

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
May 3, 2016**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, May 3, 2016 at the Ontario City Hall, 303 East B Street, Ontario, California.

CALL TO ORDER – OPEN SESSION

The Mayor called the City Council/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 Member:	Alan D. Wapner, Jim W. Bowman and Paul Vincent Avila

ABSENT: None

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

The Pledge of Allegiance was led by Council Member Avila.

Pastor Donald Rucker, First Church of Nazarene provided the Invocation.

PUBLIC COMMENT

Donna Marx, resident/member of Nativity of Euclid Landmark (NOEL) Committee, announced an upcoming fundraiser on May 12, 2016, at the Church of Jesus Christ of Latter-day Saints, 522 W. Francis, Ontario California.

Bill Cortus, commented on the Nativity Scenes placed on Euclid Avenue annually and requested business owners sponsorship of \$5,000 for permanent plaques located at each scene.

Lisa Arzola, President of Ontario Tigers Youth Football and Cheer Program requested assistance with finding a football field for their teams.

Stephen Rogers, spoke regarding his correspondence with the City and his previous employment with the City.

Carlos Porras, spoke about an existing code enforcement violation on his property located at 554 E. Nocta Street and his request to find a solution to prevent further notices regarding the violation.

Xavier Mendez, commented on the rumored development of a Skate Park in the City and requested all types of wheeled options to be represented and considered during the development of the park.

Michael Krouse, President and CEO of the Visitors Bureau Ontario Convention Center, provided the City Council with an update regarding upcoming events (i.e., California Welcome Center, located at the Fashion Alley in the Ontario Mills, Concerts in the Parks, Movies in the Park and the Certified Farmers Market located in Ontario Town Square).

Aaron Matthiesen, addressed a comment made by Council Member Avila at previous Council meetings.

Carrie Gilbreath, representative on behalf of San Bernardino Associated Governments (SANBAG), I-10 Corridor Project, announced upcoming Public Hearing Meetings regarding the Draft Environmental Impact Report April 25 - June 8 at the following locations: Tuesday, May 17, 4:30 p.m. – 7:30 p.m. at the Double Tree Hotel in San Bernardino; Wednesday, May 18, 4:30 p.m. – 7:30 p.m. at Bloomington Senior Center; Thursday, May 19, 4:30 p.m. – 7:30 p.m. at the Airport Hotel, additional information can be viewed at the Ontario Library and by visiting the website at 1015@projects.com.

Bonnie, commented regarding issues at City Center Senior Apartments.

SPECIAL CEREMONIES

Scott Murphy, Planning Director, provided a brief presentation regarding the Awards for Historic Preservation.

The City Council Presented the 2016 “Model Colony” Awards for Historic Preservation.

The Restoration Award was presented to “The Miller House”, 748 E. Holt Boulevard to Matthew Taylor and 564 W. “D” Street to Lorenzo Medina.

The John S. Armstrong Landscape Award was presented to “The Dr. Ben Henke House”, 1458 N. Euclid Avenue to Steven and Sylvia Romero.

The Award of Merit was presented to “The McGurty House”, 575 W. Armsley Square to William and Genevieve McGurty.

The City Council recessed at 7:28 p.m. and convened at 7:45 p.m.

CONSENT CALENDAR

Council Member Avila pulled Item No. 1 for discussion.

Mayor Leon noted the request to pull Item No. 1 and Item No. 3 for discussion.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman to approve the balance of the Consent Calendar as presented.

2. **BILLS/PAYROLL**

Approved **Bills** for the period from March 6, 2016 through March 19, 2016, in the amount of \$9,994,959.00 and **Payroll** for the period from March 6, 2016 through March 19, 2016, in the amount of \$2,665,135.83 when audited by the Finance Committee.

4. **TENANT-BASED RENTAL ASSISTANCE PROGRAM SUBRECIPIENT CONTRACT BETWEEN MERCY HOUSE LIVING CENTERS AND THE CITY OF ONTARIO**

City Council approved the Tenant-Based Rental Assistance Program Subrecipient Contract with Mercy House Living Centers of Santa Ana, California, in the amount of \$547,870; and authorized the City Manager to execute the contract and take all actions necessary or desirable to implement the contract.

5. **AN ORDINANCE ADDING CHAPTER 17 TO TITLE 6 OF THE ONTARIO MUNICIPAL CODE, REGULATING THE SALE OF BUTANE**

City Council considered and adopted an ordinance adding Chapter 17 to Title 6 of the Ontario Municipal Code, regulating the sale of butane. Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on April 19, 2016.

ORDINANCE NO. 3048 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADDING CHAPTER 17 TO TITLE 6 OF THE ONTARIO MUNICIPAL CODE, REGULATING THE SALE OF BUTANE.

6. **A DEVELOPMENT CODE AMENDMENT, FILE NO. PDCA16-002, PROPOSING VARIOUS CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE, MODIFYING CERTAIN PROVISIONS OF DIVISION 3.02 (NONCONFORMING SIGNS), DIVISION 5.02 (LAND USE), DIVISION 5.03 (STANDARDS FOR CERTAIN LAND USES, ACTIVITIES AND FACILITIES), DIVISION 6.01 (DISTRICT STANDARDS AND GUIDELINES), AND DIVISION 8.01 (SIGN REGULATIONS)**

City Council considered and adopted an ordinance approving File No. PDCA16-002, a Development Code Amendment proposing several clarifications to the Ontario Development Code (Ontario Municipal Code Title 9) including:

- (1) Deletion of “billboard signs” from the nonconforming sign amortization list (Table 3.02-1);
- (2) Deletion all reference to the CCC zoning district;
- (3) Addition of “escape, exit, mystery and puzzle rooms” as a conditionally permitted land use in the CC, CR, MU-1, BP, IL, and IG zones;
- (4) Clarification that the public convenience or necessity determination criteria (Section 5.03.025: alcoholic beverage sales) applies only to off-premise alcoholic beverage control licenses;
- (5) Clarification that a temporary outdoor sales event (Section 5.03.395: temporary and interim land uses, buildings, and structures) may only be allowed in

- conjunction with a legally established business that has been operated for a period of at least 180 days prior to a requested event;
- (6) Clarification that within the ICC Overlay district (Section 6.01.035: Overlay Zoning Districts), a maximum 25 percent building expansion is allowed in conjunction with an existing, legally established, commercial land use;
 - (7) Combination of all political sign regulations (Section 8.01.020: Sign Standards) into a single provision, and add clarifying purpose and intent statements; and
 - (8) Clarification that the maximum timeframes for the issuance of temporary promotional and special event signs and banners (Table 8.01: Sign Regulation Matrix).

Introduction and first reading of said Ordinance took place at a regular meeting of the City Council on April 19, 2016.

ORDINANCE NO. 3049 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA16-002, A DEVELOPMENT CODE AMENDMENT PROPOSING VARIOUS CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE: [1] DELETE “BILLBOARD SIGNS” FROM THE NONCONFORMING SIGN AMORTIZATION LIST (TABLE 3.02-1); [2] DELETE ALL REFERENCES TO THE CCC ZONING DISTRICT; [3] ADD “ESCAPE, EXIT, MYSTERY AND PUZZLE ROOMS” AS A CONDITIONALLY PERMITTED LAND USE IN THE CC, CR, MU-1, BP, IL, AND IG ZONES; [4] CLARIFY THAT THE PUBLIC CONVENIENCE OR NECESSITY DETERMINATION CRITERIA (SECTION 5.03.025: ALCOHOLIC BEVERAGE SALES) APPLIES ONLY TO OFF-PREMISE ALCOHOLIC BEVERAGE CONTROL LICENSES; [5] CLARIFY THAT A TEMPORARY OUTDOOR SALES EVENT (SECTION 5.03.395: TEMPORARY AND INTERIM LAND USES, BUILDINGS, AND STRUCTURES) MAY ONLY BE ALLOWED IN CONJUNCTION WITH A LEGALLY ESTABLISHED BUSINESS THAT HAS BEEN OPERATED FOR A PERIOD OF AT LEAST 180 DAYS PRIOR TO A REQUESTED EVENT; [6] CLARIFY THAT WITHIN THE ICC (INTERIM COMMUNITY COMMERCIAL) OVERLAY DISTRICT (SECTION 6.01.035: OVERLAY ZONING DISTRICTS), A BUILDING EXPANSION, MAXIMUM 25 PERCENT, IS ONLY ALLOWED IN CONJUNCTION WITH AN EXISTING, LEGALLY ESTABLISHED, COMMERCIAL LAND USE; [7] COMBINE THE ALL POLITICAL SIGN REGULATIONS (SECTION 8.01.020: SIGN STANDARDS) INTO A SINGLE PROVISION, AND ADD CLARIFYING PURPOSE AND INTENT STATEMENTS; AND [8] CLARIFY THE MAXIMUM TIMEFRAMES FOR THE ISSUANCE OF TEMPORARY PROMOTIONAL AND SPECIAL EVENT SIGNS AND BANNERS (TABLE 8.01: SIGN REGULATION MATRIX), AND MAKING FINDINGS IN SUPPORT THEREOF.

7. HOUSING ELEMENT ANNUAL REPORT FOR CALENDAR YEAR 2015 (FILE NO.: PADV16 002)

City Council received the 2015 Housing Element Annual Progress Report.

8. RECOGNITION OF “HISTORIC PRESERVATION MONTH” IN THE CITY OF ONTARIO

City Council recognized the month of May 2016 as “Historic Preservation Month” in the City of Ontario.

9. RECOGNITION OF “WATER AWARENESS MONTH” IN THE CITY OF ONTARIO

City Council recognized the month of May 2016 as “Water Awareness Month” in the City of Ontario.

10. NAMING THE DOG PARK AT JOHN GALVIN PARK TO SCHIMMEL DOG PARK

City Council approved the naming of the Dog Park at John Galvin Park in honor of the first police canine of the Ontario Police Department, Ex von der Schimmel-Shultz Hiede.

Councilmember Wapner commented on Item No. 10 introduced Ernie Dorame, partner of the canine killed in the line of duty. The City Council approved the naming of the Dog Park at John Galvin Park in honor of the first police canine of the Ontario Police Department, Ex von der Schimmel-Shultz Hiede.

MOTION UNANIMOUSLY CARRIED. The Mayor/Chairman declared Ordinance 3048 and 3049 unanimously adopted.

ITEM PULLED FROM THE CONSENT CALENDAR

1. APPROVAL OF MINUTES

Council Member Avila commented on his request to correct his vote from the April 5, 2016 City Council meeting.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman to approve Minutes for the regular meeting of the City Council and Housing Authority of April 5, 2016, approving same as on file in the Records Management Department.

	Yes	No	Abstain
Mayor Leon	X		
Mayor pro Tem Dorst-Porada	X		
Council Member Wapner	X		
Council Member Bowman	X		
Council Member Avila		X	

3. A ONE-YEAR ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”), HOME INVESTMENT PARTNERSHIPS (“HOME”), AND EMERGENCY SOLUTIONS GRANT (“ESG”) PROGRAMS FOR FISCAL YEAR 2016-17

Loree Masonis, requested additional information regarding the acronyms used in the report.

Stephen Rogers, commented regarding complaints made to the State Board about contractors used in the City.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman to approve the One-Year Action Plan for Fiscal Year 2016-17 for the Community Development Block Grant (“CDBG”), HOME Investment Partnerships (“HOME”), and Emergency Solutions Grant (“ESG”) Programs; directed staff to prepare and transmit the final documents to U.S. Department of Housing and Urban Development (“HUD”); and authorized the City Manager, or his designee, to take all actions necessary or desirable to implement the One-Year Action Plan for Fiscal Year 2016-17 and amendments to Subrecipient Agreements.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARINGS

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO DECLARING RESULTS OF MAJORITY PROTEST PROCEEDINGS AND RENEWING THE GREATER ONTARIO TOURISM MARKETING DISTRICT

City Council adopted a resolution declaring results of the majority protest proceedings and renewed the Greater Ontario Tourism Marketing District.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were no written communications.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman, and carried by a vote of 4 to 1 with Council Member Avila casting the dissenting vote to adopt Resolution No. 2016-030.

	Yes	No	Abstain
Mayor Leon	X		
Mayor pro Tem Dorst-Porada	X		
Council Member Wapner	X		
Council Member Bowman	X		
Council Member Avila		X	

RESOLUTION NO. 2016-030 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF MAJORITY PROTEST PROCEEDINGS AND RENEWING THE GREATER ONTARIO TOURISM MARKETING DISTRICT.

12. A CITY INITIATED REQUEST TO CHANGE THE GENERAL PLAN (FILE NO. PGPA16-001) LAND USE DESIGNATIONS ON 83 PROPERTIES GENERALLY LOCATED SOUTH OF FOURTH STREET AND WEST OF EUCLID AVENUE; AND MODIFY THE FUTURE BUILDOUT TABLE TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES (AMENDING EXHIBITS LU-01 AND LU-03)

City Council adopted a Resolution approving an Addendum to the Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010; and adopted a Resolution approving General Plan Amendment File No. PGPA16-001, to change the land use designations of certain properties (Amending Exhibits LU-01 and LU-03).

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There was one written communication filed with the Records Management/City Clerk’s Office.

Stephen Rogers, commented regarding the Environmental Review for the proposed change to the General Plan.

City Attorney Rice, responded to the comment made by Stephen Rogers regarding the CEQA requirements.

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada, and carried by a vote of 4 to 1 with Council Member Avila casting the dissenting vote to adopt Resolution No. 2016-031 and Resolution No. 2016-032

	Yes	No	Abstain
Mayor Leon	X		
Mayor pro Tem Dorst-Porada	X		
Council Member Wapner	X		
Council Member Bowman	X		
Council Member Avila		X	

RESOLUTION NO. 2016-031 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PGPA16-001.

RESOLUTION NO. 2016-032 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA16-001, A CITY INITIATED REQUEST TO CHANGE THE GENERAL PLAN LAND USE DESIGNATIONS ON 83 PROPERTIES GENERALLY LOCATED SOUTH OF FOURTH STREET AND WEST OF EUCLID AVENUE, AND MODIFY THE FUTURE BUILDOUT TABLE TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES (AMENDING EXHIBITS LU-01 AND LU-03), AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: AS SHOWN IN EXHIBIT A (ATTACHED) (LAND USE CYCLE 1 FOR THE 2016 CALENDAR YEAR).

- 13. A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-001) ON 881 PROPERTIES GENERALLY LOCATED SOUTH OF FOURTH STREET AND WEST OF EUCLID AVENUE; 127 PROPERTIES ALONG EAST HOLT BOULEVARD; AND 37 OTHER PROPERTIES LOCATED THROUGHOUT THE CITY IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES**

City Council conducted a public hearing, introduced and waived further reading of an ordinance approving a Zone Change (File No. PZC16-001) to create consistency between the zoning and the General Plan land use designations of the subject properties.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were two written communications filed with the Records Management/City Clerk's Office.

Council Member Avila recused himself from voting on Item No. 13 due to potential conflict of interest.

Sean Thurin, owner of a few properties adjacent to the property, was in favor of the proposed changes to the Zoning Designations.

Wes Chambers, commented regarding his proposal to modify the proposed designations to include his request for re-zoning S. Palmetto Avenue from Rural Residential to Medium Density Residential.

Ryan Castillo, requested further clarification on Chapter 9 of the Development Code to further define the type of Social Services that may be provided in a low occupancy office space.

Mayor Leon directed staff, to look into the claims of vandalism at the previously stated location.

Amelia DeLaTorre, requested additional police presence on Vista Street due to overcrowding of vehicles parking in spaces with red markings.

Larry Sarinana, property owner, commented on the zone changes to his property suggesting to rezone to high density residential would improve his ability to sell his property.

John Guerrero, opposed the proposed changes to the property surrounding Fern Avenue.

Don Huddleston, commented regarding the proposed re-zoning of the property and questioned how much more density was under consideration.

Linda Huddleston, commented on the concerns she had regarding the increase density of the surrounding neighborhood. She noted unfavorable activity in the neighborhood park putting the children in the area at risk.

MOTION: Moved by Council Member Wapner, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous vote to introduce and waive further reading of Ordinance No. 3050.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Dorst-Porada	X			
Council Member Wapner	X			
Council Member Bowman	X			
Council Member Avila				X

ORDINANCE NO. 3050 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC16-001, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS ON 881 PROPERTIES GENERALLY LOCATED SOUTH OF FOURTH STREET AND WEST OF EUCLID AVENUE, 127 PROPERTIES ALONG EAST HOLT BOULEVARD, AND 37 OTHER PROPERTIES LOCATED THROUGHOUT THE CITY IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: AS SHOWN IN EXHIBIT A (ATTACHED).

STAFF MATTERS

None.

COUNCIL MATTERS

Mayor pro Tem Dorst-Porada commented on the Kiwanis Club and Rotary Club Pancake Breakfast and Car Show that will take place June 4, 2016 and advised that the NOEL Organization will have a fundraiser May 12, 2016. She also thanked Ontario Heritage for their potluck held at the Chaffey Museum. She reminded the public about “Water Awareness Month” in which the state has imposed a savings of 24% for the City of

Ontario. Lastly, she announced upcoming water saving workshops June 4, July, 16, and August 6, 2016.

The City Council recessed at 8:43 p.m. and re-convened at 8:45 p.m.

Council Member Wapner noted the passing of two members of the community and requested the meeting be adjourned in memory of Bob Hardy and Jim Bryant.

Council Member Avila commented on the celebration of International Workers Day on May 1, 2016, and the Cinco de Mayo celebration. He acknowledged Senator Connie Leyva for the Homeless event at Bryant Park, and thanked the public for attending this meeting.

Mayor Leon thanked the Hispanic Chamber of Commerce for a successful Cinco de Mayo Event. He announced that May 14, 2016 at 6:30 p.m. at the Gardener Springs Auditorium, Chaffey High School; The Esperanza Scholarship Foundation will be honoring about 70 students who will be awarded with scholarships. Lastly, he reminded the public that Circus Vargas is in town at Ontario Mills.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 8:47 p.m. in memory of Bob Hardy and Jim Bryant. He announced the next regular meetings on Tuesday, May 17, 2016.

Respectfully submitted,


SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:


PAUL S. LEON, MAYOR/CHAIRMAN