

**ONTARIO CITY COUNCIL/  
ONTARIO HOUSING AUTHORITY  
MINUTES  
January 16, 2018**

**JOINT MEETINGS**

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, January 16, 2018, 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 6:05 p.m.

City Manager Ochoa advised that subsequent to the posting of the agenda for this meeting, the City received notification regarding an existing legal matter that requires City Council action prior to the next Council meeting which is February 6, 2018. Pursuant to Government Code Section 54954.2 (b), a two-thirds vote of the City Council was required to add the following urgency item to the agenda for consideration:

- GC 54956.9 (d) (1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Estate of Raul Herrera III, et al. vs. City of Ontario, et al. Central District of California Case No. 5:17-CV-00082 SP

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and carried by unanimous vote to add the requested item to this agenda.

Mayor Leon 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 6:06 p.m. for discussion of the following:

- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Scott Ochoa regarding Ontario Fire Management Group.
- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *Ernesto Alonso, et al v. City of Ontario, et al; CIVDS 1705398*
- GC 54956.9 (d) (1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Estate of Raul Herrera III, et al. vs. City of Ontario, et al. Central District of California Case No. 5:17-CV-00082 SP

## CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council/Housing Authority meetings to order at 6:31 p.m., and requested the City Clerk call the roll.

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

**ABSENT:** Council/Authority Member: None

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

The Pledge of Allegiance was led by *Council Member Dorst-Porada*.

The Invocation was provided by *Assistant Pastor Dan Gross*, representing Montecito Baptist Church.

## CLOSED SESSION REPORT

City Attorney Brown indicated that the matters listed on the agenda were discussed and direction was given to staff; however, there was no reportable action.

## PUBLIC COMMENTS

*Peggi Hazlett*, representing the Ontario Chamber of Commerce, noted that the Chamber was taking new strategic action to expand the face of the Chamber and introduced Chamber Board Member Jennifer Shaw of Southern California Edison.

*Jennifer Shaw*, Chamber of Commerce/Southern California Edison announced upcoming Chamber events including Vision 2018 on January 26, 2018; Good Morning Ontario on February 7, 2018 and the Police Recognition Lunch on May 8, 2018. She thanked City Manager Ochoa for agreeing to speak at the Vision 2018 event.

*Karen Haughey*, representing County Supervisor Curt Hagman, wished the community a Happy New Year and invited the Council and public to Coffee with Curt to be held in Chino Hills on February 3, 2018, at 8:00 a.m. in the Chino Hills Community Center.

## AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa indicated that there were updated exhibits to the resolution relative to Item 3. He indicated these updates reflect payments from property owners paid since the time the agenda was posted until today with a revised/reduced total of \$153,253.67 related to 143 parcels.

## 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

Approved Minutes for the regular meeting of the City Council and Housing Authority of December 5, 2017 and December 19, 2017, as on file in the Records Management Department.

### 2. BILLS/PAYROLL

Approved **Bills** for the period November 5, 2017 through December 2, 2017, in the amount of \$22,164,465.38 and **Payroll** for the period November 5, 2017 through December 2, 2017, in the amount of \$4,563,634.83, when audited by the Finance Committee.

### 3. A RESOLUTION FOR PLACEMENT OF SPECIAL ASSESSMENTS ON THE SAN BERNARDINO COUNTY TAX ROLLS

City Council adopted a resolution for recovery of fees and costs incurred in abating property and dangerous building violations, as well as administrative citation and civil penalties associated with property maintenance violations, and placement of special assessments on the San Bernardino County Tax Rolls.

**RESOLUTION NO. 2018-001** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

### 4. MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ONTARIO PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 1430 I.A.F.F.; AND THE CITY OF ONTARIO AND THE ONTARIO FIRE MANAGEMENT GROUP, AFFECTING TERMS AND CONDITIONS OF EMPLOYMENT DURING THE PERIOD OF JANUARY 1, 2018 TO JUNE 30, 2022; AND APPROVE RESOLUTIONS MODIFYING PAYMENT OF THE EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR EMPLOYEES IN FIRE SAFETY BARGAINING UNITS

City Council approved and authorized the City Manager to execute four-year Memoranda of Understanding regarding wages, hours and other terms and conditions of employment between the City of Ontario and the Ontario Professional Firefighters Association (OPFA) and the Ontario Fire Management Group (OFMG); and authorized the City Manager to make any non-substantive changes which may be necessary to implement the agreement; and adopted resolutions modifying the



Employer Paid Member Contributions (EPMC) to the California Public Employees Retirement System (CalPERS) consistent with the terms and conditions of the labor agreements and pursuant to California Government Code Section 20691.

**RESOLUTION NO. 2018-002** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE FIRE AND FIRE MANAGEMENT UNITS.

**RESOLUTION NO. 2018-003** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE FIRE AND FIRE MANAGEMENT UNITS.

**RESOLUTION NO. 2018-004** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE FIRE AND FIRE MANAGEMENT UNITS.

**5. AUTHORIZE THE PURCHASE OF FLEET VEHICLES/NATIONAL AUTO FLEET GROUP/RACEWAY FORD/DEERE & COMPANY**

City Council took the following actions:

- (A) Authorized the cooperative purchase and delivery of one Chevrolet Colorado in the amount of \$30,587, one Ford Escape in the amount of \$26,018, one Ford Police Interceptor Utility in the amount of \$31,423, and one Ford Explorer in the amount of \$47,836 for the Police Department from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 120716-NAF;
- (B) Authorized the purchase and delivery of one Ford Police Patrol SUV in the amount of \$28,483 for the Police Department from Raceway Ford in Riverside, California, consistent with the terms and conditions of City of Ontario Bid No. 821; and
- (C) Authorized the cooperative purchase and delivery of one John Deere Precision Cut Fairway Mower in the amount of \$62,863 for Parks & Maintenance from Deere & Company located in Cary, North Carolina, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 062117-DAC.

**6. AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CERTAIN TERRITORY ANNEXED TO CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES)**

City Council adopted an ordinance levying special taxes within certain territory annexed to City of Ontario Community Facilities District No. 23 (Park Place Services). Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on December 19, 2017.

**ORDINANCE NO. 3087** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN CERTAIN TERRITORY ANNEXED TO CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES).

**MOTION UNANIMOUSLY CARRIED:** Mayor Leon declared City Council Resolution Nos. 2018-001, 2018-002, 2018-003 and 2018-004 and Ordinance No. 3087 unanimously adopted.

**PUBLIC HEARINGS**

**7. A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III); ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS; AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES**

City Council:

- (A) Adopted a resolution establishing Community Facilities District No. 26 (Park Place Facilities Phase III), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopted a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 26 (Park Place Facilities Phase III);
- (C) Adopted a resolution calling a special election for City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III);
- (D) Adopted a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien; and
- (E) Introduced and waived further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III).

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

There are 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 adopt Resolution Nos. 2018-005, 2018-006 and 2018-007.

**RESOLUTION NO. 2018-005** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT

**RESOLUTION NO. 2018-006** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III).

**RESOLUTION NO. 2018-007** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III).

Mayor Leon requested that the City Clerk open and report the results of the election. Assistant City Clerk Kasad reported the three ballots were in support of formation of the proposed District.

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and carried by unanimous vote to adopt Resolution No. 2018-008.

**RESOLUTION NO. 2018-008** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

**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. 3088.

**ORDINANCE NO. 3088** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III).

## ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

### 8. A RESOLUTION AUTHORIZING THE ISSUANCE OF SPECIAL TAX BONDS FOR COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES)

City Council adopted a resolution authorizing the issuance of special tax bonds for Community Facilities District No. 34 (Countryside Phase 1 North - Facilities). The resolution:

- (A) Authorized the issuance of special tax bonds for public improvements required to facilitate the development of the Countryside Phase 1 North - Facilities project;
- (B) Approved the forms of the Indenture of Trust, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement;
- (C) Authorized a negotiated sale of the special tax bonds to Stifel, Nicolaus & Company, Incorporated. (the "Underwriter") in accordance with the terms of the Bond Purchase Agreement; and
- (D) Authorized the execution of the Indenture of Trust, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement by the City Manager, or his designee.

**MOTION:** Moved by Mayor pro Tem Wapner, Seconded by Council Member Dorst-Porada and carried by unanimous vote to adopt Resolution No. 2018-009.

**RESOLUTION NO. 2018-009** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES) SPECIAL TAX BONDS, SERIES 2018, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

## STAFF MATTERS

No comments.



## COUNCIL MATTERS

### APPOINTMENT OF MUSEUM BOARD OF TRUSTEES MEMBER

Council Member Valencia thanked Sarah Galvez for her past service on the Museum Board and nominated Ada Lopez to serve in the seat vacated by Sarah Galvez. Ada Lopez came to the podium and introduced herself as an 18 year resident who loves the community. She noted that her children are now in high school and she would like to give back to the community.

Council Member Dorst-Porada noted the contributions of Sarah Galvez to the Museum Board and thanked her for her hard work. She also noted the strategic planning efforts underway for the past six years and stressed the work yet to be done. She thanked everyone involved in the work to date.

Mayor Leon noted a recent breakfast with Earl Phares, Ontario resident, and Mr. Phares' experience as a prisoner of war when the USS Pueblo was captured in 1968 by North Korea. He suggested, and received concurrence of the City Council, to recognize Mr. Phares as a local hero as soon as possible.

### ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 6:49 p.m. and announced the next regular meetings to be held on Tuesday, February 6, 2018.

Respectfully submitted,



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SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



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PAUL S. LEON, MAYOR/CHAIRMAN