

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
September 3, 2019**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, September 3, 2019, at the Ontario City Hall, 303 East B Street, Ontario, California.

CLOSED SESSION

Mayor Leon called the City Council and Housing Authority Meetings to order at 5:30 p.m., with all members present.

Mayor Leon announced the matter of potential litigation for discussion, as listed on the agenda and inquired whether persons were present who wished to speak to the Closed Session items. Hearing no one, the City Council recessed to Closed Session at 5:31 p.m. for discussion of the following:

- GC 54956.9 (d)(4), CONFERENCE WITH LEGAL COUNSEL, POTENTIAL INITIATION OF LITIGATION: *Two cases.*

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council and Housing Authority meetings to order at 6:30 p.m.

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

ABSENT: Council/Authority Members: None

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

CLOSED SESSION REPORT

City Attorney Huber advised that there was no reportable action.

The Pledge of Allegiance was led by Mayor pro Tem Valencia.

The Invocation was provided by *Pastor David Gaunt*, representing Sunrise Church.

PUBLIC COMMENTS

Raymond Cheung, Emergency Manager, highlighted the “Leaders in Preparedness Academy” and introduced the first twenty-four graduates of the program who took photographs with the City Council.

Jason Gladden, Nestle Water Operations Director, representing the Greater Ontario Business Council, noted the Business Council’s concerns about emergency preparedness from the perspective of business continuation and recovery and their recognition of National Preparedness Month. He stressed the importance of having an emergency plan in place.

Dr. Henry D. Shannon, Superintendent/President of Chaffey College, spoke on behalf of the College’s elected Board of Directors and requested a joint meeting with the Board and City Council to discuss their proposed campus in Ontario as contemplated by Measure P.

Jennifer Shaw, representing SCE, commented on their Wildfire Mitigation Plan. She noted that wildfires have devastated the State and stressed that their top priority is the safety of their customers and employees.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa indicated that there were no additions or announcements to the agenda.

CONSENT CALENDAR

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

1. APPROVAL OF MINUTES

City Council approved the Minutes for the regular meeting of the City Council and Housing Authority of August 6, 2019, as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period July 26, 2019 through August 8, 2019, in the amount of \$5,708,630.49 and **Payroll** for the period July 21, 2019 through August 3, 2019, in the amount of \$3,516,178.20, when audited by the Finance Committee.

3. A PROFESSIONAL SERVICES AGREEMENT FOR SPECIAL COUNSEL LEGAL SERVICES/BEST BEST & KRIEGER

City Council approved a professional services agreement with Best Best & Krieger, of Riverside, California, to provide special counsel legal services; and authorized the City Manager to execute said agreement.

4. CONSIDERATION OF A REQUEST TO TRANSFER THE TOWING CARRIER PERMIT OF DIETZ TOWING, INC. TO ARMADA TOWING, INC.

City Council considered and approved a request to transfer the towing carrier permit held by Dietz Towing, Inc. ("Dietz") to Armada Towing Inc. ("Armada").

5. A PROFESSIONAL SERVICES AGREEMENT WITH SCOTT FAZEKAS AND ASSOCIATES, INC. FOR BUILDING PLAN REVIEW AND BUILDING INSPECTOR SERVICES

City Council approved and authorized the City Manager to execute a three-year professional services agreement with Scott Fazekas & Associates, Inc. of Irvine, California, for building plan check and building inspector services for an estimated amount of \$650,000 for FY2019-20, and \$750,000 per year for FY2020-21 and FY2021-22; and authorized the City Manager to extend the agreement for up to two additional one-year periods in amounts consistent with City Council approved budgets for each respective fiscal year.

6. AN ORDINANCE APPROVING A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT (FILE NO. PDA17-001) BETWEEN THE CITY OF ONTARIO AND RONALD AND KRISTINE PIETERSMA FAMILY TRUST AND LOYOLA PROPERTIES I L.P., TO MODIFY CERTAIN PROVISIONS RELATED TO THE SECOND INSTALLMENT OF THE PHASE 2 WATER PARTICIPATION FEE, FOR TENTATIVE PARCEL MAP 19787 (FILE NO. PMTT16-021), LOCATED AT THE SOUTHEAST CORNER OF ONTARIO RANCH ROAD AND ARCHIBALD AVENUE, WITHIN THE HIGH DENSITY RESIDENTIAL (PLANNING AREAS 7 AND 8) LAND USE DESIGNATION OF THE GRAND PARK SPECIFIC PLAN (APN: 0218-241-32)

City Council considered and adopted an ordinance approving the First Amendment to the Development Agreement (File No. PDA17-001) between the City of Ontario and Ronald and Kristine Pietersma Family Trust and Loyola Properties I L.P., to modify certain provisions related to the second installment of the Phase 2 Water Participation Fee, for Tentative Parcel Map 19787 (File No. PMTT16-021). Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on August 20, 2019.

ORDINANCE NO. 3141 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT (FILE NO. PDA17-001) BETWEEN THE CITY OF ONTARIO AND RONALD AND KRISTINE PIETERSMA FAMILY TRUST AND LOYOLA PROPERTIES I L.P., TO MODIFY CERTAIN PROVISIONS RELATED TO THE SECOND INSTALLMENT OF THE PHASE 2 WATER PARTICIPATION FEE, FOR TENTATIVE PARCEL MAP 19787 (FILE NO. PMTT16-021), LOCATED AT THE SOUTHEAST CORNER OF ONTARIO RANCH ROAD AND ARCHIBALD AVENUE, WITHIN THE HIGH DENSITY RESIDENTIAL (PLANNING AREAS 7 AND 8) LAND USE DESIGNATION OF THE GRAND PARK SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF— APN: 0218-241-32.

7. A PROFESSIONAL SERVICES AGREEMENT WITH BUCKNAM INFRASTRUCTURE GROUP, INC. FOR THE UPDATE OF THE CITY'S PAVEMENT MANAGEMENT PROGRAM

City Council approved a five-year Professional Services Agreement with Bucknam Infrastructure Group, Inc. of Oceanside, California, to provide engineering consultant services for the City's Pavement Management Program at an estimated annual amount of \$45,000, for a total five-year not-to-exceed amount of \$225,000; and authorized the City Manager to execute said agreement and future amendments within the authorization limits.

8. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 17931 LOCATED AT THE NORTHEAST CORNER OF EUCALYPTUS AVENUE AND MILL CREEK AVENUE

City Council adopted a resolution approving an improvement agreement, improvement security and Final Tract Map No. 17931 located at the northeast corner of Eucalyptus Avenue and Mill Creek Avenue within the Esperanza Specific Plan.

RESOLUTION NO. 2019-128 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 17931 LOCATED AT THE NORTHEAST CORNER OF EUCALYPTUS AVENUE AND MILL CREEK AVENUE.

9. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 17933 LOCATED AT THE NORTHEAST CORNER OF BELLEGRAVE AVENUE AND MILL CREEK AVENUE

City Council adopted a resolution approving an improvement agreement, improvement security and Final Tract Map No. 17933 located at the northeast corner of Bellegrave Avenue and Mill Creek Avenue within the Esperanza Specific Plan.

RESOLUTION NO. 2019-129 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 17933 LOCATED AT THE NORTHEAST CORNER OF BELLEGRAVE AVENUE AND MILL CREEK AVENUE.

10. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 17936 LOCATED ON BELLEGRAVE AVENUE, APPROXIMATELY 400 FEET WEST OF HAMNER AVENUE

City Council adopted a resolution approving an improvement agreement, improvement security and Final Tract Map No. 17936 located on Bellegrave Avenue approximately, 400 feet west of Hamner Avenue within the Esperanza Specific Plan.

RESOLUTION NO. 2019-130 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 17936 LOCATED ON BELLEGRAVE AVENUE, APPROXIMATELY 400 FEET WEST OF HAMNER AVENUE.

11. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18878 LOCATED AT THE SOUTHWEST CORNER OF EUCALYPTUS AVENUE AND HAMNER AVENUE

City Council adopted a resolution approving an improvement agreement, improvement security and Final Tract Map No. 18878 located at the southwest corner of Eucalyptus Avenue and Hamner Avenue within the Esperanza Specific Plan.

RESOLUTION NO. 2019-131 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18878 LOCATED AT THE SOUTHWEST CORNER OF EUCALYPTUS AVENUE AND HAMNER AVENUE.

12. AUTHORIZE THE PURCHASE OF FLEET VEHICLES AND EQUIPMENT/HAAKER EQUIPMENT COMPANY/SONSRAY MACHINERY/NATIONAL AUTO FLEET GROUP/LONG BEACH BMW MOTORCYCLES/PB LOADER CORPORATION

City Council took the following actions:

- (A) Authorized the cooperative purchase and delivery of one CNG Kenworth/Vactor combination sewer cleaner in the amount of \$539,219 for the Utilities Department, from Haaker Equipment Company of La Verne, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 122017-FS;
- (B) Authorized the cooperative purchase and delivery of one 6000lb Case 586H Forklift in the amount of \$82,477 for the Integrated Waste Department, from Sonsray Machinery of Fontana, California, consistent with the terms and conditions of Sourcewell (formerly known as NJPA) Cooperative Contract 032119-CNH;
- (C) Authorized the cooperative purchase and delivery of twelve Ford Escapes in the amount of \$305,928 (five for the Community Improvement Department, two for the Engineering Department, two for the Utilities Department, one for the Fire Department, one for the Police Department, and one for the Recreation Department) from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF;
- (D) Authorized the cooperative purchase and delivery of three BMW Motorcycles in the amount of \$94,705 for the Police Department, from Long Beach BMW Motorcycles of Long Beach, California, consistent with the terms and conditions of the City of Sacramento Contract Bid Number B17153311004; and
- (E) Authorized the cooperative purchase and delivery of one CNG Ford F650 Stake Bed Truck in the amount of \$141,964 for the Integrated Waste Department, from PB Loader Corporation of Fresno, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 052417-PBL.

13. AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 49 (AVENUE 176 SERVICES)

City Council considered and adopted an ordinance authorizing the levy of special taxes within City of Ontario Community Facilities District No. 49 (Avenue 176 Services). Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on August 20, 2019.

ORDINANCE NO. 3139 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 49 (AVENUE 176 SERVICES).

14. AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 51 (ONTARIO RANCH LOGISTICS CENTER SERVICES)

City Council considered and adopted an ordinance authorizing the levy of special taxes within City of Ontario Community Facilities District No. 51 (Ontario Ranch Logistics Center Services).

ORDINANCE NO. 3140 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 51 (ONTARIO RANCH LOGISTICS CENTER SERVICES).

15. PURCHASE OF FLEET OILS, LUBRICANTS AND COOLANTS/SOUTHERN COUNTIES LUBRICANTS, LLC

City Council authorized the City Manager to execute one-year Goods and Services Agreements (on file in the Records Management Department) with Southern Counties Lubricants, LLC of Orange, California, and with Southern Counties Oil Company, DBA SC Fuels of Orange, California, each for an annual estimated amount of \$55,000, at the set pricing levels per Bid No. 1165; and authorized the addition of future acquisition and services; and the option to extend the agreements for up to four additional years consistent with City Council approved budgets.

16. MAINTENANCE SERVICES AGREEMENT FOR LANDSCAPE MAINTENANCE FOR PARK PLACE/MERCHANTS LANDSCAPE SERVICES INC.

City Council authorized the City Manager to execute a three-year Maintenance Services Agreement (on file in the Records Management Department) for Contract No. PM1819-7 with Merchants Landscape Services Inc., of Rancho Cucamonga, California, for an annual estimated cost of \$69,600 plus a contingency of \$6,960; and authorized the addition of future service areas; and authorized the option to

extend the agreement for up to two additional years consistent with City Council approved budgets.

17. AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY OF ONTARIO MUNICIPAL CODE, REVISING SECTION 4-6.1009 TO ADD PROVISIONS PROHIBITING THE OVERNIGHT PARKING OF LARGE COMMERCIAL VEHICLES IN RESIDENTIAL ZONING DISTRICTS

City Council considered and adopted an ordinance approving an amendment to the City of Ontario Municipal Code, revising Section 4-6.1009 to add provisions prohibiting the overnight parking of large commercial vehicles in residential zoning districts.

ORDINANCE NO. 3142 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO THE ONTARIO MUNICIPAL CODE, AMENDING SECTION 4-6.1009 TO ADD PROVISIONS PROHIBITING THE OVERNIGHT PARKING OF LARGE COMMERCIAL VEHICLES IN RESIDENTIAL ZONING DISTRICTS, AND MAKING FINDINGS IN SUPPORT THEREOF.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared Resolution Nos. 2019-128 through 2019-131, and Ordinance Nos. 3139 through 3142 unanimously adopted.

STAFF MATTERS

Staff had no comments.

COUNCIL MATTERS

Council Member Dorst-Porada thanked Mr. Jason Gladden, Nestle Water, for attending this meeting and for participating in the upcoming Art Festival. She noted that the second annual Arts Festival would be held on October 19, 2019 with over fifty outstanding artists participating, and she encouraged everyone to attend. She also discussed the quarterly Ontario Living Magazine and the variety of classes offered by the City including a CERT class from November 1 to November 3, 2019.

Council Member Wapner addressed Dr. Shannon, Chaffey College, and thanked him for attending this meeting. He stated that he would have hoped that Dr. Shannon's comments would have been an update to the City Council on the progress of the proposed campus building on downtown Euclid as a result of Measure P. He also noted that the City Council had actively encouraged support of Measure P and he looked forward to the project coming to fruition.

Council Member Bowman reminded the community to exercise caution when dealing with pets during the current extreme heat wave.

Mayor pro Tem Valencia noted the recent tragedies in the nation and reminded the community that if they “see something, say something”. He stressed the current concerns for mental health and the availability of helpful resources. He announced the return of the Crusin’ Reunion car show September 20 and 21, 2019. He also noted the City Council received an invitation to the 425th anniversary of Mocolito, one of the City’s Sister Cities, and noted that he would be attending their celebration.

Mayor Leon noted his pride in the fact that the two major water companies are located in the City. He also noted the anticipated 106 degree temperatures tomorrow and encouraged everyone to be prepared.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 6:51 p.m. to the next regular meetings to be held on Tuesday, September 17, 2019.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN