

CITY OF ONTARIO
SPECIAL MEETING
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
NOVEMBER 13, 2012, 12:00 P.M.

Paul S. Leon
Mayor

Sheila Mautz
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Debra Dorst-Porada
Council Member



Chris Hughes
City Manager

John E. Brown
City Attorney

Mary E. Wirtes, MMC
City Clerk

James R. Milhiser
Treasurer

WELCOME to a meeting of the Ontario City Council.

- All documents for public review are on file with the Records Management/City Clerk's Department located at 303 East B Street, Ontario, CA 91764.
- Anyone wishing to speak during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Clerk will not accept blue slips after that time.
- Comments will be limited to 3 minutes. Speakers will be alerted when they have 1 minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.
- In accordance with State Law, remarks during public comment are to be limited to subjects within Council's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Council and Staff need to be recognized by the Chair before speaking.

ORDER OF BUSINESS: The Special City Council and Housing Authority meeting begins with Public Comment at 12:00 p.m. immediately followed by the Special Meeting. No agenda item will be introduced for consideration after 10:00 p.m. except by majority vote of the City Council.

(EQUIPMENT FOR THE HEARING IMPAIRED AVAILABLE IN THE RECORDS MANAGEMENT OFFICE)

CALL TO ORDER (*OPEN SESSION*)

12:00 p.m.

ROLL CALL

Mautz, Wapner, Bowman, Dorst-Porada, Mayor/Chairman Leon

PLEDGE OF ALLEGIANCE

Council Member Dorst-Porada

PUBLIC COMMENTS

12:00 p.m.

The Public Comment portion of the Council/Housing Authority meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

As previously noted -- if you wish to address the Council, fill out one of the blue slips at the rear of the chambers and give it to the City Clerk.

AGENDA REVIEW/ANNOUNCEMENTS: The City Manager will go over all updated materials and correspondence received after the agenda was distributed to ensure Council Members have received them. He will also make any necessary recommendations regarding Agenda modifications or announcements regarding Agenda items to be considered.

CONSENT CALENDAR
All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for a separate vote.
Each member of the public wishing to address the City Council on items listed on the Consent Calendar will be given a total of 3 minutes.

I. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18850 LOCATED AT THE NORTHWEST CORNER OF INLAND EMPIRE BOULEVARD AND TURNER AVENUE

That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Tract Map No. 18850 for property located at the northwest corner of Inland Empire Boulevard and Turner Avenue within the Ontario Festival Specific Plan area.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18850 LOCATED AT THE NORTHWEST CORNER OF INLAND EMPIRE BOULEVARD AND TURNER AVENUE.

COUNCIL MATTERS

- Mayor Leon
- Mayor pro Tem Mautz
- Council Member Wapner
- Council Member Bowman
- Council Member Dorst-Porada

STAFF MATTERS

City Manager Hughes

ADJOURNMENT

CITY OF ONTARIO

Agenda Report
November 13, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18850 LOCATED AT THE NORTHWEST CORNER OF INLAND EMPIRE BOULEVARD AND TURNER AVENUE

RECOMMENDATION: That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Tract Map No. 18850 for property located at the northwest corner of Inland Empire Boulevard and Turner Avenue within the Ontario Festival Specific Plan area.

**COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)**

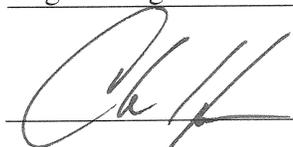
FISCAL IMPACT: None. All public infrastructure improvements required for this subdivision will be constructed by the developer at its sole cost.

BACKGROUND: Final Tract Map No. 18850 consisting of eleven (11) numbered lots and seven (7) lettered lots on 27.8 acres as shown on Exhibit 1 (attached), has been submitted by the developer, OF2010, LLC, of Costa Mesa, California (Mr. Adrian Foley, President). This tract is located in the Ontario Festival Specific Plan area and has a planned development of 150 single-family detached homes and 110 townhome condominiums for a total of 260 residential units. Tentative Tract Map No. 18850 was approved by the Planning Commission on October 23, 2012 and is consistent with the adopted Ontario Festival Specific Plan.

Improvements will include street widening on Inland Empire Boulevard and Turner Avenue, a raised landscaped median on Inland Empire Boulevard, sidewalk, street lights, parkway landscaping and irrigation, sewer and water mains, storm drain, bus stops, undergrounding of power lines and a traffic signal.

STAFF MEMBER PRESENTING: Louis Abi-younes, P.E., City Engineer

Prepared by: Dean A. Williams
Department: Engineering

City Manager
Approval: 

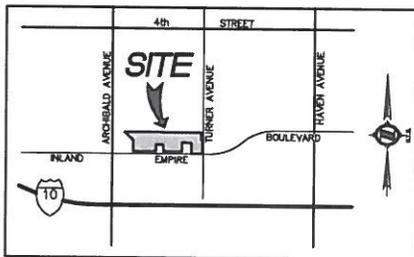
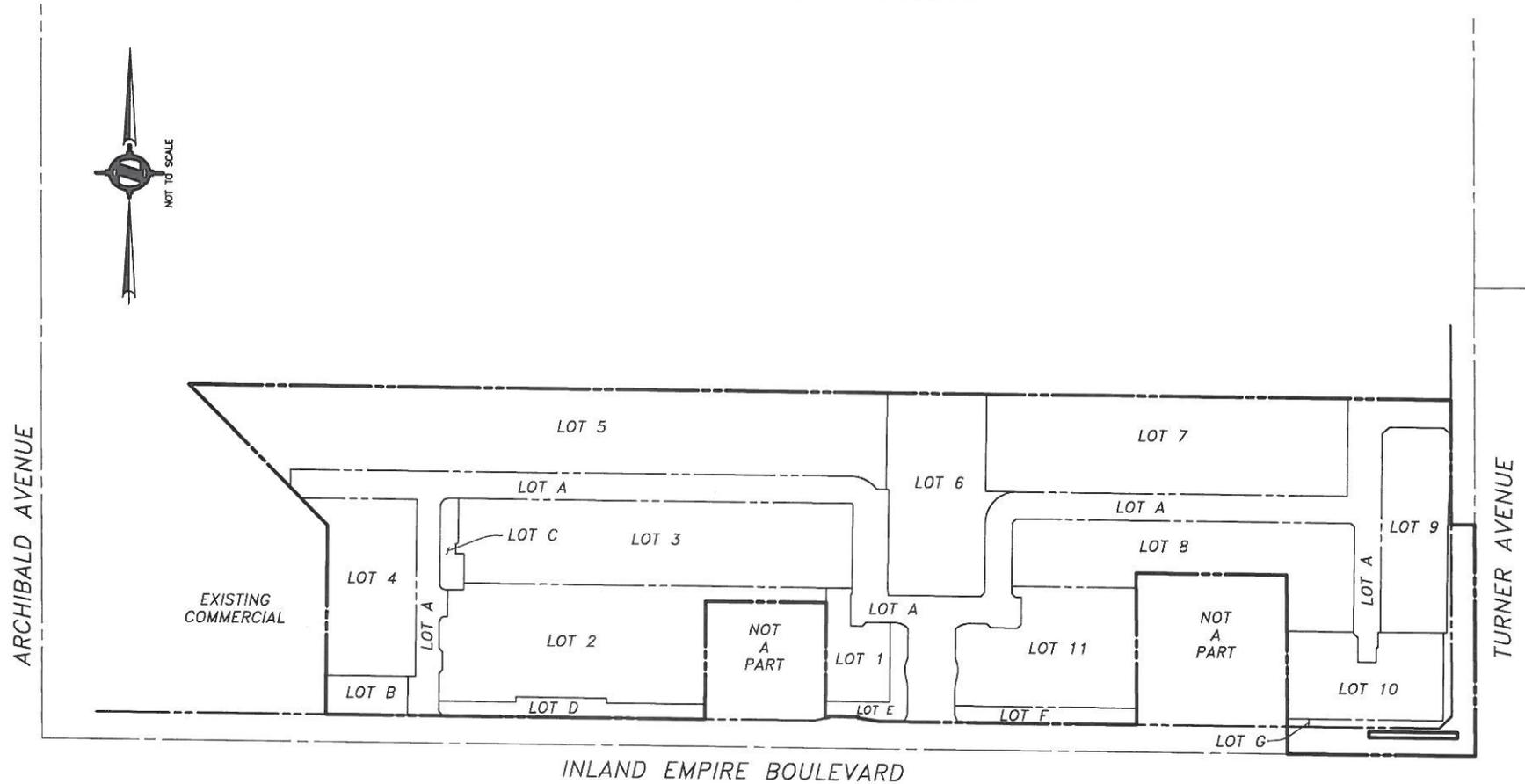
Submitted to Council/O.H.A. 11/13/2012 5
Approved: _____
Continued to: _____
Denied: _____

1

The developer has entered into an improvement agreement with the City and has posted sufficient security to ensure completion of the aforementioned public improvements.

This map meets all conditions of the Subdivision Map Act and the Ontario Municipal Code and has been reviewed and approved by the City Engineer.

EXHIBIT I



VICINITY MAP:
NOT TO SCALE

<p>CITY OF ONTARIO ENGINEERING DEPARTMENT</p>	<p>APPLICANT: BROOKFIELD RESIDENTIAL</p>
<p>FILE NO. TM 18850</p>	<p>PROJECT: ONTARIO FESTIVAL</p>

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18850 LOCATED AT THE NORTHWEST CORNER OF INLAND EMPIRE BOULEVARD AND TURNER AVENUE.

WHEREAS, Tentative Tract Map No. 18850, submitted for approval by the developer, OF2010, LLC, of Costa Mesa, California (Mr. Adrian Foley, President) was approved by the Planning Commission of the City of Ontario on October 23, 2012; and

WHEREAS, Tentative Tract Map No. 18850 consists of eleven (11) numbered lots and seven (7) lettered lots, being a subdivision of Lot 1 of Tract No. 17245, as filed in Book 333, Pages 82 through 85, inclusive, of Tract Maps, together with Parcels 3 through 6, inclusive and Lot "A" of Parcel Map No. 16979, as filed in Book 234, Pages 51 through 54, inclusive, of Parcel Maps, together with a portion of Lot 14 of Section 23, Township 1 South, Range 7 West, San Bernardino Meridian, according to the Map of Cucamonga Lands per Plat filed in Book 4, Page 9 of Maps, all in the Office of the County Recorder of said County; and

WHEREAS, to meet the requirements established as prerequisite to final approval of Final Tract Map No. 18850, said developer has offered an Improvement Agreement, together with good and sufficient security, in conformance with the City Attorney's approved format, for approval and execution by the City; and

WHEREAS, the requirement for the preparation of Covenants, Conditions and Restrictions (CC&R's), approved by the City Attorney's office, to ensure the right to mutual ingress and egress and continued maintenance of common facilities by the commonly affected property owners has been deferred to the timing of subsequent subdivision developments.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California, as follows:

1. That said Improvement Agreement be, and the same is, approved, and the City Manager is authorized to execute same on behalf of said City, and the City Clerk is authorized to attest thereto; and
2. That said improvement security is accepted as good and sufficient, subject to approval as to form and content thereof by the City Attorney; and
3. That Final Tract Map No. 18850 be approved and that the City Clerk be authorized to execute the statement thereon on behalf of said City.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 13th day of November 2012.

PAUL S. LEON, MAYOR

ATTEST:

MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2012- was duly passed and adopted by the City Council of the City of Ontario at a special meeting held November 13, 2012 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2012- duly passed and adopted by the Ontario City Council at a special meeting held November 13, 2012.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)