

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY/
SUCCESSOR AGENCY TO THE ONTARIO
REDEVELOPMENT AGENCY
MINUTES
April 3, 2018**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority/Successor Agency to the Ontario Redevelopment Agency were held on Tuesday, April 3, 2018, at the Ontario City Hall, 303 East B Street, Ontario, California.

CLOSED SESSION

Mayor Leon called the City Council and Housing Authority/Successor Agency to the Ontario Redevelopment Agency meetings to order at 6:01 p.m., and inquired whether persons were present who wished to speak to the Closed Session item. Hearing no one, the City Council recessed to Closed Session at 6:02 p.m. for discussion of the following:

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 1048-363-04; 404 North Euclid Avenue, Ontario; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating parties: WESEE Collective, LLC; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 1046-601-08; 150 South Euclid Avenue, Upland; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating parties: Euclid and 8th, LLC; Under negotiation: Price and terms of payment.

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council and Housing Authority/Successor Agency to the Ontario Redevelopment Agency meetings to order at 6:32 p.m., and requested the City Clerk call the roll.

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

ABSENT:	Council/Authority Member:	None
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Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel John Brown and City Clerk/Secretary Sheila Mautz.

The Pledge of Allegiance was led by *Mayor pro Tem Wapner*.

Rabbi Zari Sussman, representing Temple Sholom Ontario, provided the Invocation.

PUBLIC COMMENTS

Peggi Hazlett introduced Chamber Board Member Loren Brewster, Operations Manager for Toyota Motor Sales. She also offered congratulations to Chief Derek Williams.

Loren Brewster commented on Chamber of Commerce programs and noted upcoming events including Good Morning Ontario on April 4th at 7:30 a.m.; and the 58th Annual Police Recognition Luncheon on May 8, 2018.

Jason Anderson commended the City Manager and City Council on the consideration of Derek Williams for Police Chief. He commented on their long term friendship and congratulated Chief Williams on this appointment.

Victor Vasquez commented on a traffic stop that took place in August 2017 in which his personal property was lost. He indicated that he ultimately received a settlement for his loss, but criticized Ontario police officers for their role in this situation.

Michael Harris indicated that he moved to Ontario from Washington, D.C. and circumstances left him homeless. He expressed concern with the treatment of the homeless community by Ontario police and indicated that he will become the face of the homeless through his participation in a class action lawsuit.

AGENDA REVIEW/ANNOUNCEMENTS

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

SPECIAL CEREMONIES

RECOGNITION OF CONSERVATION POSTER CONTEST WINNERS

Mayor Leon explained that the City of Ontario partnered with the Chino Basin Water Conservation District on this year's poster contest which promoted the protection and conservation of the Chino Groundwater Basin. He noted that 900 plus Ontario students participated from grades K thru 5, and there were so many creative and exceptional entries that judging was very difficult. He called the following 2018 winners, who were present at the meeting, forward for recognition and presentation of a certificate:

Kindergarten – Josiah Hernandez
1st Grade – Lorena Ledezma & Melanie Reyes
2nd Grade – Isabel Zendejas
3rd Grade – Zyanya Soto
4th Grade – Avery Hammer & Emanuel Manzo
5th Grade – Franciso Mayorga & Jason Garcia

Council Member Bowman noted that during the month of April there is a friendly nationwide challenge amongst cities, called the Mayor's Challenge, to see how many residents will pledge to do their part to conserve water. He suggested that every Ontario resident join the students and renew their commitment to the shared goal of using water efficiently with the 7th Annual Mayor's Challenge.

CONSENT CALENDAR

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

1. APPROVAL OF MINUTES

Approved Minutes for the regular meeting of the City Council and Housing Authority of March 6, 2018, as on file in the Records Management Department.

2. BILLS/PAYROLL

Approved **Bills** for the period February 11, 2018 through February 24, 2018, in the amount of \$13,534,327.16 and **Payroll** for the period February 11, 2018 through February 24, 2018, in the amount of, \$3,239,965.58, when audited by the Finance Committee.

3. A PROFESSIONAL SERVICES AGREEMENT WITH ADMINSURE, INC. FOR WORKERS' COMPENSATION THIRD PARTY CLAIMS ADMINISTRATION SERVICES INCLUDING MEDICAL BILL REVIEW AND UTILIZATION REVIEW SERVICES/ADMINSURE, INC.

City Council authorized the City Manager to execute a four year agreement with AdminSure, Inc. of Ontario, CA, for Workers' Compensation Third Party Claims Administration Services including medical bill review and utilization review services, in the amount of \$290,400 from May 1, 2018 through April 30, 2019, and not to exceed a 3% escalation each subsequent year.

4. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ONTARIO POLICE MANAGEMENT GROUP AFFECTING TERMS AND CONDITIONS OF EMPLOYMENT DURING THE PERIOD OF JANUARY 1, 2018 TO JUNE 30, 2022; AND APPROVE THE RESOLUTION MODIFYING PAYMENT OF THE EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR EMPLOYEES IN POLICE SAFETY BARGAINING UNITS

City Council approved and authorized the City Manager to execute a four-year Memorandum of Understanding regarding wages, hours and other terms and conditions of employment between the City of Ontario and the Ontario Police Management Group (OPMG); and authorized the City Manager to make any non-substantive changes which may be necessary to implement the agreement; and adopted resolutions modifying the Employer Paid Member Contributions (EPMC) to the California Public Employees Retirement System (CalPERS)

consistent with the terms and conditions of the police labor agreements and pursuant to California Government Code Section 20691.

RESOLUTION NO. 2018-030 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE POLICE AND POLICE MANAGEMENT UNITS.

RESOLUTION NO. 2018-031 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE POLICE AND POLICE MANAGEMENT UNITS.

RESOLUTION NO. 2018-032 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE POLICE AND POLICE MANAGEMENT UNITS.

5. PURCHASE AND IMPLEMENTATION OF A NEW UTILITY BILLING SOFTWARE SOLUTION USING CIS INFINITY FROM ADVANCED UTILITY SYSTEMS/ADVANCED UTILITY SYSTEMS

City Council authorized the City Manager to execute a multi-year agreement with Advanced Utility Systems, a subsidiary of Harris Computer Systems of Ottawa, Ontario, Canada for utility billing software, in the amount of \$2,861,813 and authorized a 25% project contingency of \$715,453 for a combined project total amount not to exceed \$3,577,266.

6. A CONSTRUCTION CONTRACT FOR THE QVC WAY STREET IMPROVEMENT PROJECT/HILLCREST CONTRACTING, INC.

City Council approved the plans and specifications and awarded a construction contract to Hillcrest Contracting, Inc. of Corona, California for the QVC Way Street Improvement Project (ST1718) in the bid amount of \$443,339 plus a 10% contingency of \$44,334 for a total authorized amount of \$487,673; and authorized the City Manager to execute said contract and related documents and file a Notice of Completion at the conclusion of the construction activities.

7. A PROFESSIONAL SERVICES AGREEMENT FOR FINANCIAL AUDIT SERVICES/LANCE, SOLL & LUNGHARD

City Council authorized the City Manager to execute a three year professional services agreement with the accounting firm of Lance, Soll & Lunghard, LLP, of Brea, California, in the amount of \$296,360 to perform annual auditing services for the City of Ontario, the Ontario Housing Authority, and the Successor Agency of the former Redevelopment Agency; and authorized extension of the agreement for up to two additional years subject to City Council approved budgets.

8. **AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT AMENDMENT (SECOND AMENDMENT – FILE NO PDA05-001) BETWEEN THE CITY OF ONTARIO AND EDENGLLEN ONTARIO LLC, TO CLARIFY AND UPDATE THE TIMING OF THE CONSTRUCTION OF PUBLIC INFRASTRUCTURE, THE DEVELOPMENT IMPACT FEE PROVISIONS, AND THE EXTENSION OF THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO'S 17392, 17558, 17559, 17560, 17561, 17562, 17563, 17564, 18789, 18790, AND 18791, GENERALLY LOCATED NORTH OF CHINO AVENUE, SOUTH OF RIVERSIDE DRIVE, EAST OF MILL CREEK AVENUE, AND WEST OF THE SCE UTILITY CORRIDOR, WITHIN PLANNING AREAS 1 THROUGH 8 OF THE EDENGLLEN SPECIFIC PLAN (APN: 0218-171-15; 0218-921-07, 08, 16, 19, 22, AND 30; 0218-931-01 THROUGH 25; 218-931-75 THROUGH 89; 0218-932-01 THROUGH 21; 0218-933-01 THROUGH 17; 0218-934-01 THROUGH 24; 0218-935-01--THROUGH 04; 0218-935-12 THROUGH 19; 0218-935-22 THROUGH 38; 0218-941-01 THROUGH 39; 0218-941-55 THROUGH 93; 0218-951-01 THROUGH 70; 0218-952-19 THROUGH 82; 0218-954-01 THROUGH 42; 0218-955-01 THROUGH 42; 0218-956-01 THROUGH 58; AND, 0218-961-07 THROUGH 88)**

City Council considered and adopted an ordinance approving the Second Amendment, File PDA05-001, to the Development Agreement between the City of Ontario and Edenglen Ontario LLC, a Delaware Limited Liability Company, to clarify and update the phasing of the construction of public infrastructure to serve Tract Map No's 17392, 17558, 17559, 17560, 17561, 17562, 17563, 17564, 18789, 18790, and 18791 and extended the term of the Development Agreement. Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on March 20, 2018.

ORDINANCE NO. 3094 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT, FILE NO. PDA05-001, BETWEEN THE CITY OF ONTARIO AND EDENGLLEN ONTARIO, LLC, TO CLARIFY AND UPDATE THE TIMING OF THE CONSTRUCTION OF PUBLIC INFRASTRUCTURE, THE DEVELOPMENT IMPACT FEE PROVISIONS, AND THE EXTENSION OF THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO'S 17392, 17558, 17559, 17560, 17561, 17562, 17563, 17564, 18789, 18790, 18791, AND 17564, GENERALLY LOCATED NORTH OF CHINO AVENUE, SOUTH OF RIVERSIDE DRIVE, EAST OF MILL CREEK AVENUE, AND WEST OF THE SCE UTILITY CORRIDOR, WITHIN PLANNING AREAS 1 THROUGH 8 OF THE EDENGLLEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 0218-171-15; 0218-921-07, 08, 16, 19, 22, AND 30; 0218-931-01 THROUGH 25; 0218-931-75 THROUGH 89; 0218-932-01 THROUGH 21; 0218-933-01 THROUGH 17; 0218-934-01 THROUGH 24; 0218-935-01 THROUGH 04; 0218-935-12 THROUGH 19; 0218-935-22 THROUGH 38; 0218-941-01 THROUGH 39; 0218-941-55 THROUGH 93; 0218-951-01 THROUGH 70; 0218-952-19 THROUGH 82; 0218-954-01 THROUGH 42; 0218-955-01 THROUGH 42; 0218-956-01 THROUGH 58; 0218-961-07 THROUGH 88.

9. **AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA16-002) BETWEEN THE CITY OF ONTARIO AND CVRC ONTARIO INVESTMENTS, LLC, FOR THE POTENTIAL DEVELOPMENT OF UP TO 480 RESIDENTIAL UNITS (FILE NO. PMTT16-004/TT 19966) ON 111.10 ACRES OF LAND WITHIN THE RESIDENTIAL SINGLE FAMILY DISTRICT OF PLANNING AREAS 2, 3, 4 AND 5 OF THE ARMSTRONG RANCH SPECIFIC PLAN, LOCATED ON THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND ONTARIO AVENUE (APNs: 0218-101-01, 0218-101-02, 0218-101-07, 0218-101-08, 0218-102-10, AND 0218-102-11)**

City Council considered and adopted an ordinance approving a Development Agreement, File No. PDA16-002, between the City of Ontario and CVRC Ontario Investments, LLC, for the potential development of up to 480 residential units (File No. PMTT16-004/TT 19966) on 111.10 acres of land within the Residential Single Family district of Planning Areas 2, 3, 4 and 5 of the Armstrong Ranch Specific Plan, located on the southwest corner of Riverside Drive and Ontario Avenue. Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on March 20, 2018.

ORDINANCE NO. 3095 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA16-002) BETWEEN THE CITY OF ONTARIO AND CVRC ONTARIO INVESTMENTS, LLC, FOR THE POTENTIAL DEVELOPMENT OF UP TO 480 RESIDENTIAL UNITS (FILE NO. PMTT16-004/TT 19966) ON 111.10 ACRES OF LAND WITHIN THE RESIDENTIAL SINGLE FAMILY DISTRICT OF PLANNING AREAS 2, 3, 4 AND 5 OF THE ARMSTRONG RANCH SPECIFIC PLAN, LOCATED ON THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND ONTARIO AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 0218-101-01, 0218-101-02, 0218-101-07, 0218-101-08, 0218-102-10, AND 0218-102-11.

10. **CONSTRUCTION CONTRACT FOR EXPANSION OF THE CNG FACILITY AT THE ONTARIO MUNICIPAL SERVICES CENTER (OMSC)**

City Council approved the plans and specifications and awarded Contract No. MS 2015-16-1 to Fueling and Service Technologies, Inc. (FASTECH) of Buena Park, CA, for the construction of OMSC CNG Facility Expansion in the amount of \$131,136 plus a 15% contingency of \$19,670, for a total amount of \$150,806; and authorized the City Manager to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project.

11. **CONSTRUCTION CONTRACT FOR RECYCLED WATER MAIN IMPROVEMENTS IN RIVERSIDE DRIVE AND JURUPA STREET**

City Council approved the plans and specifications and awarded Contract No. UT 1002 to Norstar Plumbing and Engineering, Inc. of Alta Loma, California, for the construction of the Recycled Water Improvements for Riverside Drive and Jurupa Street in the amount of \$3,312,219 plus a 15% contingency of \$496,833,

for a total amount of \$3,809,052; and authorized the City Manager to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project.

UNANIMOUSLY CARRIED: Mayor Leon declared City Council Resolution Nos. 2018-030, 2018-031 and 2018-032 and Ordinance Nos. 3094 and 3095 unanimously adopted.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

12. CONFIRMATION OF APPOINTMENT OF DEPUTY POLICE CHIEF DEREK WILLIAMS TO POLICE CHIEF.

City Manager Ochoa noted his recommendation that the City Council confirm Derek Williams as the next Police Chief, and requested ratification.

Council Member Dorst-Porada expressed her appreciation to Deputy Chief Williams for stepping in for Chief Kaylor, and commented that she believes he will make a great chief.

Mayor pro Tem Wapner noted the City's long legacy of great police chiefs and commented that Ontario has the best police department in the Country. He congratulated Deputy Chief Williams on this appointment.

Council Member Bowman indicated that he feels that Mr. Williams will do a wonderful job, noting his family's support of his efforts.

Council Member Valencia concurred that Deputy Chief Williams was the right person for the job. He welcomed him as the Chief.

Mayor Leon stressed the importance of getting the right person for the job, and having someone who will provide consistency, reliability and accountability.

MOTION: Moved by Mayor pro Tem Wapner, seconded by Council Member Bowman and carried by unanimous to confirm Derek Williams as Ontario's new Police Chief.

CITY CLERK MAUTZ ISSUED THE OATH OF OFFICE TO POLICE CHIEF DEREK WILLIAMS.

Chief Williams commented that it was an honor and a blessing to be in this position. He reflected on his career which began after leaving the Air Force, 28 years ago; and he introduced and thanked his family for their support.

STAFF MATTERS

City Manager Ochoa had no comments.

COUNCIL MATTERS

Council Member Valencia had no comments.

Council Member Bowman thanked staff for the success of the State of the City event. He also wished Council Member Dorst-Porada a Happy Birthday.

Mayor pro Tem Wapner had no comments.

Council Member Dorst-Porada noted Council Member Bowman's upcoming birthday and thanked everyone for their support of Chief Williams this evening.

Mayor Leon noted that comments at the podium are factual in the opinion of those presenting them. He stressed the difficulty of the job done by police officers in today's society. He expressed appreciation of the job they do.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:15 p.m. and announced the next regular meetings to be held on Tuesday, April 17, 2018.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN