

**ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY
ONTARIO REDEVELOPMENT AGENCY
MINUTES
NOVEMBER 15, 2011**

JOINT MEETINGS

Regular meetings of the Ontario City Council, Ontario Housing Authority and Ontario Redevelopment Agency were held on Tuesday, November 15, 2011, at the Ontario City Hall, 303 East B Street, Ontario, California.

CLOSED SESSION

The Mayor called the City Council/ Housing Authority/ Redevelopment Agency meetings to order at 6:00 p.m., and inquired whether persons were present who wished to speak to a Closed Session item. All Members were present and no one requested to be heard.

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 2525 East Riverside Drive (portions of); City/Agency/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Stephen Dunn, City of Upland; Under negotiation: Price and terms of payment.
- GC 54957, PUBLIC EMPLOYEE APPOINTMENT: *Fire Chief*

Mayor Leon adjourned the meeting to Closed Session at 6:01 p.m.

CALL TO ORDER

The Mayor called the City Council/ Housing Authority/ Redevelopment Agency meetings to order at 6:30 p.m., and requested the Assistant City Clerk to call the roll.

PRESENT:	Mayor/ Chairman	Paul S. Leon
	Mayor pro Tem/ Vice Chairman	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 Chris Hughes, Assistant City Attorney Jamie Raymond and Assistant City Clerk/ Secretary Vicki Kasad.

The Pledge of Allegiance was led by Council Member Wapner.

The Invocation was offered by *Pastor David Horn, BBC Life Changing Ministries.*

REPORT ON CLOSED SESSION

Assistant City Attorney Raymond summarized the items discussed in Closed Session and advised that there was no reportable action.

PUBLIC COMMENT

Rob Branson spoke on the upcoming Kiwanis Club's Christmas on Euclid event. He reported that there are more vendors anticipated than last year and the event will include a car show as in previous years. He invited the community to attend. He also thanked the Fire Department and Mayor pro Tem Dorst-Porada for their care when he suffered a heart attack during a hockey game a few months ago.

Nacole Smith, Program Coordinator for the African American Health Institute, commented on the California Reducing Disparities Population Project. She detailed their work on a redesign of the health services system, and advised that a report on the project was available on their website. She outlined programs, interventions and strategies recommended in the report and suggested Council consideration of their efforts.

Dave Masterson, performing arts teacher at Chaffey High School, noted that Chaffey High School was celebrating its 100th Anniversary this year and introduced Jade White and Gabriel Navarro who performed the title song from *Phantom of the Opera*. He detailed the show schedule and ticket prices and encouraged everyone to attend.

SPECIAL CEREMONIES

RECOGNITION OF USO PLANE PULL PARTICIPANTS

Mayor Leon provided an overview of the Plane Pull event held at the Ontario Airport that raised \$10,000 for the USO and noted that four City employee teams participated. He called the teams forward and presented certificates of congratulations to the *Trash Talkers* (Municipal Utilities - Solid Waste Department employees) who were the 2011 Plane Pull Champions, with Team Captain Jon Martin; the *Plane Janes* (female employees of several City departments) who were the 2011 Plane Pull Top Fundraisers, with Team Captain Murena Solis; *Pulled Pork* (Police Department employees) with Team Captain Dexter Thomas; and the *Crossf I.T. Kinnick Team* (I.T. Department employees) with Team Captain Lori Walker represented by Robert DeCasas.

RECESS Mayor Leon called a recess at 6:55 p.m. to allow Council Members to personally congratulate the USO Plane Pull participants and the Phantom of the Opera actors, after which the meetings resumed at 7:04 p.m.

AGENCY REVIEW/ ANNOUNCEMENTS

City Manager Hughes advised Council Members 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 October 18, 2011, as on file in the Records Management Department.

2. ***BILLS/PAYROLL***

Approved **Bills** for September 11, 2011 through September 24, 2011 in the amount of \$7,292,504.48 and **Payroll** for September 11, 2011 through September 24, 2011, in the amount of \$2,494,675.86 when audited by the Finance Committee.

3. ***FISCAL YEAR 2011-12 FIRST QUARTER BUDGET REPORT***

City Council approved the budget adjustments and recommendations as listed in the Fiscal Year 2011-12 First Quarter Budget Report.

4. ***UPDATE OF THE CITYWIDE RECORDS RETENTION SCHEDULE***

City Council adopted a resolution approving revisions and updates to the Citywide Retention Schedule.

RESOLUTION NO. 2011-070 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, MAKING REVISIONS AND UPDATING CITY RECORDS RETENTION SCHEDULES AND AMENDING RESOLUTION NO. 2010-048.

5. ***A PROFESSIONAL SERVICES AGREEMENT FOR THE DEVELOPMENT AND ADMINISTRATION OF EMPLOYMENT SELECTION PROCESSES/JACK CLANCY ASSOCIATES***

City Council authorized the City Manager to execute a Professional Services Agreement (on file in the Records Management Department) with Jack Clancy Associates, of Sacramento, California, to design and administer employment selection processes for selected position classifications on an as-needed basis at established billing rates for a period of three years with the option of extending the agreement for up to an additional two years, subject to City Council approved budget appropriations.

6. ***A RESOLUTION ESTABLISHING ALTERNATIVE DATES AND TIMES WHEN GARAGE OR YARD SALES MAY BE CONDUCTED AS A RESULT OF RAINY WEATHER***

City Council adopted a resolution rescinding portions of Resolution 2010-034 and amending the alternative dates and times when garage or yard sales may be conducted by residents as a result of rainy weather.

RESOLUTION NO. 2011-071 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, RESCINDING PORTIONS OF RESOLUTION 2010-034 AND ESTABLISHING ALTERNATIVE DATES AND TIMES WHEN GARAGE OR YARD SALES MAY BE CONDUCTED AS A RESULT OF RAINY WEATHER.

7. ***A RESOLUTION EXTENDING DEVELOPMENT IMPACT FEE DEFERRAL PROGRAMS***

City Council adopted a resolution to extend the Residential and Non-Residential Development Impact Fee Deferral Programs through December 31, 2012.

RESOLUTION NO. 2011-072 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO EXTEND THE DIF DEFERRAL-ECONOMIC STIMULUS PROGRAMS FOR AN ADDITIONAL ONE YEAR PERIOD ENDING DECEMBER 31, 2012.

8. ***PROFESSIONAL SERVICES AGREEMENT WITH STAR WAY PRODUCTIONS, INC. FOR EVENT PRODUCTION SERVICES ASSOCIATED WITH THE 2012 ECONOMIC LEADERSHIP CONFERENCE/STAR WAY PRODUCTIONS, INC.***

The Redevelopment Agency Board authorized the Executive Director to execute a Professional Services Agreement with Star Way Productions, Inc. of Murrieta, California, for the design, implementation, installation, and production of the 2012 Economic Leadership Conference (ELC) in the amount of \$125,000, with the option to extend for up to an additional two years.

9. ***APPLICATION FOR A STATE OF CALIFORNIA CALHOME GRANT FOR FIRST-TIME HOMEBUYER MORTGAGE ASSISTANCE FOR LOW INCOME HOMEBUYERS***

City Council adopted a resolution authorizing staff to prepare and submit an application to the California State Department of Housing and Community Development ("HCD") for up to \$1 million under the CalHome Program; and authorized the City Manager to execute any and all documents necessary or desirable for the submission of the grant application and implementation of the proposed programs if CalHome funds are awarded.

RESOLUTION NO. 2011-073 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE CALHOME PROGRAM; THE EXECUTION OF A STANDARD AGREEMENT IF SELECTED FOR SUCH FUNDING AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE CALHOME PROGRAM.

10. AWARD A CONTRACT FOR ROOF REPAIRS AT WESTWIND COMMUNITY CENTER/SYLVESTER ROOFING

City Council awarded Contract No. MS 1112-3 to Sylvester Roofing of Escondido, California, for roof repairs at Westwind Community Center in the amount of \$453,391 plus a 15% contingency (\$68,009) for a total of \$521,400; authorized the City Manager to execute said contract (on file in the Records Management Department); and authorized the filing of the notice of completion at the conclusion of all construction activities related to the project.

11. MEMORANDUM OF UNDERSTANDING TO ESTABLISH A REGIONAL ALLIANCE TO COMPLY WITH THE WATER CONSERVATION ACT OF 2009

City Council authorized the City Manager or his designee to enter into a Memorandum of Understanding (MOU) with the Cities of Chino, Chino Hills, and Upland, Cucamonga Valley Water District, Fontana Water Company, and Monte Vista Water District establishing a Regional Alliance to Comply with the Water Conservation Act of 2009.

12. MILLS ACT MONITORING PROGRAM REPORT FOR 2011

City Council received and reviewed the Mills Act Monitoring Program Report (PADV11-004) findings for 2011.

13. CONSIDER FILE NO. PHP11-015, A HISTORIC PROPERTY PRESERVATION AGREEMENT FOR A DESIGNATED HISTORIC LANDMARK

City Council adopted a resolution and authorized the City to enter into a Historic Preservation Agreement (Mills Act contract) with property owners Sean and Kristine McMillin for the single family residence at 1232 North Euclid Avenue (APN: 1047-531-05).

RESOLUTION NO. 2011-074 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP11-015, AND AUTHORIZING THE CITY OF ONTARIO TO ENTER INTO A HISTORIC PROPERTY PRESERVATION AGREEMENT WITH SEAN MCMILLIN AND KRISTINE MCMILLIN REGARDING THE PROPERTY LOCATED AT 1232 NORTH EUCLID AVENUE (APN: 1047-531-05).

14. ADOPTION OF AMENDED CITY OF ONTARIO LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)

City Council adopted a resolution approving the 2011 revisions to the “City of Ontario Local Guidelines for Implementing the California Environmental Quality Act”.

RESOLUTION NO. 2011-075 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUBLIC RESOURCES CODE §21000 ET. SEQ.).

MOTION UNANIMOUSLY CARRIED. The Mayor/ Chairman declared Resolution Nos. 2011-070, 2011-071, 2011-072, 2011-073, 2011-074 and 2011-5 duly passed and adopted.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARINGS

15. CONSIDERATION OF AN ORDINANCE GRANTING A ONE-YEAR TIME EXTENSION TO ALL DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND VARIANCE APPROVALS

That the City Council introduce and waive further reading of an ordinance granting a one year time extension to all Development Plan, Conditional Use Permit and Variance approvals which are due to expire on or before March 1, 2013.

ORDINANCE NO. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, GRANTING A ONE-YEAR TIME EXTENSION TO ALL DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND VARIANCE APPROVALS WHICH ARE ACTIVE AND DUE TO EXPIRE ON OR BEFORE MARCH 1, 2013, AND MAKING FINDINGS IN SUPPORT THEREOF.

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.

The Mayor opened the public hearing, with no one requesting to be heard. City Manager Hughes recommended that this item be continued to December 6, 2011.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Mautz and unanimously carried to continue this public hearing to December 6, 2011.

16. A SPECIFIC PLAN AMENDMENT (FILE NO. PSPA11-003) TO THE CALIFORNIA COMMERCE CENTER NORTH/ONTARIO GATEWAY PLAZA WAGNER PROPERTIES (ONTARIO MILLS) SPECIFIC PLAN

That the City Council adopt a resolution approving File No. PSPA11-003, amending the California Commerce Center North/Gateway Plaza Wagner Properties (Ontario Mills) Specific Plan, establishing standards and regulations for Temporary Uses at the Ontario Mills Mall.

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.

The Mayor opened the public hearing, no one requesting to be heard, the public hearing was closed.

Mayor pro Tem Dorst-Porada commented that the Ontario Mills Mall is a major sales tax generator in the City, and assisting them is in the community's best interest.

MOTION: Moved by Council Member Mautz, seconded by Council Member Bowman and unanimously carried to adopt said Resolution.

RESOLUTION NO. 2011-076 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA11-003, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER NORTH/ONTARIO GATEWAY PLAZA WAGNER PROPERTIES (ONTARIO MILLS) SPECIFIC PLAN, ESTABLISHING STANDARDS AND REGULATIONS FOR TEMPORARY USES AT THE ONTARIO MILLS MALL, AND MAKING FINDINGS IN SUPPORT THEREOF –APN: 238-014-36.

17. INTRODUCTION OF ORDINANCES AMENDING CHAPTERS 3, 7 AND 8B OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO SOLID WASTE, SEWER AND WATER SERVICES AND FEES

That the City Council conduct a public hearing to:

- (A) Consider all written protests against the proposed increases in the rates for water and sewer services in accordance with California Constitution, Article XIII D, Section 6(a); and
- (B) Introduce and waive further reading of an ordinance amending Chapter 3, of Title 6 of the Ontario Municipal Code related to solid waste services and fees; and
- (C) Introduce and waive further reading of an ordinance amending Chapter 7, of Title 6 of the Ontario Municipal Code related to sewer services and fees, and authorizing increases to the rates for sewer service charges; and
- (D) Introduce and waive further reading of an ordinance amending Chapter 8B, of Title 6 of the Ontario Municipal Code relating to water services and fees, and authorizing increases to the rates for water service charges.

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

The Mayor advised that this was a public hearing to consider solid waste, sewer and water services and fees, and asked if there were any property owners or utility customers who wished to file written protests, noting that they should file them with the City Clerk now.

The Assistant City Clerk introduced the item and advised that 47,908 Proposition 218 notices were mailed to all property owners and utility customers. She further advised that the City had received 242 written protests out of 39,570 parcels and 8 protests that did not meet the criteria to be counted, which did not constitute a majority.

The Mayor opened the public hearing and asked for comments, questions and oral presentations from those in attendance. The following persons spoke:

Leonard Henry expressed concern with raising the water bill and suggested there was no reason for it as there is plenty of rain and water. He commented that with the increased cost he would quit watering his lawn.

Marianne Perumean noted that she had provided a written protest letter and expressed concern with the commodity charge. She stated that residents were being overcharged because the City had not done its due diligence. She questioned the tiered approach to setting rates and suggested it penalized people even when they were conservative with water usage. She further suggested that the commercial tiering was without a suitable basis. She referenced the Bighorn court decision and suggested that there was exposure to lawsuits. She protested the sewer fees, claiming that Ontario's fees charged by IEUA are highest of the cities serviced by IEUA, and that Ontario residents are subsidizing the rates for the other cities. She questioned why the City would accept an IEUA increase when they are violating its regional contract.

Tabeyeh Mary Sassani thanked the Council for the opportunity to speak and indicated that she agreed with Ms. Perumean. She requested that the Council not raise the rates at this time because of the economy, high unemployment, and incomes lower in Ontario as compared to the State average. She further expressed her concerns for senior citizens on fixed incomes. She suggested increasing rates later when the economy was better and that consideration be given to people with larger yards. She explained that if people cannot water their yards it will have a negative effect on property appearances and values.

Earl DeVries noted the current double digit unemployment figures, and commented on the City's letter sent to utility customers. He noted that as a current customer, the City could have addressed the letter less generically and included his name and address. He suggested that many people treated the letter as junk mail and threw it away without reading it. He stated that it was unfair and unethical to disguise a rate hike in a piece of junk mail. He noted the IEUA rate increase and questioned if a tax is really necessary and whether the IEUA has worked to tighten its belts and reduce costs. He showed photos of the IEUA facility, a fire station with sprinklers running, and noted a church which could not use its new addition because its sprinklers were not they were not set properly. He commented that the City Council is authorized, but not mandated to approve this increase, and suggested putting it to a vote of the people.

Catherine Al Cantar commented that the hearing notice was not recognizable, and detailed some of her difficulties with the City water department on an eight unit building. She noted that her water bill was \$635 per month last year and is now \$835 per month, so she has shut down the laundry facility to conserve water. She indicated that approval of this increase would be an outrage and expressed concern for senior citizens and young families. She suggested that it will cause a lack of maintenance and the City will lose developers. She further suggested that the letter should go out again to the community to make the public aware, and it should be posted at the water department where people pay their bills.

Utilities General Manager El Amamy provided a presentation of staff's recommendations and justification of the rate changes being considered. El Amamy explained the purposes of the individual enterprise funds (solid waste, water and sewer operations) and clarified that the funds cannot be comingled amongst the three or with the City's General Fund. He discussed the primary causes of the proposed rate changes and the related cost factors. El Amamy noted that a portion of the sewer increase relates to an IEUA charge which is a pass through cost. He clarified that the increases are limited to 1.6% next year and 1.3% the following year. El Amamy continued to outline several efforts taken in the areas of trash, sewer and water to keep costs down.

Mayor Leon clarified that the IEUA portion was a pass through and the City does not retain those monies. Council Member Wapner added that IEUA has its own elected board of directors which sets their rates and the public is encouraged to address concerns about IEUA costs to that body. Council Member Bowman indicated that it is the position of each member of the IEUA technical committees and members assigned to those committees is to hold costs down.

Hearing no additional requests to speak, the Mayor closed the public hearing.

Mayor pro Tem Dorst-Porada questioned AB 2882 and whether basic use levels had been established. Assistant City Attorney Raymond indicated that AB 2882 was an optional methodology which is budget based and considers users needs and characteristics to establish rates. She further clarified that as an alternative rate setting method it does not take away a city's discretion to use another methodology. Mayor pro Tem Dorst-Porada questioned the Bighorn decision. Assistant City Attorney Raymond clarified that this is the Proposition 218 issue with which we have to comply, and assess fees proportionate to the cost of providing the service. She further explained that it urges conservation, which is a constitutional mandate. Mayor pro Tem Dorst-Porada indicated that she was not sure that price tiering was a good thing. She questioned why we do not establish basic use levels. Assistant City Attorney Raymond clarified that as a policy decision there are many options for setting water rate structures, and the one chosen by Ontario has been considered in the courts and found to be legal and consistent with the California Constitution. She stressed that from a legal perspective there are no concerns.

Mayor Leon requested that Mr. El-Amamy review the presentation slide regarding impact of the proposed rates. He noted that the proposed increase averaged \$3.19 per month over the two years for water, sewer and solid waste disposal. He stressed the

City's effort to operate like a business, and noted that when he came on board 14 years ago there was an issue where for political reasons even small rate increases had been neglected. He noted that it is never a good time to raise any rates, but recalled back in 1999 and 2000 when the City was faced with significant rate hikes in order to catch up and then stay current with the costs.

Council Member Bowman commented that whether the economy is good or bad, the infrastructure continues to decay, and the City has to make up the differences in cost somewhere else which may impact other services. He noted that the proposed increase over the two years is less than the cost of a gallon of gas.

Council Member Wapner stated his concern that many people do not quite understand the rate setting process because the City provides the utilities to its residents. He indicated that cities like Upland do not have or provide their own water service, and suggested that people should think of Ontario's water operation like the electric company or gas company. He indicated that those public utilities raise rates and include dividends to their stockholders. He stressed that the City's proposed increases are not taxes, just user rates to cover costs. He indicated that the City of Ontario's water operation is a separate utility, and the water department depends on the rates paid by the people using the water and should not rely on the City's General Fund. He further indicated that the Council has to make decisions just as the board of directors of the water company, and the company has made many cost reductions. He indicated that the water department could as an alternative reduce the level of service, but noted examples of problems this caused in other areas like Los Angeles with infrastructure failures. Wapner noted an alternative potential for a utility user tax but stressed that such a tax has never been done in Ontario nor is it being considered. He further clarified the role of the Council in this consideration and stated that staff has taken actions to reduce costs as much as possible. Addressing Mayor pro Tem Dorst-Porada's discussion on methodologies of rate setting, the budgeting method would not affect usage behavior and those with larger homes or families would be subsidized by those with smaller homes or families. He concluded that in fairness, those who use more should pay more.

Mayor Leon concurred with Council Member Wapner and stressed the importance of operating like a business. He expressed hopes that everyone would attend an IEUA board meeting, because the greatest portion of the proposed increase is coming from IEUA as a pass through. He continued that even though Council Members serve as advisors to the Board, the Board does not necessarily take their advice. He stressed that the Council was not looking at letting the grass die or a reduction in property values. He further stated the Council's efforts to do everything in the open and provide the best service possible. Leon commented on Ontario's aging infrastructure in a 117 year old city and the need to gradually replace lines to provide a better system for the residents.

Mayor pro Tem Dorst-Porada questioned if IEUA was charging more for monthly sewer in Ontario than in other cities. Utilities General Manager El-Amamy responded that was not true, as all cities were charged the same and it was a pass through. Mayor pro Tem Dorst-Porada questioned whether the IEUA also doing as much as the City and holding

costs down. She stressed that they should not be giving their employees raises until the City can afford to give raises. She encouraged everyone to call IEUA to pressure them to hold costs down.

Council Member Bowman indicated that the position of each member of the technical committees and members assigned to the committee to hold costs down.

Council Member Wapner indicated that with regard to the notices that went out, he agreed that there was something more the City could have done to make people aware of the proposed action. He commented that staff did what they were supposed to do, but there was a perception problem. He suggested that when notices go out in the future he would like to take another look at the way the notice is presented.

Mayor Leon concurred with Wapner's suggestion and thought it was important to specifically identify the recipient and make the notices more personal.

Council Member Mautz commented that the Council gives very serious consideration before raising rates, and noted that the Council is affected the same as they are residents. She stressed that the decision to raise rates was not made lightly, but it is a small amount over a few years which is easier to manage rather than waiting longer and having a larger increase.

Mayor pro Tem Dorst-Porada explained that the City is deficit spending this year, noting that we were spending approximately \$2 million more than are taking in as revenues. Fortunately there was an economic uncertainty reserve to cover the deficit in revenues. She indicated that if there was a surplus she consider saying no to this increase, but she cannot justify using General Fund dollars.

Council Member Bowman emphasized the creativity of staff to reduce costs, noting the use of alternative water sources and expanding recycled water programs which results in the City buying less potable water. He noted that the City recently started having street sweepers use recycled water, and recycled water is often used on construction sites. He requested that staff continue to expand that program to require the use of recycled water in compaction and dust control applications. He applauded staff's efforts to continue to refine the use of water, noting a large paper plant in the City which uses a million gallons of water and has now converted to using recycled water.

Mayor Leon expressed hopes that this discussion had helped residents to understand the situation and believes that the Council and staff have done everything they can to keep the rate increases as low as possible.

MOTION: Moved by Council Member Wapner, seconded by Council Member Bowman and unanimously carried to introduce and waive further reading of the three recommended ordinances.

ORDINANCE NO. 2944 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 3, OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATED TO SOLID WASTE SERVICES AND FEES.

ORDINANCE NO. 2945 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 7 OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATED TO SEWER SERVICES AND CHARGES, AND AUTHORIZING INCREASES TO THE RATES FOR ITS SEWER SERVICE CHARGES

ORDINANCE NO. 2946 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 8B OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATED TO WATER SERVICES AND FEES, AND AUTHORIZING INCREASES TO THE RATES FOR ITS WATER SERVICE FEES AND CHARGES AND OTHER MISCELLANEOUS ONE TIME WATER SERVICE FEES.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

18. FIRE CHIEF APPOINTMENT

City Manager will submit his appointment to the City Council for consideration of confirmation.

City Manager Hughes noted that Fire Chief Carrier will be retiring at the end of the year, and that Council confirmation is required to for the new Chief. City Manager Hughes recommended Deputy Chief/Fire Marshal Floyd Clark, noting that he has been with the City for 25 years, and in the profession of firefighting for 33 years. He commented that Mr. Clark has the utmost integrity and understands the City Council vision of the Fire Department for the Community.

MOTION Moved by Council Member Bowman, seconded by Council Member Mautz, and carried by unanimous vote to confirm Floyd Clark as Fire Chief.

Chief Clark highlighted his work in the City since 1986 including the Convention Center, Ontario Mills, and the airport expansion projects, and commented that he loves the City and understands the philosophy of being a business friendly, customer service oriented City. He recognized his wife and pastor. Chief Clark thanked the Council for their confidence in confirming him for the position of Fire Chief.

Council Member Bowman recalled working with Mr. Clark while both served in the Ontario Fire Department. He stated that Mr. Clark is driven and has the utmost of integrity just as all other firefighters in the Fire Department. Proud to have him as Chief.

Council Member Wapner noted that when with the Ontario Police Department he had previously worked with Mr. Clark; and indicated that he has the necessary knowledge, the respect of his co-workers and peers throughout the State, is a nice guy and is part of a long tradition of fire service in this community. He expressed pride in Mr. Clark and his work.

Council Member Mautz commented that she could not be happier with this appointment. She noted Mr. Clark's knowledge and loyalty to the community.

Ms. Mautz also highlighted the number of firefighters in attendance in support of Chief Clark.

Mayor pro Tem Dorst-Porada indicated that she was excited about Mr. Clark's involvement in the community. She noted that his son had been accepted to West Point, and commended him on a fantastic job with both his family and the City.

Pastor Kennedy, an Ontario Fire Department chaplain, commented that he was honored to serve with Mr. Clark in the community and offered his prayers to the Chief and the department.

Mayor Leon commented that Mr. Clark was a nice guy with a good record of working in the Fire Department and congratulated him on this well-deserved position. He invited Mr. Clark's family forward for introductions.

COUNCIL/ STAFF COMMENT

Mayor pro Tem Dorst-Porada indicated that the nativity scenes were going up on Euclid, and expressed thanks to Earl DeVries, Joe Bartholomew and others involved. She reminded the community of Christmas on Euclid to be held on December 3rd.

Council Member Wapner commented that he is a proud parent of a Chaffey Tiger, and noted a softball game on November 17th at 3 p.m. between the girl's softball team and the varsity boys team.

Council Member Bowman wished everyone a safe and Happy Thanksgiving.

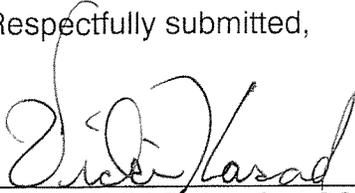
Council Member Mautz noted that she had the privilege of attending a lunch at Toyota, honoring veterans in their company. She noted that Toyota presented an additional \$5,000 to the Chamber of Commerce in support of the military banner program. She further noted a program which collects cell phones for soldiers, and indicated that they will have a booth at Christmas on Euclid to accept donated phones. She indicated that for every phone donated, a 120 minute calling card will be given to a soldier. She wished everyone a Happy Thanksgiving and thanked the attendees for their participation.

Mayor Leon encouraged everyone to see the Chaffey High School production of Phantom of the Opera. He thanked everyone for attending this meeting.

ADJOURNMENT

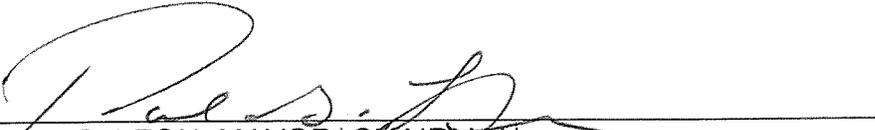
No further business to come before the Joint Agencies, the Mayor adjourned the meetings at 8:17 p.m. and indicated the next regular meeting will be held on December 6, 2011.

Respectfully submitted,



VICKI KASAD, MMC, ASSISTANT CITY CLERK/ SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/ CHAIRMAN