



Those persons wishing to speak on any item included on the agenda, or on any matter within the subject matter jurisdiction of the City Council, are invited fill out and submit to the City Clerk a "Request to Speak" form (name and address optional) which is available at the entrance to the City Council Chambers.

In compliance with the Americans with Disabilities Act, if you require a reasonable accommodation to participate in this meeting, please contact the City Clerk's Office (909) 334-3306, at least 48 hours prior to the advertised starting time of the meeting.

Any documents produced by the City and distributed to a majority of the City Council regarding any item on this agenda will be made available in the City Clerk's Office during normal business hours at City Hall located at 13220 Central Avenue, Chino. In addition, such documents will be posted on the City's website at www.cityofchino.org.

**CHINO CITY COUNCIL
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
REGULAR MEETING – CITY HALL COUNCIL CHAMBERS
13220 CENTRAL AVENUE
CHINO, CA 91710**

TUESDAY JULY 16, 2019

**CLOSED SESSION – 6:30 PM
OPEN SESSION – 7:00 PM**

AGENDA

ROLL CALL

Mayor Ulloa
Mayor Pro Tem Haughey
Council Member Hargrove
Council Member Lucio
Council Member Rodriguez

CLOSED SESSION

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR. Pursuant to Government Code Section 54956.8
Properties:
12886 Central Avenue in the City of Chino (APN 1015-621-17) H&S Energy, LLC
12845 Central Avenue in the City of Chino (APN 1015-613-08) MTC Investment Co.
5338 Riverside Drive in the City of Chino (APN 1015-13-07) Cheryl & Gerald Vanschoelandt
NWC Riverside Drive/9th Street in the City of Chino (APN 1015-613-06) Cheryl & Gerald Vanschoelandt
5368 Riverside Drive in the City of Chino (APN 1015-612-11) Anthony P. Vernola Trust
NWC Riverside Drive/10th St. in the City of Chino (APN 1015-612-08) David W. and Deborah W. Searle
5464 Riverside Drive in the City of Chino (APN 1015-611-11) Bidart Family Trust
5526 Riverside Drive in the City of Chino (APN 1015-573-01) Peter Pei Hwa Yang

5544 Riverside Drive in the City of Chino (APN 1015-572-05) Wolfgang H. & Marilyn B. Tewes
5684 Riverside Drive in the City of Chino (APN 1015-578-29) J.D. MacArthur Properties, Inc.
5891 Riverside Drive in the City of Chino (APN 1020-091-05) Anthony P. Vernola Trust
5677 Riverside Drive in the City of Chino (APN 1020-073-23) William P. & Penelope Roubos
5599 Riverside Drive in the City of Chino (APN 1020-071-11) Ramiro & Ramona Diaz
5553 Riverside Drive in the City of Chino (APN 1020-063-11) L2 Group, LLC
5405 Riverside Drive in the City of Chino (APN 1020-051-13) Riverside Partners, LLC
12909 9th Street in the City of Chino (APN 1020-051-10) Alan Scott
5511 Riverside Drive in the City of Chino (APN 1020-061-11) Vidal Rodriguez
13285 3th Street in the City of Chino (APN 1020-292-14) Samuel J. Sabatino Trust

Agency Negotiator: Matthew Ballantyne, City Manager and Kim Bibolet, SR/WA, R/W-NAC, Regional Manager, Epic Land Solutions, Inc., (Real Property Consultant on contract with the City of Chino)

Negotiating Parties: Listed Property Owners

Under Negotiation: Price and/or terms of potential acquisition of property interest in connection with the Riverside Street Rehabilitation Project.

- B. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9:
1. Monte Vista Water District and City of Chino v. The Dow Chemical Company, et al., San Bernardino Superior Court Case No. CIVDS1800720 (J.C.C.P. No. 4435)
 2. Kevin Kline v. City of Chino, WCAB Nos. ADJ11595672 and ADJ11595673

FLAG SALUTE

CEREMONIALS

Presentations

Recognition of Retirement - Chief of Police Karen Comstock.

REPORT OUT OF CLOSED SESSION

INFORMATION

Economic Development Report - June 2019.

AGENDA ADDITIONS/REVISIONS

PUBLIC ANNOUNCEMENTS

This is the time and place for the Mayor to inform the public of all upcoming events and past occurrences of communitywide interest and concern.

PUBLIC COMMENTS

This is the time and place for the general public to address the City Council about subjects that do not appear elsewhere on the agenda. Due to Council policy and Brown Act requirements, action will not be taken on any issues not on the Agenda. Ordinance No. 97-08 (Chino Municipal Code Section 2.04.090) limits speakers to no more than five (5) minutes in which to address Council, except as provided under Government Code 54954.3(b)(2).

CONSENT CALENDAR

At this time, members of the public may present testimony as to why an item should be removed from the Consent Calendar for separate discussion. Unless a member of the public or City Council requests that an item be removed from the Consent Calendar, all items will be acted upon as a whole and by one vote.

1. Warrants. Approve expenses as audited and within budget for warrants 745029 to 745116, and Electronic Fund Transfers 509470E to 509515E, totaling \$3,696,677.41.
2. Elected City Officials' Report Regarding Travel, Training, and Meetings. Receive and file the Elected City Officials' Report reflecting City Council business related expenses incurred by the City and forecast of future events and trainings.
3. Deny Claim Filed Against The City - Gina Marie Arviso. Reject liability claim filed by Gina Marie Arviso on June 14, 2019 for vehicle damage that occurred on May 22, 2019.
4. Award of Contract - Cedro Ave. at Riverside Dr. ADA Improvements AKA Sidewalk/Crosswalk Modification Project Cedro Ave. at Riverside Dr. Establish Project Number MS202 Sidewalk/Crosswalk Accessibility Modification Project - Riverside Drive and Cedro Avenue and award a contract to CT&T Concrete & Paving, Diamond Bar, CA in the amount of \$36,160.00.
5. Professional Services Agreement - On-Call Accessibility Design, Drafting and Plan Check Services for Public Works Capital Improvement Projects. Approve a Professional Services Agreement with Owen Group Limited Partnership of Irvine, CA in the amount of \$95,000 for On Call Accessibility Design, Drafting and Plan Check Services for Public Works Capital Improvement Projects.
6. Notice of Completion - Public Works Services Center Block Wall Project. Accept the Public Works Services Center Block Wall Project Installed by SDC Engineering, Inc., Long Beach, CA as Complete.
7. Notice of Completion - Booster Pump Station Natural Gas Engine(s) Replacement Project. Accept the Booster Pump Station Natural Gas Engine(s) Replacement Project Installed by Tamang Electric, Inc., Chino, CA as complete.
8. Light Emitting Diode (LED) Street Light Upgrades within the City Community Development Block Grant (CDBG) Areas. Approval of specifications and authorization to advertise bids for LED street light upgrades within the City Community Development Block Grant (CDBG) areas.
9. State Asset Forfeiture Expenditure for Drug and Gang Education. Appropriate \$8,338 from the State Asset Forfeiture - Drug and Gang Prevention Fund for the purchase of a MacBook Pro, wireless flash, camera stabilizer, media storage, memory cards and iPad Pro.
10. Purchase Order - 2019 BMW R1250 RT-P Motorcycles. Approve a purchase order to Seavco, Orange, CA in the amount of \$83,227.59 for the purchase of three (3) model year 2019 BMW R1250 RT-P Motorcycles.
11. Purchase Order - 2019 Chevrolet Colorado Extended Cab Long Bed Trucks. Approve a purchase order to M.K. Smith Chevrolet, Chino, CA in the amount of \$81,348.41 for the purchase of three (3) model year 2019 Chevrolet Colorado Extended Cab Long Bed trucks.
12. Purchase Order - Ford E-450 Starcraft Allstar 27 ADA Shuttle Bus. Approve a purchase order to Nations Bus Corporation, Norwalk, CA in the amount of \$74,763.20 for the purchase of one (1) Model Year 2019 Ford E-450 StarCraft Allstar 27 ADA shuttle bus.

13. Purchase Order - 2019 Chevrolet 1/2 Ton Crew Cab Short Bed Trucks. Approve a purchase order to UAG Cerritos 1, LLC (dba: Penske Chevrolet), Cerritos, CA in the amount of \$62,673.02 for the purchase of two (2) model year 2019 Chevrolet 1/2 Ton Crew Cab Short Bed trucks.
14. Purchase Order - 2019 Chevrolet 3/4 Ton Extended Cab Service Body Truck. Approve a purchase order to M.K. Smith Chevrolet, Chino, CA in the amount of \$46,980 for the purchase of one (1) model year 2019 Chevrolet 3/4 Ton Extended Cab Service Body truck.
15. Purchase Order - 2019 Chevrolet Colorado Extended Cab Service Body Truck. Approve a purchase order to M.K. Smith Chevrolet, Chino, CA in the amount of \$44,499.80 for the purchase of one (1) model year 2019 Chevrolet Colorado Extended Cab Service Body truck.
16. Purchase Order - 2019 Kubota Compact Excavator. Approve a purchase order to Diamond A Equipment, Long Beach, CA in the amount of \$40,800.43 for the purchase of one (1) model year 2019 Kubota Compact Excavator.
17. Purchase Order - 2019 Ford Transit Cargo Van. Approve a purchase order to Warren Anderson Ford, Riverside, CA in the amount of \$40,144.25 for the purchase of one (1) model year 2019 Ford Transit Cargo Van.
18. Purchase Order - 2019 Chevrolet 3/4 Ton Extended Cab Long Bed Truck. Approve a purchase order to M.K. Smith Chevrolet, Chino, CA in the amount of \$32,044.70 for the purchase of one (1) model year 2019 Chevrolet 3/4 Ton Extended Cab Long Bed truck.
19. Purchase Order - 2019 Chevrolet Traverse. Approve a purchase order to M.K. Smith Chevrolet, Chino, CA in the amount of \$28,030.34 for the purchase of one (1) model year 2019 Chevrolet Traverse.

M _____ S _____ RC _____

PUBLIC HEARING

Prior to the vote of the City Council, any member of the audience will have the opportunity to address Council on any items listed under Public Hearings. Council requests, but it is not required, that you state your name and address prior to making any remarks.

20. Development Impact Fee - Nexus & Calculation Report & Master Facilities Plan Update. Approve the introduction of Ordinance Nos. 2019-007 and 2019-009, amending the Chino Municipal Code Chapters 3.40 and 3.45 Development Impact Fees; adoption of Resolution No. 2019-044, updating the Development Impact Fee Calculation Report and Master Facilities Plan; and Resolution No 2019-043, adopting the Contract and Bidding Requirements for Public Improvements Policy.

Staff Report by: Nicholas S. Liguori, AICP, Director of Development Services.

RECOMMENDATION: 1) Conduct a public hearing; 2) introduce Ordinance Nos. 2019-007 and 2019-009 amending Chino Municipal Code Chapters 3.40 and 3.45 Development Impact Fees to be read by number and title only and waive further reading of the Ordinances; 3) adopt Resolution No. 2019-044 revising the Citywide and the Preserve Development Impact Fee Calculation Report & Master Facilities Plan, thereby, adjusting the correlating fees by the annual escalator; 4) postpone the adoption of the Park Fees to allow staff more time to address the comments received during the noticing period and bring the Park Fees back to the City Council for adoption at a subsequent meeting; 5) adopt Resolution 2019-043 to approve the corresponding City Council Policy for public bidding and contract requirements for public improvements and direct staff to promptly publish the Policy on the City's webpage; and 6) authorize the implementation of the adjusted fees 60-days after the adoption of Ordinance Nos. 2019-007 and 2019-009.

M _____ S _____ RC _____

ORDINANCE NO. 2019-007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, AMENDING CHAPTER 3.40, "DEVELOPMENT IMPACT FEES," TO INCLUDE UPDATED PROCEDURES AND STANDARDS PERTAINING TO ANNUAL REIMBURSEMENTS, CREDITS, AND FEE CALCULATIONS, AND TO INCORPORATE REVISIONS TO THE UPDATED DIF REPORT AND MASTER FACILITIES PLAN

ORDINANCE NO. 2019-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, AMENDING CHAPTER 3.45, "THE PRESERVE DEVELOPMENT IMPACT FEES," TO INCLUDE UPDATED PROCEDURES AND STANDARDS PERTAINING TO ANNUAL REIMBURSEMENTS, CREDITS, AND FEE CALCULATIONS, AND TO INCORPORATE REVISIONS TO THE UPDATED DIF REPORT AND MASTER FACILITIES PLAN

21. Parcel Delivery Facility. Certification of Chino Parcel Delivery Facility Environmental Impact Report; Adoption of PL16-0638 (General Plan Amendment); and Introduction of Ordinance No. 2019-008, PL16-0639 (Preserve Specific Plan Amendment)

Staff Report by: Warren Morelion, City Planner.

RECOMMENDATION: 1) Conduct a public hearing; 2) adopt Resolution No. 2019-041 certifying the Chino Parcel Delivery Facility Environmental Impact Report (SCH No. 2016121057) and adopt a Statement of Overriding Considerations; 3) adopt Resolution No. 2019-042 approving PL16-0638 (General Plan Amendment); and 4) approve the Introduction of Ordinance No. 2019-008, adopting PL16-0639 (Preserve Specific Plan Amendment), to be read by number and title only and waive further reading of the Ordinance.

ORDINANCE NO. 2019-008

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, AMENDING THE PRESERVE SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATION FOR 74.4 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF MERRILL AVENUE AND FLIGHT AVENUE FROM PUBLIC FACILITIES TO LIGHT INDUSTRIAL. PL16-0639 (PRESERVE SPECIFIC PLAN AMENDMENT).

M _____ S _____ RC _____

22. Landscape and Streetlight Maintenance District Assessment for Fiscal Year 2019-20. Conduct the Public Hearing for the Landscape and Streetlight Maintenance District Assessment for Fiscal year 2019-20.

Staff Report by: David McAbee, Public Works Services Manager.

RECOMMENDATION: 1) Conduct the Public Hearing; 2) Adopt Resolution No. 2019-045; and 3) Direct the City Clerk to file a certified copy of the diagram and assessments with the County Auditor/Controller Recorder.

M _____ S _____ RC _____

NEW BUSINESS

23. Purchase Orders - Police and Public Works Vehicles and Equipment. Appropriate \$67,000.00 from the unappropriated reserves of the Equipment Management fund and approval of the following purchase orders: 1) National Auto Fleet Group, Watsonville, CA in the amount of \$271,233.42 for the purchase of six (6) Model Year 2020 Ford Interceptor Utility vehicles; 2) Courtesy Chevrolet Center, San Diego, CA in the amount of \$146,689.60 for the purchase of four (4) Model Year 2020 Chevrolet Tahoe Police Package vehicles; 3) Warren Anderson Ford, Riverside, CA in the amount of \$101,064.36 for the purchase of three (3) Model Year 2019 Ford 3/4 Ton Regular Cab trucks with Arrow-boards; and 4) Sonsray Machinery, Fontana, CA in the amount of \$106,674.12 for the purchase of one (1) Model Year 2019 Case 580 Super N Backhoe Front Loader tractor.

Staff Report by: David McAbee, Public Works Services Manager.

RECOMMENDATION: 1) Appropriate \$67,000.00 from the unappropriated reserves of the Equipment Management fund with a corresponding year end transfer from the General Fund; 2) approve a purchase order to National Auto Fleet Group, Watsonville, CA in the amount of \$271,233.42 for the purchase of six (6) Model Year 2020 Ford Interceptor Utility vehicles for the Police Department; 3) approve a purchase order to Courtesy Chevrolet Center, San Diego, CA in the amount of \$146,689.60 for the purchase of four (4) Model Year 2020 Chevrolet Tahoe Police Package vehicles for the Police Department; 4) approve a purchase order to Warren Anderson Ford, Riverside, CA in the amount of \$101,064.36 for the purchase of three (3) Model Year 2019 Ford 3/4 Ton Regular Cab trucks with Arrow-boards for Public Works Services; 5) approve a purchase order to Sonsray Machinery, Fontana, CA in the amount of \$106,674.12 for the purchase of one (1) Model Year 2019 Case 580 Super N Backhoe Front Loader tractor; and 6) authorize the City Manager to execute all necessary documents on behalf of the City.

M _____ S _____ RC _____

24. Introduction of Ordinance No. 2019-010, adding Chapter 12.22 to Title 12 of the Chino Municipal Code. Introduction of Ordinance No. 2019-010 Adding Chapter 12.22 to Title 12 of the Chino Municipal Code Regulating Certain Conduct in Public Buildings.

Staff Report by: Karen Comstock, Chief of Police.

RECOMMENDATION: Approve the introduction of Ordinance No. 2019-010 that will add Chapter 12.22 to the City's Municipal Code to regulate certain conduct in public buildings, to be read by number and title only, and waive further reading of the Ordinance.

ORDINANCE NO. 2019-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO,
COUNTY OF SAN BERNARDINO, CALIFORNIA, ADDING CHAPTER 12.22
OF THE CHINO MUNICIPAL CODE REGULATING PROHIBITED
CONDUCT IN PUBLIC BUILDINGS

M _____ S _____ RC _____

25. Introduction of Ordinance No. 2019-011, amending Chapter 8.28 of the Chino Municipal Code.
Introduction of Ordinance No. 2019-011 Amending Chapter 8.28 of the Chino Municipal Code Concerning Graffiti Abatement and Enforcement.

Staff Report by: Karen Comstock, Chief of Police.

RECOMMENDATION: Approve the introduction of Ordinance No. 2019-011 that will amend the City's Municipal Code regulating Aerosol Containers, Markers and Etching Tools, to be read by number and title only, and waive further reading of the Ordinance.

ORDINANCE NO. 2019-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO,
CALIFORNIA AMENDING CHINO MUNICIPAL CODE CHAPTER 8.28
REGARDING REGULATION OF AEROSOL CONTAINERS, MARKERS AND
ETCHING TOOLS

M _____ S _____ RC _____

26. ST061 - Pine Avenue Extension Project. Accept additional Grant Funds from SAFETEA; Project ST-061 Pine Ave., appropriate funds from the Transportation Fund, Schedule a year end transfer amount to Fund 320, increase the budget, and approve amendment to Professional Services.

Staff Report by: Maria Fraser, CIP Manager.

RECOMMENDATION: 1) Accept additional grant funds in the amount of \$1,225,600 from the Safe Accountable Flexible Efficient Transportation Equity Act LY10 (SAFETEA-LU) funds and an additional \$160,000 from the remaining 2009 first authorization of SAFETEA-LU LY10 grant funds, for Project ST061 Pine Avenue Connector; 2) appropriate \$2,041,443,000 to the Transportation Fund; 3) schedule a year-end transfer in the amount of \$306,400 to the Transportation Fund 320 from the Citywide Bridges, Signals and Thoroughfares Development Impact Fee Fund 220; appropriate SAFETEA-LU grant revenue of \$1,385,600 and Measure I 2010-2040 Major Street Program-Arterial Sub-program revenue of \$349,443, both to the Transportation Fund 320; 3) increase the Project ST061 budget by \$2,041,443 for an amended project budget of \$5,929,256 4) approve an amendment to the Professional Services Agreement with Huitt-Zollars, Inc., Irvine, CA in the amount of \$1,531,100 increasing the total contract amount to \$3,916,521; and 5) authorize the City Manager to execute all necessary documents on behalf of the City.

M _____ S _____ RC _____

MAYOR AND COUNCIL REPORTS

This is the time and place for the Mayor and Council Members to report on prescheduled Council Committee Assignment Meetings that were held since the last Regular Council Meeting, and any other items of interest. Upon request by an individual Council Member, the City Council may choose to take action on any of the subject matters listed below.

Mayor Ulloa

Mayor Pro Tem Haughey

Council Member Hargrove

Council Member Lucio

Council Member Rodriguez

27. Community Support Contribution. Approve community support fund contributions to Chino Valley D.E.S. Portuguese Club, Chino Neighborhood House, and House of Ruth.

Report by: Council Member Rodriguez.

RECOMMENDATION: Approve community support contributions in the amounts of \$1,000 to Chino Valley D.E.S. Portuguese Club, \$500 to Chino Neighborhood House, and \$500 to House of Ruth.

M _____ S _____ RC _____

City Manager's Report

City Attorney's Report

Police Chief's Report

Fire Chief's Report

ADJOURN

The next Regular Meeting of the City Council scheduled for Tuesday, August 6, 2019 has been cancelled. The next Special Meeting of the City Council will be held on Wednesday, August 7, 2019 at 7:00 p.m. (Closed Session at 6:00 p.m. if necessary) in the Preserve Community Center located at 15800 Main Street, Chino, CA 91708.

I, Angela Robles, City Clerk of the City of Chino, hereby declare that on Friday, July 12, 2019, this agenda was posted on the south window of Chino City Hall and this agenda together with all of the agenda reports and related documents were posted on the City's website at www.cityofchino.org by myself or under my direction.

Angela Robles, City Clerk.