

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Regular Agenda

Ord. No. 1906 Reso No. 2022-125

Tuesday, September 27, 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.

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. Special Presentations

- A. **A. Mayor Warren and City Council to recognize Corporal Buddy Porch, Officer Christine Tomicic, Probation Officer Jazmyne White and Records Supervisor Vanessa Hernandez as the Fontana Police Department July 2022 Employees of the Month.** [21-1712](#)
- B. **Mayor Warren and City Council to recognize Corporal Thomas Moore, Corporal Luis Valenzuela, Officer Paul Contreras, Officer Shawn Cory, Officer Joshua MacMillian, Officer Kirsten Ryn, Officer Matthew Sherwood, Officer Christine Tomicic, and Secretary Michelle Jared as the Fontana Police Department August 2022 Employees of the Month.**

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** [21-1723](#)
Approve the minutes of the September 13, 2022, Regular City Council Meeting.
Attachments: [Council Meeting September 13, 2022.pdf](#)
- B. **Adoption of Ordinance No. 1904 (Second Reading)** [21-1724](#)
Second Reading/Adoption of **Ordinance No. 1904**, levying special taxes within the City of Fontana Community Facilities District No. 111 (Monterado).
Attachments: [Ordinance No. 1904](#)

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- C. Adoption of Ordinance No. 1905 (Second Reading) [21-1725](#)**
Second Reading / Adoption of **Ordinance No. 1905**, authorizing the levy of a Special Tax within Community Facilities District No. 110M.
Attachments: [Ordinance No. 1905](#)
- D. Police Department Monthly Information Update [21-1630](#)**
Accept the Police Department monthly information update for August 2022.
Attachments: [August 2022 Report for City Council \(2\).pptx](#)
- E. Approve Donations of Dog “Arrow” and Present and Future Accompanying K-9 Dog Equipment from Fontana Police K-9 Pals, a California Nonprofit Corporation. [21-1631](#)**
1. Approve the donation of the dog “Arrow” from Fontana Police K-9 Pals, a California nonprofit corporation, to the City of Fontana in order for “Arrow” to become part of the Fontana Police Department’s K-9 Unit.
 2. Approve present and future accompanying K-9 dog equipment from Fontana Police K-9 Pals to support the Fontana Police Department’s K-9 Unit operations.
- F. Approve Donations of Dog “Leo” and Present and Future Accompanying K-9 Dog Equipment from Fontana Police K-9 Pals, a California Nonprofit Corporation. [21-1632](#)**
1. Approve the donation of the dog “Leo” from Fontana Police K-9 Pals, a California nonprofit corporation, to the City of Fontana in order for “Leo” to become part of the Fontana Police Department’s K-9 Unit.
 2. Approve present and future accompanying K-9 dog equipment from Fontana Police K-9 Pals to support the Fontana Police Department’s K-9 Unit operations.

G. Award a Construction Contract for the Police Facility Fence Installation Project [21-1649](#)

1. Award and authorized the City Manager to execute a construction contract with J & A Engineering Corp. for the construction of the Police Facility Fence Installation Project in the amount of \$358,275.44 and authorize a 10% contingency in the amount of \$35,827.54 (Bid No. SB-03-DE-23).

2. Appropriate \$75,000.00 from PD Capital Facilities Fund 636 to the Police Facility Fence Installation Project No. 36000021.

3. 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 Police Facility Fence Installation Project.

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

H. Approve Release of K-9 Unit Dog “Wyatt” and Accompanying K-9 Equipment to his Handler Casey Mutter [21-1691](#)

Approve contract No. MS-69-PD-23 between the City of Fontana and Casey Mutter to release K-9 dog “Wyatt” and accompanying K-9 dog equipment, including a kennel, transportation kennel, custom fit muzzle, dogloo, and two leashes, to him.

Attachments: [Agreement to Release K-9 to MUTTER.docx](#)

I. Approve Release of K-9 Unit Dog “Axl” and Accompanying K-9 Equipment to his Handler Bradley Terwilliger [21-1697](#)

Approve contract No. MS-70-PD-23 between the City of Fontana and Bradley Terwilliger to release K-9 dog “Axl” and accompanying K-9 dog equipment, including a kennel, transportation kennel, custom fit muzzle, dogloo, and two leashes, to him.

Attachments: [Agreement to Release K-9 to Terwilliger.docx](#)

J. 2021 Homeland Security Grant (HSGP) [21-1708](#)

1. Accept the 2021 Homeland Security Grant Program subrecipient award in the amount \$40,451 from the Office of Homeland Security.
2. Authorize the Chief of Police or his designee to sign all related grant documents including extensions or modifications for the grant; and expend funds as outlined in the grant agreement.
3. Approve allocation of funds in the amount of \$40,451 in the Grant Fund #301, Project 40200003 - 2021 Homeland Security Grant

Attachments: [FY21 Authorization to Spend Letter - Signed.pdf](#)
[2- FY21 HSGP Law Jurisdiction Allocation.pdf](#)

K. Fontana Police Department to Accept 2002 Pierce Heavy Rescue Vehicle [21-1710](#)

1. Accept 2002 Pierce Heavy Rescue Vehicle (VIN #1K9AF4283YN058185) donation from the San Bernardino County Fire Protection District.
2. Approve a recurring appropriation from the General Fund in the amount of \$12,670 to cover the Operating & Maintenance costs associated with this vehicle.

Attachments: [SBCFPD City Council.pdf](#)

L. Pre-annexation Agreement No. 22-001, between the City of Fontana and Inland Senior Development, LLC Investments, for the provision of sewer service to a 112-Unit Multi-Family Condominium Project located South of Foothill Boulevard, on the West side of Banana Avenue. [21-1716](#)

1. Find that the project is Exempt pursuant to Section No. 15268(b)(4) (Ministerial Project, Utility Connection) of the California Environmental Quality Act (CEQA) and, direct staff to file a Notice of Exemption; and,
2. Approve and authorize the City Manager to execute a Pre-annexation Agreement (No. 22-001) with Inland Senior Development, LLC investments, for the provision of sewer service to a 112-unit multi-family condominium project located south of Foothill Boulevard, on the west side of Banana Avenue.

Attachments: [Attachment No. 1 - Vicinity Map](#)
[Attachment No. 2 - Notice of Exemption](#)
[Attachment No. 3 - Final Pre-Annexation Agreement Inland](#)

**M. Fontana Police Helicopter Service Contract Implementing [21-1721](#)
AS350B2**

1. Approve a Service Agreement between HeliSafe, LLC, a Limited Liability Corporation, and the Fontana Police Department

2. Authorize the City Manager (or his designee) to sign the Service Agreement, all related documentation, and any amendments to continue this cooperative agreement as long as it is in the best interest of the City of Fontana.

Attachments: [HeliSafe year 2 cost sheet with AS350B2.docx](#)

N. Purchase & Sale Agreement - Downtown Fontana Property [21-1738](#)

1. Approve a Purchase & Sale Agreement for the purchase of two parcels of land located on the Spring Street, east of Juniper Avenue in Downtown Fontana, more specifically described as APN #0191-161-17 and #0191-161-28.

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 Sale Agreement](#)

**O. Final Acceptance of the Village of Heritage Pool Deck Repair [21-1686](#)
Project (MS-106-PW-22).**

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.

**P. Estoppel Certificate and Assignment Agreement for Ventana at [21-1751](#)
Duncan Canyon**

Approve Estoppel Certificate and Assignment Agreement for Ventana at Duncan Canyon and authorized the City Manager to enter into said agreement.

Attachments: [Estoppel Certificate Agreement 005\(28058230.1\) \(1\).pdf](#)
[Assignment and Assumption Agreement 003\(28058305.1\).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. Quarterly Lien Action for Delinquent Sewer, Rubbish and [21-1715](#)
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. 2022-125**, 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: [Weed Abatement Resolution September 2022](#)
[Public Hearing Notice - Rubbish](#)
[Public Hearing Notice - Sewer](#)
[Public Hearing Notice - Weed Abatement](#)

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 11, 2022, at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.