

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

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, November 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 6:00 p.m., with all members present.

Mayor Leon announced the matters 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 6:00 p.m. for discussion of the following:

- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *Maria G. Santos v. City of Ontario, et al., Superior Court of California, County of San Bernardino, Case No. CIVDS1804327*
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1048-363-02, 1048-363-03, 1048-363-04, and 1048-363-05; 404-426 North Euclid Avenue; City/Authority Negotiator: City Manager or his designee; 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 6:32 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 Scott E. Huber and City Clerk/Secretary Sheila Mautz.

CLOSED SESSION REPORT

City Attorney Huber advised that there was no reportable action. The Pledge of Allegiance was led by Mayor pro Tem Valencia.

The Invocation was provided by *Pastor Mike Schrieb*, representing Bible Baptist Church International.

PUBLIC COMMENTS

William Torres commented on his concerns with the rise of drug use, thefts, and violent crimes in the downtown area noting that he had been targeted and would be happy to assist the police with identification of the subject. He suggested that a continuous police presence could help to alleviate the current issues. He further suggested that Mercy House could better screen those people they are providing vouchers to as he believes that some recipients are using their financial assistance to buy drugs. City Manager Ochoa referred Mr. Torres to Deputy Police Chief Lorenz and Executive Director of Housing and Community Improvement Bjork

Cindy Espinoza, Senior Vice President of the Ontario Airport Hotel, announced that effective July 4, 2020, their hotel will become a Crown Plaza branded hotel. She also thanked Assistant City Manager Boling for his assistance in having Caltrans clear the weeds along the I-10 Freeway next to the hotel.

Peggi Hazlett, CEO Greater Ontario Business Council, commented on the 2020 Census and encouraged everyone to participate and be counted. She also announced the next Good Morning Ontario event to be held on November 6, 2019 at the Ontario Airport Hotel.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa indicated that the City received one piece of written correspondence concerning Agenda Item No. 12 which was made available to the City Council at their seats on the dais.

CONSENT CALENDAR

MOTION: Moved by Council Member Bowman seconded by Council Member Dorst-Porada and carried by unanimous vote to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

City Council approved the Minutes for the regular meeting of the City Council and Housing Authority of October 1, 2019, as on file in the Records Management Department.

2. **BILLS/PAYROLL**

City Council approved the **Bills** for the period September 27, 2019 through October 10, 2019 in the amount of \$3,629,172.82 and **Payroll** for the period September 15, 2019 through September 28, 2019 in the amount of \$13,213,040.98, when audited by the Finance Committee.

3. **A DEVELOPMENT IMPACT FEE CREDIT AND REIMBURSEMENT AGREEMENT (FILE NO. PDIF19-003) BETWEEN THE CITY OF ONTARIO AND DH AIRPORT DRIVE, LLC, FOR THE CONSTRUCTION OF INFRASTRUCTURE ASSOCIATED WITH THE DEVELOPMENT PLAN (FILE NO. PDEV18-023), LOCATED AT 1261 EAST AIRPORT DRIVE, WITHIN THE IG, GENERAL INDUSTRIAL ZONING DISTRICT (APNS: 0113-211-05, 0113-211-06, AND 0113-211-07)**

City Council approved the Development Impact Fee Credit and Reimbursement Agreement (File No. PDIF19-003) between the City of Ontario and DH Airport Drive, LLC for the construction of infrastructure associated with Development Plan (File No. PDEV18-023), located at 1261 East Airport Drive, and authorized the City Manager to execute the agreement.

4. **AN AGREEMENT FOR THE PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS WITH THE RONALD AND KRISTINE PIETERSMA FAMILY TRUST AND LOYOLA PROPERTIES I, L.P. FOR THE PURCHASE OF LAND FOR THE ONTARIO RANCH GREAT PARK**

City Council authorized the City Manager to enter into an Agreement for the Purchase and Sale and Joint Escrow Instructions with The Ronald and Kristine Pietersma Family Trust, and Loyola Properties I, L.P. ("Seller"), for the purchase of an approximately 44.55 acre parcel of land in Ontario Ranch for the future Great Park.

5. **AUTHORIZE THE PURCHASE OF FLEET VEHICLES AND EQUIPMENT**

City Council took the following actions:

- (A) Authorized the sole-source purchase and delivery of one KME Fire Aerial Tractor in the amount of \$1,594,548 from KME of Jurupa Valley, California,
- (B) Authorized the purchase and delivery of two CNG Roll Off Refuse Trucks in the amount of \$527,590 from Los Angeles Freightliner of Whittier, California, for the Integrated Waste Department, under the terms and conditions of Bid No. 970,
- (C) Authorized the purchase and delivery of three CNG Automated Side Loading Refuse Trucks in the amount of \$955,761 from Los Angeles Freightliner of Whittier, California, for the Integrated Waste Department, under the terms and conditions of Bid No. 971,

- (D) Authorized the purchase and delivery of two CNG Front Loading Refuse Trucks in the amount of \$655,548 from Los Angeles Freightliner of Whittier, California, for the Integrated Waste Department, under the terms and conditions of Bid No. 972,
- (E) Authorized the cooperative purchase and delivery of two CNG Automated Side Loading Refuse Trucks in the amount of \$614,818, one CNG Front Loading Refuse Truck in the amount of \$315,991, and one CNG Roll Off Refuse Truck in the amount of \$253,065 from Rush Truck Center of Pico Rivera, California, consistent with the terms and conditions of the Sourcwell (formerly known as NJPA) Cooperative Contract 081-716-PMC,
- (F) Authorized the cooperative purchase and delivery of eight Chevrolet Colorado pick-up trucks in the amount of \$212,440 (four for the Utilities Department, two for the Integrated Waste Department, one for the Police Department, and one for the Parks and Maintenance Department), three Ford F150 XL pick-up trucks in the amount of \$106,065 (two for the Police Department and one for the Fire Department), one Ford Explorer XLT in the amount of \$39,431 for the Fire Department, one Ford Transit Connect Van in the amount of \$29,098 for the Utilities Department, and one F350 Utility Body Truck in the amount of \$57,110 for the Facilities Department from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcwell (formerly known as NJPA) Cooperative Contract 120716-NAF,
- (G) Authorized the cooperative purchase and delivery of one Volvo Asphalt Paver, and one Trailer in the amount of \$406,662 for the Parks and Maintenance Department from Volvo Construction Equipment and Services of Corona, California, consistent with the terms and conditions of the Sourcwell (formerly known as NJPA) Cooperative Contract 032119-VCE,
- (H) Authorized the cooperative purchase and delivery of one Bobcat in the amount of \$75,994 for the Parks and Maintenance Department from Clark Equipment Co. of West Fargo, North Dakota, consistent with the terms and conditions of the Sourcwell (formerly known as NJPA) Cooperative Contract 040319-CEC, and
- (I) Authorized the cooperative purchase and delivery of one CNG Dump Truck in the amount of \$179,834 for the Utilities Department from PB Loader Corporation of Fresno, California, consistent with the terms and conditions of the Sourcwell (formerly known as NJPA) Cooperative Contract 052417-PBL.

6. PURCHASE OF SELF-CONTAINED BREATHING APPARATUS EQUIPMENT/BAUER COMPRESSOR, INC.

City Council authorized the purchase of self-contained breathing apparatus (SCBA) equipment from Bauer Compressor, Inc. of Livermore, California, in the amount of \$188,865.

7. A RESOLUTION APPROVING THE FILING OF A LOAN APPLICATION FOR PARTICIPATION IN THE ENERGY CONSERVATION ASSISTANCE ACT PROGRAM

City Council took the following actions:

- (A) Adopted a resolution approving the filing of a loan application for funds through the California Energy Commission for the Energy Conservation Assistance Act Program for future implementation of potential energy efficiency projects; and
- (B) Authorized the City Manager to execute all documents necessary or required to implement and carry out the purpose of the resolution, and to undertake all actions necessary to complete the energy efficiency projects.

RESOLUTION NO. 2019-155 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE APPLICATION FOR AN ENERGY CONSERVATION ASSISTANCE ACT PROGRAM LOAN FROM THE CALIFORNIA ENERGY COMMISSION.

8. A PLANNED UNIT DEVELOPMENT (FILE NO. PUD18-001) TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE FUTURE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT ON 0.102-ACRE OF LAND LOCATED AT 418 EAST TRANSIT STREET, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT (APN: 1049-067-04)

City Council considered and adopted an ordinance approving a Planned Unit Development, File No. PUD18-001, establishing development standards and guidelines to facilitate the development of a high-density residential apartment project at 418 East Transit Street. Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on October 22, 2019.

ORDINANCE NO. 3145 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD18-001, A PLANNED UNIT DEVELOPMENT TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT ON 0.102 ACRE OF LAND LOCATED AT 418 EAST TRANSIT STREET, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-067-04.

9. AUTHORIZE THE PURCHASE AND INSTALLATION OF FURNITURE FOR THE FINANCE WORK ROOM PROJECT/KIRKSEY & CO., INC.

City Council took the following actions:

- (A) Authorized a cooperative purchase agreement D&C19-002 - Finance Work Room in the amount of \$225,651 for the relocation, acquisition and installation services of furniture and workstations from Kirksey & Co., Inc.

of Irvine, California, consistent with the terms and conditions of the National IPA 2017 Contract R142208;

- (B) Authorized the City Manager to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, reduction of retention accounts, and filing of a notice of completion at the conclusion of all construction related activities; and
- (C) Authorized the City Manager to execute the agreement and the addition of future acquisitions or services for the project consistent with the City Council approved budgets.

10. UTILITY RELOCATION AGREEMENTS WITH THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY FOR THE I-10 CORRIDOR PROJECT

City Council approved utility relocation agreements with the San Bernardino County Transportation Authority (SBCTA) for the I-10 Corridor Project at the San Antonio Avenue, Campus Avenue, 6th Street, 4th Street and Vineyard Avenue crossings; and authorize the City Manager to execute the agreements, subject to non-substantive changes, and all related amendments necessary for utility relocations.

11. DOWNTOWN ONTARIO COMMUNITY BENEFIT DISTRICT MANAGEMENT AND DISBURSEMENT AGREEMENT

City Council authorized the City Manager to execute a Management and Disbursement Agreement with the Downtown Ontario Improvement Association for the administration of the Downtown Ontario Community Benefit District.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared Resolution No. 2019-155 and Ordinance No. 3145 unanimously adopted.

PUBLIC HEARINGS

12. A PUBLIC HEARING TO CONSIDER AMENDMENTS TO CHAPTER 31 OF TITLE 5 OF THE ONTARIO MUNICIPAL CODE RELATING TO SIDEWALK VENDING

City Council conducted a public hearing to consider an amendment to Chapter 31 of Title 5 of the Ontario Municipal Code; and introduce and waive further reading of an ordinance providing for an application process for sidewalk vendors to obtain required permits in order to conduct business.

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

There was one piece of written communication provided from Loree Masonis.

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 introduce and waive further reading of Ordinance No. 3146.

ORDINANCE NO. 3146 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 31 OF TITLE 5 OF THE ONTARIO MUNICIPAL CODE RELATING TO SIDEWALK VENDING.

13. INTRODUCTION OF ORDINANCES TO ADOPT THE 2018 INTERNATIONAL FIRE CODE AND 2019 CALIFORNIA STATE FIRE AND BUILDING CODES

City Council:

- (A) Introduced and waived further reading of an ordinance amending Chapter 4, Title 4 of the Ontario Municipal Code entitled "Fire Code" adopting by reference, with certain amendments, additions, deletions, and exceptions, the 2018 International Fire Code and the 2019 California Fire Code (California Code of Regulations, Title 24, Part 9); and
- (B) Introduced and waived further reading of an ordinance amending Chapters 1, 2, 3, 4, 5, 6, 7, 11, and 12 of Title 8 of the Ontario Municipal Code to adopt the California Building Standards Code.

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 and carried by unanimous vote to introduce and waive further reading of Ordinance No. 3147 and 3148.

ORDINANCE NO. 3147 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 4 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE; ADOPTING BY REFERENCE WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND CHANGES THERETO, THE 2019 CALIFORNIA FIRE CODE AND THE 2018 INTERNATIONAL FIRE CODE, PROVIDING FOR THE RECOVERY OF COSTS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 3062 OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA.

ORDINANCE NO. 3148 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTERS 1, 2, 3, 4, 5, 6, 7, 11, AND 12 OF TITLE 8 OF THE ONTARIO MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, INCORPORATING THE 2019 CALIFORNIA BUILDING CODE, THE 2019 CALIFORNIA MECHANICAL CODE, THE 2019 CALIFORNIA ELECTRICAL CODE, THE 2019 CALIFORNIA RESIDENTIAL CODE, THE 2019 CALIFORNIA PLUMBING CODE, THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 1997 EDITION OF THE UNIFORM HOUSING CODE, AND THE 1997 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; TOGETHER WITH CERTAIN AMENDMENTS THERETO.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

14. DISCUSSION ON RAIL ACCESS TO ONTARIO INTERNATIONAL AIRPORT

City Council evaluated City Council Resolutions No. 2009-017 and No. 2017-024, concerning rail access to Ontario International Airport, and discussed further actions that the City might take to support rail access to Ontario International Airport. Mayor Leon thanked staff for bringing this material forward but requested and received Council consensus to table the matter for discussion at a later meeting.

STAFF MATTERS

Staff had no comments.

COUNCIL MATTERS

Council Member Dorst-Porada thanked City staff for their work on the Second Annual Arts Festival, noting an increased turnout and improved event with more displays. She invited the community to the upcoming December 6, 2019 tree lighting ceremony and the December 14 Reindeer Run to be held in conjunction with the Christmas on Euclid event.

Council Member Wapner had no comments.

Council Member Bowman had no comments.

Council Member Valencia had no comments.

Mayor Leon requested that this meeting be closed in memory of Detective Joshua Burks and former Mayor/Council Member Paul Treadway.

Police Chief Williams commented on the solo vehicle traffic accident in which Detective Burks lost his life and detailed his career with the Ontario Police Department.

Mayor Leon commented on the loss of former Mayor/Council Member Paul Treadway and noted that there would be a celebration of life on November 16th in Rancho Cucamonga. He expressed appreciation for the contributions of both gentlemen to the community.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 6:49 p.m. in memory of Detective Joshua Burks and former Mayor/Council Member Paul Treadway, to the next regular meetings to be held on Tuesday, November 19, 2019.

Respectfully submitted,


SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:


PAUL S. LEON, MAYOR/CHAIRMAN

