

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
April 16, 2019**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, April 16, 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 6:00 p.m., with all members present.

City Attorney Duran announced that there would actually only be one case of anticipated litigation for discussion in closed session, rather than the two cases listed on the agenda.

Mayor Leon inquired whether persons were present who wished to speak to the Closed Session item. Hearing no one, the City Council recessed to Closed Session at 6:01 p.m. for discussion of the following:

- GC 54956.9 (d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: *One case.*

CALL TO ORDER – OPEN SESSION

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

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 Members: None

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

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

The Invocation was provided by *Pastor Mike Urciuoli*, representing Calvary Chapel Ontario.

CLOSED SESSION REPORT

City Attorney Duran reported that one case of anticipated litigation was discussed and direction was given to staff, but there was no reportable action.

PUBLIC COMMENTS

Joe Caskey, representing Ontario Heritage, commented on their role in the overall arts and culture experience in Ontario. He announced the upcoming Historic Home Tour on May 18, 2019 which will include the Chaffey High School Library and the Oakley House. Tickets for the tour are \$20.

D'Andre Lampkin shared his personal history and inspirations which led to the creation of the Lampkin Foundation, and he provided copies of the Foundation's Annual Report of accomplishments to the Council.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa provided updated materials for Item 5 of the Consent Calendar which included payments made since the posting of the Agenda, up to 9:00 a.m. this morning, reducing the total pending assessments to \$58,478.79 on 83 parcels.

SPECIAL CEREMONIES

RECOGNITION OF APRIL 2019 AS ARTS, CULTURE AND CREATIVITY MONTH

Nick Gonzalez, Community Life and Culture Officer, commented on Arts, Culture and Creativity Month and explained that his department is dedicated to the advancement of the arts and enriching lives by engaging the community. He noted that this year they held the very successful inaugural Festival of the Arts; and next week will be the first Arts and Cultural Awards event. He thanked all of the supporting organizations for their assistance.

Mayor Leon presented Mr. Gonzalez with a Certificate recognizing Arts, Culture and Creativity Month.

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 March 19, 2019, on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period February 24, 2019 through March 9, 2019, in the amount of \$14,958,022.46 and **Payroll** for the period February 24, 2019 through March 9, 2019, in the amount of \$3,519,914.46 when audited by the Finance Committee.

3. VOTING DELEGATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) GENERAL ASSEMBLY

City Council designated Council Member Debra Dorst-Porada as the City's voting delegate for the Southern California Association of Governments (SCAG) General Assembly scheduled for May 3, 2019.

4. DESIGNATION OF THE DIRECTOR AND ALTERNATE DIRECTOR FOR THE CHINO BASIN WATER BANK BOARD

City Council reaffirmed Council Member Jim W. Bowman as the City's Primary Director and designate Mayor pro Tem Ruben Valencia as the City's Alternate Director to represent the City on the Chino Basin Water Bank (CBWB) Board.

5. 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 citations and civil penalties associated with property maintenance violations, and placing assessments on the San Bernardino County Tax Rolls.

RESOLUTION NO. 2019-032 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.

6. A CONSTRUCTION CONTRACT FOR THE 2019 SPRING PAVEMENT REHABILITATION PROJECT/HARDY & HARPER INC.

City Council approved the plans and specifications and award a construction contract (on file in the Records Management Department) to Hardy & Harper Inc. of Santa Ana, California, for the 2019 Spring Pavement Rehabilitation Project for the bid amount of \$2,022,443 plus a 15% contingency of \$303,367 for a total authorized amount of \$2,325,810; and authorized the City Manager to execute related documents necessary and file a notice of completion at the conclusion of all construction activities.

7. A WRITTEN PETITION TO CREATE A COMMUNITY FACILITIES DISTRICT; AND A RESOLUTION OF INTENTION TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 51 (ONTARIO RANCH LOGISTICS CENTER SERVICES) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES

City Council considered and:

- (A) Accepted a written petition from Ontario Land Ventures, LLC (“Landowner”), 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. 51 (Ontario Ranch Logistics Center 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, June 4, 2019.

RESOLUTION NO. 2019-033 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. 51 (ONTARIO RANCH LOGISTICS CENTER SERVICES) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

8. MAINTENANCE SERVICES AGREEMENT FOR LANDSCAPE MAINTENANCE AT ONTARIO TOWN SQUARE/MERCHANTS LANDSCAPE INC.

City Council authorized the City Manager to execute a three-year Maintenance Services Agreement for Contract No. PM1819-8 with Merchants Landscape Inc., located in Rancho Cucamonga, California, for an annual estimated cost of \$87,000 plus a contingency of \$13,000; and authorized the addition of future service areas; and the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

9. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER FOR ADDITIONAL SITE LOCATION DESIGN SERVICES FOR THE ADVANCED METERING INFRASTRUCTURE TECHNOLOGY PROJECT/HAZEN AND SAWYER CORPORATION

City Council authorized the City Manager to execute Amendment No. 1 to the professional services agreement with Hazen and Sawyer Corporation, of Irvine, California, to provide additional site location design services related to the Advanced Metering Infrastructure Technology (“AMI Technology”) project in the amount of \$24,585 for a new not-to-exceed amount of \$114,195, and to extend the agreement for an additional 15 months to conclude December 2019.

10. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND VARIOUS CHINO BASIN PARTIES FOR THE EVALUATION AND DEVELOPMENT OF THE CHINO BASIN PROGRAM

City Council approved and authorized the City Manager to execute a Memorandum of Understanding, subject to non-substantive changes, by and between the City of Ontario and various Chino Basin parties.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared Resolution Nos. 2019-032 and 2019-033 unanimously adopted.

PUBLIC HEARING

11. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT AMENDMENT (FIRST AMENDMENT – FILE NO. PDA07-005) BETWEEN THE CITY OF ONTARIO AND STG COMMUNITIES II, LLC TO MODIFY CERTAIN INFRASTRUCTURE REQUIREMENTS ASSOCIATED WITH THE DEVELOPMENT OF TENTATIVE TRACT MAP NOS. 18026 (PMTT11-003) AND 18027 (PMTT11-002), LOCATED AT THE NORTHWEST CORNER OF HAVEN AVENUE AND CHINO AVENUE, AND THE NORTHWEST CORNER OF HAVEN AVENUE AND SCHAEFER AVENUE, WITHIN PLANNING AREAS 4 AND 8 OF THE WEST HAVEN SPECIFIC PLAN (APNS: 0218-151-11 AND 0218-151-38)

City Council introduced and waived further reading of an ordinance approving the First Amendment (File No. PDA07-005 to the Development Agreement between the City of Ontario and STG Communities II, LLC to modify certain infrastructure requirements associated with the development of Tentative Tract Map Nos. 18026 (PMTT11-003) and 18027 (PMTT11-002).

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.

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. 3130.

ORDINANCE NO. 3130 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT AMENDMENT (FIRST AMENDMENT - FILE NO. PDA07-005) BETWEEN THE CITY OF ONTARIO AND STG COMMUNITIES II, LLC TO MODIFY CERTAIN INFRASTRUCTURE REQUIREMENTS ASSOCIATED WITH THE DEVELOPMENT OF TENTATIVE TRACT MAP NOS. 18026 (PMTT11-003) AND 18027 (PMTT11-002), LOCATED AT THE NORTHWEST CORNER OF HAVEN AVENUE AND CHINO AVENUE, AND THE NORTHWEST CORNER OF HAVEN AVENUE AND SCHAEFER AVENUE, WITHIN PLANNING AREAS 4 AND 8 OF THE WEST HAVEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-151-11 AND 0218-151-38.

STAFF MATTERS

City Manager Ochoa indicated that due to conflicting schedules it was anticipated that the May 21st City Council meeting would not be held.

COUNCIL MATTERS

Mayor pro Tem Valencia congratulated the Fire Department on a great golf tournament with the proceeds going to the USO. He extended an invitation to an event on April 25, 2019 for the burial of a Vietnam Veteran who was shot down 52 years ago. The event will be at St. Alfonso Church at 10:00 a.m. with burial following at Rose Hills.

Council Member Bowman commented on work being done on Euclid Avenue and explained that it was providing recycled water for irrigation purposes. He noted that it was a \$20 million project which would run from Interstate 10 down past the 60 freeway and would help to conserve precious drinking water.

Council Member Wapner had no comments.

Council Member Dorst-Porada commented on arts and culture programs in the city and indicated that things are moving forward because of City Council support and the support of non-profit organizations. She thanked everyone for their willingness and understanding.

Mayor Leon had no comments.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 6:50 p.m. to the next regular meetings to be held on Tuesday, May 7, 2019.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN