

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
September 1, 2020**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, September 1, 2020, at the Ontario City Hall, 303 East B Street, Ontario, California.

CLOSED SESSION

Mayor Leon called the City Council/Ontario Housing Authority meetings to order at 5:33 p.m.

SPECIAL AND URGENT ANNOUNCEMENT

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20), the Ontario City Council Meetings are being conducted via teleconference to limit in-person attendance at meetings of the City of Ontario City Council and Housing Authority.

Members of the public were advised to utilize alternative measures to view the City Council meetings and/or to address the Mayor and City Council Members.

The meeting was live broadcast on local cable Channel 3 as well as internet live streamed at www.ontarioca.gov/Agendas/CityCouncil.

ROLL CALL

PRESENT:	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chair	Debra Dorst-Porada
	Council/Authority Members:	Alan D. Wapner and Ruben Valencia (all participating via teleconference)

ABSENT:	Council/Authority Members:	Jim W. Bowman
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Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran and City Clerk/Secretary Sheila Mautz (all participating via teleconference).

CLOSED SESSION

City Attorney Duran announced the matter for discussion, as listed on the agenda. Mayor Leon 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 6:06 p.m. for discussion of the following:

- GC 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Title: City Manager

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council and Ontario Housing Authority meetings to order at 6:30 p.m.

PRESENT:	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chair	Debra Dorst-Porada
	Council/Authority Members:	Alan D. Wapner and Ruben Valencia (all participating via teleconference)

ABSENT:	Council/Authority Members:	Jim W. Bowman
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Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran and City Clerk/Secretary Sheila Mautz (all participating via teleconference).

The Pledge of Allegiance was led by Council Member Wapner.

Mayor Leon led a moment of silent reflection in lieu of the Invocation.

REPORT ON CLOSED SESSION

City Attorney Duran advised that there were no reportable actions from the Closed Session discussion.

PUBLIC COMMENTS

Assistant City Clerk Kasad reported that there were no written comments presented. There were three web submissions as follow:

Rachel Garcia regarding the noise ordinance for restaurants and bars in residential areas.

Jonathan Hilbun, representing the Church of God, requesting portable toilets for Gibbs Park.

Andre Valenciana regarding opening parks post COVID restrictions.

Assistant City Clerk Kasad further reported that there were no callers wishing to address the City Council.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa indicated there was a request to pull Item No. 3 from the Consent Calendar for revision and update due to recent legislative action.

ITEM PULLED FROM THE CONSENT CALENDAR

3. AN ORDINANCE REPEALING URGENCY ORDINANCE NO. 3163, ADOPTING TEMPORARY REGULATIONS PROHIBITING THE EVICTION OF RESIDENTIAL AND COMMERCIAL TENANTS, AND ENACTING A MORATORIUM ON RESIDENTIAL FORECLOSURES DUE TO LOSS OF INCOME DURING THE STATE OF LOCAL EMERGENCY CAUSED BY THE COVID-19 PANDEMIC

City Council considered and adopted an ordinance that repeals City of Ontario Ordinance No. 3163 for the purpose of winding down the City's existing temporary regulations on the eviction of storage unit patrons experiencing a loss of income due to the COVID-19 pandemic; and places a sunset date on the City's moratorium on eviction of residential and commercial tenants as well as residential foreclosures.

City Attorney Duran explained that due to the passage of Assembly Bill 3088 with respect to protection for renters, he would request that the City Council amend the proposed Ordinance Section 2. He suggested the addition of the following language: ".....further, the City Council hereby finds that based on the information set forth in the recitals of above and the operative provisions of this ordinance as set forth below this ordinance is more protective of renters than the state law provides and is therefore not preempted by state law."

Council Member Wapner noted the late receipt of this legislation and requested that the City Manager convey this new information to the affected stakeholders.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Mayor Leon and carried by unanimous roll call vote of those present, with Council Member Bowman absent to adopt Ordinance No. 3167 as amended.

ORDINANCE NO. 3167 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REPEALING URGENCY ORDINANCE NO. 3163, ADOPTING TEMPORARY REGULATIONS PROHIBITING THE EVICTION OF RESIDENTIAL AND COMMERCIAL TENANTS, AND ENACTING A MORATORIUM ON RESIDENTIAL FORECLOSURES DUE TO LOSS OF INCOME DURING THE STATE OF LOCAL EMERGENCY CAUSED BY THE COVID-19 PANDEMIC.

CONSENT CALENDAR

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Valencia and carried by unanimous roll call vote of those present, with Council Member Bowman absent to approve the balance of 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 August 4, 2020, as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period July 31, 2020 through August 13, 2020 in the amount of \$13,629,316.27 and **Payroll** for the period July 19, 2020 through August 1, 2020 in the amount of 3,928,965.42, when audited by the Finance Committee.

4. RECOGNITION OF SEPTEMBER 2020 AS ONTARIO PREPAREDNESS MONTH

City Council recognized the month of September 2020 as Ontario Preparedness Month in the City of Ontario.

5. A CONSTRUCTION CONTRACT FOR TWO NEW TRAFFIC SIGNAL SYSTEMS AT THE INTERSECTIONS OF MCCLEVE WAY/PARKPLACE AVENUE AT MERRILL AVENUE AND COLONIAL AVENUE AT RIVERSIDE DRIVE/KDC, INC. DBA DYNALECTRIC

City Council approved the plans and specifications and awarded a construction contract with KDC, Inc. dba Dynalectric of Los Alamitos, California, for the construction of two new traffic signal systems at the subject intersections in the bid amount of \$550,957 plus a fifteen percent (15%) contingency of \$82,644 for a total authorized expenditure of \$633,601; authorized the City Manager to execute said contract and all related documents and file a notice of completion at the conclusion of all construction activities.

6. RESOLUTION APPROVING FINAL PARCEL MAP NO. 19936 LOCATED AT 5171 EAST FRANCIS STREET

City Council adopted Resolution No. 2020-151 approving Final Parcel Map No. 19936 located at 5171 East Francis Street.

RESOLUTION NO. 2020-151 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 19936 LOCATED AT 5171 FRANCIS STREET.

7. AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 3131 LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 40 (EMERALD PARK FACILITIES)

City Council considered and adopted an ordinance amending and restating Ordinance No. 3131 authorizing the levy of special taxes within City of Ontario Community Facilities District No. 40 (Emerald Park Facilities).

ORDINANCE NO. 3166 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING AND RESTATING ORDINANCE NO. 3131, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 40 (EMERALD PARK FACILITIES).

8. ONTARIO HOUSING AUTHORITY ANNUAL REPORT FOR FISCAL YEAR 2019-20

The Board of the Ontario Housing Authority (“OHA”) approved the OHA Annual Report for the Fiscal Year 2019-20 (“OHA Annual Report”) and authorized the Executive Director of the OHA to transmit to the California Department of Housing and Community Development the OHA Annual Report as required by State law.

9. AN INFORMATIONAL REPORT CONCERNING THE CURRENT DEMOGRAPHICS OF THE CITY OF ONTARIO

City Council received an informational report concerning the current demographics of the City of Ontario.

10. APPROVAL OF ALLOCATION AND SPENDING PLAN FOR THE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FOR FY 2020

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 \$39,860 grant spending plan.

11. A PROFESSIONAL SERVICES AGREEMENT FOR BOOKING, JAIL AND TRANSPORTATION SERVICES/G4S SECURE SOLUTIONS (USA), INC.

City Council approved and authorized the City Manager, or his designee, to negotiate and execute a three-year Professional Services Agreement with G4S Secure Solutions (USA), Inc of Jupiter, Florida for booking, jail, and transportation services for the Police Department.

12. AWARD OF A CONSTRUCTION CONTRACT FOR THE FIRE STATION NO. 9 OFFSITE IMPROVEMENTS/BOUDREAU PIPELINE

City Council took the following actions:

- (A) Rejected Kern Construction's bid for D&C19-005FS09 Offsites as being nonresponsive.
- (B) Authorized the City Manager to execute Construction Contract No. D&C19-005 FS09 Offsites with Boudreau Pipeline of Norco, California, for the construction of street and traffic signal improvements required for the development of Fire Station No. 9 in the amount of \$2,173,971.
- (C) Authorized a 15% contingency of \$326,096 to address any unforeseen issues that may arise during construction.
- (D) Established an umbrella contingency of pooled Fire Station No. 9 contingencies and reserves; and
- (E) Authorized the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared Ordinance No. 3166 and Resolution No. 2020-151 unanimously adopted by those present, with Council Member Bowman absent.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

13. ESTABLISHMENT OF POSITION CLASSIFICATION FOR EXECUTIVE DIRECTOR COMMUNITY DEVELOPMENT AND MODIFY AND APPROVE SALARY RANGE COMPENSATION FOR UTILITIES COMPANY GENERAL MANAGER

City Council approved the establishment of the new executive position classification of Executive Director Community Development and associated salary range to reflect expansion of job scope and responsibilities; and approve a

proposed base salary range modification for the Utilities General Manager to minimize disparity with salary ranges as compared to similarly situated classifications as well as maintain the City's competitiveness in attracting and retaining highly qualified individuals.

City Manager Ochoa detailed this item and explained that the salary ranges for each position would be \$16,102 to \$21,574, reflecting the expansion of job scope and responsibilities brought about by a reorganization of the Development and Housing agencies, as well as ensuring parity in the salary ranges of the two similarly situated classifications. He also noted that this would bring overall savings to the general fund.

MOTION: Moved by Council member Wapner, seconded by Council Member Valencia and carried by unanimous roll call vote of those present to approve the establishment of the new executive position classification and the associated salary range adjustments.

STAFF MATTERS

City Manager Ochoa noted Item number 13 of this agenda and the reduction in management positions. He indicated that this reorganization includes the retirement of Executive Director Housing and Neighborhood Preservation Julie Bjork after 21 years with the City and commended her for her service to the families of Ontario. Mayor Leon commented that she has been awesome and takes with her a great deal of institutional knowledge. Mayor pro Tem Dorst-Porada offered her thanks to Ms. Bjork. Council Member Wapner added his accolades, noting that she had handled everything from homelessness to affordable housing and commented that her retirement would be a loss for the City. Council Member Valencia also thanked Ms. Bjork and expressed his appreciation for the work she has done.

COUNCIL MATTERS

Council Member Wapner had no comments.

Mayor pro Tem Dorst-Porada noted that even during COVID lots of work was getting done at the Museum. She noted that they had completed the Master Plan, Strategic Plan, the "Built on Water" exhibit, a new website and hired two new employees. She expressed thanks for all that had been accomplished. She also noted that the Ontario Police Museum hopes to hold its annual Car Show on November 7, 2020.

Mayor Leon noted that barber shops, beauty salons and indoor malls are open now, but not nail salons.

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Council Member Valencia offered commendations to Police, Fire and Airport staff for their efforts in receiving two hero marines as they arrived at the airport. He indicated that it was an amazing tribute to war heroes. He also noted that he attended the Huerta del Valle seminar yesterday on future projects and commended director Maria Alonzo on her work in the community. He encouraged residents to check out their community garden.

Council Member Wapner noted his 27th wedding anniversary and sent anniversary wishes to his wife Judi.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 6:50 p.m. to the next regular meetings to be held on Tuesday, September 15, 2020.

Respectfully submitted,


SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:


PAUL S. LEON, MAYOR/CHAIRMAN