

**ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY**

**MINUTES
June 19, 2012**

JOINT MEETINGS

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, June 19, 2012 at the Ontario City Hall, 303 East B Street, Ontario, CA.

CLOSED SESSION

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1049-061-01, 02 and 03, and 1049-064-01, 02, 03, 04, and 05;
City/Successor Agency to ORA Negotiator: Chris Hughes or his designee; Negotiating parties: Westates de Oro, LLC; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1008-431-17, 1008-431-21, 1008-431-22, 1008-431-25; 1425-1445 North Mountain Avenue; City/Successor Agency to ORA Negotiator: Chris Hughes or his designee; Negotiating parties: Carl Karcher Enterprises, Inc.; Under negotiation: Price and terms of payment.
- 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 6:33 p.m. and requested the Assistant 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 Assistant City Clerk/Assistant Secretary Vicki Kasad.

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

The Invocation was offered by Brother Donald Sanders, Calvary Apostolic Tabernacle.

CLOSED SESSION REPORT

City Attorney Brown reported that Council/Members of the Successor Agency to the ORA considered two items in Closed Session and gave direction to staff, but took no reportable action. He further reported that there was no reportable action on the third discussion item.

PUBLIC COMMENTS

Earl Circle expressed concern for the homeless population, noting incidents of them being stopped by the police. He inquired if the Council could do something to assist the homeless. Mayor Leon noted the City programs already in place to assist the homeless population of Ontario.

Bridgette Washington, representing SBPEA, commented on her first experience of negotiations with the City, noting that it was a refreshing experience. She personally thanked the Council on behalf of SBPEA members for recognizing the need to address health benefit costs, noting Council's decision to do this even in difficult economic times.

Dale Robinson expressed his disagreement with the existence of farm animals, particularly roosters, in residential neighborhoods in the vicinity of Euclid and Philadelphia. He indicated that he was told by the Police Department to call Animal Control, and Animal Control explained a ten day process required to abate the nuisance. He inquired what the City could address the problem. He suggested that illegal animals should be confiscated immediately and owners should receive tickets. Mr. Robinson was directed to Chief Hopley for further assistance.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Hughes advised Council Members that there were no announcements.

JOINT AGENCIES CONSENT CALENDAR

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada, 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 and Housing Authority of May 15, 2012, as on file in the Records Management Department.

2. BILLS/PAYROLL

Approved **Bills** for May 6, 2012 through May 19, 2012, in the amount of \$5,816,695.14 and **Payroll** for May 6, 2012 through May 19, 2012, in the amount of \$2,451,274.13 when audited by the Finance Committee.

3. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2012-13

City Council adopted a resolution establishing the annual special tax within Community Facilities District No. 5 for Fiscal Year 2012-13.

RESOLUTION NO. 2012-033 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 5 (FREEWAY INTERCHANGE PROJECT), ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2012-13.

4. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN) FOR FISCAL YEAR 2012-13

City Council adopted a resolution establishing the annual special tax within Community Facilities District No. 9 (Edenglen) for Fiscal Year 2012-13.

RESOLUTION NO. 2012-034 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN), ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 9 FOR FISCAL YEAR 2012-13.

5. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 10 FOR FISCAL YEAR 2012-13

City Council adopted a resolution establishing the annual special tax within Community Facilities District No. 10 for Fiscal Year 2012-13.

RESOLUTION NO. 2012-035 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 10 FOR FISCAL YEAR 2012-13.

6. **A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 13 FOR FISCAL YEAR 2012-13**

City Council adopted a resolution establishing the annual special tax within Community Facilities District No. 13 for Fiscal Year 2012-13.

RESOLUTION NO. 2012-036 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER – PHASE IV), ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 13 FOR FISCAL YEAR 2012-13.

7. **ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2012-13**

City Council adopted resolutions pertaining to the levy of assessments within Ontario Parkway Maintenance Assessment Districts (OPMAD) No. 1, 2, 3 and 4:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments, and
- (B) A resolution giving preliminary approval of the Engineer's Reports, and
- (C) Resolutions declaring the City's intention to levy the special assessments for Fiscal Year 2012-13 and setting the date of July 17, 2012 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

RESOLUTION NO. 2012-037 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2012-2013.

RESOLUTION NO. 2012-038 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2012-2013.

RESOLUTION NO. 2012-039 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-2013 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

RESOLUTION NO. 2012-040 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-2013 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

8. ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2 FOR FISCAL YEAR 2012-13

City Council adopted resolutions pertaining to the levy of assessments within Street Lighting Maintenance Districts (SLMD) No. 1 and 2:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments, and
- (B) A resolution giving preliminary approval of the Engineer's Reports, and
- (C) Resolutions declaring the City's intention to levy the special assessments for Fiscal Year 2012-13 and setting the date of July 17, 2012 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

RESOLUTION NO. 2012-041 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2 FOR FISCAL YEAR 2012-2013.

RESOLUTION NO. 2012-042 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2 FOR FISCAL YEAR 2012-2013.

RESOLUTION NO. 2012-043 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-2013 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 1 PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

RESOLUTION NO. 2012-044 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012-2013 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 2, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

9. **AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES**

City Council approved an amendment to the 2010-13 Memorandum of Understanding (MOU) regarding wages, hours, and other terms and conditions of employment between the City of Ontario and the employees represented by the American Federation of State, County and Municipal Employees (AFSCME).

10. **AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE SAN BERNARDINO PUBLIC EMPLOYEES ASSOCIATION**

City Council approved an amendment to the 2010-13 Memorandum of Understanding (MOU) regarding wages, hours, and other terms and conditions of employment between the City of Ontario and the employees represented by the San Bernardino Public Employees Association (SBPEA).

11. AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ASSOCIATION OF ONTARIO MANAGEMENT EMPLOYEES

City Council approved an amendment to the 2010-13 Memorandum of Understanding (MOU) regarding wages, hours, and other terms and conditions of employment between the City of Ontario and the employees represented by the Association of Ontario Management Employees (AOME).

12. AMENDMENT TO THE COMPENSATION AND BENEFITS PROFILES FOR NON-REPRESENTED DEPARTMENT HEAD AND CONFIDENTIAL EMPLOYEE GROUPS

City Council approved an amendment regarding wages, hours and other terms and conditions of employment to the Compensation and Benefits Profiles for non-represented employees in the Department Head and Confidential employee groups.

13. AN ORDINANCE REPEALING AND RESERVING SECTION 4-15.03 AND AMENDING SECTION 4-15.05 OF THE ONTARIO MUNICIPAL CODE

City Council adopted an ordinance, upon second reading, repealing and reserving Section 4-15.03 of the Ontario Municipal Code regarding the solicitation of employment in public rights-of-way and amending Section 4-15.05 of the Ontario Municipal Code regarding the penalties for violations of Section 4-15.03 and 4-15.04.

ORDINANCE NO. 2954 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REPEALING AND RESERVING ONTARIO MUNICIPAL CODE SECTION 4-15.03 PROHIBITING SOLICITATION OF EMPLOYMENT IN PUBLIC RIGHTS-OF-WAY AND AMENDING SECTION 4-15.05 REGARDING THE PENALTIES FOR VIOLATIONS OF SECTIONS 4-15.03 AND 4-15.04.

14. RESOLUTIONS TO CALL, GIVE NOTICE AND ADOPT REGULATIONS FOR CANDIDATE STATEMENTS FOR THE GENERAL MUNICIPAL ELECTION OF NOVEMBER 6, 2012

City Council adopted resolutions to call for and set the date of the General Municipal Election as November 6, 2012; request the San Bernardino County Registrar of Voters to consolidate the election with the General Election; and adopt the regulations for candidates for elective office pertaining to candidates statements submitted to the voters.

RESOLUTION NO. 2012-045 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, FOR THE ELECTION OF CERTAIN MUNICIPAL OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

RESOLUTION NO. 2012-046 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION.

15. PROFESSIONAL SERVICES AGREEMENT FOR LEGAL SERVICES RELATED TO PERSONNEL AND EMPLOYMENT ISSUES/LIEBERT CASSIDY WHITMORE

City Council authorized the City Manager to execute a four-year Professional Services Agreement with the law firm Liebert Cassidy Whitmore, of Los Angeles, California, for on-going legal services on an as-needed basis related to personnel and employee relations.

16. AWARD OF PROFESSIONAL SERVICES AGREEMENTS WITH STAFFING AGENCIES FOR AS-NEEDED TEMPORARY STAFFING REQUIREMENTS

City Council authorized the City Manager to execute professional service agreements with four temporary staffing agencies: AppleOne Employment Services, Helpmates Staffing Services, Kimco Staffing Services, and MJO Staffing for on-call, as-needed staffing requirements.

17. AMENDMENT TO THE JOINT POWERS AUTHORITY AGREEMENT FOR THE HOMEOWNER PROTECTION PROGRAM

City Council adopted a resolution amending the Joint Exercise of Powers Agreement establishing a Homeownership Protection Program to reflect the charter members as being the City of Ontario, the City of Fontana, and the County of San Bernardino; and authorize the City Manager to execute the amendment.

RESOLUTION NO. 2012-047 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING A JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING A HOMEOWNERSHIP PROTECTION PROGRAM.

18. **RESOLUTIONS APPROVING A LOAN AGREEMENT BETWEEN THE CITY OF ONTARIO AND THE ONTARIO HOUSING AUTHORITY FOR A PROPERTY LOCATED AT 1164 WEST VESTA STREET, AND A PROPERTY MANAGEMENT AGREEMENT BETWEEN THE AUTHORITY AND THE CANNON MANAGEMENT COMPANY FOR THE SAME PROPERTY**

City Council and the Board of the Ontario Housing Authority adopted resolutions approving a loan agreement between the City and Authority, and a property management agreement between the Authority and The Cannon Management Company, of Riverside, California, for the property located at 1164 West Vesta Street.

RESOLUTION NO. 2012-048 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A LOAN OF HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS AND A LOAN OF NEIGHBORHOOD STABILIZATION PROGRAM 3 FUNDS TO THE ONTARIO HOUSING AUTHORITY FOR THE ACQUISITION, REHABILITATION AND OPERATION OF AFFORDABLE HOUSING AT THE PROPERTY LOCATED AT 1164 WEST VESTA STREET.

RESOLUTION NO. OHA-070 A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE BORROWING OF HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS AND NEIGHBORHOOD STABILIZATION PROGRAM 3 FUNDS FROM THE CITY OF ONTARIO FOR THE ACQUISITION, REHABILITATION AND OPERATION OF AFFORDABLE HOUSING AT THE PROPERTY LOCATED AT 1164 WEST VESTA STREET, THE RECORDATION OF AFFORDABILITY COVENANTS AGAINST SAID PROPERTY AND A PROPERTY MANAGEMENT AGREEMENT BETWEEN THE AUTHORITY AND CANON MANAGEMENT COMPANY.

19. **RESOLUTIONS APPROVING A LOAN AGREEMENT BETWEEN THE CITY OF ONTARIO AND THE ONTARIO HOUSING AUTHORITY FOR A PROPERTY LOCATED AT 1165 WEST HOLLOWELL STREET, AND A PROPERTY MANAGEMENT AGREEMENT BETWEEN THE AUTHORITY AND THE CANNON MANAGEMENT COMPANY FOR THE SAME PROPERTY**

City Council and the Board of the Ontario Housing Authority adopted resolutions approving a loan agreement between the City and Authority, and a property management agreement between the Authority and The Cannon Management

Company, of Riverside, California, for the property, located at 1165 West Hollowell Street.

RESOLUTION NO. 2012-049 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A LOAN OF HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS AND A LOAN OF NEIGHBORHOOD STABILIZATION PROGRAM 3 FUNDS TO THE ONTARIO HOUSING AUTHORITY FOR THE ACQUISITION, REHABILITATION AND OPERATION OF AFFORDABLE HOUSING AT THE PROPERTY LOCATED AT 1165 WEST HOLLOWELL STREET.

RESOLUTION NO. OHA-071 A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE BORROWING OF HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS AND NEIGHBORHOOD STABILIZATION PROGRAM 3 FUNDS FROM THE CITY OF ONTARIO FOR THE ACQUISITION, REHABILITATION AND OPERATION OF AFFORDABLE HOUSING AT THE PROPERTY LOCATED AT 1165 WEST HOLLOWELL STREET, THE RECORDATION OF AFFORDABILITY COVENANTS AGAINST SAID PROPERTY AND A PROPERTY MANAGEMENT AGREEMENT BETWEEN THE AUTHORITY AND CANON MANAGEMENT COMPANY.

20. CONSULTING SERVICES AGREEMENT FOR DATABASE ADMINISTRATION AND SYSTEMS SUPPORT/ICS SOFTWARE

City Council approved and authorized the City Manager to execute a five-year agreement with ICS Software, of Upland, California, for a not-to-exceed amount of \$80,000 annually subject to annual appropriations approved by the City Council.

21. CONSULTING SERVICES AGREEMENT FOR ONLINE PERMITTING SYSTEMS SUPPORT/TRUEPOINT SOLUTIONS

City Council approved and authorized the City Manager to execute a four-year agreement with TruePoint Solutions, of Loomis, California, for a not-to-exceed amount of \$150,000 subject to annual appropriations approved by the City Council.

22. MAINTENANCE SERVICES AGREEMENT FOR GRAFFITI REMOVAL AT VARIOUS CITY LOCATIONS/GRAFFITI PROTECTIVE COATINGS (GPC)

City Council authorized the City Manager to execute a three-year Maintenance Services Agreement for Project No. 11-12-06 with Graffiti Protective Coatings (GPC) of Los Angeles, California, for an annual amount of \$336,000 plus a 5%

contingency of \$16,800; and authorize the addition of future service areas and the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

23. TWO-YEAR COST SHARING AGREEMENT WITH CHAFFEY JOINT UNION HIGH SCHOOL DISTRICT FOR THREE SCHOOL RESOURCE OFFICERS

City Council authorized the City Manager to execute a two-year cost-sharing agreement with the Chaffey Joint Union High School District for three school resource officers in the amount of \$439,664.

24. CONSTRUCTION CONTRACT FOR THE TRENCHLESS SEWER REHABILITATION PROJECT/INSITUFORM TECHNOLOGIES, INC.

City Council approved the plans and specifications and award Construction Contract UT1112-09 for the Trenchless Sewer Rehabilitation Cast in Place Pipe (CIPP) Installation Project to Insituform Technologies, Inc. of Fullerton, California, in the amount of \$166,257 plus a 15% contingency of \$24,939, for a total amount of \$191,196; authorized the City Manager to execute said contract; and file a notice of completion at the conclusion of all construction activities related to the project.

25. MAINTENANCE SERVICES CONTRACT FOR UTILITY TRENCH REPAIRS AT VARIOUS LOCATIONS THROUGHOUT THE CITY/PAVECO CONSTRUCTION, INC.

City Council awarded an Annual Maintenance Services Contract UT1213-01 to Paveco Construction, Inc. located in Baldwin Park, California, in the annual amount not to exceed \$300,000 for utility trench repairs at various locations; authorize the City Manager to execute the contract; and authorized the option to extend the contract for up to four (4) additional years consistent with City Council approved budgets.

MOTION UNANIMOUSLY CARRIED. The Mayor/Chairman declared Resolution Nos. 2012-033 through 2012-049; Resolution Nos. OHA-070 and OHA-071; and Ordinance No. 2954 duly passed and adopted.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARINGS

26. CONSIDERATION OF A RESOLUTION OF NECESSITY FOR THE ACQUISITION OF A FEE INTEREST IN CERTAIN REAL PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF MILLIKEN AVENUE AND PHILADELPHIA STREET

City Council conducted a public hearing to:

- (A) Consider the adoption of a Resolution of Necessity and provide all parties interested in the affected property, their attorneys or representatives, an opportunity to be heard on the issues relevant to the Resolution of Necessity; and
- (B) Make the necessary findings that:
 - (1) The public interest and necessity require the proposed project;
 - (2) The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury;
 - (3) The real property to be acquired is necessary for the project; and
 - (4) Offers of just compensation have been made to the property owners; and
- (C) Adopt a Resolution of Necessity declaring that the acquisition of a fee interest in certain real property, more particularly described as APN 0238-152-07, by eminent domain is necessary for public right-of-way and the construction of the South Milliken Avenue Grade Separation Project and related public infrastructure improvements in the City of Ontario, San Bernardino County, California.

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 and no one requesting to be heard, the Mayor closed the Public Hearing.

RESOLUTION NO. 2012-050 A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION OF A FEE INTEREST IN CERTAIN REAL PROPERTY LOCATED ON THE NORTHEAST CORNER OF MILLIKEN AVENUE AND PHILADELPHIA STREET NORTH OF THE UNION PACIFIC RAILROAD LOS ANGELES SUBDIVISION RAIL CROSSING, MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 0238-152-07; BY EMINENT DOMAIN IS NECESSARY FOR

PUBLIC RIGHT-OF-WAY FOR THE CONSTRUCTION OF THE SOUTH MILLIKEN AVENUE GRADE SEPARATION PROJECT AND RELATED PUBLIC INFRASTRUCTURE IMPROVEMENTS IN THE CITY OF ONTARIO, SAN BERNARDINO COUNTY, CALIFORNIA.

MOTION: Moved by Council Member Dorst-Porada, seconded by Mayor pro Tem Mautz and unanimously carried to adopt Resolution No. 2012-050.

27. AN ORDINANCE AMENDING CHAPTER 24 OF TITLE 5 OF THE ONTARIO MUNICIPAL CODE CONCERNING LODGING REGISTRATION INFORMATION

City Council introduced and waived further reading of an ordinance amending Chapter 24 of Title 5 of the Ontario Municipal Code (OMC) allowing computerized collection of guest registration information and requiring the collection of reliable identification information by lodging facility operators in the City.

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

There were no written communications and no one requesting to be heard, the Mayor closed the Public Hearing

ORDINANCE NO. 2955 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 24 OF THE TITLE 5 OF THE ONTARIO MUNICIPAL CODE, WITH CERTAIN AMENDMENTS AND ADDITIONS THERETO RELATING TO HOTEL REGISTER REQUIREMENT.

MOTION: Moved by Mayor pro Tem Mautz, seconded by Council Member Dorst-Porada and unanimously carried to accept Ordinance No. 2955 for introduction and first reading.

COUNCIL MATTERS

Council Member Dorst-Porada noted the upcoming Yum Festival at Ontario Mills, where they will have 50 food trucks on June 23, and encouraged community participation. She also noted that she and Mayor pro Tem Mautz were members of the Ontario Kiwanis, and recently heard a speaker from the USO who provided a wish list of their needs. She indicated that they are in need of food items, some electrical work at their facility and a large commercial freezer to assist them in providing food for soldiers.

Council Member Wapner asked the City Manager to review the crowing fowl issue, and if staff needs additional resources to address the issue bring the matter back to Council. City Attorney Brown offered to work with the City Manager on this matter and noted that

there are cities in Riverside and San Bernardino Counties that enacted ordinances that could be used as samples.

Mayor pro Tem Mautz thanked everyone for attending this meeting and expressed appreciation for the thanks to Council. She urged everyone to visit the local libraries and participate in some of the twenty plus summer programs and classes being offered.

Council Member Bowman reminded the community of the July 4th events including the parade and picnic on Euclid and the fireworks show at Westwind Park.

Council Member Dorst-Porada noted that a Facebook page had been created to re-energize the All States Picnic and encouraged people to get more information on Facebook.

Mayor Leon commented that he had just returned from the U.S. Conference of Mayors, where he made several contacts of benefit to the City of Ontario.

ADJOURNMENT

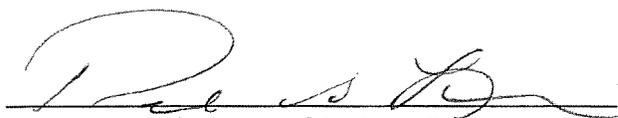
The meetings were thereupon adjourned at 6:54 p.m., and Mayor Leon announced the next regular meetings will be held on July 3, 2012.

Respectfully submitted:



VICKI KASAD, MMC, ASSISTANT
CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN