

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
August 21, 2018**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, August 21, 2018, 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 6:02 p.m., with all members present except Council Member Bowman (an excused absence); 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: 1048-552-17 and 1048-551-11; 240 North Euclid Avenue and 308 North Euclid Avenue; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating parties: Wells Fargo, N.A., a national banking association; 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 6:30 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: Debra Dorst-Porada and Ruben Valencia

ABSENT: Council/Authority Member: Jim W. Bowman

Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel John Brown and City Clerk/Secretary Sheila Mautz.

CLOSED SESSION REPORT

City Attorney Brown reported that the matter listed on the agenda was discussed and direction was given to the real property negotiator, however there was no reportable action.

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

In the absence of the Pastor, Mayor Leon called for a moment of silence.

PUBLIC COMMENTS

Rita Nelsen, noted that she is a resident of Rancho Ontario Mobile Home Park and thanked Police, Fire and the City Council for their visits during the Ontario Night Out event at Rancho Ontario Mobile Home Park.

Mayor Leon noted that this year there were over thirty parties citywide for Ontario Night Out, so the Council had to split up to attend them all.

Rudy Favila, expressed concern with the early posting of campaign signs, and he also suggested a need for a candidate debate or forum.

Jesse Fonseca, expressed ongoing concern with airplane noise over his house from the Ontario Airport.

Paul MimMack, requested a candidate's debate.

Peggi Hazlett, representing the Greater Ontario Business Council, introduced new Board Members and explained that their current focus is on manufacturing businesses. She highlighted an event held today featuring a mobile bearing manufacturing unit. She also announced upcoming events and noted that they will be kicking off a partnership with Cal State Fullerton.

Richard Galvez, expressed pride in the work of the De Anza students being recognized this evening, as well as the teachers and leadership of the school and district.

Benjamin Lopez, Outreach Director for FrontSight Military Outreach, announced events recognizing 9/11 including a Remembrance Day on September 8, 2018 and a Golf Fundraiser on September 12, 2018. Mayor Leon noted for the public that this organization is a ministry for Veterans.

SPECIAL CEREMONIES

RECOGNITION OF DE ANZA MIDDLE SCHOOL – WATER FOR SOUTH SUDAN PROJECT

Helen McAlary, Executive Director of Community Life and Culture, expressed that once goal of her agency is to strengthen ties within the community, and the Ontario-Montclair School District (OMSD) has been a great partner in that effort. She introduced De Anza Middle School teacher, *Martha Banuelos*, and her students responsible for this project.

Ms. Banuelos thanked OMSD leaders and her school principal for their support and noted that this project was undertaken by the 7th grade English Department at De Anza Middle School. The project raised funds for a water well in South Sudan, Africa. Students Aldo

Rojas, Barisa Ayala and Kevin Mendoza provided an overview of their efforts on the project. Ms. Banuelos noted that the school is now working to raise money for a second well. Mayor Leon called the group forward for a presentation and photographs.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa reported an update for Item Number 3, representing payments received since the printing of the agenda until 9:00 a.m. this morning, and noted that the materials would be incorporated into the public record.

CONSENT CALENDAR

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

1. APPROVAL OF MINUTES

Approved Minutes for the regular meetings of the City Council/Housing Authority/Successor Agency to the Ontario Redevelopment Agency of July 3, and July 17, 2018, as on file in the Records Management Department.

2. BILLS/PAYROLL

Approved **Bills** for the period June 3, 2018 through June 30, 2018, in the amount of \$9,728,886.54 and **Payroll** for the period June 3, 2018 through June 30, 2018, in the amount of \$3,526,231.26, when audited by the Finance Committee.

3. A RESOLUTION FOR PLACEMENT OF SPECIAL ASSESSMENTS ON THE SAN BERNARDINO COUNTY TAX ROLLS

City Council adopted a resolution for recovery of fees and costs incurred in abating property and dangerous building violations, as well as administrative citations and civil penalties associated with property maintenance violations, and placing special assessments on the San Bernardino County Tax Rolls.

RESOLUTION NO. 2018-113 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

4. AN ORDINANCE ADDING CHAPTER 13A TO TITLE 6 OF THE ONTARIO MUNICIPAL CODE REGARDING SMOKE FREE PARKS

City Council considered and adopted an ordinance adding Chapter 13A to Title 6 of the Ontario Municipal Code to add provisions regarding Smoke Free Parks. Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on July 17, 2018.

ORDINANCE NO. 3112 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADDING CHAPTER 13A TO TITLE 6 OF THE ONTARIO MUNICIPAL CODE REGARDING SMOKE FREE PARKS.

5. FOURTH STREET IMPROVEMENT REIMBURSEMENT AGREEMENT WITH THE CITY OF RANCHO CUCAMONGA

City Council approved and authorized the City Manager to execute a Fourth Street Improvement Reimbursement Agreement with the City of Rancho Cucamonga estimated to be \$239,907.

6. MERRILL AVENUE AT CARPENTER AVENUE INTERSECTION IMPROVEMENTS REIMBURSEMENT AGREEMENT WITH THE CITY OF CHINO

City Council approved and authorized the City Manager to execute the Intersection Improvements Reimbursement Agreement with the City of Chino for improvements at Merrill Avenue and Carpenter Avenue.

7. AMENDMENT TO THE MAINTENANCE SERVICE AGREEMENT FOR CUSTODIAL MAINTENANCE SERVICES FOR VARIOUS CITY FACILITIES/MERCHANTS BUILDING MAINTENANCE

City Council authorized the City Manager to execute an amendment to the Maintenance Services Agreement with Merchants Building Maintenance of Pomona, California, extending the contract term to June 30, 2019 and adding \$106,394 of additional funding for an amended annual contract amount of \$585,950 plus contingency of \$10,000; authorized the addition of future services; and authorized the option to extend the agreement for an additional option year consistent with the City Council approved budgets.

8. ACCEPT A WRITTEN PETITION TO CREATE A COMMUNITY FACILITIES DISTRICT, ADOPT A RESOLUTION OF INTENTION TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 33 (ARCHIBALD/SCHAEFER - FACILITIES), AND AUTHORIZE THE ASSOCIATED LEVY OF SPECIAL TAXES AND ADOPT A RESOLUTION TO INCUR BONDED INDEBTEDNESS

City Council considered and:

- (A) Accepted a written petition from Western Pacific Housing, Inc., a Delaware limited liability company located in Corona, California, to create a community facilities district, and to waive certain procedural matters, under the Mello-Roos Community Facilities Act of 1982;
- (B) Adopted a Resolution of Intention to establish City of Ontario Community Facilities District No. 33 (Archibald/Schaefer - Facilities) (the "CFD"), authorize 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, October 2 , 2018; and
- (C) Adopted a Resolution to Incur Bonded Indebtedness of proposed Community Facilities District No. 33 (Archibald/Schaefer - Facilities).

RESOLUTION NO. 2018-114 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. 33 (ARCHIBALD/SCHAEFER - FACILITIES), AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

RESOLUTION NO. 2018-115 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. 33 (ARCHIBALD/SCHAEFER - FACILITIES).

9. APPROVAL OF ALLOCATION AND SPENDING PLAN FOR THE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FOR FY 2018

City Council approved and authorized the City Manager to execute all documents necessary to participate in the Bureau of Justice Assistance (BJA) Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and approved the proposed \$37,406 grant spending plan.

10. AUTHORIZE THE PURCHASE OF FLEET VEHICLES/KME

City Council authorized the sole source purchase and delivery of three (3) KME Fire Pumpers in the amount of \$2,178,139 and one (1) KME Fire Aerial Tractor in the amount of \$1,404,329 from KME of Jurupa Valley, California, for a total expenditure of \$3,582,468.

11. AUTHORIZE THE PURCHASE OF GASOLINE AND DIESEL FUEL/NUCKLES OIL COMPANY DBA MERIT OIL COMPANY

City Council authorized the City Manager to enter into a cooperative purchase and delivery of gasoline and diesel fuel with Nuckles Oil Company DBA Merit Oil Company of Bloomington, California, consistent with the terms and conditions of the County of San Bernardino Awarded Contract No. 172948.

12. AWARD OF BID FOR PROCUREMENT OF ASPHALT, CONCRETE AND AGGREGATE MATERIALS/HOLLIDAY ROCK CO./ALL AMERICAN ASPHALT/PIT SAND & GRAVEL, INC./VULCAN

City Council authorized the City Manager to approve the procurement of concrete, asphalt and aggregate materials for a period of one year at set pricing per Bid Invitation #979 with Holliday Rock Co. of Upland, California; All American Asphalt of Corona, California; Pit Sand & Gravel, Inc. of Corona, California; and Vulcan of Irwindale, California in total amounts consistent with City Council approved budgets.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared City Council Resolution Nos. 2018-113, 2018-114, and 2018-115 and Ordinance No. 3112 unanimously adopted by those present, with Council Member Bowman absent.

PUBLIC HEARINGS

13. A PUBLIC HEARING TO CONSIDER RESOLUTIONS REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 42 (WEST HAVEN); ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS; AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES

City Council consider and:

- (A) Adopted a resolution establishing Community Facilities District No. 42 (West Haven), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopted a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 42 (West Haven);

- (C) Adopted a resolution calling a special election for City of Ontario Community Facilities District No. 42 (West Haven);
- (D) Adopted a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien;
- (E) Introduced and waived further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 42 (West Haven); and
- (F) Adopted a resolution authorizing the execution and delivery of an acquisition and funding agreement with STG Communities II, LLC, a limited liability company.

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 Valencia and carried by unanimous vote of those present, with Council Member Bowman absent to adopt Resolution Nos. 2018-116, 2018-117 and 2018-118.

RESOLUTION NO. 2018-116 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 42 (WEST HAVEN), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

RESOLUTION NO. 2018-117 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. 42 (WEST HAVEN).

RESOLUTION NO. 2018-118 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 42 (WEST HAVEN).

Assistant City Clerk Kasad open the ballot relative to this District and announced that it was in support of formation of the District.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Valencia and carried by unanimous vote of those present, with Council Member Bowman absent to adopt Resolution No. 2018-119.

RESOLUTION NO. 2018-119 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 Dorst-Porada, seconded by Council Member Valencia and carried by unanimous vote of those present, with Council Member Bowman absent to introduce and waive further reading of Ordinance No. 3113.

ORDINANCE NO. 3113 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 42 (WEST HAVEN).

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Valencia and carried by unanimous vote of those present, with Council Member Bowman absent to adopt Resolution No. 2018-120.

RESOLUTION NO. 2018-120 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACQUISITION AND FUNDING AGREEMENT WITH STG COMMUNITIES II, LLC.

14. A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 43 (PARK PLACE FACILITIES PHASE IV); ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS; AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES

City Council considered and:

- (A) Adopted a resolution establishing Community Facilities District No. 43 (Park Place Facilities Phase IV), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopted a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 43 (Park Place Facilities Phase IV);
- (C) Adopted a resolution calling a special election for City of Ontario Community Facilities District No. 43 (Park Place Facilities Phase IV);

- (D) Adopted a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien;
- (E) Introduced and waived further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 43 (Park Place Facilities Phase IV); and
- (F) Adopted a resolution authorizing the execution and delivery of an acquisition and funding agreement with SL Ontario Development Company, LLC, a Delaware 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. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Mayor pro Tem Wapner, seconded by Council Member Dorst-Porada and carried by unanimous vote of those present, with Council Member Bowman absent to adopt Resolution Nos. 2018-121, 2018-122 and 2018-123.

RESOLUTION NO. 2018-121 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 43 (PARK PLACE FACILITIES PHASE IV), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

RESOLUTION NO. 2018-122 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. 43 (PARK PLACE FACILITIES PHASE IV).

RESOLUTION NO. 2018-123 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 43 (PARK PLACE FACILITIES PHASE IV).

Assistant City Clerk Kasad opened the three ballots relative to this District and announced that they were all in support of formation of the District.

MOTION: Moved by Council Member Valencia, seconded by Mayor pro Tem Wapner and carried by unanimous vote of those present, with Council Member Bowman absent to adopt Resolution No. 2018-124.

RESOLUTION NO. 2018-124 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 Dorst-Porada, seconded by Council Member Valencia and carried by unanimous vote of those present with Council Member Bowman absent to introduce and waive further reading of Ordinance No. 3114.

ORDINANCE NO. 3114 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 43 (PARK PLACE FACILITIES PHASE IV).

MOTION: Moved by Mayor pro Tem Wapner, seconded by Council Member Valencia and carried by unanimous vote of those present with Council Member Bowman absent to adopt Resolution No. 2018-125.

RESOLUTION NO. 2018-125 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND AMENDED AND RESTATED ACQUISITION AND FUNDING AGREEMENT WITH SL ONTARIO DEVELOPMENT COMPANY, LLC.

15. **A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA17-003) BETWEEN THE CITY OF ONTARIO AND ONTARIO LAND VENTURES, LLC, TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 19738 (FILE NO. PMTT17-011). THE PROJECT SITE IS BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, CUCAMONGA CREEK CHANNEL TO THE EAST, MERRILL AVENUE TO THE SOUTH, AND CARPENTER AVENUE TO THE WEST, LOCATED WITHIN THE BUSINESS PARK (PA-1) AND GENERAL INDUSTRIAL (PA-2) LAND USE DISTRICTS OF THE WEST ONTARIO COMMERCE CENTER SPECIFIC PLAN (APNS: 0218-221-09, 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 AND 0218-271-18)**

City Council introduced and waived further reading of an ordinance approving a Development Agreement (File No. PDA17-003) between the City of Ontario and Ontario Land Ventures, LLC, to establish the terms and conditions for the development of Tentative Parcel Map 19738 (File No. PMTT17-011).

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 Valencia and carried by unanimous vote of those present, with Council Member Bowman absent to introduce and waive further reading of Ordinance No. 3115.

ORDINANCE NO. 3115 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA17-003) BETWEEN THE CITY OF ONTARIO AND ONTARIO LAND VENTURES, LLC, TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 19738 (FILE NO. PMTT17-011). THE PROJECT SITE IS BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, CUCAMONGA CREEK CHANNEL TO THE EAST, MERRILL AVENUE TO THE SOUTH, AND CARPENTER AVENUE TO THE WEST, LOCATED WITHIN THE BUSINESS PARK AND INDUSTRIAL LAND USE DISTRICTS OF WEST ONTARIO COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 0218-221-09, 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 AND 0218-271-18).

16. **A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA17-002) BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO, LLC, TO ESTABLISH THE TERMS FOR THE DEVELOPMENT OF TENTATIVE TRACT MAP 20081 (FILE NO. PMTT17-003) TO SUBDIVIDE 44.98 ACRES OF LAND INTO 76 NUMBERED LOTS AND 62 LETTERED LOTS FOR RESIDENTIAL AND COMMERCIAL USES, PUBLIC/PRIVATE STREETS, LANDSCAPE NEIGHBORHOOD EDGES AND COMMON OPEN SPACE PURPOSES FOR A PROPERTY LOCATED ON THE NORTHEAST CORNER OF ONTARIO RANCH ROAD AND HAVEN AVENUE, WITHIN THE MIXED USE DISTRICT PLANNING AREA 6A (REGIONAL COMMERCIAL AND STAND ALONE RESIDENTIAL OVERLAY) OF THE RICH HAVEN SPECIFIC PLAN (APNS: 0218-211-02 AND 0218-211-05)**

City Council introduced and waived further reading of an ordinance approving a Development Agreement (File No. PDA17-002) between the City of Ontario and Brookcal Ontario, LLC, to establish the terms for the development of Tentative Tract Map 20081 (File No. PMTT17-003).

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 Valencia and carried by unanimous vote of those present, with Council Member Bowman absent to introduce and waive further reading of Ordinance No. 3116.

ORDINANCE NO. 3116 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO, LLC, TO ESTABLISH THE TERMS FOR THE DEVELOPMENT OF TENTATIVE TRACT MAP 20081 (FILE NO. PMTT17-003) TO SUBDIVIDE 44.98 ACRES OF LAND INTO 76 NUMBERED LOTS AND 62 LETTERED LOTS FOR RESIDENTIAL AND COMMERCIAL USES, PUBLIC/PRIVATE STREETS, LANDSCAPE NEIGHBORHOOD EDGES AND COMMON OPEN SPACE PURPOSES FOR A PROPERTY LOCATED ON THE NORTHEAST CORNER OF ONTARIO RANCH ROAD AND HAVEN AVENUE, WITHIN THE MIXED USE DISTRICT PLANNING AREA 6A (REGIONAL COMMERCIAL AND STAND ALONE RESIDENTIAL OVERLAY) OF THE RICH HAVEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-211-02 AND 0218-211-05.

17. **A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN (FILE NO. PSPA18-005), CHANGING THE LAND USE DESIGNATION ON 3 PARCELS TOTALING 81.41 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF AIRPORT DRIVE AND HAVEN AVENUE (38.09 ACRES), THE NORTHEAST CORNER OF HAVEN AVENUE AND JURUPA STREET (6.83 ACRES), AND THE NORTHEAST CORNER OF COMMERCE PARKWAY AND JURUPA STREET (36.49 ACRES), FROM “COMMERCIAL/FOOD/HOTEL” AND “OFFICE,” TO “LIGHT INDUSTRIAL,” IN CONFORMANCE WITH EACH PROPERTY’S UNDERLYING POLICY PLAN LAND USE DESIGNATION OF “INDUSTRIAL” (APNS: 0211-222-55, 0211-232-45, 0211-232-46, 0211-232-16, 0211-232-17, 0211-232-18, 0211-232-19, AND 0211-232-20)**

City Council adopted a resolution approving an amendment to the California Commerce Center Specific Plan (File No. PSPA18-005), changing the land use designation on a total of 81.41 acres from “Commercial/Food/Hotel” and “Office,” to “Light Industrial,” in conformance with each property’s underlying Policy Plan land use designation of “Industrial.”

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 Valencia and carried by unanimous vote of those present, with Council Member Bowman absent to adopt Resolution No. 2018-126.

RESOLUTION NO. 2018-126 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA18-005, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN (FILE NO. PSPA18-005), CHANGING THE LAND USE DESIGNATION ON 3 PARCELS TOTALING 81.41 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF AIRPORT DRIVE AND HAVEN AVENUE (38.09 ACRES), THE NORTHEAST CORNER OF HAVEN AVENUE AND JURUPA STREET (6.83 ACRES), AND THE NORTHEAST CORNER OF COMMERCE PARKWAY AND JURUPA STREET (36.49 ACRES), FROM “COMMERCIAL/FOOD/HOTEL” AND “OFFICE,” TO “LIGHT INDUSTRIAL,” IN CONFORMANCE WITH EACH PROPERTY’S UNDERLYING POLICY PLAN LAND USE DESIGNATION OF “INDUSTRIAL,” AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 0211-222-55, 0211-232-45, 0211-232-46, 0211-232-16, 0211-232-17, 0211-232-18, 0211-232-19, AND 0211-232-20.

STAFF MATTERS

City Manager Ochoa had no comments.

COUNCIL MATTERS

Mayor Leon noted Item #4 of this agenda and recognized Recreation/Community Services Director Dorey and members of the Teen Action Committee in the audience, with regard to the new “no smoking in parks ordinance”. He noted that several people expressed anger about the City infringing on their right to smoke in public, but Leon stressed that smokers are infringing on the rights of non-smokers. Ms. Dorey expressed pride in the work of the students who brought this ordinance forward. Mayor pro Tem Wapner commended the students for putting others before themselves. Council Member Dorst-Porada expressed pride in the efforts of these students and thanked them for helping make Ontario a better city. Council Member Valencia also commended the students and noted the impacts of second hand smoke and cancer.

Mayor Leon inquired of Ms. Dorey as to how encompassing this ordinance would be. Ms. Dorey indicated that it would prohibit all smoking in all parks, except the golf course. Mayor Leon inquired how it would be policed. Ms. Dorey indicated that they are working with the City Attorney and Police Department on enforcement guidelines, and reiterated that it will help to make the parks safer over all. Mayor Leon suggested that the public be made aware of the new rules through social media.

Council Member Valencia commented on Ontario Night Out and commended Police, Fire and City staff on an amazing job.

Mayor pro Tem Wapner commented that the entire City Council makes public safety a priority and indicated that Item #10 of this agenda was the purchase of \$4 million in additional fire equipment. He also noted that Council Member Bowman was absent this evening due to the loss of his brother, and requested that everyone keep his family in their prayers.

Council Member Dorst-Porada showed the “Ontario Living” magazine and commented on the number of programs offered by the City. She highlighted the disaster preparedness and CERT programs being offered, and noted that she would not be in attendance at the September 18, 2018 City Council meeting as she would be attending an upcoming Extreme Tabletop Event.

Mayor Leon commented that everything he had wanted to say had already been covered and noted that is what a good team does. He also spoke on the increase in public discussion the month or two before an election, and expressed his belief that Ontario continues to get better. He indicated his belief that City staff is second to none and working as a team, continues to improve.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:43 p.m. and announced the next regular meetings to be held on Tuesday, September 4, 2018.

Respectfully submitted,


SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:


PAUL S. LEON, MAYOR/CHAIRMAN