

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

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, February 5, 2019, at the Ontario City Hall, 303 East B Street, Ontario, California.

CLOSED SESSION

Mayor Leon called the City Council and Housing Authority meetings to order at 6:03 p.m.

Mayor Leon inquired whether persons were present who wished to speak to the Closed Session item. Hearing no one, the City Council, with Council Member Dorst-Porada absent, recessed to Closed Session at 6:04 p.m. for discussion of the following:

- GC 54956.9 (d)(4), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION – INITIATION OF LITIGATION: Circle City Substation and Mira Loma-Jefferson Subtransmission Line Project.

Council Member Dorst-Porada joined the Closed Session Meeting at 6:10 p.m.

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council and Housing Authority meetings to order at 6:36 p.m., and requested the City Clerk call the roll.

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

ABSENT:	Council/Authority Member:	None
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Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel John Brown and City Clerk/Secretary Sheila Mautz.

CLOSED SESSION REPORT

City Attorney Brown reported that the City Council provided direction to Legal Counsel on the item listed, however there was no reportable action.

The Pledge of Allegiance was led by Council Member Bowman.

Pastor Adam Kaloostian, Ontario United Reformed Church, provided the Invocation.

PUBLIC COMMENTS

Jennifer Shaw, representing the Greater Ontario Business Council, commented on a recent poll of their members, which found the top issues of concern to be affordable housing, finding qualified workers and transportation. She indicated that they would be meeting with State Senator Leyva next month to discuss their concerns. She noted the Business Council's new initiative called "Vision" and their upcoming "Vision 2019" event on Thursday, February 7, 2019 at the DoubleTree Ontario.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa reported no updates or announcements.

SPECIAL PRESENTATIONS

Executive Director Economic Development Andrews explained the "Spirit of the Entrepreneur Program" and noted that there are approximately 11,000 businesses in Ontario. He thanked the City Council for its promotion of the City and investments in the community. He noted that three of the City's businesses were nominated for "Spirit of the Entrepreneur" awards and two were recognized, being Inland Empire Recycling and The Icee Company. He noted that the Icee Company representatives could not be present this evening, but introduced Harrie Cohen from Inland Empire Recycling. Mr. Cohen spoke about his business which started in Ontario in 1964 and was reinvented in 2000. He explained their efforts to assist businesses in becoming landfill free and reduce handling of recyclables. The Mayor and City Council presented Mr. Cohen with a certificate recognizing his award and his 55 years of business in the City.

Mayor Leon called forward Jimmy Elrod, representing the Southwest Council of Carpenters, and presented a Certificate of Appreciation for their work in restoring the crèches for the historic nativity scenes on Euclid. Mr. Elrod expressed thanks for the work of the City Council in making the City the hub and pinnacle of San Bernardino County. He noted that over 1,000 residents of Ontario are active members of the Carpenters' Union.

CONSENT CALENDAR

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Valencia and carried by unanimous vote to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

City Council approved the Minutes for the regular meeting of the City Council and Housing Authority of December 18, 2018, as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period December 2, 2018 through December 15, 2018, in the amount of \$28,164,613.79 and **Payroll** for the period December 2, 2018 through December 15, 2018, in the amount of \$4,047,201.20, when audited by the Finance Committee.

3. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18067 LOCATED ON THE SOUTHEAST CORNER OF EUCALYPTUS AVENUE AND CELEBRATION AVENUE

City Council adopted a resolution approving an improvement agreement, improvement security and Final Tract Map No. 18067 for property located on the southeast corner of Eucalyptus Avenue and Celebration Avenue within the Subarea 29 Specific Plan area.

RESOLUTION NO. 2019-003 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18067 LOCATED AT THE SOUTHEAST CORNER OF EUCALYPTUS AVENUE AND CELEBRATION AVENUE.

4. A RESOLUTION ORDERING THE SUMMARY VACATION OF AN ALLEY AND PUBLIC UTILITY EASEMENT GENERALLY LOCATED NEAR THE SOUTHWEST CORNER OF EUCLID AVENUE AND MAPLE STREET

City Council adopted a resolution ordering the summary vacation of a 25-foot wide alley and public utility easement generally located near the southwest corner of Euclid Avenue and Maple Street in the City of Ontario.

RESOLUTION NO. 2019-004 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF AN ALLEY AND PUBLIC UTILITY EASEMENT GENERALLY LOCATED NEAR THE SOUTHWEST CORNER OF EUCLID AVENUE AND MAPLE STREET.

5. A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES FOR VARIOUS TCC ACTIVE TRANSPORTATION PROJECTS/PARSONS TRANSPORTATION GROUP INC.

City Council approved a Professional Services Agreement with Parsons Transportation Group Inc. of Ontario, California, to provide engineering design services for various Transformative Climate Communities (TCC) active transportation projects for \$582,382 plus a 5% contingency of \$29,119 for a total authorized expenditure of \$611,501; and authorized the City Manager to execute said agreement and future amendments within the authorization limits.

6. A WRITTEN PETITION TO CREATE A COMMUNITY FACILITIES DISTRICT; A RESOLUTION OF INTENTION TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 48 (TEVELDE SERVICES); AND AUTHORIZATION OF THE ASSOCIATED LEVY OF SPECIAL TAXES

City Council:

- (A) Accepted a written petition from ARROYO CAP VII, LLC, a Delaware limited liability company, to create a community facilities district (“CFD”) and to waive certain procedural matters under the Mello-Roos Community Facilities Act of 1982; and
- (B) Adopted a Resolution of Intention to establish City of Ontario Community Facilities District No. 48 (Tevelde Services), authorized the associated levy of special taxes therein, and set a public hearing for the formation of the CFD as part of the regularly scheduled City Council meeting on Tuesday, March 19, 2019.

RESOLUTION NO. 2019-005 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT PROPOSED TO BE NAMED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 48 (TEVELDE SERVICES) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

7. AWARD OF BID FOR PROCUREMENT OF TIRES AND TIRE CASINGS/BORDER TIRE/PARKHOUSE TIRE INC./DANIELS TIRE SERVICE INC.

City Council authorized the City Manager to approve the procurement of tires and tire casings at set pricing levels per Bid No. 1062 for a period of three years, with two one-year extension options, with: Border Tire of Fontana, California; Parkhouse Tire Inc. of Fontana, California; and Daniels Tire Service Inc. of Santa Fe Springs, California, in quantities and costs that are consistent with City Council approved budgets.

8. AUTHORIZE THE PURCHASE OF FLEET VEHICLES/LOS ANGELES FREIGHTLINER/NATIONAL AUTO FLEET GROUP

City Council took the following actions:

- (A) Awarded Bid No. 1063 and authorized the purchase and delivery of one CNG Utilities Service Truck in the amount of \$319,774 for the Utilities Department from Los Angeles Freightliner of Whittier, California;
- (B) Authorized the cooperative purchase and delivery of five Ford F350 trucks with Scelzi utility bodies in the amount of \$265,227 (four for the Utilities Department and one for the Parks and Maintenance Department) from National Auto Fleet Group of Watsonville, California, consistent with the

terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF; and

- (C) Authorized the cooperative purchase and delivery of one Ford F250 truck in the amount of \$34,929 for the Information Technologies Department from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF.

9. A PROFESSIONAL SERVICE AGREEMENT FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE MERRILL COMMERCE CENTER SPECIFIC PLAN FOR PROPERTY LOCATED NORTH OF MERRILL AVENUE, SOUTH OF EUCALYPTUS AVENUE, EAST OF GROVE AVENUE AND WEST OF CARPENTER AVENUE/APPLIED PLANNING, INC.

City Council approved and authorized the City Manager to execute an agreement with Applied Planning, Inc., of Corona, California, to prepare an Environmental Impact Report (EIR) for the Merrill Commerce Center Specific Plan, in the amount of \$448,746, plus a 15% contingency of \$67,312, for a total authorized expenditure of \$516,058; and authorized the City Manager to approve any future budget adjustments necessary to complete the EIR.

10. STATE OF CALIFORNIA DEPARTMENT OF JUSTICE TOBACCO ENFORCEMENT GRANT

City Council authorized the City Manager or designee to accept and execute grant documents to accept a 32-month grant for \$41,400 from the California Department of Justice to fund overtime enforcement operations to address tobacco-related problems in the community.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared City Council Resolution No. 2019-003, 2019-004 and 2019-005 unanimously adopted.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

11. A RESOLUTION AUTHORIZING THE ISSUANCE OF SPECIAL TAX BONDS FOR COMMUNITY FACILITIES DISTRICT NO. 39 (NEW HAVEN FACILITIES – AREA C)

City Council adopted a resolution authorizing the issuance of special tax bonds for Community Facilities District No. 39 (New Haven Facilities - Area C).

The resolution:

- (A) Authorized the issuance of special tax bonds for public improvements required to facilitate the development of the New Haven Facilities - Area C 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 Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution No. 2019-006.

RESOLUTION NO. 2019-006 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 39 (NEW HAVEN FACILITIES - AREA C) SPECIAL TAX BONDS, SERIES 2019, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,000,000, 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

City Manager Ochoa announced that due to recent inclement weather, the Yard Sale Weekend would be extended through the weekend of February 15-17, 2019. He also introduced new Executive Director of Finance Armen Harkalyan and new Executive Director of Public Works Tito Haes.

COUNCIL MATTERS

COUNCIL ASSIGNMENTS

Mayor Leon requested City Council consensus to pull this item from consideration and bring back at a future agenda. Council concurred.

Mayor Leon commented on the City's support of federal workers during the federal government shutdown and announced the City's deferment of bills for water, sewer and trash services for those people impacted.

Mayor pro Tem Valencia noted that he attended the National League of Cities Sustainability Conference in Scottsdale, AZ and indicated that one issue discussed was that China will no longer be taking recyclables after 2019. He stressed the importance of residents being aware of what can actually be recycled to reduce contaminants.

Council Member Bowman requested that the City Council adjourn in memory of former Rancho Cucamonga Mayor and former Ontario Fire Captain Bill Alexander, who recently passed away.

Council Member Wapner requested that the City Council also adjourn in memory of Luther Lord, Police Department Volunteer, who also passed away recently.

Council Member Dorst-Porada reminded the community that there are a wide variety of volunteer opportunities in the City. She also noted that the next Car Show and Kiwanis Pancake Breakfast will be held on June 1, 2019, with all money going back into the community for the kids and youth events.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:02 p.m. and announced that the next regular meetings would be held on Tuesday, February 19, 2019.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN