

**ONTARIO CITY COUNCIL/  
ONTARIO HOUSING AUTHORITY  
MINUTES  
May 19, 2020**

**JOINT MEETINGS**

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, May 19, 2020, at the Ontario City Hall, 303 East B Street, Ontario, California.

**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) and the Governor's Stay at Home Order (Executive Order N-33-20), 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](http://www.ontarioca.gov/Agendas/CityCouncil).

**ROLL CALL**

<b>PRESENT:</b>	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chairman	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 (via teleconference), City Attorney/Legal Counsel Scott Huber (via teleconference) and City Clerk/Secretary Sheila Mautz.

**CLOSED SESSION**

Mayor Leon announced the matters for discussion, as listed on the agenda, and inquired whether persons were present who wished to speak to the Closed Session items. Assistant City Clerk Kasad advised that there were no requests and the City Council recessed to Closed Session at 6:05 p.m. for discussion of the following:

- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Bonnie Kessner and Andrea McCartney-Page, et al., v. City of Santa Clara, et al., Santa Clara County Superior Court, Case No. 20CV364054
- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Jay Spicer v. City of Ontario, et al., Superior Court of California, County of San Bernardino, Case No. CIVDS1711812
- GC 54957.6 LABOR NEGOTIATIONS: City Negotiator: City Manager or his designees; Bargaining Units: American Federation of State, County and Municipal Employees (AFSCME); Association of Ontario Management Employees (AOME); Teamsters Local 1932; Ontario Police Management Group; Ontario Police Office Association; Ontario Fire Management Group; and Ontario Firefighters Association, Local 1430.

#### **CALL TO ORDER – OPEN SESSION**

Mayor Leon called the City Council and Housing Authority meetings to order at 6:36 p.m.

#### **REPORT ON CLOSED SESSION**

City Attorney Huber advised that there were no reportable actions from the Closed Session discussions.

The Pledge of Allegiance was led by Council Member Valencia.

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

#### **PUBLIC COMMENTS**

Assistant City Clerk Kasad reported that there were three pieces of e-mailed correspondence which had been provided to the City Council from:

Daniela Bellissimo  
 Ed Hambly III  
 Sara Carrillo

and one telephonic public comment which was played for the Council as follows:

Rocio Renderos, resident of Miramonte Avenue, expressed concern with large truck traffic on this very small street. She noted that with people working at home, the traffic has become particularly disruptive. Mayor Leon concurred that this was a small street. City Manager Ochoa indicated that staff was looking into the matter.

Supervisor Hagman addressed the City Council via teleconference and detailed the Board of Supervisors' efforts to gain local control from the State over criteria with regard to COVID-19 restrictions and the ability for businesses to reopen. He indicated that many places are now open with curbside retail pick-up, non-urgent medical care and restaurants should be opening by the end of the month. He stressed the County's efforts to work with the cities as partners to establish testing sites. He noted the County's efforts to move underutilized City employees to the County to assist with contact tracing, rather than hire new County employees. Mayor Leon inquired about pending legislation to which Supervisor Hagman indicated that there was a federal bill pending to provide as much reimbursement as possible and would hopefully be in place by mid-June. Mayor Leon thanked Supervisor Hagman for the update to the community.

## **AGENDA REVIEW/ANNOUNCEMENTS**

City Manager Ochoa indicated that there was additional information about Item No. 21 which would be provided at the appropriate time.

## **CONSENT CALENDAR**

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call 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 April 21, 2020, as on file in the Records Management Department.

### **2. BILLS/PAYROLL**

City Council approved **Bills** for the period April 17, 2020 through April 30, 2020 in the amount of \$22,173,877.89 and **Payroll** for the period April 12, 2020 through April 25, 2020 in the amount of \$3,412,646.03, when audited by the Finance Committee.

### **3. A DEVELOPMENT IMPACT FEE CREDIT AGREEMENT (FILE NO. PDIF20-008) BETWEEN THE CITY OF ONTARIO AND LENNAR HOMES OF CALIFORNIA, INC., FOR FACILITY CONSTRUCTION ASSOCIATED WITH TRACT MAP 20012 (FILE NO. PMTT16-003), LOCATED AT THE NORTHWEST CORNER OF TURNER AVENUE AND ONTARIO RANCH ROAD WITHIN THE AVENUE SPECIFIC PLAN**

City Council approved the Development Impact Fee Credit Agreement (File No. PDIF20-008) between the City of Ontario and Lennar Homes of California, Inc., for facility construction associated with Tract Map 20012 (File No.

PMTT16-003), located at the northwest corner of Turner Avenue and Ontario Ranch Road within The Avenue Specific Plan; and authorized the City Manager to execute the agreement.

**4. PURCHASE OF NETWORK SECURITY FIREWALLS/FORTNETSECURITY, INC.**

City Council awarded Bid No. 1182 and authorized the purchase of Palo Alto network security firewalls in the amount of \$99,430 for the Ontario Police Department network from FortNetSecurity, Inc. (FSI) of Gilroy, California.

**5. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HARRIS AND ASSOCIATES FOR ON-CALL PLAN CHECKING SERVICES**

City Council approved an amendment to the Professional Services Agreement) with Harris and Associates, of Irvine, California, to provide on-call Plan Checking Services adding \$400,000 for a revised total authorized expenditure of \$1,120,000.

**6. A MAINTENANCE SERVICE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR PARK PLACE/MERCHANTS LANDSCAPE SERVICES, INC.**

City Council authorized the City Manager to execute a three-year Maintenance Services Agreement for Contract No. PM1920-6 with Merchants Landscape Services Inc., of Rancho Cucamonga, California, for an annual estimated cost of \$122,400 plus a contingency of \$12,240; 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.

**7. AN AMENDMENT TO THE AGREEMENT WITH COLLABORATIVE SOLUTIONS FOR WORKDAY ON DEMAND SUPPORT**

City Council authorized the City Manager to execute an amendment to the agreement with Collaborative Solutions, LLC, of Reston, Virginia, for Workday on-demand support extending the term by three years and increasing the revised authorized contract amount by \$300,000, for a new total of \$400,000.

**8. A PROFESSIONAL SERVICE AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE SOUTH ONTARIO LOGISTICS CENTER SPECIFIC PLAN FOR PROPERTY LOCATED NORTH OF MERRILL AVENUE, SOUTH OF EUCALYPTUS AVENUE, EAST OF CAMPUS AVENUE AND WEST OF GROVE AVENUE**

City Council approved and authorized the City Manager to execute an agreement with Kimley-Horn and Associates, Inc., of Riverside, California, to prepare an Environmental Impact Report (EIR) for the South Ontario Logistics Center Specific

Plan, in the amount of \$682,740, plus a 15% contingency of \$102,411, for a total authorized expenditure of \$785,151; and authorized the City Manager to approve any future budget adjustments necessary to complete the EIR.

**9. A PROFESSIONAL SERVICES AGREEMENT WITH PLACEWORKS, INC., FOR THE PREPARATION OF A GENERAL PLAN UPDATE, COMMUNITY CLIMATE ACTION PLAN UPDATE, ENVIRONMENTAL IMPACT REPORT AND OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS**

City Council approved and authorized the City Manager to execute a Professional Services Agreement with PlaceWorks, Inc. of Santa Ana, California, in the amount of \$2,946,600, plus a contingency of \$363,400, for a total authorized expenditure of \$3,310,000 to prepare (1) an update to The Ontario Plan Policy Plan (General Plan), Governance, Implementation, and Tracking and Feedback Components; (2) an update to the Community Climate Action Plan; (3) an Environmental Impact Report (EIR); and (4) Objective Design and Development Standards to streamline future development and comply with legislative mandates.

**10. A RESOLUTION APPROVING THE SUBMITTAL OF A PLANNING GRANT PURSUANT TO THE LOCAL EARLY ACTION PLANNING GRANT (LEAP) AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE NON-COMPETITIVE AWARD**

City Council considered and adopted a resolution to approve the submittal of the Local Early Action Planning Grant (LEAP) administered by the California Department of Housing and Community Development (HCD), and authorized the City Manager to accept the non-competitive award and execute all related grant documents.

**RESOLUTION NO. 2020-042** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR FILE NO. PADV20-004, AUTHORIZING THE APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT (LEAP) GRANT PROGRAM FUNDS.

**11. 2019 GENERAL PLAN ANNUAL PROGRESS REPORT**

City Council considered and adopted a resolution authorizing staff to transmit the 2019 General Plan Annual Progress Report to the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

**RESOLUTION NO. 2020-043** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE 2019 GENERAL PLAN ANNUAL PROGRESS REPORT (FILE NO. PADV20-003) AND AUTHORIZING STAFF TO SUBMIT THE REPORT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE OFFICE OF PLANNING AND RESEARCH.

**12. AUTHORIZE THE PURCHASE OF FLEET VEHICLES/NATIONAL AUTO FLEET GROUP**

City Council authorized the cooperative purchase and delivery of one replacement Chevrolet Tahoe in the amount of \$38,633 for the Police Department, and one Ford Escape SUV in the amount of \$25,655 for the Utilities Department from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract No. 120716-NAF.

**13. A MAINTENANCE SERVICE AGREEMENT FOR ONTARIO RANCH WEED ABATEMENT AND LANDSCAPE MAINTENANCE/DW LANDSCAPE INC.**

City Council authorized the City Manager to execute a three-year Maintenance Services Agreement for Contract No. PM1920-7 with DW Landscape Inc., located in Upland, California, for an annual estimated cost of \$105,600 plus a contingency of \$5,280; 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.

**14. CHANGE IN FUND OWNERSHIP OF WATER RIGHTS AND CERTAIN OTHER CITY ASSETS**

City Council authorized the change in designated fund ownership of certain City assets including Chino Basin groundwater rights, South Coast Air Quality Management District (SCAQMD) air credits, and various properties between the City Fund and the Water Fund.

**15. VOTING DELEGATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) GENERAL ASSEMBLY**

City Council designated Mayor pro Tem Dorst-Porada as the City's voting delegate for the Southern California Association of Governments (SCAG) General Assembly scheduled for June 5, 2020.

**16. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO AUTHORIZING AND CONFIRMING AN INTERNAL FINANCING AND INVESTMENT PROGRAM TO PAY DOWN THE CITY'S UNFUNDED ACCRUED LIABILITY AND AUTHORIZING THE CITY MANAGER TO ADMINISTER SUCH PROGRAM**

City Council considered and adopted a resolution authorizing the City Manager to execute all documents necessary to utilize the City's available cash for the reduction of the City's Unfunded Accrued Liability attributable to miscellaneous employee groups under the California Public Employees' Retirement System (CalPERS).

**RESOLUTION NO. 2020-044** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING AND CONFIRMING AN INTERNAL FINANCING AND INVESTMENT PROGRAM AND AUTHORIZING THE CITY MANAGER TO ADMINISTER SUCH PROGRAM.

**MOTION UNANIMOUSLY CARRIED:** Mayor Leon declared Resolution Nos. 2020-042, 2020-043 and 2020-044 adopted upon unanimous roll call vote.

**PUBLIC HEARINGS**

**17. A PUBLIC HEARING TO CONSIDER A RESOLUTION OF NECESSITY FOR THE ACQUISITION OF PERMANENT ROAD RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT INTERESTS IN A PORTION OF REAL PROPERTY LOCATED AT 9131 EAST MERRILL AVENUE**

City Council considered and adopted a Resolution of Necessity for the purposes of acquiring permanent road right-of-way and temporary construction easement (TCE) interests in a portion of real property located at 9131 East Merrill Avenue, by eminent domain, for the widening of Merrill Avenue, east of Carpenter Avenue.

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

There were no written communications.

City Manager Ochoa explained that this was a required procedural step for the initiation of an eminent domain action. He explained the required steps regarding public interest and necessity and requirements for greatest public good over least private injury. He presented a photo of the project area and detailed the required right-of-way acquisitions. He noted that a portion of the affected site was going to be used for a temporary construction easement and would be returned to the property owner once the project is complete.

Mayor Leon opened the public hearing asking those persons interested in this item to speak. The City Clerk reported no comments, and Mayor Leon closed the public hearing.

Council Member Wapner commented that the Council does not take eminent domain lightly, but in this case agreed that it was necessary. He noted that negotiations would be continuing as the eminent domain process moved forward and that generally those types of negotiations were successful without the full legal process running its course.

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote to adopt Resolution No. 2020-045.

**RESOLUTION NO. 2020-045** A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF THE INTEREST IN A PORTION OF REAL PROPERTY LOCATED AT 9131 E. MERRILL AVENUE, MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 0218-261-24, FOR THE ACQUISITION OF RIGHTS OF WAY AND A TEMPORARY CONSTRUCTION EASEMENT, IN THE CITY OF ONTARIO, CALIFORNIA.

**18. A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 41 (CANVAS PARK FACILITIES); ADOPTION OF A RESOLUTION MODIFYING THE RESOLUTION OF INTENTION AND APPROVING THE AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT (RMA), ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS; AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES**

City Council considered and:

- (A) Adopted a resolution modifying the Resolution of Intention (adopted at the April 7, 2020 City Council meeting) and approving the amended and restated rate and method of apportionment for the proposed City of Ontario Community Facilities District No. 41 (Canvas Park Facilities).
- (B) Adopted a resolution establishing Community Facilities District No. 41 (Canvas Park Facilities), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district.
- (C) Adopted a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 41 (Canvas Park Facilities).
- (D) Adopted a resolution calling a special election for City of Ontario Community Facilities District No. 41 (Canvas Park Facilities).



- (E) Adopted a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien.
- (F) Introduced and waived further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 41 (Canvas Park Facilities); and
- (G) Authorized staff to take all steps necessary to implement the above actions.

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. The City Clerk reported no comments and Mayor Leon closed the public hearing.

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Valencia and carried by unanimous roll call vote to adopt Resolution No. 2020-046.

**RESOLUTION NO. 2020-046** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, MODIFYING RESOLUTION OF INTENTION AND APPROVING AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT FOR THE PROPOSED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 41 (CANVAS PARK FACILITIES).

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Valencia and carried by unanimous roll call vote to adopt Resolution Nos. 2020-047, 2020-048 and 2020-049.

**RESOLUTION NO. 2020-047** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 41 (CANVAS PARK FACILITIES), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

**RESOLUTION NO. 2020-048** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 41 (CANVAS PARK FACILITIES).

**RESOLUTION NO. 2020-049** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 41 (CANVAS PARK FACILITIES).

Mayor Leon requested that the ballots be opened, and results of the election announced. Assistant City Clerk Kasad reported two ballots in favor of formation of the District.

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote to adopt Resolution No. 2020-050.

**RESOLUTION NO. 2020-050** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote to introduce and waive further reading of Ordinance No. 3161.

**ORDINANCE NO. 3161** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 41 (CANVAS PARK FACILITIES).

19. **A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 54 (ESPERANZA FACILITIES); ADOPTION OF A RESOLUTION MODIFYING THE RESOLUTION OF INTENTION AND APPROVING THE AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT (RMA), ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS; AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES**

City Council considered and:

- (A) Adopted a resolution modifying the Resolution of Intention (adopted at the April 7, 2020 City Council meeting) and approving the amended and restated rate and method of apportionment for the proposed City of Ontario Community Facilities District No. 54 (Esperanza Facilities).

- (B) Adopted a resolution establishing Community Facilities District No. 54 (Esperanza Facilities), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district.
- (C) Adopted a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 54 (Esperanza Facilities).
- (D) Adopted a resolution calling a special election for City of Ontario Community Facilities District No. 54 (Esperanza Facilities).
- (E) Adopted a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien.
- (F) Introduced and waived further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 54 (Esperanza Facilities); and
- (G) Adopted a resolution authorizing the execution and delivery of an acquisition and funding agreement with GDC/CDG Esperanza PA 4 Venture, L.P. a Delaware limited partnership corporation.

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. The City Clerk reported no comments and Mayor Leon closed the public hearing.

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote to adopt Resolution No. 2020-051.

**RESOLUTION NO. 2020-051** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, MODIFYING RESOLUTION OF INTENTION AND APPROVING AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT FOR THE PROPOSED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 54 (ESPERANZA FACILITIES).

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Valencia and carried by unanimous roll call vote to adopt Resolution Nos 2020-052, 2020-053 and 2020-054.

**RESOLUTION NO. 2020-052** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 54 (ESPERANZA FACILITIES), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

**RESOLUTION NO. 2020-053** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 54 (ESPERANZA FACILITIES).

**RESOLUTION NO. 2020-054** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 54 (ESPERANZA FACILITIES).

Mayor Leon requested that the ballots be opened, and results of the election announced. Assistant City Clerk Kasad reported four ballots in favor of formation of the District.

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote to adopt Resolution No. 2020-055.

**RESOLUTION NO. 2020-055** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote to introduce and waive further reading of Ordinance No. 3162.

**ORDINANCE NO. 3162** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 54 (ESPERANZA FACILITIES).

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Valencia and carried by unanimous roll call vote to adopt Resolution No. 2020-056.

**RESOLUTION NO. 2020-056** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACQUISITION AND FUNDING AGREEMENT WITH GDC/CDG ESPERANZA PA 4 VENTURE, L.P.

**20. A PUBLIC HEARING TO CONSIDER AN URGENCY ORDINANCE REPEALING URGENCY ORDINANCE NO. 3159, ADOPTING TEMPORARY REGULATIONS RELATING TO THE EVICTION OF RESIDENTIAL TENANTS, COMMERCIAL TENANTS, AND STORAGE UNIT PATRONS, AND ENACTING A MORATORIUM ON RESIDENTIAL FORECLOSURES DUE TO LOSS OF INCOME DURING THE STATE OF LOCAL EMERGENCY CAUSED BY THE COVID-19 PANDEMIC**

City Council read by title only, waived further reading, and adopted an urgency ordinance repealing City of Ontario Ordinance No. 3159 and enacting amendments to the City's existing regulations on the eviction of residential tenants, commercial tenants, and storage unit patrons experiencing a loss of income due to the COVID-19 pandemic, to make technical corrections, and to include regulations on foreclosures.

There were no written communications.

Mayor Leon opened the public hearing asking those persons interested in this item to speak. The City Clerk reported no comments and Mayor Leon closed the public hearing.

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Wapner and carried by unanimous roll call vote to introduce and waive further reading of Ordinance No. 3163.

**ORDINANCE NO. 3163** AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REPEALING URGENCY ORDINANCE NO. 3159, ADOPTING TEMPORARY REGULATIONS PROHIBITING THE EVICTION OF RESIDENTIAL TENANTS, COMMERCIAL TENANTS, AND STORAGE UNIT PATRONS, AND ENACTING A MORATORIUM ON RESIDENTIAL FORECLOSURES DUE TO LOSS OF INCOME DURING THE STATE OF LOCAL EMERGENCY CAUSED BY THE COVID-19 PANDEMIC.

## ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

### 21. RECEIPT AND FILING OF INFORMATION RELATED TO THE CITY'S INTENTION TO PROVIDE TWO-YEARS ADDITIONAL SERVICE CREDIT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 20903

City Council, by motion, received and directed the filing of information related to the City's intention to provide two-years additional service credit in accordance with California Government Code section 20903 for designated classifications, departments, or organizational units.

City Manager Ochoa explained the significant impacts caused by the COVID-19 pandemic on the City's revenues and activities and staff's efforts to reorganize and restructure. He indicated that part of that action plan was the use of a benefit under the CalPERS system for an early retirement option with two years of additional service credit. He indicated that there were currently 320 eligible employees with a potential maximum annual savings of \$51 million if everyone took advantage. He requested that the City Council receive and file the report and advised that staff would return at a future City Council meeting with a better estimate based upon those interested in the option. He stressed the importance of still maintaining service levels for the public.

Council Member Wapner thanked City Manager Ochoa and City staff for their quick and appropriate action in providing this recovery plan. He stressed the massive loss of revenue and concurred that this was a fair way to balance the budget.

Council Member Bowman concurred that this showed good leadership and was a good move.

Mayor pro Tem Dorst-Porada noted that she was on a call with the League of California Cities regarding the pandemic's economic impact, and because of Ontario's revenue sources, it has been hit hard compared to other cities. She expressed hope that retail will bounce back better than forecasted. She also indicated that the plan presented by staff providing options for Council's consideration was very well done, and she thanked City Manager Ochoa. Mayor Leon also thanked City Manager Ochoa on a good job.

**MOTION:** Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous roll call vote to receive and file this report.

## **STAFF MATTERS**

City Manager Ochoa noted for Council and community awareness the availability of COVID testing opportunities and indicated that the County had expressed interest in using a property owned by the City as soon as next week to provide the community with tests. He stated that the County would be liable for and have responsibility to sanitize the facility.

## **COUNCIL MATTERS**

Mayor pro Tem Dorst-Porada commented that City Hall staff is still working hard. The library is now making books available for pick-up, doing video programs and a summer reading program all on-line. The Museum is doing Zoom meetings with the Board and staff. She noted that the September Art Festival had to be postponed, but they are working to make the event even better when it returns next year. She indicated that the Chaffey Community Museum of Art is working with two professors who are writing a book tied to their collection which will be presented as a joint event.

Council Member Wapner commented on activity at the airport, noting that it has been hit hard by the COVID pandemic. He advised that the passenger count is down over 95%; however, there is an increase in cargo levels of 20%, driven by e-commerce demands. He noted that it will be a slow process to bring activity levels back up.

Council Member Bowman had no comments.

Council Member Valencia commended staff for going above and beyond during this critical time. He addressed teachers and noted that they are having to cope with students graduating and not being able to participate in the graduations. He indicated that the community was trying to come together and thanked the teachers for making the best of a bad situation.

Mayor Leon echoed the concerns about kids not being able to celebrate graduations. He expressed hopes that something could be done to make it up to them in the future. He noted a recent drive-by celebration for Chaffey High School drama teacher Dave Masterson on his retirement and cancer recovery. Mayor Leon also reiterated the efforts in conjunction with Supervisor Hagman to get local control and start reopening businesses as well as obtaining federal funding. He noted that bad situations bring out the best in people and commented Integrated Waste employee Bruce Johnson who stopped his truck to sing to some graduating students. The video has since gone viral on social media. He thanked Mr. Johnson for being a good representative of the City and noted that this reflects well on the entire City.

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**ADJOURNMENT**


Mayor Leon adjourned the meetings of the Joint Agencies at 7:39 p.m. to the next regular meetings to be held on Tuesday, June 2, 2020.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN