

**ONTARIO CITY COUNCIL/  
HOUSING AUTHORITY/  
SUCCESSOR AGENCY TO THE  
ONTARIO REDEVELOPMENT AGENCY  
MINUTES  
March 21, 2017**

**JOINT MEETINGS**

Regular meetings of the Ontario City Council/Ontario Housing Authority/Successor Agency to the Ontario Redevelopment Agency were held on Tuesday, March 21, 2017 at the Ontario City Hall, 303 East B Street, Ontario, California.

**CALL TO ORDER – OPEN SESSION**

Mayor Leon called the City Council/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.

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

<b>ABSENT:</b>	Council/Authority Member:	None
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Also present were City Manager/Executive Director Al C. Boling, City Attorney/Legal Counsel John Brown and City Clerk/Secretary Sheila Mautz.

The Pledge of Allegiance was led by Council Member Valencia.

*Assistant Pastor Dan Gross, Montecito Baptist Church* provided the Invocation.

**PUBLIC COMMENTS**

*Michael Krouse, President and CEO of the Visitors Bureau/Ontario Convention Center* spoke about events that will be held at Ontario Town Square: concerts on Wednesdays and movies on Fridays May 31, 2017 through August 18, 2017. Route 66 Cruisin Reunion will be held in September. He provided updates about the Convention Center: Café Connect is now open, it replaced the café that was at the center of the building and has received positive feedback. He stated that the change in location and aesthetics of the café have shown an increase of \$2,000 in sales per event. He spoke about the AMGEN Tour, Stage 5 that the City is hosting at the Convention Center which is scheduled to take place May 18, 2017. Visit California presents Global Ready May 10, 2017, hosted at the Convention Center and is open to everyone. Comic Revolution will be hosted at the Convention Center on May 13, 2017 with 6,000 expected to attend the convention, the first of its kind in the Inland Empire. Mother's Day Brunch will take place at the Ontario Convention Center on May 14, 2017. He noted an increase in hotel occupancy with an average of 8% growth last year, and current 5% growth this year in the first few months of the year with anticipation of continued growth. Tourism week starts May 7, 2017,

California Welcome Center will celebrate its first anniversary at the same time. The California Welcome Center has served approximately 26,000 visitors each month with visitors from Peru, Italy, Spain, Germany, Sweden, Australia, Canada, Brazil, China among those who have been through the Center. He introduced the new General Manager for the Citizens Business Bank Arena Ryan Northcott.

*Ryan Northcott, General Manager of Citizens Business Bank Arena* provided a brief introduction of himself. He spoke about the importance of engaging promoters and bringing concerts to the Arena. He spoke about Live Nation, and the upcoming Def Leppard concert, noting ticket sales are doing great. He also spoke about the relationship he is building with Live Nation which is anticipated to bring A-list shows. He also spoke about his engagement with AEG Live and independent promoters. He commented on the digital billboard as an asset to the Citizens Business Bank Arena and expressed his optimism for the upcoming year.

*Peggi Hazlett, President/CEO of Ontario Chamber of Commerce* spoke about the fifth installment of the Distribution, Logistic, and Manufacturing Roundtables taking place March 30<sup>th</sup>. Roundtable discussions that will take place include introduction of key stake holders such as Dr. Wolfe, from San Bernardino County Transportation Authority, a representative from AQMD who will talk about the new Air Quality Plan, for work force Development, Business Service Development James Johnson along with representatives from the Chamber and the City of Ontario. Good Morning Ontario will take place April 5, 2017 at 7:30 a.m. at the Airport Hotel and Conference Center. The speaker will be Dan Adamus, the Chief Marketing Officer from the Ontario International Airport. She announced the 2017 Police Recognition Luncheon that will take place May 9, 2017 at 11:30 a.m. For those interested, visit the Chamber of Commerce website or call (909) 984-2458. She thanked the title sponsor Mark Christopher Auto Center and the presenting sponsor the Ontario Convention Center which is where the event will be held.

*Heidi Chancey* spoke about her disappointment but understanding regarding the removal of the diseased trees along Euclid Avenue and suggested the City would hold a tree dedication ceremony to help the residents heal from the loss of the trees and bring the community together.

## **AGENDA REVIEW/ANNOUNCEMENTS**

None.

## **CONSENT CALENDAR**

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Wapner to approve the Consent Calendar as presented.

## 1. APPROVAL OF MINUTES

Approved Minutes for the regular meeting of the City Council/ Housing Authority/Successor Agency to the Ontario Redevelopment Agency of February 21, 2017, approving same as on file in the Records Management Department.

## 2. BILLS/PAYROLL

Approved **Bills** for the period of February 5, 2017 through February 18, 2017, in the amount of \$9,408,535.48 and **Payroll** for the period of February 5, 2017 through February 18, 2017, in the amount of \$2,713,435.71, when audited by the Finance Committee.

## 3. LICENSE AGREEMENT FOR USE OF A MULTI-PURPOSE TRAIL IN THE EDENGLLEN SPECIFIC PLAN AREA

City Council approved a license agreement between the City and Southern California Edison (SCE) for use of the multi-purpose trail in SCE property within the Edenglen Specific Plan area; and authorized the City Manager to execute said agreement, related documents and future renewals.

## 4. CONSTRUCTION CONTRACT FOR THE REPLACEMENT AND INSTALLATION OF TREMCO ROOF SYSTEM AT ONTARIO POLICE DEPARTMENT ANNEX/STONE ROOFING COMPANY CORPORATION

City Council awarded Contract No. MS 1617-3 to Stone Roofing Company Corporation, of Azusa, California, for the replacement and installation of a new Tremco Roof System at Ontario Police Department Annex in the amount of \$141,380 plus a 15% contingency (\$21,207) for a total amount of \$162,587; authorized the City Manager to execute said contract, and authorized the filing of the notice of completion at the conclusion of all construction activities related to the project.

## 5. PROFESSIONAL SERVICES AGREEMENTS FOR NETWORK OPERATIONS SUPPORT SERVICES AND ENGINEERING SUPPORT SERVICES FOR THE CITY'S FIBER OPTIC NETWORK/RON IVIE/IM SERVICES GROUP LLC

City Council authorized the City Manager to execute three-year professional services agreements with:

- (A) Ron Ivie, consultant, of Boise, Idaho, for network operations support consulting services, in an amount estimated to be \$480,000 (Four Hundred Eighty Thousand Dollars) for the term of the agreement; and
- (B) IM Services Group, LLC of Boise, Idaho, for engineering support services, in an amount estimated to be \$450,000 (Four Hundred Fifty Thousand Dollars) for the term of the agreement; and

(C) Authorized the City Manager to extend each agreement for up to two additional years in amounts consistent with the terms and conditions of the original term and at an annual average of \$160,000 and \$150,000 respectively, contingent on City Council approved budgets.

**6. AN ORDINANCE TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-004) ON VARIOUS PROPERTIES GENERALLY LOCATED TO THE EAST OF EUCLID AVENUE BETWEEN STATE AND PHILADELPHIA STREETS AND NEAR FOURTH STREET AND GROVE AVENUE IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN (TOP) LAND USE DESIGNATIONS OF THE PROPERTIES**

City Council considered and adopted an ordinance approving a Zone Change (File No. PZC16-004) to create consistency between the zoning and the General Plan land use designations of the subject properties.

**ORDINANCE NO. 3070** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC16-004, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS ON VARIOUS PROPERTIES GENERALLY LOCATED TO THE EAST OF EUCLID AVENUE BETWEEN STATE AND PHILADELPHIA STREETS AND NEAR FOURTH STREET AND GROVE AVENUE IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN (TOP) LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: AS SHOWN IN EXHIBIT A (ATTACHED).

**7. AN INTER-AGENCY BILLBOARD RELOCATION AGREEMENT (FILE NO. PSGN17-016) FOR THE REMOVAL, RELOCATION AND PLACEMENT OF BILLBOARDS/SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY/LAMAR CENTRAL OUTDOOR, LLC**

City Council adopted a resolution approving a Billboard Relocation Agreement between the City of Ontario, San Bernardino County Transportation Authority, and Lamar Central Outdoor, LLC, and authorizing the City Manager to execute the agreement and any other documents necessary to fulfill the terms of the agreement.

**RESOLUTION NO. 2017-013** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA APPROVING FILE NO. PSGN17-016, A BILLBOARD RELOCATION AGREEMENT BETWEEN THE CITY OF ONTARIO, SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY AND LAMAR CENTRAL OUTDOOR, LLC AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 0110-022-12, 0110-131-19, 0210-212-60, 1008-261-45, 1011-111-10, AND 1011-182-10).

**8. CONSTRUCTION CONTRACT FOR WELL FACILITY BACKUP POWER UPGRADES AT WELL NOS. 24, 25, 30, 35, & 36 DESIGN-BUILD SERVICES/BAKER ELECTRIC, INC.**

City Council approved the plans and specifications and awarded Contract No. UT 1617-01 to Baker Electric, Inc. of Escondido, California for the design and construction of Well Facility Backup Power Upgrades at Well Nos. 24, 25, 30, 35, & 36 in the amount of \$332,747, plus a 15% contingency of \$49,912, for a total amount of \$382,659; 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.

**9. A RESOLUTION APPROVING AN APPLICATION FOR FISCAL YEAR 2016-17 HOUSEHOLD HAZARDOUS WASTE GRANT (HD29) FROM THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE)**

City Council adopted a resolution approving the City's application for the Fiscal Year 2016-2017 Household Hazardous Waste Grant pursuant to Public Resources Code Sections 40000 et seq. and authorized the City Manager to execute said application.

**RESOLUTION NO. 2017-014** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A GRANT APPLICATION TO THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY HOUSEHOLD HAZARDOUS WASTE (HHW) GRANT PROGRAM TO FUND PUBLIC EDUCATION AND OUTREACH AND MINOR IMPROVEMENTS TO THE HOUSEHOLD HAZARDOUS WASTE FACILITY.

**MOTION UNANIMOUSLY CARRIED.** Mayor Leon declared Resolution Nos. 2017-013, 2017-014, and Ordinance No. 3070 unanimously adopted.

**PUBLIC HEARINGS**

**10. A PUBLIC HEARING REGARDING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT AND THIRD AMENDMENT TO OPERATING COVENANT AND TAX SHARING AGREEMENT BETWEEN THE CITY OF ONTARIO AND G.H.N., INC. (EXCLUSIVELY VOLVO) PURSUANT TO GOVERNMENT CODE SECTION 53083; CONSIDERATION OF RESOLUTIONS ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT, APPROVING THE THIRD AMENDMENT TO OPERATING COVENANT AND TAX SHARING AGREEMENT, AND MAKING RELATED FINDINGS**

City Council took the following actions:

- (A) Held the public hearing;
- (B) Adopted a resolution accepting the Economic Development Subsidy Report prepared pursuant to Government Code Section 53083 regarding a Third Amendment to Operating Covenant and Tax Sharing Agreement (on file with the

Records Management Department) by and between the City of Ontario and G.H.N., Inc. a California Corporation (Exclusively Volvo);

- (C) Adopted a resolution approving the Third Amendment to Operating Covenant and Tax Sharing Agreement for no less than ten years, authorizing the City Manager to execute the Third Amendment to Operating Covenant and Tax Sharing Agreement, and making related findings; and
- (D) Directed City staff to file a categorical exemption based upon the City Council's finding that the impacts for this existing facility is not a project and subject to environmental review and that there is no possibility that the activity in question may have a significant effect on the environment.

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 opened the public hearing, hearing no requests to speak, he closed the public hearing.

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Wapner and carried by unanimous vote to adopt Resolution No. 2017-015 accepting the Economic Development Subsidy Report prepared pursuant to Government Code Section 53083 regarding the Third Amendment to Operating Covenant and Tax Sharing Agreement between the City of Ontario and G.H.N., Inc. (Exclusively Volvo).

**RESOLUTION NO. 2017-015** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT PREPARED PURSUANT TO GOVERNMENT CODE SECTION 53083 REGARDING THE THIRD AMENDMENT TO OPERATING COVENANT AND TAX SHARING AGREEMENT BY AND BETWEEN THE CITY OF ONTARIO AND G.H.N., INC. (EXCLUSIVELY VOLVO).

**MOTION:** Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution No. 2017-016 accepting the Economic Development Subsidy Report, approving the Third Amendment to Operating Covenant and Tax Sharing Agreement, and making related findings.

**RESOLUTION NO. 2017-016** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE THIRD AMENDMENT TO OPERATING COVENANT AND TAX SHARING AGREEMENT BETWEEN THE CITY OF ONTARIO AND G.H.N., INC. (EXCLUSIVELY VOLVO) AND MAKING RELATED FINDINGS.



**11. PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA16-003) BETWEEN THE CITY OF ONTARIO AND GDCI-RCCD2-L.P., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAPS 19725 (FILE NO. PMTT16-010) AND 19741 (FILE NO. PMTT16-011) WITHIN THE REGIONAL COMMERCIAL/MIXED USE DISTRICT (PLANNING AREA 8A) OF THE RICH-HAVEN SPECIFIC PLAN, LOCATED ON THE SOUTH SIDE OF ONTARIO RANCH ROAD, BETWEEN MILL CREEK AVENUE AND HAMNER AVENUE**

City Council introduced and waived further reading of an ordinance approving a Development Agreement (File No. PDA16-003) between the City of Ontario and GDCI-RCCD2-L.P., for properties located on the south side of Ontario Ranch Road, between Mill Creek Avenue and Hamner Avenue (APNs: 0218-211-12 and 0218-211-25).

Notice of public hearing has been 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, hearing no requests to speak, he closed the public hearing.

**ORDINANCE NO. 3071 (FIRST READING) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA16-003) BETWEEN THE CITY OF ONTARIO AND GDCI-RCCD2-L.P. TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAPS 19725 (FILE NO. PMTT16-010) AND 19741 (FILE NO. PMTT16-011) WITHIN THE REGIONAL COMMERCIAL/MIXED USE DISTRICT (PLANNING AREA 8A) OF THE RICH-HAVEN SPECIFIC PLAN, LOCATED ON THE SOUTH SIDE OF ONTARIO RANCH ROAD, BETWEEN MILL CREEK AVENUE AND HAMNER AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 0218-211-12 AND 0218-211-25).**

**MOTION:** Moved by Council Member Valencia, seconded by Council Member Bowman and carried by unanimous vote to introduce and waive further reading of Ordinance No. 3071.

**12. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE AVENUE SPECIFIC PLAN (FILE NO. PSPA16-004) TO CHANGE THE LAND USE DESIGNATIONS FOR PLANNING AREA 7 FROM LOW DENSITY RESIDENTIAL (2.1 TO 5.0 DU/AC) TO LOW-MEDIUM DENSITY RESIDENTIAL (5.1 TO 11.0 DU/AC) AND TO CHANGE PLANNING AREA 11 FROM MEDIUM DENSITY RESIDENTIAL (11.1 TO 25 DU/AC) TO LOW MEDIUM-DENSITY RESIDENTIAL (5.1 TO 11.0 DU/AC) TO ALLOW FOR THE TRANSFER OF 155 UNITS FROM PLANNING AREA 11 (225 DU) TO PLANNING AREA 7 (287 DU). THE PROJECT SITES ARE LOCATED AT THE NORTHEAST CORNER OF ARCHIBALD AVENUE AND ONTARIO RANCH ROAD (PLANNING AREA 7) AND THE SOUTHWEST CORNER OF ONTARIO RANCH ROAD AND NEW HAVEN DRIVE**

City Council adopted a resolution approving an amendment to The Avenue Specific Plan (File No. PSPA16-004), pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

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

There was no written communications on file in the Records Management Department.

Mayor Leon opened the public hearing.

*Derek Barbour* with Brookfield Residential thanked staff for their hard work and working with the developers in the Ontario Ranch Community.

Hearing no further requests to speak, Mayor Leon closed the public hearing.

**RESOLUTION NO. 2017-017** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA16-004, AN AMENDMENT TO THE AVENUE SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATIONS FOR PLANNING AREA 7 FROM LOW DENSITY RESIDENTIAL (2.1 TO 5.0 DU/AC) TO LOW-MEDIUM DENSITY RESIDENTIAL (5.1 TO 11.0 DU/AC) AND TO CHANGE PLANNING AREA 11 FROM MEDIUM DENSITY RESIDENTIAL (11.1 TO 25 DU/AC) TO LOW MEDIUM-DENSITY RESIDENTIAL (5.1 TO 11.0 DU/AC) TO ALLOW FOR THE TRANSFER OF 155 UNITS FROM PLANNING AREA 11 (225 DU) TO PLANNING AREA 7 (287 DU). THE PROJECT SITES ARE LOCATED AT THE NORTHEAST CORNER OF ARCHIBALD AVENUE AND ONTARIO RANCH ROAD (PLANNING AREA 7) AND THE SOUTHWEST CORNER OF ONTARIO RANCH ROAD AND NEW HAVEN DRIVE (PLANNING AREA 11), AND MAKING FINDINGS IN SUPPORT THEREOF - APNS: 0218-201-18; 0218-201-39; 0218-201-42 AND 0218-201-43.



**MOTION:** Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution No. 2017-017 approving an Amendment to The Avenue Specific Plan.

## **STAFF MATTERS**

None.

## **COUNCIL MATTERS**

### **REPORT AND RECOMMENDATION FROM SUBCOMMITTEE AND ACTION ON CITIZEN APPOINTMENTS TO CITY COMMISSIONS**

Council Member Wapner noted he and Council Member Bowman were appointed to the subcommittee for at-large positions for various City Commissions. Upon review of the applications on file, they recommended Virginia Riley to be appointed to the Parks and Recreation Commission and Bob Gregorek to the Planning Commission.

**MOTION:** Moved by Council Member Wapner, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous vote appointing Virginia Riley to the Parks and Recreation Commission and Bob Gregorek to the Planning Commission.

Mayor pro Tem Dorst-Porada invited the public to view the exhibits currently at the Museum by artists Sheets, Sheets and Caughman entitled Art for Living and Living for Art on display until March 26, 2017, it is open Tuesday – Friday from 12:00 p.m. – 4:00 p.m. free of charge. She spoke about the walking group she is a part of that meets Sundays at 8:00 a.m. at Town Square and was excited to share that they have been in existence now for over 8 years allowing them to develop great relationships. She also spoke about the importance of the trees in the City and stated that trees lining Euclid Avenue are part of the City's historical landmarks. She stated that over 110 pepper trees were planted in 2010; however, reforestation continues to be a problem. She emphasized that due to State mandates, the City is prohibited from watering green belts around the City. She noted difficulties in using water tank trucks to water Euclid Avenue and asked the public for their assistance to water the street trees adjacent to their properties to prevent the trees from disease and decline.

Council Member Wapner had no comments.

Council Member Bowman agreed with Mayor pro Tem Dorst-Porada regarding the importance of the trees in the City. He noted that the City has an in-house arborist who takes care of the trees in the City and stated that the City also hired an arborist consultant for a second opinion on the diseased trees. He spoke about the importance of public safety and supports the City's decision to remove the diseased trees to protect the health, safety and welfare of the City and prevent liability issues. He stated that for every tree that is removed, a new tree is planted in its place.

Council Member Valencia spoke about a neighborhood meeting he attended in Creekside with the City's police officers who provided information regarding the issues happening in the City. He commended the Fire Department for their St. Patrick's Day Fundraiser at El Torito and urged the public to calendar next year's event. He spoke about his attendance at Coffee with Assemblyman Freddie Rodriguez at the Library and the comments made by the community regarding Caltrans and the 60 Freeway. He asked to keep the City's Police Officers in their prayers as they will be participating in the Baker to Vegas run during the weekend. He reminded the public about Margarita Mojarro, 61 years old, who passed away during her daughter's wedding because a tree branch fell on the wedding party in Whittier. He expressed his concern regarding the diseased trees on Euclid and not wanting to have the same type of incident in Ontario. He thanked the members of the public who reached out to him and expressed their concerns regarding the removal of the diseased trees on Euclid.

Mayor Leon encouraged the public to get to the doctor early, rest, and stay away from others to prevent the spread of the flu. He commented on Ms. Chancey's suggestions and encouraged the public to speak up if they have any further suggestions. He stated his frustration with the State's requirement that prevents the City from watering the green belts in the City. He reminded the public that the City is working on adding infrastructure that allows the City to water the greenbelts using recycled water. He spoke about social media contacts, and added that he would address citizens' concerns privately. He spoke about Governor Brown's responsibility for the prevention of watering green belts in the process of trying to preserve water and stated that forcing cities into unreasonable regulations and live under the "one size fits all" laws causing the City to lose many things.

#### **ADJOURNMENT**

Mayor Leon adjourned the meetings of the Joint Agencies at 7:08 p.m. and announced the next regular meetings on Tuesday, April 4, 2017.

Respectfully submitted,



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SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



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PAUL S. LEON, MAYOR/CHAIRMAN