

# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335



## Minutes

**Tuesday, February 14, 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 McClellan Key - City Clerk*  
*Janet Koehler-Brooks, City Treasurer*

**CLOSED SESSION:**

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

A Closed Session was held in the Executive Conference Room at 6:02 p.m. located at 8353 Sierra Avenue, Fontana, CA 92335, with all members of the City Council present.

**PUBLIC COMMUNICATION - CLOSED SESSION:**

**A. Public Communications - Closed Session**

There were no public communications received for the following items:

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

(Gov. Code Section 54956.9(d)(1))

Name of case: Samir Marroush v. David Michael Goodland, City of Fontana, et al.

Case #: CIVDS2011421

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

(Gov. Code Section 54956.9(d)(4))

Initiation of Litigation: One Potential Case

**PUBLIC EMPLOYEE APPOINTMENT**

(Gov. Code Section 54957(b)(1))

Title: Police Chief

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

(Gov. Code section 54956.9(d)(1))

David Moore/Andrew Anderson, et al. v. City of Fontana, et al.,

San Bernardino County Superior Court

Case No. CIVDS 1610471

**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 in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, CA 92335, on Tuesday, February 14, 2023. Mayor Warren called the meeting to order at 7:06 p.m.

**ROLL CALL:**

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

Absent: None

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

**INVOCATION/PLEDGE OF ALLEGIANCE:**

**A. Invocation/Pledge of Allegiance:**

Following the invocation led by Summit Water of Life Church Henry Allen, the pledge of allegiance was led by Council Member Sandoval.

**CLOSED SESSION ANNOUNCEMENT**

City Attorney Duran reported that the Mayor and City Council met on the four items listed on the Closed Session agenda, provided direction to staff and took no reportable action.

**SPECIAL PRESENTATIONS:****A.**[21-1998](#)

A. Mayor Warren and City Council to recognize outgoing Planning Commissioner Matthew Gordon and outgoing Parks, Community and Human Services Commissioner's Ricardo Quintana and Anahi Perez (Mayor Warren to present).

Mayor Warren and the City Council recognized and thanked outgoing Commissioners Gordon and Quintana for their years of service and commitment to the community.

Outgoing Commission Perez was not in attendance.

B. Mayor Warren and City Council to recognize Sergeant's Brandon Bowie and Kyle Guthrie; Corporal Tyler Burton; Officer's Andrew Davis, Nolan Falconieri, Adrian Garcia, Jose Morales, and Alex Yanez as the Fontana Police Department 2022 Employees of the Year (Captain Burton to present).

Mayor Warren and the City Council assisted Captain Burton in recognizing the 2022 Employees of the Year. Officer's Davis and Morales were not in attendance.

C. Mayor Warren to swear in Officers Nathaniel Beltran, Albert Charco Jr., Dominick Delgado-Oramas, Benjamin Eguabor, Cassandra Gonzalez, Gustavo Lazcano, Cipriano Lopez, Manuel Munoz, Kyrha Radford, and Brian Zozaya (Chief Green to present).

Mayor Warren administered the oath of office to the newly sworn in Officers.

D. Police Chief Green to present the Police Department 2022 Annual Report.

Chief Green provided the Mayor and City Council with the 2022 Annual Report presentation and answered questions of the Council.

**PUBLIC COMMUNICATIONS:****A. Public Communications**

The following individual spoke under public communications:

1. Kristine Scott, representative of SoCal Gas, provided a brief update on the gas increase for customers.

**CONSENT CALENDAR:**

**ACTION: Motion was moved by Council Member Cothran, seconded by Council Member Roberts, to approve Consent Calendar Items 'A-I'. The motion carried by a roll call vote of 5-0, with the exception of Consent Calendar Item 'H' with a roll call vote of 4-1 (Noes: Sandoval). The motion carried as follows: AYES: Warren, Garcia, Cothran, Roberts, and Sandoval; NOES: None; ABSTAIN: None**

- A.** Approval of Minutes [21-1992](#)  
Approve the minutes of the January 24, 2023, Regular City Council Meeting
- B.** Amend Administrative Policy 20-13, Public Records Policy to the City of Fontana's Administrative Policy and Procedures. [21-1959](#)  
Adopt **Resolution 2023-008** of the City of Fontana, amending Administrative Policy Section 20-13 (Public Records).
- C.** Award bid for Classification and Compensation Study Services (SP-04-HR-23) for Human Resources [21-1962](#)
1. Award bid (SP-04-HR-23) and authorize the City Manager to execute a contract with Public Sector Personnel Consultants for the amount of not to exceed \$250,000 for the Classification and Compensation Study.
  2. Approve and authorize the City Manager to execute any future amendments to the contract.
- D.** Approve Replacement of Securities for Tract No. 20230 Located East of Palmetto Avenue and North of Merrill Avenue [21-1988](#)  
Approve replacement of securities for infrastructure improvements of Tract No. 20230 and authorize the City Manager to enter into a Subdivision Agreement with HMZ Holdings, LLC for construction of infrastructure improvements.
- E.** Final Acceptance of Sierra Avenue and Segovia Lane Offsite Improvements for Tract No. 18944 Located East of Sierra Avenue and North of Segovia Lane [21-1772](#)
1. Accept as complete the Sierra Avenue and Segovia Lane offsite improvements for Tract No. 18944.
  2. Adopt **Resolution No. 2023-009**, accepting sewer in Sierra Avenue for Tract 18944 as part of the City sewer system.
- F.** Approve Replacement of Securities for Tract No. 16898 Located South of Merrill Avenue and East of Catawba Avenue [21-1989](#)  
Approve replacement of securities for infrastructure improvements of Tract No. 16898 and authorize the City Manager to enter into a Subdivision Agreement with Citrus Merrill, LLC for construction of infrastructure improvements.
- G.** Conveyance Agreement - Homeless Prevention and Resource Center property (APNs: 0232-171-09, -12, -13, -14 and 0232-171-05, -06, -07, and -08); and make findings of exemption under the California Environmental Quality Act (CEQA). [21-2002](#)
1. Approve the agreement by and between Calmat Co and the City of Fontana for the conveyance to the City of Fontana of approximately 3.6 acres of land located at the southwest corner of Tokay Avenue and Arrow Blvd.

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

**H.** Agreement for Exchange of Real Property and Joint Escrow Instructions - NH Southridge LLC ; and make findings of exemption under the California Environmental Quality Act (CEQA). [21-1993](#)

1. Approve an Agreement for Exchange of Real Property and Joint Escrow Instructions with NH Southridge LLC for Assessor Parcel Number 0237-411-13 and find the approval is not a “project” requiring review under CEQA, or, in the alternative, is subject to the common-sense exemption from CEQA.

2. Authorize the City Manager to execute any documents necessary or appropriate to execute the Agreement for Exchange of Real Property and Joint Escrow Instructions; and,

3. Determine that the City Council’s actions are exempt from CEQA

**I.** Award bid for Third Party Administrator for Workers’ Compensation Program [21-1999](#)

1. Award bid (SP-90-HR-22) and authorize the City Manager to execute a contract with JT2 Integrated Resources for annual claim administration and medical review.

2. Approve and authorize the City Manager to execute any future amendments to the contract.

3. Adopt **Resolution No. 2023-010**, Awarding the Contract for Third Party Administrator Services.

## **CITY MANAGER COMMUNICATIONS:**

### **A. City Manager Communications**

City Manager Ballantyne thanked Police Chief Green for a great 2022 Annual Report presentation; recognized Deputy City Manager Burum for his work on the Homeless Prevention and Resource Center project; announced upcoming 2023 State of the City address; and announced upcoming community events.

## **ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

### **A. Elected Officials Communications/Reports**

City Treasurer Koehler-Brooks congratulated the newly sworn in officers and congratulated the 2022 Employees of the Year (Rapid Response Team).

City Clerk Key congratulated the newly sworn in officers; congratulated the 2022 Employees of the Year (Rapid Response Team); thanked Chief Green for the Annual Report presentation; announced recent attendance at community events; and wished everyone a Happy Valentine's Day.

Council Member Roberts announced the recent passing of former employee, Judy Mills and thanked Chief Green for the Annual Report presentation.

Council Member Sandoval thanked Chief Green for the Annual Report presentation and wished his wife, Mary, a Happy Valentine's Day.

Council Member Cothran congratulated the newly sworn in officers; announced upcoming Nascar race at the Fontana Speedway; encouraged residents to download the Fontana App; and wished everyone a Happy Valentine's Day.

Mayor Pro Tem Garcia made a comment on the recent hiring of 10 officers; congratulated the newly sworn in officers; thanked Fire Chief Birchfield for a recent meet and greet tour at Station 71; and discussed recent meeting with local restaurant owners and the impact illegal street vendors are having on our businesses.

Mayor Warren commented on local restaurant owners and the impact illegal street vendors are having on our businesses; recognized February as Black History Month; announced upcoming community events; wished everyone a Happy Valentine's Day; commented on recently attended community events; announced the recent appointment of resident Matt Slowick as a San Bernardino County Planning Commissioner; thanked Congressional 33rd District representative Pete Aguilar, Congresswoman Norma Torres, and Senator Alex Padilla for their efforts and partnership with Fontana; commented on upcoming events with the Mayor's Education Coalition: Makers, Movers, Healers and Helpers (MMHH); and announced the following individuals that the meeting will adjourn in their memory: Arielle Diamond Anderson, Alex Verner, and Brian Fraser, three students killed in the active shooting at Michigan State University, former Fontana City Council Member Bill Kragness, longtime resident Debra Gilbert.

## **ADJOURNMENT:**

### **A. Adjournment**

Mayor Warren adjourned the meeting in memory of the following individuals: Arielle Diamond Anderson, Alex Verner, and Brian Fraser, three students killed in the active shooting at Michigan State University, former Fontana City Council Member Bill Kragness, longtime resident Debra Gilbert, and Master Developer of the Norton Airspace John Magness. Mayor and City Council stood in a moment of silence.

Mayor Warren adjourned the meeting at 8:17 p.m. to the upcoming 2023 State of the City Address on February 16, 2023, at 5:00 p.m. located at Water of Life Church at 7625 East Ave, Fontana, CA, and to the next Regular City Council Meeting on February 28, 2023, at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

*Ashton Arocho*

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Ashton R. Arocho, MMC  
Deputy City Clerk

THE FOREGOING MINUTES WERE ADOPTED AND APPROVED BY THE FONTANA CITY COUNCIL AT THE REGULAR MEETING OF FEBRUARY 28, 2023.

*Germaine Key*

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Germaine Key  
City Clerk