

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
MARCH 3, 2015**

JOINT MEETINGS

Regular meetings of the Ontario City Council and Ontario Housing Authority were held on Tuesday, March 3, 2015 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 6:00 p.m., and inquired whether persons were present who wished to speak to a Closed Session item. Hearing none, he noted that all members were present and thereupon adjourned to Closed Session for discussion as follows:

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1560-200-44; 3100 S. Milliken Avenue, Eastvale, CA; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Ivor E. Samson; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APNs 1049-151-20, 1049-151-19, 1049-151-14; 1139 E. Main Street, 1143 E. Main Street, 1153 E. Main Street; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Charles Gutierrez and Diana C. Gutierrez; Under negotiation: Price and terms of payment.
- GC 54956.9 (d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: *One Case*
- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *City of Ontario v. 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 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 and Assistant City Clerk/Secretary Vicki Kasad.

The Pledge of Allegiance was led by Council Member Bowman.

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

CLOSED SESSION REPORT

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

PUBLIC COMMENT

William Torres, inquired on programs available for the homeless population in the City of Ontario.

Mayor Leon stated that the City has spectacular programs for veterans, homeless and any others in need.

Aaron Matthiesen, stated that he worked with a food distribution center from Redeemer Lutheran Church at 920 West 6th Street that distributes food to those in need. He also spoke on the success of the Ontario Town Square and applauded the events held at the amphitheater and park.

Ryan Lewis, with the Ontario Firefighters Association, announced upcoming fundraisers.

John G. Johnson, spoke on the diminishing home values at Archibald Ranch and advocated for the removal of the Edison towers.

Wendy Hamilton, read a written communication she received from Edison and expressed her support for the removal of the Edison towers adjacent to Archibald Ranch.

Peggi Hazlett, gave an update on the Ontario Chamber of Commerce's upcoming events.

Chad Schnitger, representative for County Supervisor Curt Hagman, stated he was available to answer any questions or concerns from the public and support the City.

Maria Sepulveda, using an interpreter, spoke on trash picked up from alleys in the City and thanked City Council for keeping the City of Ontario beautiful.

Mayor Leon stated the City of Ontario has a phone application, called My Ontario, that can be used on smart phones to report issues such as trash in alleys.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Boling reported a postcard was received after the agenda was posted regarding a public information workshop to be held by LAWA on March 19, 2015 and requested the item be added to the Agenda for City Council discussion and direction to staff.

MOTION: Moved by Mayor pro Tem Wapner, seconded by Council Member Bowman and unanimously carried to add the item to the agenda.

CONSENT CALENDAR

Agenda Item #7 was pulled from the Consent Calendar for separate consideration as requested by Mayor Leon.

MOTION: Moved by Mayor pro Tem Wapner, seconded by Council Member Bowman to approve the Consent Calendar items as recommended with the exception of Item No. 7.

1. APPROVAL OF MINUTES

Approved Minutes for the regular meeting of the City Council, Housing Authority and Successor Agency to the Ontario Redevelopment Agency of February 3, 2015, as on file in the Records Management Department.

2. BILLS/PAYROLL

Approved **Bills** in the amount of \$8,426,782.85 for the period from January 25, 2015 through February 7, 2015 and **Payroll** in the amount of \$2,454,851.08 for the period of January 25, 2015 through February 7, 2015, when audited by the Finance Committee.

3. A RESOLUTION APPROVING FINAL PARCEL MAP NO. 19560 LOCATED ON THE SOUTH SIDE OF EDISON AVENUE BETWEEN ARCHIBALD AVENUE AND HAVEN AVENUE

City Council adopted a resolution approving Final Parcel Map No. 19560 located on the south side of Edison Avenue between Archibald Avenue and Haven Avenue within the Grand Park Specific Plan Area.

RESOLUTION NO. 2015-011 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 19560 LOCATED ON THE SOUTH SIDE OF EDISON AVENUE BETWEEN ARCHIBALD AVENUE AND HAVEN AVENUE.

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 (CPUC) Section 190 funds for the South Milliken Avenue (\$5 million) and North Vineyard Avenue (\$5 million) Grade Separation Projects.

RESOLUTION NO. 2015-012 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. 2015-013 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. A RESOLUTION ORDERING THE SUMMARY VACATION OF A RAILROAD EASEMENT

City Council adopted a resolution ordering the summary vacation of a railroad easement within the property at 2151 East Philadelphia Street between Vineyard Avenue and Hellman Avenue.

RESOLUTION NO. 2015-014 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A RAILROAD EASEMENT WITHIN THE PROPERTY AT 2151 EAST PHILADELPHIA STREET BETWEEN VINEYARD AVENUE AND HELLMAN AVENUE.

6. AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND STRATHAM PROPERTIES, INC., FOR THE DEVELOPMENT OF UP TO 196 RESIDENTIAL UNITS ON 48.73 ACRES OF LAND WITHIN PLANNING AREAS 4 AND 8 OF THE WEST HAVEN SPECIFIC PLAN, LOCATED ON THE NORTHWEST CORNER OF HAVEN AVENUE AND CHINO AVENUE AND THE NORTHWEST CORNER OF HAVEN AVENUE AND SCHAEFER AVENUE

City Council considered and adopted an ordinance approving the Development Agreement (File No. PDA07-005) between Stratham Properties, Inc., a California corporation, and the City of Ontario, providing for the construction of up to 196 residential units on 48.73 acres of land within Planning Areas 4 and 8 of the West Haven Specific Plan, located on the northwest corner of Haven Avenue and

Chino Avenue and the northwest corner of Haven Avenue and Schaefer Avenue (APN: 0218-151-11 and 0218-151-38). Introduction and first reading took place at a public hearing on February 17, 2015

ORDINANCE NO. 3015 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND STRATHAM PROPERTIES, INC., FILE NO. PDA07-005, TO ESTABLISH THE TERMS AND CONDITIONS FOR DEVELOPMENT OF UP TO 196 RESIDENTIAL UNITS ON 48.73 ACRES WITHIN PLANNING AREAS 4 AND 8 OF THE WEST HAVEN SPECIFIC PLAN, LOCATED ON THE NORTHWEST CORNER OF HAVEN AVENUE AND CHINO AVENUE AND THE NORTHWEST CORNER OF HAVEN AVENUE AND SCHAEFER AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 0238-151-11 AND 0218-151-38).

MOTION UNANIMOUSLY CARRIED. The Mayor/Chairman declared Resolution Nos. 2015-011, 2015-012, 2015-013, 2015-014 and Ordinance No. 3015 unanimously adopted with the exception of Item No. 7 by those present.

ITEMS PULLED FROM CONSENT CALENDAR

7. A RESOLUTION MEMORIALIZING THE CITY COUNCIL'S DENIAL OF A GENERAL PLAN AMENDMENT (FILE NO. PGPA14-004) TO REVISE THE LAND USE ELEMENT OF THE ONTARIO PLAN-POLICY PLAN, EXHIBITS LU-01 OFFICIAL LAND USE PLAN AND LU-03: FUTURE BUILDOUT TO: (1) CHANGE THE LAND USE DESIGNATION FOR 15.3 ACRES OF LAND LOCATED ON THE WEST SIDE OF GROVE AVENUE BETWEEN STATE ROUTE 60 AND WALNUT STREET FROM NEIGHBORHOOD COMMERCIAL TO GENERAL COMMERCIAL; AND (2) MODIFY THE FUTURE BUILDOUT TABLE TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; AND A ZONE CHANGE REQUEST (FILE NO. PZC14-007) FROM C1 (SHOPPING CENTER DISTRICT) TO C3 (COMMERCIAL SERVICE DISTRICT) TO CREATE CONSISTENCY BETWEEN THE ZONING AND THE PROPOSED GENERAL PLAN LAND USE DESIGNATION AMENDMENT (APN: 1051-171-40, 41, 42, 43, 44 AND 1051-321-51, 52, 53, 54, 55, 56, 62, AND 63)

City Council adopt a resolution memorializing the City Council's January 20, 2015 denial of a General Plan Amendment (File no. PGPA14-004) changing the land use designation from Neighborhood Commercial to General Commercial; and adopt a resolution memorializing the denial of a zone change (file no. PZC14-007) from C1 (shopping center district) to C3 (Commercial Service District).

RESOLUTION NO. 2015-015 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING FILE NO. PGPA14-004, TO REVISE THE LAND USE PLAN (EXHIBIT LU-01) CONTAINED WITHIN THE POLICY PLAN COMPONENT OF THE ONTARIO PLAN TO CHANGE THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL TO GENERAL COMMERCIAL FOR 13 PARCELS TOTALING APPROXIMATELY 15.4 ACRES, LOCATED ON THE WEST SIDE OF GROVE AVENUE BETWEEN STATE ROUTE 60 AND WALNUT STREET, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1051-171-40, 41, 42, 43, 44 AND 1051-321-51, 52, 53, 54, 55, 56, 62, AND 63.

RESOLUTION NO. 2015-016 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING FILE NO. PZC14-007, A ZONE CHANGE REQUEST TO CHANGE THE ZONING DESIGNATION FROM C1 (NEIGHBORHOOD COMMERCIAL) TO C3 (GENERAL COMMERCIAL) FOR 13 PARCELS TOTALING APPROXIMATELY 15.4 ACRES, LOCATED ON THE WEST SIDE OF GROVE AVENUE BETWEEN STATE ROUTE 60 AND WALNUT STREET, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1051-171-40, 41, 42, 43, 44 AND 1051-321-51, 52, 53, 54, 55, 56, 62, AND 63.

Mayor pro Tem Wapner wanted to clarify that City Council was only voting to record the fact that the City Council previously overturned the Planning Commission decision.

City Attorney Brown confirmed and added that this was an effort to memorialize the reasons for the vote that took place to deny the land use and zone change request on February 3, 2015.

Council Member Dorst-Porada stated that this was affirming the previous action taken by the City Council.

Mayor Leon stated he was unclear about the resolution until now.

Council Member Avila stated that this is to clarify the confusion and only affirms the vote that took place to deny the zone change.

MOTION: Moved by Mayor Leon, and seconded by Council Member Dorst-Porada and carried by unanimous vote of the present to adopt Resolution Nos. 2015-015 and 2015-016.

END OF JOINT CONSENT CALENDAR

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

City Manager Boling explained a postcard received regarding a workshop on March 19, 2015. Mr. Boling stated that it was his understanding that LAWA intends to adjust the noise map contour. This will determine funding eligibility for Part 150 properties and programs for sound insulation of homes. Mr. Boling asked for direction

from City Council regarding the issue to oppose LAWA's attempt to reduce the noise contour.

Council Member Dorst-Porada stated that this was another example of LAWA not partnering with the City of Ontario on airport issues.

Mayor Leon stated the Ontario International Airport Authority took action yesterday. He added that Los Angeles is implying that Ontario has reached a cap and they are taking away the ability for Ontario to grow the airport. When the City regains control of the Ontario International Airport, the City could be limited in its ability to add flights. He added that he was upset that Los Angeles would not approach the City of Ontario prior to promoting the community outreach event.

Mayor pro Tem Wapner stated that the OIAA took a similar approach yesterday in which they asked that a letter be sent to indicate opposition to any limitations of growth. He added that he agreed that Los Angeles is implying that Ontario has reached its cap and they are taking away the City's ability to grow future air service. When the airport is ready to expand, it will be limited and artificially constrained. He too was upset that the City was not approached to discuss the issue.

MOTION: Moved by Mayor pro Tem Wapner, seconded by Council Member Bowman to send a letter of opposition to the restriction of growth and to have a representative of the City of Ontario present at the meeting to make a statement.

STAFF MATTERS

City Manager Boling announced the Ontario Police Department fundraiser to help support the annual Baker to Vegas race.

COUNCIL MATTERS

Council Member Dorst-Porada informed resident Aaron Matthiesen of backpacks put together by Chaffey High School for the homeless and stated that they are always in need of food. She also announced the Relay for Life kickoff event at the Iron Skillet at 11:00 a.m. In addition, Ms. Dorst-Porada spoke on the Eighth Biannual Art Exposition at the Ontario Museum and stated this is a fun competition and encouraged all to seek more information on the museum's website. She added that enjoys seeing children getting more involved in the arts.

Mayor pro Tem Wapner congratulated Council Member Dorst-Porada on being named 2015 Woman of the Year for Assembly District 52 by Assemblymen Freddie Rodriguez.

Mayor Leon announced the changing of hockey teams at the arena and spoke of the arrival of the Monarchs that will still keep the Ontario Reign name.

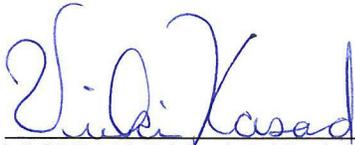
Council Member Bowman congratulated Council Member Dorst-Porada. He also commended Ontario police and fire for their commitment to always give back to the community.

Council Member Avila noted the speedy capture of a vandal targeting City Hall and thanked the Ontario Police Department for their great work in apprehending the suspect.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:28 p.m. He announced the next regular meetings on Tuesday, March 17, 2015.

Respectfully submitted,



VICKI KASAD, MMC, ASSISTANT CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN