

ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY
MINUTES
SEPTEMBER 18, 2012

JOINT MEETINGS

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, September 18, 2012, at the Ontario City Hall, 303 East B Street, Ontario, CA.

CLOSED SESSION

The Mayor pro Tem 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, she advised that all Members were present except Mayor Leon who was excused; and thereupon adjourned to Closed Session for discussion as follows:

- GC 54956.9 (b), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: One (1) case.
- GC 54956.9 (a), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *Angela Meza v. City of Ontario*, Case No. CIVRS1006034.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APN 0110-092-17, 111 N. Vineyard Avenue; City/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Sal Guirguis; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APN 0110-092-04, 101 N. Vineyard Avenue; City/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Steve Cruise; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APNs 0110-321-39, 0110-321-40, 116 N. Vineyard Avenue, 104 N. Vineyard Avenue; City/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Jose Brito; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APN 0110-321-61, 1945 E. Holt Boulevard; City/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Don Ayres; Under negotiation: Price and terms of payment.

The Pledge of Allegiance was led by Council Member Dorst-Porada.

In the absence of Sr. Pastor Brian E. *Kennedy*, Mt. Zion Baptist Church, the City Council observed a moment of silent reflection in lieu of Invocation.

AGENCY REVIEW/ ANNOUNCEMENTS

City Manager Hughes said there were no announcements.

PUBLIC COMMENT

Verdell Littles, representing the Order of the Eastern Star, requested approval to hold a carnival on Holt Boulevard. Ms. Littles provided background information about her group. She said they first attempted to coordinate a carnival two years ago to benefit the Salvation Army. She said the Salvation Army is in needs of food and, if approved, carnival admission will be non-perishable food items to be distributed to the Salvation Army. Ms. Littles was referred to Deputy City Manager Boling for assistance.

Rob Branson updated Council Members on the status of his girls' softball team who were one game short of going to the regional games. He added the team came in seventh out of 21 teams. He thanked everyone for their eight years of support including Ontario Fast Pitch League and members of the City Council.

Ruben Valencia noted that he attended the recent Industrial Manufacturing luncheon and commended staff and Council Member Wapner for a job well done. He noted that City Manager Hughes and many City staff attended the event. He also said stands behind the SetONTarioFree efforts.

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 with Mayor Leon absent.

1. APPROVAL OF MINUTES

Approved Minutes for the regular meetings of the City Council and Housing Authority dated August 21, 2012 as on file in the Records Management Department.

2. BILLS/ PAYROLL

Approved Bills in the amount of \$9,750,714.38, for July 29 and August 11, 2012; and Payroll in the amount of \$2,360,604.40, for July 29 and August 11, 2012, when audited by the Finance Committee.

3. RECOGNITION OF OCTOBER 7-13, 2012 AS “NATIONAL FIRE PREVENTION WEEK”

City Council recognized the week of October 7-13, 2012, as “Fire Prevention Week” in the City of Ontario and invited the public to attend the Ontario Fire Department Open House 2012 to be held on October 6th.

4. PROFESSIONAL SERVICES AGREEMENT FOR THE PREPARATION OF 2014-2021 POLICY PLAN (GENERAL PLAN) HOUSING ELEMENT UPDATE/PMC

City Council approved and authorized the City Manager to execute a professional services agreement with PMC of Rancho Cordova, CA, in an amount not-to-exceed \$94,066 (\$85,515 plus a 10% contingency) for preparation of the 2014-2021 Policy Plan (General Plan) Housing Element Update.

5. PROFESSIONAL SERVICES AGREEMENT FOR POLICE HELICOPTER MAINTENANCE SERVICES/HELITENDER

City Council authorized the City Manager to execute a one-year professional services agreement with Helitender of Pacoima, CA, for on-call as-needed maintenance of the Police Department’s helicopters; and authorized an option to extend the agreement for up to two additional years.

6. CONSTRUCTION CONTRACT FOR THE BOULDER AVENUE – HOLT BOULEVARD SEWER IMPROVEMENT PROJECT/ATLAS UNDERGROUND, INC.

City Council:

- (A) Approved the project plans and specifications;
- (B) Authorized the withdrawal and return of the bid submitted by Kana Pipeline, Inc., of Placentia, CA, due to bidder clerical errors;
- (C) Awarded Contract No. UT 1213-03, to Atlas Underground, Inc. Company of Pomona, CA for the Boulder Avenue – Holt Boulevard Sewer Improvement Project in the amount of \$888,888 plus a 15% contingency of \$133,333, for a total authorized amount of \$1,022,221;
- (D) Authorized the City Manager to execute said contract; and
- (E) Authorized filing of a Notice of Completion at the conclusion of all construction activities related to the project.

MOTION UNANIMOUSLY CARRIED. The Mayor/Chairman pro Tem declared the items duly passed and adopted.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARING

7. PUBLIC HEARING TO RECEIVE TESTIMONY AND ADOPT THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE 2011-12 FISCAL YEAR

City Council:

- (A) Held a public hearing to receive testimony on the draft Consolidated Annual Performance Evaluation Report (CAPER) for the 2011-12 Fiscal Year;
- (B) Directed staff to prepare and transmit to the U.S. Department of Housing and Urban Development (HUD) the final CAPER, which will address all public comments received on the draft CAPER; and
- (C) Authorized the City Manager to execute any and all documents necessary and/or desirable to transmit CAPER to HUD.

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

There were no written communications and no one wishing to be heard, the Mayor pro Tem closed the public hearing.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried unanimously with Mayor Leon absent to approve the recommendations listed above.

- ### 8. A RESOLUTION ADOPTING AN ADDENDUM TO THE ONTARIO INTERNATIONAL CENTRE ENVIRONMENTAL IMPACT REPORT (EIR NO. 80-3), AND APPROVING AN AMENDMENT TO THE ONTARIO FESTIVAL SPECIFIC PLAN (FILE NO. PSPA12-001): [1] CHANGING CERTAIN PROPERTIES FROM THE "GARDEN COMMERCIAL II" TO THE "PLANNED RESIDENTIAL" LAND USE DESIGNATION, [2] ADDING THE "PLANNED RESIDENTIAL OVERLAY" TO THE "GARDEN COMMERCIAL II" DISTRICT, [3] ALLOWING THE DEVELOPMENT OF A MAXIMUM OF 472 DWELLINGS IN PLACE OF THE CURRENTLY ALLOWED RESIDENTIAL AND COMMERCIAL LAND USES, [4] REVISING OFF-STREET PARKING AND SIGNAGE STANDARDS TO RELY UPON THE CITY'S DEVELOPMENT CODE STANDARDS, AND [5] ELIMINATING CERTAIN DEVELOPMENT PREREQUISITES AFFECTING PROPERTIES GENERALLY LOCATED ON THE NORTH SIDE OF INLAND EMPIRE BOULEVARD, BETWEEN ARCHIBALD AND TURNER AVENUES (APNS: 0210-631-01 THROUGH 11; AND 210-181-06, 09, 10, 28, 29 & 39)

City Council adopted a Resolution approving an Addendum to the Ontario International Centre Environmental Impact Report (EIR No. 80-3) analyzing the environmental effects of the Project pursuant to State CEQA Guidelines Section 15164, and adopted a Resolution approving File No. PSPA12-001 amending the Ontario Festival Specific Plan.

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

Dave Bartlett, on behalf of the applicant, advised he was available to answer questions and indicated he appreciated working with the Planning Commission and staff in processing the project.

Council Member Dorst-Porada thanked Brookfield Development, saying she noticed there is a 30% overage in parking for the project and appreciates the abundance of parking spaces; she said she also appreciated that residents will have access to Guasti Park stating she feels this development will be very nice in the area.

There were no written communications and no one else requesting to be heard, the Mayor pro Tem closed the public hearing.

City Attorney Brown suggested that both Resolutions be considered separately with individual electronic votes.

RESOLUTION NO. 2012-076 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING AN ADDENDUM TO THE ONTARIO INTERNATIONAL CENTRE GENERAL PLAN AMENDMENT ENVIRONMENTAL IMPACT REPORT (EIR NO. 80-3) FOR FILE NO. PSPA12-001, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND MAKING FINDINGS IN SUPPORT THEREOF (APN: 0210-631-01 THROUGH 11, 0210-181-06, 09, 10, 28, 29 & 39).

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman said Resolution No. 2012-076 carried unanimously with Mayor Leon absent.

RESOLUTION NO. 2012-077 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN AMENDMENT TO THE ONTARIO FESTIVAL SPECIFIC PLAN (FILE NO. PSPA12-001) [1] CHANGING CERTAIN PROPERTIES FROM THE "GARDEN COMMERCIAL II" TO THE "PLANNED RESIDENTIAL" LAND USE DESIGNATION, [2] ADDING THE "PLANNED RESIDENTIAL OVERLAY" TO THE "GARDEN COMMERCIAL II" DISTRICT, [3] ALLOWING THE DEVELOPMENT OF A MAXIMUM OF 472 DWELLINGS IN PLACE OF THE CURRENTLY ALLOWED RESIDENTIAL AND

COMMERCIAL LAND USES, [4] REVISING OFF-STREET PARKING AND SIGNAGE STANDARDS TO RELY UPON THE CITY'S DEVELOPMENT CODE STANDARDS, AND [5] ELIMINATING CERTAIN DEVELOPMENT PREREQUISITES, AFFECTING PROPERTIES GENERALLY LOCATED ON THE NORTH SIDE OF INLAND EMPIRE BOULEVARD, BETWEEN ARCHIBALD AND TURNER AVENUES, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-631-01 through 11; and 0210-181-06, 09, 10, 28, 29 & 39.

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada, said Resolution No. 2012-077 carried unanimously with Mayor Leon absent.

COUNCIL/ STAFF COMMENT

Council Member Bowman said he and other Council Members attended the Cardenas Markets grand opening celebrating their new 250,000 square foot corporate office and distribution facility. He said it is truly a testimony to hard work and a family who began their business in Ontario. Mr. Bowman said there are now 29 facilities and they have remained loyal to the City of Ontario.

Mayor pro Tem Mautz indicated there are a total of 3,000 employees in the 29 stores.

Council Member Wapner commended Mayor pro Tem Mautz for the manner in which she chaired this meeting. He wished Jewish members of the community a Happy New Year.

Council Member Dorst-Porada said an Open House is scheduled at the Francis Street Fire Station on October 6, 2012. She also announced vendors are being sought to participate in Kiwanis Club's annual Christmas on Euclid event and recommended those interested go to Facebook or contact her for further information.

Mayor pro Tem Mautz recommended tonight's meeting adjourn in honor of former Mayor Howard Snider who passed away on Sunday, September 16th. She indicated that Mayor Snider was appointed in 1962; also ran in 1964 and served as Mayor from 1966-1974. Mayor pro Tem Mautz said he was dedicated to Ontario as a businessman and politician; participated in the development of the City's Master Plan; expansion of many Recreation and Parks venues; and was instrumental in the expansion of the airport. Mayor pro Tem discussed Snider's military service, business endeavors, and ownership of Better Baked Bagels. She noted he returned to politics in 1986 when he was again elected Mayor. She also said he had the unique distinction of appearing on the Tonight Show with Johnny Carson as the state hog calling champion.

ADJOURNMENT IN MEMORIAM

Mayor pro Tem Mautz thereupon adjourned the meetings in memory of former Mayor Howard Snider at 6:55 p.m. She thanked those in attendance and announced the next regularly scheduled meetings will be held on October 2, 2012.

Respectfully submitted,



MARY E. WIRTES, MMC, CITY CLERK/ SECRETARY

APPROVED:



SHEILA MAUTZ, MAYOR PRO TEM/VICE-CHAIR