

**ONTARIO CITY COUNCIL/  
ONTARIO HOUSING AUTHORITY  
MINUTES  
NOVEMBER 17, 2020**

**JOINT MEETINGS**

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, November 17, 2020, at the Ontario City Hall, 303 East B Street, Ontario, California.

**SPECIAL AND URGENT ANNOUNCEMENT**

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20), the Ontario City Council Meetings are being conducted via teleconference to limit in-person attendance at meetings of the City of Ontario City Council and Housing Authority.

Members of the public were advised to utilize alternative measures to view the City Council meetings and/or to address the Mayor and City Council Members.

The meeting was live broadcast on local cable Channel 3, as well as internet live streamed at [www.ontarioca.gov/Agendas/CityCouncil](http://www.ontarioca.gov/Agendas/CityCouncil).

**CALL TO ORDER – OPEN SESSION**

Mayor Leon called the City Council and Ontario Housing Authority meetings to order at 6:32 p.m.

**ROLL CALL**

<b>PRESENT:</b>	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chair	Debra Dorst-Porada
	Council/Authority Members:	Alan D. Wapner, Jim W. Bowman and Ruben Valencia (all participating via teleconference)

<b>ABSENT:</b>	Council/Authority Members:	None.
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Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran and Assistant City Clerk/Assistant Secretary Claudia Y. Isbell (all participating via teleconference).

The Pledge of Allegiance was led by Council Member Wapner.

Mayor Leon led a moment of silent reflection in lieu of the Invocation.

## **PUBLIC COMMENTS**

Assistant City Clerk Isbell reported that there were no written comments presented. There were four web submission as follows:

*James Hill*, congratulated Mayor pro-Tem Dorst-Porada on her re-election.

*Jason Lee*, applicant, stated his availability to speak on Item No. 09 and Item No. 10.

*Donald D. Galleano*, expressed his support for Item No. 11.

Howard McGinnis, expressed his opposition to Item No. 12.

Assistant City Clerk Isbell further reported that there were two callers as follows:

*D'Andre Lampkin*, thanked volunteers who helped with Christmas on Euclid.

*Irene Chisholm*, expressed discontent regarding zoning changes.

## **AGENDA REVIEW/ANNOUNCEMENTS**

City Manager Ochoa had no announcements.

## **CONSENT CALENDAR**

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote of those present, 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 October 20, 2020.

### **2. BILLS/PAYROLL**

City Council approved **Bills** for the period October 16, 2020 through October 29, 2020 in the amount of \$5,079,670.14 and **Payroll** for the period September 27, 2020 through October 10, 2020 in the amount of \$6,972,749.50 when audited by the Finance Committee.

**3. PIPELINE AGREEMENTS WITH UNION PACIFIC RAILROAD COMPANY FOR PUBLIC UTILITIES WITHIN RAILROAD PROPERTY LOCATED WEST OF THE INTERSECTION OF MAITLAND STREET AND MONTEREY AVENUE**

The City Council approved two pipeline agreements with Union Pacific Railroad Company and authorized the City Manager to execute the agreements and all related amendments.

**4. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR LABOR AND EMPLOYEE RELATIONS LEGAL CONSULTING**

The City Council authorized the City Manager to execute Amendment No. 1 adding \$100,000 to the existing Professional Services Agreement with Jones & Mayer for labor and employee relations legal consulting, for a revised contract authority of \$200,000 and extend the contract term to June 30, 2022.

**5. AN ORDINANCE REGARDING THE ADOPTION OF CAMPAIGN FINANCE LIMITS, PURSUANT TO ASSEMBLY BILL 571**

The City Council adopted an ordinance regarding the adoption of campaign finance limits, pursuant to Assembly Bill 571. Introduction and first reading took place at the regular meeting of November 3, 2020.

**ORDINANCE NO. 3170** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 10 OF TITLE 2 OF THE ONTARIO MUNICIPAL CODE RELATING TO CAMPAIGN CONTRIBUTION LIMITS.

**6. AMENDMENT TO THE MAINTENANCE SERVICES AGREEMENT WITH GEYSER EQUIPMENT FOR ON-CALL MAINTENANCE AND REPAIR SERVICE TO THE FLEET VEHICLE PRESSURE WASHER EQUIPMENT**

The City Council authorized the City Manager to execute Amendment No. 2 to the existing Maintenance Services Agreement with Geysler Equipment of Riverside, California (on file in the Records Management Department) for on-call maintenance and repair services to the City's fleet vehicle pressure washer equipment; and to exercise the four option years and extend the term of the agreement to June 30th, 2024.

**7. AN INTER-AGENCY BILLBOARD RELOCATION AGREEMENT (FILE NO. PSGN20-111) FOR THE REMOVAL, RELOCATION AND PLACEMENT OF BILLBOARDS**

The City Council adopted a resolution approving a Billboard Relocation Agreement between the City of Ontario, San Bernardino County Transportation Authority, and Lamar Central Outdoor, LLC, and authorized the City Manager to execute the agreement and any other documents necessary to fulfill the terms of the agreement.

**RESOLUTION NO. 2020-186** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSGN20-111, A BILLBOARD RELOCATION AGREEMENT BETWEEN THE CITY OF ONTARIO, SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY AND LAMAR CENTRAL OUTDOOR, LLC, AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 0110-181-19, 0110-134-19, 0209-331-35, 1010-552-13, AND 1010-552-14).

## **PUBLIC HEARINGS**

- 8. A PUBLIC HEARING TO CONSIDER A MILLS ACT CONTRACT (PRESERVATION AGREEMENT) FOR A DESIGNATED HISTORIC PROPERTY, LOCATED AT 1458 NORTH EUCLID AVENUE (APN: 1047-352-14)**

The City Council considered and adopted a resolution approving File No. PHP20-012 authorizing the City Manager to enter into a Mills Act contract (Preservation Agreement), for a designated historic property located at 1458 North Euclid Avenue.

**RESOLUTION NO. 2020-187** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP20-012 AND AUTHORIZING THE CITY OF ONTARIO TO ENTER INTO A HISTORIC PROPERTY PRESERVATION AGREEMENT (MILLS ACT CONTRACT) WITH STEVEN AND SYLVIA ROMERO, FOR THE PROPERTY LOCATED AT 1458 NORTH EUCLID AVENUE (APN: 1047-352-14).

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 Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous roll call vote of those present to adopt Resolution No. 2020-187.

9. **A PUBLIC HEARING TO CONSIDER: [1] A GENERAL PLAN AMENDMENT (FILE NO. PGPA19-008) MODIFYING POLICY PLAN EXHIBIT LU-01, LAND USE PLAN, CHANGING THE LAND USE DESIGNATION ON 10.49 ACRES OF LAND FROM PUBLIC SCHOOL TO LOW-MEDIUM DENSITY RESIDENTIAL (5.1-11 DU/AC), AND MODIFYING EXHIBIT LU-03, FUTURE BUILDOUT, TO BE CONSISTENT WITH THE PROPOSED LAND USE DESIGNATION CHANGE; AND [2] AN AMENDMENT TO THE AVENUE SPECIFIC PLAN (FILE NO. PSPA19-011), CHANGING THE LAND USE DESIGNATION ON THE PROJECT SITE FROM SCHOOL TO LOW-MEDIUM DENSITY RESIDENTIAL, INTRODUCE PRODUCT TYPE 1D (2,700 - 3,500 SQUARE-FOOT LOTS), AND REVISE APPLICABLE EXHIBITS, MAPS, DEVELOPMENT STANDARDS, AND OTHER TEXT THROUGHOUT THE SPECIFIC PLAN TO ACCOMMODATE THE PROPOSED LAND USE CHANGE, ON LAND GENERALLY LOCATED AT THE NORTHEAST CORNER OF LA AVENIDA DRIVE AND MANITOBA PLACE, WITHIN THE PA-6B LAND USE DISTRICT OF THE AVENUE SPECIFIC PLAN (APN: 0218-302-01)**

The City Council considered and adopted:

- A. A resolution approving the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140); A resolution approving the General Plan Amendment (File No. PGPA19-008), modifying the Policy Plan Exhibit LU-01, Land Use Plan, changing the land use designation on 10.49 acres of land, from Public School to Low-Medium Density Residential (5.1-11 dwelling units per acre), and modifying Exhibit LU-03, Future Buildout, to be consistent with the proposed land use designation change; and
- B. A resolution approving a Specific Plan Amendment (File No. PSPA19-011), modifying The Avenue Specific Plan, changing the land use designation on the project site from School to Low-Medium Density Residential, introduce Product Type 1D (2,700 – 3,500 square-foot lots), and revise applicable exhibits, maps, development standards, and other text throughout the Specific Plan to accommodate the proposed land use change.

**RESOLUTION NO. 2020-188** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE ONTARIO PLAN CERTIFIED ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2008101140), PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PGPA06-001.

**RESOLUTION NO. 2020-189** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA19-008, A GENERAL PLAN AMENDMENT MODIFYING POLICY PLAN EXHIBIT LU-01, LAND USE PLAN, CHANGING THE LAND USE DESIGNATION ON 10.49 ACRES OF LAND FROM PUBLIC SCHOOL TO LOW-MEDIUM DENSITY RESIDENTIAL (5.1 – 11 DU/AC), AND MODIFYING EXHBIT LU-03, FUTURE BUILDOUT, TO BE CONSISTENT WITH THE PROPOSED LAND USE DESIGNATION CHANGE, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0218-652-27. (SEE EXHIBITS A AND B) (PART OF CYCLE 4 FOR THE 2020 CALENDAR YEAR).

**RESOLUTION NO. 2020-190** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA19-011, A SPECIFIC PLAN AMENDMENT CHANGING THE LAND USE DESIGNATION ON 10.49 ACRES OF LAND FROM SCHOOL TO LOW-MEDIUM DENSITY RESIDENTIAL, INTRODUCED PRODUCT TYPE 1D (2,700-3,500 SQUARE-FOOT LOTS), AND REVISE EXHIBITS, MAPS, DEVELOPMENT STANDARES, AND OTHER TEXT THROUGHOUT THE SPECIFIC PLAN TO ACCOMMODATE THE PROPOSED LAND USE CHANGE, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0218-652-27.

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.

*Dayna Carillo*, spoke in support of having a school built in the area.

*Billy and Oliver*, spoke in support of having a school built in the area.

*Hani Abuershaid*: spoke in support of having a school built in the area.

*Jason Lee*, gave a brief history of the project.

Hearing no one else, Mayor Leon closed the public hearing.

Mayor Leon then opened the floor for Council discussion and Council expressed their concerns.

**MOTION:** Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous roll call vote of those present to adopt Resolution Nos 2020-188, 2020-189, and 2020-190.

10. **A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT (FILE NO. PDA20-001) BETWEEN THE CITY OF ONTARIO AND ONTARIO SCHAEFER HOLDINGS, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE TRACT MAP 20298 (FILE NO. PMTT19-015), A 10.49-ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF LA AVENIDA DRIVE AND MANITOBA PLACE, WITHIN THE PROPOSED LOW-MEDIUM DENSITY RESIDENTIAL LAND USE DISTRICT OF THE AVENUE SPECIFIC PLAN (APN: 0218-652-27)**

The City Council introduced and waived further reading of an ordinance approving the Development Agreement (File No. PDA20-001) between the City of Ontario and Ontario Schaefer Holdings, LLC., to establish the terms and conditions for the development of Tentative Tract Map 20298 (File No. PMTT19-015), a 10.49-acre property located at the northeast corner of La Avenida Drive and Manitoba Place, within the proposed Low-Medium Density Residential land use district of The Avenue Specific Plan (APN: 0218-652-27).

**ORDINANCE NO. 3171 (FIRST READING)** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDA20-001, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND ONTARIO SCHAEFER HOLDINGS, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE TRACT MAP 20298 (FILE NO. PMTT19-015), A 10.49 ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF LA AVENIDA DRIVE AND MANITOBA PLACE, WITHIN THE PROPOSED LOW-MEDIUM DENSITY RESIDENTIAL LAND USE DISTRICT OF THE AVENUE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0218-652-27.

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 Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous roll call vote of those present to introduce for its first reading, Ordinance No. 3171.

11. **A PUBLIC HEARING TO CONSIDER: [1] A GENERAL PLAN AMENDMENT (FILE NO. PGPA19-007) TO MODIFY THE POLICY PLAN EXHIBIT LU-01, LAND USE PLAN, CHANGING THE LAND USE DESIGNATION ON 41.35 ACRES OF LAND FROM MIXED USE (HAMNER/SR-60 MIXED USE DISTRICT) TO 7.6 ACRES OF GENERAL COMMERCIAL AND 33.75 ACRES OF INDUSTRIAL DESIGNATED LAND, AND MODIFY POLICY PLAN EXHIBIT**

**LU-03, FUTURE BUILDOUT, TO BE CONSISTENT WITH THE PROPOSED LAND USE DESIGNATION CHANGES; [2] A SPECIFIC PLAN AMENDMENT (FILE NO. PSPA19-010) RESCINDING THE TUSCANA VILLAGE SPECIFIC PLAN; AND [3] A ZONE CHANGE (FILE NO. PZC19-002) ON 41.35 ACRES OF LAND, FROM LDR-5 (LOW DENSITY RESIDENTIAL (2.1 TO 5.0 DU/AC)), CC (COMMUNITY COMMERCIAL), AND SP (SPECIFIC PLAN), TO 33.75 ACRES OF IL (LIGHT INDUSTRIAL) AND 7.6 ACRES OF CC (COMMUNITY COMMERCIAL) ZONED LAND. THE PROJECT SITE IS LOCATED AT THE NORTHWEST CORNER OF RIVERSIDE DRIVE AND MILLIKEN AVENUE (APNS: 1083-361-01, 1083-361-04 AND 1083-361-07)**

The City Council:

- A. Considered and adopted a resolution approving the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140);
- B. Considered and adopted a resolution approving the General Plan Amendment (File No. PGPA19-007), modifying Policy Plan Exhibit LU-01, Land Use Plan, changing the land use designation on 41.35 acres of land from Mixed Use (Hamner/SR-60 Mixed Use District) to 7.6 acres of General Commercial designated land and 33.75 acres of Industrial designated land, and modify Policy Plan Exhibit LU-03, Future Buildout, to be consistent with the proposed land use designation changes; and
- C. Introduced and waived further reading of the ordinance approving a Zone Change (File No. PZC19-002) on 41.35 acres of land, from LDR-5 (Low Density Residential – 2.1 to 5.0 dwelling units per acre), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of CC (Community Commercial) zoned land, and rescinding the Tuscana Village Specific Plan.

**RESOLUTION NO. 2020-191** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE ONTARIO PLAN CERTIFIED ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2008101140), PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PGPA06-001.

**RESOLUTION NO. 2020-192** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA19-007, 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 PROPERTY LOCATED AT THE NORTHWEST CORNER OF RIVERSIDE DRIVE AND MILLIKEN AVENUE, FROM 41.35 ACRES OF MIXED USE TO 7.6 ACRES OF GENERAL COMMERCIAL AND 33.75 ACRES OF INDUSTRIAL DESIGNATED LAND, AND MAKING FINDINGS IN SUPPORT THEREOF - APNS: 1083-361-01, 1083-361-04 & 1083-361-07. (SEE EXHIBITS A AND B) (PART OF CYCLE 4 FOR THE 2020 CALENDAR YEAR).



**ORDINANCE NO. 3172 (FIRST READING)** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NOS. PZC19-002 AND PSPA19-010, A ZONE CHANGE REQUEST TO CHANGE THE ZONING DESIGNATION ON 41.35 ACRES OF LAND, FROM LDR-5 (LOW DENSITY RESIDENTIAL - 2.1 TO 5.0 DU/AC), CC (COMMUNITY COMMERCIAL), AND SP (SPECIFIC PLAN), TO 33.75 ACRES OF IL (LIGHT INDUSTRIAL) AND 7.6 ACRES OF CC (COMMUNITY COMMERCIAL) ZONED LAND, AND A SPECIFIC PLAN AMENDMENT RESCINDING THE TUSCANA VILLAGE SPECIFIC PLAN, LOCATED AT THE NORTHWEST CORNER OF RIVERSIDE DRIVE AND MILLIKEN AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF - APNS: 1083-361-01, 1083-361-04 AND 1083-361-07.

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.

*Irene Chisholm*, spoke in opposition of the item.

*Santo Reboli*, spoke in support of the item.

*Grant Ross*, spoke in support of the item.

Hearing no one else, Mayor Leon closed the public hearing.

Mayor Leon then opened the floor for Council discussion and Council expressed their concerns.

**MOTION:** Moved by Council Member Wapner, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote of those present to adopt Resolution Nos. 2020-191, 2020-192, and introduce for its first reading, Ordinance No. 3172.

12. **A PUBLIC HEARING TO CONSIDER: [1] A GENERAL PLAN AMENDMENT (FILE NO. PGPA18-002) TO MODIFY POLICY PLAN EXHIBIT LU-01, LAND USE PLAN, CHANGING THE LAND USE DESIGNATION ON APPROXIMATELY 46 ACRES OF LAND FROM GENERAL COMMERCIAL AND BUSINESS PARK TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF INDUSTRIAL; [2] MODIFY POLICY PLAN EXHIBIT LU-03, FUTURE BUILDOUT, TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; AND [3] AN AMENDMENT (FILE NO. PSPA18 003) TO THE EDENGLLEN SPECIFIC PLAN, CHANGING THE LAND USE DESIGNATION FROM COMMUNITY COMMERCIAL, COMMERCIAL/ BUSINESS PARK FLEX ZONE, AND BUSINESS PARK/LIGHT**

**INDUSTRIAL, TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF LIGHT INDUSTRIAL, INCLUDING UPDATES TO THE DEVELOPMENT STANDARDS, EXHIBITS, AND TEXT CHANGES TO REFLECT THE PROPOSED LAND USES. THE PROJECT SITE IS LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE (APNS: 0218-171-21 AND 0218-171-27)**

The City Council considered and continued Item No. 12.

- A. A resolution approving the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140);
- B. A resolution approving File No. PGPA18-002, a General Plan Amendment modifying Policy Plan Exhibit LU-01, Land Use Plan, changing the land use designation on approximately 46 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial designated land, and modify the Policy Plan Exhibit LU-03, Future Buildout, to be consistent with the proposed land use designation changes; and
- C. A resolution approving File No. PSPA18-003, an Amendment to the Edenglen Specific Plan, changing the land use designation on approximately 46 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue from Neighborhood Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial designated land, including updates to development standards and exhibits, along with text changes to reflect the proposed land use changes.

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.

*Irene Chisholm*, spoke in opposition of the item.

*D'Andre Lampkin*, spoke in support of the item.

Hearing no one else, Mayor Leon closed the public hearing.

Mayor Leon then opened the floor for Council discussion and Council expressed their concerns.

**MOTION:** Moved by Council Member Wapner, seconded by Council Member Bowman and carried by unanimous roll call vote of those present to continue Item No. 12.

- 13. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT (FILE NO. PDA18-006) BETWEEN THE CITY OF ONTARIO AND ONTARIO CC, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 20027 (FILE NO. PMTT18-009), FOR A 46.64-ACRE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE, WITHIN THE PROPOSED NEIGHBORHOOD COMMERCIAL, BUSINESS PARK AND LIGHT INDUSTRIAL LAND USE DESIGNATIONS OF THE EDENGLLEN SPECIFIC PLAN (APNS:0218-171-21 AND 0218-171-27)**

The City Council continued Item No. 13, an ordinance approving the Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC., to establish the terms and conditions for the development of Tentative Parcel Map 20027 (File No. PMTT18-009), for a 46.64-acre property located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan (APNs: 0218-171-21 and 0218 171-27).

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.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDA18-006, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND ONTARIO CC, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 20027 (FILE NO. PMTT18-009), FOR A 46.64 ACRE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE, WITHIN THE PROPOSED NEIGHBORHOOD COMMERCIAL, BUSINESS PARK AND LIGHT INDUSTRIAL LAND USE DESIGNATIONS OF THE EDENGLLEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 0218-171-21 AND 0218 171-27.

- 14. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT (FILE NO. PDA19-001) BETWEEN THE CITY OF ONTARIO AND EUCLID LAND VENTURE, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 20016 (FILE NO. PMTT18-011), AN 85.6-ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF MERRILL AVENUE AND EUCLID AVENUE, WITHIN THE INDUSTRIAL AND BUSINESS PARK LAND**

**USE DISTRICTS OF THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN (APNS: 1054-011-01, 1054-011-02, 1054-011-04, 1054-021-01, 1054-021-02, 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02 AND 1054-281-03**

That the City Council introduce and waive further reading of an ordinance approving the Development Agreement (File No. PDA19-001) between the City of Ontario and Euclid Land Venture, LLC., to establish the terms and conditions for the development of Tentative Parcel Map 20016 (File No. PMTT18-011), an 85.6 -acre property located at the northeast corner of Merrill Avenue and Euclid Avenue, within the Industrial and Business Park land use districts of the Ontario Ranch Business Park Specific Plan (APNs: 1054-011-01, 1054-011-02, 1054-011-04, 1054-021-01, 1054-021-02, 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02 and 1054-281-03.

**ORDINANCE NO. 3173 (FIRST READING)** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDA19-001, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND EUCLID LAND VENTURE, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 20016 (FILE NO. PMTT18-011), A 85.6-ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF MERRILL AVENUE AND EUCLID AVENUE, WITHIN THE INDUSTRIAL AND BUSINESS PARK LAND USE DISTRICTS OF THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN AND MAKING FINDINGS IN SUPPORT THEREOF - APNS: 1054-011-01, 1054-011-02, 1054-011-04, 1054-021-01, 1054-021-02, 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02 AND 1054-281-03.

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 Valencia, seconded by Council Member Bowman and carried by unanimous roll call vote of those present to introduce for first reading Ordinance No. 3173.

15. **A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 57 (NEUHOUSE); ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS; AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES**

The City Council consider and:

- A. Adopted a resolution of formation of Community Facilities District No. 57 (Neuhouse), authorized the levy of special taxes within the community facilities district, and established an appropriations limit for the community facilities district;
- B. Adopted a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 57 (Neuhouse);
- C. Adopted a resolution calling a special election for City of Ontario Community Facilities District No. 57 (Neuhouse);
- 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. 57 (Neuhouse); and
- F. Adopted a resolution authorizing the execution and delivery of an acquisition and funding agreement with LS-Ontario II LLC, a Delaware corporation.

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.

**RESOLUTION NO. 2020-196** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 57 (NEUHOUSE), AUTHORIZING THE LEVY OF A SPECIAL TAX.

**RESOLUTION NO. 2020-197** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 57 (NEUHOUSE).

**RESOLUTION NO. 2020-198** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 57 (NEUHOUSE).

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote of those present to adopt Resolutions Nos. 2020-196, 2020-197, and 2020-198.

Mayor Leon requested the ballots be opened, and results of the election announced. Assistant City Clerk Isbell reported one ballot in favor of formation of the District.

**RESOLUTION NO. 2020-199** 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 FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 57 (NEUHOUSE).

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote of those present to adopt Resolution No. 2020-199.

**ORDINANCE NO. 3174 (FIRST READING)** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN COMMUNITY FACILITY DISTRICT NO. 57 (NEUHOUSE).

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote of those present to introduce and waive further reading of Ordinance No. 3174.

**RESOLUTION NO. 2020-200** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACQUISITION AND FUNDING AGREEMENT WITH LS-ONTARIO II, LLC.

**MOTION:** Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous roll call vote of those present to adopt Resolution No. 2020-200.

16. **A PUBLIC HEARING TO CONSIDER A DEVELOPMENT CODE AMENDMENT PROPOSING TO: [1] REVISE CURRENT PROVISIONS REGARDING THE REGULATION OF ACCESSORY DWELLING UNITS AND RESCIND AN URGENCY ORDINANCE PREVIOUSLY APPROVED BY THE CITY COUNCIL ON JANUARY 21, 2020; [2] REVISE CURRENT MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT PROVISIONS TO FACILITATE THE ESTABLISHMENT OF THE DOWNTOWN DISTRICT PLAN; [3] ESTABLISH PROVISIONS REGULATING THE DEVELOPMENT OF SMALL LOT INFILL SUBDIVISIONS; [4] REVISE PROVISIONS REGULATING MASSAGE SERVICES AND MASSAGE ESTABLISHMENTS, AND ESTABLISHING AN ADMINISTRATIVE APPROVAL PROCEDURE FOR MASSAGE ESTABLISHMENTS; AND [5] ADJUST AND CLARIFY CERTAIN DEVELOPMENT CODE PROVISIONS WITHIN CHAPTER 2.0 (ADMINISTRATION AND PROCEDURES), CHAPTER 3.0 (NONCONFORMING LOTS, LAND USES, STRUCTURES, AND SIGNS), CHAPTER 5.0 (ZONING AND LAND USE), CHAPTER 6.0 (DEVELOPMENT AND SUBDIVISION REGULATIONS), CHAPTER 7.0 (HISTORIC PRESERVATION), CHAPTER 8.0 (SIGN REGULATIONS), AND CHAPTER 9.0 (DEFINITIONS AND GLOSSARY)**

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.

The City Council introduced and waived further reading of the ordinance approving File No. PDCA18-003, a Development Code Amendment proposing to:

- A. Revise current provisions regarding the regulation of accessory dwelling units and rescind an urgency ordinance previously approved by the City Council on January 21, 2020;
- B. Revise current MU-1 (Downtown Mixed Use) zoning district provisions to facilitate the establishment of the Downtown District Plan;
- C. Establish provisions regulating the development of small lot infill subdivisions;
- D. Revise provisions regulating massage services and massage establishments, and establishing an administrative approval procedure for massage establishments; and
- E. Adjust and clarify certain Development Code provisions within Chapter 2.0 (Administration and Procedures), Chapter 3.0 (Nonconforming Lots, Land Uses, Structures, and Signs), Chapter 5.0 (Zoning and Land Use), Chapter 6.0 (Development and Subdivision Regulations), Chapter 7.0 (Historic Preservation), Chapter 8.0 (Sign Regulations), and Chapter 9.0 (Definitions and Glossary).

**ORDINANCE NO. 3175 (First Reading)** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA18-003, A DEVELOPMENT CODE AMENDMENT PROPOSING TO: [1] REVISE CURRENT PROVISIONS REGARDING THE REGULATION OF ACCESSORY DWELLING UNITS AND RESCIND AN URGENCY ORDINANCE PREVIOUSLY APPROVED BY THE CITY COUNCIL ON JANUARY 21, 2020; [2] REVISE CURRENT MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT PROVISIONS TO FACILITATE THE ESTABLISHMENT OF THE DOWNTOWN DISTRICT PLAN; [3] ESTABLISH PROVISIONS REGULATING THE DEVELOPMENT OF SMALL LOT INFILL SUBDIVISIONS; [4] REVISE PROVISIONS REGULATING MASSAGE SERVICES AND MASSAGE ESTABLISHMENTS, AND ESTABLISHING AN ADMINISTRATIVE APPROVAL PROCEDURE FOR MASSAGE ESTABLISHMENTS; AND [5] MODIFY, ADJUST, AND CLARIFY CERTAIN DEVELOPMENT CODE PROVISIONS WITHIN CHAPTER 2.0 (ADMINISTRATION AND PROCEDURES), CHAPTER 3.0 (NONCONFORMING LOTS, LAND USES, STRUCTURES, AND SIGNS), CHAPTER 5.0 (ZONING AND LAND USE), CHAPTER 6.0 (DEVELOPMENT AND SUBDIVISION REGULATIONS), CHAPTER 7.0 (HISTORIC PRESERVATION), CHAPTER 8.0 (SIGN REGULATIONS), AND CHAPTER 9.0 (DEFINITIONS AND GLOSSARY), AND MAKING FINDINGS IN SUPPORT THEREOF.

**MOTION:** Moved by Council Member Wapner, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous roll call vote of those present to introduce and waive further reading of Ordinance No. 3175.

**17. A PUBLIC HEARING TO RECEIVE TESTIMONY AND ADOPT THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE 2019-20 FISCAL YEAR**

The City Council:

- A. Held a public hearing to receive testimony on the draft Consolidated Annual Performance and Evaluation Report (CAPER) for the 2019-20 Fiscal Year;
- B. Directed staff to prepare and transmit to the U.S. Department of Housing and Urban Development (HUD) the final CAPER, which will address all public comments received on the draft CAPER; and
- C. Authorized the City Manager to execute any and all documents necessary and/or desirable to transmit the CAPER to HUD.

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 Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous roll call vote of those present to adopt the Consolidated Annual Performance and Evaluation Report (CAPER) for the 2019-2020 Fiscal Year.

**18. PUBLIC HEARING REGARDING ECONOMIC DEVELOPMENT SUBSIDY REPORT AND RETENTION AGREEMENT BETWEEN THE CITY OF ONTARIO AND KIENLE MOTOR SPORTS, LLC, PURSUANT TO GOVERNMENT CODE SECTION 53083; AND CONSIDERATION OF A RESOLUTION ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT, APPROVING THE OPERATING COVENANT AGREEMENT AND MAKING RELATED FINDINGS.**

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.



The City Council took the following actions:

- A. Held the public hearing;
- B. Adopted a resolution accepting the Economic Development Subsidy Report prepared pursuant to Government Code Section 53083 regarding an Retention Agreement by and between the City of Ontario and Kienle Motorsports, LLC. hereinafter referred to as "Porsche";
- C. Adopted a resolution approving the Retention Agreement for eight years, authorized the City Manager to execute the Retention Agreement, and make related findings; and
- D. Directed City staff to file a Notice of Exemption based upon the City Council's finding that the impacts for this existing facility is not a project and subject to environmental review and that there is no possibility that the activity in question may have a significant effect on the environment.

**RESOLUTION NO. 2020-201** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT PREPARED PURSUANT TO GOVERNMENT CODE SECTION 53083 REGARDING THE DEVELOPMENT OF A PORSCHE FACILITY BY KIENLE MOTOR SPORTS, LLC, IN THE CITY OF ONTARIO AND APPROVING AN OPERATING COVENANT AGREEMENT.

**MOTION:** Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous roll call vote of those present to adopt the Consolidated Annual Performance and Evaluation Report (CAPER) for the 2019-2020 Fiscal Year.

#### **ADMINISTRATIVE REPORTS/DISCUSSION/ACTION**

#### **19. GRANT OF TOWING CARRIER PERMITS AND AUTHORIZATION FOR CITY CONTRACT TOWING SERVICES AGREEMENTS**

The City Council granted towing carrier permits and authorized the City Manager to execute City Contract Towing Services Agreements, for a period of five years, with any combination of the following companies: Certified Towing, Inc.; Dietz Towing, Inc.; Fleet Sales & Consulting, Inc. (DBA Bill & Wag's Towing); James Foglesong Towing & Storage, Inc.; and Pepe's Towing Service.

City Manager Ochoa introduced the item.

Council Member Bowman suggested an even distribution of 25% of the business among four tow companies. Council Member Bowman moved to have Certified Towing, Inc, Foglesong Towing & Storage, Inc, Pepe's Towing Service, and Dietz Towing, Inc. approved.

*Michael Armada*, clarified items regarding Dietz Towing, Inc.

Council Member Wapner spoke on each tow company and made a substitute motion for three tow companies, Certified Towing, Inc, Foglesong Towing & Storage, Inc, and Pepe's Towing Service.

Council Member Bowman amended his motion to three tow companies, Certified Towing, Inc, Foglesong Towing & Storage, Inc, and Pepe's Towing Service.

Council Member Valencia stated he agreed with going down to three tow companies.

Mayor Leon stated that having four tow companies is adequate and made a substitute motion for four tow companies, Certified Towing, Inc, Foglesong Towing & Storage, Inc, Pepe's Towing Service, and Dietz Towing, Inc. and seconded by Council Member Bowman.

Mayor Leon recessed the meeting at 8:27 p.m., and reconvened the meeting at 8:39 p.m.

Council Member Wapner pulled his motion for three tow companies and put Mayor Leon's motion for four tow companies on the floor, Certified Towing, Inc, Foglesong Towing & Storage, Inc, Pepe's Towing Service, and Dietz Towing, Inc. with a condition that Pepe's Towing Service get a yard within the next two years and Dietz Towing, Inc. have a supervisor on staff conduct regular drug and alcohol checks.

**MOTION:** Moved by Mayor Leon, seconded by Council Member Bowman and carried by unanimous roll call vote of those present to grant towing carrier permits to Certified Towing, Inc, Foglesong Towing & Storage, Inc, Pepe's Towing Service, and Dietz Towing, Inc. with a condition that Pepe's Towing Service get a yard within the next two years and Dietz Towing, Inc. have a supervisor on staff conduct regular drug and alcohol checks.

## **STAFF MATTERS**

City Manager Ochoa made no announcements.

## **COUNCIL MATTERS**

Mayor pro Tem Dorst-Porada thanked volunteers for cleaning up the community. She also recognized Ontario Museum staff for getting accredited. Lastly, she thanked the Ontario voters.

Mayor Leon commended Ontario High School alumni, Victor Glover, a local astronaut on a mission to the International Space Station.

Council Member Wapner recognized Mayor pro Tem Dorst-Porada for her work in the community and congratulated her on her re-election.

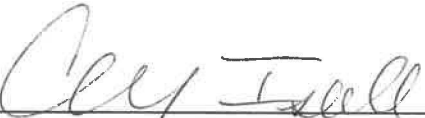
Council Member Bowman had no comments.

Council Member Valencia thanked the Ontario voters.

### ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 8:48 p.m. to the next regular meetings to be held on Tuesday, December 1, 2020.

Respectfully submitted,

  
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CLAUDIA Y. ISBELL, ASSISTANT CITY CLERK/  
ASSISTANT SECRETARY

APPROVED:

  
\_\_\_\_\_  
PAUL S. LEON, MAYOR/CHAIRMAN