

**ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY
MINUTES
JUNE 17, 2014**

JOINT MEETINGS

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, June 17, 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 with the exception of Council Member Wapner and thereupon adjourned to Closed Session for discussion as follows:

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0283-052-49; Approximately 39,173 square feet located near the southwest corner of Etiwanda Avenue and the Interstate 10 Freeway; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Bakken Industrial Properties, LLC; Under negotiation: Price and terms of payment.
- 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 Assistant City Clerk 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, City Attorney/Legal Counsel John Brown, and Assistant City Clerk/Secretary Vicki Kasad.

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

The Invocation was offered by *Mike Ingram*, First Church of Christ, Scientist.

CLOSED SESSION REPORT

City Attorney Brown reported that two items were discussed in Closed Session and no reportable actions were taken.

AGENCY REVIEW/ANNOUNCEMENTS

City Manager Boling indicated there were no announcements.

PUBLIC COMMENT

Paul Vincent Avila, paid tribute to his late wife.

Michael Cervantes, representative of Senator Norma Torres, extended an invitation to Senator Norma Torres' Open House on June 21, 2014 from 11:00 a.m. to 12:30 p.m.

Ruben Valencia, spoke on campaign contributions and Council Member Bowman's use of them.

Raquel Valencia, raised the issue of horse trailer parking at Briggs Park and requested extra patrol to warn or cite parking violators. Ms. Valencia also mentioned her concerns over an exposed pipe that may be hazardous.

Stephen Rogers, brought a complaint letter for City Council and asked that the Assistant City Clerk distribute the letter.

Marlon Herrera, spoke on the representation of the Latino population in the City of Ontario.

Ana and Carlos Porras, asked City Council for assistance with permits and code enforcement issues.

Thomas Burciaga, introduced Dave Ford with Frontsight Military Ministry.

Dave Ford, gave a brief overview of Frontsight Military Ministry and extended an invitation to all Council Members to come and visit the center which provides services to military veterans.

CONSENT CALENDAR

Agenda Item #14 was pulled from the Consent Calendar for separate consideration as requested by Mayor Leon for a public comment card.

Agenda Items #3, #13 and #17 were pulled from the Consent Calendar for separate consideration as requested by Council Member Avila.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman to approve the remainder of the Consent Calendar as presented.

1. APPROVAL OF MINUTES

Approved Minutes for the regular meeting of the City Council and Housing Authority of May 6, 2014, as on file in the Records Management Department.

2. BILLS/PAYROLL

Approved **Bills** in the amount of \$9,578,042.76 for the period from May 4, 2014 through May 17, 2014 and **Payroll** in the amount of \$2,445,809.49 for the period from May 4, 2014 through May 17, 2014, when audited by the Finance Committee.

4. AN AGREEMENT WITH MT. SAN ANTONIO COLLEGE FIRE ACADEMY FOR TRAINING CENTER USAGE/MT. SAN ANTONIO COMMUNITY COLLEGE DISTRICT

City Council approved and authorized the City Manager to execute a one year agreement with Mt. San Antonio Community College District, of Walnut, California, for limited usage of the City's Fire Training Center facilities.

5. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE JONES PAYNE GROUP, INC., FOR ARCHITECTURAL, ENGINEERING AND ACOUSTICAL SERVICES FOR THE QUIET HOME PROGRAM/THE JONES PAYNE GROUP, INC.

City Council authorized the City Manager to negotiate and execute Amendment No. 3 to the professional services agreement subject to non-substantive changes mutually agreeable to the City and The Jones Payne Group, Inc., of Boston, Massachusetts (Consultant), to continue to provide architectural, engineering, and acoustical services for Phase 10 of the sound insulation program in the not-to-exceed amount of \$514,545; extended the agreement for an additional 18 months; and authorized the City Manager, or his designee, to execute the amendment and all other related documents necessary to implement said amendment.

6. HOME SUBRECIPIENT AGREEMENT BETWEEN MERCY HOUSE LIVING CENTERS AND THE CITY OF ONTARIO FOR IMPLEMENTATION OF THE HOME TENANT-BASED RENTAL ASSISTANCE PROGRAM/MERCY HOUSE LIVING CENTERS

City Council:

- (A) Approved the HOME Subrecipient Agreement ("Agreement") between Mercy House Living Centers, of Santa Ana, California, and the City of Ontario for the HOME Tenant-Based Rental Assistance Program, in the amount of \$204,662 (on file in the Records Management Department);
- (B) Approved the First Amendment to the 2010–2014 Consolidated Plan;

- (C) Approved the First Amendment to the 2013-2014 One-Year Action Plan
- (D) Directed staff to prepare and transmit the final documents to the U.S. Department of Housing and Urban Development (“HUD”); and
- (E) Authorized the City Manager to execute the Agreement and take all actions necessary or desirable to implement the Agreement.

7. AN AGREEMENT WITH INLAND EMPIRE UTILITIES AGENCY TRANSFERRING PROPOSITION 84 GRANT FUNDING AND GRANT IMPLEMENTATION RESPONSIBILITIES/INLAND EMPIRE UTILITIES AGENCY

City Council approved and authorized the City Manager to execute an agreement with Inland Empire Utilities Agency (IEUA) transferring \$750,000 of Proposition 84 Grant funding and all grant related implementation responsibilities from the City to IEUA.

8. AN AGREEMENT FOR A WATER SYSTEM INTERCONNECTION/FONTANA WATER COMPANY

City Council approved and authorized the City Manager to execute an agreement with Fontana Water Company of Fontana, California, for a water system interconnection.

9. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH AEGIS ENGINEERING MANAGEMENT

City Council approved and authorized the City Manager to execute an amendment extending the existing Professional Services Agreement with Aegis Engineering Management of San Diego, California, one year for recycled water cross-connection and overspray testing at an estimated annual cost of \$90,000; and authorized the City Manager to execute future amendments extending the agreement for an additional year and modifying service locations on an as-needed basis consistent with City Council approved budgets.

10. A CONSTRUCTION CONTRACT FOR THE WATER MAIN REPLACEMENT PROJECT AT VARIOUS LOCATIONS/T.E. ROBERTS, INC./ALBERT A. WEBB ASSOCIATES

City Council:

- (A) Approved the plans and specifications;
- (B) Awarded Contract No. UT 1314-05 to T. E. Roberts, Inc. of Tustin, California for the construction of the Water Main Replacement Project at various locations in the amount of \$2,455,054 for the base bid plus two additive alternate bid schedules (“A” and “B”) at a total cost of \$541,128,

plus a 15% contingency of \$449,428, for a total amount of \$3,445,610 and authorized the City Manager to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project; and

- (C) Approved and authorized the City Manager to execute a Professional Services Agreement with Albert A. Webb Associates of Riverside, California, in the amount of \$163,831 plus a 15% contingency of \$24,575 for a total amount of \$188,406 for providing construction management and inspection services for the Water Main Replacement Project at various locations.

11. A RESOLUTION APPROVING AN APPLICATION FOR THE USED OIL PAYMENT PROGRAM CYCLE 5 (FISCAL YEAR 2014-15) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

City Council adopted a resolution approving an application for an estimated \$46,000 from the Used Oil Payment Program Cycle 5 (Fiscal Year 2014-15), from the State of California Department of Resources Recycling and Recovery (CalRecycle); and authorized the City Manager or his designee to execute all necessary documents to participate in the program.

RESOLUTION 2014-060 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN ANNUAL APPLICATION TO PARTICIPATE IN THE USED OIL PAYMENT PROGRAM CYCLE 5 (FISCAL YEAR 2014-15) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY.

12. A PURCHASE OF A POWER MODULE MOBILE GENERATOR/JOHNSON POWER SYSTEMS

City Council approved and authorized the purchase and delivery of one Caterpillar XQ800 Power Module Mobile Generator from Johnson Power Systems of Riverside, California, in the amount of \$406,784 consistent with the terms and conditions of the cooperative procurement process resulting in National Joint Powers Alliance Contract (NJPA) Invitation for Bids No. 080613 and Contract No. 080613-CAT.

15. AUTHORIZATION TO DONATE A HISTORIC POLICE VEHICLE TO THE ONTARIO ROTARY POLICE MUSEUM

City Council authorized a no-cost transfer of title and donation of a 1950 Plymouth Deluxe 4-door Sedan to the Ontario Rotary Police Museum, a recognized 501 (c)(3) non-profit organization.

16. A SERVICE AGREEMENT FOR SENIOR TRANSPORTATION SERVICES/WEST END YMCA

City Council approved and authorized the City Manager to execute a two-year Service Agreement with West End YMCA (Ontario/Montclair YMCA) of Rancho Cucamonga, California, for Senior Transportation Services for a cumulative amount not to exceed \$229,140, and authorized the option to extend the agreement for up to one additional year consistent with City Council approved budgets.

18. AN ORDINANCE AMENDING THE FLOOD DAMAGE PREVENTION PROGRAM SECTIONS 8-13.201 AND 8-13.508 OF THE ONTARIO MUNICIPAL CODE

City Council considered and adopted an Ordinance amending the Flood Damage Prevention Program Sections 8-13.201 and 8-13.508 of the Ontario Municipal Code relating to regulation of recreational vehicles.

ORDINANCE NO. 2991 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING THE FLOOD DAMAGE PREVENTION PROGRAM SECTIONS 8-13.201 AND 8-13.508 OF THE ONTARIO MUNICIPAL CODE RELATING TO RECREATIONAL VEHICLES.

19. AN ORDINANCE APPROVING A ZONE CHANGE FROM C3 (COMMERCIAL SERVICE) TO M1 (LIMITED INDUSTRIAL) ON 3.82 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF MISSION BOULEVARD AND OAKS AVENUE

City Council considered and adopted an ordinance approving File No. PZC14-002, a Zone Change from C3 (Commercial Service) to M1 (Limited Industrial) on 3.82 acres of land located at the northeast corner of Mission Boulevard and Oaks Avenue (APN: 1011-211-06).

ORDINANCE NO. 2992 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC14-002, A ZONE CHANGE ON 3.82 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF MISSION BOULEVARD AND OAKS AVENUE, FROM C3 (COMMERCIAL SERVICE) TO M1 (LIMITED INDUSTRIAL), AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 1011-211-06.

MOTION UNANIMOUSLY CARRIED. The Mayor/Chairman declared Resolution No. 2014-060, and Ordinance Nos. 2990, 2991 and 2992 unanimously adopted by those present.

ITEMS PULLED FROM CONSENT CALENDAR

3. RESOLUTIONS TO CALL, GIVE NOTICE AND ADOPT REGULATIONS FOR CANDIDATE STATEMENTS FOR THE GENERAL MUNICIPAL ELECTION OF NOVEMBER 4, 2014

That the City Council adopt Resolutions to call for and set the date of the General Municipal Election as November 4, 2014; request the San Bernardino County Registrar of Voters to consolidate the election with the General Election; and adopt the regulations for candidates for elective office pertaining to candidate statements submitted to the voters.

RESOLUTION NO. 2014-058 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, FOR THE ELECTION OF CERTAIN MUNICIPAL OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.

RESOLUTION NO. 2014-059 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2014.

Motion by Council Member Avila to amend Resolution No. 2014-059 and change the candidate statement word count from 400 to 200 stating that the cost of a 400 word candidate statement is too high. Motion died for lack of a second.

Mayor Leon made a statement in rebuttal and moved Item #3 as originally submitted indicating that the candidate statement was optional.

Council Member Bowman stressed that the cost is an estimate.

MOTION: Moved by Mayor Leon, seconded by Council Member Dorst-Porada and carried with Council Member Avila opposed, to adopt Resolution No. 2014-058 and 2014-059 as presented.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila		X		

13. A MAINTENANCE SERVICES AGREEMENT FOR TREE MAINTENANCE SERVICES/WEST COAST ARBORISTS, INC.

That the City Council approve and authorize the City Manager to execute a three-year Service Agreement with West Coast Arborists, Inc. of Anaheim, California, to perform tree maintenance services at various City locations consistent with the terms, conditions and pricing of the agreement awarded in July 2009; and authorize the addition of future service areas, and the option to extend the agreement for up to seven additional years consistent with City Council approved budgets.

Council Member Avila asked if the Maintenance Services Agreement for Tree Maintenance Services was posted for bidding, stating that he has a responsibility to protect the taxpayer's dollars.

City Manager Boling gave a brief explanation regarding the Cooperative Purchasing Agreement and procurement process that was followed.

City Attorney Brown provided further explanation regarding the public bidding process and the benefits of the Cooperative Purchasing Agreement.

Mayor Leon stated that cities often get better pricing when collaborating with each other; all of which is within the City's legal rights and benefits the City of Ontario residents.

MOTION: Moved by Council Member Bowman, seconded by Mayor Leon and carried with Council Member Avila opposed, to approve and authorize the City Manager to execute maintenance services agreement for tree maintenance services.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila		X		

14. APPOINTMENT OF TWO AT-LARGE MEMBERS TO THE ONTARIO INTERNATIONAL AIRPORT – INTER AGENCY COLLABORATIVE MEDIATION BOARD

That the City Council appoint Mathew Slowik from the City of Fontana and Luis Munoz from the City of Rancho Cucamonga as the two At-Large Members to the Ontario International Airport – Inter Agency Collaborative Mediation Board.

Stephen Rogers, asked what the Ontario International Airport – Inter Agency Collaborative Mediation Board was, what the appointment process was and how there could be a mediation board when there was an existing lawsuit regarding control and ownership of the airport.

Mayor Leon explained that the Mediation Board and the lawsuit issue were two completely different things and asked that City Manager Boling provide further explanation.

City Manager Boling gave a detailed explanation and stated that the lawsuit dealt with regaining control of the Ontario International Airport, whereas the Mediation Board serves as an oversight committee to adjudicate issues and concerns that may be brought forward by those who question the City's decisions in land use matters for properties in and around the airport area.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried with Council Member Avila opposed, to appoint two at-large members to the Ontario International Airport – Inter Agency Collaborative Mediation Board.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila	X			

17. AN ORDINANCE AMENDING CHAPTER 3, TITLE 4, OF THE ONTARIO MUNICIPAL CODE RELATING TO THE CITY'S EMERGENCY ORGANIZATION

City Council considered and adopted an Ordinance amending Chapter 3, Title 4, of the Ontario Municipal Code related to the City's Emergency Organization.

ORDINANCE NO. 2990 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 3 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE RELATING TO EMERGENCY ORGANIZATION.

Council Member Avila thanked City staff for all of their hard work on the City's Emergency Organization materials as presented.

MOTION: Moved by Council Member Avila, seconded by Council Member Bowman and unanimously carried to adopt Ordinance No. 2990.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila	X			

END OF JOINT CONSENT CALENDAR

PUBLIC HEARINGS

20. RESOLUTIONS REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES) AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN 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 establishing City of Ontario Community Facilities District No. 27 (New Haven Services), authorizing the levy of a special tax within the Community Facilities District, and establishing an appropriations limit for the Community Facilities District;
- (B) A Resolution calling a Special Election for City of Ontario Community Facilities District No. 27 (New Haven Services);

RESOLUTION NO. 2014-061 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN 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. 2014-062 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES).

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and unanimously carried to adopt said Resolutions Nos. 2014-061 and 2014-062.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila	X			

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 declaring the results of the Special Election and directing the recording of a Notice of Special Tax Lien; and
- (D) Introduced and waived further reading of an Ordinance levying special taxes within City of Ontario Community Facilities District No. 27 (New Haven Services).

RESOLUTION NO. 2014-063 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. 2993 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES).

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and unanimously carried to adopt said Resolution No. 2014-063 and Ordinance No. 2993.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila	X			

21. A PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING TITLE 9, CHAPTER 1, ARTICLE 14 (RESIDENTIAL DISTRICT) OF THE ONTARIO MUNICIPAL CODE

City Council introduced and waived further reading of an Ordinance approving File No. PDCA14-002, a Development Code Amendment revising Title 9 (Development Code), Chapter 1 (Zoning and Land Use Requirements), Article 14 (Residential Districts), R2 (Medium Density Residential Zoning District), of the Ontario Municipal Code, revising the density range from 11.1-16 du/ac to 11.1-18 du/ac and increasing the maximum building and structure height from 35 feet to 45 feet consistent with Planning Commission Recommendation.

The Mayor opened the public hearing, seeing no one requesting to be heard, the public hearing was closed. There were no written communications.

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

ORDINANCE NO. 2994 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA14-002, A DEVELOPMENT CODE AMENDMENT FOR REVISING TITLE 9 (DEVELOPMENT CODE), CHAPTER 1 (ZONING AND LAND USE REQUIREMENTS), ARTICLE 14 (RESIDENTIAL DISTRICTS), R2 (MEDIUM DENSITY RESIDENTIAL), OF THE ONTARIO MUNICIPAL CODE, ZONING DISTRICT TO CHANGE THE DENSITY RANGE FROM 11.1-16 DU/ACRE TO 11.1-18 DU/ACRE, AND INCREASE THE HEIGHT RESTRICTION FROM 35 FEET TO 45 FEET, AND MAKING FINDINGS IN SUPPORT THEREOF.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried with Council Member Avila abstaining for introduction and first reading of Ordinance No. 2994.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila			X	

22. A PUBLIC HEARING TO CONSIDER A RESOLUTION APPROVING A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE FROM GENERAL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL FOR 5.1 ACRES OF LAND AND AN ORDINANCE APPROVING A ZONE CHANGE FROM C3 (COMMERCIAL SERVICE) TO R2 (MEDIUM DENSITY RESIDENTIAL 11.1-16 DU/AC) ON 7.8 ACRES OF LAND, LOCATED AT THE NORTHWEST CORNER OF EUCLID AVENUE AND STATE HIGHWAY ROUTE 60

City Council adopted a Resolutions approving a Mitigated Negative Declaration; adopted a Resolution approving a General Plan Amendment (File No. PGPA13-006) revising Exhibit LU-03 (Future Build Out) and Land Use Plan contained within the Policy Plan component of The Ontario Plan; and introduced and waive further reading of an ordinance approving a Zone Change (File No. PZC13-004) from C3 (Commercial Service) to R2 (Medium Density Residential) for 7.8 acres of land located at the northwest corner of Euclid Avenue and State Highway Route 60.

The Mayor opened the public hearing, seeing no one requesting to be heard, the public hearing was closed. There were no written communications.

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

RESOLUTION NO. 2014-064 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR FILE NOS. PGPA13-006 & PZC13-004, 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 7.8 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF EUCLID AVENUE AND STATE HIGHWAY ROUTE 60, AND MAKING FINDINGS IN SUPPORT THEREOF (APN: 1051-061-01).

RESOLUTION NO. 2014-065 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA13-006, A GENERAL PLAN AMENDMENT REVISING THE LAND USE ELEMENT OF THE POLICY PLAN, INCLUDING CHANGES TO FIGURE LU-01 (OFFICIAL LAND USE PLAN) AND FIGURE LU-03 (FUTURE BUILDOUT) TO CHANGE THE LAND USE CHANGE ON 5.1 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF EUCLID AVENUE AND STATE HIGHWAY ROUTE 60, FROM GENERAL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL (11.1-25.0 DWELLING UNITS PER ACRE), AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1051-061-01.

ORDINANCE NO. 2014-2995 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A ZONE CHANGE, FILE NO. PZC13-004, TO CHANGE THE ZONING DESIGNATION FROM C3 (COMMERCIAL SERVICE) TO R2 (MEDIUM DENSITY RESIDENTIAL 11.1-16 DU/AC) FOR 7.8 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF EUCLID AVENUE AND STATE HIGHWAY ROUTE 60, FROM, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1051-061-01.

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and carried with Council Member Avila abstaining to adopt Resolutions Nos. 2014-064, 2014-065 and for introduction and first reading of Ordinance No. 2995.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila			X	

23. A PUBLIC HEARING TO CONSIDER A GENERAL PLAN AMENDMENT (FILE NO. PGPA13-004) TO CHANGE THE LAND USE DESIGNATION FOR 14 ACRES OF LAND AT NORTHWEST CORNER OF EDISON AVENUE AND HAVEN AVENUE FROM NEIGHBORHOOD COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL AND TO CHANGE THE LAND USE DESIGNATION FOR 10 ACRES OF LAND AT THE SOUTHWEST CORNER OF EDISON AVENUE AND HAVEN AVENUE FROM MEDIUM DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL

City Council adopted a Resolution approving an addendum to The Avenue Specific Plan Environmental Impact Report (SCH #2005071109) analyzing the environmental effects of the project, pursuant to State CEQA Guidelines section 15164, and adopted a Resolution approving General Plan Amendment File No. PGPA13-004, revising the Land Use Element of the Policy Plan (General Plan), Exhibit LU-01 Official Land Use Plan and Figure LU-03 Future Buildout Table.

The Mayor opened the public hearing, seeing no one requesting to be heard, the public hearing was closed. There were no written communications.

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

RESOLUTION NO. 2014-066 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING AN ADDENDUM TO THE AVENUE SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT (SCH #2005071109), ADOPTED FOR FILE NO.PSP05-003, PREPARED FOR FILE NO. PGPA13-004 FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT,

AS AMENDED, AND MAKING FINDINGS IN SUPPORT THEREOF APNS: 0218-201-30, 0218-201-39 AND 0218-201-42.

RESOLUTION NO. 2014-067 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA13-004, A GENERAL PLAN AMENDMENT REVISING THE LAND USE ELEMENT OF THE POLICY PLAN, INCLUDING CHANGES TO FIGURE LU-01 (OFFICIAL LAND USE PLAN) AND FIGURE LU-03 (FUTURE BUILDOUT) TO: 1) CHANGE THE LAND USE DESIGNATION FOR 14 ACRES OF LAND AT NORTHWEST CORNER OF EDISON AVENUE AND HAVEN AVENUE FROM NEIGHBORHOOD COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL (11.1 DWELLING UNITS PER ACRE), AND 2) CHANGE THE LAND USE DESIGNATION FOR 10 ACRES OF LAND AT THE SOUTHWEST CORNER OF EDISON AVENUE AND HAVEN AVENUE FROM MEDIUM DENSITY RESIDENTIAL (11.1 DWELLING UNITS PER ACRE) TO NEIGHBORHOOD COMMERCIAL AND MAKING FINDINGS IN SUPPORT THEREOF - APNS: 0218-201-30, 0218-201-39 AND 0218-201-42.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried with Council Member Avila abstaining to adopt Resolutions Nos. 2014-066 and 2014-067.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila			X	

24. **A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE AVENUE SPECIFIC PLAN (FILE NO. PSPA13-003) TO (1) CHANGE THE LAND USE DESIGNATION FOR 14 ACRES OF LAND AT THE NORTHWEST CORNER OF EDISON AND HAVEN AVENUES FROM RETAIL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL; (2) CHANGE THE LAND USE DESIGNATION FOR 10 ACRES OF LAND AT THE SOUTHWEST CORNER OF EDISON AND HAVEN AVENUES FROM MEDIUM DENSITY RESIDENTIAL TO RETAIL COMMERCIAL; (3) CHANGE THE LAND USE DESIGNATION FOR 19.9 ACRES OF LAND AT THE SOUTHWEST CORNER OF ARCHIBALD AND SCHAEFER AVENUES FROM RETAIL COMMERCIAL TO LOW MEDIUM DENSITY RESIDENTIAL; (4) INCREASE THE RESIDENTIAL UNIT COUNT BY 269 UNITS AND REDUCE THE COMMERCIAL SQUARE FOOTAGE BY 120,000 SQUARE FEET; (5) ELIMINATE THE LIVE/WORK OVERLAY ZONE; AND (6) REVISE AND UPDATE HOUSING PRODUCT TYPES, EXHIBITS AND LANGUAGE CONSISTENT WITH TOP POLICY PLAN, FOR PROPERTY LOCATED SOUTH OF SCHAEFER AVENUE, NORTH OF EDISON AVENUE, BETWEEN CARPENTER AVENUE AND HAVEN AVENUE**

City Council adopted a Resolution approving an addendum to The Avenue Specific Plan Environmental Impact Report (SCH #2005071109) analyzing the environmental effects of the project, pursuant to State CEQA Guidelines section 15164 and adopted a Resolution approving an amendment to The Avenue Specific Plan (File No. PSPA13-003).

The Mayor opened the public hearing, seeing no one requesting to be heard, the public hearing was closed. There were no written communications.

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

RESOLUTION NO. 2014-068 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING AN ADDENDUM TO THE AVENUE SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT (SCH #2005071109), ADOPTED FOR FILE NO.PSP05-003, PREPARED FOR FILE NO. PSPA13-003 FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 0218-191-20, 0218-201-05, 0218-201-30, 0218-201-39, 0218-201-42, 0218-201-43 AND 0218-201-45.

RESOLUTION NO. 2014-069 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA13-003, AN AMENDMENT TO THE AVENUE SPECIFIC PLAN TO: 1) CHANGE THE LAND USE DESIGNATION FOR 14 ACRES OF LAND AT NORTHWEST CORNER OF EDISON AVENUE AND HAVEN AVENUE FROM RETAIL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL; 2) CHANGE THE LAND USE DESIGNATION FOR 10 ACRES OF LAND AT THE SOUTHWEST CORNER OF EDISON AVENUE AND HAVEN AVENUE FROM MEDIUM DENSITY RESIDENTIAL TO RETAIL COMMERCIAL; 3) CHANGE THE LAND USE DESIGNATION FOR 19.9 ACRES OF LAND WITHIN OF PLANNING AREA PA-4, LOCATED AT THE SOUTHWEST CORNER OF ARCHIBALD AVENUE AND SCHAEFER AVENUE, FROM RETAIL COMMERCIAL TO LOW MEDIUM DENSITY RESIDENTIAL CONSISTENT WITH THE POLICY PLAN (GENERAL PLAN) LAND USE PLAN EXHIBIT LU-01; 4) INCREASE THE RESIDENTIAL UNIT COUNT BY 269 UNITS (FROM 2,606 TO 2,875) AND REDUCE THE COMMERCIAL SQUARE FOOTAGE FROM 250,000 SQUARE FEET TO 130,000 SQUARE FEET; 5) ELIMINATE THE LIVE/WORK OVERLAY ZONE; AND 6) REVISE AND UPDATE HOUSING PRODUCT TYPES, EXHIBITS AND LANGUAGE TO REFLECT THE PROPOSED CHANGES AND TOP POLICY PLAN CONSISTENCY FOR PROPERTY LOCATED SOUTH OF SCHAEFER AVENUE, NORTH OF EDISON AVENUE, BETWEEN CARPENTER AVENUE AND HAVEN AVENUE AND MAKING FINDINGS IN SUPPORT THEREOF – APNS0218-191-20, 0218-201-05, 0218-201-30, 0218-201-39, 0218-201-42, 0218-201-43 AND 0218-201-45.

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and carried with Council Member Avila abstaining to adopt Resolutions Nos. 2014-068 and 2014-069.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila			X	

25. A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND SECTION 2-2.101 OF THE ONTARIO MUNICIPAL CODE RELATING TO THE APPOINTMENT, NUMBER, REMOVAL, TERMS AND VACANCIES OF REGULAR AND AT-LARGE MEMBERS OF CITY COMMISSIONS, COMMITTEES, AND BOARDS

City Council introduced and waived further reading of an Ordinance relating to Section 2-2.101 of the Ontario Municipal Code relating to the appointment, number, removal, terms and vacancies of regular and at-large members of City Commissions, Committees, and Boards to gain consistency between practices and protocols outlined in the Ontario Municipal Code and the Ontario City Boards, Commissions, and Committees Handbook.

The Mayor opened the public hearing, seeing no one requesting to be heard, the public hearing was closed. There were no written communications.

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

ORDINANCE NO. 2996 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 2-2.101 OF THE ONTARIO MUNICIPAL CODE RELATING TO THE APPOINTMENT, NUMBER, REMOVAL, TERMS AND VACANCIES OF REGULAR AND AT-LARGE MEMBERS OF COMMISSIONS, COMMITTEES AND BOARDS.

Stephen Rogers, questioned the appointment process of commissioners and board members.

Mayor Leon indicated that the Ordinance was for the purpose of establishing a fair appointment and removal process. Mayor Leon also indicated that there is an equal opportunity for all to submit an application for appointment.

Council Member Bowman stated that the amendment is to establish a fair, consistent and transparent process.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried with Council Member Avila abstaining for introduction and first reading of Ordinance No. 2996.

	Yes	No	Abstain	Absent
Mayor Leon	X			
Mayor pro Tem Wapner				X
Council Member Bowman	X			
Council Member Dorst-Porada	X			
Council Member Avila			X	

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

26. CITY COUNCIL MEMBER AVILA'S REQUEST FOR INDEPENDENT COUNSEL AND AN INDEPENDENT INVESTIGATOR

City Council received for consideration the request of City Council Member Paul Vincent Avila for independent counsel and an independent investigator.

Mayor Leon stated his concerns that Council Member Avila and Council Member Dorst-Porada should consider recusing themselves, and if they did it would thereby result in a lack of a quorum and the item would have to be continued.

City Attorney Brown further explained that the matter presented by Council Member Avila requires the expenditure of money, as a result, it was Mr. Brown's recommendation to have Council Member Avila declare a disqualifying conflict of interest and recuse himself. Mr. Brown also stated that although Council Member Dorst-Porada did not have a disqualifying conflict of interest, he still recommended that she recuse herself to avoid the appearance of a conflict of interest.

Based upon the potential of a lack of quorum, due to Council Member Dorst-Porada and Council member Avila recusing themselves, the Mayor continued the item.

STAFF MATTERS

City Manager Boling had no comments.

City Attorney Brown introduced new summer law students from the City Attorney's Office; Marc Tran, Alexandra Andreen and Matt Collins.

COUNCIL MATTERS

COMMISSION APPOINTMENT – Continued.

COUNCIL/STAFF COMMENTS

Council Member Dorst-Porada thanked City staff for all of their help with the Twentieth Annual Inland Valley Streets Rod Rally and Cruise and the Kiwanis Club Pancake

Breakfast, especially the teenagers who participate in the Ontario Police and Fire Explorer program.

Mayor Leon announced that the Huck Finn Jubilee was a great success. Mayor Leon invited Michael Krouse to give a brief recap of the Huck Finn Jubilee. Mayor Leon also announced the California Sports Hall of Fame Induction Ceremony to be held on June 22, 2014.

Michael Krouse, gave a brief description of the success of the Huck Finn Jubilee.

Council Member Bowman noted his visit to the USS Midway for Flag Day Celebration and looked forward to the Fourth of July celebrations.

Council Member Avila inquired what the role of Best Best and Krieger was with the City of Bell.

City Attorney Brown stated he played no role.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:46 p.m.

Respectfully submitted,



VICKI KASAD, MMC, ASSISTANT CITY CLERK/ SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/ CHAIRMAN