

**ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY
MINUTES
July 17, 2012**

JOINT MEETINGS

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

CLOSED SESSION

The Mayor called the City Council / Housing Authority meetings to order at 6:01 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 (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 6:32 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.

CLOSED SESSION REPORT

City Attorney Brown indicated the matter to be discussed in Closed Session was addressed and no reportable action was taken.

The Pledge of Allegiance was led by Council Member Bowman.

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

AGENCY REVIEW/ ANNOUNCEMENTS

City Manager Hughes advised Council Members there were no announcements.

PUBLIC COMMENT

There was no one present who wished to speak during Public Comment.

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.

1. APPROVAL OF MINUTES

Approved Minutes for the regular meetings of the City Council and Housing Authority dated June 19, 2012, as on file in the Records Management Department.

2. BILLS/ PAYROLL

Approved Bills in the amount of \$3,920,706.19, from June 3 through June 16, 2012; and Payroll in the amount of \$2,392,879.89, from June 3 through June 16, 2012, when audited by the Finance Committee.

3. DESIGNATION OF VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL BUSINESS MEETING

City Council designated Alan Wapner as the City's voting delegate and Debra Dorst-Porada as the alternate for the League of California Cities Annual Business Meeting scheduled September 7, 2012.

4. EXTENSION OF FRANCHISE AGREEMENTS FOR THE CONTINUATION OF TAXICAB SERVICES WITHIN THE CITY OF ONTARIO

City Council authorized a three-year extension of the existing franchise agreements with current service providers Network Paratransit Systems, Inc., dba Bell Cab, and Paul's Yellow Cab Company, Inc., dba Yellow Cab, for the continuation of taxicab services within the City of Ontario.

5. A RESOLUTION APPROVING THE CITY OF ONTARIO MUNICIPAL CLIMATE ACTION PLAN AND ADOPTION OF A FINDING OF CATEGORICAL EXEMPTION – CLASS 8, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

City Council approved the Municipal Climate Action Plan in accordance with The Ontario Plan Final Environmental Impact Report (FEIR) mitigation and adopted a finding of Categorical Exemption – Class 8, pursuant to the California Environmental Quality Act.

RESOLUTION NO. 2012-055 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE MUNICIPAL CLIMATE ACTION PLAN, AN IMPLEMENTATION COMPONENT OF THE ONTARIO PLAN SUPPORTING THE ENVIRONMENTAL IMPACT REPORT (SCH NO. 2008101140).

6. STUDENT REPRESENTATIVE AND ALTERNATE APPOINTMENTS TO THE RECREATION AND PARKS COMMISSION FOR 2012/13 AND RECOGNITION OF THE CURRENT STUDENT REPRESENTATIVE FOR THE YEAR SERVED 2011/12

City Council confirmed *Devina Gonzalez*, Chaffey High School, as the Student Representative, and *Fernando Michel*, Ontario High School, as the Alternate to the Recreation and Parks Commission for a term to expire June 30, 2013; and recognized *Ana Villanueva*, Colony High School, for serving as the Student Representative for the past year.

7. ARCHITECTURAL SERVICES AGREEMENT FOR DESIGN OF THE CIVIC CENTER COMMUNITY CONSERVATION PARK/RJM DESIGN GROUP, INC.

City Council authorized the City Manager to execute an Architectural Services Agreement to prepare the specifications, construction plans and provide limited project management related to the Civic Center Community Conservation Park project with RJM Design Group, Inc., of San Juan Capistrano, CA, in the amount of \$350,000.

8. AGREEMENTS FOR LANDSCAPE MAINTENANCE SERVICES FOR VARIOUS CITY, HOUSING, AND REDEVELOPMENT SUCCESSOR AGENCY PROPERTIES/MERCHANTS LANDSCAPE MAINTENANCE /BRICKMAN

City Council, on behalf of the City of Ontario and Housing Agency and acting as the Board of the Successor Agency for the former Ontario Redevelopment Agency, authorized the City Manager to execute three-year Maintenance Service Agreements for Contract No. PM 11-12-07 with Merchants Landscape Maintenance of Rancho Cucamonga, CA for the annual amount of \$80,976 plus

a contingency of \$8,098; and PM 11-12-09 with Brickman of Upland, CA, for the annual amount of \$95,016 plus a contingency of \$7,844, respectively; authorized the addition of future service areas as needed; and authorized the option to extend each agreement for up to two additional years consistent with City Council-approved budgets.

9. PURCHASE AGREEMENT FOR AUTOMATED RESIDENTIAL COLLECTION CONTAINERS/TOTER INC.

City Council awarded a purchase agreement to Toter Inc. of Statesville, NC, for the purchase of various sized automated residential collection containers in the estimated annual amount of \$300,000; and authorized extension of the agreement for up to four years.

10. A RESOLUTION ADOPTING THE SAN BERNARDINO COUNTY NON-MOTORIZED TRANSPORTATION PLAN AS THE CITY OF ONTARIO BICYCLE TRANSPORTATION PLAN

City Council adopted a Resolution approving adoption of the San Bernardino County Non-Motorized Transportation Plan as the City of Ontario Bicycle Transportation Plan; and authorized staff to file a California Environmental Quality Act Notice of Exemption.

RESOLUTION NO. 2012-056 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE SAN BERNARDINO COUNTY NON-MOTORIZED TRANSPORTATION PLAN AS THE CITY OF ONTARIO BICYCLE TRANSPORTATION PLAN.

11. A RESOLUTION SUPPORTING THE LEAGUE OF CALIFORNIA CITIES HEALTHY EATING, ACTIVE LIVING (HEAL) CITIES CAMPAIGN

City Council adopted a Resolution supporting the League of California Cities' Healthy Eating, Active Living (HEAL) Cities Campaign that strengthens the City's commitment to providing healthy lifestyle choices.

RESOLUTION NO. 2012-057 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, SUPPORTING THE HEALTHY EATING, ACTIVE LIVING (HEAL) CITIES CAMPAIGN AND STRENGTHENING THE CITY'S COMMITMENT TO PROMOTING HEALTHY EATING, ACTIVE LIVING LIFESTYLES THROUGHOUT THE COMMUNITY OF ONTARIO IN AN EFFORT TO PREVENT OBESITY.

12. **A RESOLUTION CREATING THE ONTARIO INTERNATIONAL AIRPORT – INTER AGENCY COLLABORATIVE (ONT-IAC) AND A COOPERATIVE AGREEMENT ESTABLISHING A PROCESS AND PARTNERSHIP FOR AIRPORT LAND USE COMPATIBILITY PLANNING FOR (ONT) BY AND AMONG THE COUNTY OF SAN BERNARDINO AND THE CITIES OF CHINO, FONTANA, MONTCLAIR, ONTARIO, RANCHO CUCAMONGA AND UPLAND**

City Council adopted a Resolution creating the Ontario International Airport – Inter Agency Collaborative (ONT-IAC); and authorized the City Manager to execute a Cooperation Agreement by and between the County of San Bernardino and the Cities of Chino, Fontana, Montclair, Ontario, Rancho Cucamonga and Upland.

RESOLUTION NO. 2012-058 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA CREATING THE ONTARIO INTERNATIONAL AIRPORT – INTER AGENCY COLLABORATIVE (ONT- IAC); A COOPERATIVE PROCESS AND PARTNERSHIP FOR AIRPORT LAND USE COMPATIBILITY PLANNING FOR ONTARIO INTERNATIONAL AIRPORT TO COMPLY WITH STATE LAW PROVISIONS OF THE ALTERNATIVE PROCESS (PUBLIC UTILITIES CODE SECTION 21670.1(C)(2)) AND MAKING FINDINGS IN SUPPORT THEREOF.

13. **NATIONAL NIGHT OUT – AUGUST 7, 2012**

City Council recognized August 7, 2012 as this year's observance of Ontario's National Night Out.

14. **PROFESSIONAL SERVICES AGREEMENTS FOR ON-CALL PROPERTY ACQUISITION, RELOCATION AND PROPERTY MANAGEMENT SERVICES/ CALIFORNIA PROPERTY SPECIALISTS, INC./ OVERLAND PACIFIC & CUTLER, INC./ PARAGON PARTNERS LTD.**

City Council and the Housing Authority Board approved and authorized the City Manager/Executive Director to execute three-year professional services agreements with California Property Specialists, Inc., of Mission Viejo, CA; Overland Pacific & Cutler, Inc. of Long Beach, CA; and Paragon Partners Ltd., of Huntington Beach, CA as well as all other related documents necessary to implement said agreements; and to extend the agreements for up to two additional years.

MOTION UNANIMOUSLY CARRIED. The Mayor/ Chairman declared Resolution Nos. 2012-055, 2012-056, 2012-057 and 2012-058 duly passed and adopted.

City Manager Hughes advised Council Members that a short presentation regarding Agenda Item #12 – *ONT-IAC Collaborative Agreement* had been prepared.

Planning Director Blum reviewed the background leading to the adoption of the Resolution creating the Ontario International Airport—Inter Agency Collaborative (ONT-IAC) beginning with federal legislation in 1967 through approval of The Ontario Plan by City Council in 2010. He addressed the influence area covered by the Airport Land Use Compatibility Plan noting which issues only affect the City of Ontario, and which affect all ONT-IAC agencies. Mr. Blum said they will now move forward with implementation of the plan and reviewed the next steps to be taken including approval by Caltrans Division of Aeronautics and ONT-IAC Administration, including organization of a technical advisory group and mediation board. He specifically commended the many hours given to the project by staff members Cathy Wahlstrom and Lorena Mejia, and said staff is available to answer questions.

Council Member Bowman expressed his gratitude to Planning, Engineering and all staff who worked so hard to bring the agreement forward. Council Member Dorst-Porada also thanked staff for taking the lead in making this happen.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARINGS

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

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

- (A) Conducted a combined public hearing on the levy of the annual assessments for each district, and
- (B) Adopted Resolutions approving the Engineer's Reports relating to the levy of assessments for each district, and
- (C) Adopted Resolutions confirming the diagrams and assessments; and providing for the assessment levy within each District.

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 wishing to be heard, the Mayor closed the public hearing.

RESOLUTION NO. 2012-059 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE 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. 2012-060 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAMS AND ASSESSMENTS, AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3 FOR FISCAL YEAR 2012-13.

RESOLUTION NO. 2012-061 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4 FOR FISCAL YEAR 2012-2013.

were read by title only. **MOTION:** Moved by Mayor pro Tem Mautz, seconded by Council Member Bowman, and unanimously carried to adopt said Resolutions.

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

City Council took the following actions pertaining to the levy of assessments within Street Lighting Maintenance Districts (SLMD) Nos. 1 and 2:

- (A) Conducted a combined public hearing on the levy of the annual assessments for each district, and
- (B) Adopted a Resolution approving the Engineer's Reports relating to the levy of assessments for each district, and adopted Resolutions confirming the diagrams and assessments, and providing for the assessment levy for each District.

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 wishing to be heard, the Mayor closed the public hearing.

RESOLUTION NO. 2012-062 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2 FOR FISCAL YEAR 2012-2013.

RESOLUTION NO. 2012-063 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN STREET LIGHTING MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2012-2013.

RESOLUTION NO. 2012-064 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN STREET LIGHTING MAINTENANCE DISTRICT NO. 2 FOR FISCAL YEAR 2012-2013.

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Mautz, and unanimously carried to adopt said Resolutions.

ADMINISTRATIVE REVIEW/DISCUSSION

Council Member Wapner referred to Agenda Item #6 – *Student Representative to the Recreation and Parks Commission* and requested Assistant Recreation/Community Services Director Julie Dorey introduce the new appointees and the outgoing Student Representative. Director Dorey introduced Ana Villanueva who has served for the past year. Council Members presented her with a plaque and expressed their appreciation for her service. Council Member Wapner indicated she had never missed a meeting during her term and appreciated her bringing to the Commission the perspective of Ontario's youth. At Mr. Wapner's question, Ms. Villanueva said she will be attending the University of California at Riverside next year. Director Dorey then introduced Devina Gonzalez, Student Representative, and Fernando Michel, Student Alternate, noting that they and outgoing Student Representative Ana Villanueva are each from different high schools in Ontario: Chaffey, Ontario and Colony respectively.

Mayor pro Tem Mautz thanked everyone who participated in the 4th of July festivities indicating there were many more residents in attendance at the parade than during previous years. She announced the Guns & Hoses Car Show event on July 29th at which there will be food trucks and will support the Police Museum.

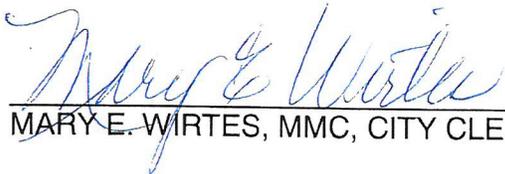
Council Member Bowman thanked the community for the tremendous 4th of July celebration that was enjoyed in safety. He suggested a round of applause for the many staff members who worked for so many hours to make it possible.

Mayor Leon questioned staff about reports of July 4th injuries, to which Fire Chief Clark responded there were none. The Mayor thanked everyone for a great job.

ADJOURNMENT

No more business to come before the joint agencies, the Mayor adjourned the meetings at 6:54 p.m. and announced the meeting on August 7, 2012 is cancelled in order for the community to observe National Night Out in Ontario. He said the next regularly scheduled meeting will be held on August 21, 2012.

Respectfully submitted,



MARY E. WIRTES, MMC, CITY CLERK/ SECRETARY

APPROVED:


PAUL S. LEON, MAYOR/ CHAIRMAN