ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY
ONTARIO REDEVELOPMENT AGENCY

MINUTES
MAY 3, 2011

JOINT MEETINGS

Regular meetings of the Ontario City Council, Ontario Housing Authority and Ontario Redevelopment Agency were held on Tuesday, May 3, 2011, at the Ontario Senior Center, 225 East B Street, Ontario, CA.

Notice of said meeting location was duly given in the time and manner prescribed by law. Affidavit of compliance is on file in the Records Management Department.

CLOSED SESSION

The Mayor called the City Council/ Housing Authority/ Redevelopment Agency meetings to order at 6:02 p.m., with all members present and indicated that he had received one request to speak to a Closed Session item.

John Logue, representing the Ontario Mountain Village Association read a prepared statement regarding their participation in discussions with the Walmart project representatives. He expressed disappointment with the outcome of their discussions and the company's business model.

Hearing no additional requests to speak the meeting was thereupon adjourned to Closed Session at 6:05 p.m. for discussion as follows:

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APN 1048-521-14, 202 North Sultana Avenue; city/Agency/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Rapp Family Revocable Trust or Designee; Robert Adams; Under Negotiation: Price and terms of payment.

- GC 54956.9 (a), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Walmart, Case No. E049432

CALL TO ORDER

The Mayor called the City Council/Housing Authority/Redevelopment Agency meetings to order at 6:44 p.m., and requested the City Clerk to call the roll.

PRESENT:	Mayor/Chairman:	Paul S. Leon
	Mayor pro Tem/Vice Chair:	Debra Dorst-Porada
	Council/Authority/Agency Members:	Alan D. Wapner, Sheila Mautz, and Jim W. Bowman
ABSENT:	None	

Also present were City Manager/Executive Director Hughes, City Attorney John Brown and Assistant City Clerk/Secretary Vicki Kasad.

The Pledge of Allegiance was led by Council Member Mautz.

The Invocation was offered by Pastor Steve Marquedant, sovereign Grace Baptist Church.

REPORT ON CLOSED SESSION

City Attorney John Brown reported that there was no reportable action taken in Closed Session. He further reported that there was no reportable action as to the Walmart pending litigation and that Council Member Wapner had not participated in that specific discussion.

PUBLIC COMMENTS

Dorene Hopkins indicated that the curbs in the 500 block of East J Street were in need of repair and street lights were needed in that area. She also commented on: the property at 5th and Mountain indicating that senior housing would be a better use of the site than a Walmart; the rising temperatures; and the use of property taxes in the downtown area.

Maria Leon indicated that she is interested in selling her property at 140 North Virginia, north of Holt and asked if the City would be interested in purchasing it. Mrs. Leon was referred to Housing staff.

Brandon Blanchard, representing Chino Valley Unified School District, reminded the community of the need to update vaccinations for students in grades 7 to 12, and

announced that kindergarten registration is open for the coming school year. He noted the locations and contact information for their schools in the City of Ontario. He also noted the school District's partnership with the City and stressed the importance of leadership in difficult economic times.

Markisha Key-Hagan, representing the West End Gang & Drug Task Force, invited the Council to an upcoming policy conference on June 14th and 15th, presented by local and county agencies. She indicated that there will be three tracks for the various groups of people involved to address substance abuse and violence prevention. She provided flyers detailing the event.

Mary Sheets, Executive Director, Foothill Family Shelter, explained that they are a non-profit organization providing food, shelter, clothing, and counseling services to the homeless in the Rancho Cucamonga, Upland and Ontario area. She thanked the Council for their financial support through the CDBG program over the past few years.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Hughes indicated there were no announcements.

JOINT AGENCIES CONSENT CALENDAR

MOTION: Moved by Council Member Bowman, seconded by Council Member Mautz, the Joint Agencies approved the following Consent Calendar items as recommended.

1. APPROVAL OF MINUTES

Approved Minutes for the regular meeting of the City Council, Redevelopment Agency and Housing Authority of April 5, 2011, as on file in the Records Management Department.

2. BILLS/PAYROLL

Approved **Bills** in the amount of $11,689,805.71 for February 27, 2011 through March 12, 2011 and **Payroll** in the amount of $2,326,385.52 for February 27, 2011 through March 12, 2011 when audited by the Finance Committee.

3. **ANNUAL REVIEW OF CITYWIDE INVESTMENT POLICY**

The City Council concluded the annual review process with the adoption of the citywide Investment Policy.

4. **A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR AND ACCEPTANCE OF PROPOSITION 1E STORM WATER FLOOD MANAGEMENT GRANT FUNDS FOR THE NEW MODEL COLONY STORM DRAIN PROJECT.**

The City Council adopted a resolution authorizing the submittal of a grant application for Proposition 1E funds through the California Department of Water resources (DWR); and authorized the City Manager to execute an agreement and related program documents as required for the acceptance of the grant.

RESOLUTION NO. 2011-017 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF PROPOSITION 1E STORM WATER FLOOD MANAGEMENT GRANT FUNDS FOR THE NEW MODEL COLONY STORM DRAIN PROJECT.

5. **COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF SAN BERNARDINO, THE CITY OF RANCHO CUCAMONGA, AND THE CITY OF ONTARIO FOR THE MAINTENANCE AND OPERATION OF A JOINTLY OWNED TRAFFIC SIGNAL**

The City Council approved a cooperative agreement (on file with the Records Management Department) between the County of San Bernardino, the City of Rancho Cucamonga and the City of Ontario for the maintenance and operation of a jointly owned traffic signal at the intersection of Etiwanda Avenue and San Bernardino Avenue/Fourth Street; and authorize the City Manager to execute said agreement and all future amendments.

6. **"WATER AWARENESS MONTH" IN THE CITY OF ONTARIO**

The City Council recognized the month of May 2011 as "Water Awareness Month" in the City of Ontario.

7. **"HISTORIC PRESERVATION MONTH" IN THE CITY OF ONTARIO**

The City Council recognized the month of May 2011 as "Historic Preservation Month" in the City of Ontario.

8. **RECOGNITION OF MAY 15 - 21, 2011 AS "BLUE RIBBON WEEK" IN THE CITY OF ONTARIO**

The City Council recognized the week of May 15 – 21, 2011 as "Blue Ribbon Week" in the City of Ontario to commemorate law enforcement personnel who have lost their lives in the line of duty and to encourage support for law enforcement throughout the nation.

9. **PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN HOMELAND SOLUTIONS FOR PLAN DEVELOPMENT SERVICES AS PART OF THE FY2009 URBAN AREA SECURITY INITIATIVE (UASI) GRANT PROGRAM/WILLDAN HOMELAND SOLUTIONS**

The City Council authorized the City Manager to execute a Professional Services Agreement (on file with the Records Management Department) with Willdan Homeland Solutions of Anaheim, California, for the development of interoperable communications plans, as part of the FY2009 Department of Homeland Security UASI Interoperable Communications Enhancement Project, in a not to exceed amount of $200,000.

10. **AMENDMENT TO THE PURCHASE CONTRACT FOR A POLICE HELICOPTER AND AWARD OF A PURCHASE AGREEMENT FOR AVIONIC EQUIPMENT**

The City Council authorized the City Manager to execute an amendment to the existing purchase contract with American Eurocopter Company (AEC), of Grand Prairie, Texas, to reduce the scope of work and deliverables by $1,427,013; and authorize the City Manager to execute a purchase agreement in the amount of $1,402,565 with Hangar One Avionics (Hangar One), of Carlsbad, California, to transfer the acquisition and installation of certain avionic equipment from AEC to Hangar One.

11. **A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT JOBS CREATION GRANT AGREEMENT**

The Ontario Redevelopment Agency Board adopted a resolution approving an Economic Development Jobs Creation Grant Agreement between the Ontario Redevelopment Agency and Ontario T, Inc., dba John Elway's Crown Toyota and dba John Elway's Crown Scion, of Ontario, California, to create job opportunities and reduce economically blighted influences within Project Area No. 1.

RESOLUTION NO. ORA-817 A RESOLUTION OF THE ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA APPROVING AN ECONOMIC DEVELOPMENT JOB CREATION GRANT AGREEMENT BETWEEN THE ONTARIO REDEVELOPMENT AGENCY AND ONTARIO T, INC., DBA JOHN ELWAY'S CROWN TOYOTA AND DBA JOHN ELWAY'S CROWN SCION.

12. APPROVAL OF THE ONE-YEAR ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG"), HOME INVESTMENT PARTNERSHIP ("HOME"), AND THE EMERGENCY SHELTER GRANT ("ESG") PROGRAMS FOR FY 2011-2012

The City Council:

(A) Approved the proposed One-Year Action Plan for FY 2011-2012 (on file in the Records Management Department);

(B) Directed staff to prepare and transmit the final documents to the U.S. Department of Housing and Urban Development ("HUD"); and

(C) Authorized the City Manager, or his designee to take all actions necessary or desirable to implement the One-Year Action Plan and Subrecipient Agreements.

MOTION UNANIMOUSLY CARRIED. The Mayor/Chairman declared Resolutions Nos. 2011-017 and ORA-817 duly passed and adopted.

PUBLIC HEARINGS

13. A PUBLIC HEARING TO CONSIDER GENERAL PLAN AMENDMENT (PGPA10-001) TO REVISE THE POLICY PLAN (GENERAL PLAN) MOBILITY ELEMENT - FIGURE M-5

City Council conducted a public hearing to adopt a resolution approving General Plan Amendment File No. PGPA10-001 to revise the Policy Plan Mobility Element – Figure M-5 relating to truck routes.

Notice of public hearing has been 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 at 6:58 p.m. Hearing no requests to speak, the public hearing was closed at 6:59 p.m.

MOTION: Moved by Council Member Mautz, Seconded by Council Member Bowman and unanimously carried to adopt Resolution No. 2011-018 as presented.

RESOLUTION NO. 2011-018 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA10-001, A GENERAL PLAN AMENDMENT TO THE MOBILITY ELEMENT FIGURE M-5 OF THE POLICY PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF.

14. **A PUBLIC HEARING TO CONSIDER CERTIFICATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR FILE NO. PSPA08-006 AND A SPECIFIC PLAN AMENDMENT TO THE GUASTI PLAZA SPECIFIC PLAN**

City Council conducted a public hearing to consider and adopt resolutions certifying the Supplemental Environmental Impact Report and approving File No. PSPA08-006 amending the Guasti Plaza Specific Plan to allow for up to 500 residential dwelling units on approximately 13 acres of land located at the southwest corner of Guasti Road and Turner Avenue.

Notice of public hearing has been 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 at 6:59 pm.

John Lumis, representing Thirtieth Street Architects, indicated that he represented the project and he, the owner and developer were present to answer any questions if necessary.

Hearing no additional requests to speak, the public hearing was closed at 7:00 p.m.

MOTION: Moved by Council Member Bowman, Seconded by Council Member Mautz and unanimously carried to adopt Resolution Nos. 2011-019 and 2011-020 as presented.

RESOLUTION NO. 2011-019 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE GUASTI PLAZA SPECIFIC PLAN AMENDMENT AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING THE PROPOSED GUASTI PLAZA SPECIFIC PLAN AMENDMENT.

RESOLUTION NO. 2011-020 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, PARTIALLY APPROVING FILE NO. PSPA08-006, A SPECIFIC PLAN AMENDMENT TO THE GUASTI PLAZA SPECIFIC PLAN, TO ALLOW FOR UP TO 500 RESIDENTIAL DWELLING UNITS ON APPROXIMATELY 8 ACRES OF LAND AND THE INCORPORATION OF THE GUASTI CONSERVATION PLAN AND CONCEPTUAL INTERPRETIVE PLAN INTO THE GUASTI SPECIFIC PLAN, LOCATED AT THE SOUTHWEST CORNER OF GUASTI ROAD AND TURNER AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 0210-192-11.

15. **A JOINT PUBLIC HEARING OF THE ONTARIO CITY COUNCIL AND THE ONTARIO REDEVELOPMENT AGENCY BOARD REGARDING PROPOSED AMENDMENTS TO MERGE THE AGENCY'S EXISTING REDEVELOPMENT PROJECT AREAS AND EXTEND THE TIME LIMIT TO ESTABLISH LOANS, ADVANCES, AND INDEBTEDNESS IN A COMPONENT AREA OF THE PROPOSED MERGED REDEVELOPMENT PROJECT AREA AND ADOPT AN ASSOCIATED MITIGATED NEGATIVE DECLARATION**

The City Council and Ontario Redevelopment Agency Board held a joint public hearing regarding a proposed Redevelopment Project Area Merger; extension of the time limit to establish loans, advances, and indebtedness in a component area of the proposed Merged Redevelopment Project Area and adoption of an associated Mitigated Negative Declaration; and take the following actions:

(A) The Agency Board consider and adopt a resolution to approve and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting program prepared for the proposed Redevelopment Project Area Merger;

(B) The Agency Board adopt a resolution authorizing transmittal of proposed amendments to redevelopment plans merging the existing project areas and extending the time limit to incur indebtedness by ten years for the added area of Project Area No. 2; and transmittal of a report to the City Council

relating to the proposed amendments and making certain findings related thereto;

(C) The City Council consider and adopt a resolution to approve and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting program prepared for the proposed Redevelopment Project Area Merger; and

(D) The City Council introduce and waive further reading of an ordinance to approve and adopt the proposed amendments.

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

Mayor Leon opened the public hearing at 7:02 p.m.

Economic Development Director John Andrews provided an overview of the five project areas established by the Ontario Redevelopment Agency including accomplishments to date and the future goals. He detailed the proposed actions to merge the project areas and extend by 10 years the time limit to incur indebtedness within a portion of Project Area 2; and explained the benefits of merging the project areas. The proposed actions will not add or change the boundaries of the project areas and will not increase property taxes.

Jack Gingold indicated that he was a property owner on the west side of Euclid Avenue, and that he had attended the last public meeting for the project areas. He expressed concern that there did not seem to be much happening on his side of the street, while there had been development in the Center City area. He questioned the future distribution of funds to the project area in which his property is located based on the proposed merger. Mayor Leon requested clarification as to whether Mr. Gingold was in opposition or support of the proposed action. Gingold indicated he was in support. Economic Development Director Andrews clarified that the primary reason for the proposed action was to bring additional resources to the area by increasing financial flexibility in how the existing resources are used. Council Member Wapner commented on the level of indebtedness within the Center City area. He further explained that this action would give the Council/Agency more flexibility to pay such debt and use funds in the downtown area.

City Attorney Brown noted that a letter dated March 30, 2011 had been received from the Inland Empire Utilities Agency relative to this project and it was responded to on April 26, 2011.

There were no questions from Council. It was also noted that there were no new items requiring responses.

Hearing no additional input, the public hearing was closed at 7:16 p.m.

MOTION: Moved by Agency Member Bowman, Seconded by Vice Chair Dorst-Porada, and unanimously carried to adopt Resolution No. ORA-818 as presented.

RESOLUTION NO. ORA-818 A RESOLUTION OF THE CITY OF ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA, AS LEAD AGENCY, ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR PROPOSED AMENDMENTS TO THE REDEVELOPMENT PLANS FOR THE CITY OF ONTARIO REDEVELOPMENT PROJECT AREAS.

MOTION: Moved by Vice Chair Dorst-Porada, Seconded by Agency Member Bowman, and unanimously carried to adopt Resolution No. ORA-819 as presented.

RESOLUTION NO. ORA-819 A RESOLUTION OF THE ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING TRANSMITTAL OF PROPOSED AMENDMENTS TO THE REDEVELOPMENT PLANS FOR PROJECT AREA NO. 1, PROJECT AREA NO. 2, THE CIMARRON PROJECT AREA, CENTER CITY PROJECT AREA AND GUASTI PROJECT AREA TO (1) MERGE THESE PROJECT AREAS INTO THE ONTARIO MERGED REDEVELOPMENT PROJECT AREA AND (2) EXTEND THE TIME LIMIT TO INCUR INDEBTEDNESS BY TEN (10) YEARS FOR THE ADDED AREA OF PROJECT AREA NO. 2 UPON ADOPTION OF THE MERGER; TRANSMITTAL OF A REPORT TO COUNCIL RELATING TO THE PROPOSED AMENDMENTS AND MAKING CERTAIN FINDINGS RELATED THERETO.

MOTION: Moved by Mayor pro Tem Dorst-Porada, Seconded by Council Member Mautz, and unanimously carried to adopt Resolution No. 2011-021 as presented.

RESOLUTION NO. 2011-021 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, AS RESPONSIBLE AGENCY, ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR PROPOSED AMENDMENTS TO THE REDEVELOPMENT PLANS FOR THE CITY OF ONTARIO'S REDEVELOPMENT PROJECT AREAS.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman, and unanimously carried to accept Ordinance No. 2936 for introduction and first reading.

ORDINANCE NO. 2936 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE PROPOSED AMENDMENTS TO (1) MERGE PROJECT AREA NO. 1, PROJECT AREA NO. 2, THE CIMARRON PROJECT AREA, CENTER CITY PROJECT AREA AND GUASTI REDEVELOPMENT PROJECT AREA INTO THE ONTARIO MERGED REDEVELOPMENT PROJECT AREA AND (2) EXTEND A CERTAIN TIME LIMIT TO INCUR INDEBTEDNESS BY TEN (10) YEARS UPON ADOPTION OF THE MERGER; AND MAKING CERTAIN FINDINGS RELATED THERETO.

COUNCIL MATTERS

Council Member Mautz commended the exceptionally bright and eloquent students who had participated in Student Government Day. She also extended kudos to the Mormon Helping Hands event which helped clean up properties in the City. She wished all mothers a Happy Mother's Day.

Council Member Bowman wished all mothers a Happy Mother's Day. He deferred to Council Member Wapner for a report of good news.

Council Member Wapner noted that he and Council Member Bowman serve on a subcommittee regarding the airport issue. He indicated that discussions are continuing with the City of Los Angeles and Los Angeles World Airports (LAWA). He further indicated that in addition to those discussions, Senator Bob Dutton had initiated Senate Bill 446, which would create a local authority to control the airport. He advised that today, City Manager Hughes, Council Member Bowman and himself had attended the Senate Transportation and Housing Committee hearing where they had testified on behalf of the legislation which the committee members unanimously agreed to pass out of committee. He stressed that they are still meeting with legislators and Los Angeles officials to bring the airport home.

Council Member Bowman expressed thanks on behalf of the Council and City management to Senator Dutton for his continued efforts to assist the City in this process. He stressed that monumental progress had been made today and efforts would continue.

Mayor pro Tem Dorst-Porada announced that this Friday, the Museum would be opening an exhibit containing over 200 pieces of art from the public. She explained that several will receive awards on Friday at 5 p.m. and 3 or 4 will have the opportunity to have their own exhibits in the future. She announced that CERT classes will be starting on May 7th , the Police and Fire games are upcoming with 64 different sports which are free to the public to watch, the June 5th Kiwanis Pancake Breakfast and the June 11th Rotary Car Show on Euclid.

Mayor Leon commented on the Hispanic Chamber of Commerce's Cinco de Mayo event on Sunday, noting that they have coordinated it for the last 10 years and it has become a community family event for all to enjoy. He also commented on the new style street lights being installed in the City, noting that they are very bright, cost effective and efficient. He also wished Supervisor Gary Ovitt a happy birthday.

STAFF MATTERS

City Manager Hughes had no comments.

ADJOURNMENT

Adjourned the joint meetings at 7:30 p.m. Mayor Leon announced the next regular meetings will be held on May 17, 2011 at the Ontario Senior Center.

Respectfully submitted:

Vicki Kasad, MMC, Assistant City Clerk/Secretary

APPROVED:

Paul S. Leon, Mayor/Chairman