

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Minutes

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

CALL TO ORDER/ROLL CALL:

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

The Regular Meeting of the Fontana City Council was held on Tuesday, September 27, 2022, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California, 92335. Mayor Warren called the meeting to order at 7:03 p.m.

ROLL CALL:

PRESENT: Mayor Warren, Mayor Pro Tem Garcia, Council Members Cothran, Roberts and Sandoval

ABSENT: None

City Clerk McClellan Key and City Treasurer Koehler-Brooks were also in attendance.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Fontana Police Department Chaplain Valerie Torres led the invocation, followed by Council Member Roberts who led the pledge of allegiance.

SPECIAL PRESENTATIONS:

A. Special Presentations

A.

[21-1712](#)

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.

Mayor Warren and City Council recognized the July 2022 Employees of the Month.

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.

Mayor Warren and City Council recognized the August 2022 Employees of the Month.

PUBLIC COMMUNICATIONS:

A. Public Communications

No public communications were received.

CONSENT CALENDAR:

ACTION: Motion was made by Council Member Cothran, seconded by Mayor Pro Tem Garcia, to adopt and approve Consent Calendar Items "A-P" by an unanimous roll call vote. The motion carried as follows: AYES: Warren, Garcia, Cothran, Roberts, and Sandoval; NOES: None; ABSTAIN: None

- A.** Approval of Minutes [21-1723](#)
Approve the minutes of the September 13, 2022, Regular City Council Meeting.
- 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).
- 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.
- D.** Police Department Monthly Information Update [21-1630](#)
Accept the Police Department monthly information update for August 2022.
- 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.
- 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.
- 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.
- 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
- 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.
- 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.
- M.** Fontana Police Helicopter Service Contract Implementing AS350B2 [21-1721](#)

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.
- 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.
- O.** 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.
- P.** Estoppel Certificate and Assignment Agreement for Ventana at Duncan Canyon. [21-1751](#)
- Approve Estoppel Certificate and Assignment Agreement for Ventana at Duncan Canyon and authorized the City Manager to enter into said agreement.

PUBLIC HEARINGS:

- A.** Quarterly Lien Action for Delinquent Sewer, Rubbish and Weed Abatement Accounts [21-1715](#)

Mayor Warren opened the public hearing.

City Clerk McClellan Key noted for the record that no written correspondence were received on this item.

Accountant II Lisa Conlon provided the staff report.

Mayor Warren closed the public hearing as there were no members of the public present who wished to speak in favor or opposition of the item.

ACTION: Motion was made by Council Member Sandoval, seconded by Council Member Roberts, to approve and adopt Public Hearing Item 'A' by a unanimous roll call vote as follows:

- 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.

The motion carried as follows: AYES: Warren, Garcia, Cothran, Roberts, and Sandoval; NOES: None; ABSTAIN: None

CITY MANAGER COMMUNICATIONS:

A. City Manager Communications

City Manager Ballantyne thanked the Community Services Department for recent community events and thanked the volunteers for their contributions to the community.

ELECTED OFFICIALS COMMUNICATIONS/REPORTS:

A. Elected Officials Communications/Reports

City Treasurer Koehler Brooks congratulated the employees of the month; recognized the hardwork that the handlers and k-9's do for the community; and closed with wishing City Clerk McClellan Key a Happy belated birthday.

City Clerk Key commented on recently attended community events and congratulated the employees of the month.

Council Member Cothran thanked and recognized the volunteers and commented on recently attended community events.

Mayor Pro Tem Garcia thanked and recognized the volunteers and commented on recently attended community events.

Council Member Sandoval commented on the K-9's recognized and commented on recently participation for senior baseball.

Council Member Roberts thanked and recognized the volunteers; commented on recently attended community events; and commented on recent fire in Jurupa Valley that may have affected some community members.

Mayor Warren commented on recently attended events; Mayor's Leadership Conference in Miami, FL; National Nonpartisan Voter Education in Houston, TX; attendance at the Leven Gala; made a shout out to the Mayor's Youth Advisory Council for attending the recent Hispanic Heritage Event; highlighted Fontana Walk's - Let's Move on the Trail event; and closed with asking the audience and community to stand in silence and in prayer for family.

ADJOURNMENT:

A. Adjournment

Mayor Warren adjourned the meeting in a moment of silence for those to pray upon their families and communities.

The meeting was adjourned by Mayor Warren at 7:50 p.m. 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.

Ashton R. Arocho, MMC
Deputy City Clerk

THE FOREGOING MINUTES WERE ADOPTED AND APPROVED BY THE FONTANA CITY COUNCIL ON OCTOBER 11, 2022.

Germaine McClellan Key
City Clerk