

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
April 2, 2019**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, April 2, 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 5:06 p.m., with all members present and 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 5:07 p.m. for discussion of the following:

- GC 54957, PUBLIC EMPLOYEE APPOINTMENT: City Attorney

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, Assistant City Attorney/Legal Counsel Ruben Duran, and City Clerk/Secretary Sheila Mautz.

The Pledge of Allegiance was led by Council Member Wapner.

The Invocation was provided by *Pastor Heinrich Strydom*, representing Ontario Seventh Day Adventist Church.

CLOSED SESSION REPORT

City Manager Ochoa reported that the City Council met in Closed Session for discussion of the above listed matter and provided direction to staff, however there was no reportable action.

PUBLIC COMMENTS

Anthony Pace expressed concern with parking student safety and parking issues around Hawthorne Elementary School. He asked that the Police have a stronger presence and he reminded parents that kids' lives matter. He also shared his concerns about personal information being accessible when the public uses library computers, and he recommended that people clear the cache to ensure their personal information is deleted before others use the same computer. City Manager Ochoa referred Mr. Pace to appropriate staff.

Alex Pace expressed his concern regarding him hearing that the Post Office at Fourth Street and Mountain Avenue would be closing. He further expressed concerns about traffic on La Deney when parents drop their kids off for school. Mayor Leon referred Mr. Pace to Police representatives for the traffic issues; and suggested that staff could reach out our Congresswoman to get information for the public with regard to the claimed Post Office closure.

Dan La Bouf, Greater Ontario Business Council, commented on their "State of the Industry" report and the amount of money spent on hiring new employees. He noted that the money spent on training will save companies money in the long run. He also announced the upcoming Good Morning Ontario event on April 3, 2019.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa stated that there were no updates or additions to the agenda.

CONSENT CALENDAR

Mayor Leon indicated that he would like to address item number 14, but there was no need for a separate vote.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

City Council approved Minutes for the regular meeting of the City Council and Housing Authority of March 5, 2019, as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period February 10, 2019 through February 23, 2019 in the amount of \$7,913,526.91 and **Payroll** for the period February 10, 2019 through February 23, 2019, in the amount of \$3,432,314.18, when audited by the Finance Committee.

3. FIFTH AMENDMENT TO LEASE AGREEMENT BETWEEN WELLS FARGO BANK N.A. AND THE ONTARIO HOUSING AUTHORITY

The Ontario Housing Authority Board approved a Fifth Amendment to the Lease Agreement between Wells Fargo Bank N.A. and the Ontario Housing Authority for the use of Authority-owned property located at 240 North Euclid Avenue and the relinquishment of certain parking spaces located on the northeast corner of Euclid Avenue and "C" Street.

4. A RESOLUTION APPROVING THE 2019-2020 LIST OF PROJECTS FUNDED BY THE ROAD MAINTENANCE AND REHABILITATION ACCOUNT

City Council adopted a resolution approving the 2019-20 Project List for the Road Repair and Accountability Act – Senate Bill SB 1.

RESOLUTION NO. 2019-028 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO APPROVE THE LIST OF PROJECTS TO BE FUNDED BY SB 1 THE ROAD REPAIR AND ACCOUNTABILITY ACT.

5. A CONSTRUCTION CONTRACT FOR THE FIRE TRAINING FACILITY PROJECT/ROBERT CLAPPER CONSTRUCTION SERVICES, INC.

City Council approved the plans and specifications and awarded a construction contract to Robert Clapper Construction Services, Inc. of Rialto, California, for the Fire Training Facility Projects (PF1101) in the bid amount of \$8,282,610 plus a ten percent (10%) contingency of \$828,261 for a total authorized expenditure of \$9,110,871; and authorized the City Manager to execute said contract and related documents, and file a Notice of Completion at the conclusion of all construction activities.

6. AN AGREEMENT FOR UTILIZATION OF HOSPITAL FACILITIES FOR CLINICAL EXPERIENCE OF FIRE DEPARTMENT EMERGENCY MEDICAL TECHNICIANS AND PARAMEDICS/SAN ANTONIO REGIONAL HOSPITAL

City Council authorized the City Manager to execute an agreement with San Antonio Regional Hospital for the purpose of utilizing hospital facilities for clinical

experience of Ontario Fire Department employees who are Emergency Medical Technicians or Paramedics.

7. A WRITTEN PETITION TO CREATE A COMMUNITY FACILITIES DISTRICT; A RESOLUTION OF INTENTION TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 40 (EMERALD PARK FACILITIES) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES; AND A RESOLUTION TO INCUR BONDED INDEBTEDNESS

City Council considered and:

- (A) Accepted a written petition from Brookfield Solstice 126 LLC, Brookfield Holiday 91 LLC, and BrookCal Ontario LLC, all Delaware limited liability companies, to create a Community Facilities District, and to waive certain procedural matters, under the Mello-Roos Community Facilities Act of 1982;
- (B) Adopted a Resolution of Intention to establish City of Ontario Community Facilities District No. 40 (Emerald Park Facilities) (the “CFD”), authorize 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, May 7, 2019; and
- (C) Adopted a Resolution to Incur Bonded Indebtedness of proposed Community Facilities District No. 40 (Emerald Park Facilities).

RESOLUTION NO. 2019-029 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. 40 (EMERALD PARK FACILITIES), AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

RESOLUTION NO. 2019-030 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO INCUR BONDED INDEBTEDNESS OF THE PROPOSED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 40 (EMERALD PARK FACILITIES).

8. AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 48 (TEVELDE SERVICES)

City Council consider and adopt an ordinance authorizing the levy of special taxes within City of Ontario Community Facilities District No. 48 (Tevelde Services). Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on March 19, 2019.

ORDINANCE NO. 3127 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 48 (TEVELDE SERVICES).

9. A WRITTEN PETITION TO CREATE A COMMUNITY FACILITIES DISTRICT; AND A RESOLUTION OF INTENTION TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 50 (WEST ONTARIO LOGISTICS CENTER SERVICES) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES

City Council consider and:

- (A) Accepted a written petition from Joan M. Borba and James Borba, Co-Trustees of the Joseph and Doleen Borba Administrative Trust (“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. 50 (West Ontario Logistics Center Services), authorize 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, May 7, 2019.

RESOLUTION NO. 2019-031 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. 50 (WEST ONTARIO LOGISTICS CENTER SERVICES) AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

10. AMENDMENT TO THE PURCHASE AGREEMENT FOR LIGHT AND MEDIUM VEHICLE PARTS/ADVANCED AUTO PARTS

City Council authorized the City Manager to amend the existing purchase agreement to include additional light and medium vehicle parts up to the amount of \$60,000 to be purchased from Advanced Auto Parts, parent company of CarQuest, of Atlanta, Georgia, consistent with the terms and conditions of Purchase Order No. 43655 and Golden State/CARQUEST Cooperative Contract #2017000280. The total amended authorized amount will be \$150,000.

11. AUTHORIZE THE PURCHASE OF FLEET VEHICLES/TRANSWEST TRUCK CENTER/NATIONAL AUTO FLEET GROUP/PB LOADER CORPORATION

City Council took the following actions:

- (A) Awarded Bid No. 1096 and authorized the purchase and delivery of one Heavy Duty Gas-Powered Water Service Truck in the amount of \$153,000 for the Utilities Department from Transwest Truck Center of Fontana, California;
- (B) Authorized the cooperative purchase and delivery of two Ford pick-up trucks, one F250 and one F350, with Scelzi utility bodies in the amount of \$114,000 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;
- (C) Authorized the cooperative purchase and delivery of one Ford F650 CNG Stake Bed Truck in the amount of \$132,000 for the Integrated Waste Department from PB Loader Corporation of Fresno, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 052417-PBL; and
- (D) Authorized the cooperative purchase and delivery of one Ford F550 Dump Body in the amount of \$93,000 for the Parks and Maintenance Department from PB Loader Corporation of Fresno, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 052417-PBL.

12. A PROFESSIONAL SERVICE AGREEMENT FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN FOR PROPERTY LOCATED NORTH OF MERRILL AVENUE, SOUTH OF EUCALYPTUS AVENUE, EAST OF EUCLID AVENUE AND WEST OF THE UNIMPROVED RIGHT-OF-WAY OF SULTANA AVENUE/PLACEWORKS, INC.

City Council approved and authorized the City Manager to execute an agreement with Placeworks, Inc., of Santa Ana, California, to prepare an Environmental Impact Report (EIR) for the Ontario Ranch Business Park Specific Plan in the amount of \$379,320, plus a 15% contingency of \$56,898, for a total authorized expenditure of \$436,218 and authorized the City Manager to approve any future budget adjustments necessary to complete the EIR.

- 13. AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT (FILE NO. PUD17-003) TO ESTABLISH LAND USE DESIGNATIONS AND DEVELOPMENT STANDARDS FOR THE DEVELOPMENT OF 2.6 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF HOLT BOULEVARD AND GROVE AVENUE, WITHIN THE MU-2 (EAST HOLT MIXED-USE) ZONING DISTRICT (APNS: 1048-472-16, 1048-472-17, 1048-472-19, 1048-472-20, AND 1048-472-21)**

City Council considered and adopted an ordinance approving a Planned Unit Development, File No. PUD17-003, establishing development standards and guidelines to facilitate the development of a commercial center located at the northwest corner of Holt Boulevard and Grove Avenue. Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on March 19, 2019.

ORDINANCE NO. 3128 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD17-003, A PLANNED UNIT DEVELOPMENT TO ESTABLISH LAND USE DESIGNATIONS AND DEVELOPMENT STANDARDS AND GUIDELINES FOR THE DEVELOPMENT OF 2.6 ACRES OF LAND, LOCATED AT THE NORTHWEST CORNER OF HOLT BOULEVARD AND GROVE AVENUE; WITHIN THE MU-2 (EAST HOLT MIXED-USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1048-472-16, 1048-472-17, 1048-472-19, 1048-472-20, AND 1048-472-21.

- 14. A PROFESSIONAL SERVICES AND EQUIPMENT PURCHASE AGREEMENT FOR THE ACQUISITION OF POLICE DEPARTMENT FRONTLINE PATROL EQUIPMENT/AXON ENTERPRISE, INC.**

City Council authorized the City Manager to execute a professional services and equipment purchase agreement with Axon Enterprise, Inc., of Scottsdale, Arizona, for the purchase of new and replacement equipment, including tasers and body-worn camera systems for frontline police personnel, including maintenance and data management services for a 5-year period, in the amount of \$3,722,106; and authorized a 10% project-wide contingency in the amount of \$372,211.

Mayor Leon noted recent social media comments about people wanting more police in the City. He indicated that this agenda item was approving almost \$4 million to purchase equipment for front line patrol officers. He stressed the Council's priority of public safety as shown in the City's budget for safety services including police and fire. He noted that each police vehicle is basically a rolling police station and stressed the importance of quality rather than quantity.

15. A PROFESSIONAL DESIGN SERVICES AGREEMENT FOR WATER MAIN REPLACEMENTS (PROJECT UT1027)/SA ASSOCIATES

City Council approved and authorized the City Manager to execute a Professional Design Services Agreement with SA Associates of Arcadia, California, for Water Main Replacement Project UT1027, in the amount of \$410,000, plus a 15% contingency of \$61,500 for a total amount of \$471,500.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared Resolution Nos. 2019-028, 2019-029, 2019-030 and 2019-031 and Ordinance Nos. 3127 and 3128 unanimously adopted.

STAFF MATTERS

City Manager Ochoa had no comments.

COUNCIL MATTERS

Council Member Dorst-Porada discussed item number 3 on the Consent Calendar indicating that it was an agreement with Wells Fargo Bank which ultimately allows the proposed housing project on Euclid Avenue to proceed. She thanked the Pace brothers for coming to the meeting and requested that the City Manager's office address their concerns. She announced the Ontario Heritage Home Tour in May and the Museum Arts & Culture Awards Fundraiser on April 25, 2019.

Council Member Wapner noted the issue of traffic around schools and commented that the City has no control over school construction and layouts; however, the schools utilize public streets to meet their parking lot needs. He recommended that residents contact their State legislators, as the schools are required to use the State's architect offices for planning and design of school sites.

Council Member Bowman had no comments.

Mayor pro Tem Valencia expressed condolences to the School District regarding Mrs. Laturno who passed away over the weekend. He noted that he attended a "Well Water" education program and the message was that the drought is not over. He also noted that he attended the Baker to Vegas challenge run and Ontario Police beat out the cities of Fontana, Torrance and several others with Officer Joe Estrada being named the MVP. He announced the Firefighters Golf tournament fundraiser on April 12, 2019. He also challenged the Mayor to accept the April Water Conservation challenge on behalf of the City, noting potential water savings and possible prizes and incentives.

Mayor Leon commented that the schools are handicapped by State designs, and noted that circumstances have changed since the days when all of the students walked to

school. He noted that the traffic issues were not the same in the past, and now some of the schools are landlocked making the issues more difficult. He encouraged residents to think when they drive around schools to drop off their children and to be more concerned about others around them, especially near schools.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:03 p.m. to the next regular meetings to be held on Tuesday, April 16, 2019.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN