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

TUESDAY, NOVEMBER 5, 2024

MINUTES

OPEN SESSION – 6:00 PM

CALL TO ORDER

The November 5, 2024, Regular Meeting of the Chino City Council / Successor Agency to the Redevelopment Agency was called to order at 6:03 pm by Mayor Eunice M. Ulloa in the Council Chambers.

ROLL CALL

PRESENT: Mayor Eunice M. Ulloa, Mayor Pro Tem Karen C. Comstock, Council Member Curtis Burton, Council Member Christopher Flores, and Council Member Marc Lucio

ABSENT: NONE.

FLAG SALUTE

Council Member Lucio led the Pledge of Allegiance.

CEREMONIALS

Proclamations

Purple Heart City - Proclamation to reaffirm the City of Chino's proud commitment to be a Purple Heart City along the Purple Heart Trail to honor the service and sacrifice made to preserve our freedom.

Mayor Ulloa read the Proclamation to reaffirm the City's proud commitment to be a Purple Heart City and presented it to David Metoyer, U.S. Marine Corps, Corporal E4, Vietnam; Alex Ortiz, U.S. Army, Sergeant E6, Vietnam; and Dennis Murillo, U.S. Army, Specialist E5, Vietnam.

Law Enforcement Records and Support Personnel Day - Proclaim November 14, 2024 as Law Enforcement Records and Support Personnel Day.

Mayor Ulloa read the Proclamation designating November 14, 2024, as Law Enforcement Records and Support Personnel Day in Chino and presented it to Police Chief Kevin Mensen, Amanda Tamparong, Police Records & Evidence Supervisor; Michelle Ogilby, Police Records & Evidence Coordinator; and Jordan Frost, Police Records Technician.

Presentations

Inclusion Community Celebration - Recognition of the City's partnerships with non-profit organizations for the Inclusion Community Celebration.

Mayor Ulloa introduced a video from ABC 7 News highlighting the City's Inclusion Community Celebration event. Certificates of recognition were presented by Mayor Ulloa and Silvia Avalos, Director of Community Services, Parks & Recreation to the event partner organizations accepted by Felicia Guzman of Adrian's World Inc.; Melissa Cardona, of Autism Society Inland Empire; Christina Dang, of Behavior Highway; and Tony Verches, of Love Them All Foundation.

Team Chino Softball Team Recognition - Recognition of Team Chino's First Place Win in the First Responders Softball Tournament hosted by Los Angeles Police Department supporting the Special Olympics of Southern California.

Mayor Ulloa announced the Chino Police Department Softball Team placed First Place at the Annual First Responders Softball Tournament, hosted by the Los Angeles Police Department, in support of the Special Olympics of Southern California. Adrian Lopez of the Los Angeles Police Department/Special Olympics Board Member and Chino Police Chief Kevin Mensen were present to congratulate the Chino Softball Team. The team presented Mayor Ulloa with an honorary team jersey.

AGENDA ADDITIONS/REVISIONS

City Manager Linda Reich reported there were no additions or revisions to the agenda.

PUBLIC ANNOUNCEMENTS

Mayor Ulloa issued a reminder about the following scheduled community events:

Bark Around Ayala Park, Saturday, November 9, 2024, from 9:00 a.m. to 12:00 p.m. at Ruben S. Ayala Park, 5575 Edison Avenue. For more information, visit www.cityofchino.org/bark.

Veterans Day Ceremony, Monday, November 11, 2024, at Liberty Courtyard, 5443 B Street. For more information, visit www.cityofchino.org/veteransday.

City Hall will be closed on Monday, November 11, 2024, in observance of Veterans Day and will reopen on Tuesday, November 12, 2024.

Tree Lighting Ceremony and Santa's Workshop, Saturday, December 7, 2024, from 4:00-8:00 p.m., at Chino City Hall Lawn. For more information, visit www.cityofchino.org/treelighting.

Chino Youth Christmas Parade & Fair, Saturday, December 14, 2024, from 9:00 a.m. to 2:00 p.m. The Holiday Fair and Carnival will take place at City Hall Lawn. The Chino Youth Museum will celebrate their 25th anniversary and will transform to Santa's Village from 9:00 a.m. to 2:00 p.m. For more information, visit www.cityofchino.org/parade.

PUBLIC COMMENTS

Mayor Ulloa provided an announcement for speakers in attendance regarding the project at Euclid and Schaefer Avenues. She explained the item is not part of the meeting agenda and encouraged residents to visit the website www.cityofchino.org/orbis and attend the upcoming neighborhood meeting regarding the project so their comments and concerns can be made a part of the official record for the project.

Pastor Joel Pickett, Calvary Chapel Chino Hills, provided the invocation.

Yvette Gasso, Representative of the Cultural Foundation, invited residents to their Artist

Showcase event, on Thursday, November 7, 2024, from 6:00 - 9:00 p.m. at Centro Basco restaurant.

Steve Elie, Director, Inland Empire Utilities Agency (IEUA), provided an update on the services provided by IEUA and offered to provide a tour of Regional Plant 5.

Michelle Betke, Chino resident, spoke in opposition of the project at Euclid and Schaefer Avenues.

Hector Aguirre, Chino resident, spoke in opposition of the project at Euclid and Schaefer Avenues.

Greg Duncan, Chino resident, spoke in opposition of the project at Euclid and Schaefer Avenues and expressed concern regarding proposed Ordinance 2024-003.

Susan Fekete, Chino resident, spoke in opposition of the project at Euclid and Schaefer Avenues.

Alexander Quisan, Chino resident, spoke in opposition of the project at Euclid and Schaefer Avenues.

Chino resident, spoke in opposition of the project at Euclid and Schaefer Avenues.

Lisa Mejri, Chino resident, spoke in opposition of the project at Euclid and Schaefer Avenues.

Maria Torres, Chino resident, spoke in opposition of the project at Euclid and Schaefer Avenues.

Mayor Pro Tem Comstock thanked the residents for their comments regarding the project at Euclid and Schaefer Avenues and noted the City Council is unable to discuss the project due to the item not being on the agenda. She encouraged residents to attend the upcoming neighborhood meeting with the developer and also attend the Planning Commission meeting to ensure the concerns can be considered when the item is presented to the Commission.

Mayor Ulloa requested Public Hearing Item No. 17 be heard prior to other agenda items.

Public Hearing Item #17 was pulled and heard prior to the Consent Calendar.

PUBLIC HEARING

17. Amendment of the 2021-2029 Housing Element Update and Introduction of Ordinance No. 2024-003 (ZOA PL23-0133). Approve Resolution No. 2024-004 for the adoption of amendments to the City of Chino 2021-2029 Housing Element required by the California Department of Housing and Community Development; and approve the introduction of Ordinance No. 2024-003.

Staff Report By: Mike Hitz, Principal Planner

RECOMMENDATION: 1) Approve Resolution No. 2024-004 adopting an amendment to the City of Chino 2021-2029 Housing Element, including any additional non-substantive revisions required by the California Department of Housing and Community Development (HCD); 2) approve the introduction of Ordinance No. 2024-003, to be read by number and title only, and waive further reading of the Ordinance; and 3) authorize the City Manager to file all documents with HCD on behalf of the City.

Mayor Ulloa opened the public hearing.

Mike Hitz, Principal Planner, provided a presentation on the item.

City Attorney Fred Galante presented case examples to highlight where other cities have banded together to challenge the California Department of Housing and Community Development (HCD) Regional Housing Needs Assessment (RHNA) allocation number requirements and were unsuccessful. Mr. Galante explained the provisions of the Builder's Remedy.

Discussion ensued between City Council members, Staff, and the City Attorney regarding options to revise the proposed Ordinance to address property setbacks and building height concerns of development projects.

Mayor Pro Tem Comstock provided background information to the audience regarding the state requirements to adopt a certified housing element.

Council Member Burton shared the many efforts of the City Council to approve a housing element that fits the needs of the Chino Community.

Mayor Ulloa requested public comments from the audience.

Prior to the meeting, two email public comments were received from Robert Nigg and Greg Duncan, provided to the City Council, and saved to the meeting record.

Susan Fekete, Chino Resident, spoke on behalf of her neighbor Mr. Nigg, who is currently out of the country, in opposition of the proposed amendment of the Housing Element update and introduction of Ordinance 2024-003.

Michelle Betke, Chino Resident, spoke in opposition of the proposed amendment to the Housing Element update and introduction of Ordinance 2024-003.

Miguel Gutierrez, Chino Resident, spoke in opposition of the proposed amendment to the Housing Element update and introduction of Ordinance 2024-003.

Lisa Mejri, thanked the City Council for the information they provided to residents regarding the Housing Element update and proposed Ordinance.

Daniel Medrano, Chino resident, inquired about the requirements and zoning for affordable housing.

There being no additional requests to address the City Council on this item, Mayor Ulloa closed the public hearing.

Mayor Ulloa asked clarifying questions about the implications if the proposed Ordinance is modified, not approved, or adopted as presented and changed at a later date.

Mayor Ulloa requested a motion to approve the item as presented.

A motion was made by Council Member Burton, to approve the proposed amendment to the Housing Element and the introduction of Ordinance No. 2024-003. The motion failed for a lack of a second.

Council Member Lucio expressed the concern of residents having the opportunity to attend the meeting due to it being election night and would like to allow another opportunity for the residents to attend.

Mayor Ulloa reopened the Public Hearing to continue the item to the next regular City Council Meeting on November 19, 2024 at 6:00 p.m.

Motion by Council Member Lucio, seconded by Council Member Flores, to continue Public Hearing Item No. 17 to the November 19, 2024 regular City Council meeting. The motion carried by the following vote:

AYES: ULLOA, COMSTOCK, FLORES, AND LUCIO

NOES: BURTON

ABSENT: NONE.

CONSENT CALENDAR

1. Warrants. Approve expenses as audited and within budget for warrants 772810 to 773094, and Electronic Fund Transfers 523135E to 523253E, totaling \$8,109,931.24.
2. Minutes. Regular Meeting Minutes for October 15, 2024 (All Members Present).
3. 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.
4. City Holiday Closure 2024. Approval of City Hall Closure and Essential Services for December 26-30, 2024.
5. Adoption of Ordinance No. 2024-011. Approve adoption of Ordinance No. 2024-011 (Second Reading) amending Chapter 2.16.010 of the Chino Municipal Code (Mayor and Council Members) setting the monthly compensation for the Mayor at \$3,348.53 and each of the four (4) Council Members at \$2,796.26
6. Amendment No. 1 to Memorandum of Understanding with San Bernardino County - Inspection and Permitting to have County extend services to the East End Annexation Area and other projects pending annexation. Amendment No. 1 to Memorandum of Understanding with San Bernardino County - Inspection and Permitting to have County extend services to the East End Annexation Area and other projects pending annexation.
7. California Extended Water and Wastewater Arrearage Payment Program Grant Acceptance. Accept and Approve the use of \$241,324.30 of Grant Funds as outlined by the State of California under the California Extended Water and Wastewater Arrearage Payment Program to pay past due monthly bills for Water (drinking) and Wastewater Service.
8. Approval of the City's Classification and Compensation Schedule as updated to reflect the FY 2024/25 Cost-of-Living Adjustment approved by City Council in October 2023. Adopt Resolution No. 2024-053 approving a Cost-of-Living Adjustment for job classifications represented by the Chino Police Officers Association (CPOA), Chino Police Management Association (CPMA), and Unrepresented Sworn Management.
9. Renewal of Live Entertainment Permit - Casa Diaz. Approval of a renewal of a Live Entertainment Permit for Casa Diaz located at 7041 Schaefer Avenue for a period of 12 months. This permit is subject to quarterly review of satisfactory compliance with terms, conditions, and restrictions of the permit.

10. 2024 Citizens' Option for Public Safety (COPS) Grant Funds Additional Appropriation (G4249). Accept additional funds of \$137,125.06 received for the identified expenditure areas of the FY 2023-24 COPS Program Grant G4249 and appropriate an additional expenditure and revenue in the amount of \$137,125.06 in the State COPS Fund 130.
11. 2025 Citizens' Option for Public Safety (COPS) Grant Funds Appropriation (G4256). Accept the use of the grant funds for the identified expenditure areas of the 2025 COPS Program Grant G4256 and appropriate \$142,976 to AB3229-State COPS Grant Fund 130 with a corresponding increase to revenues in the same fund.
12. Federal Asset Forfeiture - Purchase of a Side-by-Side Vehicle. Establish a Federal Grant Number G4257; appropriate \$47,195.95 from unappropriated reserves of the Asset Forfeiture/Department of Justice Fund 120 for the purchase of a Side-by-Side vehicle; and increase the Asset Forfeiture revenue by \$47,195.95.
13. Assumption and Partial Assignment of the Preserve Development Agreement between the City of Chino, a Municipal Corporation; Chino Development Corporation, a California Corporation; and TH The Preserve Chino LLC, a California Limited Liability Company. Approve an Assumption and Partial Assignment of the Preserve Development Agreement between the City of Chino, a municipal corporation; Chino Development Corporation, a California corporation; and TH The Preserve Chino LLC.
14. Acceptance of Right of Way Dedication - East Preserve Loop and Main Street (Chino Preserve Development Corporation). Accept the offer of right-of-way dedication for public street and utility purposes on East Preserve Loop from the southerly boundary of Tract 20446 to Main Street and Main Street from East Preserve Loop to Chino Corona Road.
15. Final Acceptance of Public Improvements for Parcel Map No. 19756 for the Altitude Business Center Located South of Kimball Avenue on the East and West Sides of Quality Way. Accept Public Improvements as Complete for Parcel Map No. 19756; approve an Amendment to the Subdivision Improvement Agreement to Extend the Warranty Period; and Approve a Public Improvement Agreement with Richland Ventures, Inc. for the Kimball Median.

Motion by Council Member Flores, seconded by Council Member Lucio, to approve the Consent Calendar items 1-15 as presented. The motion carried by the following vote:

AYES: ULLOA, COMSTOCK, BURTON, FLORES, AND LUCIO

NOES: NONE.

ABSENT: NONE.

PUBLIC HEARING

16. Formation of Improvement Area 11 in Community Facilities District 2003-3. Public Hearing regarding the Formation of Improvement Area 11 in Community Facilities District 2003-3.

Staff Report By: Nadyne Lowry, Acting Director of Finance

RECOMMENDATION: 1) Conduct a Public Hearing regarding the formation of Improvement Area 11 in Community Facilities District 2003-3; 2) accept tax consultant's report; 3) adopt Resolution No. 2024-054 establishing Improvement Area 11 of CFD No. 2003-3 authorizing the levy of special taxes and calling an election; 4) adopt Resolution No. 2024-055, determining the necessity to incur bonded indebtedness; 5) conduct a special election with the property owners; 6) adopt Resolution No. 2024-056, declaring results of the special election and directing recording of the special tax lien; 7) approve the introduction of Ordinance No. 2024-012, levying a special tax, to be read by number and title and waive further reading of the ordinance; and 8) authorize the City Manager to execute all necessary documents on behalf of the City.

Mayor Ulloa opened the public hearing.

Nadyne Lowry, Acting Director of Finance provided a report on the item.

There being no requests to address the City Council on this item, Mayor Ulloa closed the public hearing.

Motion by Council Member Flores, seconded by Council Member Lucio, to 1) Conduct a Public Hearing regarding the formation of Improvement Area 11 in Community Facilities District 2003-3; 2) accept tax consultant's report; 3) adopt Resolution No. 2024-054 establishing Improvement Area 11 of CFD No. 2003-3 authorizing the levy of special taxes and calling an election; 4) adopt Resolution No. 2024-055, determining the necessity to incur bonded indebtedness; and 5) conduct a special election with the property owners. The motion carried by the following vote:

AYES: ULLOA, COMSTOCK, BURTON, FLORES, AND LUCIO

NOES: NONE.

ABSENT: NONE.

Mayor Ulloa directed the City Clerk to open the ballots and declare the results of the special election.

City Clerk Natalie Gonzaga reported all ballots had been cast in connection with the election for Improvement Area No. 11 of Community Facilities District (CFD) No. 2003-03, and stated the election was declared closed. City Clerk Gonzaga reported the results for the election were unanimous, with 20 votes in favor of all propositions.

Mayor Ulloa requested a motion to adopt Resolution No. 2024-056 certifying the results of the election, along with the introduction of Ordinance 2024-012, authorizing the levy of the special tax and the bonded indebtedness within the District.

City Attorney read the Ordinance by number and title only.

ORDINANCE NO. 2024-012 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

CHINO, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2003-3 OF THE CITY OF CHINO, ON BEHALF OF IMPROVEMENT AREA NO. 11 THEREIN, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN IMPROVEMENT AREA NO. 11 OF THE DISTRICT.

Motion by Council Member Burton, seconded by Mayor Pro Tem Comstock, to 6) adopt Resolution No. 2024-056, declaring results of the special election and directing recording of the special tax lien; 7) approve the introduction of Ordinance No. 2024-012, levying a special tax, to be read by number and title and waive further reading of the ordinance; and 8) authorize the City Manager to execute all necessary documents on behalf of the City. The motion carried by the following vote:

AYES: ULLOA, COMSTOCK, BURTON, FLORES, AND LUCIO

NOES: NONE.

ABSENT: NONE.

Public Hearing Item #17 was pulled and heard prior to the Consent Calendar.

NEW BUSINESS

18. Federal Asset Forfeiture Funds - Police Bloodhound K9 (Federal Grant G4255). Approve the appropriation of \$23,794 from unappropriated reserves of the Asset Forfeiture/Department of Justice Fund 120 for the purchase of Police Bloodhound K9 and increase the Asset Forfeiture revenue by \$23,794.

Staff Report By: Captain Ryan Croley

RECOMMENDATION: 1) Establish a Federal Grant Number G4255; 2) appropriate \$23,794 from unappropriated reserves of the Asset Forfeiture/Department of Justice Fund 120 for the purchase of a Police Bloodhound Service Dog, including initial training and all necessary equipment for both the dog and handler (Police Bloodhound K9 Team); 3) increase the Asset Forfeiture revenue by \$23,794; and 4) authorize the City Manager to execute all necessary documents on behalf of the City.

Captain Ryan Croley provided a presentation on the item.

Mayor Ulloa inquired the cost and budget for the Police Bloodhound Service Dog, named Scout. Captain Croley and Chief Mensen detailed the cost and budget breakdown including training related costs.

Captain Croley reported Police Officer Dominic Diaz will be Scout's handler.

Motion by Council Member Flores, seconded by Council Member Lucio, to 1) Establish a Federal Grant Number G4255; 2) appropriate \$23,794 from unappropriated reserves of the Asset Forfeiture/Department of Justice Fund 120 for the purchase of a Police Bloodhound Service Dog, including initial training and all necessary equipment for both the dog and handler (Police Bloodhound K9 Team); 3) increase the Asset Forfeiture revenue by \$23,794; and 4) authorize the City Manager to execute all necessary documents on behalf of the City. The motion carried by the following vote:

AYES: ULLOA, COMSTOCK, BURTON, FLORES, AND LUCIO

NOES: NONE.

ABSENT: NONE.

19. Approve Construction Contract Change Order No. 2 with C.P. Construction Co., Inc., Upland, CA for the Kimball Avenue Preserve Improvements Project (ST232). Appropriate \$1,417,809 with a corresponding increase to the project budget for the Kimball Avenue Preserve Improvements Project (ST232) and approve Change Order No. 2 with C.P. Construction Co. Inc., in the amount of \$681,758.45.

Staff Report By: Michele Hindersinn, Senior Engineer

RECOMMENDATION: 1) Appropriate \$717,809 from the Measure I Fund (322); 2) appropriate \$700,000 from the SB-1 Road Maintenance Rehabilitation Fund (327); 3) reduce the funding source by \$4,980,000 from the Preserve- Bridges, Signals and Thoroughfare DIF Fund 260; 4) reduce the project budget by a total of \$3,562,191 for a revised project budget, in the amount of \$4,494,049.94 for the Kimball Ave Preserve Improvement Project ST232; 5) approve Change Order No. 2 for \$681,758.45 with C.P. Construction Co., Inc., Upland, CA (Contract No. 2024-072) for Project (ST232) for Street Rehabilitation on Kimball Avenue from Rincon Meadows to Hellman Avenue for a revised total contract amount not to exceed \$3,672,498.45; and 6) authorize the City Manager to execute all necessary documents on behalf of the City.

Michelle Hindersinn, Senior Engineer, provided a presentation on the item.

Mayor Ulloa inquired when the north side of Kimball Avenue road improvement will be completed, and Ms. Hindersinn explained the road should have been paved during the road improvements between Flight and Hellman Avenues on the north side and the other project located to the west of this area. Mayor Ulloa requested staff to reassess the project area and ensure the conditions of the road improvements are acceptable.

Motion by Council Member Lucio, seconded by Mayor Pro Tem Comstock, to 1) Appropriate \$717,809 from the Measure I Fund (322); 2) appropriate \$700,000 from the SB-1 Road Maintenance Rehabilitation Fund (327); 3) reduce the funding source by \$4,980,000 from the Preserve- Bridges, Signals and Thoroughfare DIF Fund 260; 4) reduce the project budget by a total of \$3,562,191 for a revised project budget, in the amount of \$4,494,049.94 for the Kimball Ave Preserve Improvement Project ST232; 5) approve Change Order No. 2 for \$681,758.45 with C.P. Construction Co., Inc., Upland, CA (Contract No. 2024-072) for Project (ST232) for Street Rehabilitation on Kimball Avenue from Rincon Meadows to Hellman Avenue for a revised total contract amount not to exceed \$3,672,498.45; and 6) authorize the City Manager to execute all necessary documents on behalf of the City. The motion carried by the following vote:

AYES: ULLOA, COMSTOCK, BURTON, FLORES, AND LUCIO

NOES: NONE.

ABSENT: NONE.

MAYOR AND COUNCIL REPORTS

Mayor Ulloa

Mayor Ulloa had no report.

Mayor Pro Tem Comstock

Mayor Pro Tem Comstock had no report.

20. Community Support Fund - Mayor Pro Tem Comstock. Approve community support fund contribution to Chino High School Band Boosters– 77th Calvary.

Staff Report By: Mayor Pro Tem Comstock

RECOMMENDATION: Approve a community support fund contribution of \$250 to Chino High School Band Boosters- 77th Calvary.

Motion by Council Member Burton, seconded by Council Member Flores, to Approve a community support fund contribution of \$250 to Chino High School Band Boosters- 77th Calvary. The motion carried by the following vote:

AYES: ULLOA, COMSTOCK, BURTON, FLORES, AND LUCIO

NOES: NONE.

ABSENT: NONE.

Council Member Burton

Council Member Burton had no report.

Council Member Flores

Council Member Flores had no report.

Council Member Lucio

Council Member Lucio had no report.

21. Community Support Fund - Council Member Lucio. Approve community support fund contribution to the Soroptimist International of the Chino Valley.

Staff Report By: Council Member Lucio

RECOMMENDATION: Approve a community support fund contribution of \$250 to the Soroptimist International of the Chino Valley Hoe Down.

Motion by Council Member Flores, seconded by Council Member Burton, to Approve a community support fund contribution of \$250 to the Soroptimist International of the Chino Valley Hoe Down. The motion carried by the following vote:

AYES: ULLOA, COMSTOCK, BURTON, FLORES, AND LUCIO

NOES: NONE.

ABSENT: NONE.

City Manager's Report

City Manager Reich had no report.

City Attorney's Report

City Attorney Galante had no report.

Police Chief's Report

Chief Mensen had no report.

Director's Report

There was no Director's report.

Fire Chief's Report

Fire Chief Dave Williams had no report.

ADJOURN

Mayor Ulloa adjourned the meeting at 8:37 p.m. The next Regular Meeting of the City Council will be held on Tuesday, November 19, 2024 at 6:00 p.m. (Closed Session no earlier than 4:00 p.m. if necessary) in these Council Chambers.

APPROVED AND ADOPTED THIS 19TH DAY OF NOVEMBER 2024.

EUNICE M. ULLOA, MAYOR

ATTEST:

NATALIE GONZAGA, CITY CLERK

(These minutes are not official until signed.)