

**ONTARIO CITY COUNCIL/  
ONTARIO HOUSING AUTHORITY/  
SUCCESSOR AGENCY TO THE ONTARIO  
REDEVELOPMENT AGENCY  
MINUTES  
SEPTEMBER 15, 2015**

**JOINT MEETINGS**

Regular meetings of the Ontario City Council/Ontario Housing Authority/Successor Agency to the Ontario Redevelopment Agency were held on Tuesday, September 15, 2015 at the Ontario City Hall, 303 East B Street, Ontario, California.

**CLOSED SESSION**

The Mayor called the City Council/Housing Authority/Successor Agency to the Ontario Redevelopment Agency meetings to order at 6:00 p.m., and inquired whether persons were present who wished to speak to a Closed Session item. Hearing none, the City Council with all members present thereupon recessed to Closed Session at 6:00 p.m. for discussion as follows:

- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *Certified Towing, Inc. v. City of Ontario, San Bernardino County Superior Court, Case No. CIVDS1508867.*

**CALL TO ORDER – OPEN SESSION**

The Mayor called the City Council/Housing Authority/Successor Agency to the Ontario Redevelopment Agency meetings to order at 6:40 p.m., and requested the City Clerk call the roll.

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

**ABSENT:** None

Also present were City Manager/Executive Director Al C. Boling, City Attorney/Legal Counsel Thomas Rice and Assistant City Clerk/Secretary Vicki Kasad.

The Pledge of Allegiance was led by Council Member Avila.

The Invocation was offered by *Pastor Marlon Jackson*, Loveland Worship Center.

## **PUBLIC COMMENT**

*Paul Gomez*, Vice President of the Governing Board of Chaffey College, invited City Council and residents to the 16th Annual Report to the Community and thanked Mayor Leon for his participation in the upcoming event.

*Sharonita White*, invited City Council and residents to the 42nd Annual Walk for the Hungry on October 11, 2015 at the Claremont Colleges and provided flyers.

*Michael Krouse*, President and CEO of the Ontario Convention Center and Visitors Bureau, reminded the community of the Route 66 Cruisin' Reunion on September 18 -20, 2015.

*Joe Caskey*, announced the Cemetery Tour on October 10, 2015 organized by Ontario Heritage.

*Julie Duarte*, announced a free Health Fair on October 11, 2015 at Our Lady of Guadalupe Church.

*Bob Kirkjian*, Executive Director of the Bob Hope USO invited City Council and residents to a tour of the USO Center at the Ontario International Airport.

*Peggi Hazlett*, President of Ontario Chamber of Commerce, provided an update on the current events at the Chamber of Commerce.

*Jim Dunshee*, spoke on the trichloroethylene plume suggesting that polluters pay for the clean-up and not the rate payers.

*Linda Johnson*, spoke on undergrounding the Edison towers adjacent to Archibald Ranch. She also suggested polluters pay for the clean-up of the trichloroethylene plume.

*John Johnson*, asked for an update on the status of undergrounding the Edison towers adjacent to Archibald Ranch. He also spoke on the trichloroethylene plume, suggesting that polluters pay for the necessary clean-up.

*Stephen Rogers*, suggested the City consider him for employment.

## **PRESENTATION TO CITY COUNCIL**

### **Current Trends – Human Trafficking**

Police Chief Brad Kaylor and police department personnel provided an overview of programs to address human trafficking crimes and prostitution.

Ann Michelle Ellis of Coalition Against Sexual Exploitation (CASE), congratulated City Council on the City's amazing law enforcement and the work they do to prevent human trafficking.

Ken Morris of Coalition Against Sexual Exploitation (CASE), spoke on his support for the Ontario Police Department and the work they do to help prevent human trafficking.

Council Member Wapner stated a regional approach is important to solving issues such as human trafficking. He added that he was encouraging Omnitrans and other transit providers to provide training in how to recognize potential victims.

Mayor Leon noted the Ontario Police Department's proactive approach in working human trafficking cases.

### **CLOSED SESSION REPORT**

City Attorney Rice reported one item was discussed in Closed Session and no reportable actions were taken.

### **AGENDA REVIEW/ANNOUNCEMENTS**

City Manager Boling indicated there were no announcements.

### **CONSENT CALENDAR**

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

#### **1. APPROVAL OF MINUTES**

Approved Minutes for the regular meeting of the City Council/Housing Authority/Successor Agency of the Ontario Redevelopment Agency of August 18, 2015, as on file in the Records Management Department.

#### **2. BILLS/PAYROLL**

Approved Bills in the amount of \$14,863,244.18 for the period from July 26, 2015 through August 8, 2015 and Payroll in the amount of \$2,836,576.60 for the period from July 26, 2015 through August 8, 2015, when audited by the Finance Committee.

**3. AWARD OF CONSTRUCTION AND PROFESSIONAL SERVICES AGREEMENTS IN CONNECTION WITH THE CITY HALL CARPET REPLACEMENT PROJECT/AMERICAN TECHNOLOGIES/COMMERCIAL INTERIOR RESOURCES/R.C. CONSTRUCTION**

City Council:

- (A) Awarded Professional Services Agreement PFD15-CARPT-013B to American Technologies of Orange, California, in the amount of \$157,625 for Carpet Tile/Mastic Glue Removal and Concrete Sanitization;
- (B) Awarded Construction Contract PFD15-CARPT-004 to Commercial Interior Resources of Irvine, California, in the amount of \$206,014 for carpet installation;
- (C) Awarded Professional Services Agreement PFD15-CARPT-001B to R.C. Construction of Rialto, California, in the amount of \$122,841 for construction management services;
- (D) Established a project-wide contingency of \$246,000, creating a total project appropriations authority of \$1,230,019 (including \$497,539 of contracts and agreements executed under the City Manager's signature authority) and authorize the contingency's use for any construction contract, professional services or maintenance services agreement associated with the project; and
- (E) Authorized the City Manager to modify agreements, extend purchase orders and execute all documents required for the completion of the project including, but not limited to, contracts, reduction of retention accounts, and file a notice of completion at the conclusion of all construction-related activities.

**4. PROFESSIONAL SERVICES AGREEMENTS FOR CITYWIDE ON-CALL ARCHITECTURAL AND ENGINEERING SERVICES**

City Council, Housing Authority, and Successor Agency to the Ontario Redevelopment Agency took the following actions:

- (A) Approved three-year on-call professional services agreements with the following firms: The Jones Payne Group, Inc. of Ontario, California; RTKL Associates Inc. of Los Angeles, California; Studio 3 Architects of Upland, California; Thirtieth Street Architects, Inc. of Newport Beach, California; and Pfeiler & Associates Engineers Inc. of Chino, California; and
- (B) Authorized the City Manager/Executive Director to execute the agreements and all other related documents necessary to implement said agreements; and authorize the option to extend the agreements for up to two additional one-year terms consistent with City Council approved budgets.

**5. RESOLUTION APPROVING THE MEASURE I 2016-17 THROUGH 2020-21 FIVE-YEAR CAPITAL PROJECTS NEEDS ANALYSIS**

City Council adopted a resolution approving the 2016-17 through 2020-21 Measure I Five-Year Capital Projects Needs Analysis (CPNA) and authorized the City Manager to approve changes to the plan as may be required by the City and/or San Bernardino Associated Governments (SANBAG).

**RESOLUTION NO. 2015-096** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE MEASURE I, 2016-17 THROUGH 2020-21, FIVE-YEAR CAPITAL PROJECTS NEEDS ANALYSIS.

**6. RECOGNITION OF OCTOBER 4-10, 2015 AS "NATIONAL FIRE PREVENTION WEEK"**

City Council recognized the week of October 4-10, 2015 as "National Fire Prevention Week" in the City of Ontario and invited the public to attend the Ontario Fire Department Open House to be held on October 3, 2015.

**7. PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR FIREFIGHTERS**

City Council authorized the City Manager to execute a sole source procurement of personal protective equipment for firefighters from Allstar Fire Equipment, Inc. of Arcadia, California in the amount not to exceed \$350,000.

**8. AUTHORIZE THE PURCHASE OF NINE REPLACEMENT FLEET VEHICLES THROUGH THE NATIONAL JOINT POWERS ALLIANCE/NATIONAL AUTO FLEET GROUP**

City Council authorized the purchase and delivery of one 2015 Toyota Sienna in the amount of \$33,341 and one 2015 Chevrolet Express Cargo Van in the amount of \$24,691 for the Police Department; one 2015 Ford Transit Connect for Community and Public Services in the amount of \$26,713; one 2016 Ford Explorer XLT for Administration in the amount of \$31,900; and five 2016 Ford Escapes for the Utilities, Facilities Maintenance, Library, Fire and Revenue Services Departments in the amount of \$120,418, for a total amount of \$237,063 from National Auto Fleet Group of Watsonville, California consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 102811.

**9. A RESOLUTION APPROVING THE TRANSFER OF CONTROL OF VERIZON CALIFORNIA INC. VIDEO FRANCHISE FROM VERIZON COMMUNICATIONS INC. TO FRONTIER COMMUNICATIONS CORPORATION**

City Council adopted a resolution approving the transfer of control of Verizon California Inc. Video Franchise from Verizon Communications Inc. to Frontier

Communications Corporation, subject to the terms of the attached transfer agreement; and authorized the City Manager to execute the transfer agreement.

**RESOLUTION NO. 2015-097** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE TRANSFER OF CONTROL OF VERIZON CALIFORNIA INC. FROM VERIZON COMMUNICATIONS INC. TO FRONTIER COMMUNICATIONS CORPORATION.

**10. ACCEPT WRITTEN PETITIONS TO CREATE TWO COMMUNITY FACILITIES DISTRICTS; ADOPT RESOLUTIONS OF INTENT TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A) AND CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 29 (NEW HAVEN FACILITIES – AREA B) AND AUTHORIZING THE ASSOCIATED LEVY OF SPECIAL TAXES; AND ADOPT RESOLUTIONS TO INCUR BONDED INDEBTEDNESS**

City Council:

- (A) Accepted written petitions from Brookcal Ontario, LLC. located in Costa Mesa, California, to create two Community Facilities Districts (CFDs), and to waive certain procedural matters, under the Mello-Roos Community Facilities Act of 1982;
- (B) Adopted a Resolution of Intent to establish City of Ontario Community Facilities District No. 28 (New Haven Facilities – Area A); 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 20, 2015;
- (C) Adopted a Resolution to incur bonded indebtedness of proposed Community Facilities District No. 28 (New Haven Facilities – Area A);
- (D) Adopted a Resolution of Intent to establish City of Ontario Community Facilities District No. 29 (New Haven Facilities – Area B); 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 20, 2015; and
- (E) Adopted a Resolution to incur bonded indebtedness of proposed Community Facilities District No. 29 (New Haven Facilities – Area B).

**RESOLUTION NO. 2015-098** 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. 28 (NEW HAVEN FACILITIES - AREA A), AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

**RESOLUTION NO. 2015-099** 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. 28 (NEW HAVEN FACILITIES - AREA A).

**RESOLUTION NO. 2015-100** 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. 29 (NEW HAVEN FACILITIES - AREA B), AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

**RESOLUTION NO. 2015-101** 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. 29 (NEW HAVEN FACILITIES - AREA B).

**MOTION UNANIMOUSLY CARRIED.** The Mayor/Chairman declared Resolution Nos. 2015-096, 2015-097, 2015-098, 2015-099, 2015-100, and 2015-101 unanimously adopted.

#### **END OF JOINT CONSENT CALENDAR**

#### **PUBLIC HEARINGS**

**11. A PUBLIC HEARING TO RECEIVE TESTIMONY AND ADOPT THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE 2014-15 FISCAL YEAR**

City Council:

- (A) Held a public hearing to receive testimony on the draft Consolidated Annual Performance and Evaluation Report (CAPER) for the 2014-15 Fiscal Year (on file in the Records Management Department);
- (B) Directed staff to prepare and transmit to the U.S. Department of Housing and Urban Development (HUD) the final CAPER, which will address all public comments received on the draft CAPER; and
- (C) Authorized the City Manager to execute any and all documents necessary and/or desirable to transmit CAPER to HUD.

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

The Mayor opened the public hearing at 7:32 p.m., seeing no one requesting to be heard, the public hearing was closed at 7:32 p.m.

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Wapner and unanimously carried, to adopt the Consolidated Annual Performance and Evaluation Report (CAPER).

#### **STAFF MATTERS**

City Manager Boling had no comments.

#### **COUNCIL MATTERS**

Mayor pro Tem Dorst-Porada had no comments.

Council Member Wapner wished Jewish residents a happy and healthy New Year.

Mayor Leon announced the Route 66 Classic Car Show on September 18-20, 2015.

Council Member Bowman thanked residents for their water conservation efforts.

Council Member Avila recognized the Ontario Fire Department for their part in putting out the Northern California fires, and acknowledged the concerns of the residents of Archibald Ranch who spoke.

#### **ADJOURNMENT**

Mayor Leon adjourned the meetings of the Joint Agencies at 7:38 p.m. He announced the next regular meetings on Tuesday, October 6, 2015.

Respectfully submitted,



VICKI KASAD, MMC, ASSISTANT CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN