

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
May 5, 2020**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday May 5, 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.

CLOSED SESSION

Mayor Leon called the City Council/Housing Authority meetings to order at 6:05 p.m.

ROLL CALL

PRESENT:	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
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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 6:06 p.m. for discussion of the following:

- **GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
 Property: APN 1048-363-02, 1048-363-03, 1048-363-04, and 1048-363-05;
 404-426 North Euclid Avenue; City Negotiator: Scott Ochoa or his designee;
 Negotiating parties: California American General, Inc. (d/b/a Adept Development)
 and Grapevine Development; Under negotiation: Price and terms of payment.

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council and Housing Authority meetings to order at 6:47 p.m.

PRESENT: 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 telephonically)

ABSENT: Council/Authority Members: None

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

The Pledge of Allegiance was led by Mayor pro Tem Dorst-Porada.

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

PUBLIC COMMENTS

There were no public comments.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa indicated there were no additions or announcements.

CONSENT CALENDAR

MOTION: Moved by Council Member Bowman, seconded by Council Member Valencia 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 7, 2020, as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved the **Bills** for the period April 3, 2020 through April 16, 2020, in the amount of \$26,221,115.60 and **Payroll** for the period March 29, 2020 through April 11, 2020, in the amount of \$3,428,476.20, when audited by the Finance Committee.

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

City Council adopted a resolution continuing the Proclamation of Local Emergency for the 2020 Coronavirus Pandemic until further notice with an update scheduled for the June 2, 2020 City Council Meeting, unless cancelled sooner.

RESOLUTION NO. 2020-038 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 THE NECESSARY STEPS FOR THE PROTECTION OF LIFE, HEALTH AND SAFETY IN THE CITY OF ONTARIO.

4. A RESOLUTION DECLARING CONDITIONS RELATED TO THE COVID-19 QUARANTINE AND HOUSING OF INDIVIDUALS AT HOTELS AND MOTELS WITHIN THE CITY OF ONTARIO

City Council adopted a resolution ratifying Executive Order 2020-1: declaring conditions related to the COVID-19 quarantine and housing of individuals at hotels and motels within the City of Ontario.

RESOLUTION NO. 2020-039 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING CONDITIONS RELATED TO THE COVID-19 QUARANTINE/ISOLATION AND HOUSING OF INDIVIDUALS AT HOTELS AND MOTELS WITHIN THE CITY OF ONTARIO.

5. AN ORDINANCE APPROVING A DEVELOPMENT CODE AMENDMENT (FILE NO. PDCA20-001) AMENDING ONTARIO DEVELOPMENT CODE SECTION 4.02.010.D.2.F, BILLBOARD RELOCATION AGREEMENTS, INTERAGENCY RELOCATION EXCEPTION, TO REVISE THE LOCATIONAL CRITERIA AND THE NUMBER OF BILLBOARDS TO BE ELIMINATED WITHIN THE CITY OF ONTARIO

City Council considered and adopted an ordinance approving a Development Code Amendment (PDCA20-001) amending Ontario Development Code Section 4.02.010.D.2.f, Billboard Relocation Agreements, Interagency Relocation Exception, to revise the locational criteria and the number of billboards to be eliminated within the City. Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on April 21, 2020.

ORDINANCE NO. 3160 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING (FILE NO. PDCA20-001) A REQUEST TO AMEND ONTARIO DEVELOPMENT CODE SECTION 4.02.010.D.2.F, BILLBOARD RELOCATION AGREEMENTS, INTERAGENCY RELOCATION EXCEPTION, TO REVISE THE LOCATIONAL CRITERIA AND THE NUMBER OF BILLBOARDS TO BE ELIMINATED WITHIN THE CITY.

6. A CONSTRUCTION CONTRACT FOR THE CONNECTOR PIPE SCREEN PROJECT

City Council approved the plans and specifications and awarded a construction contract to United Storm Water, Inc. of Industry, California, for the Connector Pipe Screen (CPS) Project in the amount of \$134,466 plus an 11.5% contingency of \$15,534, for a total authorized expenditure of \$150,000; and authorized the City Manager to execute said contract and all related documents and file a notice of completion at the conclusion of all construction activities.

7. A CONSTRUCTION CONTRACT FOR THE 2020 SPRING PAVEMENT REHABILITATION PROJECT

City Council approved the plans and specifications and awarded a construction contract with All American Asphalt of Corona, California, for the 2020 Spring Pavement Rehabilitation Project in the bid amount of \$2,197,669 plus a fifteen percent (15%) contingency of \$329,650, for a total authorized expenditure of \$2,527,319; and authorized the City Manager to execute said contract and all related documents, and file a notice of completion at the conclusion of all construction activities.

8. A RESOLUTION APPROVING FINAL PARCEL MAP NO. 19253 LOCATED ON BAKER AVENUE APPROXIMATELY 620 FEET NORTH OF PHILADELPHIA STREET

City Council adopted a resolution approving Final Parcel Map No. 19253 located on Baker Avenue approximately 620 feet north of Philadelphia Street.

RESOLUTION NO. 2020-040 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 19253 LOCATED ON BAKER AVENUE APPROXIMATELY 620 FEET NORTH OF PHILADELPHIA STREET.

9. FIRST AMENDMENT TO THE CONSOLIDATED PLAN ANNUAL ACTION PLAN FOR THE 2019-20 PROGRAM YEAR

City Council took the following actions:

(A) Approved the First Amendment to the Consolidated Plan Annual Action Plan for the Program Year 2019-20 (“Substantial Amendment”); and

(B) Authorized the City Manager to take all actions necessary or desirable to implement the Substantial Amendment.

10. RECOGNITION OF “HISTORIC PRESERVATION MONTH” IN THE CITY OF ONTARIO”

City Council Proclaimed the Month of May 2020 as “Historic Preservation Month” in the City of Ontario.

11. APPLICATION FOR GRANT FROM THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) SELF-GENERATION INCENTIVE PROGRAM (SGIP)

City Council authorized the City Manager or his designee to execute all documents necessary to apply for and accept a grant in the amount of \$4,985,200 from the California Public Utilities Commission (CPUC) for participation in the Self-Generation Incentive Program (SGIP).

MOTION CARRIED BY A UNANIMOUS ROLL CALL VOTE: Mayor Leon declared Resolution Nos. 2020-038, 2020-039 and 2020-040 and Ordinance No. 3160 adopted.

PUBLIC HEARINGS

12. A JOINT PUBLIC HEARING FOR APPROVAL OF A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND KENDREW DEVELOPMENT, LLC. FOR THE DEVELOPMENT OF A MIXED-USE PROJECT LOCATED AT 116 EAST D STREET: A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND KENDREW DEVELOPMENT, LLC. FOR THE DEVELOPMENT OF A MIXED-USE PROJECT LOCATED AT 308 AND 334 NORTH EUCLID AVENUE

City Council and the Board of the Ontario Housing Authority:

- (A) Adopted a resolution approving the Disposition and Development Agreement between the City and Kendrew Development, LLC;
- (B) Adopted a resolution approving the Disposition and Development Agreement between the Housing Authority and Kendrew Development, LLC.; and
- (C) Authorized the City Manager/Executive Director, or his designee, to sign all documents necessary to implement the Agreements

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 noted that this was a very significant project for the City and reminded the City Council of the stated intent to revitalize the Euclid Downtown area, specifically the “C” Block.

Executive Director of Economic Development John Andrews identified the location of the “C” Block bounded by Euclid Avenue on the west, D Street on the north, Lemon Street on the east and C Street on the south. He indicated that the project site had been reduced from 2.4 to 1.6 acres to be sold to the developer. He explained that the developer would construct, own and manage approximately 150 residential apartment units on the site. He advised that the project would begin immediately, and he detailed the project timeline. Andrews also noted that the parking facility would be on a parallel track and design work is already underway.

Council Member Wapner noted that this is a market rate project, with funds coming back to the City and going back into the affordable housing fund.

Council Member Valencia requested clarification of the location of the parking structure. Staff clarified that it would be on the southeast corner of the site, across from the library.

Mayor Leon commented that revitalization of the downtown is something that has been promised for a long time and this continues the process with projects like this that will help bring people to the downtown. He stressed that development is still occurring in the City, despite the COVID-19 pandemic.

Mayor pro Tem Dorst-Porada stressed the importance of maintaining the aesthetics of downtown, rather than concentrating solely on density.

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 Bowman, seconded by Council Member Wapner and carried by unanimous roll call vote to adopt Resolution Nos. 2020-041 and OHA-100.

RESOLUTION NO. 2020-041 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE SALE OF PROPERTY PURSUANT TO A DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ONTARIO AND KENDREW DEVELOPMENT, LLC, FOR PROPERTY GENERALLY LOCATED AT 111-116 EAST D STREET.

RESOLUTION NO. OHA-100 A RESOLUTION OF THE GOVERNING BOARD OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT WITH KENDREW DEVELOPMENT, LLC., FOR DEVELOPMENT OF A MIXED-USE PROJECT AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.

STAFF MATTERS

City Manager Ochoa noted Item No. 9 of the Consent Calendar dealt with federal CARES money which will be used to assist Mercy House in providing services to the homeless and housing insecure populations. He indicated that this report also included CDBG funds for downtown Ontario and small business assistance.

COUNCIL MATTERS

Mayor pro Tem Dorst-Porada asked that everyone to be good to each other and check on seniors in their neighborhoods who may need assistance during the stay at home order. She also noted that recent COVID-19 testing might result in higher case numbers being reported but stressed that more testing is good because then true numbers can be known as to the prevalence of COVID-19 in the community. She also stated that through testing, asymptomatic carriers can be identified so they know to stay home and not expose others.

Council Member Wapner noted that his wife has Huntington's Disease and advised that this is Huntington's Disease Awareness Month. He explained that Huntington's is like a combination of Parkinson's, ALS and Alzheimer's; and there currently is no cure. He requested that everyone go to the website www.hdsa.org, become informed about the disease, and help raise awareness. Wapner also noted his concern raised at the last City Council meeting regarding landlords not being able to make mortgage payments caused by their tenants not making rent payments during the COVID-19 crisis; and he requested and received Council concurrence to have the City Manager bring back a revised ordinance to address those concerns.

Council Member Bowman wished everyone a happy and safe Cinco de Mayo.

Council Member Valencia congratulated City staff and County partners for conducting the COVID-19 testing at the Toyota Arena on May 4. He indicated that it was a well-run event with over 400 people being tested. Council Member Valencia also acknowledged the students in Ontario's graduating classes and stressed that they are going without their traditional graduation ceremonies, and he wished them all well. He also wished everyone a happy Cinco de Mayo.

Mayor Leon noted the uniqueness of the times when students are now denied the opportunity to celebrate their graduations as usual, but he noted the community support they are receiving in the form of vehicle parades and social media congratulations. He noted that the worst of times sometimes brings out the best in people and highlighted community-based organizations offering to help like Unidos por la Musica, the Lampkin Foundation, the Lutheran Church and Mathis Brothers Furniture. Mayor Leon also addressed the Governor's efforts to divert sales taxes revenues during the COVID-19 crises and stressed the importance of those taxes to the local economy. He also stressed that the City has been good about handling its finances for decades and that is why it is still able to move projects forward even during the COVID-19 crisis.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:18 p.m. to the next regular meetings to be held on Tuesday, May 19, 2020.

Respectfully submitted,


SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:


PAUL S. LEON, MAYOR/CHAIRMAN