

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
March 5, 2019**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, March 5, 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 5:30 p.m., with all members present 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 5:31 p.m. for discussion of the following:

- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION:
Vest v. City of Ontario, et al., U.S. District Court, Central District of California, Case No. 5:17-cv-2541DW (SHKx)
- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION:
Urfano v. City of Ontario, et al., Superior Court of California, County of San Bernardino, Case No. CIVDS1828483
- GC 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION: *City Attorney*

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council and Housing Authority meetings to order at 6:36 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

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

The Pledge of Allegiance was led by Mayor pro Tem Valencia.

The Invocation was provided by *Pastor Bob Arreola*, representing Truth in Love Family Ministries.

CLOSED SESSION REPORT

Assistant City Attorney Duran reported that the two matters of litigation listed on the agenda were discussed however, there were no reportable actions. City Manager Ochoa reported that the Public Employee Performance Evaluation was discussed and direction was given to staff, however there was no reportable action.

PUBLIC COMMENTS

William Torres commented on concerns of the homeless, particular with regard to the recent cold weather. He also questioned why the local military armory had not been opened for the homeless. Mayor Leon referred Mr. Torres to Executive Director of Housing and Neighborhood Preservation Bjork for information on the City's winter shelter arrangements.

Dan LeBouf, representing the Greater Ontario Business Council, commented on their methods for communicating with the membership including Good Morning Ontario and educational workshops. He announced that Good Morning Ontario on March 6, 2019, would feature Fire Chief Gayk as their speaker. He also reminded the City Council and community of the Police Recognition Luncheon on May 14, 2019.

Kristine Scott, representing Southern California Gas Company, commented on the need to raise awareness of California's desire to electrify everything. She noted proposed new building standards that did not pass, but expressed concern that there were more to come. She explained that Southern California Gas is not opposed to electrification, but she recommended that people be allowed the choice of continuing to use natural gas. She stressed the cost of converting to all electric appliance and suggested that people should not have to choose between a perception of what is right for the environment and what their families can afford.

Eddie Colin commented on the need for a skate park in the City of Ontario. He stressed that every other city in the area has one and suggested that a skate park would bring the community kids together.

Hope Bilderain, representing Relay for Life, announced the first fundraiser of the year at Wendy's Restaurant at 590 East Holt Blvd. She invited all to join in from 11:30 to 2:30 on Tuesday, March 12, 2019 and to mention the fundraiser for 10% of the profits to be donated to Team Ontario for the cure.

Karen Haughey, representing Supervisor Curt Hagman, invited the City Council and residents to participate in a Prado Park Master Plan Workshop in April 6, 2019 from 10 a.m. to 1:00 p.m. She stressed their interest in gaining input from the surrounding communities, and noted the activities to be included in the event.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa indicated there were no updates or additions to the agenda.

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 February 5, 2019, as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period January 13, 2019 through January 26, 2019, in the amount of \$23,362,454.93 and **Payroll** for the period January 13, 2019 through January 26, 2019, in the amount of \$3,338,772.41, when audited by the Finance Committee.

3. AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA18-002) BETWEEN THE CITY OF ONTARIO AND COLONY COMMERCE ONTARIO EAST LP, TO ESTABLISH THE TERMS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 19904 (FILE NO. PMTT18-006) TO SUBDIVIDE 85 ACRES OF LAND INTO NINE NUMBERED LOTS AND SIX LETTERED LOTS FOR PROPERTIES BOUNDED BY MERRILL AVENUE TO THE NORTH, SAN BERNARDINO/RIVERSIDE COUNTY LINE TO THE SOUTH, ARCHIBALD AVENUE TO THE EAST, AND THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL TO THE WEST, AND LOCATED WITHIN THE BUSINESS PARK (PLANNING AREA 1) AND INDUSTRIAL (PLANNING AREA 2) LAND USE DESIGNATIONS OF THE COLONY COMMERCE CENTER EAST SPECIFIC PLAN (APNS: 0218-311-02, 0218-311-03, 0218-311-08, AND 0218-311-10)

City Council considered and adopted an ordinance approving a Development Agreement (File No. PDA18-002) between the City of Ontario and Colony Commerce Ontario East LP, to establish the terms and conditions for the development of Tentative Parcel Map 19904 (File No. PMTT18-006). Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on February 19, 2019.

ORDINANCE NO. 3126 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT, FILE NO. PDA18-002, BETWEEN THE CITY OF ONTARIO AND COLONY COMMERCE ONTARIO EAST LP, TO ESTABLISH THE TERMS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 19904 (FILE NO. PMTT18-006) TO SUBDIVIDE 85 ACRES OF LAND INTO NINE NUMBERED LOTS AND SIX LETTER LOTS. THE PROPERTIES ARE BOUNDED BY MERRILL AVENUE TO THE NORTH, SAN BERNARDINO/RIVERSIDE COUNTY LINE TO THE SOUTH, ARCHIBALD AVENUE TO THE EAST, AND THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL TO THE WEST, AND LOCATED WITHIN THE BUSINESS PARK (PLANNING AREA 1) AND INDUSTRIAL (PLANNING AREA 2) LAND USE DESIGNATIONS OF THE COLONY COMMERCE CENTER EAST SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS 0218-311-02, 0218-311-03, 0218-311-08, AND 0218-311-10.

4. A RESOLUTION ORDERING THE SUMMARY VACATION OF AN EASEMENT GENERALLY LOCATED SOUTH OF CEDAR STREET AND APPROXIMATELY 450 FEET WEST OF BAKER AVENUE

City Council adopted a resolution ordering the summary vacation of a 26-foot wide public easement for ingress, egress and vehicular access purposes, generally located south of Cedar Street and approximately 450 feet west of Baker Avenue.

RESOLUTION NO. 2019-018 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PUBLIC ACCESS EASEMENT GENERALLY LOCATED SOUTH OF CEDAR STREET AND APPROXIMATELY 450 FEET WEST OF BAKER AVENUE.

5. APPLICATION FOR GRANT FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FY2020 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT PROGRAM

City Council authorized the City Manager or his designee to execute all documents necessary to apply for and accept a 12-month grant in the amount of \$849,700 from the California Office of Traffic Safety (OTS) for participation in the FY2020 Selective Traffic Enforcement Program (STEP) Grant Program.

6. STATE OF CALIFORNIA DEPARTMENT OF PUBLIC HEALTH STOP TOBACCO ACCESS TO KIDS ENFORCEMENT (STAKE) GRANT

City Council authorized the City Manager or designee to accept and execute grant documents to accept a 36-month grant for \$47,000 from the California Department of Public Health to fund overtime enforcement operations and retail education efforts to address the illegal sale of tobacco to minors.

7. CONSTRUCTION CONTRACT FOR THE RELOCATION OF PUBLIC WORKS ADMINISTRATION/NEW DIMENSION GENERAL CONSTRUCTION

City Council took the following actions:

- (A) Awarded Contract No. D&C18-005-PW-Admin Move to New Dimension General Construction, of Anaheim Hills, California, for the tenant improvements to be constructed at 1333 South Bon View Avenue for the relocation of Public Works Administration in the amount of \$159,600;
- (B) Authorized a project reserve in the amount of \$41,500 for additional construction services for alternate work, to include removal of the chain link fencing and sound damping ceiling system, and a 15% contingency of \$30,165; and
- (C) Authorized the City Manager to execute the contract and related documents, including the filing of a notice of completion at the conclusion of all construction related activities related to the project.

8. AMENDMENT OF THE PURCHASE AGREEMENT FOR LIGHTING MATERIALS AND SUPPLIES/CONSOLIDATED ELECTRICAL DISTRIBUTORS

City Council authorized the City Manager to amend the existing purchase agreement to procure additional lighting materials and supplies in the amount of \$71,708 under the terms and conditions of Purchase Order No. 43965 (Bid Invitation #1043) with Consolidated Electrical Distributors of Los Angeles, California, for an amended authorized amount of \$169,568.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared Ordinance No. 3126 and Resolution No. 2019-018 unanimously adopted.

STAFF MATTERS

City Manager Ochoa had no comments.

COUNCIL MATTERS

Mayor pro Tem Valencia thanked Mr. Colin for coming forward to address the need for skate parks. He noted that he has seen them skateboarding in the parking lot. He indicated that there were discussions about a skate park and expressed hopes that City staff would reach out to him and his colleagues for input. Mayor pro Tem Valencia also noted recent incidents where babies were literally thrown away and stressed the need to stop this. He indicated that resources are available to help if people would call the police, fire, churches or City Hall to find "Safe Baby Drop Zones".

Council Member Bowman had no comments.

Council Member Wapner had no comments.

Council Member Dorst-Porada had no comments.

Mayor Leon noted his personal service in the military and his awareness of the covert Air America operations in Vietnam. He noted the number of POW's and MIA's related to those activities. He indicated that last December, one of those missing was found. Roy F. Townley from Ontario, California, who was killed during the Vietnam War. Mr. Townley was lost in 1971 during a resupply mission and his remains accounted for on December 20, 2018. He reminded everyone that there are still 1,589 POW's and MIA's still unaccounted for from the Vietnam War era. He requested that the City Council adjourn this meeting in honor of Mr. Townley.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:02 p.m. in Honor and Memory of Mr. Roy F. Townley and announced the next regular meetings to be held on Tuesday, March 19, 2019

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN