana, approving Development Agreement No. 22-001 for a public benefit fee.

Attachments: [Ordinance 1900.docx](#)
[Written Correspondence \(1\). pdf](#)
[Written Correspondence \(2\).pdf](#)

F. Adoption of Ordinance No. 1901 (Second Reading) [21-1610](#)

Second Reading / Adopt **Ordinance No. 1901**, an Ordinance of the City Council of the City of Fontana, approving a Zoning District Map amendment to change the zoning on one parcel from Community Commercial (C-1) to Medium Density Residential (R-2).

Attachments: [Ordinance 1901.docx](#)

G. Adoption of Ordinance No. 1902 (Second Reading) [21-1665](#)

Second Reading / Adoption of **Ordinance No. 1902**, An Ordinance of the City Council of the City of Fontana Approving Specific Plan Amendment No. 21-001, An Amendment to the Ventana at Duncan Canyon Specific Plan to Modify and Update the Overall Specific Plan by Establishing New Planning Areas and Updating Specific Plan Development Standards. The Proposed Specific Plan Amendment Will Establish Six (6) New Planning Areas (Labeled as Pa1, Pa2, Pa3, Pa4, Pa5, And Pa6) With Four Different Zoning Classifications Which Include Medium Density Residential, High Density Residential, Mixed-Use, And Commercial.

Attachments: [Ordinance 1902.docx](#)
[Written Correspondence \(1\). pdf](#)

H. Adoption of Ordinance No. 1903 (Second Reading) [21-1666](#)

Second Reading/Adoption of **Ordinance No. 1903**, An Ordinance of The City Council of City of Fontana, Approving Specific Plan Amendment 21-007 To Amend Planning Area 12 Comprising Approximately 9 Gross Acres of The Citrus Heights North Specific Plan (APN 1107-262-37) To Allow Development of Single-Family Residential Units.

Attachments: [Ordinance 1903.docx](#)

I. Facility Use Agreement with Citrus Development [21-1617](#)

Authorize City Manager to sign a facility use agreement with Citrus Development for use of a 28,000 square foot banquet hall at the northwest corner of Citrus Avenue and South Highland Avenue.

Attachments: [Use Agreement - Citrus and South Highland Banquet Hall.docx](#)

J. Adopt a Resolution Summarily Vacating Portions of Lytle Creek Road North of Duncan Canyon Road and South Highland Avenue West of Oleander Avenue [21-1621](#)

Adopt **Resolution No. 2022-112**, Summarily Vacating a portion of real property located north of Duncan Canyon Road, along what is commonly referred to as Lytle Creek Avenue; and a portion of real property located west of Oleander Avenue, along what is commonly referred to as South Highland Avenue, pursuant to the Streets and Highways Code, finding that adequate consideration exists for the transfer of property, once vacated, to the landowner of both parcels adjacent to the property.

Attachments: [Resolution No. 2022-112.pdf](#)

K. Declaring Surplus Land - A Portion of Lytle Creek Road North of Duncan Canyon Road [21-1656](#)

Approve **Resolution No. 2022-114**, declaring that a portion of Lytle Creek Road North of Duncan Canyon Road as "Exempt Surplus Land" pursuant to the Surplus Land Act, Government Code Section 54221 Et Seq.

Attachments: [Resolution 2022-114.pdf](#)

L. Police Department Monthly Information Update [21-1627](#)

Accept the Police Department monthly information update for July 2022.

Attachments: [July 2022 Report for City Council.pptx](#)

M. Approve the Measure I Five-Year Capital Project Needs Analysis for Fiscal Years 2023/2024 - 2027/2028 [21-1645](#)

Adopt **Resolution No. 2022-113**, adopting the Measure I Five Year Capital Project Needs Analysis (CPNA) for Fiscal Years 2023/2024 - 2027/2028.

Attachments: [Resolution 2022-113](#)
[2024-2028 CPNA](#)

N. Acceptance of Final Map for Tract No. 20382 [21-1646](#)

Approve the Final Map for Tract No. 20382 located south of Foothill Boulevard and west of Banana Avenue; accept easements; and authorize the City Manager to enter into a Subdivision Agreement with the subdivider.

Attachments: [Vicinity Map.pdf](#)
[Tract Map.pdf](#)
[Subdivision Improvement Agreement](#)

O. Award a Construction Contract for the Citrus Avenue at Chase Road Traffic Signal Project SB-08-DE-22 [21-1653](#)

1. Award and authorize the City Manager to execute a construction contract with California Professional Engineering for the construction of the Citrus Avenue at Chase Road Traffic Signal Project in the amount of \$713,980 and authorize a 10% contingency in the amount of \$71,398 (Bid No. SB-08-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 Citrus Avenue at Chase Road Traffic Signal Project.

Attachments: [Vicinity Map](#)
[Bid Results](#)
[Bid Detail](#)

P. Approve Federal Bureau of Investigation Inland Violent Crime Suppression Task Force Cost Reimbursement Agreement [21-1669](#)

1. Approve and authorize the Chief of Police to execute a State and Local Task Force Agreement between the Federal Bureau of Investigation (FBI) Inland Violent Crime Suppression Task Force (IVCSTF) and the Fontana Police Department.

2. Approve and authorize the Chief of Police to renew said contract annually as long as it remains in the best interest of the City of Fontana.

3. Increase revenue and expenditure budgets (10140231) in the amount of \$3,229.

Attachments: [FBI Inland Violent Crime Suppression Task Force Agreement.pdf](#)
[2022 FBI Reimbursement amount.pdf](#)

Q. Approve San Bernardino County District Attorney Victim Advocacy Services Agreement [21-1670](#)

1. Approve the Contract/Agreement between the San Bernardino County District Attorney's Office (Bureau of Victim Services) and the Fontana Police Department to provide Victim Advocacy Services to improve the health, welfare, and quality of life of victims of crime including children.

2. Authorize the City Manager and the Chief of Police or his assigned designee to sign the Agreement, all related documents, and any amendments to continue this cooperative agreement as long as it is in the best interest of the City of Fontana.

Attachments: [SB CO Victim Advocate Agreement.pdf](#)

R. Approve Crossing Guard Service Agreement between Fontana Unified School District, Etiwanda School District, and the City of Fontana [21-1671](#)

1. Approve Amendment No. 1 of the Crossing Guard Services Agreement with Fontana Unified School District (FUSD), Etiwanda School District (ESD), and the City of Fontana (COF) for a one-year (1) term renewing year two (2) of the contract at the new rate of \$27.35.

2. Approve a recurring appropriation from General Fund #101 to 10140352.8130 to provide for the annual contract increase over the prior year in the amount of \$150,260.00.

3. Approve a one-time appropriation in the amount of \$6,293.70 which is 50% of the cost for one additional site serviced during the 2021/2022 school year (540 hours at \$23.31 per hour = \$12,587.40).

Attachments: [FUSD Crossing Guard x 6 23.pdf](#)

S. Purchase and Sale Agreement - 8436 Sierra Avenue [21-1673](#)

1. Approve a Purchase & Sale Agreement for the sale of 8436 Sierra Avenue, APN # 01911311, located at the southwest corner of Sierra Avenue and Spring Street in Downtown Fontana.

2. Authorize the City Manager to execute any documents necessary or appropriate to effectuate said approvals and/or agreement.

Attachments: [Attachment No. 1 - Purchase and Sales Agreement](#)

T. Approve the Fontana Unified School District Police (FUSP) and the City of Fontana - Concurrent Jurisdiction [21-1674](#)

1. Approve a Memorandum of Understanding (MOU) between the Fontana Unified School District (FUSD) and the City of Fontana to have their respective Police Departments cooperate to the fullest extent possible within their statutory obligations and responsibilities to provide efficient police services to the citizens and students of the City of Fontana.

2. Authorize the City Manager and the Chief of Police or his assigned designee to sign the MOU, all related documents, and any amendments to continue this cooperative agreement as long as it is in the best interest of the City of Fontana.

Attachments: [FUSD and FPD Concurrent Jurisdiction.pdf](#)

U. Amendment of the Conflict-of-Interest Code for the City of Fontana, Pursuant to the Political Reform Act of 1974 [21-1663](#)

Adopt **Resolution No. 2022-115**, of the City Council of the City of Fontana, California, adopting and approving the amended Conflict-of-Interest Code for the City of Fontana, Pursuant to the Political Reform Act of 1974.

Attachments: [Reso 2022- 115.pdf](#)

[Attachment 1.pdf](#)

[Local Agency Biennial Notice.pdf](#)

V. Award a Professional Services Agreement for Geotechnical Engineering and Materials Testing Services for the Downtown Parking Structure Project SQ-07-DE-23. [21-1648](#)

1. Award and authorize the City Manager to execute a Professional Services Agreement in a not to exceed amount of \$271,518 with Ninyo & Moore Geotechnical and Environmental Sciences Consultants, Inc. for Geotechnical Engineering and Materials Testing Services for the Downtown Parking Structure Project, Request for Proposals SQ-07-DE-23.

2. Approve and authorize the City Manager to execute any future amendments to the Professional Services Agreement.

3. Approve and authorize the use of funds in the amount of \$271,518 from Fund 302 as part of the City's American Rescue Plan Act Expenditure Plan (ARPA) revenue loss category.

Attachments: [Scoring Matrix.pdf](#)

[Vicinity Map \(DTPS\).pdf](#)

- W. Memorandum of Understanding between the Federal Bureau of Investigation (FBI) and the Fontana Police Department** [21-1682](#)
1. Approve a Memorandum of Understanding (MOU) between the Federal Bureau of Investigation (FBI) and the Fontana Police Department.
 2. Authorize the Chief of Police (or his designee) to sign the MOU, all related documents, and any amendments to continue this cooperative agreement as long as it remains in the best interest of the City of Fontana.
- Attachments:** [CETF MOU ex 6-30-22.pdf](#)
- X. Approve the Agreement For Use of Range Facilities** [21-1683](#)
1. Approve and authorize the Chief of Police to execute the Operational Agreement and any amendments between San Bernardino County Sheriff's Department and the Fontana Police Department for use of range facilities for the period of August 1, 2022, through June 30, 2027, on a fee for service basis.
 2. Approve and authorize the Chief of Police to continue said services as long as they remain in the best interest of the City of Fontana.
- Attachments:** [Range Agreement 22 - 27.pdf](#)
- Y. Final Acceptance of the Village of Heritage Pool Deck Repair Project (MS-106-PW-22).** [21-1686](#)
1. Accept as complete the work performed by Masterseal Corporation for the Village of Heritage Pool Deck Repair project and approve the final construction cost of \$223,200.
 2. Authorize the City Engineer/Director of Public Works to file a notice of completion and release the 5% retention.
- Z. Final acceptance of Walnut Village Iron Fencing Removal and Installation Project (SB-56-PW-22)** [21-1687](#)
1. Accept as complete the work performed by J & A Engineering Corporation for the Walnut Village Iron Fencing Removal and Installation Project and approve the final construction cost of \$494,461.
 2. Authorize the City Engineer/Director of Public Works to file a Notice of Completion and release the 5% retention.

AA. Fiscal Year 2022-23 Gann Spending Limit [21-1680](#)

Adopt **Resolution No. 2022 - 116** , establishing an Appropriations Limit of \$337,778,231 pursuant to Article XIII(B) of the California Constitution for Fiscal Year 2022-23

Attachments: [FY 22-23 GANN Limit Calculation.pdf](#)
[Resolution No. 2022-116.pdf](#)

AB. Award Bid for Pool Chemicals (SB-10-PW-22). [21-1637](#)

Award bid and authorize the Purchasing Office to issue purchase orders for Pool Chemicals, SB-10-PW-22 for a period of two (2) years, renewable for three (3) one-year extensions at the City's sole discretion, for a total of \$152,420 per year for an aggregate amount not to exceed \$609,600 for the five (5) years.

1. SCP Distributors LLC dba Lincoln Aquatics, and
2. Waterline Technologies, Inc.,

Attachments: [Bid Recap Letter SB-10-PW-23.pdf](#)
[Notified Vendors - SB-10-PW-23.pdf](#)
[SCP Distributors LLC dba Lincoln Aquatics Bid - SB-10-PW-23.pdf](#)
[Waterline Technologies Inc Bid - SB-10-PW-23.pdf](#)

Approve Consent Calendar Items 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. Public Hearing and adoption of the Draft HOME-ARP Allocation Plan [21-1681](#)

1. Open a public hearing to receive public comments on the Draft HOME-ARP Allocation Plan and the proposed expenditure of HOME-ARP funds in compliance with the requirements of the U.S. Department of Housing and Urban Development (HUD) and the City's Citizen Participation Plan;
2. Direct staff to incorporate the public comments into the HOME-ARP Allocation Plan;
3. Review and approve the HOME-ARP Allocation Plan in the amount of \$2,633,658; and
4. Authorize the City Manager or his designee to make necessary changes and submit the HOME-ARP Allocation Plan, execute documents related to the submission of the HOME-ARP Allocation Plan.
5. Authorize the City Manager, or City Manager's designee, to execute and transmit any documents necessary or desirable, including but not limited to purchase agreements that may include acquisitions costs up to the full amount of the allocated funds, to facilitate the timely administration of the HOME ARP Acquisition, Rehabilitation, and Rental Program including but not limited to property purchase agreements.

Attachments: [City of Fontana Substantial Amendment HOME-ARP Allocation Plan DRAFT.pdf](#)

B. Public Hearing for Consolidated Annual Performance Evaluation Report (CAPER) and Adoption of the Community Development Block Grant-CARES Act (CDBG-CV) Substantial Amendment [21-1625](#)

1. Conduct a public hearing for the Consolidated Annual Performance and Evaluation Report 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 2021-2022; and
2. Conduct a public hearing for the adoption of the Community Development Block Grant-CARES Act (CDBG-CV) funding Action Plan Substantial Amendment prepared for the U.S. Department of Housing & Urban Development; and
3. Authorize the City Manager to execute and transmit any documents necessary to submit the Consolidated Annual Performance and Evaluation Report and Community Development Block Grant-CARES Act (CDBG-CV) Substantial Amendment, along with any comments received during the public hearing and public comment period, to the Department of Housing & Urban Development.

Attachments: [Fontana CAPER Draft 8.29.22.pdf](#)

[CARES Act Substantial Amendment Fontana 092022.pdf](#)

C. **Public Hearing on Formation of Community Facilities District No. 111 (Monterado)** [21-1692](#)

1. Adopt **Resolution No. 2022-117**, of the City Council of the City of Fontana of formation of the City of Fontana Community Facilities District No. 111 (Monterado), authorizing the levy of a special tax within the community facilities district and establishing an appropriations limit for the community facilities district.

2. Adopt **Resolution No. 2022-118**, of the City Council of the City of Fontana deeming it necessary to incur bonded indebtedness within the City of Fontana Community Facilities District No. 111 (Monterado).

3. Adopt **Resolution No. 2022-119**, of the City Council of the City of Fontana calling special election for City of Fontana Community Facilities District No. 111 (Monterado).

4. Adopt **Resolution No. 2022-120**, of the City Council of the City of Fontana declaring results of special election and directing the recording of notice of special tax lien.

5. Read by title only and waive further reading of and introduce **Ordinance No. 1904** levying special taxes within the City of Fontana Community Facilities District No. 111 (Monterado); and that the reading of the title constitutes the first reading thereof.

6. Adopt **Resolution No. 2022- 121**, of the City Council of the City of Fontana authorizing the execution and delivery of a Letter of Credit Agreement and an Acquisition and Funding Agreement.

Attachments: [Resolution of Formation - Reso. No. 2022-117](#)

[Resolution To Incur Bonded Indebtedness - Reso. No. 2022-118](#)

[Resolution Calling Special Election - Reso. No. 2022-119](#)

[Resolution Declaring Results - Reso. No. 2022-120](#)

[Ordinance Levying Special Taxes - Ord. No. 1904](#)

[Resolution Authorizing Letter of Credit and Funding Agreement - Reso. No. 2022-121](#)

[Notice of Special Tax Lien](#)

[Consent and Waiver](#)

[Letter of Credit Agreement](#)

[Acquisition and Funding Agreement](#)

[CFD Report](#)

**D. Public Hearing on Formation of Community Facilities [21-1693](#)
District No. 110M (Tract 16897)**

1. Adopt **Resolution No. 2022-122**, of the City Council of the City of Fontana Establishing Community Facilities District No. 110M of the City of Fontana, County of San Bernardino, State of California, and Establishing the Boundaries Thereof.
2. Adopt **Resolution No. 2022-123**, of the City Council of the City of Fontana Calling a Special Election and Submitting to the Voters of Community Facilities District No. 110M of the City of Fontana, County of San Bernardino, State of California, a Proposition with Respect to the Annual Levy of Special Taxes within said Community Facilities District to Pay the Costs of Certain Services to be provided by the Community Facilities District and a Proposition with Respect to the Establishment of an Appropriations Limit for said Community Facilities District.
3. Adopt **Resolution No. 2022-124**, of the City Council of the City of Fontana Declaring the Results of the Special Election for Community Facilities District No. 110M of the City of Fontana, County of San Bernardino, State of California, on the Propositions with Respect to (I) The Annual Levy of Special Taxes to Pay the Costs of Certain Services to be provided by the Community Facilities District and (II) The Establishment of an Appropriations Limit.
4. Read by title only, and waive further reading of and introduce **Ordinance No. 1905** Authorizing the Levy of a Special Tax within Community Facilities District No. 110M, that the reading of the Title constitutes the first reading thereof.

Attachments: [Exhibit A: Resolution Establishing Community Facilities District No. 110M](#)
[Exhibit B: Resolution Establishing Community Facilities District No. 110M](#)
[Exhibit A: Resolution Calling Special Election for Community Facilities District No. 110M](#)
[Ordinance Authorizing the Levy for Community Facilities District No. 110M](#)
[Exhibit A: Ordinance Authorizing the Levy for Community Facilities District No. 110M](#)
[Exhibit B: Ordinance Authorizing the Levy for Community Facilities District No. 110M](#)
[Report to City Council Regarding the Public Services Required for Community Facilities District No. 110M](#)
[CFD #110M Boundary Map](#)
[Resolution Establishing Community Facilities District No. 110M](#)
[Resolution Calling Special Election for Community Facilities District No. 110M](#)
[Resolution Declaring the Results of the Special Election for Community Facilities District No. 110M](#)

NEW BUSINESS:

A. American Rescue Plan Act Update [21-1688](#)

Approve revisions to the American Rescue Plan Act (ARPA) Expenditure Plan, including the leveraged projects, and authorize staff to move forward with projects.

Attachments: [Attachment A.pdf](#)
[Attachment B.pdf](#)

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, September 27, 2022, at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.