

**ONTARIO CITY COUNCIL AND
ONTARIO HOUSING AUTHORITY**

**MINUTES
JUNE 6, 2017**

JOINT MEETINGS

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, June 6, 2017 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 6:01 p.m., and inquired whether persons were present who wished to speak to the Closed Session item. Hearing no one, the City Council with all members except Council Member Wapner present recessed to Closed Session at 6:02 p.m. for discussion of the following:

- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Al C. Boling regarding American Federation of State, County and Municipal Employees; Teamsters Local 1932; and Association of Ontario Management Employees.

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council and Housing Authority meetings to order at 6:30 p.m., and requested the City Clerk call the roll.

PRESENT:	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chairman	Debra Dorst-Porada
	Council/Authority Members:	Alan D. Wapner, Jim W. Bowman and Ruben Valencia

ABSENT: Council/Authority Member: None

Also present were City Manager/Executive Director Al C. Boling, City Attorney/Legal Counsel John Brown and City Clerk/Secretary Sheila Mautz.

REPORT ON CLOSED SESSION

City Attorney Brown reported that the Council did confer and give direction to the Labor Negotiator as listed on the agenda.

The Pledge of Allegiance was led by Council Member Bowman.

Pastor Dan Davis, Truth and Grace Ministries provided the Invocation.

PUBLIC COMMENTS

Tom Burciaga paid homage and recognized Richard Hernandez who died recently, noting that he was a great steward for the City. He stressed Mr. Hernandez had a heart for the community and its residents, and Burciaga provided details on Hernandez' funeral service and burial. He thanked Mayor pro Tem Dorst-Porada and Code Enforcement staff for addressing an issue at his church on Good Friday. He also noted the remembrance of D-Day, and recognized Jimmy Flores, a City resident who is a D-Day and WWII survivor.

Karen Haughey, representing Supervisor Curt Hagman's office, announced a Workforce Development Department Job Fair on June 22, 2017 from 9:00 a.m. to 1:00 p.m. at the National Orange Show – Renaissance Room in San Bernardino. She invited residents to participate.

Ryan Baccas, CEO of the Cannabis Coalition, encouraged the City Council to consider lifting the ban on the commercial marijuana market in Ontario, suggesting that it would help to eliminate the black market for marijuana. He noted efforts he has led in other communities, detailed his background and offered to assist the City in writing new policies.

Andres Ramirez, representing the San Bernardino County Transportation Authority, discussed the West Valley Connector Project. He detailed the project and its benefits, and noted upcoming open house meetings relating to the environmental studies. He announced the Montclair/Ontario meeting is on June 13, 2017 from 3:00 to 7:00 p.m. at the Ontario Senior Center. He provided flyers and noted that more information could be obtained from their website at gosbcta.com.

Robbin Delgado commented on her love for living in Ontario, but noted an issue at the theater on C and Euclid. She indicated that the theater was the site of a huge event on Friday night with people were throwing beer bottles, smoking marijuana and taking all available parking. She further stated that there was urinating in public and a lot of cussing. When she contacted the police, she was told that there was security inside the building, but she was concerned with the approximately 200 people outside in the parking lot. She asked that the Council observe an event at this facility and give it the proper attention. Mayor Leon asked that the City Manager meet with Ms. Delgado to address her concerns.

Chrissy asked the Council to consider allowing the sale of medical marijuana, noting that she is fighting lupus and is required to go to San Bernardino to get her medical marijuana. She expressed concern with her neighbors growing their own due to the lack of regulation and requested that the Council give this matter consideration.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Boling reported no updates or announcements.

CONSENT CALENDAR

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

1. APPROVAL OF MINUTES

Approved the Minutes for the regular meeting of the City Council and Housing Authority of May 2, 2017, as on file in the Records Management Department.

2. BILLS/PAYROLL

Approved **Bills** for the period April 16, 2017 through April 29, 2017 in the amount of \$8,880,196.18 and **Payroll** for the period April 16, 2017 through April 29, 2017 in the amount of \$2,776,114.25, when audited by the Finance Committee.

3. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MATERIALS TESTING AND GEOTECHNICAL SERVICES FOR THE FRANCIS STREET STORM DRAIN PROJECT/GROUP DELTA CONSULTANTS, INC.

City Council approved an amendment to the Professional Services with Group Delta Consultants, Inc. of Ontario, California, for additional construction materials testing and geotechnical services for the Francis Street Storm Drain Project, in the amount of \$57,863 for a revised contract amount of \$175,233; and authorized the City Manager to execute said amendment and future amendments.

4. A RESOLUTION OF INTENT TO VACATE THAT PORTION OF EDISON AVENUE FROM ONTARIO RANCH ROAD TO APPROXIMATELY 1,000 FEET EAST OF ONTARIO RANCH ROAD

City Council adopted a resolution declaring the intent to vacate that portion of Edison Avenue from Ontario Ranch Road to approximately 1,000 feet east of Ontario Ranch Road; and to set the date, time and place for a public hearing.

RESOLUTION NO. 2017-045 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, PERTAINING TO THE VACATION OF THAT PORTION OF EDISON AVENUE FROM ONTARIO RANCH ROAD TO APPROXIMATELY 1,000 FEET EAST OF ONTARIO RANCH ROAD AND TO SET THE DATE, TIME AND PLACE FOR A PUBLIC HEARING.

5. A RESOLUTION AMENDING THE RESOLUTION ADOPTING THE MEASURE I FIVE-YEAR CAPITAL PROJECT NEEDS ANALYSIS FOR FISCAL YEARS 2017/2018 TO 2021/2022

City Council adopted a resolution amending Resolution No. 2016-089, originally adopted on September 6, 2016, for the purpose of approving the 2017/18 through 2021/22 Measure I Five-Year Capital Project Needs Analysis (CPNA); and

authorized the City Manager to approve changes to the plan as may be required by the City and/or San Bernardino County Transportation Authority (SBCTA).

RESOLUTION NO. 2017-046 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING RESOLUTION NO 2016-089, A RESOLUTION ADOPTING THE MEASURE I FIVE-YEAR CAPITAL PROJECT NEEDS ANALYSIS FOR FISCAL YEARS 2017/18 TO 2021/22.

6. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19715 LOCATED AT THE NORTHEAST CORNER OF ONTARIO MILLS PARKWAY AND INTERSTATE 15

City Council adopted a resolution approving an improvement agreement, improvement security and Final Parcel Map No. 19715 located at the northeast corner of Ontario Mills Parkway and Interstate 15.

RESOLUTION NO. 2017-047 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19715, LOCATED AT THE NORTHEAST CORNER OF ONTARIO MILLS PARKWAY AND INTERSTATE 15.

7. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19743 LOCATED AT THE NORTHWEST CORNER OF GROVE AVENUE AND LOCUST STREET

City Council adopted a resolution approving an improvement agreement, improvement security and Final Parcel Map No. 19743 located at the northwest corner of Grove Avenue and Locust Street.

RESOLUTION NO. 2017-048 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19743, LOCATED AT THE NORTHWEST CORNER OF GROVE AVENUE AND LOCUST STREET.

8. A RESOLUTION APPROVING FINAL TRACT MAP NO. 20025 LOCATED ON NEW HAVEN DRIVE APPROXIMATELY 300 FEET NORTH OF ONTARIO RANCH ROAD

City Council adopted a resolution approving Final Tract Map No. 20025 located on New Haven Drive approximately 300 feet north of Ontario Ranch Road within The Avenue Specific Plan area.

RESOLUTION NO. 2017-049 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 20025 LOCATED ON NEW HAVEN DRIVE APPROXIMATELY 300 FEET NORTH OF ONTARIO RANCH ROAD.

9. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20061 LOCATED AT THE SOUTHWEST CORNER OF ONTARIO RANCH ROAD AND NEW HAVEN DRIVE

City Council adopted a resolution approving an improvement agreement, improvement security and Final Tract Map No. 20061 for condominium purposes located at the southwest corner of Ontario Ranch Road and New Haven Drive within The Avenue Specific Plan area.

RESOLUTION NO. 2017-050 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20061 LOCATED AT THE SOUTHWEST CORNER OF ONTARIO RANCH ROAD AND NEW HAVEN DRIVE.

10. VARIOUS AGREEMENTS WITH SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY FOR THE INTERSTATE 10 CORRIDOR PROJECT

City Council:

- (A) Approved three (3) Memoranda of Understanding (MOUs) with San Bernardino County Transportation Authority (SBCTA) for the project development of the Interstate 10 (I-10) Euclid Avenue Interchange Project, I-10 Vineyard Avenue Interchange Project, and the Fourth Street Bridge Undercrossing Project; and authorized the City Manager to execute said agreements and future amendments; and
- (B) Approved three (3) Cooperative Funding Agreements with SBCTA for funding the Environmental, Design, Right of Way, Construction, Landscape Maintenance and Project Closeout phases of the I-10 Euclid Avenue Interchange Project, I-10 Vineyard Avenue Interchange Project, and the Fourth Street Bridge Undercrossing Project; and authorized the City Manager to execute said agreements and future amendments; and
- (C) Approved a Term Loan Agreement (on file with the Records Management Department) with SBCTA for the Fourth Street Bridge Undercrossing Project; and authorized the City Manager to execute said agreement and future amendments.

11. A MAINTENANCE SERVICE AGREEMENT FOR STREETLIGHT MAINTENANCE AND REPAIR SERVICES/SIEMENS INDUSTRY, INC.

City Council:

- (A) Authorized the City Manager to execute a three-year Maintenance Service Agreement with Siemens Industry, Inc., of Riverside, California, for an annual general maintenance cost of \$244,709 and authorized the City

Manager to extend the agreement for up to two additional years consistent with City Council approved budgets; and

- (B) Authorized urgency repairs and optional LED streetlight fixture replacements for existing high pressure sodium lights based on the established contract rates according to the bid schedules, which shall not exceed the amounts allocated in the departmental operating budget for each fiscal year.

12. A CONSTRUCTION CONTRACT FOR THE SUMP PUMP STATION RENOVATION AT CITY HALL ANNEX/GSE CONSTRUCTION COMPANY, INC.

City Council awarded Contract No. MS 1617-4 to GSE Construction Company, Inc., of Livermore, California, for the sump pump station renovation at City Hall Annex in the amount of \$174,900 plus a 15% contingency (\$26,235) for a total amount of \$201,135; authorized the City Manager to execute said contract, and authorized the filing of the notice of completion at the conclusion of all construction activities related to the project.

13. A PROFESSIONAL SERVICES AGREEMENT FOR CONSULTING SERVICES, APPLICATION DEVELOPMENT AND DATABASE ADMINISTRATION/MANOJ CHITRE

City Council authorized the City Manager to execute a five-year professional services agreement with Manoj Chitre, of Upland, California, for information technology consulting services, in an amount not to exceed \$120,000 annually, contingent on City Council approved budgets, for Application Development and Database Administration.

14. A CONSTRUCTION CONTRACT FOR THE INSTALLATION OF POINT-OF-PRESENCE (POP) FACILITIES AT THE CITIZENS BUSINESS BANK ARENA AND CREEKSIDE PARK AS PART OF THE CITY'S HIGH-SPEED FIBER OPTIC NETWORK/R.I.C. CONSTRUCTION

City Council awarded Contract D&C17-CBBAPOPOP-001 to R.I.C. Construction of Hesperia, California, in the amount of \$1,692,626 plus a 15% contingency in the amount of \$253,894 for a total amount of \$1,946,520 for the construction of the Citizens Business Bank Arena and Creekside Points of Presence; authorized the City Manager to execute the contract; and file a notice of completion at the conclusion of all construction related activities.

15. AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES)

City Council adopted an ordinance levying special taxes within City of Ontario Community Facilities District No. 38 (Park & Turner NE Facilities). Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on May 16, 2017.

ORDINANCE NO. 3073 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES).

16. CONSTRUCTION CONTRACT FOR ASPHALT GRINDING SERVICES/PAVEMENT RECYCLING SYSTEMS, INC.

City Council authorized the City Manager to execute a three-year Construction Contract for Contract No. SM1617-3 with Pavement Recycling Systems, Inc., located in Jurupa Valley, California, for an annual estimated cost of \$147,000; and authorized the addition of future service areas; and the option to extend the agreement for up to two additional years consistent with the City Council approved budgets.

17. A MAINTENANCE SERVICE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR WELL SITE, HOUSING AUTHORITY AND GAS TAX FUNDED SITES/BRIGHTVIEW LANDSCAPE SERVICES, INC./SOCAL LAND MAINTENANCE, INC.

City Council took the following actions:

- (A) Authorized the City Manager to execute a five-year Maintenance Service Agreement for Contract No. PM1617-7 with Brightview Landscape Services, Inc. located in Upland, California, for an annual estimated cost of \$75,000 plus a contingency of \$11,250;
- (B) Authorized the City Manager to execute a five-year Maintenance Service Agreement for Contract No. PM1617-11 with SoCal Land Maintenance, Inc. located in Anaheim, California, for an annual estimated cost of \$115,211 plus a contingency of \$17,379;
- (C) Authorized addition of future service areas; and the option to extend the agreements for up to two additional years consistent with the City Council approved budgets.

18. A MAINTENANCE SERVICE AGREEMENT FOR CITYWIDE GRAFFITI CONTROL SERVICES/GRAFFITI PROTECTIVE COATINGS, INC.

City Council authorized the City Manager to execute a three-year Maintenance Service Agreement for Contract No. SM1617-5 with Graffiti Protective Coatings, Inc., located in Los Angeles, California, for an annual estimated cost of \$501,600 plus a contingency of \$25,080; and authorize addition of future service areas; and authorized the option to extend the agreement for up to two additional years consistent with the City Council approved budgets.

19. **A DEVELOPMENT CODE AMENDMENT, FILE NO. PDCA17-001, PROPOSING VARIOUS CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE, INCLUDING MODIFICATIONS TO CERTAIN PROVISIONS OF DIVISION 1.02 (DEVELOPMENT CODE INTERPRETATION AND ENFORCEMENT), DIVISION 2.02 (APPLICATION, FILING AND PROCESSING), DIVISION 4.02 (DISCRETIONARY PERMITS AND ACTIONS), DIVISION 5.02 (LAND USE), DIVISION 5.03 (STANDARDS FOR CERTAIN LAND USES, ACTIVITIES AND FACILITIES), DIVISION 6.01 (DISTRICT STANDARDS AND GUIDELINES), 6.02 (WALLS, FENCES AND OBSTRUCTIONS), 6.03 (OFF-STREET PARKING AND LOADING), DIVISION 7.01 (HISTORIC PRESERVATION), AND DIVISION 9.01 (DEFINITIONS)**

City Council considered and adopted an ordinance approving a Development Code Amendment, File No. PDCA17-001, proposing certain clarifications to Ontario Development Code Division 1.02 (Development Code Interpretation and Enforcement), Division 2.02 (Application, Filing and Processing), Division 4.02 (Discretionary Permits and Actions), Division 5.02 (Land Use), Division 5.03 (Standards for Certain Land Uses, Activities and Facilities), Division 6.01 (District Standards and Guidelines), 6.02 (Walls, Fences and Obstructions), 6.03 (Off-Street Parking and Loading), Division 7.01 (Historic Preservation), and Division 9.01 (Definitions). Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on May 16, 2017.

ORDINANCE NO. 3074 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA17-001, A DEVELOPMENT CODE AMENDMENT FOR THE PURPOSE OF CLARIFYING CERTAIN PROVISIONS OF DIVISION 1.02 (DEVELOPMENT CODE INTERPRETATION AND ENFORCEMENT), DIVISION 2.02 (APPLICATION, FILING AND PROCESSING), DIVISION 4.02 (DISCRETIONARY PERMITS AND ACTIONS), DIVISION 5.02 (LAND USE), DIVISION 5.03 (STANDARDS FOR CERTAIN LAND USES, ACTIVITIES AND FACILITIES), DIVISION 6.01 (DISTRICT STANDARDS AND GUIDELINES), 6.02 (WALLS, FENCES AND OBSTRUCTIONS), 6.03 (OFF-STREET PARKING AND LOADING), DIVISION 7.01 (HISTORIC PRESERVATION), AND DIVISION 9.01 (DEFINITIONS), AND MAKING FINDINGS IN SUPPORT THEREOF.

20. **A PLANNED UNIT DEVELOPMENT, FILE NO. PUD17-001, TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE FUTURE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT AT A DENSITY OF 25.4 DWELLING UNITS PER ACRE ON 2.95 ACRES OF LAND BORDERED BY HOLT BOULEVARD ON THE NORTH, FERN AVENUE ON THE EAST, EMPORIA STREET ON THE SOUTH, AND VINE AVENUE ON THE WEST, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT (APNS: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 AND 1049-052-10)**

City Council considered and adopted an ordinance approving a Planned Unit Development, File No. PUD17-001, establishing development standards and guidelines to facilitate the development of a high density residential apartment

project. Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on May 16, 2017.

ORDINANCE NO. 3075 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD17-001, A PLANNED UNIT DEVELOPMENT (ATTACHMENT 1) TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE FUTURE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT AT A DENSITY OF 25.4 DWELLING UNITS PER ACRE ON 2.95 ACRES OF LAND BORDERED BY HOLT BOULEVARD ON THE NORTH, FERN AVENUE ON THE EAST, EMPORIA STREET ON THE SOUTH, AND VINE AVENUE ON THE WEST, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 AND 1049-052-10.

21. CONSTRUCTION CONTRACT FOR THE POLICE HEADQUARTERS RENOVATION PROJECT/HAL HAYS CONSTRUCTION, INC.

City Council awarded a construction contract to Hal Hays Construction, Inc. of Riverside, California, for the Police Headquarters Renovation Project in the amount of \$2,161,900 plus a 15% contingency (\$324,285) for a total amount of \$2,486,185; authorized the City Manager to execute said contract; authorized appropriations of funds from Communication/Computer Dispatch Reserve Account, and authorized the filing of the notice of completion at the conclusion of all construction activities related to the project.

22. A RESOLUTION APPROVING AN APPLICATION FOR THE USED OIL PAYMENT PROGRAM CYCLE 8 (FISCAL YEAR 2017-18) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

City Council adopted a resolution approving a grant application for an estimated \$46,000 from the Used Oil Payment Program Cycle 8 (Fiscal Year 2017-18) through the State of California Department of Resources Recycling and Recovery (CalRecycle); and authorized the City Manager or his designee to execute all necessary documents to participate in the program.

RESOLUTION NO. 2017-051 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN ANNUAL APPLICATION TO PARTICIPATE IN THE USED OIL PAYMENT PROGRAM CYCLE 8 (FISCAL YEAR 2017-18) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE).

23. A MAINTENANCE SERVICES CONTRACT FOR ON-CALL/EMERGENCY UTILITY TRENCH PAVING/G.M. SAGER CONSTRUCTION INC.

City Council awarded Contract UT-OPS 1718-01 to G. M. Sager Construction Inc., located in Pomona, California, in the amount of \$300,000 for utility trench repairs at various locations; authorized the City Manager to execute the contract; and authorized the option to extend the contract for up to four additional one-year periods consistent with City Council approved budgets.

PUBLIC HEARINGS

24. CONSIDERATION OF A RESOLUTION OPPOSING MEASURE “H” IN THE CITY OF CHINO

The City Clerk reported one phone call received by the City Clerk’s Office from *Deb Hilak*, 1613 Magnolia, in support of the proposed proposition.

City Council held a public hearing to consider adoption of a resolution opposing Measure “H” in the City of Chino.

Judy Briggs thanked the City Council for their past support of the efforts of “REAL Ontario”, and encouraged support of this resolution. She expressed appreciation to the Council for trying to do what is best for the residents and make them feel protected and secure. She indicated that they would welcome development at this location, but it would have to fit the neighborhood, possible with half acre lots. She noted that the residents on Benson Avenue have safety concerns, but there are other problems with the proposed development plan and expressed hopes that the Chino City Council would support residents over profits. She thanked the Ontario City Council for following up and putting this item on the agenda.

Catherine Borne, resident of Ontario and property owner for 30 years, noted that she too is a member of REAL Ontario. She expressed elation that Ontario listened to concerns and allowed residents to keep their rural lifestyle. She indicated that she lives on Benson Avenue and she is now experiencing anger, frustration and fear over the proposed development across the street in Chino. She indicated that the developer would be paying for street improvements, but she does not want the street widened or a traffic signal to be installed on the street. She has been told that increased traffic is inevitable, but suggested that it is only inevitable if housing density is increased. She requested Council support and adopt the proposed resolution.

Mayor Leon inquired of City Attorney Brown with regard to Council Member Valencia’s ability to participate in this discussion, due to the proximity of his home to the proposed development. City Attorney Brown indicated that he reviewed the distance from the proposed development and Valencia’s property; and in addition to the Council’s individual freedom of speech right on matter such as this, he did not believe that there was a nexus to trigger a financial effect so in his opinion there was no disqualification required.

Barry Borne, resident on Benson Avenue, member of REAL Ontario and Protect Chino, indicated that he was opposed to the proposed project due to increased noise, traffic and safety concerns. He stressed that the project would bring 180 homes in an area zoned for 30 homes, and is surrounded by half-acre horse property. He further stressed that the Chino Planning Commission opposed the project and the Chino Mayor opposed the project; and a group of residents is knocking on doors to educate the public.

Matt Evans, owner of the property subject to the Measure H Election, commented on the similarity of this hearing to those in Chino. He suggested that if Ontario had an issue with the project they should have communicated it well before today. He stated his belief that this hearing was intended to influence the special election in Chino, even though the project was outside Ontario's jurisdiction. He questioned the appropriateness and purpose of the hearing. He also questioned if it was fair for a Council Member to bring this matter forward to the Council to decide on behalf of the City.

City Manager Boling clarified the early statement by the City Clerk, noting that the caller (Deb Halik) was in support of the "resolution" being considered, not the "proposition", and that the record should reflect that.

Mayor Leon took exception to the comments by Mr. Evans, and provided clarification on behalf of the City. He indicated that Council Member Valencia did not bring this matter forward, the residents did. He indicated that it is timely because they brought it to the City at the last Council meeting. He concurred that it was out of jurisdiction, but noted that Chino has approached Ontario on its issues. He commented that he has let Chino's representatives know that he is not in support of this project. He also stressed that this is not a seamless border society, and what impacts one community impacts another; and good relationships between communities benefit everyone.

Council Member Wapner concurred with the Mayor that the precedent had been set by Chino, and indicated that a Council can bring up matters whenever they wish to protect the residents. He indicated that the City does generally enjoy a good relationship with neighboring cities and this is not taking action on what is happening in Chino, but voicing an opinion in support of our residents.

Council Member Bowman indicated that he was all in on supporting the resolution, as it was the right thing to do.

Mayor pro Tem Dorst-Porada indicated that the residents and the Council have worked hard to maintain the rural lifestyle for these Ontario residents and she would like Chino to do the same. She noted that they have a beautiful park in the area and she is hoping this resolution will save the rural lifestyle.

Council Member Valencia confirmed that he lives near the affected area and noted that as a horse owner, his daughters go to Briggs Park all the time. He indicated that their biggest complaint is the speeding vehicles, and there is currently a house on Benson that is up for sale for the same reason. He suggested that with the addition of 180 homes it will be an even bigger issue. He expressed support for the residents and the Council's proposed action.

Mayor Leon thanked everyone who came forward and participated in this hearing.

MOTION: Moved by Council Member Wapner, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution No. 2017-052 opposing Measure "H" in the City of Chino.

RESOLUTION NO. 2017-052 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OPPOSING MEASURE H IN THE CITY OF CHINO.

STAFF MATTERS

None.

COUNCIL MATTERS

Mayor pro Tem Dorst-Porada thanked the residents for coming out and staff for all of their hard work. She noted the upcoming July 4th festivities.

Council Member Wapner had no comments.

Mayor Leon noted the weekly concerts in the park and advised that this meeting would be adjourned in memory of Richard Hernandez.

Council Member Bowman had no comments.


Council Member Valencia commented on the Memorial Day event at Bellevue Cemetery, noting that it was a great event to pay homage to those who have served in the armed forces. He noted the concerts in the park, with last Wednesday being a Selena cover band. He indicated that staff is doing a great job bringing great acts to the City. He also noted that there are movie nights at Ontario Town Square on Friday nights. He commended Kiwanis on their pancake breakfast and Rotary car show and encouraged the public to enjoy all of the events that Ontario has to offer.

Mayor Leon noted that in May the City Council (Leon, Dorst-Porada, Wapner and Valencia) attended the International Conference of Shopping Centers in Las Vegas, with a great display and a lot being accomplished.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:15 p.m. in memory of Ontario resident Richard Hernandez and announced the next regular meetings on Tuesday, June 20, 2017.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN