

**D1.** Consideration of Meeting Minutes for the Regular Meeting of: November 2, 2022 and November 16, 2022.

November 2, 2022

**CITY OF RANCHO CUCAMONGA**

**FIRE PROTECTION DISTRICT, HOUSING SUCCESSOR AGENCY, SUCCESSOR AGENCY,  
PUBLIC FINANCE AUTHORITY AND CITY COUNCIL REGULAR MEETINGS MINUTES**

The City Council of the City of Rancho Cucamonga held a closed session on Wednesday, November 2, 2022, in the Tapia Conference Room at the Civic Center, 10500 Civic Center Drive, Rancho Cucamonga, California. Mayor Michael called the meeting to order at 5:00 p.m.

Present were Council Members: Ryan Hutchison, Kristine Scott, Mayor Pro Tem Lynne Kennedy, and Mayor L. Dennis Michael.

Also present were: John Gillison, City Manager; Elisa Cox, Assistant City Manager; Nicholas Ghirelli, City Attorney; Matt Burris, Deputy City Manager/Economic and Community Development and Julie Sowles, Deputy City Manager/Civic and Cultural Services.

**A. ANNOUNCEMENT OF CLOSED SESSION ITEM(S)**

**B. PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEM(S)**

No public communications were made.

**C. CITY MANAGER ANNOUNCEMENTS**

None.

**D. CONDUCT OF CLOSED SESSION**

- D1. CONFERENCE WITH LABOR NEGOTIATORS JENIFER PHILLIPS, DEPUTY DIRECTOR OF HUMAN RESOURCES AND ROBERT NEIUBER, HUMAN RESOURCES DIRECTOR PER GOVERNMENT CODE SECTION 54954.2 REGARDING LABOR NEGOTIATIONS WITH THE RANCHO CUCAMONGA FIREFIGHTERS LOCAL 2274 AND FIRE MANAGEMENT EMPLOYEES GROUP – (FIRE)
- D2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT 8408 ROCHESTER AVENUE, RANCHO CUCAMONGA, CA 91730 (RANCHO CUCAMONGA EPICENTER STADIUM); AGENCY NEGOTIATORS: JOHN GILLISON, JENNIFER HUNT-GRACIA AND WILLIAM WITTKOPF, REPRESENTING THE CITY OF RANCHO CUCAMONGA; NEGOTIATING PARTY: RANCHO BASEBALL LLC ; REGARDING PRICE AND TERMS OF PAYMENT – (CITY)
- D3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY IDENTIFIED AS PARCEL NUMBERS 0227121560000 COMMONLY KNOWN AS ADDRESS 7089 ETIWANDA AVENUE, RANCHO CUCAMONGA, CA 91730; NEGOTIATING PARTIES MATT BURRIS, DEPUTY CITY MANAGER ECONOMIC AND COMMUNITY DEVELOPMENT, REPRESENTING THE CITY OF RANCHO CUCAMONGA, RAYMOND WOLFE, EXECUTIVE DIRECTOR, REPRESENTING SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY (SBCTA), REGARDING PRICE AND TERMS. – CITY
- D4. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF SECTION 54956.9; NAME OF CASE: CITY OF RANCHO CUCAMONGA V. SOUTHERN CALIFORNIA EDISON, SBSC CASE NO.: PENDING. (CITY)
- D5. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF SECTION 54956.9; NAME OF CASE: CITY OF RANCHO CUCAMONGA V. SOUTHERN CALIFORNIA EDISON, SBSC CASE NO.: CIVSB2201969. (CITY)

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- D6. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF SECTION 54956.9; NAME OF CASE: CITY OF RANCHO CUCAMONGA V. BTC III RANCHO CUCAMONGA LOGISTICS CENTER LP, A DELAWARE LIMITED LIABILITY COMPANY, SBSC CASE NO.: CIVSB2201955. (CITY)

## **E. RECESS**

The closed session recessed at 6:38 p.m.

## **REGULAR MEETING – 7:00 p.m. CALL TO ORDER – COUNCIL CHAMBERS**

The regular meetings of the Rancho Cucamonga Fire Protection District, Housing Successor Agency, Successor Agency, Public Finance Authority, and the City of Rancho Cucamonga City Council were held on Wednesday, November 2, 2022, in the Council Chambers at City Hall, located at 10500 Civic Center Drive, Rancho Cucamonga, California. Mayor Michael called the meeting to order at 7:00 p.m.

Present were Council Members: Ryan Hutchison, Kristine Scott, Mayor Pro Tem Lynne Kennedy and Mayor L. Dennis Michael.

Also present were: John Gillison, City Manager; Nicholas Ghirelli, City Attorney; and Linda Troyan, MMC, City Clerk Services Director.

Council Member Kristine Scott led the Pledge of Allegiance.

## **A. AMENDMENTS TO THE AGENDA**

None.

## **B. ANNOUNCEMENTS/PRESENTATIONS**

- B1. Presentation of Healthy RC Community Empowerment Mini Grants.

Hope Velarde, Management Analyst, City Manager's Office – Healthy RC, presented a PowerPoint and shared a video on the Mini Grants Program made possible by the City, Fire District, Healthy RC and Inland Empire Health Plan. Community partners shared comments on positive impacts and outcomes from the Mini Grants awards to various organizations in the community.

- B2. Overview of 2022 Safe Routes to School Walk to School Day.

Clarence De Guzman, Management Analyst I and Krystal Lai, Assistant Engineer, presented a PowerPoint and showed a video featuring the 2022 Safe Routes to School Walk to School Day. Management Analyst De Guzman, invited and encouraged the public to learn more and provide feedback on the Healthy RC Active Transportation Infrastructure Assessment and Improvement Plan (Plan) by visiting the City's website at <https://www.cityofrc.us/ConnectRC>.

## **C. PUBLIC COMMUNICATIONS**

Frank Atry, spoke about U.S elections and republicans.

City Attorney Ghirelli reminded the Council that the public comment period is an opportunity for speakers to address the City Council on items that are within the subject matter jurisdiction and reminded Mr. Atry to stay within the topic the next time he addresses the Council.

Council Member Hutchison apologized for a slur made by the last member of the public who spoke and noted that it is not acceptable under any circumstances.

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Nicole Myerchin, expressed concerns on the inaccessibility of restrooms at Heritage Park Equestrian Center and requested assistance from the City to find a solution; and on a development at Camellia Court, a residential street, and requested the City consider the impacts of a development in that area for the residents.

Aaron Keedy, recommended adding a median strip on Hermosa Avenue between Church Street and Arrow Highway; and spoke on bright colors being a safer color to wear for bicyclists and pedestrians.

Janet Walton, thanked Council Member Hutchison for his comments and offered a prayer.

## **D. CONSENT CALENDAR**

- D1. Consideration of Meeting Minutes for the Adjourned Regular Meeting of: October 4, 2022 and Special Joint City Council and Planning Commission/Historic Preservation Commission Meeting of October 19, 2022.
- D2. Consideration to Approve City and Fire District Bi-Weekly Payroll in the Total Amount of \$1,874,446.49 and City and Fire District Weekly Check Registers (No Checks Issued to Southern California Gas Company) in the Total Amount of \$7,515,473.99 Dated October 10, 2022, Through October 23, 2022 and City and Fire District Electronic Debit Registers for the Month of September in the Total Amount of \$1,722,258.59. (CITY/FIRE)
- D3. AB 361 Findings for Special Brown Act Requirements for Teleconference. (CITY/FIRE)
- D4. Consideration to Adopt a Resolution Approving a Side Letter Agreement Between the City of Rancho Cucamonga and Teamsters Local 1932. (RESOLUTION NO. 2022-136) (CITY)
- D5. Consideration of a Professional Services Agreement with Granicus (GovQA) for Public Records Request Management Software in an Amount Not to Exceed \$170,000 for a total of seven years. (CITY)
- D6. Consideration to Approve Professional Services Agreements to Add an Additional Seven Selected Vendors for On-Call CEQA Environmental Consulting Services. (CITY)
- D7. Consideration to Award a Contract to DUDEK for the Preparation of an Urban Forest Management Plan in an Amount Not to Exceed \$250,000. (CITY/FIRE)
- D8. Consideration of an Appropriation in the Amount of \$360,033 for the Contract to ConvergeOne, Inc. for Replacement of Library Network Equipment Under the USAC E-Rate Program. (CITY)
- D9. Consideration of an Increase to AMG & Associates, Inc. Contract No. FD 2021-011 in the Amount of \$278,000 and Authorization of an Appropriation in the Amount of \$278,000 for the Fire Station 178 Project. (FIRE)
- D10. Consideration of Amendment No. 3 to Contract No. 2020-107 with Champion Fire Systems for Fire Suppression System Maintenance and an Increase to the Contract Spending Limit for Fiscal Year 2022/2023. (CITY/FIRE)
- D11. Consideration to Accept as Complete, File a Notice of Completion, and Authorize Release of Retention and Bonds for the Civic Center COVID-19 and ADA Improvements Project (CO# 2021-103). (CITY)
- D12. Consideration of Adoption of a Resolution Declaring Results of a Special Election in Community Facilities District No. 85-1, Annexation No. 22-3, and Ordering the Annexation of Such Property Located at 13120 Napa Street and 13160 Napa Street in Community Facilities District No. 85-1. (RESOLUTION NO. FD 2022-033) (FIRE)
- D13. Consideration of Adoption of a Resolution Declaring Results of a Special Election in Community Facilities District No. 88-1, Annexation No. 88-22-1, and Ordering the Annexation of Such Property Located at 4552 Haven Avenue in Community Facilities District No. 88-1. (RESOLUTION NO. FD 2022-034) (FIRE)

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- D14. Consideration of Resolution No. FD 2022-035, Setting Forth the Findings that Allow the Board of Directors to Make Amendments and Other Changes to the 2022 California Fire Code by Approval of an Ordinance Adopting Said Fire Code. (RESOLUTION NO. FD 2022-035) (FIRE)
- D15. Consideration to Approve a Resolution Adopting an Amendment to the Rancho Cucamonga Management Association and Rancho Cucamonga City Employees Association Salary Schedules for the Fiscal Year 2022/2023. (RESOLUTION NO. 2022-129) (CITY)
- D16. Consideration of a Resolution Setting Forth the Findings that Allow the City Council to Make Amendments and Other Changes to the 2022 California Codes, and 2021 International Codes by Approval of the Ordinance Adopting Said Codes. (RESOLUTION NO. 2022-130) (CITY)
- D17. Consideration of Tract Map 20353, Improvement Agreement and Improvement Securities for Street Improvements, Order the Annexation to Landscape Maintenance District No. 1 and Street Light Maintenance Districts Nos. 1 and 2 Related to Case No. SUBTT20353, Located at 6929 Hellman Avenue. (RESOLUTION NO. 2022-133) (RESOLUTION NO. 2022-134) (RESOLUTION NO. 2022-135) (CITY)

**MOTION:** Moved by Council Member Scott, seconded by Council Member Hutchison, to approve Consent Calendar Items D1 through D17. Motion carried, 4-0.

## **E. CONSENT CALENDAR ORDINANCE(S) - SECOND READING/ADOPTION**

No items.

## **F. ADMINISTRATIVE HEARING ITEM(S)**

- F1. Public Hearing to Consider the Detachment of Certain Property from Street Lighting Maintenance Districts Nos. 1 and 6 and Consideration of the Approval of a Resolution Ordering the Detachment of Such Property from the Districts and to Adjust the Boundary of Each District's Map. (**RESOLUTION NO. 2022-131 AND RESOLUTION NO. 2022-132**) (CITY)

City Manager Gillison introduced Noah Daniels, Finance Director, who gave a staff report for item F1.

Mayor Michael opened the Administrative Hearing.

Mayor Michael asked the City Clerk if the city received any written correspondence on this item.

City Clerk Services Director Troyan announced that the City has not received any written correspondence.

There were no public communications.

Mayor Michael closed the Administrative Hearing.

**MOTION:** Moved by Mayor Pro Tem Kennedy, seconded by Council Member Hutchison, to adopt Resolution Nos. 2022-131 and 132, ordering the detachment of Territory from Street Lighting Maintenance Districts No. 1 and No. 6, Pursuant to the Landscaping and Lighting Act of 1972. Motion carried 4-0.

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## G. ADVERTISED PUBLIC HEARING ITEM(S) – CITY/FIRE DISTRICT

- G1. **PUBLIC HEARING FOR CONSIDERATION OF MUNICIPAL CODE AMENDMENT AND ZONING MAP AMENDMENT – CITY OF RANCHO CUCAMONGA** – Consideration of a proposal to amend Title 17 of the Municipal Code to incorporate new development standards related to, for example, structure height, modifications to existing topographical conditions, and the City’s application processing requirements applicable to thirty-eight (38) properties that are located on the north and south sides of Camino Predera and all properties that have street frontage along Predera Court, a residential neighborhood generally located north of Foothill Boulevard/Pacific Electric (PE) Trail and west of Carnelian Avenue/Cucamonga Creek, in the Low Residential (L) Zone and amend the Zoning Map to establish an overlay zoning district (“Camino Predera Overlay”) that identifies which properties are subject to the new development standards; APNs: 0207-631-01 through -11 and -14 through -25, and 0207-641-01 through -15. These amendments are exempt from environmental review pursuant to Section 15161(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. DRC2020-00004 and DRC2022-00315. (**ORDINANCE NO. 1012**) (CITY)

City Manager Gillison introduced Jennifer Nakamura, Deputy Director of Planning, who provided the staff report for item G1. Correspondence received for item G1 included: (5) emails in opposition from: Renee Massey (2), Suzanne Buquet, Catherine Weber, and James and Renee Scott.

City Manager Gillison clarified that staff’s recommendations on an agenda report are available to the public when they are final.

City Attorney Ghirelli reviewed a provision in Senate Bill 330, that drove the staff’s recommendation to create optional development standards rather than mandatory standards. The City did oppose that Bill because it took away local control. The relevant provision of SB 330 provides that a City cannot reduce the intensity of zoning regulations applicable to property below what was allowed in 2018, without concurrently up-zoning other property to address the net loss of housing. This includes most development standards that would reduce site development capacity. Staff drafted the ordinance’s proposed optional standards in order to provide a ministerial process for property owners and avoid the subjective Planning Commission and City Council process in order to incentivize reliance on those standards. Otherwise, a property owner would still have to comply with the underlying standards. The Planning Commission can apply subjective decisions if the underlying standards are utilized.

Mayor Michael opened the Public Hearing.

Larry Henderson, requested the item to be continued until there is District 1 representation and for staff to include in future staff reports a section that outlines the impacts of recent state mandates.

Renee Massey, opposed the item as presented.

Suzanne Buquet, opposed the item as presented.

Tom Snedeker, opposed the item as presented.

Mary Hannah, requested to continue the item until there is District 1 representation and opposed the item as presented.

Catherine Weber, opposed the item as presented.

Rob Patel, spoke in support of the item.

Sofia Vega, spoke in support of the item.

John Adams, spoke in support of the item.

Jay Adams, spoke in support of the item.

Erick Jimenez, requested the item be continued until there is District 1 representation.

Mayor Michael closed the Public Hearing.

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Discussion ensued concerning current representation from District 1 on the Council, Senate Bill 330, community outreach conducted, design review standards, and finding a consensus on this item.

**MOTION:** Moved by Mayor Pro Tem Kennedy, seconded by Council Member Hutchison, to Introduce First Reading of Ordinance No. 1012, by title only and waive further reading.

Linda Troyan, MMC, City Clerk Services Director, read the title of Ordinance No. 1012 by title only.

#### **ORDINANCE NO. 1012**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ADOPTING MUNICIPAL CODE AMENDMENT DRC2020-00004 TO AMEND TITLE 17 OF THE MUNICIPAL CODE TO INCORPORATE NEW DEVELOPMENT STANDARDS AND ADOPTING ZONING MAP AMENDMENT DRC2022-000315 THAT WILL APPLY TO ALL PROPERTIES LOCATED ALONG CAMINO PREDERA AND PREDERA COURT, A RESIDENTIAL NEIGHBORHOOD GENERALLY LOCATED NORTH OF FOOTHILL BOULEVARD/PACIFIC ELECTRIC (PE) TRAIL AND WEST OF CARNELIAN AVENUE/CUCAMONGA CREEK, IN THE LOW RESIDENTIAL (L) ZONE; APNS: 0207-631-01 THROUGH -11 AND -14 THROUGH -25, AND 0207-641-01 THROUGH -15. THESE AMENDMENTS ARE EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15161(B)(3) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

**VOTES NOW CAST ON MOTION:** Moved by Mayor Pro Tem Kennedy, seconded by Council Member Hutchison, to Introduce the First Reading of Ordinance No. 1012, by title only and waive further reading. Motion carried 4-0.

- G2. Public Hearing for Consideration of Second Reading and Adoption of Ordinance No. 1011, to be Read by Title Only and Waive Further Reading, Adopting the 2022 Edition of the California Building Model Codes and the 2021 Edition of the International Building Codes. **(ORDINANCE NO. 1011) (CITY)**
- G3. Public Hearing for Consideration of Second Reading and Adoption of Ordinance No. FD-58, to be Read by Title Only and Waive Further Reading, An Ordinance of the Board of Directors of the Rancho Cucamonga Fire Protection District Adopting by Reference the 2022 California Fire Code, With Errata, Together With Certain Changes, Modifications, Amendments, Additions, Deletions, and Exceptions; Providing for the Issuance of Permits and Collection of Fees; and Repealing Conflicting Ordinances. **(ORDINANCE NO. FD-58) (FIRE)**

City Manager Gillison introduced Zack Neighbors, Acting Deputy Director of Building and Safety and Rob Ball, Fire Marshal, who gave the staff report for items G2 and G3.

Mayor Michael opened the Public Hearing.

There were no public communications.

Mayor Michael closed the Public Hearing.

Discussion ensued on safety operations for dryers.

**MOTION:** Moved by Council Member Hutchison, seconded by Council Member Scott, to waive full reading and adopt Ordinance No. 1011 by title only.

Linda Troyan, MMC, City Clerk Services Director, read the title of Ordinance No. 1011.

#### **ORDINANCE NO. 1011**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ADOPTING BY REFERENCE THE 2022 CALIFORNIA BUILDING CODE, INCORPORATING THE "INTERNATIONAL BUILDING CODE, VOLUMES 1 AND 2", 2021 EDITION, INCLUDING APPENDICES THERETO; THE 2022 CALIFORNIA RESIDENTIAL CODE, INCORPORATING THE "INTERNATIONAL RESIDENTIAL CODE", 2021 EDITION, INCLUDING APPENDICES THERETO; THE 2022 CALIFORNIA MECHANICAL CODE, INCORPORATING THE "UNIFORM MECHANICAL CODE", 2021 EDITION, INCLUDING APPENDICES THERETO; THE 2022 CALIFORNIA PLUMBING CODE, INCORPORATING THE "UNIFORM PLUMBING CODE", 2021 EDITION, INCLUDING APPENDICES THERETO; THE 2022 CALIFORNIA

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**ELECTRICAL CODE, INCORPORATING THE "NATIONAL ELECTRICAL CODE", 2020 EDITION, INCLUDING ANNEXES THERETO; THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE INCLUDING APPENDICES THERETO; THE 2022 CALIFORNIA HISTORICAL BUILDING CODE", INCLUDING APPENDICES THERETO; THE 2022 CALIFORNIA REFERENCED STANDARDS CODE; THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE; AND THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE, TOGETHER WITH CERTAIN AMENDMENTS, DELETIONS, ADDITIONS, EXCEPTIONS, AND PENALTIES, AND AMENDING TITLE 15 OF THE RANCHO CUCAMONGA MUNICIPAL CODE**

**VOTES NOW CAST ON MOTION:** Moved by Council Member Hutchison, seconded by Council Member Scott, to waive full reading and adopt Ordinance No. 1011 by title only. Motion carried, 4-0.

**MOTION:** Moved by Fire Board Member Scott, seconded by Vice President Kennedy, to waive full reading and adopt Ordinance No. FD-58 by title only.

Linda Troyan, MMC, City Clerk Services Director, read the title of Ordinance No. FD-58.

#### **ORDINANCE NO. FD 58**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE RANCHO CUCAMONGA FIRE PROTECTION DISTRICT, STATE OF CALIFORNIA, ADOPTING BY REFERENCE THE 2022 CALIFORNIA FIRE CODE, WITH ERRATA, TOGETHER WITH CERTAIN CHANGES, MODIFICATIONS, AMENDMENTS, ADDITIONS, DELETIONS, AND EXCEPTIONS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING CONFLICTING ORDINANCES**

**VOTES NOW CAST ON MOTION:** Moved by Fire Board Member Scott, seconded by Vice President Kennedy, to waive full reading and adopt Ordinance No. FD-58 by title only. Motion carried, 4-0.

#### **H. CITY MANAGERS STAFF REPORT(S)**

H1. Consideration to Receive and File Quarterly Financial Update for the First Quarter of the Fiscal Year 2022/23. (CITY/FIRE)

City Manager Gillison introduced Noah Daniels, Finance Director, who provided the staff report.

The City Council received and filed report.

H2. Consideration to Approve Submittal of a Letter of Interest for Participation in the San Bernardino Regional Housing Trust. (CITY)

City Manager Gillison introduced Matt Marquez, Director of Economic and Community Development, who provided the staff report.

Discussion ensued on the allocation of monies and how they plan to be distributed.

**MOTION:** Moved by Council Member Scott, seconded by Council Member Hutchison, to approve the submittal of a letter of interest for participation in the San Bernardino Regional Housing Trust. Motion carried, 4-0.

H3. Consideration to Approve the City Manager's Amended and Restated Employment Agreement. (CITY)

City Manager Gillison introduced Robert Neiuber, Director of Human Resources, who provided the staff report and, in accordance with Government Code Section 54953(c)(3) summarized the item.

**MOTION:** Moved by Mayor Pro Tem Kennedy, seconded by Council Member Scott, to approve the City Manager's Amended and Restated Employment Agreement. Motion carried, 4-0.

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**I. COUNCIL BUSINESS**

None

**I1. COUNCIL ANNOUNCEMENTS**

None.

**I2. INTER-AGENCY UPDATES**

None.

**J. CITY ATTORNEY ITEMS**

None.

**K. IDENTIFICATION OF ITEMS FOR NEXT MEETING**

None.

**L. ADJOURNMENT**

Mayor Michael adjourned the Council Meeting at 10:21 p.m.

Approved:

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Linda A. Troyan, MMC  
City Clerk Services Director

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November 16, 2022

**CITY OF RANCHO CUCAMONGA**

**FIRE PROTECTION DISTRICT, HOUSING SUCCESSOR AGENCY, SUCCESSOR AGENCY,  
PUBLIC FINANCE AUTHORITY AND CITY COUNCIL REGULAR MEETINGS MINUTES**

The City Council of the City of Rancho Cucamonga held a closed session on Wednesday, November 16, 2022, in the Tapia Conference Room at the Civic Center, 10500 Civic Center Drive, Rancho Cucamonga, California. Mayor Michael called the meeting to order at 5:00 p.m.

Present were Council Members: Ryan Hutchison, Kristine Scott, Mayor Pro Tem Lynne Kennedy, and Mayor L. Dennis Michael.

Also present were: John Gillison, City Manager; Elisa Cox, Assistant City Manager; Nicholas Ghirelli, City Attorney; Matt Burris, Deputy City Manager/Economic and Community Development and Julie Sowles, Deputy City Manager/Civic and Cultural Services.

**A. ANNOUNCEMENT OF CLOSED SESSION ITEM(S)**

**B. PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEM(S)**

No public communications were made.

**C. CITY MANAGER ANNOUNCEMENTS**

None.

**D. CONDUCT OF CLOSED SESSION**

- D1. CONFERENCE WITH LABOR NEGOTIATORS JENIFER PHILLIPS, DEPUTY DIRECTOR OF HUMAN RESOURCES AND ROBERT NEIUBER, HUMAN RESOURCES DIRECTOR PER GOVERNMENT CODE SECTION 54954.2 REGARDING LABOR NEGOTIATIONS WITH THE RANCHO CUCAMONGA FIREFIGHTERS LOCAL 2274 AND FIRE MANAGEMENT EMPLOYEES GROUP – (FIRE)
- D2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT 8408 ROCHESTER AVENUE, RANCHO CUCAMONGA, CA 91730 (RANCHO CUCAMONGA EPICENTER STADIUM); AGENCY NEGOTIATORS: JOHN GILLISON, JENNIFER HUNTGRACIA AND WILLIAM WITTKOPF, REPRESENTING THE CITY OF RANCHO CUCAMONGA; NEGOTIATING PARTY: RANCHO BASEBALL LLC ; REGARDING PRICE AND TERMS OF PAYMENT – (CITY)
- D3. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF SECTION 54956.9; NAME OF CASE: CITY OF RANCHO CUCAMONGA V. SOUTHERN CALIFORNIA EDISON, SBSC CASE NO.: PENDING. (CITY)
- D4. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF SECTION 54956.9; NAME OF CASE: CITY OF RANCHO CUCAMONGA V. SOUTHERN CALIFORNIA EDISON, SBSC CASE NO.: CIVSB2201969. (CITY)
- D5. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF SECTION 54956.9; NAME OF CASE: CITY OF RANCHO CUCAMONGA V. BTC III RANCHO CUCAMONGA LOGISTICS CENTER LP, A DELAWARE LIMITED LIABILITY COMPANY, SBSC CASE NO.: CIVSB2201955. (CITY)
- D6. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION PURSUANT TO PARAGRAPH (1) OF SUBDIVISION (D) OF SECTION 54956.9; NAME OF CASE: CITY OF RANCHO CUCAMONGA V. DR LANDMARK, INC.; POWER MEDIC TECHNOLOGIES, INC.; HOFER PROPERTIES, LLC; AND DOES 1 THROUGH 5 INCLUSIVE, SBSC CASE NO.: CIVDS 1904713 – (CITY)

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- D7. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY IDENTIFIED AS PARCEL NUMBERS 0227-121-55-0000 COMMONLY KNOWN AS ADDRESS 7092 ETIWANDA AVENUE, RANCHO CUCAMONGA, CA 91730; NEGOTIATING PARTIES MATT BURRIS, DEPUTY CITY MANAGER ECONOMIC AND COMMUNITY DEVELOPMENT, REPRESENTING THE CITY OF RANCHO CUCAMONGA, RICHARD HAMM, REPRESENTING PELICAN COMMUNITIES, REGARDING PRICE AND TERMS. – CITY

## **E. RECESS**

The closed session recessed at 6:28 p.m.

## **REGULAR MEETING – 7:00 p.m. CALL TO ORDER – COUNCIL CHAMBERS**

The regular meetings of the Rancho Cucamonga Fire Protection District, Housing Successor Agency, Successor Agency, Public Finance Authority, and the City of Rancho Cucamonga City Council were held on Wednesday, November 16, 2022, in the Council Chambers at City Hall, located at 10500 Civic Center Drive, Rancho Cucamonga, California. Mayor Michael called the meeting to order at 7:00 p.m.

Present were Council Members: Ryan Hutchison, Kristine Scott, Mayor Pro Tem Lynne Kennedy and Mayor L. Dennis Michael.

Also present were: Elisa Cox, Assistant City Manager; Nicholas Ghirelli, City Attorney; and Linda Troyan, MMC, City Clerk Services Director.

Mayor Pro Tem Kennedy led the Pledge of Allegiance.

## **A. AMENDMENTS TO THE AGENDA**

City Clerk Services Director Troyan announced that Item D8 on the Consent Calendar will be removed and will return at a future meeting and a revised Resolution for item D18 has been provided at the dais for Council approval.

## **B. ANNOUNCEMENTS/PRESENTATIONS**

- B1. Presentation of the American Planning Association (APA) California Award of Merit in the Comprehensive Plan Category for the Plan RC General Plan Update.

Matt Marquez, Director of Planning and Economic Development, presented the American Planning Association (APA) California Award of Merit in the Comprehensive Plan Category for the Plan RC General Plan Update to the City Council.

- B2. Presentation of Inland Empire Economic Partnership (IEEP) Award in the Public Private Partnership Category for the Partnership with Urban3 to Develop the Value Per Acre Model for Plan RC.

Matt Marquez, Director of Planning and Economic Development and Benjamin Lopez, Inland Empire Economic Partnership, Director of Public Policy and Advocacy, presented the Inland Empire Economic Partnership (IEEP) Award in the Public Private Partnership Category for the Partnership with Urban3 to Develop the Value Per Acre Model for Plan RC to the City Council.

## **C. PUBLIC COMMUNICATIONS**

Janet Walton, offered a prayer.

Frank Atry, spoke about interruptions by the public at City Council meetings, federal and state elections, and the camera angle in City Council meeting videos.

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## D. CONSENT CALENDAR

Assistant City Manager Cox announced the City received a letter earlier this week on item D18 on the Consent Calendar from Rancho Cucamonga Employees Association (RCCEA) asking to cease and desist on moving forward with the RCCEA section of that item. Therefore, a new Resolution is presented which only includes the salary adjustments for Rancho Cucamonga Management Association (RCMA) and the Fire Support group.

Council Member Scott announced that she will need to abstain on item D3, due to a potential conflict of interest as her employer is Southern California Gas Company.

- D1. Consideration of Meeting Minutes for the Regular Meeting of: October 19, 2022.
- D2. Consideration to Approve City and Fire District Bi-Weekly Payroll in the Total Amount of \$1,877,728.88 and City and Fire District Weekly Check Registers (Excluding Checks Issued to Southern California Gas Company) in the Total Amount of \$2,238,356.40 Dated October 24, 2022, Through November 06, 2022. (CITY/FIRE)
- D3. Consideration to Approve City and Fire District Weekly Check Registers for Checks Issued to Southern California Gas Company in the Total Amount of \$19,921.49 Dated October 24, 2022, Through November 06, 2022. (CITY/FIRE)
- D4. Consideration to Receive and File Current Investment Schedules as of October 31, 2022 for the City of Rancho Cucamonga and the Rancho Cucamonga Fire Protection District. (CITY/FIRE)
- D5. Consideration of an Appropriation in the Amount of \$101,900 from the Municipal Utility Fund (Fund 705) and Authorization to Supplement Two Existing Purchase Orders for Transformers from Anixter Power Solutions. (CITY)
- D6. Consideration to Approve a Single-Source Procurement of Video Detection System Equipment from RodefX of Claremont, California in an Amount Not to Exceed \$125,000 for Fiscal Year 2022/2023. (CITY)
- D7. Consideration to Approve a Single-Source Procurement of Traffic Signal Cabinets, Controllers, and Related Equipment from Econolite Control Products of Anaheim, California in an Amount Not to Exceed \$275,000 for Fiscal Year 2022/2023. (CITY)
- ~~D8. Consideration of the Purchase of Network Virtualization and Security Software in the Amount of \$169,760 and Consideration of a Professional Services Agreement with VMware in the Amount of \$144,800 and Sidepath for Implementation Services in the Amount of \$34,000. (CITY/FIRE)~~
- D9. Consideration of a Contract with Gentry Brothers, Inc., in the Amount of \$4,751,000 Plus a 5% Contingency and an Additional Appropriation in the amount of \$840,600 from the Gas Tax Fund (Fund 174), for the Fiscal Year 2022-23 Local Overlay Pavement Rehabilitation Project. This Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) per Government Code Section 15301 – Existing Facilities. (CITY)
- D10. Consideration of a Contract with Doug Martin Contracting Co. Inc. in the amount of \$381,221 Plus a 10% Contingency for the Fiscal Year 2022/23 Local Slurry Seal Pavement Rehabilitation Project. This Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) per Government Code Section 15301 – Existing Facilities. (CITY)
- D11. Consideration of a Professional Services Agreement with Xibitz, Incorporated for Exhibit Fabrication and Installation Services in the Amount of \$3,153,300 Plus a 10% Contingency for the Second Story and Beyond® Project. (CITY)
- D12. Consideration to Accept and Allocate \$10,630 Awarded by the California State Library to Directly Support Zip Books Services. (CITY)

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- D13. Consideration to Accept and Allocate \$25,730 Awarded by the California State Library to Directly Support the Adult Literacy Tutoring Program. (CITY)
- D14. Consideration to Approve the Use of a Cooperative Contract Through OMNIA Partners Awarded by the Region 4 Education Service Center (Texas), Contract No. R22061, to Daktronics in an Amount not to Exceed \$700,000 for the Purchase and Installation of a new Digital Scoreboard at the Epicenter. (CITY)
- D15. Consideration of an Improvement Agreement for Case No. DRC2018-00946 Located at 13261 Arrow Route on the Southwest Corner of Arrow Route and Hickory Avenue, Accept Faithful Performance and Labor & Materials Bonds, and the Ordering the Annexation of the Subject Property into Landscape Maintenance District No. 3B and Street Light Maintenance District No's. 1 and 6 as Requested by 88 Arrow Route, LLC. This Project has been Determined by the Planning Commission to be Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15332—Class 32. (RESOLUTION NOS. 2022-137, 2022-138, AND 2022-139) (CITY)
- D16. Consideration of a Lien Agreement for Case No. DRC2020-00157 Located at 6754 Hellman Avenue, South of 19th Street, and Ordering the Annexation of the Subject Property into Landscape Maintenance District No. 1 and Street Light Maintenance District No's. 1 and 2 as Requested by Jorge Robles. This Project has been Determined by Staff to be Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15303— New Construction or Conversion of Small Structures. (RESOLUTION NOS. 2022-140, 2022- 141, AND 2022-142) (CITY)
- D17. Consideration of a Resolution Ratifying Ordinance No. FD-58 of the Rancho Cucamonga Fire Protection District, the District's Adoption by Reference of the 2022 California Fire Code, with Errata, Together with Certain Changes, Modifications, Amendments, Additions, Deletions, and Exceptions; Providing for the Issuance of Permits and Collection of Fees; and Repealing Conflicting Ordinances. (RESOLUTION NO. 2022-143) (CITY)
- D18. Consideration to Approve a Resolution Adopting an Amendment to the Rancho Cucamonga Management Association, the Rancho Cucamonga City Employees Association, and the Fire Support Services Association Salary Schedules for Fiscal Year 2022-23. (RESOLUTION NO. 2022-144) (RESOLUTION NO. FD 2022-036) (CITY/FIRE)

**MOTION:** Moved by Council Member Hutchison, seconded by Mayor Pro Tem Kennedy, to approve Consent Calendar Items D1 through D18, with the removal of item D8, amended Resolution No. 2022-144 for item D18, and Council Member Scott abstaining on item D3, due to her employment with Southern California Gas Company. Motion carried, 4-0.

## **E. CONSENT CALENDAR ORDINANCE(S) - SECOND READING/ADOPTION**

- E1. Consideration of Second Reading and Adoption of the Following:

### **ORDINANCE NO. 1012**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ADOPTING MUNICIPAL CODE AMENDMENT DRC2020-00004 TO AMEND TITLE 17 OF THE MUNICIPAL CODE TO INCORPORATE NEW DEVELOPMENT STANDARDS AND ADOPTING ZONING MAP AMENDMENT DRC2022-000315 THAT WILL APPLY TO ALL PROPERTIES LOCATED ALONG CAMINO PREDERA AND PREDERA COURT, A RESIDENTIAL NEIGHBORHOOD GENERALLY LOCATED NORTH OF FOOTHILL BOULEVARD/PACIFIC ELECTRIC (PE) TRAIL AND WEST OF CARNELIAN AVENUE/CUCAMONGA CREEK, IN THE LOW RESIDENTIAL (L) ZONE; APNS: 0207-631-01 THROUGH -11 AND -14 THROUGH -25, AND 0207-641-01 THROUGH -15. THESE AMENDMENTS ARE EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15161(B)(3) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES**

**MOTION:** Moved by Council Member Hutchison, seconded by Council Member Scott, to waive full reading and adopt Ordinance No. 1012 by title only.

Linda Troyan, MMC, City Clerk Services Director, read the title of Ordinance No. 1012.

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**VOTES NOW CAST ON MOTION:** Moved by Council Member Hutchison, seconded by Council Member Scott, to waive full reading and adopt Ordinance No. 1012 by title only. Motion carried, 4-0.

## **F. ADMINISTRATIVE HEARING ITEM(S)**

No items.

## **G. ADVERTISED PUBLIC HEARING ITEM(S) – CITY/FIRE DISTRICT**

- G1. Consideration of a Resolution Authorizing the Application and Adopting the PLHA Plan for the Permanent Local Housing Allocation Program. **(RESOLUTION NO. 2022-145)** (CITY)

Assistant City Manager Cox introduced Michael Parmer, Assistant to the City Manager, who provided the staff report.

Mayor Michael opened the Public Hearing.

There were no public communications.

Mayor Michael closed the Public Hearing.

**MOTION:** Moved by Mayor Pro Tem Kennedy, seconded by Council Member Scott, to adopt Resolution No. 2022-145, authorizing the Application and Adopting the PLHA Plan for the Permanent Local Housing Allocation Program. Motion carried 4-0.

## **H. CITY MANAGERS STAFF REPORT(S)**

None.

## **I. COUNCIL BUSINESS**

None

## **11. COUNCIL ANNOUNCEMENTS**

Council Member Hutchison recognized all the candidates that ran for City Council in this year's election, congratulated candidate Ashley Stickler and Kristine Scott, and all the candidates in the November 8<sup>th</sup> election.

## **12. INTER-AGENCY UPDATES**

None.

## **J. CITY ATTORNEY ITEMS**

City Attorney Ghirelli announced that a Settlement Agreement was approved during Closed Session for case: City of Rancho Cucamonga v. DR Landmark Inc. and Hofer Properties Inc. related to item D6 in Closed Session.

## **K. IDENTIFICATION OF ITEMS FOR NEXT MEETING**

None.

## **L. ADJOURNMENT**

Mayor Michael adjourned the Council Meeting at 7:28 p.m.

Approved:

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Linda A. Troyan, MMC  
City Clerk Services Director

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