

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
October 6, 2020**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, October 6, 2020, at the Ontario City Hall, 303 East B Street, Ontario, California.

CLOSED SESSION

Mayor Leon called the City Council/Ontario Housing Authority meetings to order at 5:35 p.m.

SPECIAL AND URGENT ANNOUNCEMENT

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20), the Ontario City Council Meetings are being conducted via teleconference to limit in-person attendance at meetings of the City of Ontario City Council and Housing Authority.

Members of the public were advised to utilize alternative measures to view the City Council meetings and/or to address the Mayor and City Council Members.

The meeting was live broadcast on local cable Channel 3, as well as internet live streamed at www.ontarioca.gov/Agendas/CityCouncil.

ROLL CALL

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

ABSENT: Council/Authority Members: None.

Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran and City Clerk/Secretary Sheila Mautz (all participating via teleconference).

CLOSED SESSION

City Attorney Duran announced the matter for discussion, as listed on the agenda. Mayor Leon inquired whether persons were present who wished to speak to the Closed Session item.

Assistant City Clerk Isbell reported that there were no written comments presented, however, there was one web submission as follows:

Luis Schmidt, representing AFSCME Local 3061, regarding successful labor negotiations.

Hearing no one else, the City Council recessed to Closed Session at 5:39 p.m. for discussion of the following:

- GC 54957.6, LABOR NEGOTIATIONS: City Negotiator: City Manager or his designees; Bargaining Units: Ontario Professional Firefighters Association, Local 1430; and Ontario Fire Management Group.
- GC 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION
 Title: City Manager

CALL TO ORDER – OPEN SESSION

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

PRESENT:	Mayor/Chairman Mayor pro Tem/Vice Chair Council/Authority Members:	Paul S. Leon Debra Dorst-Porada Alan D. Wapner, Jim W. Bowman and Ruben Valencia (all participating via teleconference)
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ABSENT:	Council/Authority Members:	None
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Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran and City Clerk/Secretary Sheila Mautz (all participating via teleconference).

The Pledge of Allegiance was led by Council Member Valencia.

Mayor Leon led a moment of silent reflection in lieu of the Invocation.

REPORT ON CLOSED SESSION

City Attorney Duran advised that there were no reportable actions from the Closed Session discussion.

PUBLIC COMMENTS

Assistant City Clerk Isbell reported that there were no written comments presented, however, there was one web submission as follows:

Claudia Jimenez, regarding homelessness by Vineyard Avenue and 4th Street.

Assistant City Clerk Isbell further reported that there were four callers wishing to address the City Council.

Jesse Allured, concerns of criminal activity in his neighborhood.

Aaron Matthiessen, concerns regarding local campaigning.

James Coolidge, concerns regarding management at the West Valley Mosquito and Vector Control District.

City Attorney Duran clarified that the Council meeting is for City business and encouraged the speaker to visit the West Valley Mosquito and Vector Control District.

Anthony Pace, regarding compliance of social distancing and the use of face masks.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa requested that Council matter regarding the appointment to the Library Board of Trustees be moved to the October 20th meeting.

CONSENT CALENDAR

PUBLIC COMMENTS

Assistant City Clerk Isbell reported that there were no written comments presented, however, there was one web submission as follows:

Luis Schmidt, representing AFSCME Local 3061, regarding Item No. 05, thanked essential employees for their service during the COVID-19 pandemic.

Assistant City Clerk Isbell further reported that there was one caller wishing to address the City Council.

Juan Roman, regarding Item No. 05, thanked the City for providing protective gear against COVID-19.

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote of those present, to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

City Council approved Minutes for the regular meeting of the City Council and Housing Authority of September 1, 2020, as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period August 28, 2020 through September 10, 2020 in the amount of \$13,352,008.80 and **Payroll** for the period August 16, 2020 through August 29, 2020 in the amount of 3,909,499.17, when audited by the Finance Committee.

3. A PROFESSIONAL SERVICES AGREEMENT WITH HARRIS AND ASSOCIATES FOR ON-CALL PLAN CHECKING SERVICES

The City Council approved and authorized the City Manager to execute a Three-Year Professional Services Agreement with Harris and Associates, of Irvine, California, to provide on-call Plan Checking Services for an estimated amount of \$720,000 per year; and authorized the City Manager to extend the agreement for one additional two-year period in the amount consistent with City Council approved budgets for each respective fiscal year.

4. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20134 LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND SCHAEFER AVENUE

The City Council adopted a resolution approving an improvement agreement, improvement security and Final Tract Map No. 20134 located at the northeast corner of Haven Avenue and Schaefer Avenue within the Rich Haven Specific Plan.

RESOLUTION NO. 2020-165 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20134, LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND SCHAEFER AVENUE.

5. A RESOLUTION CONTINUING THE EXISTENCE OF A LOCAL EMERGENCY FOR THE 2020 CORONAVIRUS PANDEMIC

The City Council adopted a resolution continuing the Proclamation of a Local Emergency for the 2020 Coronavirus Pandemic until further notice with an update scheduled for the November 3, 2020 City Council Meeting, unless canceled sooner.

RESOLUTION NO. 2020-166 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, PROCLAIMING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY AND DIRECT THE EMERGENCY ORGANIZATION OF THE CITY OF ONTARIO TO TAKE ALL NECESSARY STEPS FOR THE PROTECTION OF LIFE, HEALTH AND SAFETY IN THE CITY OF ONTARIO.

6. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HINDERLITER DE LLAMAS & ASSOCIATES (HdL) FOR SALES TAX CONSULTING AND REVENUE RECOVERY TO ADD BUSINESS LICENSE/TRANSIENT OCCUPANCY TAX ADMINISTRATION, AUDITING AND ANALYSIS

The City Council authorized the City Manager to execute an amendment to the existing agreement for sales tax consulting and revenue recovery services with Hinderliter de Llamas & Associates (HdL), of Brea, California, to include a new two-year term, with the option to renew for an additional two-years, for business license/transient occupancy tax (TOT) administration, auditing and analysis services, adding \$560,000 to the existing contract and raising the not to exceed limit to \$619,326.

7. ACCEPT A WRITTEN PETITION TO CREATE A COMMUNITY FACILITIES DISTRICT; ADOPT A RESOLUTION OF INTENTION TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 57 (NEUHOUSE) AND TO AUTHORIZE THE ASSOCIATED LEVY OF SPECIAL TAXES; AND ADOPT A RESOLUTION TO INCUR BONDED INDEBTEDNESS

The City Council accepted a written petition from LS-ONTARIO II LLC, located in Irvine, California, to create a Community Facilities District, and to waive certain procedural matters, under the Mello-Roos Community Facilities Act of 1982; adopted a Resolution of Intention to establish City of Ontario Community Facilities District No. 57 (Neuhouse) (the "CFD"), authorized the associated levy of special taxes therein; and set a public hearing for the formation of the CFD as part of the regularly scheduled City Council meeting on Tuesday, November 17, 2020; and adopted a Resolution to Incur Bonded Indebtedness of proposed Community Facilities District No. 57 (Neuhouse).

RESOLUTION NO. 2020-167 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT, PROPOSED TO BE NAMED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 57 (NEUHOUSE), AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

RESOLUTION NO. 2020-168 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO INCUR BONDED INDEBTEDNESS OF THE PROPOSED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 57 (NEUHOUSE).

8. FACILITIES MASTER PLAN FOR THE ONTARIO LIBRARY SYSTEM

The City Council approved the Facilities Master Plan for the Ontario Library System.

9. AN ORDINANCE APPROVING A SPECIFIC PLAN (FILE NO. PSP18-002 - ONTARIO RANCH BUSINESS PARK) TO ESTABLISH THE LAND USE DISTRICTS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE IMPROVEMENTS FOR THE POTENTIAL DEVELOPMENT OF UP TO 1,905,027 SQUARE FEET OF GENERAL INDUSTRIAL AND BUSINESS PARK LAND USES ON 85.6 ACRES OF LAND. THE PROJECT SITE IS BORDERED BY EUCALYPTUS AVENUE ON THE NORTH, MERRILL AVENUE ON THE SOUTH, SULTANA AVENUE ON THE EAST, AND EUCLID AVENUE ON THE WEST (APNS: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03

The City Council considered and adopted an ordinance approving the Ontario Ranch Business Park Specific Plan (File No. PSP18-002). First introduced at a regular meeting on September 15, 2020.

ORDINANCE NO. 3168 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSP18-002, The ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN, TO ESTABLISH LAND USE DISTRICTS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE IMPROVEMENTS FOR THE POTENTIAL DEVELOPMENT OF UP TO 1,905,027 SQUARE FEET OF GENERAL INDUSTRIAL AND BUSINESS PARK LAND USES ON 85.6 ACRES OF LAND. THE PROJECT SITE IS GENERALLY BORDERED BY EUCALYPTUS AVENUE ON THE NORTH, MERRILL AVENUE ON THE SOUTH, SULTANA AVENUE ON THE EAST, AND EUCLID AVENUE ON THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03.

10. AWARD A DESIGN-BUILD AGREEMENT FOR THE CONSTRUCTION OF THE C BLOCK PARKING STRUCTURE/MCCARTHY BUILDING COMPANIES, INC.

The City Council authorized the City Manager to execute a Design-Build Agreement with McCarthy Building Companies, Inc. of Newport Beach, California, to provide Design-Build construction services for the C Block Parking Structure in the amount of \$9,669,383; authorized a 15% project contingency of \$1,450,407; and authorized the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to agreements, assessments, easements, lot line adjustments, reduction of retention accounts, contracts and contract amendments within the authorization limits, and filing a notice of completion at the conclusion of all construction related activities.

11. AN AMENDMENT TO THE LETTER OF AGREEMENT FOR THE EMERGENCY SENIOR MEALS PROGRAM

The City Council authorized the City Manager, or his designee, to execute an amendment to the Letter of Agreement with the Ontario-Montclair School District of Ontario, California, for the emergency senior meals program in the not-to-exceed amount of \$169,844 through December 30, 2020.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

12. A RESOLUTION AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 45 (NORTHPARK AND COUNTRYSIDE) SPECIAL TAX BONDS, SERIES 2020, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000 AND RELATED MATTERS

The City Council considered and adopted a resolution authorizing the issuance of City of Ontario Community Facilities District No. 45 (Northpark and Countryside Facilities) Special Tax Bonds, Series 2020. Authorized the issuance of special tax bonds for public improvements required to facilitate the development of the Northpark and Countryside project and the Ontario Ranch development; approved the forms of the Indenture, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement; authorized a negotiated sale of the special tax bonds to Stifel, Nicolaus & Company, Incorporated (the "Underwriter") in accordance with the terms of the Bond Purchase Agreement; and authorized the execution of the Indenture, the Bond Purchase Agreement, the Continuing Disclosure Agreement, a deemed final certification in connection with the Preliminary Official Statement, a final Official Statement and other documents in connection with the issuance of the bonds by the City Manager or the other specified authorized officers.

RESOLUTION NO. 2020-169 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 45 (NORTHPARK AND COUNTRYSIDE) SPECIAL TAX BONDS, SERIES 2020, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$10,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous roll call vote of those present to adopt Resolution No. 2020-169.

STAFF MATTERS

City Manager Ochoa made no announcements.

COUNCIL MATTERS

Mayor pro Tem Dorst-Porada thanked residents for their cooperation of COVID-19 state mandated guidelines and encouraged social distancing and the use of masks.

Council Member Bowman made no comments.

Council Member Wapner made no comments.

Council Member Valencia made no comments.

Mayor Leon thanked staff for their unrecognized work and encouraged residents to use the myOntario app.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:03 p.m. to the next regular meetings to be held on Tuesday, October 20, 2020.

Respectfully submitted,


SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:


PAUL S. LEON, MAYOR/CHAIRMAN