

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
February 19, 2019**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, February 19, 2019, at the Ontario City Hall, 303 East B Street, Ontario, California.

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council and Housing Authority meetings to order at 6:31 p.m.

PRESENT: Mayor/Chairman: Paul S. Leon
Mayor pro Tem/Vice Chairman Ruben Valencia
Council/Authority Members: Alan D. Wapner and
Debra Dorst-Porada

ABSENT: Council/Authority Members: Jim W. Bowman

Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran and City Clerk/Secretary Sheila Mautz.

The Pledge of Allegiance was led by Council Member Dorst-Porada.

The Invocation was provided by *Pastor John Heary*, representing Turning Point International Ministries.

PUBLIC COMMENTS

C.C. Vest, representing the Greater Ontario Business Council, thanked the City Council for its support of Vision 2019 and provided highlights of the Greater Ontario Business Council's 2018 accomplishments. She reminded the Council to save the date for the Annual Police Recognition Luncheon on May 14, 2019.

Parker Worth, expressed his discontentment with the dog park at Whispering Lakes Golf Course. Mayor Leon referred him to Assistant City Manager Boling to address his concerns.

Gable Schoenfelder noted an unnamed street near K-1 Speed, where he races go karts. He detailed the location and his efforts to have the street named "Gable", and requested assistance. Mayor Leon referred him to Executive Director of Development Murphy.

Luis Juarez, Vero Alvarado and Fernando Romero introduced themselves as representing the Justice Hub. They detailed their work with unions and immigrant workers and looked forward to working with the City Council for improved working conditions.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa advised that there were no additions or announcements.

CONSENT CALENDAR

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Wapner and carried by unanimous vote of those present, with Council Member Bowman absent to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

City Council approved the Minutes for the regular meetings of the City Council and Housing Authority of January 1 and January 15, 2019, as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period December 16, 2018 through January 12, 2019, in the amount of \$16,916,935.02 and **Payroll** for the period December 16, 2018 through January 12, 2019, in the amount of \$7,084,892.11, when audited by the Finance Committee.

3. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19877 LOCATED AT THE NORTHEAST CORNER OF HOLT BOULEVARD AND VIRGINIA AVENUE

City Council adopted a resolution approving an improvement agreement, improvement security and Final Parcel Map No. 19877 located at the northeast corner of Holt Boulevard and Virginia Avenue.

RESOLUTION NO. 2019-007 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19877 LOCATED AT THE NORTHEAST CORNER OF HOLT BOULEVARD AND VIRGINIA AVENUE.

4. A CONSTRUCTION CONTRACT FOR THE PARCO AVENUE AND PLAZA SERENA/GRANADA COURT STORM DRAIN PROJECTS

City Council approved the plans and specifications and awarded a construction contract to C.P. Construction Co., Inc. of Ontario, California, for the Parco Avenue and Plaza Serena/Granada Court Storm Drain Projects (SM1702 and SM1602) in the bid amount of \$2,792,015 plus a fifteen percent (15%) contingency of \$418,802 for a total authorized expenditure of \$3,210,817; and authorized the City Manager to execute said contract and related documents, and file a Notice of Completion at the conclusion of all construction activities.

5. AGREEMENTS FOR THE SR-60 AT ARCHIBALD AVENUE INTERCHANGE PROJECT

City Council approved:

- (A) Amendment No. 2 to Cooperative Agreement R14138 with San Bernardino County Transportation Authority (SBCTA) for funding the State Route 60 (SR-60) at Archibald Avenue Interchange Project (Project); and authorized the City Manager to execute said agreement and future amendments within the authorization limits; and
- (B) A Baseline Agreement with SBCTA and the State of California to include Trade Corridor Improvement Funds (TCIF) to the SR-60 at Archibald Avenue Interchange Project; and authorized the City Manager to execute said agreement and future amendments within the authorization limits; and
- (C) A Freeway Maintenance Agreement with the State of California for improvements along SR-60; and authorized the Mayor and City Manager to execute said agreement and future amendments within the authorization limits.

6. RESOLUTIONS UPDATING AUTHORIZED DEPUTY CITY TREASURERS

City Council adopted resolutions amending the list of Deputy City Treasurers authorized to invest City funds in the Local Agency Investment Fund (LAIF) and in other eligible investment securities.

RESOLUTION NO. 2019-008 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, PROVIDING FOR THE INVESTMENT OF INACTIVE FUNDS IN THE LOCAL AGENCY INVESTMENT FUND OF THE CALIFORNIA STATE TREASURY AND HEREBY RESCINDING RESOLUTION NO. 2018-154.

RESOLUTION NO. 2019-009 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE INVESTMENT OF CITY FUNDS AND HEREBY RESCINDING RESOLUTION NO. 2018-155.

7. FISCAL YEAR 2018-19 MID-YEAR BUDGET UPDATE REPORT

City Council approved the budget adjustments and recommendations as listed in the Fiscal Year 2018-19 Mid-Year Budget Update Report.

8. A RESOLUTION TO APPROVE SALARY RANGES FOR THE APPOINTIVE POSITIONS OF FIRE CHIEF AND POLICE CHIEF

City Council adopted a resolution to approve base salary range adjustments for the Fire Chief and Police Chief positions to maintain the City's competitiveness in attracting and retaining highly qualified individuals and to minimize pay compaction; and to fix in accordance with Government Code Section 36506 the compensation of these appointive positions by resolution.

RESOLUTION NO. 2019-010 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO APPROVE THE SALARY RANGES FOR APPOINTIVE POSITIONS OF FIRE AND POLICE CHIEF.

9. PROFESSIONAL DESIGN SERVICES AGREEMENT FOR EQUIPPING WELL NO. 43

City Council approved and authorized the City Manager to execute a Professional Design Services Agreement with Albert A. Webb Associates, Inc. of Riverside, California, for Equipping Well No. 43, OMUC Contract No. UT1024, in the amount of \$212,139, plus a 15% contingency of \$31,821, for a total amount of \$243,960.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared Resolution Nos. 2019-007, 2019-008, 2019-009 and 2019-010 unanimously adopted by those present, with Council Member Bowman absent.

PUBLIC HEARINGS

10. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA18-002) BETWEEN THE CITY OF ONTARIO AND COLONY COMMERCE ONTARIO EAST LP, TO ESTABLISH THE TERMS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 19904 (FILE NO. PMTT18-006) TO SUBDIVIDE 85 ACRES OF LAND INTO NINE NUMBERED LOTS AND SIX LETTERED LOTS FOR PROPERTIES BOUNDED BY MERRILL AVENUE TO THE NORTH, SAN BERNARDINO/RIVERSIDE COUNTY LINE TO THE SOUTH, ARCHIBALD AVENUE TO THE EAST, AND THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL TO THE WEST, AND LOCATED WITHIN THE BUSINESS PARK (PLANNING AREA 1) AND INDUSTRIAL (PLANNING AREA 2) LAND USE DESIGNATIONS OF THE COLONY COMMERCE CENTER EAST SPECIFIC PLAN (APNS: 0218-311-02, 0218-311-03, 0218-311-08, AND 0218-311-10)

City Council introduced and waived further reading of an ordinance approving a Development Agreement (File No. PDA18-002 between the City of Ontario and

Colony Commerce Ontario East LP, to establish the terms and conditions for the development of Tentative Parcel Map 19904 (File No. PMTT18-006).

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were no written communications.

Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Wapner and carried by unanimous vote of those present with Council Member Bowman absent to introduce and waive further reading of Ordinance No. 3126.

ORDINANCE NO. 3126 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT, FILE NO. PDA18-002, BETWEEN THE CITY OF ONTARIO AND COLONY COMMERCE ONTARIO EAST LP, TO ESTABLISH THE TERMS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 19904 (FILE NO. PMTT18-006) TO SUBDIVIDE 85 ACRES OF LAND INTO NINE NUMBERED LOTS AND SIX LETTER LOTS. THE PROPERTIES ARE BOUNDED BY MERRILL AVENUE TO THE NORTH, SAN BERNARDINO/RIVERSIDE COUNTY LINE TO THE SOUTH, ARCHIBALD AVENUE TO THE EAST, AND THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL TO THE WEST, AND LOCATED WITHIN THE BUSINESS PARK (PLANNING AREA 1) AND INDUSTRIAL (PLANNING AREA 2) LAND USE DESIGNATIONS OF THE COLONY COMMERCE CENTER EAST SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 0218-311-02, 0218-311-03, 0218-311-08, AND 0218-311-10.

11. A RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF A FEE INTEREST IN CERTAIN REAL PROPERTY LOCATED BETWEEN EUCLID AVENUE TO THE EAST, BETWEEN “D” STREET TO THE NORTH, “B” STREET TO THE SOUTH, AND LAUREL AVENUE TO THE WEST

City Council conducted a public hearing and adopted a Resolution of Necessity declaring that the acquisition of fee interests in certain real property, more particularly described as Assessor Parcel No.’s 1048-565-01 and 1048-565-03; 1048-565-02; 1048-566-01 and 1048-566-11; 1048-566-02; 1048-566-03; 1048-566-08, for infill affordable housing and public parking in the City of Ontario, California, which comports with the Downtown Ontario Mixed-Use District.

Notice of public hearing was mailed to the affected property owners and affidavits of compliance are on file in the Records Management Department.

There were no written objections, protests or requests to be received, heard or filed.

Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Wapner, seconded by Mayor pro Tem Valencia and carried by unanimous vote of those present, with Council Member Bowman absent to adopt Resolution Nos. 2019-011, 2019-012, 2019-013, 2019-014, 2019-015 and 2019-016.

RESOLUTION NO. 2019-011 A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF A FEE INTEREST IN CERTAIN REAL PROPERTY LOCATED ON C STREET AND EUCLID AVENUE, BETWEEN D STREET TO THE SOUTH AND LAUREL AVENUE ON THE WEST, MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NOS. 1048-565-03 AND 1048-565-01, FOR INFILL AFFORDABLE HOUSING AND PUBLIC PARKING PROJECT IN THE CITY OF ONTARIO, SAN BERNARDINO COUNTY, CALIFORNIA.

RESOLUTION NO. 2019-012 A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF A FEE INTEREST IN CERTAIN REAL PROPERTY LOCATED ON C STREET, BETWEEN EUCLID AVENUE ON THE EAST AND LAUREL AVENUE ON THE WEST, MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 1048-565-02, FOR INFILL AFFORDABLE HOUSING AND PUBLIC PARKING PROJECT IN THE CITY OF ONTARIO, SAN BERNARDINO COUNTY, CALIFORNIA.

RESOLUTION NO. 2019-013 A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF A FEE INTEREST IN CERTAIN REAL PROPERTY LOCATED ON D STREET, BETWEEN EUCLID AVENUE TO THE EAST, AND LAUREL AVENUE TO THE WEST, MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NOS. 1048-566-01 AND 1048-566-11, FOR INFILL AFFORDABLE HOUSING AND PUBLIC PARKING PROJECT IN THE CITY OF ONTARIO, SAN BERNARDINO COUNTY, CALIFORNIA.

RESOLUTION NO. 2019-014 A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF A FEE INTEREST IN CERTAIN REAL PROPERTY LOCATED ON D STREET, BETWEEN EUCLID AVENUE TO THE EAST, AND LAUREL AVENUE TO THE WEST, MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 1048-566-02, FOR INFILL AFFORDABLE HOUSING AND PUBLIC PARKING PROJECT IN THE CITY OF ONTARIO, SAN BERNARDINO COUNTY, CALIFORNIA.

RESOLUTION NO. 2019-015 A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF A FEE INTEREST IN CERTAIN REAL PROPERTY LOCATED ON D STREET BETWEEN EUCLID AVENUE TO THE EAST, AND LAUREL AVENUE TO THE WEST, MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 1048-566-03, FOR INFILL AFFORDABLE HOUSING AND PUBLIC PARKING PROJECT IN THE CITY OF ONTARIO, SAN BERNARDINO COUNTY, CALIFORNIA.

RESOLUTION NO. 2019-016 A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF A FEE INTEREST IN CERTAIN REAL PROPERTY, WHICH IS A PARKING LOT LOCATED ALONG THE ALLEY BETWEEN B STREET TO THE NORTH, AND C STREET TO THE SOUTH, EUCLID AVENUE TO THE EAST, AND LAUREL AVENUE TO THE WEST, MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 1048-556-08, FOR INFILL AFFORDABLE HOUSING AND PUBLIC PARKING PROJECT IN THE CITY OF ONTARIO, SAN BERNARDINO COUNTY, CALIFORNIA.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

12. A RESOLUTION AUTHORIZING THE ISSUANCE OF MULTIFAMILY HOUSING BONDS AND RELATED BOND DOCUMENTS FOR THE ACQUISITION AND REHABILITATION OF ONTARIO TOWNHOUSES, LOCATED AT 1360 EAST D STREET

City Council approved a resolution authorizing the issuance of multifamily housing revenue bonds in an amount not to exceed \$25,200,000 for the purpose of financing the acquisition and rehabilitation of Ontario Townhouses, approving and authorizing the execution and delivery of any and all documents necessary to issue the bonds and implement the resolution, and ratifying and approving any action heretofore taken in connection with the bonds.

MOTION: Moved by Council Member Dorst-Porada, seconded by Mayor pro Tem Valencia and carried by unanimous vote of those present, with Council Member Bowman absent to adopt Resolution No. 2019-017.

RESOLUTION NO. 2019-017 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF MULTIFAMILY HOUSING REVENUE BONDS RELATED TO THE FINANCING OF ONTARIO TOWNHOUSES APARTMENTS, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS, AND APPROVING ACTIONS IN CONNECTION THEREWITH.

STAFF MATTERS

City Manager Ochoa had no announcements, but introduced Deputy Fire Chief Andres for a presentation.

“Sound the Alarm – Save A Life”/Pulsepoint

Deputy Chief Andres detailed the Pulsepoint app for smart phones, as a new way of partnering technology with community engagement. Mayor Leon questioned the applicability of the Good Samaritan Law. Deputy Chief Andres indicated that as long as there was no gross negligence, there was no reason for concern on the part of the public rendering aid to those in medical need. He stressed that survivability is greatly increased by performing CPR.

Emergency Manager Cheung noted upcoming CERT training May 17 to May 19, 2019. He also noted the “Sound the Alarm” program at the Lamplighter Mobile Home Community. He reminded residents to register for the Alert Ontario program to get notifications from the City.

COUNCIL MATTERS

Council Member Dorst-Porada noted that Kaiser Permanente has started a program which will offer four years of free tuition to their medical school for qualified individuals, starting in June of 2020.

Council Member Wapner had no comments.

Mayor pro Tem Valencia congratulated the Ontario team for kicking off the Ontario Youth Activities League. He detailed the planned activities for low income individuals in the community. He stressed the importance of taking the kids seriously as they will be the next leaders.

Mayor Leon noted the funeral for Planning Commissioner Richard Delman today, commenting that he was a wonderful man, full of integrity and honesty and a reflection of the true American spirit.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:02 p.m. in memory of Planning Commissioner Richard Delman and announced the next regular meetings to be held on Tuesday, March 5, 2019

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN