ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
May 17, 2016

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, May 17, 2016 at the Ontario City Hall, 303 East B Street, Ontario, California.

CLOSED SESSION

The Mayor called the City Council/Housing Authority meetings to order at 6:00 p.m., and inquired whether persons were present who wished to speak to a Closed Session item.

Stephen Rogers, commented on items provided to the City Clerk for the City Council.

Mayor Leon asked the City Attorney if it was appropriate to limit the speaker from speaking on an item not related to the Closed Session matter.

City Attorney Brown suggested the City Council allow the public speaker to continue his comments without disclosing information pertaining to the items to be discussed during closed session.

City Council recessed to Closed Session at 6:06 p.m.

GC 54956.9 (d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: One (1) case.

CALL TO ORDER – OPEN SESSION

The Mayor called the City Council/Housing Authority meetings to order at 6:31 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:	Jim W. Bowman
		and Paul Vincent Avila
ABSENT:	Council/Authority Member:	Alan D. Wapner

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

The Pledge of Allegiance was led by Council Member Bowman.

Pastor Steve Marquedant, Sovereign Grace Baptist Church provided the Invocation.

REPORT ON CLOSED SESSION

City Attorney Brown, advised that there were no reportable actions during the Closed Session meeting.

PUBLIC COMMENTS

Jose Ixmay, realtor and representative for the Molina family, requested assistance for his clients request for a 100% rebuild letter for the property located at 1527 E. Fresno Street.

Mayor Leon referred Jose Ixmay to staff.

Joe Caskey, announced upcoming cultural events in the City: June 5th is the last day to see the Chaffey Community Art Museum "Art and Soul" Exhibit; June 12th 2 - 4 p.m. is the Journey Artist reception of the Year; June 6th - July 31st the Chaffey Community Art Museum Art will showcase the Exhibit called "Out of the Attic, The Upper Underground Artist"; June 5th is the last day of the 2016 "8th Bi-Annual Ontario Invitational Art" Exhibit; July 4th Ontario Heritage will have an entry in the parade; and October 8th is the annual tour of the Bellevue Cemetery.

Dale Robinson, commented on the construction at Grove Avenue through Bon View Avenue and thanked Jacob Green, Assistant City Manager for his work in the City.

Linda Johnson, commented on district based elections for the City Council Members.

Stephen Rogers, requested an item be placed on the agenda for Closed Session discussion regarding a complaint he made to the State.

CONSENT CALENDAR

Council Member Avila requested to pull Item No. 8 for discussion.

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

	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			

1. ***APPROVAL OF MINUTES***

Approved the Minutes for the regular meeting of the City Council and Housing Authority of April 19, 2016.

2. ***BILLS/PAYROLL***

Approved **Bills** March 20, 2016 through April 2, 2016 in the amount of $11,970,513.50 and **Payroll** March 20, 2016 through April 2, 2016 in the amount of $2,671,810.31 when audited by the Finance Committee.

3. ***RESOLUTIONS APPROVING AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY AND THE CITY OF ONTARIO (THE ONTARIO CENTER – PIEMONTE PROJECT DISPOSITION AND DEVELOPMENT AGREEMENT)***

Successor Agency to the Ontario Redevelopment Agency and City Council took the following actions:

(A) Adopted a resolution approving an Assignment and Assumption Agreement ("Agreement") between the Successor Agency to the Ontario Redevelopment Agency ("Successor Agency") and the City of Ontario ("City"), and authorized the Executive Director to execute the Agreement and all other documents required for implementation of the Agreement; and

(B) Adopted a resolution approving an Assignment and Assumption Agreement between the Successor Agency to the Ontario Redevelopment Agency and the City of Ontario, and authorized the City Manager to execute the Agreement and all other documents required for implementation of the Agreement.

RESOLUTION NO. 2016-033 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ASSIGNMENT AND ASSUMPTION AGREEMENT (THE ONTARIO CENTER - PIEMONTE PROJECT DISPOSITION AND DEVELOPMENT AGREEMENT).

RESOLUTION NO. SA-008 A RESOLUTION OF THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ASSIGNMENT AND ASSUMPTION AGREEMENT (THE ONTARIO CENTER - PIEMONTE PROJECT DISPOSITION AND DEVELOPMENT AGREEMENT).

4. **FISCAL YEAR 2015-16 THIRD BUDGET UPDATE REPORT**

City Council approved the budget adjustments and recommendations as listed in the Fiscal Year 2015-16 Third Budget Update Report.

5. AWARD A MAINTENANCE AND REPAIR SERVICES AGREEMENT FOR HVAC MAINTENANCE AND REPAIR SERVICES AT VARIOUS CITY FACILITIES/WESTERN ALLIED CORPORATION

City Council took the following actions:

(A) Awarded and authorized the City Manager to execute a three-year Maintenance and Repair Services Agreement, (Contract No. MS 1516-12), to Western Allied Corporation of Santa Fe Springs, California, for $298,224 for the initial three-year term contract, and authorized the option to extend the agreement for up to two successive one-year periods; and

(B) Authorized urgency repairs based on the established contract rates, and the addition of future services areas as needed.

6. AUTHORIZE THE PURCHASE OF POLICE VEHICLES/NATIONAL AUTO FLEET GROUP/FAIRVIEW FORD

City Council took the following actions:

(A) Authorized the purchase and delivery of one 2016 Chevrolet Express Van in the amount of $29,983; two 2017 Ford Escapes in the amount of $45,952; and one 2016 Ford Explorer in the amount of $43,258 from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 102811; and

(B) Authorized the purchase and delivery of three 2017 Ford Police Patrol SUV Vehicles in the amount of $97,221 from Fairview Ford of San Bernardino, California, under the terms and conditions of Bid No. 613.

7. ACCEPT A WRITTEN PETITION TO CREATE A COMMUNITY FACILITIES DISTRICT; ADOPT A RESOLUTION OF INTENT TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B) AND TO AUTHORIZE THE ASSOCIATED LEVY OF SPECIAL TAXES; AND ADOPT A RESOLUTION TO INCUR BONDED INDEBTEDNESS

City Council took the following actions:

(A) Accepted written petition from Brookcal Ontario, LLC. located in Costa Mesa, CA, to create a Community Facilities District (CFD), and waived certain procedural matters, under the Mello-Roos Community Facilities Act of 1982;

(B) Adopted a resolution of Intent to establish City of Ontario Community Facilities District No. 30 (New Haven Facilities – Area B); authorized the associated levy of special taxes therein; and set a public hearing for the formation of the CFD as part of the regularly scheduled City Council meeting on Tuesday, June 21, 2016;

(C) Adopted a resolution to incur bonded indebtedness of proposed Community Facilities District No. 30 (New Haven Facilities – Area B).

RESOLUTION NO. 2016-034 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT, PROPOSED TO BE NAMED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B), AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

RESOLUTION NO. 2016-035 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO INCUR BONDED INDEBTEDNESS OF THE PROPOSED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B).

9. A RESOLUTION APPROVING THE SUBMITTAL OF AN APPLICATION TO PARTICIPATE IN THE BEVERAGE CONTAINER RECYCLING CITY/COUNTY PAYMENT PROGRAM (FISCAL YEAR 2015-16) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVER (CALRECYCLE)

City Council adopted a resolution approving the submittal of an application for approximately $42,000 from the Beverage Container Recycling City/County Payment Program (Fiscal Year 2015-16) and authorized the City Manager or his designee to execute all necessary documents to participate in the program.

RESOLUTION NO. 2016-036 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE SUBMITTAL OF AN APPLICATION TO PARTICIPATE IN THE BEVERAGE CONTAINER RECYCLING CITY/COUNTY PAYMENT PROGRAM (FISCAL YEAR 2015-16) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CalRecycle).

10. PROFESSIONAL SERVICES AGREEMENT FOR POTABLE WATER MASTER PLAN UPDATE

City Council approved and authorized the City Manager to execute a Professional Services Agreement with AKM Consulting Engineers of Irvine, California, (AKM) to provide Engineering Services for the Potable Water Master Plan Update in the amount of $297,380 plus a 15% contingency of $44,607 for a total amount of $341,987.

ITEMS PULLED FOR DISCUSSION

8. 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 considered and adopted 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.

Mayor Leon opened public comments.

Stephen Rogers, requested clarification regarding re-zoning of areas designated as public right-of-way.

Council Member Avila, recused himself from voting due to a potential conflict and left the Chamber at 6:52 p.m.

Mayor Leon closed public comments.

MOTION: Moved by Council Member Bowman seconded by Mayor pro Tem Dorst-Porada, to approve Item 8 as presented.

	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

Introduction and first reading of said ordinance took place at a regular meeting of the City Council on May 3, 2016.

ORDINANCE NO. 3050 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, 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).

Council Member Avila returned at 6:53 p.m.

PUBLIC HEARING

11. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA15-005) BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO, LLC, FOR THE DEVELOPMENT OF UP TO 108 RESIDENTIAL UNITS (TT19907) ON 27.09 GROSS ACRES OF LAND WITHIN THE CONVENTIONAL MEDIUM LOT RESIDENTIAL DISTRICT (PLANNING AREA 29) OF THE SUBAREA 29 SPECIFIC PLAN, LOCATED AT THE SOUTHWEST CORNER OF HAVEN AVENUE AND PARK VIEW STREET

City Council introduced and waived further reading of an ordinance approving a Development Agreement (File No. PDA15-005, on file with the Records Management Department) between the City of Ontario and Brookcal Ontario, LLC, for the development of up to 108 residential units (TT19907) on 27.09 gross acres of land within the Conventional Medium Lot Residential district (Planning Area 29) of the Subarea 29 Specific Plan, located at the southwest corner of Haven Avenue and Park View Street (APN: 0218-321-17).

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

There were no written communications.

Mayor Leon opened the public hearing, hearing no requests to speak, he closed the public hearing.

MOTION: Moved by Mayor pro Tem Dorst-Porada seconded by Council Member Bowman, to approve Ordinance No. 3051 as presented.

	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. 3051 (FIRST READING) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO, LLC., FILE NO. PDA15-005, TO ESTABLISH THE TERMS AND CONDITIONS FOR DEVELOPMENT OF UP TO 108 RESIDENTIAL UNITS (TT 19907) ON 27.09 ACRES WITHIN PLANNING AREA 29 OF THE SUBAREA 29 SPECIFIC PLAN, LOCATED AT THE SOUTHWEST CORNER OF HAVEN AVENUE AND PARK VIEW STREET, AND MAKING FINDINGS IN SUPPORT THEREOF (APN: 0218-321-17).

12. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT (FILE NO. PDA15-006) BETWEEN THE CITY OF ONTARIO AND ROSEVILLE NMC, LLC, ONTARIO, FOR THE DEVELOPMENT OF UP TO 118 RESIDENTIAL UNITS (TT19909) ON 26.81 GROSS ACRES OF LAND WITHIN THE CONVENTIONAL MEDIUM LOT RESIDENTIAL DISTRICT (PLANNING AREA 28) OF THE SUBAREA 29 SPECIFIC PLAN, LOCATED AT THE NORTHWEST CORNER OF HAVEN AVENUE AND PARK VIEW STREET

City Council introduced and waived further reading of an ordinance approving a Development Agreement between the City of Ontario and Roseville NMC, LLC, Ontario, for the development of up to 118 residential units (TT19909) on 26.81 gross acres of land within the Conventional Medium Lot Residential district (Planning Area 28) of the Subarea 29 Specific Plan, located at the northwest corner of Haven Avenue and Park View Street (APN: 0218-321-30).

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

There were no written communications.

Mayor Leon opened the public hearing, hearing no requests to speak, he closed the public hearing.

MOTION: Moved by Council Member Bowman seconded by Mayor pro Tem Dorst-Porada, to approve Ordinance No. 3052 as presented.

	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. 3052 (FIRST READING) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND ROSEVILLE NMC, LLC, FILE NO. PDA15-006, TO ESTABLISH THE TERMS AND CONDITIONS FOR DEVELOPMENT OF UP TO 118 RESIDENTIAL UNITS (TT 19909) ON 26.81 ACRES WITHIN PLANNING AREA 28 OF THE SUBAREA 29 SPECIFIC PLAN, LOCATED ON THE AT THE NORTHWEST CORNER OF HAVEN AVENUE AND PARK VIEW STREET, AND MAKING FINDINGS IN SUPPORT THEREOF (APN:0218-321-30).

STAFF MATTERS

None.

COUNCIL MATTERS

Mayor Leon thanked Dave Masterson and Alex Espinoza for the success of the recent Esperanza Scholarship Foundation Gala. He thanked the school districts for their work and their role in achieving student's success. He also commented on the Gold Line, the importance of affordable transportation, and the importance of considering all types of transportation available to the benefit of the City.

Mayor pro Tem Dorst-Porada announced the events happening in the City, she reminded the public to visit the City's website for upcoming events, and invited the public to come and support the Annual Rotary Car Show and Kiwanis Pancake Breakfast on June 4.

Council Member Bowman commented on the City's partnerships, jobs created, and the importance of ridership at the Ontario Airport. He requested the public to support transportation on a regional level especially the different types of transportation coming into the city. He requested staff to schedule a Transportation Workshop possibly in June in collaboration with San Bernardino County and other agencies to discuss how to form a coalition to make traveling easier for the residents and visitors of the Inland Empire.

Council Member Avila commented on his support for the development of transportation in the City, and thanked staff for their work. He added that the development of transportation will also support the surrounding schools and add jobs in the City. He commented on school district success and mentioned areas the students have excelled in. He also talked of Memorial Day and asked the public to remember veterans that have served.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:17 p.m. He announced the next regular meetings on Tuesday, June 7, 2016.

Respectfully submitted,

Sheila Mautz

SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:

PAUL S. LEON, MAYOR/CHAIRMAN