

**SPECIAL ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY/SUCCESSOR AGENCY
TO THE ONTARIO REDEVELOPMENT AGENCY
MINUTES
June 23, 2020**

JOINT MEETINGS

Special meetings of the Ontario City Council/Ontario Housing Authority/Successor Agency to the Ontario Redevelopment Agency were held on Tuesday, June 23, 2020, in the City Council Chamber at the Ontario City Hall, 303 East B Street, Ontario, California.

CALL TO ORDER – OPEN SESSION

The Mayor called the Special Ontario City Council/Ontario Housing Authority/Successor Agency to the Ontario Redevelopment Agency meetings to order at 5:30 p.m. and requested the City Clerk/Secretary 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 Ruben Valencia

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

The Pledge of Allegiance was led by Mayor pro Tem Dorst-Porada.

PUBLIC COMMENTS

There were no public comments.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa indicated that Council had been provided copies of a proposed revised Resolution adopting the Operating Budget for Fiscal Year 2020-2021.

PUBLIC HEARING**1. A RESOLUTION APPROVING A CITYWIDE FEE SCHEDULE ESTABLISHING AND AMENDING CERTAIN SERVICE AND DEVELOPMENT-RELATED FEES FOR CITY SERVICES, AND REPEALING PREVIOUS ACTIONS TO THE EXTENT THEY ARE IN CONFLICT**

City Council adopted a resolution to approve the FY 2020-21 Proposed Citywide Fee Schedule (Exhibit A of the resolution) in order to establish and amend certain service and development-related fees for City services and repeal previous actions that conflict with the proposed resolution.

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.

Council Member Wapner addressed the proposed Library fees and noted that the charge for a late DVD is fifteen cents, but that does not cover the staff time and other costs to process receipt of the fifteen cents. He suggested a need to find better way to handling these nominal charges. He also addressed athletic facility usage fees and noted that Ontario non-profit groups use the facilities for free; and suggested that this information be formally incorporated into the fee schedule. He also expressed concern that some programs like aquatics fill up very quickly and supported giving registration preference to Ontario residents, noting that they are already given a couple of days additional time to register.

Council Member Bowman questioned the baseball fields at 8th and Campus in Upland and asked who was currently covering the costs to maintain it. City Manager Ochoa indicated that it was being operated and maintained by a private group that focuses on skills training.

Mayor Leon questioned how to put policy guidance in budget line items like giving priority to Ontario residents for recreation class registration. City Manager Ochoa responded that those matters should be addressed in administrative policies.

Mayor pro Tem Dorst-Porada expressed her concerns about the increase in Inland Valley Humane Society fees and penalties. She suggested that the City obtain a copy of their budget and expressed that they need additional customer service training as field staff are not always pleasant with residents.

Council Member Wapner requested a policy discussion about the fee schedule for tow charges because he did not think the fee schedule was an appropriate place for that to be addressed. He suggested that it should be either in the towing ordinance or the franchise agreement. City Manager Ochoa indicated that it should be consistent and place in a document that is referenced regularly like the franchise agreement. City Attorney Huber indicated that most cities put it in the fee schedule as a matter of convenience.

MOTION: Moved by Council Member Bowman, seconded by Council Member Valencia and carried by unanimous vote to adopt Resolution No. 2020-083.

RESOLUTION NO. 2020-083 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A CITYWIDE FEE SCHEDULE ESTABLISHING AND AMENDING CERTAIN SERVICE AND DEVELOPMENT-RELATED FEES FOR CITY SERVICES, AND REPEALING PREVIOUS ACTIONS IN CONFLICT HEREWITH.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

2. REVIEW AND ADOPTION OF THE CITY'S FISCAL YEAR 2020-21 BUDGET AND APPROVAL OF BUDGET-RELATED ACTIONS

City Council and Housing Authority Board:

- (A) Adopted resolutions establishing the appropriations limit of the City of Ontario for Fiscal Year 2020-21 and approve the operating budgets of the City of Ontario and Ontario Housing Authority for Fiscal Year 2020-21; and
- (B) Approved the annual budget of the Ontario Convention Center for Fiscal Year 2020-21.

Council Member Wapner requested input from the Police, Fire, Community Life and Culture, Development, Streets, Public Facilities and Finance Departments.

Council Member Wapner inquired of the Chief of Police about Air Support on page 203 of the budget with regard to fuel and oil costs. He noted that it was 50% compared to the previous year and inquired why. Chief of Police Williams indicated that it was because one airship was down for maintenance.

Council Member Wapner noted that with regard to alarm fees, there is a schedule and charge for a permit, false response and false response with no permit. He suggested that after the first response there should be a requirement to buy a permit and then the second and third responses would not be necessary. City Manager Ochoa indicated that the City Attorney would investigate whether the City could compel a person to obtain a permit.

Council Member Wapner suggested eliminating redundancies and questioned the airport parking fee. He indicated that he wanted to be sure that it covered the loading zone in front of the airport. He suggested that there should be an ordinance specific to airport traffic.

Mayor pro Tem Dorst-Porada commented on the recent need for mutual aid to agencies in the surrounding communities and inquired about reimbursement. Chief Williams indicated that there are mutual aid agreements in place. Council Member Wapner clarified that generally a declaration of emergency is required for reimbursement in a County emergency situation.

Council Member Wapner addressed Fire Chief Gayk and noted that the public is concerned about fireworks. He recalled there were about 60 citations last year, but in the budget, he only saw \$3,000 showing as collected. Executive Director of Finance Harkalyan indicated that was just an estimated budget amount. Council Member Wapner noted that we should have actual numbers in the budget and stressed the public's criticism for the lack of enforcement. City Manager Ochoa indicated that it will be possible to have a full year's worth of useful data after this season. Fire Chief Gayk indicated that in Fiscal Year 2018-19 there were 60 citations issued and \$24,750 collected; and in the next year 10 issued and \$5,000 collected. He noted that there were more appeals of citations this year. Council Member Wapner asked about the citation process. Fire Chief Gayk indicated that the Police Department does most of the citations, but on July 4th it is more of a joint effort. Fire handles processing and billings. Council Member Wapner inquired how these calls are dispatched. Police Chief Williams indicated that they are dispatched through Police Dispatch, and there have been over 50 citations issued already this year. Council Member Wapner stated for the public that there was also a large seizure of fireworks. Mayor Leon noted the fluidity of the budget and the fact that social media blames City officials of not caring about the fireworks issue. He expressed concern about the potential for vigilante activities in the community. He noted that public does not see the magnitude of the situation and how many citations will go to conviction.

Council Member Wapner inquired about the budget for Police Airport Operations and noted that there were no reductions at all. He inquired when changes would occur. City Manager Ochoa indicated that will happen in the first quarter.

Council Member Wapner inquired of Executive Director of Community Life and Culture McAlary about when in person community programs will be reinstated. Executive Director McAlary indicated that they are waiting to see and some of the funds have been redirected to other projects. She noted that Concerts in the Park funds have been shifted to a virtual Battle of the Bands; July 4th Fireworks have been pushed back to December for the City's birthday. She further noted that the parade funding had been pushed to producing a top-notch video for the community. Council Member Wapner noted that staff has done a great job of keeping people busy during the pandemic.

Executive Director McAlary shared that there will likely be some budget savings, however she noted on page 53 of the budget, the Youth Teen Services budget was increased because in prior years they had always exceeded their allotment so this year they requested funds to match the actual costs from the prior years. City Manager Ochoa noted that the theme for this year's budget is to know the actual cost of doing business. Council Member Wapner addressed page 53 of the budget noting that every line of proposed is identical to adopted amounts. He suggested that the numbers are not realistic and recommended that staff review actuals at the close of each month. He asked about budget adjustments approved by the City Council. Executive Director of Finance indicated that the difference in numbers includes the carry forward dollar amounts.

Council Member Wapner inquired of Executive Director of Development Murphy about a program for developers to expedite their plan checks but noted that it was not included in the fee schedule. He suggested that some developers may not be aware of the program. Executive Director Murphy indicated that when staff is talking with developers, they explain and offer the program. Council Member Wapner inquired if this fee should be included in the fee schedule. Executive Director Murphy indicated that the fee is 150% of the regular fees. Council Member Wapner questioned where the fee should be detailed so the developers are more aware of it.

Council Member Wapner questioned how decisions are made for projects like pavement management. Executive Director Murphy indicated that it is a function of priority and with pavement management it is very flexible based on the funding available. He noted that Ontario has very good pavement quality compared to neighboring cities, and a lot has been added to the program. Mayor pro Tem Dorst-Porada commented that she would consider a cut to funding, not add projects to the program in an effort to prevent cut in other areas. Executive Director Murphy stressed that it was a function of the funding sources may restrict the shifting of funds. Council Member Wapner questioned the coordination of funding sources with neighboring cities.

Mayor Leon inquired about opening tot lots and sports fields. Executive Director McAlary indicated that the State has not allowed them opening. Mayor Leon noted that he had a discussion with the Mayor of Chino, and they are not in compliance with State or County guidelines. City Attorney Huber indicated that raises issues of the third party administrators saying that if a claim is filed and the agency was not following guidelines there may not be insurance coverage for those claims. It also impacts a worker's compensation claim by a public servant. Council Member Valencia questioned impacts on funding if we open against the Governor's orders. City Manager Ochoa noted recent issues at the beaches, and noted that the City Council can open the parks, but it is not recommended because there might a risk

of liability. Mayor Leon questioned the plan for youth sports. Executive Director McAlary indicated that opening was planned for Phase three, but there are still limits all the sports in the City. Mayor Leon commented that the surrounding cities opening in non-compliance are not helping as they make Ontario look like the bad guys. Council Member Wapner questioned the impact of opening the parks versus not enforcing the closure and noted that Chino authorized the parks to be open. City Manager Ochoa noted fencing could be taken down, or the City could wait for direction from the State, but cautioned about the potential consequences. Council Member Bowman questioned if the areas were still posted. City Manager Ochoa indicated that they were posted with social distancing language.

Council Member Wapner inquired about the proposed project for new roofs at the City Hall Annex and the Library which have been deferred, and he questioned why they would be proposed if they were not needed. Executive Director of Public Works Haes indicated that they were still necessary, but they made the choice to defer the project at this time. He expressed hopes that more funding would be available in the new year. Council Member Wapner inquired if more damage was occurring. Municipal Services Director Johnson indicated that the City Hall Annex is the worst, but patching has been occurring. He suggested that the Library roof could be deferred for a couple of years, but after that the repairs needed will be significantly larger. Council Member Wapner questioned the staff decision for prioritizing Police Fleet Services facility over leaking roofs. City Manager Ochoa indicated that was well within the policy decision of the City Council, but this was a recommendation based on a collaborative discussion between the agencies. Council Member Wapner questioned the costs of the needed roofs. Director Johnson indicated that the Annex roof would be about \$300,000 and the Library roof would be about \$600,000 and the life span would typically be twenty years. Council Member Wapner suggested that they be reevaluated and moved up a year, reducing the deferral to one year. Council Member Wapner questioned the CNG Expansion in the budget, which says not available. Executive Director Haes indicated that it was under design and should start construction next year.

Council Member Wapner inquired of Executive Director of Finance Harkalyan about page 95, salaries for Business License, which almost doubled. Executive Director Harkalyan indicated that they are dividing one department into two as part of a reorganization. Council Member Wapner questioned page 101, regarding a rental lease that went from 0 to \$3.9 million. Fiscal Services Director Nunes indicated that was a lease for revenue bonds that was previously in General Services. Council Member Wapner questioned an adjustment to Sales Tax, but no adjustment to Measure I. Fiscal Services Director Nunes indicated there was a slight adjustment to Measure I, and additional changes would be made when actual numbers were available. Council Member Wapner questioned the new personnel document and how many new bodies were being added. Fiscal Services Director Nunes indicated there was a proposed net change of five bodies.

Council Member Wapner questioned the Convention Center and Arena as there had been no adjustment to the numbers. City Manager Ochoa indicated that staff was just waiting to see actual numbers on revenue and expenses. A revised budget for those facilities would be presented to City Council in the future.

MOTION: Moved by Council Member Bowman, seconded by Council Member Valencia and carried by unanimous vote to adopt Resolution Nos. 2020-084, 2020-085 and OHA-101.

RESOLUTION NO. 2020-084 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE CITY OF ONTARIO FOR FISCAL YEAR 2020-21.

RESOLUTION NO. 2020-085 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE OPERATING BUDGET OF SAID CITY FOR THE FISCAL YEAR 2020-21.

RESOLUTION NO. OHA-101 A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A BUDGET FOR SAID AUTHORITY FOR THE FISCAL YEAR 2020-21.

3. A RESOLUTION APPROVING THE FY 2020-21 THROUGH FY 2024-25 MEASURE I FIVE-YEAR CAPITAL IMPROVEMENT EXPENDITURE PLAN AND EXPENDITURE STRATEGY

City Council adopted a resolution approving the FY 2020-21 through FY 2024-25 Measure I Five-Year Capital Improvement Expenditure Plan and Expenditure Strategy.

MOTION: Moved by Council Member Bowman, seconded by Council Member Wapner and carried by unanimous vote to adopt Resolution No. 2020-086.

RESOLUTION NO. 2020-086 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE FY 2020-21 THROUGH FY 2024-25 MEASURE I FIVE-YEAR CAPITAL IMPROVEMENT PLAN.

STAFF MATTERS

None.

COUNCIL MATTERS

None.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 6:50 p.m.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN