

**ONTARIO CITY COUNCIL  
ONTARIO HOUSING AUTHORITY**

**MINUTES**

**APRIL 17, 2012**

**JOINT MEETINGS**

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, April 17, 2012, at the Ontario City Hall, 303 East B St.

**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. Hearing none, he advised that all Members were present and thereupon adjourned to Closed Session for discussion as follows:

- GC 54956.9 (a), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Chino Basin Municipal Water District v. City of Chino, et al., San Bernardino County Case No. RCV51010
- GC 54956.9 (a), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Ontario Mountain Village Association v. City of Ontario, San Bernardino Superior Court Case No. CIVRS1110506; Ontario Mountain Village Association and Phillip Meza v. City of Ontario, San Bernardino Superior Court Case CIVRS1200998; Phillip Meza v. City of Ontario; Wal-Mart Stores, Inc., et al, San Bernardino Superior Court Case CIVRS1108028; The Inland Oversight Committee v. City of Ontario, United States Central District Court Case No. EDCV 12-00178 VAP (OPx)
- 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 6:44 p.m., and requested the City Clerk to call the roll.

<b>PRESENT:</b>	Mayor/ Chairman	Paul S. Leon
	Mayor pro Tem/ Vice Chair	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, Assistant City Attorney Jaime Raymond and City Clerk / Secretary Mary E. Wirtes.

The Pledge of Allegiance was led by Mayor pro Tem Mautz.

The Invocation was offered by *Bishop Tim Keife*, Church of Christ of Latter Day Saints.

### **CLOSED SESSION REPORT**

Mayor Leon announced that no reportable action was taken in Closed Session.

### **AGENCY REVIEW/ ANNOUNCEMENTS**

City Manager Hughes advised Council Members that Agenda Items #12, #13 and #14 were continued to May 1, 2012.

### **PUBLIC COMMENT**

*Linda Page*, Community Marketing Representative for *Relay for Life* in Ontario for the American Cancer Society, announced this year's Relay will be held on June 2, 2012 at the Ontario Soccer Complex and is being co-sponsored by the City of Ontario. She said they are very enthusiastic about it and have scheduled a rally at 3:00 p.m. on April 28<sup>th</sup> at the bandstand/gazebo on Euclid Avenue that will include information booths, entertainment and an invitation to participate.

*Veronika Taylor*, secretary for the Board of Trustees at Ontario First United Methodist Church, advised there has been vandalism at their location every month this year and indicated Police Chief Hopley is working with them to resolve the issues.

### **SPECIAL CEREMONIES**

Mayor pro Tem Mautz announced that she and County Supervisor Janice Rutherford attended a celebration to honor the Girl Scouts of America on the occasion of their 100<sup>th</sup> Anniversary for which they each received a badge. She read in full a Certificate of Recognition and congratulated and thanked girl scouts for their service. Mayor pro Tem Mautz then introduced *Linda Vahrson*, who presented Council Members with a box containing a variety of Girl Scout cookies and thanked Mrs. Mautz for participating and being included in a wonderful picture marking the event.

Council Member Wapner introduced *Brent Valdez* and thanked and acknowledged his service on the Recreation and Parks Commission from which he had to resign due to a move out of the City. Mr. Wapner said he had contributed a great deal to the community and presented him with a Certificate of Appreciation from the Council.

## JOINT AGENCIES CONSENT CALENDAR

**MOTION:** Moved by Council Member Bowman, seconded by Mayor pro Tem Mautz, the Joint Agencies approved the following Consent Calendar items as recommended with a revision to Agenda Item #4 – *Special Assessments*, Exhibit A.

### 1. APPROVAL OF MINUTES

Approved Minutes for the regular meetings of the City Council, Housing Authority and Redevelopment Agency dated March 20, 2012, as on file in the Records Management Department.

### 2. BILLS/ PAYROLL

Approved Bills in the amount of \$5,572,557.82, for the period March 11 through March 24, 2012; and Payroll in the amount of \$2,492,281.08, for the period March 11 through March 24, 2012, when audited by the Finance Committee.

### 3. FORMATION OF A JOINT POWERS AUTHORITY TO DEVELOP A HOMEOWNER PROTECTION PROGRAM

City Council adopted a Resolution approving a Joint Exercise of Powers Agreement between the City of Ontario, the City of Hesperia, the City of Fontana, and the County of San Bernardino establishing a Homeownership Protection Program; and authorized the City Manager to execute the agreement.

**RESOLUTION NO. 2012-015** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE CITY OF ONTARIO, THE CITY OF HESPERIA, THE CITY OF FONTANA, AND THE COUNTY OF SAN BERNARDINO ESTABLISHING A HOMEOWNERSHIP PROTECTION PROGRAM.

### 4. A RESOLUTION FOR PLACEMENT OF SPECIAL ASSESSMENTS ON COUNTY TAX ROLLS

City Council adopted a Resolution for recovery of fees and costs incurred in abating property and dangerous building violations as well as administrative citations and civil penalties associated with property maintenance violations, and placing special assessments on County tax rolls.

**RESOLUTION NO. 2012-016** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

5. **A RESOLUTION DESIGNATING REPRESENTATIVES TO THE OVERSIGHT BOARD OF THE FORMER ONTARIO REDEVELOPMENT AGENCY SUCCESSOR ENTITY**

City Council, as Successor Agency, adopted a Resolution to confirm appointments designating representatives to the Oversight Board of the Successor Agency for the former Ontario Redevelopment Agency.

**RESOLUTION NO. 2012-017** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE MAYOR'S APPOINTMENTS OF TWO (2) MEMBERS TO THE OVERSIGHT BOARD CREATED BY HEALTH AND SAFETY CODE SECTION 34179.

6. **A RESOLUTION APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34177**

City Council, as the Successor Agency of the dissolved Ontario Redevelopment Agency, adopted a Resolution approving the Redevelopment Agency's Recognized Obligation Payment Schedule.

**RESOLUTION NO. 2012-018** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, SERVING AS THE SUCCESSOR AGENCY TO THE DISSOLVED ONTARIO REDEVELOPMENT AGENCY, APPROVING AND ADOPTING AN INITIAL DRAFT OF A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(l).

7. **PROFESSIONAL SERVICES AGREEMENT FOR DATA COLLECTION AND PROCESSING SERVICES FOR THE TRAFFIC SIGN REFLECTIVITY AND INVENTORY PROJECT/ NATIONAL DATA & SURVEYING SERVICES, INC.**

City Council approved a professional services agreement with National Data & Surveying Services, Inc. of Beverly Hills, CA, to provide data collection and processing services for the Traffic Sign Reflectivity and Inventory Project in the amount of \$148,560 plus a ten percent (10%) contingency of \$14,856 for a total authorized expenditure of \$163,416; and authorized the City Manager to execute said agreement and future amendments to the agreement.

**8. RESOLUTION APPROVING AN ESCROW AGREEMENT, IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND PARCEL MAP NOS. 19341 AND 19342**

City Council adopted a Resolution approving an escrow agreement, improvement agreement, improvement security and Parcel Map Nos. 19341 and 19342 for property located at the northeast and southeast corners of Archibald Avenue and Jurupa Street respectively, within the Airport Business Park - Hofer Ranch Specific Plan Area.

**RESOLUTION NO. 2012-019** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ESCROW AGREEMENT, IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND PARCEL MAP NOS. 19341 AND 19342.

**9. A RESOLUTION DESIGNATING AUTHORIZED AGENTS TO REPRESENT THE CITY OF ONTARIO IN OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED THROUGH THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) PROGRAM**

City Council approved a Resolution authorizing three designated personnel to represent the City of Ontario in obtaining federal financial assistance provided through the Department of Homeland Security (DHS) / Federal Emergency Management Agency (FEMA) EMPG program administered by the California Emergency Management Agency (Cal EMA).

**RESOLUTION NO. 2012-020** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DESIGNATING AUTHORIZED AGENTS TO REPRESENT THE CITY OF ONTARIO IN OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED THROUGH THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) PROGRAM.

**10. A RESOLUTION DESIGNATING AUTHORIZED AGENTS TO REPRESENT THE CITY OF ONTARIO IN OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED THROUGH THE HOMELAND SECURITY GRANT PROGRAM (HSGP)**

City Council approved a Resolution authorizing three designated personnel to represent the City of Ontario in obtaining federal financial assistance provided through the Department of Homeland Security (DHS) / Federal Emergency Management Agency (FEMA) HSGP administered by the California Emergency Management Agency (Cal EMA).

**RESOLUTION NO. 2012-021** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DESIGNATING AUTHORIZED AGENTS TO REPRESENT THE CITY OF ONTARIO IN OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED THROUGH THE HOMELAND SECURITY GRANT PROGRAM (HSGP).

**11. MASTER PLAN DESIGN FOR GEORGE GIBBS PARK**

City Council adopted the proposed Park Master Plan for George Gibbs Park located east of Benson Avenue between Fourth and Fifth Streets. The proposed park amenities will include a parking lot, picnic shelter, splash pad, restroom facilities, playgrounds for 2-5 year olds and 5-12 year olds, walking trails, an outdoor fitness area and exercise stations, benches, picnic tables, security lighting and monument signs.

**MOTION UNANIMOUSLY CARRIED.** The Mayor/ Chairman declared Resolution Nos. 2012-015, 2012-016, 2012-017, 2012-018, 2012- 019, 2012-020 and 2012-021 duly passed and adopted.

**END OF JOINT CONSENT CALENDAR**

**PUBLIC HEARINGS**

**12. AN ORDINANCE AMENDING THE ONTARIO DEVELOPMENT CODE WITH RESPECT TO A MULTI-MODAL TRANSIT OVERLAY DISTRICT**

Continued from the regular meeting of April 3, 2012 was again continued to the May 1, 2012 meeting.

A letter dated April 17, 2012, was received from *Cory Briggs*, Briggs Law Corporation, opposing staff's recommendation.

**13. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE POLICY PLAN COMPONENT OF THE ONTARIO PLAN WITH RESPECT TO THE TUSCANA VILLAGE SPECIFIC PLAN**

Continued to the regular meeting of May 1, 2012. Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

A letter dated April 17, 2012, was received from *Cory Briggs*, Briggs Law Corporation, opposing staff's recommendation.

**14. CONSIDERATION OF AN ORDINANCE RELATED TO A DEVELOPMENT AGREEMENT BETWEEN PANAYIOTIS AND ANDRIABNA KATELARIS AND THE CITY WITH RESPECT TO THE TUSCANA VILLAGE SPECIFIC PLAN**

Continued to the regular meeting of May 1, 2012. Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

A letter dated April 17, 2012, was received from *Cory Briggs*, Briggs Law Corporation, opposing staff's recommendation.

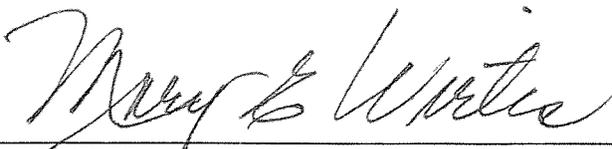
**COUNCIL/ STAFF COMMENT**

Council Member Dorst-Porada indicated that she and Mayor pro Tem Mautz attended the Library Volunteer Awards the previous evening. She said the volunteers do a wonderful job and additional volunteers are painting murals downstairs. Council Member Dorst-Porada commended the *Friends of the Library* and Museum volunteers and invited those who would like to become involved in these programs to seek out opportunities.

**ADJOURNMENT**

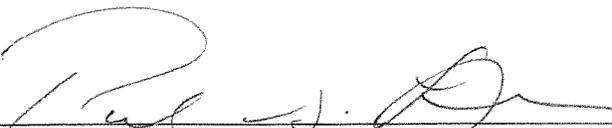
With no further business to come before the joint agencies, the meetings were adjourned at 7:00 p.m.

Respectfully submitted,



MARY E. WIRTES, MMC, CITY CLERK/ SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/ CHAIRMAN