

**ONTARIO CITY COUNCIL/  
ONTARIO HOUSING AUTHORITY  
MINUTES  
February 18, 2020**

**JOINT MEETINGS**

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, February 18, 2020, 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 6:09 p.m., with Mayor pro Tem Dorst-Porada, Council Member Valencia and Mayor Leon present and Council Members Wapner and Bowman absent.

Mayor Leon announced the matters for discussion, as listed on the agenda, and inquired whether persons were present who wished to speak to the Closed Session items. Hearing no one, the City Council recessed to Closed Session at 6:09 p.m. for discussion of the following:

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Property: APN 0218-261-24; 9131 East Merrill Avenue; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating parties: Mr. Joseph Garcia; Under negotiation: Price and terms of payment.
- 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 6:47 p.m.

**PRESENT:** Mayor/Chairman: Paul S. Leon  
Mayor pro Tem/Vice Chairman: Debra Dorst-Porada  
Council/Authority Members: Ruben Valencia

**ABSENT:** Council/Authority Members: Alan D. Wapner and Jim W. Bowman

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

## REPORT ON CLOSED SESSION

City Attorney Huber advised that there were no reportable actions from the Closed Session discussions.

The Pledge of Allegiance was led by Mayor pro Tem Dorst-Porada.

*Pastor Dr. Brian Kennedy*, representing Mt. Zion Baptist Church, provided the invocation.

## PUBLIC COMMENTS

*David Powers* read a statement regarding a traffic accident between his mother-in-law and an Ontario police officer, and he requested that the City Council intervene with resolution.

*Armando Rodriguez*, representing the Ontario Hispanic Chamber of Commerce, introduced himself as the new President of the Hispanic Chamber. He noted their recent accomplishments in assisting with the extension of the Art Walk and providing entertainment for the event. He also noted that this year is the 20th anniversary of the Hispanic Chamber. He introduced the other new officers and stated that they were eager to get to work on providing community events and activities as they did last year.

*Tom Burciaga*, commented on the importance of the 2020 Census, noting that this is the first time it can be completed online. He stressed the community's efforts to gain full participation and explained that a full count will help in drawing federal dollars to the City.

*Lupe Camacho*, representing the Census Bureau, commented on the population statistics for Ontario and some of the difficulty in achieving a complete count. She noted that the last Census results show that Ontario was undercounted by about 50,000 people and explained that the difference could have resulted in additional funding for the City.

*Barbara Rugeley*, representing the League of Women Voters, introduced their new city observer Maritza Rodriguez, who will attend future City Council meetings on the organization's behalf. She noted that there will also be League observers assigned to the Ontario Airport Authority, several school districts and other local cities.

*Peggi Hazlett*, representing the Greater Ontario Business Council, commented on the proliferation of technology use by kids and stressed the importance of reminding them that what used to be their personal cover letter to employers is now replaced by their social media presence.

*Karen Haughey*, representing San Bernardino County Supervisor Curt Hagman, commented on the need for poll workers for the upcoming March Primary Election and encouraged residents to apply.

## AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa indicated that there were no updated materials or announcements.

## CONSENT CALENDAR

**MOTION:** Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Valencia and carried by unanimous vote of those present, with Council Members Wapner and Bowman absent, 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 January 21, 2020, as on file in the Records Management Department.

### 2. BILLS/PAYROLL

City Council approved **Bills** for the period January 17, 2020 through January 30, 2020, in the amount of \$14,744,162.36 and **Payroll** for the period January 5, 2020 through January 18, 2020, in the amount of \$3,698,826.17, when audited by the Finance Committee.

### 3. AN ORDINANCE ESTABLISHING THE DEVELOPMENT IMPACT FEE DEFERRAL PROGRAM

City Council considered and adopted an ordinance establishing the Development Impact Fee Deferral Program. Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on February 4, 2020.

**ORDINANCE NO. 3156** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ESTABLISHING THE DEVELOPMENT IMPACT FEE ("DIF") DEFERRAL PROGRAM.

### 4. A DEVELOPMENT IMPACT FEE CREDIT AGREEMENT (FILE NO. PDIF19-004) BETWEEN THE CITY OF ONTARIO AND WESTERN PACIFIC HOUSING, INC., FOR FACILITY CONSTRUCTION ASSOCIATED WITH TRACT MAP 18419 (FILE NO. PMTT06-066) LOCATED AT THE SOUTHEAST CORNER OF ARCHIBALD AVENUE AND SCHAEFER AVENUE, WITHIN THE AVENUE SPECIFIC PLAN

City Council approved the Development Impact Fee Credit Agreement (File No. PDIF19-004) between the City of Ontario and Western Pacific Housing, Inc., for facility construction associated with Tract Map 18419 (File No. PMTT06-066) located at the southeast corner of Archibald Avenue and Schaefer Avenue, within

The Avenue Specific Plan; and authorized the City Manager to execute the agreement.

**5. A DEVELOPMENT IMPACT FEE CREDIT AND REIMBURSEMENT AGREEMENT (FILE NO. PDIF19-006) BETWEEN THE CITY OF ONTARIO AND PALMETTO OFFICES, LLC, FOR FACILITY CONSTRUCTION ASSOCIATED WITH THE DEVELOPMENT PLAN (FILE NO. PDEV18-004), LOCATED AT 1515 NORTH PALMETTO AVENUE, WITHIN THE MOUNTAIN VILLAGE SPECIFIC PLAN**

City Council approved the Development Impact Fee Credit and Reimbursement Agreement (File No. PDIF19-006) between the City of Ontario and Palmetto Offices, LLC, for facility construction associated with the Development Plan (File No. PDEV18-004), located at 1515 North Palmetto Avenue, within the Mountain Village Specific Plan, and authorized the City Manager to execute the agreement.

**6. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MARK ALVARADO FOR FINANCIAL CONSULTING SERVICES**

City Council authorized the City Manager to execute Amendment No. 4 adding \$50,000 to the Professional Services Agreement with Mark Alvarado, for the provision of financial consulting services, for a revised contract authority of \$150,000.

**7. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WESTIN TECHNOLOGY SOLUTIONS FOR PROJECT MANAGEMENT SUPPORT ON CIS INFINITY UTILITY BILLING IMPLEMENTATION**

City Council authorized the City Manager to execute Amendment No. 3 adding \$55,800 to the existing agreement with Westin Technology Solutions, of Milwaukee, Wisconsin, for project management support on the CIS Infinity Utility Billing Implementation for a not-to-exceed limit of \$410,480.

**8. FISCAL YEAR 2019-20 MID-YEAR BUDGET UPDATE REPORT**

City Council approved the budget adjustments and recommendations as listed in the Fiscal Year 2019-20 Mid-Year Budget Update Report.

**9. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH M JACK BROOKS, JD FOR FINANCIAL CONSULTING SERVICES**

City Council authorized the City Manager to execute Amendment No. 2 adding \$65,000 to the Professional Services Agreement with M Jack Brooks, JD, of Costa Mesa, California, for the provision of financial consulting services, for a revised contract authority of \$150,000.

**10. LICENSE AGREEMENT RENEWAL FOR MICROSOFT PRODUCTS**

City Council approved and authorized the City Manager or his designee to renew a three-year license agreement with Crayon Software Experts, LLC of Dallas, Texas for Microsoft Office 365, Windows 10 and Microsoft Server subscriptions in the estimated amount of \$1,150,000.

**11. A RESOLUTION APPROVING THE SUBMITTAL OF AN APPLICATION TO PARTICIPATE IN THE BEVERAGE CONTAINER RECYCLING CITY/COUNTY PAYMENT PROGRAM (FISCAL YEAR 2019-20) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVER (CALRECYCLE)**

City Council adopted a resolution approving the submittal of an application for approximately \$44,000 from the Beverage Container Recycling City/County Payment Program (Fiscal Year 2019-20) and authorized the City Manager or his designee to execute all necessary documents to participate in the program.

**RESOLUTION NO. 2020-013** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE SUBMITTAL OF AN APPLICATION TO PARTICIPATE IN THE BEVERAGE CONTAINER RECYCLING CITY/COUNTY PAYMENT PROGRAM (FISCAL YEAR 2019-20) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE).

**12. PRE-AUTHORIZED LIST OF VENDORS TO PROVIDE CANINES AND TRAINING EQUIPMENT, SUPPLIES, AND UNIFORMS FOR SWORN POLICE STAFF**

City Council approved the attached list of pre-authorized vendors to provide canines and training equipment, supplies, and uniforms for the Ontario Police Department.

**13. APPLICATION FOR GRANT FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FY2021 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT PROGRAM**

City Council authorized the City Manager or his designee to execute all documents necessary to apply for and accept a 12-month grant in the amount of \$848,339 from the California Office of Traffic Safety (OTS) for participation in the FY2021 Selective Traffic Enforcement Program (STEP) Grant Program.

**14. APPLICATION FOR GRANT FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FY2021 TRAFFIC RECORDS IMPROVEMENT PROJECT GRANT PROGRAM**

City Council authorized the City Manager or his designee to execute all documents necessary to apply for and accept a 12-month grant in the amount of \$25,000 from the California Office of Traffic Safety (OTS) for participation in the FY2021 Traffic Records Improvement Project Grant Program.

**MOTION UNANIMOUSLY CARRIED:** Mayor Leon declared Ordinance No. 3156 and Resolution No. 2020-013 adopted upon unanimous vote of those present with Council Members Wapner and Bowman absent.

**PUBLIC HEARINGS**

**15. A PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING CHAPTER 19 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE RELATING TO PROCEDURES FOR THE SETTING OF ADMINISTRATIVE FEES FOR ROTATIONAL TOWING SERVICES**

That the City Council introduce and waive further reading of an ordinance amending Chapter 19 of Title 4 of the Ontario Municipal Code regarding procedures for the setting of administrative fees for rotational towing 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 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 Valencia and carried by unanimous vote of those present, with Council Members Wapner and Bowman absent, to Introduce and waive further reading of Ordinance No. 3157.

**ORDINANCE NO. 3157** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 4-19.13 AND 4-19.14 OF THE ONTARIO MUNICIPAL CODE, RELATING TO PROCEDURES FOR THE SETTING OF ADMINISTRATIVE FEES FOR ROTATIONAL TOWING SERVICES.

## STAFF MATTERS

No comments.

## COUNCIL MATTERS

Mayor pro Tem Dorst-Porada encouraged everyone to volunteer for organizations such as the Library, Museum, Ontario Heritage and local schools.

Council Member Valencia commented on the importance of the Census and stressed the security of the personal information provided.

Mayor Leon encouraged everyone to support local businesses, noting the closure of Yeast n' Flour Pizza. He stressed the community's responsibility to assist in supporting businesses in the downtown. He also encouraged support of area youth sports organizations and the local teams that play at the Toyota Arena. As the City's Vector Control representative, he commented on the potential for mosquitos, snakes, lizards and birds to carry disease; and he reminded everyone to remove standing water and use bug repellent on bare skin.

## ADJOURNMENT

Mayor Leon announced a Special Council Meeting to be held on Saturday, February 22, 2020 and adjourned the meetings of the Joint Agencies at 7:17 p.m. to the next regular meetings to be held on Tuesday, March 3, 2020.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN