

**ONTARIO CITY COUNCIL  
ONTARIO HOUSING AUTHORITY/  
MINUTES  
OCTOBER 15, 2013**

**JOINT MEETINGS**

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, October 15, 2013 at the Ontario City Hall, 303 East B Street, Ontario, California.

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

- GC 54957 (b), PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT: City Manager
- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: City of Ontario vs. City of Los Angeles, Los Angeles World Airports and Los Angeles Board of Airport Commissioners, RIC 1306498

**CALL TO ORDER – OPEN SESSION**

The Mayor called the City Council/Housing Authority meetings to order at 6:30 p.m., and requested the City Clerk to call the roll.

<b>PRESENT:</b>	Mayor/ Chairman	Paul S. Leon
	Mayor pro Tem/ Vice Chairman	Jim W. Bowman
	Council/ Authority Members:	Alan D. Wapner, Debra Dorst-Porada and Paul Vincent Avila

**ABSENT:** None

Also present were City Manager/Executive Director Chris Hughes, Assistant City Attorney/Legal Counsel Alison Gomer and Assistant City Clerk/Secretary Vicki Kasad.

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

The Invocation was offered by *Pastor Lisa Santiago, First United Methodist Church.*

## CLOSED SESSION REPORT

Assistant City Attorney Gomer indicated that all items to be considered in Closed Session were discussed and no reportable action was taken.

## PUBLIC COMMENT

*Dave Masterson*, Chaffey High School Theatre Director, introduced actor Val Kilmer and explained that Kilmer will be bringing his passion for Samuel Clemens to Ontario, as “Citizen Twain” at Chaffey High School’s Gardiner Spring Auditorium. They presented a poster for the production and noted that the program, which was most recently performed at the Pasadena Playhouse, will also be advertised on local cable television.

*Val Kilmer* indicated that he is excited to perform in Ontario as part of his nationwide tour. He explained that this tour is an experiment as a curriculum for high school students, wherein the techs and actors at the schools will get to job shadow the professionals. Mr. Masterson added that there will be a VIP question and answer period at the end of each performance while a make-up artist transforms Mr. Kilmer back to himself. Performances will be November 8 and 9 at 8 p.m., and there will be a matinee on November 10, 2013. Tickets are available at [www.chsthespians.com](http://www.chsthespians.com). Mayor Leon commented that the City embraces cultural events and welcomed Mr. Kilmer to the Ontario. The Mayor and City Council then presented Mr. Kilmer with a Certificate of Appreciation for his contributions to the students and the community.

Earl DeVries expressed concern and presented a letter opposing tax increases to solid waste, sewer and water rates, commenting that they are more than double the current cost of living increases. He encouraged other residents to express their opposition as well, noting that IEUA was also raising their rates. He further expressed concern that IEUA was using money to buy full page political ads that did not save money or water. He also indicated that he was troubled that the City sent letters advising of the increase in the form of junk mail, and suggested that this was a dishonest means of doing so; and it left people unaware of the increases. He asked that the Council take a stand and protect the pocketbooks of residents.

Judy DeVries indicated that she was present as a representative of the coalition of churches and requested that the Council support the repeal of the “Bathroom Bill,” AB 1266. She explained that AB 1266 was the co-ed bathroom bill due to go into effect in January 2014 that would result in K-12 boys and girls sharing the same restrooms, locker rooms and showers. She clarified that it was originally intended for transgender students, but there was no requirement to prove those circumstances. She requested that everyone spread the word and download petitions at [www.privacyforallstudents.com](http://www.privacyforallstudents.com).

Mayor Leon commented that he could not agree more with the efforts of Ms. DeVries, and Council expressed their support and signed the petition. Mayor Leon clarified to Mr. DeVries that the City was not taxing anyone, but passing through the costs of providing services based on usage. He noted that staff would be providing that clarification at a future Council meeting, and stressed that the City needs to operate like a business. Mayor Leon also noted that in the past, the City was actually behind on utility rates and not covering its costs because of political pressure to not raise utility rates, but stressed the need for residents to pay their fair share to maintain the infrastructure and system and fairly spread the costs for use.

## **SPECIAL CEREMONIES**

### **HEAL CITIES CAMPAIGN – KAISER PRESENTATION**

Lloyd Duplechan, Chief Operating Officer for the Kaiser Permanente Ontario Medical Center, commented on the importance of building healthy communities and encouraging healthy eating. He explained that the League of California Cities has made the HEAL Cities program a priority since 2012, and as of today 158 California cities have signed on to the campaign. He presented a Certificate of Recognition to the City of Ontario as an active HEAL City. Mr. Duplechan congratulated the City Council on its efforts to improve the health of the community.

## **AGENDA REVIEW/ ANNOUNCEMENTS**

City Manager Hughes reported there were no modifications or announcements recommended for tonight’s agenda.

## **JOINT AGENCIES CONSENT CALENDAR**

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

**1. APPROVAL OF MINUTES**

City Council approved Minutes for the regular meeting of the City Council and Housing Authority of September 17, 2013, and approving same as on file in the Records Management Department.

**2. BILLS/PAYROLL**

City Council approved **Bills** in the amount of 9,059,427.06 for the period September 8, 2013 through September 21, 2013 and **Payroll** in the amount of \$4,794,734.60 for the period September 8, 2013 through September 21, 2013, when audited by the Finance Committee.

**3. A LEASE AGREEMENT RELATED TO AN ELECTRONIC LED SIGN LOCATED AT THE ONTARIO AUTO CENTER/ONTARIO AUTO CENTER DEALERS ASSOCIATION**

The City Council adopted a resolution approving an eight-year lease agreement with the Ontario Auto Center Dealers Association, of Ontario, California, and authorized the City Manager to execute said agreement granting the City a leasehold interest for display of certain messages on the Ontario Auto Center sign.

**RESOLUTION NO. 2013-115** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A LEASE AGREEMENT WITH THE ONTARIO AUTO CENTER DEALERS ASSOCIATION.

**4. A RESOLUTION ORDERING THE SUMMARY VACATION OF A PUBLIC UTILITY AND SEWER EASEMENT**

The City Council adopted a resolution ordering the summary vacation of a 6-foot wide public utility and sewer easement at the southwest corner of Bon View Avenue and Holt Boulevard.

**RESOLUTION NO. 2013-116** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A 6-FOOT WIDE PUBLIC UTILITY AND SEWER EASEMENT LOCATED AT THE SOUTHWEST CORNER OF BON VIEW AVENUE AND HOLT BOULEVARD.

**5. RESOLUTIONS APPROVING A MITIGATED NEGATIVE DECLARATION FOR THE FIBER OPTIC MASTER PLAN AND APPROVING THE CITYWIDE FIBER OPTIC MASTER PLAN**

The City Council adopted (1) a resolution approving a Mitigated Negative Declaration for the Fiber Optic Master Plan; and (2) a resolution approving the Fiber Optic Master Plan.

**RESOLUTION NO. 2013-117** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CITY OF ONTARIO FIBER OPTIC MASTER PLAN.

**RESOLUTION NO. 2013-118** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE CITY OF ONTARIO FIBER OPTIC MASTER PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF.

**6. A LEASE AGREEMENT FOR THE OPERATION OF THE ONTARIO ACCESS CENTER LOCATED AT 435 SOUTH BON VIEW AVENUE/MERCY HOUSE LIVING CENTER, INC.**

The City Council approved and authorized the City Manager to execute a five-year lease agreement between the City of Ontario and Mercy House Living Centers, Inc., of Santa Ana, California, for the operation of the Ontario Access Center located at 435 South Bon View Avenue and the adjoining parking lot located at 914 East Washington Street.

**7. ONTARIO HOUSING AUTHORITY ANNUAL REPORT FOR FISCAL YEAR 2012-13**

The Board of the Ontario Housing Authority (“Authority”) approved the Authority Annual Report for Fiscal Year 2012-2013 (“Annual Report”), and authorized the Executive Director to transmit to the California Department of Housing and Community Development the final Annual Report as required by State law.

**8. A RESOLUTION APPROVING THE FILING OF AN APPLICATION FOR GRANT FUNDS THROUGH THE STATE OF CALIFORNIA STRATEGIC GROWTH COUNCIL OF THE CALIFORNIA NATURAL RESOURCES AGENCY**

The City Council adopted a resolution approving the filing of an application for grant funds through the California Natural Resources Agency for the Urban Greening for Sustainable Communities Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for the Museum of History and Art, Ontario - Sustainable Landscape and Education Gardens Project.

**RESOLUTION NO. 2013-119** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE URBAN GREENING GRANT PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84).

**9. AN ORDINANCE APPROVING A ZONE CHANGE REQUEST AMENDING THE ZONING DESIGNATIONS ON CERTAIN PROPERTIES LOCATED THROUGHOUT THE CITY TO PROVIDE ZONING CONSISTENCY WITH THE LAND USE DESIGNATIONS OF THE POLICY PLAN (GENERAL PLAN) OF THE ONTARIO PLAN**

The City Council considered and adopted an ordinance approving Zone Change File No. PZC13-002, changing the zoning designations on certain properties located throughout the City to provide consistency with the land use designations of the Policy Plan (General Plan) of The Ontario Plan.

**ORDINANCE NO. 2969** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC13-002, A CHANGE IN THE ZONING DESIGNATIONS FOR CERTAIN PROPERTIES IN THE CITY OF ONTARIO TO CONSISTENCY WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF - APNS: VARIOUS (SEE EXHIBIT A)

**MOTION UNANIMOUSLY CARRIED.** The Mayor declared Resolution Nos. 2013-115, 2013-116, 2013-117, 2013-118, 2013-119 and Ordinance No. 2969 duly passed and adopted by a unanimous vote.

**END OF JOINT CONSENT CALENDAR**

## PUBLIC HEARING

### 10. A PUBLIC HEARING TO CONSIDER A RESOLUTION APPROVING A GENERAL PLAN AMENDMENT UPDATING THE HOUSING ELEMENT OF THE POLICY PLAN (GENERAL PLAN) OF THE ONTARIO PLAN PURSUANT TO STATE LAW

The City Council conducted a public hearing to consider adoption of a resolution approving an addendum to The Ontario Plan Environmental Impact Report analyzing the environmental effects of the Project, pursuant to State CEQA Guidelines section 15164; and adoption of a resolution approving General Plan Amendment File No. PGPA13-003, updating the Housing Element of the Policy Plan (General Plan) of The Ontario Plan for the 5<sup>th</sup> Housing Element Cycle (covering the years 2014 – 2021).

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

Mayor Leon opened the public hearing. There were no written communications and no requests to speak. Mayor Leon closed the public hearing.

**MOTION:** Moved by Council Member Dorst-Porada, seconded by Council Member Avila and carried by unanimous vote to adopt Resolution No. 2013-120 approving the addendum to the Ontario Plan Environmental Impact Report and adopt Resolution No. 2013-121 approving General Plan Amendment File No. PGPA13-003, updating the Housing Element of the Policy Plan of the Ontario Plan for the 5<sup>th</sup> Housing Element Cycle.

**RESOLUTION NO. 2013-120** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING AN ADDENDUM TO THE ONTARIO PLAN ENVIRONMENTAL IMPACT REPORT FOR FILE NO. PGPA13-003, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND MAKING FINDINGS IN SUPPORT THEREOF.

**RESOLUTION NO. 2013-121** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA13-003, A GENERAL PLAN AMENDMENT TO UPDATE THE HOUSING ELEMENT OF THE POLICY PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF (EXHIBIT A AND B).

Council Member Dorst-Porada noted that the staff report included a letter from Glen A. Campora, Assistant Deputy Director of the Department of Housing and Community Development, which commended the hard work and dedication of

City staff members Cathy Wahlstrom and Melanie Mullis. She expressed appreciation for this acknowledgement and offered her thanks for their efforts.

### **COUNCIL/ STAFF COMMENT**

Council Member Dorst-Porada reminded everyone to be safe on Halloween. She also reminded the community that Christmas on Euclid was coming and information was available on the website at [www.christmasoneuclid.com](http://www.christmasoneuclid.com). She noted that the money raised all goes back into the community, either to the Library or other programs for the kids.

Council Member Wapner commented on the American Lung Association, noting that they provide services for the community including research, treatment and camps for kids. He further noted that his daughter-in-law and grandson suffer from asthma. He advised that they were preparing for their annual fundraiser which will be hosted by a local business, Mathis Brothers, this year. The event, the 2013 Fight for Air Walk, a 5K walk or one and a half mile walk will be on Sunday, November 3, 2013. He advised that additional information could be obtained by contacting City Hall.

Mayor pro Tem Bowman emphasized Council Member Porada's comments regarding the City's wonderful employees. He also commented on his initial experience sitting on the Ontario Police Museum's advisory board, noting that it is a dynamic group offering an opportunity to go back in the City's history. He advised that the facility is located at the Police Department and encouraged everyone to get involved, make donations to the collection, and visit. He stressed that it was a tremendous effort deserving of praise and appreciation.

Council Member Avila reminded the community of the upcoming Chaffey High School Battle of the Bands. He also noted that an Ontario Police Officer was in a recent traffic accident and wished Officer McCandlish a speedy recovery. He commented that he has mixed emotions with the current recession and poverty in the county, but noted a situation in Los Angeles involving old water lines, and stressed the importance of maintenance. He suggested that protection of the infrastructure might outweigh the burden that increased rates place on the residents. He commented on his position as liaison to the Library Board of Trustees, and noted an upcoming Dia de los Muertos event, as well as a staff training day on October 26, 2013, when the Library would be closed to the public. He indicated that he was honored by the presence of Val Kilmer.

He commented on the impact of AB1266 and suggested that although we live in a progressive society, people might not be ready for something like that. Avila stated that he was nearing the completion of his first year in office and still retains his affection for the City.

Mayor pro Tem Bowman commented on the water system, and noted that it was important to understand the broader picture of solvency, investing and looking toward the future. He indicated that water line replacement is capital improvement, but the rate increases discussed are largely pass-through costs from outside entities or are the basic recovery of costs of providing services to the ratepayers. He stressed that Ontario is fiscally sound because of its overall vision and fiscal approach.

Mayor Leon commented that Mr. DeVries discussed a tax increase, but it is not a tax, it is a pass through of cost increases that must be paid by the City. He also stressed the importance of maintaining the system's infrastructure. He announced the upcoming Friend and Family Day at the West Valley Mosquito and Vector Control District on Saturday, October 19, 2013 from 10 a.m. to 1 p.m. Mayor Leon then requested an update on the status of Officer Robb McCandlish, who was injured in a motorcycle accident. Police Chief Hopley responded Officer McCandlish was involved in a major accident while riding his motorcycle. He commented on the support received from Rancho Cucamonga and Colton Police Departments, and noted the Police Department was able to quickly get McCandlish's wife to the hospital by helicopter to be by his side. He noted that the full face helmets now required for motor officers helped save his life, as well as that of another officer who was in a prior accident. Chief Hopley further stated that Officer McCandlish has gone through several surgeries, and the Police Officers Association is visiting him every day. His injuries include his elbow, knees and a hip, internal injuries and his face is bruised; but he will recover.

## ADJOURNMENT

The Joint Meetings adjourned at 7:13 p.m., and Mayor Leon announced the next regularly scheduled meeting will be held on November 5, 2013.

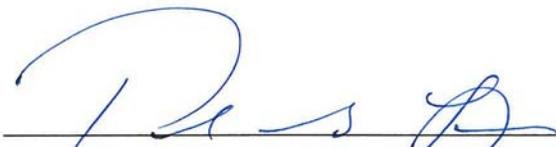
Respectfully submitted,



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VICKI KASAD, MMC, ASSISTANT CITY CLERK/SECRETARY

APPROVED:



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PAUL S. LEON, MAYOR/ CHAIRMAN