

**ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY
MINUTES
APRIL 15, 2014**

JOINT MEETINGS

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, April 15, 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 6:03 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 Mayor pro Tem Wapner. The Mayor thereupon adjourned to Closed Session for discussion as follows:

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN No. 1083-351-08, 2350 South Milliken Avenue, Ontario;
City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties:
Robert O. Burggraf, Masako Burggraf; Under negotiation: Price and terms of
payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN No. 0211-222-09, 54 South Milliken Avenue, Ontario;
City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties:
Douglas Dennington, Counsel; Under negotiation: Price and terms of payment.
- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING
LITIGATION: *Inland Oversight Committee vs. City of Ontario, et al.; San
Bernardino County Superior Court Case Number 1304541; Fourth District Court
of Appeal Case Number E060022.*
- 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 6:36 p.m., and requested the City Clerk to call the roll.

PRESENT: Mayor/Chairman Paul S. Leon
Council/Authority Members: Jim W. Bowman, Debra Dorst-Porada
and Paul Vincent Avila

ABSENT: Mayor pro Tem/Vice Chairman Alan D. Wapner

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

The Pledge of Allegiance was led by Council Member Avila.

The Invocation was offered by *Pastor Donald Rucker*, First Church of the Nazarene.

CLOSED SESSION REPORT

Assistant City Attorney Gomer advised that the Closed Session discussion resulted in no reportable action.

PUBLIC COMMENT

Rudy Favila, commented that he had asked to visit department heads and learn about the development plans for the City, and was told to meet with the City Manager. He indicated that he called the City Manager's office and did not receive a call back. He then addressed a Consent Calendar Item on the April 1, 2014 Agenda, noting that there were four special accommodations approved for one client. He compared this action to business practices in the City of Bell, and stressed the need for transparency.

City Manager Boling stated that the four items referenced on the April 1, 2014 Agenda related to improvement agreements, improvement securities, and final tract maps proposed for development projects at the southeast corner of Archibald Avenue and Merrill Avenue, in the New Model Colony. He stated that the four items were for four different developers: KB Homes, Ryland, Woodside and TRI Pointe all doing work in the same general area. He indicated all four developers were clearly identified in the respective staff reports.

Council Member Bowman added that the adoption of those documents was consistent with the previously adopted specific plan.

Council Member Dorst-Porada clarified the roles of the City Council and the City Manager, and the City would not do anything illegal or immoral. She indicated that in some other situations, their board members may not take the time to find out what they are approving.

Mayor Leon stated that public comment was not intended to be a conversation, but there was a feeling on the Council of a need to respond when half truths and innuendo were presented at the public podium.

Council Member Avila commented that he had a great affection for freedom of expression by the press and the public, and while he did not totally agree with the remarks, he respected Mr. Favila's contributions to the City.

Ruben Valencia, spoke on his discovery that the City of Ontario has 276 sex registrants, and of those 19 are missing. He encouraged anyone with information on those 19 people to contact the Ontario Police Department. He indicated that this information was relevant in light of news reports from the Anaheim area where two transient sex registrants were arrested for four or more killings. He suggested increased funding in the budget process.

Mayor Leon responded that the Ontario Police Department is appropriately funded and he is proud of the City's ability to solve serious crimes.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Boling advised that there were no announcements or additions to the agenda.

CONSENT CALENDAR

Rudy Favila, addressed Item 5 on the Consent Calendar, indicating that he was concerned with granting the City Manager the authority to give land at will for easements. He indicated that this action should be a matter of public discussion, and that the agricultural preserve is the future of Ontario. He requested that the Council retain this power for the elected officials.

Council Member Bowman commented that development like this is raising the quality of life for a new city, and most of the land is already designated through the specific plans. He indicated that this is a necessity for continuation of quality services.

Mayor Leon added that this will speed up the development process; and he believes we hire the right people to do the right job, rather than bringing minor decisions back to Council.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote of those present, with Mayor pro Tem Wapner absent, the Joint Agencies approved the Consent Calendar items as recommended.

1. **APPROVAL OF MINUTES**

Approved Minutes for the regular meeting of the City Council and Housing Authority of March 18, 2014, as on file in the Records Management Department.

2. **BILLS/PAYROLL**

Approved **Bills** in the amount of \$6,910,982.99 for the period from March 9, 2014 through March 22, 2014 and **Payroll** in the amount of \$2,398,055.76 for the period from March 9, 2014 through March 22, 2014, when audited by the Finance Committee.

3. **A RESOLUTION RECOMMENDING THE JIEYANG CITY OF GUANGDONG PROVINCE, CHINA TO THE ONTARIO SISTER CITIES ASSOCIATION**

City Council recommended the Jieyang City of Guangdong Province, China to the Ontario Sister Cities Association for formalization of a Sister City partnership.

RESOLUTION NO. 2014-026 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE JIEYANG CITY OF GUANGDONG PROVINCE, CHINA TO THE ONTARIO SISTER CITIES ASSOCIATION.

4. **A RESOLUTION ORDERING THE SUMMARY VACATION OF A PUBLIC EASEMENT FOR EMERGENCY VEHICULAR INGRESS AND EGRESS PURPOSES**

City Council adopted a resolution ordering the summary vacation of an unimproved public easement for emergency vehicular ingress and egress purposes within the property located east of Shea Center Drive and south of Interstate 10 Freeway.

RESOLUTION NO. 2014-027 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PUBLIC EASEMENT FOR EMERGENCY VEHICULAR INGRESS AND EGRESS PURPOSES LOCATED EAST OF SHEA CENTER DRIVE AND SOUTH OF INTERSTATE 10 FREEWAY.

5. **A RESOLUTION AUTHORIZING THE CITY MANAGER TO GRANT DEDICATIONS OF EASEMENTS WITHIN THE NEW MODEL COLONY FOR PUBLIC UTILITY PURPOSES**

City Council adopted a resolution authorizing the City Manager to grant dedications of easements within the New Model Colony "neighborhood edges" for public utility purposes on behalf of the City.

RESOLUTION NO. 2014-028 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO GRANT DEDICATIONS OF EASEMENTS WITHIN THE NEW MODEL COLONY FOR PUBLIC UTILITY PURPOSES.

6. AWARD OF BIDS FOR THE PURCHASE OF REPLACEMENT FLEET VEHICLES/ROTOLO CHEVROLET/FRITTS FORD/FAIRWAY FORD

City Council took the following actions:

- (A) Awarded Bid No. 419 to Rotolo Chevrolet of Fontana, California, in the amount of \$103,123 for the purchase and delivery of two (2) Chevrolet Silverado trucks for the Fire Department;
- (B) Awarded Bid No. 420 to Fritts Ford of Riverside, California, in the amount of \$113,053 for the purchase and delivery of four (4) $\frac{3}{4}$ ton cab and chassis trucks for the Fire, Utilities, and Facilities Maintenance Departments; and
- (C) Awarded Bid No. 421 to Fairway Ford of Yorba Linda, California, in the amount of \$96,767 for the purchase and delivery of one (1) CNG medium duty stake bed truck for the Solid Waste Department.

7. RESOLUTIONS MODIFYING PAYMENT OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR EMPLOYEES IN SAFETY BARGAINING UNITS

City Council adopt resolutions modifying the Employer Paid Member Contributions (EPMC) to the California Public Employees Retirement System (CalPERS) consistent with the terms and conditions of existing labor agreements and pursuant to California Government Code Section 20691.

RESOLUTION NO. 2014-029 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE POLICE, POLICE MANAGEMENT, FIRE, AND FIRE MANAGEMENT UNITS.

RESOLUTION NO. 2014-030 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE POLICE, POLICE MANAGEMENT, FIRE, AND FIRE MANAGEMENT UNITS.

RESOLUTION NO. 2014-031 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE POLICE, POLICE MANAGEMENT, FIRE, AND FIRE MANAGEMENT UNITS.

8. A RESOLUTION APPROVING THE UPDATE OF THE SEWER SYSTEM MANAGEMENT PLAN

City Council adopted a resolution approving the update of the Sewer System Management Plan (SSMP).

RESOLUTION NO. 2014-032 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE UPDATE OF THE SEWER SYSTEM MANAGEMENT PLAN (SSMP).

9. A MAINTENANCE SERVICES AGREEMENT FOR METER REPLACEMENT AND AUTOMATED METERING INFRASTRUCTURE UPGRADE/MASTER METER INC.

City Council approved and authorized the City Manager to execute a Maintenance Services Agreement subject to non-substantive changes as mutually agreed to by both parties with Master Meter Inc. of Mansfield, Texas, for meter replacement and automated metering infrastructure upgrade in the not to exceed amount of \$267,840.

MOTION CARRIED. The Mayor/ Chairman declared Resolutions Nos. 2014-026, 2014-027, 2014-028, 2014-029, 2014-030, 2014-031, and 2014-032 adopted.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARINGS

10. A PUBLIC HEARING TO CONSIDER A RESOLUTION APPROVING THE DESIGNATION OF THE CHARLES B. JONES HOUSE AS A LOCAL HISTORIC LANDMARK

That the City Council consider and adopt a resolution approving File No. PHP14-001 designating the Charles B. Jones House, located at 227 West Sixth Street (APN: 1047-343-04) as Local Historic Landmark No. 94.

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

There were no written communications.

Planning Director Scott Murphy provided an overview of the Charles B. Jones House, noting that it was completed in 1939 by Twentieth Century Builders. He further noted that the original owner, Mr. Jones, was a teacher at Chaffey College. He advised that the only alteration to the home was the enclosed patio and second story balcony. He noted that the current owners are Ken and Sue Miller, who had submitted the application for Local Historic Landmark, which had been reviewed and recommended for designation by the Historic Preservation Commission. He indicated that this would be Local Historic Landmark No. 94.

Council Member Dorst-Porada noted that the home owners were present this evening, and indicated that she lives near this house. She commented that this is a pretty home and part of what makes Ontario so charming. She recognized the time and effort required to maintain a home and yard such as this and thanked the home owners for their work.

Mayor Leon thanked the Millers for keeping the value of the City up, noting that when he brings friends to town he takes them to see houses like this; which they say feels like old America. He offered his praise and thanks for their efforts.

Council Member Avila indicated that he had made some inquiries with regard to historic landmark homes. He noted that there were some tax benefits enjoyed by the owners, but also benefits for the City. He encouraged people to tour the area, noting that there were some fascinating homes dating to the early twentieth century, with fantastic and interesting windows. He thanked the property owners for their efforts to beautify the City.

Council Member Bowman commented that he had spent a lot of his life in the general area of this home and he had walked past it many times. He said that they have done a fantastic job and thanked them for their work.

MOTION: Moved by Council Member Dorst-Porada, seconded by Mayor Leon and carried by unanimous vote of those present, with Mayor pro Tem Wapner absent to adopt Resolution No. 2014-033, approving File No. PHP14-001, designating the Charles B. Jones House as Local Historic Landmark No. 94.

RESOLUTION NO. 2014-033 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP14-001, THE DESIGNATION OF THE CHARLES B. JONES HOUSE, LOCATED AT 227 WEST SIXTH STREET, AS LOCAL HISTORIC LANDMARK NO. 94 AND MAKING FINDINGS IN SUPPORT THEREOF (APN: 1047-343-04).

SPECIAL CEREMONIES

PRESENTATION ON SAFE ROUTES TO SCHOOL

Rye Baerg with the Safe Routes to School National Partnership gave a brief presentation regarding the Safe Routes to School program in Ontario.

COUNCIL/STAFF COMMENTS

Council Member Avila spoke on the success of Student Government Day and stated he was very impressed with the students' intelligence and commitment to learn. Mr. Avila stated he encouraged the students to think critically. Mr. Avila also stated he was pleased to participate in the Ontario Library's recognition of volunteers. In addition, Mr. Avila stated his concern regarding the missing sexual offenders and briefly spoke on the City's hospitality for new businesses.

Council Member Bowman stated that he is proud and thankful to the Police Department for doing a good job. Council Member Bowman encouraged the community to take used oil and other hazardous items to the Ontario Household Waste Facility at 1430 South Cucamonga Avenue. Lastly, Council Member Bowman requested and obtained Council consensus to hold a Council workshop regarding Rail Transportation.

Council Member Dorst-Porada reminded all that Council agendas are available online and stated that Council is available to answer any questions from the public. She also expressed her appreciation of the housing diversity available in the City.

Mayor Leon stated that the Student Government Day held on April 10, 2014, was phenomenal. He also spoke on the exceptional work that the Ontario Police Department does to protect the public. Mayor Leon spoke on the wonderful hospitality the City has for new and existing business. He also thanked Council Member Bowman for requesting a workshop on the topic of Rail Transportation. Lastly, Mayor Leon requested that Council ask staff to review the process by which people are added and removed from appointed positions on commissions. He stated his concern about inconsistencies and asked that a new policy be considered. He further asked that a moratorium be placed on any pending changes to be made until an appropriate policy is adopted.

Council Members Bowman and Dorst-Porada agreed.

Council Member Avila did not agree and left the dais at 7:46 p.m.

ADJOURNMENT

With no further business to come before the Joint Agencies, the Mayor adjourned the meetings at 7:47 p.m., and announced the next regularly scheduled meetings will be held on May 6, 2014.

Respectfully submitted,



VICKI KASAD, MMC, ASSISTANT CITY CLERK/ SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/ CHAIRMAN