

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
December 17, 2019**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, December 17, 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 6:03 p.m., with all members present except Council Member Wapner.

Mayor Leon announced the matters under 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 6:03 p.m. for discussion of the following:

- GC 54956.95 CONFERENCE WITH LEGAL COUNSEL, *San Bernardino Workers' Compensation Appeals Board, EAMS Case No. ADJ11152576*
- GC 54956.9 (d)(2) and (e)(3) CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: *One case.*
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1048-551-10 through 1048-551-13; 308 North Euclid Avenue, 334 North Euclid Avenue, 116 East D Street, 127 East C Street; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating parties: Kendrew Development, LLC, a Limited Liability Corporation; Under negotiation: Price and terms of payment

Council Member Wapner arrived at 6:10 p.m.

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council and Housing Authority meetings to order at 6:37 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
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Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel Scott E. Huber, and City Clerk/Secretary Sheila Mautz. Mayor Leon also invited City Treasurer Jim Milhiser to sit at the dais.

CLOSED SESSION REPORT

City Attorney Huber indicated that there was no reportable action from the Closed Session discussion.

The Pledge of Allegiance was led by Council Member Dorst-Porada.

The Invocation was provided by *Lieutenant Perez*, representing The Salvation Army.

Mayor Leon noted that all of the City's elected officials were present at this meeting including City Clerk Sheila Mautz and City Treasurer Jim Milhiser.

PUBLIC COMMENTS

Jeffrey Hackbarth, representing the Greater Ontario Business Council, commented on the current economic expansion and the easing of interest rates. He announced their January 31, 2020 Vision 2020 event with one of the region's chief economists to provide a balanced dialogue on the future of the economy.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa indicated that there were no updated materials or announcements.

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

City Council approved Minutes for the regular meeting of the City Council and Housing Authority of November 19, 2019, as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period November 15, 2019 through November 27, 2019, in the amount of \$23,797,321.88 and **Payroll** for the period November 10, 2019 through November 23, 2019, in the amount of \$4,735,318.71, when audited by the Finance Committee.

3. THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH COMMUNICATIONS & MEDIA MANAGEMENT CONSULTANTS, INC FOR CITYWIDE MARKETING, COMMUNICATIONS, MITIGATION & PUBLIC RELATIONS CONSULTING SERVICES

City Council authorized the City Manager to execute Amendment No. 3 adding \$30,000 to the Professional Services Agreement with Communications & Media Management Consultants, Inc. of Santa Clarita, California, for the provision of citywide marketing, communications, mitigation & public relations consulting services, for a not-to-exceed limit of \$170,000.

4. A PROFESSIONAL SERVICES AGREEMENT FOR THE RECREATION AND PARKS MASTER PLAN/KTU & A

City Council authorized the City Manager to execute a Professional Services Agreement with KTU & A, a California corporation, located in San Diego, California, to prepare a comprehensive Recreation and Parks Master Plan for an amount of \$154,770 plus a 15% contingency, for a total not-to-exceed amount of \$177,985.

5. A RESOLUTION AUTHORIZING THE PREPAYMENT OF UP TO \$15 MILLION IN ONTARIO RANCH PARK DEVELOPMENT IMPACT FEES TO FACILITATE THE DEVELOPMENT OF THE GREAT PARK

City Council considered and adopted a resolution authorizing the prepayment of up to \$15 million in Ontario Ranch Park Development Impact Fees to facilitate the development of the Great Park.

RESOLUTION NO. 2019-170 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE PREPAYMENT OF UP TO \$15 MILLION IN ONTARIO RANCH PARK DEVELOPMENT IMPACT FEES TO FACILITATE THE DEVELOPMENT OF THE GREAT PARK.

6. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER, INC., FOR ON-CALL MATERIAL TESTING AND GEOTECHNICAL ENGINEERING SERVICES

City Council approved an amendment to the Professional Services Agreement with Kleinfelder, Inc., of Ontario, California, to provide on-call geotechnical consulting, material testing, and compaction testing services for a revised total annual authorized expenditure of \$140,000; and extend the term of agreement to five years with an overall not-to-exceed amount of \$700,000.

7. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18065 LOCATED AT THE SOUTHEAST CORNER OF EUCALYPTUS AVENUE AND PARKPLACE AVENUE

City Council adopted a resolution approving an improvement agreement, improvement security and Final Tract Map No. 18065 located at the southeast corner of Eucalyptus Avenue and Parkplace Avenue within the Subarea 29 Specific Plan area.

RESOLUTION NO. 2019-171 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18065 LOCATED AT THE SOUTHEAST CORNER OF EUCALYPTUS AVENUE AND PARKPLACE AVENUE.

8. A RESOLUTION OF INTENTION TO ESTABLISH AN ENHANCED INFRASTRUCTURE FINANCING DISTRICT

City Council considered and adopted a Resolution of Intention to establish an Enhanced Infrastructure Financing District for the purpose of funding infrastructure and other capital improvements, and the creation of an Ontario Enhanced Infrastructure Financing District (EIFD) Public Financing Authority, and authorized the City Manager to execute all required documents.

RESOLUTION NO. 2019-172 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, STATING ITS INTENTION TO ESTABLISH THE ONTARIO ENHANCED INFRASTRUCTURE FINANCING DISTRICT TO FINANCE THE CONSTRUCTION AND/OR ACQUISITION OF CAPITAL IMPROVEMENTS, ESTABLISHING A PUBLIC FINANCING AUTHORITY, SETTING A TIME AND PLACE FOR HEARING AND AUTHORIZING CERTAIN OTHER ACTIONS RELATED THERETO.

9. UPDATED INVESTMENT POLICY

City Council considered and approved updates to the City of Ontario's Investment Policy.

10. COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2019

City Council accepted the City of Ontario's Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2019.

11. AB 1600 DEVELOPMENT IMPACT FEE ANNUAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2019

City Council accepted the City of Ontario's AB 1600 Development Impact Fee Annual Report for Fiscal Year Ended June 30, 2019.

12. EVERY 15 MINUTES GRANT PROGRAM FROM THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

City Council authorized the acceptance of grant funds in the amount of up to \$8,500 for the Every 15 Minutes Grant Program from the Department of California Highway Patrol.

13. CONSTRUCTION CONTRACT FOR THE DEVELOPMENT OF FIRE STATION NO. 9/ACT 1 CONSTRUCTION

City Council took the following actions:

- (A) Accepted the withdrawal of KEMCORP's bid for D&C17-003-FS09—Fire Station No. 9;
- (B) Authorized the City Manager to complete and execute Construction Contract No. D&C17-003-FS09 – Fire Station No. 9 with Act 1 Construction of Norco, California, for the construction of Fire Station No. 9 in the amount of \$7,894,706;
- (C) Authorized a project reserve in the amount of \$400,000 for an extended temporary road and rough grading to provide access to the site;
- (D) Authorized a 15% contingency of \$1,244,206 to address any unforeseen issues that may arise during construction; and
- (E) Authorized the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities.

14. A PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH FOR A TRANSFER STATION FEASIBILITY ANALYSIS, PRELIMINARY DESIGN AND FACILITY PLAN

City Council approved a Professional Services Agreement with Tetra Tech BAS, Inc. of Diamond Bar, California, for a transfer station feasibility analysis, preliminary design and facility plan in the amount of \$275,609 plus a 5% contingency of \$13,780 for a total not to exceed amount of \$289,389; and authorized the City Manager to execute the agreement and any future amendments within the authorization limits.

MOTION CARRIED BY UNANIMOUS VOTE. Mayor Leon declared Resolution Nos. 2019-170, 2019-171 and 2019-172 adopted.

PUBLIC HEARINGS

- 15. A PUBLIC HEARING TO CONSIDER AN URGENCY ORDINANCE APPROVING A DEVELOPMENT CODE AMENDMENT (FILE NO. PDCA19-003) REVISING TABLE 5.02-1 (LAND USE TABLE) AND SECTION 5.03.010 (ACCESSORY RESIDENTIAL STRUCTURES) IN ORDER TO BRING THE CITY'S CURRENT PROVISIONS GOVERNING ACCESSORY DWELLING UNITS INTO COMPLIANCE WITH RECENT CHANGES IN STATE LAW**

City Council considered and adopted an urgency ordinance approving File No. PDCA19-003, revising Development Code Table 5.02-1 (Land Use Table) and Section 5.03.010 (Accessory Residential Structures), which will bring the City's current provisions governing accessory dwelling units into compliance with recent changes in State law (SB13, AB68 AND AB881) that become effective on January 1, 2020.

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. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Wapner, seconded by Council Member Bowman and carried by unanimous vote to waive further reading and adopt Ordinance No. 3150.

ORDINANCE NO. 3150 AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT, FILE NO. PDCA19-003, TO THE ONTARIO MUNICIPAL CODE, AMENDING CHAPTER 5 OF THE ONTARIO DEVELOPMENT CODE REGARDING THE REGULATION OF ACCESSORY DWELLING UNITS.

- 16. A PUBLIC HEARING TO CONSIDER AN ORDINANCE REPEALING CHAPTER 9 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 9 OF TITLE 4 PERTAINING TO ALARM REGISTRATION, A REGULATORY SCHEME FOR ADMINISTERING AND MANAGING THE CITY'S RESPONSE TO ALARMS, FEES, FINES, APPEAL PROCESS, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO**

City Council conducted a public hearing to consider the repealing in its entirety Chapter 9 of Title 4 of the Ontario Municipal Code (OMC) and adopting a new

Chapter 9 of Title 4 relating to alarm systems, alarm registration and administering the City's response to alarms, fees, fines and appeal process.

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. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Valencia and carried by unanimous vote to waive further reading and adopt Ordinance No. 3151

ORDINANCE NO. 3151 (FIRST READING) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REPEALING CHAPTER 9 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 9 OF TITLE 4 PERTAINING TO ALARM REGISTRATION, A REGULATORY SCHEME FOR ADMINISTERING AND MANAGING THE CITY'S RESPONSE TO ALARMS, FEES, FINES, APPEAL PROCESS, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

17. **A PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT (FILE NO. PUD19-001) TO ESTABLISH DEVELOPMENT STANDARDS, DESIGN GUIDELINES AND INFRASTRUCTURE REQUIREMENTS TO FACILITATE THE DEVELOPMENT OF A COMMERCIAL DEVELOPMENT ON 0.36 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF EUCLID AVENUE AND E STREET (110 WEST E STREET AND 511 NORTH EUCLID AVENUE), WITHIN THE MU-1 (DOWNTOWN MIXED USE) AND EA (EUCLID AVENUE OVERLAY) ZONING DISTRICTS (APNS: 1048-355-09 AND 1048-355-10)**

City Council introduced and waived further reading of an ordinance approving a Planned Unit Development, File No. PUD19-001, establishing development standards, design guidelines and infrastructure requirements to facilitate a commercial development (Starbucks Coffee) at the northwest corner of Euclid Avenue and E Street.

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. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to waiver further reading and adopt Ordinance No. 3152.

ORDINANCE NO. 3152 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD19-001, A PLANNED UNIT DEVELOPMENT (EUCLID AVE AND E STREET) TO ESTABLISH DEVELOPMENT STANDARDS, DESIGN GUIDELINES AND INFRASTRUCTURE REQUIREMENTS TO FACILITATE A COMMERCIAL DEVELOPMENT ON 0.36 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF EUCLID AVENUE AND E STREET (110 WEST E. STREET AND 511 NORTH EUCLID AVENUE), WITHIN THE MU-1 (DOWNTOWN MIXED USE) AND EA (EUCLID AVENUE OVERLAY) ZONING DISTRICTS, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1048-355-09 AND 1048-355-10.

18. **A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN (FILE NO. PSPA19-002) TO ESTABLISH A MIXED-USE OVERLAY DISTRICT ON 22.39 ACRES OF LAND WITHIN A PORTION OF PLANNING AREA 2 (URBAN COMMERCIAL) LAND USE DISTRICT, LOCATED AT THE SOUTHEAST CORNER OF VINEYARD AVENUE AND INLAND EMPIRE BOULEVARD (APNS: 0110-311-52, 0110-311-53, 0110-311-54, AND 0110-311-55)**

City Council considered and adopted:

- (1) A resolution approving an addendum to Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH# 2014051020) certified by the City Council on April 7, 2015; and
- (2) A resolution approving an Amendment to the Meredith International Centre Specific Plan (File No. PSPA19-002) to establish a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district, located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard.

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. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada to adopt Resolution Nos 2019-173 and 2019-174

RESOLUTION NO. 2019-173 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PSPA19-002—APNs: 0110-311-52, 0110-311-53, 0110-311-54, AND 0110-311-55.

RESOLUTION NO. 2019-174 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA19-002, AN AMENDMENT TO THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN TO ESTABLISH A MIXED-USE OVERLAY DISTRICT ON 22.39 ACRES OF LAND WITHIN A PORTION OF PLANNING AREA 2 (URBAN COMMERCIAL) LAND USE DISTRICT, LOCATED AT THE SOUTHEAST CORNER OF VINEYARD AVENUE AND INLAND EMPIRE BOULEVARD, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0110-311-52, 0110-311-53, 0110-311-54, AND 0110-311-55.

STAFF MATTERS

There were no staff matters

COUNCIL MATTERS

Council Member Dorst-Porada commented on Items 4, 13 and 17 of this agenda, noting that they will result in a new Park Master Plan, a New Fire Station and a new Starbucks at the corner of Euclid Avenue and E Street. She also noted the presence of the Salvation Army at this meeting and encouraged participation to assist their fundraising. She noted the number of students in the audience at this meeting and offered to answer any questions from the group following the meeting.

Council Member Wapner welcomed the students to the meeting, noting the upcoming end of the semester. He wished everyone a Merry Christmas, Happy Hanukkah and a Happy New Year.

Council Member Bowman wished everyone a Happy and Safe Holiday Season.

Mayor pro Tem Valencia wished everyone Happy Holidays. He commended staff for an amazing event over the weekend with the Reindeer Run 5k. He reminded the community that not everyone is fulfilled this time of year and encouraged them to check in on friends and neighbors.

Mayor Leon noted that he had run the Reindeer Run with City Treasurer Milhiser.

City Treasurer Milhiser wished everyone a Happy Holiday and a great 2020.

Mayor Leon noted that Unidos por la Musica hosted a great toy give away event over the weekend, providing gifts for the kids in attendance. He noted his appreciation of how Ontario Town Square is being utilized for community events.

ADJOURNMENT

Mayor Leon announced that the regular meetings scheduled for January 7, 2020 would be cancelled, and he adjourned the meetings of the Joint Agencies at 6:50 p.m. to the next regular meetings to be held on Tuesday, January 21, 2020.

Respectfully submitted,


SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:


PAUL S. LEON, MAYOR/CHAIRMAN