

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
June 19, 2018**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, June 19, 2018, at the Ontario City Hall, 303 East B Street, Ontario, California.

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council/Housing Authority meetings to order at 6:32 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 Valencia*.

The Invocation was provided by *Edye York* representing Baha'I Faith.

PUBLIC COMMENTS

Jesus Fonseca, III, said that he was present at the last City Council meeting and did receive a phone call back from the City regarding his concerns about airport noise over his house. He played a recording of a plane flying over his home to emphasize his concerns and asked for assistance in reducing the noise in his house, further noting that elections are coming.

Rudy Favila, said that he was present at the last City Council meeting to discuss airport noise, recalling when he was previously on the City Council there were noise regulations on planes. He stated that he was now not certain he was in the right forum to discuss this concern and indicated he would be addressing the matter to the airport board. He also questioned why the Mayor was not a representative on that board.

Alicia Rosas, Public Relations Director for Chaffey College, introduced herself and shared information about the "Panther Promise" which can pay for the first year of tuition. She said that they are considering a bond measure for the November election. Ms. Rosas also stated that Chaffey is committed to making a local impact and raising awareness about the programs and benefits offered at Chaffey.

Julie Garcia, thanked the Ontario Police Department for always showing up, but expressed concern with speeders at Campus and Princeton. She indicated that there are at least three traffic accidents a year there and suggested a stop sign or a crosswalk sign to slow drivers down. City Manager Ochoa commented that the City's goal is not to make the situation worse with an ill-fated traffic control measure, but agreed to have traffic engineers and the police department review the intersection and make appropriate recommendations.

D'Andre Lampkin, invited residents to an event highlighting organic gardening at the Huerta del Valle community garden on June 23, 2018 starting at 9:00 a.m. at 831 East Belmont Street.

City Manager Ochoa addressed airport noise issues, noting that it was a complex problem with no easy solution. He clarified that the FAA regulates and sets flight patterns, but the City Council does empathize with the concerns expressed. He indicated that the noise contours had been changed in the past, and flight patterns were changed too by the FAA. Ochoa also noted that Assistant City Manager Boling did reach out to Mr. Fonseca to explain the matter and did suggest that Fonseca write down information on times of the flights so the City can seek assistance from its federal partners and the OIAA. Ochoa further noted that there is currently a construction project at the airport that is having an impact on this issue, but it will be completed in the next several weeks and lessen the airport noise issue. He asked for the indulgence and patience from the public until the project is complete.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa indicated that there were updated exhibits for Item 3 for the resolutions on special assessment to reflect payments made up through today. He also noted revised resolutions for Items 34 and 35 adding language that would be required in case a proposed change is made to the California Constitution. He also noted that Item 36 has a letter from the Council of Carpenters rescinding their prior objections.

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 Minutes for the regular meeting of the City Council and Housing Authority of May 15, 2018, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period April 22, 2018 through May 5, 2018, in the amount of \$13,155,541.42 and **Payroll** for the period April 22, 2018 through May 5, 2018, in the amount of \$3,214,802.84, 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 placing special assessments on the San Bernardino County Tax Rolls.

RESOLUTION NO. 2018-054 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. A LEASE AGREEMENT AND OPERATING AGREEMENT BETWEEN THE WESEE COLLECTIVE, LLC AND THE CITY OF ONTARIO, FOR THE PURPOSE OF ESTABLISHING A BUSINESS INCUBATOR, ACCELERATOR AND CO-WORKING OFFICE SPACE AT 404 N. EUCLID AVENUE/(WESEE COLLECTIVE, LLC)

City Council:

- (A) Approved a Lease Agreement between The WESEE Collective, LLC and the City of Ontario for the purpose of establishing a Business Incubator, Accelerator and Co-working space in approximately 13,500 square feet of certain City-owned property located at 404 N. Euclid Avenue for a three-year term with the option to extend for two additional one-year periods,
- (B) Approved a Lease Agreement between The WESEE Collective, LLC and the City of Ontario for the purpose of establishing a Coffee Shop and Beer Taproom in approximately 500 square feet of certain City-owned property located at 404 N. Euclid Avenue for a three-year term with the option to extend for two additional one-year periods, and
- (C) Authorized the City Manager to execute a three-year Operating Agreement with The WESEE Collective, LLC for the purpose of operating a Business Incubator, Accelerator and Co-working space, in the amount of \$252,000 annually, with the option to extend for two additional one-year periods.

5. LANDSCAPE MAINTENANCE SERVICES AGREEMENT FOR THE MILL CREEK WETLANDS FACILITY/(NATURES IMAGE)

City Council approved and authorized the City Manager to execute a one-year Maintenance Services Agreement with Nature's Image, of Lake Forest, California, to provide landscape maintenance services for the Mill Creek Wetlands facility for a total contract cost of \$248,956 plus a 8% contingency of \$19,916 for a total authorized expenditure of \$268,872; and authorized the City Manager to extend the agreement for up to four additional one year periods with any required future amendments consistent with City Council approved budgets.

6. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NOS. 17749 AND 18380 LOCATED ON THE NORTH SIDE OF BELLEGRAVE AVENUE BETWEEN MILL CREEK AND HAMNER AVENUES

City Council adopted a resolution approving an improvement agreement, improvement security and Final Tract Map Nos. 17749 and 18380 located on the north side of Bellegrave Avenue between Mill Creek and Hamner Avenues within the Esperanza Specific Plan area.

RESOLUTION NO. 2018-055 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NOS. 17749 AND 18380 LOCATED ON THE NORTH SIDE OF BELLEGRAVE AVENUE BETWEEN MILL CREEK AND HAMNER AVENUES.

7. ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NOS. 1, 2, 3 AND 4 FOR FISCAL YEAR 2018-19

City Council adopted resolutions pertaining to the levy of assessments within Ontario Parkway Maintenance Assessment District (OPMAD) Nos. 1, 2, 3 and 4:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments; and
- (B) A resolution giving preliminary approval of the Engineer's Report; and
- (C) A resolution for District Nos. 1, 2 and 3, and a resolution for District No. 4, declaring the City's intention to levy the special assessments for Fiscal Year 2018-19 and setting the date of July 17, 2018 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

RESOLUTION NO. 2018-056 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2018-19.

RESOLUTION NO. 2018-057 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2018-19.

RESOLUTION NO. 2018-058 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2018-19 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

RESOLUTION NO. 2018-059 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2018-19 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

8. ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICT NOS. 1 AND 2 FOR FISCAL YEAR 2018-19

City Council adopted resolutions pertaining to the levy of assessments within Street Lighting Maintenance District (SLMD) Nos. 1 and 2:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments;
- (B) A resolution giving preliminary approval of the Engineer's Reports; and
- (C) A resolution for each district declaring the City's intention to levy the special assessments for Fiscal Year 2018-19 and setting the date of July 17, 2018 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

RESOLUTION NO. 2018-060 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND NO. 2 FOR FISCAL YEAR 2018-19.

RESOLUTION NO. 2018-061 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND NO. 2 FOR FISCAL YEAR 2018-19.

RESOLUTION NO. 2018-062 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2018-19 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 1 PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

RESOLUTION NO. 2018-063 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2018-19 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 2, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

9. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within Community Facilities District No. 9 (Edenglen) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-064 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

10. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within Community Facilities District No. 10 (Ontario Airport Towers) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-065 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2018-19.

11. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER - PHASE IV) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within Community Facilities District No. 13 (California Commerce Center - Phase IV) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-066 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER - PHASE IV), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

12. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 19 (COUNTRYSIDE PHASE 1 - SERVICES) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 19 (Countryside Phase 1 - Services) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-067 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 19 (COUNTRYSIDE PHASE 1 - SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

13. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within Community Facilities District No. 20 (Wal-Mart) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-068 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2018-19.

14. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 21 (PARKSIDE) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within Community Facilities District No. 21 of the City of Ontario (Parkside) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-069 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 21 OF THE CITY OF ONTARIO (PARKSIDE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

15. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 23 (Park Place Services) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-070 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

16. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES - PHASE I) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 24 (Park Place Facilities - Phase I) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-071 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES – PHASE I), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

17. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 25 (PARK PLACE FACILITIES PHASE II) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 25 (Park Place Facilities Phase II) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-072 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 25 (PARK PLACE FACILITIES PHASE II), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

18. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-073 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

19. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 27 (New Haven Services) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-074 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

20. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES – AREA A) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-075 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES – AREA A), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

21. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-076 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES – AREA B), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

22. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 31 (Carriage House / Amberly Lane) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-077 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

23. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 34 (Countryside Phase 1 North - Facilities) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-078 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

24. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 37 (PARK & TURNER NE SERVICES) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 37 (Park & Turner NE Services) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-079 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 37 (PARK & TURNER NE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

25. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 38 (Park & Turner NE Facilities) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-080 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

26. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 39 (NEW HAVEN FACILITIES - AREA C) FOR FISCAL YEAR 2018-19

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 39 (New Haven Facilities - Area C) for Fiscal Year 2018-19.

RESOLUTION NO. 2018-081 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 39 (NEW HAVEN FACILITIES – AREA C), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2018-19.

27. MAINTENANCE SERVICES AGREEMENT FOR THE WATER SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) COMPUTER PROGRAMMING SUPPORT SERVICES / (FREEDOM AUTOMATION INC.)

City Council authorized the City Manager to execute a one-year Maintenance Services Agreement with Freedom Automation Inc. of Oceanside, California, for the City's Supervisory Control and Data Acquisition (SCADA) computer programming support services for a not to exceed amount of \$150,000 for Fiscal Year 2018-19; and authorized the City Manager to extend the agreement for up to four additional one-year periods consistent with City Council approved budgets.

28. AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT AMENDMENT (SECOND AMENDMENT) BETWEEN THE CITY OF ONTARIO, GDC INVESTMENTS 6 L.P., AND LENNAR HOMES OF CALIFORNIA TO AMEND DEVELOPMENT AGREEMENT, FILE NO. PDA14-003, TO EXTEND THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO'S. 17931, 17932 AND 17933. THE PROJECT IS LOCATED ON THE NORTHEAST AND SOUTHEAST CORNERS OF MILL CREEK AVENUE AND EUCALYPTUS AVENUE, WITHIN PLANNING AREAS 8, 9, AND 10 OF THE ESPERANZA SPECIFIC PLAN (APNS: 0218-332-12 AND 0218-252-16)

City Council considered and adopted an ordinance approving the Second Amendment (File PDA14-003, on file with the Records Management Department) to the Development Agreement between the City of Ontario, GDC Investments 6 L.P. and Lennar Homes of California to extend the term of the Development Agreement to serve Tract Map No's. 17931, 17932 and 17933.

ORDINANCE NO. 3103 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A SECOND AMENDMENT BETWEEN THE CITY OF ONTARIO AND GDC INVESTMENTS 6 L.P., AND LENNAR HOMES OF CALIFORNIA TO AMEND DEVELOPMENT AGREEMENT, FILE NO. PDA14-003, TO EXTEND THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO'S. 17931, 17932 AND 17933. THE PROJECT IS LOCATED ON THE NORTHEAST AND SOUTHEAST CORNERS OF MILL CREEK AVENUE AND EUCALYPTUS AVENUE, WITHIN PLANNING AREAS 8, 9, AND 10 OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 0218-332-12 AND 0218-252-16.

29. **AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT AMENDMENT (SECOND AMENDMENT) BETWEEN THE CITY OF ONTARIO, GDC-RCCD, L.P., AND LENNAR HOMES OF CALIFORNIA TO AMEND DEVELOPMENT AGREEMENT, FILE NO. PDA14-004, TO EXTEND THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO'S. 17749, 17935, 17936, 18876 AND 18878. THE PROJECT IS LOCATED ON THE NORTHWEST AND SOUTHWEST CORNERS OF HAMNER AVENUE AND EUCALYPTUS AVENUE, WITHIN PLANNING AREAS 4, 5, 6, AND 7 OF THE ESPERANZA SPECIFIC PLAN (APNS: 0218-332-01 AND 0218-252-17)**

City Council considered and adopted an ordinance approving the Second Amendment (File PDA14-004) to the Development Agreement between the City of Ontario, GDC-RCCD, L.P., and Lennar Homes of California, to extend the term of the agreement to serve Tract Map No's. 17749, 17935, 17936, 18876 and 18878.

ORDINANCE NO. 3104 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT, FILE NO. PDA14-004, BETWEEN THE CITY OF ONTARIO AND GDC-RCCD, L.P., AND LENNAR HOMES OF CALIFORNIA, TO EXTEND THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO'S. 17749, 17935, 17936, 18876 AND 18878. THE PROJECT IS LOCATED ON THE NORTHWEST AND SOUTHWEST CORNERS OF HAMNER AVENUE AND EUCALYPTUS AVENUE, WITHIN PLANNING AREAS 4, 5, 6, AND 7 OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 0218-332-01 AND 0218-252-17.

30. **AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT AMENDMENT (SECOND AMENDMENT) BETWEEN THE CITY OF ONTARIO AND WESTERN PACIFIC HOUSING INC. TO EXTEND THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO. 18419; THE PROJECT IS LOCATED WITHIN THE LOW DENSITY RESIDENTIAL DISTRICT OF PLANNING AREA 6A OF THE AVENUE SPECIFIC PLAN, LOCATED AT THE SOUTHEAST CORNER OF ARCHIBALD AVENUE AND SCHAEFER AVENUE (APN: 0218-201-15 AND 0218-201-44)**

City Council considered and adopted an ordinance approving the Second Amendment (File PDA07-001) to the Development Agreement between the City of

Ontario and Western Pacific Housing Inc., to extend the term of the Development Agreement to serve Tract Map No. 18419.

ORDINANCE NO. 3102 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT, FILE NO. PDA07-001, BETWEEN THE CITY OF ONTARIO AND WESTERN PACIFIC HOUSING, INC., TO EXTEND THE TERM OF THE AGREEMENT TO SERVE TRACT MAP NO. 18419. THE PROJECT IS LOCATED WITHIN THE LOW DENSITY RESIDENTIAL DISTRICT OF PLANNING AREA 6A OF THE AVENUE SPECIFIC PLAN, LOCATED AT THE SOUTHEAST CORNER OF ARCHIBALD AVENUE AND SCHAEFER AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 0218-201-15 AND 0218-201-44.

31. AMENDMENT TO THE EXISTING STORM DRAIN MAINTENANCE SERVICES AGREEMENT COVERING CITYWIDE LOCATIONS / (INNERLINE ENGINEERING, INC.)

City Council authorized the City Manager to execute an amendment to Storm Drain Maintenance Services Agreement No. SM 1718-2 with Innerline Engineering, Inc. of Corona, California, extending the contract term by four months to June 30, 2018 and adding \$62,539 of additional funding for an amended contract amount of \$156,200, plus a contingency of \$6,300.

32. AMENDMENT TO THE PURCHASE CONTRACT FOR A TACTICAL RESPONSE VEHICLE / (LENCO ARMORED VEHICLES)

City Council authorized the City Manager to execute an amendment to the existing sole source purchase contract with Lenco Armored Vehicles of Pittsfield, Massachusetts, to increase the purchase agreement in the amount of \$575,000.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared City Council Resolution Nos. 2018-054 through 2018-081 and Ordinance Nos. 3102, 3103 and 3104 were unanimously adopted.

PUBLIC HEARINGS

33. A PUBLIC HEARING TO CONSIDER A RESOLUTION APPROVING AN ADDENDUM TO THE ONTARIO PLAN FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MOUNTAIN AVENUE AND HOLT BOULEVARD INTERSECTION WIDENING PROJECT, CONSIDERATION OF A RESOLUTION OF NECESSITY FOR THE ACQUISITION OF FEE AND EASEMENT INTERESTS IN PORTIONS OF CERTAIN REAL PROPERTY

City Council conducted a public hearing and:

- (1) Adopted the Resolution approving an Addendum to The Ontario Plan (“TOP”) Final Environmental Impact Report (“EIR”) for the Mountain Avenue and Holt Boulevard Intersection Widening Project pursuant to CEQA Section 15164;
- (2) Considered the adoption of a Resolution of Necessity and provided all parties interested in the affected properties, their attorneys or representatives, an opportunity to be heard on the issues relevant to the Resolution of Necessity;
- (3) Made the following findings as hereinafter described in this report:
 - a. The public interest and necessity require the proposed project;
 - b. The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury;
 - c. The real property to be acquired is necessary for the project; and
 - d. The offers of just compensation have been made to the property owners; and
- (4) Adopted a Resolution of Necessity declaring that the acquisition of fee and easement interests in certain real property, more particularly described as Assessor Parcel No.’s 1010-522-13, 1010-522-06, 1010-522-12, 1010-522-11, 1010-522-10, 1010-502-13, 1010-502-12, 1010-502-11, 1010-502-10, 1010-502-09, 1010-502-08, 1010-502-07, 1010-502-06, 1011-131-02, 1011-131-03, 1011-131-04, 1011-131-19, 1011-132-06, and 1011-132-07 by eminent domain is necessary for public right-of-way and the construction of the Mountain Avenue and Holt Boulevard Intersection Widening Project (“Project”) and related public infrastructure improvements in the City of Ontario, San Bernardino County, California.

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.

Ryan Pfitzenreuter, owner of SoCal Express Car Wash on Holt Blvd., indicated that they opened their business in 2009 and their business has continuously grown. He commented that he felt the business owners had received little communication regarding this project from the City. He requested assurances that this is not part of the Omnitrans’ Bus Rapid Transit project. He noted that they were offered \$1,000 for temporary access during the project, but would be impacted by having to provide a 216 foot construction easement. He requested that the utilities not be cut, as that will shut down their business. City Manager Ochoa indicated that such mitigation is separate and apart from these negotiations.

Yuchieh Ning, indicated that she has a property at this intersection, and she is concerned that the project will take land up to the property line. She asked for clarification about her building at 1113 W. Holt and if it would have to be torn down in the future. City Attorney Brown explained that this action cannot result in rendering the building a non-conforming use. Mayor Leon requested that the impacts of this project be explained to Ms. Ning in detail in her native language. Planning staff was assigned to follow up with Ms. Ning.

Mayor Leon closed the public hearing.

MOTION: Moved by Mayor pro Tem Wapner, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution Nos. 2018-082 and 2018-083.

RESOLUTION NO. 2018-082 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE ONTARIO PLAN ENVIRONMENTAL IMPACT REPORT FOR THE MOUNTAIN AVENUE AND HOLT BOULEVARD INTERSECTION WIDENING PROJECT, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND MAKING FINDINGS IN SUPPORT THEREOF.

RESOLUTION NO. 2018-083 A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION OF PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT INTERESTS IN PORTIONS OF REAL PROPERTY.

- 34. A PUBLIC HEARING TO CONSIDER RESOLUTIONS REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 45 (NORTHPARK AND COUNTRYSIDE); INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES; ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS; AND DISSOLUTION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190)**

City Council:

- (A) Adopted a resolution establishing Community Facilities District No. 45 (Northpark and Countryside), 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. 45 (Northpark and Countryside);
- (C) Adopted a resolution calling a special election for City of Ontario Community Facilities District No. 45 (Northpark and Countryside);
- (D) Adopted a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien;

- (E) Introduced and waived further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 45 (Northpark and Countryside);
- (F) Adopted a resolution authorizing the execution and delivery of an acquisition and funding agreement with KB Home California LLC; and
- (G) Introduced and waived further reading of an ordinance dissolving City of Ontario Community Facilities District No. 36 (Eucalyptus 190).

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

Mayor Leon opened the public hearing asking if there were persons interested in commenting on this item. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Dorst-Porada, Seconded by Bowman and carried by unanimous vote to adopt Resolution Nos. 2018-084, 2018-085 and 2018-086.

RESOLUTION NO. 2018-084 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 45 (NORTHPARK AND COUNTRYSIDE), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

RESOLUTION NO. 2018-085 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. 45 (NORTHPARK AND COUNTRYSIDE).

RESOLUTION NO. 2018-086 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 45 (NORTHPARK AND COUNTRYSIDE).

Mayor Leon requested that the City Clerk open the ballots and announce the results of the election.

Assistant City Clerk Kasad announced that the two ballots received were in support of formation of the District.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution No. 2018-087 as presented.

RESOLUTION NO. 2018-087 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. 3105.

ORDINANCE NO. 3105 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 45 (NORTHPARK AND COUNTRYSIDE).

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution No. 2018-088.

RESOLUTION NO. 2018-088 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACQUISITION AND FUNDING AGREEMENT WITH KB HOME CALIFORNIA LLC, A DELAWARE LIMITED LIABILITY COMPANY.

MOTION: Moved By Council Member Bowman, seconded by Council Member Valencia and carried by unanimous vote to introduce and waive further reading of Ordinance No. 3106 Dissolving Community Facilities District No. 36.

ORDINANCE NO. 3106 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DISSOLVING CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190).

35. A PUBLIC HEARING TO CONSIDER RESOLUTIONS REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 47 (COLONY COMMERCE CENTER WEST I SERVICES) AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES

City Council:

- (A) Adopted a resolution establishing City of Ontario Community Facilities District No. 47 (Colony Commerce Center West I Services), authorizing the levy of a special tax within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopted a resolution calling a special election for City of Ontario Community Facilities District No. 47 (Colony Commerce Center West I Services);
- (C) Adopted a resolution declaring the results of the special election and directing the recording of the Notice of Special Tax Lien; and

- (D) Introduced and waived further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 47 (Colony Commerce Center West I Services).

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 if there were persons interested in commenting on this item. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Valencia, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution Nos. 2018-089 and 2018-090, as presented

RESOLUTION NO. 2018-089 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 47 (COLONY COMMERCE CENTER WEST I SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT

RESOLUTION NO. 2018-090 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 47 (COLONY COMMERCE CENTER WEST I SERVICES).

Mayor Leon requested that the City Clerk open the ballots and announce the results of the election.

Assistant City Clerk Kasad announced that the one ballot received was in support of formation of the District.

MOTION: Moved by Council Member Bowman, seconded by Council Member Valencia and carried by unanimous vote to adopt Resolution No. 2018-091 as presented.

RESOLUTION NO. 2018-091 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 Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to introduce and waive further reading of Ordinance No. 3107.

ORDINANCE NO. 3107 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 47 (COLONY COMMERCE CENTER WEST I SERVICES).

36. **A PUBLIC HEARING TO CONSIDER 1) A RESOLUTION CERTIFYING THE ENVIRONMENTAL IMPACT REPORT, INCLUDING THE ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PLAN, FOR FILE NOS. PGPA16-002 AND PSP16-002; 2) A GENERAL PLAN AMENDMENT (FILE NO. PGPA16-002) REQUEST TO MODIFY THE LAND USE ELEMENT OF THE ONTARIO PLAN (GENERAL PLAN) TO CHANGE THE LAND USE DESIGNATIONS SHOWN ON THE LAND USE PLAN MAP (EXHIBIT LU-1) FOR 47.06 ACRES OF LAND FROM BUSINESS PARK (0.60 FAR) TO INDUSTRIAL (0.55 FAR) AND MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; 3) A SPECIFIC PLAN (WEST ONTARIO COMMERCE CENTER) REQUEST (FILE NO. PSPA16-002) TO ESTABLISH LAND USE DESIGNATIONS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE IMPROVEMENTS FOR APPROXIMATELY 119 ACRES OF LAND, WHICH INCLUDES THE POTENTIAL DEVELOPMENT OF UP TO 2,905,510 SQUARE FEET OF INDUSTRIAL AND BUSINESS PARK DEVELOPMENT; AND 4) A TENTATIVE CANCELLATION OF WILLIAMSON ACT CONTRACTS 73-406 AND 70-219. THE PROJECT SITE IS BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, CUCAMONGA CREEK CHANNEL TO THE EAST, MERRILL AVENUE TO THE SOUTH, AND CARPENTER AVENUE TO THE WEST (APNS: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 AND 0218-271-18)**

City Council:

- (1) Adopted a resolution certifying the Environmental Impact Report (SCH#2017041074) prepared for West Ontario Commerce Center Specific Plan, File No. PSP16-002, which includes the adoption of a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Plan;
- (2) Adopted a resolution approving a General Plan Amendment (File No. PGPA16-002) to modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-1) for 47.06 acres of land from Business Park (0.60 FAR) to Industrial (0.55 FAR) and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes;

- (3) Introduced and waived further reading of an ordinance approving the West Ontario Commerce Center Specific Plan (File No. PSP16-002); and
- (4) Adopted resolutions approving a Tentative Cancellation of Williamson Act Contracts 73-406 (File No. PWIL17-009) and 70-219 (File No. PWIL18-004).

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.

Jacob Kleespies, Business Representative for the Council of Carpenters, advised the City Council that they were withdrawing their objections to the Commerce Center item because they had come to a mutual agreement with the applicant. He commended City staff for acknowledging the issues at hand.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and varried by unanimous vote of adopt Resolution No. 2018-092, 2018-093, to introduce and waive further reading of Ordinance No. 3108, and further to adopt Resolution Nos. 2018-094 and 2018-095.

RESOLUTION NO. 2018-092 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH# 2017041074) PREPARED FOR THE WEST ONTARIO COMMERCE CENTER SPECIFIC PLAN (FILE NO. PSP16-002), AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PLAN (APNS: 0218-221-09, 0218-271-18, 0218-261-23, 0218-261-22, 0218-261-32, 0218-271-08, 0218-271-13 & 0218-261-16).

RESOLUTION NO. 2018-093 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA16-002, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTIES BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, CUCAMONGA CREEK CHANNEL TO THE EAST, MERRILL AVENUE TO THE SOUTH, AND CARPENTER AVENUE TO THE WEST, FOR 47.06 ACRES OF LAND FROM BUSINESS PARK (0.60 FAR) TO INDUSTRIAL (0.55 FAR), AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 AND 0218-271-18. (LAND USE ELEMENT CYCLE 2 FOR THE 2018 CALENDAR YEAR).

ORDINANCE NO. 3108 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE WEST ONTARIO COMMERCE CENTER SPECIFIC PLAN (FILE NO. PSP16-002), TO ESTABLISH LAND USE DESIGNATIONS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES AND INFRASTRUCTURE IMPROVEMENTS FOR APPROXIMATELY 119 ACRES OF LAND, WHICH INCLUDES THE POTENTIAL DEVELOPMENT OF UP TO 2,905,510 SQUARE FEET OF INDUSTRIAL AND BUSINESS PARK DEVELOPMENT. THE PROJECT SITE IS BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, CUCAMONGA CREEK CHANNEL TO THE EAST, MERRILL AVENUE TO THE SOUTH, AND CARPENTER AVENUE TO THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-261-16, 0218-261-22, 0218-261-23, 0218-261-32, 0218-271-04, 0218-271-08, 0218-271-10, 0218-271-13 AND 0218-271-18.

RESOLUTION NO. 2018-094 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PWIL18-004, A TENTATIVE CANCELLATION OF LAND CONSERVATION CONTRACT NUMBER 70-219 FOR 14.46 ACRES OF LAND GENERAL LOCATED AT THE SOUTH SIDE OF EUCALYPTUS AVENUE, WEST OF THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL AT 9391 EAST EUCALYPTUS AVENUE, WITHIN PLANNING AREAS 1 AND 2 OF THE WEST ONTARIO COMMERCE SPECIFIC PLAN AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-271-13.

RESOLUTION NO. 2018-095 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PWIL17-009, A TENTATIVE CANCELLATION OF LAND CONSERVATION CONTRACT NUMBER 73-406 FOR 16 ACRES OF LAND GENERAL LOCATED AT THE SOUTHEAST CORNER OF EUCALYPTUS AVENUE AND CARPENTER AVENUE AT 9139 EAST EUCALYPTUS AVENUE, WITHIN PLANNING AREAS 1 AND 2 OF THE WEST ONTARIO COMMERCE SPECIFIC PLAN AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-261-23.

37. **A PUBLIC HEARING TO CONSIDER A GENERAL PLAN AMENDMENT (FILE NO. PGPA18-001) TO: 1) MODIFY THE LAND USE ELEMENT OF THE ONTARIO PLAN (GENERAL PLAN) TO CHANGE THE LAND USE DESIGNATION SHOWN ON THE LAND USE PLAN MAP (EXHIBIT LU-1) FOR ONE 2.05 ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND FRANCIS STREET FROM OFFICE COMMERCIAL TO INDUSTRIAL; AND 2) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE; AND A SPECIFIC PLAN AMENDMENT (FILE NO. PSPA18-002) TO CHANGE THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE DESIGNATION OF THE PROPERTY FROM COMMERCIAL/FOOD/HOTEL TO RAIL INDUSTRIAL**

City Council:

- (A) Adopted a Resolution approving an Addendum to The Ontario Plan Environmental Impact Report (SCH#2008101140) adopted by City Council on January 27, 2010,
- (B) Adopted a Resolution approving a General Plan Amendment (File No. PGPA18-001) to change The Ontario Plan (TOP) land use designation of a 2.05 acre parcel located at the southeast corner of Haven Avenue and Francis Street from Office Commercial to Industrial. (Amending Exhibits LU-01& LU-03), and
- (C) Adopted a Resolution approving a Specific Plan Amendment (File No. PSPA18-002) to change the California Commerce Center Specific Plan land use designation of the property from Commercial/Food/Hotel to Rail Industrial.

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 if there were persons interested in commenting on this item. 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. 2018-096, 2018-097 and 2018-098.

RESOLUTION NO. 2018-096 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA APPROVING AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NOS. PGPA18-001 AND PSPA18-002 APN: 0211-281-56.

RESOLUTION NO. 2018-097 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA18-001, A REQUEST TO: 1) MODIFY THE LAND USE ELEMENT OF THE ONTARIO PLAN (GENERAL PLAN) TO CHANGE THE LAND USE DESIGNATION SHOWN ON THE LAND USE PLAN MAP (EXHIBIT LU-1) FOR ONE 2.05 ACRE PARCEL LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND FRANCIS STREET FROM OFFICE COMMERCIAL TO INDUSTRIAL; AND 2) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGE; AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0211-281-56 (LAND USE ELEMENT CYCLE 2 FOR THE 2018 CALENDAR YEAR).

RESOLUTION NO. 2018-098 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA18-002, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATION ON 2.05 ACRES OF LAND FROM COMMERCIAL/ FOOD/HOTEL TO RAIL INDUSTRIAL, LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND FRANCIS STREET, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0211-281-56.

38. **A PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT (FILE NO. PUD17-004) ESTABLISHING LAND USE DESIGNATIONS, DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE DEVELOPMENT OF AN 8-UNIT APARTMENT PROJECT ON 0.29 ACRES OF LAND, LOCATED AT 214 NORTH VINE AVENUE AND 422 WEST B STREET, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT (APNS: 1048-572-13 AND 1048-572-11)**

City Council introduced and waived further reading of an ordinance approving a Planned Unit Development, File No. PUD17-004, establishing development standards and guidelines to facilitate the development of a medium density residential apartment project.

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 if there were persons interested in commenting on this item.

Council Member Dorst-Porada questioned the designation of “mixed-use” in regards to this project. City Manager Ochoa clarified that in this case it was due to the location, adjacent to the downtown area with stacked two story units. He noted that the Planning Commission had reviewed and approved the proposed elevations. Council Member Dorst-Porada indicated that she would like Council to see the elevations as well. Brad Robertson, representing AB Holdings, provided a copy of the proposed elevations, noting that it was a nice small project on two infill lots.

Mayor Leon closed the public hearing.

MOTION: Moved by Mayor pro Tem Wapner seconded by Council Member Dorst-Porada and carried by unanimous vote to introduce and waive further reading of Ordinance No. 3109.

ORDINANCE NO. 3109 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD17-004, A PLANNED UNIT DEVELOPMENT (FILE NO. PUD17-004) ESTABLISHING LAND USE DESIGNATIONS, AND DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE DEVELOPMENT OF AN 8-UNIT APARTMENT PROJECT ON 0.29 ACRES OF LAND, LOCATED AT 214 NORTH VINE AVENUE AND 422 WEST B STREET, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF — APNs: 1048-572-13 AND 1048-572-11.

STAFF MATTERS

City Manager Ochoa noted the upcoming July 4th holiday and reminded the community that fireworks are illegal in Ontario. He indicated that Police and Fire will be fully staffed, and he reminded residents that fines of \$1,000 do apply if caught. He also stressed that the property owners could be held responsible for fireworks on their properties.

COUNCIL MATTERS

Council Member Valencia noted the upcoming Disco event at the Convention Center and advised that tickets are still available. He also noted that this week’s concert in the park would feature the “Surf City Allstars”, a tribute to the Beach Boys; and the movie in the park would be “Nut Job 2”.

Council Member Bowman had no comments.

Mayor pro Tem Wapner noted the adoption of the new budget yesterday which added more police and fire personnel.

Council Member Dorst-Porada thanked the museum volunteers for the new art exhibits at the airport. She also noted the upcoming Ontario Festival of the Arts on September 15, 2018 and the Crusin' Reunion on September 21-22, 2018.

Mayor Leon reminded everyone that the July 4th holiday fireworks scare and startle pets, and encouraged sensitivity to the animals. He also noted the passage of the City's balanced budget and the efforts to maintain a balanced budget.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:45 p.m. and announced the next regular meetings to be held on Tuesday, July 3, 2018.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN