

ONTARIO CITY COUNCIL  
ONTARIO HOUSING AUTHORITY

MINUTES

APRIL 3, 2012

**JOINT MEETINGS**

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, April 3, 2012, at the Ontario City Hall, 303 East B Street, Ontario, CA.

**CLOSED SESSION**

The Mayor called the City Council/ Housing Authority meetings to order at 6:02 p.m., and inquired whether persons were present who wished to speak to Closed Session items. All Members were present and no one requested to be heard.

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Property: APN 1010-521-03-0000, 1165 W. Hollowell Street; City/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Minerva L. Lim; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Property: APNs 1048-552-14, 15 and 17 and 1048-551-11; 240 North Euclid Avenue, 116 East C Street, and 308 North Euclid Avenue; City/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Wells Fargo Bank, N.A.; Under negotiation: Terms of Lease Amendment No. 4.
- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Chris Hughes regarding Ontario Police Officers Association and Ontario Police Management Group.
- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Chris Hughes regarding Ontario Professional Firefighters Association and Ontario Fire Management Group.
- GC 54956.9 (b), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: *One or more cases: City of Los Angeles/Los Angeles World Airports (LAWA).*

## CALL TO ORDER

The Mayor called the City Council/ Housing Authority meetings to order at 6:37 p.m., and requested the City Clerk to call the roll.

**PRESENT:** Mayor/ Chairman Paul S. Leon  
 Mayor pro Tem/ Vice Chairman Sheila Mautz  
 Council/ Authority Members: Alan D. Wapner, Jim W. Bowman,  
 and Debra Dorst-Porada

**ABSENT:** None

Also present were City Manager/ Executive Director Chris Hughes, City Attorney John Brown and City Clerk/ Secretary Mary E. Wirtes.

The Pledge of Allegiance was led by *Connor Swanek* and *Maverick Swanek* of Boy Scout Troop 608.

The Invocation was offered by *Pastor Carlos Gonzales*, Inland Valley Church of Christ.

## CLOSED SESSION REPORT

City Attorney Brown indicated that no reportable action was taken on the first four items but direction was given to the City's negotiators, and no action was taken on the last item.

## PUBLIC COMMENT

*Barbara Hartley* referred to recent events at Westminster Presbyterian Church when Ontario Fire was called to assist two parishioners during services. Paramedic personnel conducted their work very discreetly, and Mrs. Hartley commended Ontario Fire Department personnel for their actions.

## AGENCY REVIEW/ ANNOUNCEMENTS

City Manager Hughes advised Council Members that staff recommended continuation of Agenda Item #14 – *Development Code Amendment* to the next regularly scheduled meeting.

## JOINT AGENCIES CONSENT CALENDAR

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

1. **APPROVAL OF MINUTES**

Minutes for the regular meeting of the City Council and Housing Authority of March 6, 2012 were approved as on file in the Records Management Department.

2. **BILLS/PAYROLL**

**Bills** February 26 through March 10, 2012 in the amount of \$11,044,410.88; and **Payroll** February 26 through March 10, 2012 in the amount of \$2,309,301.79, were approved when audited by the Finance Committee.

3. **AWARD A LICENSING AND MAINTENANCE AGREEMENT FOR POLARIS INTEGRATED LIBRARY SYSTEM**

City Council authorized the City Manager, or designee, to execute a purchase agreement for the Polaris Integrated Library System for a cost of \$56,917; and authorized a five-year Licensing and Maintenance Agreement with GIS Information Systems, Inc. of Syracuse, NY, for an annual licensing and maintenance cost of \$46,843 for a total of \$234,215 consistent with City Council-approved budgets.

4. **CONSTRUCTION CONTRACT FOR SOUTH BON VIEW PARK/KASA CONSTRUCTION**

City Council authorized the City Manager to (1) execute Contract No. PS1011-2 with KASA Construction of Ontario, CA, for the construction of South Bon View Park in the amount of \$809,777; (2) approved and executed deductive Change Orders of \$59,251 in order to value engineer the project and created an adequate contingency fund of \$112,579; (3) approved and executed all Change Orders up to the amount of the contingency fund; and (4) authorized the filing of a Notice of Completion at the conclusion of all construction activities related to the project.

5. **ADOPTION OF THE PREQUALIFIED BIDDERS LIST WHO MAY BID ON THE EMERGENCY OPERATIONS CENTER AND OTHER CITY HALL AND CITY HALL ANNEX IMPROVEMENT PROJECTS**

City Council adopted the list of general contractors who have successfully passed the City Hall Annex/ City Hall Basement Improvement Project Prequalification as the sole list of bidders who may bid on the Emergency Operations Center and other City Hall Annex and City Hall Basement Improvement projects.

**6. AN ARCHITECTURAL SERVICES AGREEMENT FOR DESIGN SERVICES FOR THE EMERGENCY OPERATIONS CENTER AND OTHER CITY HALL AND CITY HALL ANNEX IMPROVEMENTS/ROBERT BORDERS & ASSOCIATES**

City Council authorized the City Manager to execute an architectural services agreement with Robert Borders & Associates, of Newport Beach, CA, in the amount of \$591,230 for design services for the Emergency Operations Center (EOC) and other City Hall and City Hall Annex improvements.

**7. A LEASE AGREEMENT BETWEEN CALIFORNIA STATE UNIVERSITY SAN BERNARDINO, INLAND EMPIRE CENTER FOR ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT CENTER AND THE CITY OF ONTARIO**

City Council, acting as Successor Agency to the Ontario Redevelopment Agency, approved a Lease Agreement between California State University San Bernardino, Inland Empire Center for Entrepreneurship and Small Business Development Center and the City of Ontario for the use of certain City-owned property located at 603 North Euclid Avenue.

**8. AN ORDINANCE REPEALING ORDINANCE NO. 2938 ELECTING TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO HEALTH AND SAFETY CODE SECTION 34192**

City Council adopted an Ordinance repealing Ordinance No. 2938 electing to participate in the Alternative Voluntary Redevelopment Program Pursuant to Health and Safety Code Section 34192.

**ORDINANCE NO. 2948** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REPEALING ORDINANCE NO. 2938 ELECTING TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO HEALTH AND SAFETY CODE SECTION 34192 ET SEQ.

**9. COOPERATIVE AGREEMENT WITH THE CITY OF EASTVALE FOR THE DESIGN AND CONSTRUCTION OF THE SOUTH MILLIKEN AVENUE GRADE SEPARATION PROJECT/CITY OF EASTVALE**

City Council approved a cooperative agreement between the City of Eastvale and the City of Ontario that included \$15,000 for the design and construction of the South Milliken Avenue Grade Separation Project, and authorized the City Manager to execute said agreement, future amendments and related documents.

**10. AWARD OF BIDS FOR THE PURCHASE OF REPLACEMENT FLEET VEHICLES AND EQUIPMENT/GLENN B. DORNING, INC./THEODORE ROBINS FORD/E-W TRUCK & EQUIPMENT CO.**

City Council take the following actions:

- (A) Awarded Bid No. 177 to Glenn B. Dorning, Inc., of Ontario, CA, in the amount of \$20,688 for the purchase and delivery of one (1) Kubota Utility Vehicle with attachments;
- (B) Awarded Bid No. 197 to Theodore Robins Ford of Costa Mesa, CA, in the amount of \$29,309 for the purchase and delivery of one (1) Ford AWD Utility Police Interceptor; and
- (C) Awarded Bid No. 195 to E-W Truck & Equipment Co., Inc. of San Diego, CA, in the amount of \$1,501,136 for the purchase and delivery of six (6) Autocar Model ACX64 CNG Powered Solid Waste Side-Loaders.

**11. PURCHASE OF ELECTROCARDIOGRAM (EKG) MONITOR/DEFIBRILLATOR EQUIPMENT/PHYSIO-CONTROL, INC.**

City Council authorized the purchase of EKG monitor/defibrillator equipment from Physio-Control, Inc., of Redmond, WA, in the amount of \$167,113 for use on Fire Department paramedic apparatus.

**12. AWARD A PURCHASE AGREEMENT AND CONSTRUCTION CONTRACT FOR THE CONSTRUCTION AND INSTALLATION OF THE POLICE FIREARMS TRAINING FACILITY/ DLE CONSTRUCTION /ACTION TARGET, INC.**

City Council took the following actions:

- (A) Cancelled the City's January 18, 2012 solicitation (Bid No. 184) and rejected all bids received in conjunction with Bid No 184;
- (B) Awarded a construction contract in the amount of \$320,000 with DLE Construction of West Covina, CA, to perform site preparation and equipment installation;
- (C) Awarded a purchase agreement in the amount of \$946,902 with Action Target, Inc., of Provo, UT, for the procurement of firing range and simunition house components utilizing the GSA supply schedule and following the terms and conditions found therewith;
- (D) Authorized a 10% project-wide contingency in the amount of \$143,190; and

- (E) Authorized the City Manager or his designee to execute all contracts, purchase orders; change orders up to the amount of the contingency fund and related documents; and authorized the filing of Notices of Completion at the conclusion of all construction activities related to the project.

**13. PURCHASE OF A SWAT VEHICLE UNDER THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY PUBLIC SAFETY PROCUREMENT PROGRAM**

City Council authorized the purchase of a Special Weapons And Tactics (SWAT) vehicle for the Police Department under the California Emergency Management Agency (CalEMA) Public Safety Procurement Program (1122 Program) for up to \$340,000, including a \$10,000 contingency.

**MOTION UNANIMOUSLY CARRIED.** The Mayor/ Chairman declared the Consent Calendar approved and Ordinance No. 2948 duly adopted

**END OF JOINT CONSENT CALENDAR**

**PUBLIC HEARING**

**14. A CITY INITIATED REQUEST TO AMEND THE ONTARIO DEVELOPMENT CODE (FILE NO. PDCA12-001) ADDING ARTICLE 22, MULTI-MODAL TRANSIT OVERLAY DISTRICT, CREATING THE OVERLAY DISTRICT AND ESTABLISHING DEVELOPMENT STANDARDS AND PERMITTED AND CONDITIONALLY PERMITTED USES**

For approximately 75 acres of land located south of interstate 10, west of Archibald Avenue, and north and east of Guasti road (Assessor's Parcel Numbers 110-322-08, 17, 18, 21, 22, 25, 27, 29, 30, 31 and 33).

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

A letter dated April 3, 2012, was received from Cory Briggs of Briggs Law Corporation opposing said action.

This matter was continued to the regular meeting on April 17, 2012.

**COUNCIL MATTERS**

**NOMINATION AND APPOINTMENT TO THE RECREATION AND PARKS COMMISSION**

Council Member Wapner recommended appointment of *Marty Binney* to the Recreation and Parks Commission and the appointment was approved unanimously on a **motion** by Council Member Wapner and seconded by Mayor Leon. Mr. Wapner said he was

sorry that former Commissioner, *Brent Valdez*, was unable to stay through the meeting so that Council could extend their gratitude for his service to the community.

Council Member Dorst-Porada called attention to Agenda Item #4 this evening authorizing the construction of South Bon View Park saying she is happy for the residents in the area. She also noted that the Ontario Reign Hockey Team is going to the playoffs and encouraged residents to attend the games. Council Member Dorst-Porada also announced the weekly Healthy Ontario walks, one on Wednesday at 10:00 a.m. from the Senior Center and the other on Sunday at 8:00 a.m. from the Band Stand on Euclid Avenue.

Mayor pro Tem Mautz wished all a Happy Easter.

Council Member Bowman requested tonight's meeting be adjourned to the memory of former Mayor/Council Member/City Clerk Faye Myers Dastrup who will be interred at Bellevue Memorial Park next week. Mr. Bowman noted that she was on the Council in 1986 when he was first sworn in.

Mayor Leon summarized Council Member Dastrup's service to the community and recalled a private chat he had with her at her home. He added that she laid down the foundation of expectations for him and said he is saddened that she has passed away. Mayor Leon noted that she helped found the Ontario Museum of History and Art in 1979 located at Ontario's former City Hall and remained active with the Museum for many years. He added that the historic Council Chamber at the former City Hall was officially named for her in November, 2005, saying there is a plaque in the Museum commemorating Faye Myers Dastrup.

Mayor Leon indicated that recent community events have included the California Sports Hall of Fame dinner and induction ceremonies; and noted that Anthony Munoz of the Cincinnati Bengals has an Ontario park named in his honor adding he was a top player in the history of the NFL. Mayor Leon complimented Convention Center General Manager, Bob Brown, on the meal served for the occasion.

Council Member Dorst-Porada said a great concert was held the previous evening at Gardiner Spring Auditorium based on the City's history. She thanked Jack Mercer and his Community Band for a wonderful program titled *On, On, Ontario*.

### ADJOURNMENT IN MEMORIAM

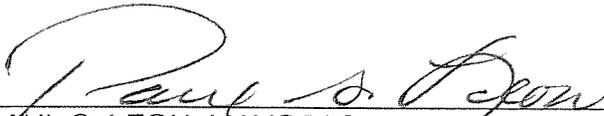
The meetings were thereupon adjourned at 6:53 p.m. to the memory of Faye Myers Dastrup as previously indicated, and Mayor Leon announced the next regular meetings will be held on April 17, 2012.

Respectfully submitted,



MARY E. WIRTES, MMC, CITY CLERK/ SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/ CHAIRMAN