

**ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY
MINUTES
MARCH 18, 2014**

JOINT MEETINGS

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, March 18, 2014 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 6:01 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 except for Council Member Avila who arrived at 6:07 p.m., and thereupon adjourned to Closed Session for discussion as follows:

- GC 54956.9 (d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: one (1) case.
- 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 6:31 p.m., and requested the City Clerk call the roll.

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

ABSENT: None

Also present were City Manager/Executive Director Al C. Boling, City Attorney/Legal Counsel John Brown, City Clerk/Secretary Mary E. Wirtes and Assistant City Clerk Vicki Kasad.

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

The Invocation was offered by Pastor Mike Urciuoli, Calvary Chapel, Ontario.

CLOSED SESSION REPORT

City Attorney Brown indicated two items were considered in Closed Session and no reportable actions were taken this evening.

PUBLIC COMMENT

Pastor Urciuoli, Calvary Chapel Ontario, addressed Council Members regarding a couple of issues that the church has concerning its relationship with the City. There was a concern raised last Thursday at Whispering Lakes Golf Course regarding a memorial service for a golf course employee that passed away. Pastor Urciuoli was asked to officiate a memorial service but was told by the manager of the golf course that he could not participate in religious ceremonies at City facilities. He stated that it was not a call for people to come to his church, but he was only planning to pray and read some scripture and felt disappointed. Another issue along similar lines occurred recently when the church requested to hold its anniversary picnic/baptism at Westwind Park and pool but was turned down and referred to Resolution No. 6824 which states that religious activities are not permitted at community buildings. He states that their church contributes to the City and they just want to be a part of the City of Ontario.

AGENDA REVIEW/ ANNOUNCEMENTS

City Manager Boling indicated there were no announcements.

CONSENT CALENDAR

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and unanimously carried, 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 February 18, 2014, and approving as on file in the Records Management Department.

2. BILLS/PAYROLL

Approved **Bills** in the amount of \$5,497,724.79 for the period from February 9, 2014 through February 22, 2014 and **Payroll** in the amount of \$2,442,566.29 for the period from February 9, 2014 through February 22, 2014, when audited by the Finance Committee.

3. AN ORDINANCE TO MODIFY SALARY COMPENSATION FOR CITY COUNCIL MEMBERS

City Council considered and adopted an Ordinance to modify salary compensation for City Council Members subject to California Government Code Section 36516; Ontario Municipal Code Title 2, Chapter 1, Article 2. Introduction and first reading were held at a public hearing on March 4, 2014.

ORDINANCE NO. 2987 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 2-1.203 OF THE ONTARIO MUNICIPAL CODE RELATING TO COUNCIL MEMBER SALARIES.

4. RESOLUTIONS AUTHORIZING THE FILING OF SECTION 190 APPLICATIONS FOR THE SOUTH MILLIKEN AVENUE AND NORTH VINEYARD AVENUE GRADE SEPARATION PROJECTS

City Council adopted Resolutions authorizing the filing of applications to obtain \$10 million of California Public Utilities Commission Section 190 funds for the South Milliken Avenue (\$5 million) and North Vineyard Avenue Grade Separation Projects (\$5 million).

RESOLUTION NO. 2014-017 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING FILING OF A SECTION 190 APPLICATION, VERIFYING THAT ALL MATTERS PREREQUISITE TO THE AWARDING OF THE CONSTRUCTION CONTRACT CAN BE ACCOMPLISHED WITHIN TWO YEARS AFTER ALLOCATION OF THE FUNDS FOR THE PROJECT BY THE CALIFORNIA TRANSPORTATION COMMISSION, AND VERIFYING THAT SUFFICIENT LOCAL FUNDS WILL BE MADE AVAILABLE AS THE WORK OF THE PROJECT PROGRESSES FOR THE SOUTH MILLIKEN AVENUE GRADE SEPARATION AT THE UNION PACIFIC RAILROAD LOS ANGELES SUBDIVISION P.U.C. NO. 003-43.40.

RESOLUTION NO. 2014-018 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING FILING OF A SECTION 190 APPLICATION, VERIFYING THAT ALL MATTERS PREREQUISITE TO THE AWARDING OF THE CONSTRUCTION CONTRACT CAN BE ACCOMPLISHED WITHIN TWO YEARS AFTER ALLOCATION OF THE FUNDS FOR THE PROJECT BY THE CALIFORNIA TRANSPORTATION COMMISSION, AND VERIFYING THAT SUFFICIENT LOCAL FUNDS WILL BE MADE AVAILABLE AS THE WORK OF THE PROJECT PROGRESSES FOR THE NORTH VINEYARD AVENUE GRADE SEPARATION AT THE UNION PACIFIC RAILROAD ALHAMBRA SUBDIVISION P.U.C. NO. 001B-522.40.

5. AN AGREEMENT FOR UTILIZATION OF HOSPITAL FACILITIES FOR CLINICAL EXPERIENCE OF FIRE DEPARTMENT EMERGENCY MEDICAL TECHNICIANS AND PARAMEDICS/SAN ANTONIO COMMUNITY HOSPITAL

City Council authorized the City Manager to execute an agreement with San Antonio Community Hospital for the purpose of utilizing hospital facilities for clinical experience of Ontario Fire Department employees who are Emergency Medical Technicians or Paramedics.

6. AMENDMENT TO AN AGREEMENT REGARDING THE TRANSFER OF RIGHT OF FIRST PURCHASE OF RECHARGED RECYCLED WATER

City Council approved and authorized the City Manager to execute an amendment to an Agreement by and between the City of Ontario and the City of Fontana subject to non-substantive changes, regarding the transfer of right of first purchase of recharged recycled water for the continued purchase of water by the City of Ontario at established rates.

7. AN AGREEMENT FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT PERTAINING TO A GENERAL PLAN AMENDMENT (FILE NO. PGPA13-005)/APPLIED PLANNING, INC.

City Council approved and authorized the City Manager to execute an agreement with Applied Planning, Inc., of Chino Hills, CA, to prepare an Environmental Impact Report (EIR) for a General Plan Amendment (File No. PGPA13-005), related to property located at the southeast corner of Fourth Street and Vineyard Avenue, in an amount not-to-exceed \$438,663 (includes 10% contingency); and authorized the City Manager to approve any future budget adjustments necessary to complete the EIR.

MOTION UNANIMOUSLY CARRIED. The Mayor/Chairman declared Resolution Nos. 2014-017, 2014-018 and Ordinance 2987 unanimously passed and adopted.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARING

8. RESOLUTIONS REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES) AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES)

Assistant City Clerk Kasad advised that Notice of Public Hearing was published at least 7 days prior to the hearing as required by the Mello-Roos Community Facilities Act. In addition, because there were fewer than 12 persons registered to vote within the territory of the District, the vote shall be by the landowners of

the District. As such, each landowner has waived the notice and election requirements in connection with the Act.

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

Assistant City Clerk Kasad introduced the following:

- (A) A Resolution of the City Council approving the formation of the City of Ontario Community Facilities District No. 23 (Park Place Services), authorizing the levy of a special tax within the Community Facilities District, and establishing an appropriations limit for the Community Facilities District; and
- (B) A Resolution of the City Council calling a Special Election for the City of Ontario Community Facilities District No. 23 (Park Place Services);

RESOLUTION NO. 2014-019 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

RESOLUTION NO. 2014-020 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES).

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and unanimously carried to adopt said Resolutions Nos. 2014-019 and 2014-020.

Assistant City Clerk Kasad opened the ballots and announced the results, being unanimous approval, then completed one copy of the Canvass and Statement of Results.

Assistant City Clerk Kasad introduced the following:

- (C) A Resolution of the City Council of the City of Ontario declaring the results of special election and directing the recording of a Notice of Special Tax Lien; and
- (D) Introduction and waiver of further reading of an Ordinance of the City Council of the City of Ontario levying special taxes within the City of Ontario Community Facilities District No. 23 (Park Place Services).

RESOLUTION NO. 2014-021 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

ORDINANCE NO. 2988 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES).

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and unanimously carried to adopt said Resolutions No. 2014-021 and to accept Ordinance No. 2988 for introduction and first reading.

RECREATION AND PARKS COMMISSION APPOINTMENT

Mayor pro Tem Wapner and Council Member Bowman recommended the appointment of Gary C. Ovitt to the Recreation and Parks Commission. Council Members unanimously approved his appointment.

COUNCIL/STAFF COMMENTS

Council Member Dorst-Porada invited Michael Krouse with the Greater Ontario Convention and Visitors Bureau to discuss upcoming events taking place in the City.

Mr. Krouse spoke on Inland Empire Restaurant Week and added that further information is available at www.inlandempirerestaurantweek.com. Mr. Krouse discussed the Huck Finn Jubilee scheduled for Father's Day weekend at Guasti Regional Park and added that more information will be available in the future.

Council Member Dorst-Porada reminded the community to attend and sign up for Route 66 scheduled for the third weekend in September. She also spoke on community preparedness and added that the City of Ontario offers free Community Emergency Response Team (CERT) classes.

Mayor pro Tem Wapner commended City staff and employees who are supportive of the City and the community. He spoke about the recent fundraising events held by the Ontario Firefighters to benefit Multiple Sclerosis Association and Megan's Wings Foundation.

Council Member Bowman echoed Mayor pro Tem Wapner's comments. He announced the State of the City event on March 19 and addressed the City's stability and services provided to the community.

Council Member Avila spoke on recent events in which he participated. Mr. Avila recognized the Ontario Firefighters for their bravery. Council Member Avila also announced the Rotary Club's event where awards were given to students for academic

excellence. He also supported comments provided by Council Member Dorst-Porada regarding the need for emergency supplies.

Mayor Leon noted Mr. Ovitt's arrival and asked him to please introduce himself.

APPOINTEE, RECREATION AND PARKS COMMISSION

Gary C. Ovitt, said he is happy to be part of the Recreation and Parks Commission and to have this opportunity to continue his public service. He said he is happy to represent people in the community and looks forward to his first meeting on the Commission.

Both Mayor Leon and Mr. Ovitt spoke on the California Sports Hall of Fame inductees and the induction ceremony to be held on June 22, 2014, at the Ontario Convention Center.

Mayor Leon advised it is not too late to register and that State of the City event tickets will be available at the door for \$50 and he is excited about the event.

ADJOURNMENT

With no further business to come before the Joint Agencies, the Mayor adjourned the meetings at 7:10 pm and announced the next regularly scheduled meetings will be held on April 1, 2014.

Respectfully submitted,



MARY E. WIRTES, MMC, CITY CLERK/ SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/ CHAIRMAN