

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY/
SUCCESSOR AGENCY TO THE ONTARIO
REDEVELOPMENT AGENCY
MINUTES
APRIL 7, 2015**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority/Successor Agency to the Ontario Redevelopment Agency were held on Tuesday, April 7, 2015 at the Ontario City Hall, 303 East B Street, Ontario, California.

CLOSED SESSION

The Mayor called the City Council/Housing Authority/Successor Agency to the Ontario Redevelopment Agency 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 54956.9 (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 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/Successor Agency to the Ontario Redevelopment Agency 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 City Clerk/Secretary Mary E. Wirtes.

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

The Invocation was offered by *Associate Pastor Alber B. Peterson II*, Seventh Day Adventist Church.

CLOSED SESSION REPORT

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

PUBLIC COMMENT

John Johnson, spoke on the Edison towers issue adjacent to Archibald Ranch. He questioned final EIR maps and whether SCE needed to purchase the road right-of-ways or if they have already had easement rights. Mr. Johnson thanked City Council for their time and efforts.

Wendy Hamilton, presented information from Idaho Power. She also questioned easement widths and blowout conditions. Ms. Hamilton stressed the public needs help and asked that City Council tour the neighborhood.

Chad Schnitger, representative for County Supervisor Curt Hagman, was present to take comments or questions from constituents. He also announced upcoming events including Tax and Tatter with safety employees on April 18, 2015 and an Open House for County Supervisor Hagman on April 30, 2015 at his Chino Hills office.

Don Tisor, spoke on save Archibald Ranch. Mr. Tisor addressed testimony to California Public Utilities Commission by Dr. Gonin and quoted a report on Southern California Edison, regarding excess levels of magnetic fields. He stressed the danger to the public.

James Dunshee, spoke on his application to the County Assessor's Office for reduction in taxes due to a decrease in property values because of the Edison towers adjacent to Archibald Ranch. He stated the FHA will not insure a loan for homes in the fall zone of these towers.

Ly Kou, spoke on proposed toll lanes on I-10 and stated that she felt they will only make the traffic worse. She urged residents to help her stop this project before it goes further by visiting the TOLL Free IE Facebook page.

Joann Genis, Chino Hills, member of Hope for the Hills spoke on that group's success in getting the Edison towers undergrounded. She stated that they won their case through teamwork. Ms. Genis stressed the need for assistance from the City Council regarding the Edison towers adjacent to Archibald Ranch.

Bob Goodwin, also from Chino Hills, spoke on prior comments about property values and loss of tax revenue. He also spoke on studies related to side effects of living near Edison towers. Mr. Goodwin stressed the impact of concerned residents and a dedicated City Council.

Stephen Rogers, read a letter dated April 2, 2015 requesting to set up an appointment with the Human Resources Director. Mr. Rogers stated he was seeking government assistance and asked that City Council help him in receiving government aid.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Boling indicated there were no announcements.

CONSENT CALENDAR

MOTION: Moved by Mayor pro Tem Wapner, seconded by Council Member Dorst-Porada to approve the Consent Calendar items as recommended.

Charles Cockey, was not present when called upon.

Richard Barba/Christina Barba, owners of Certified Towing, spoke on Item No. 11 and stated they started their business twenty-two years ago. Mr. Barba stated that they have facilities in the City of Ontario and the City of Riverside. He added that they serve seven police agencies and have served Ontario for ten years. He mentioned that they moved their main office to Ontario to better serve the City. He also stated that their daily mission is to provide the best service to Ontario. Mr. Barba then described his business and stated that he abides by State, Federal and City laws. Mr. Barba requested that City Council postpone Item No. 11 until an appropriate source can reevaluate the towing proposals.

Eugene Kim, attorney for Certified Towing, spoke on Item No. 11 and stated this issue directly relates to public safety and also deals with preservation of evidence. He added that Certified Towing is the premier storage facility. He suggested the other towing companies were in violation of the municipal code. He noted that the municipal code indicated that towing companies need a conditional use permit, which Pepe's Towing Service does not have. Companies must have a minimum of two-hundred and fifty vehicle storage capacity; three of the recommended towing companies do not meet this requirement. He added that the site must be free from dirt and almost all are not. He added that they needed to have room for two customer and one handicapped parking spots and Dietz Towing does not meet these requirements.

City Attorney Brown noted page 2 of the staff report that indicated that the Police Department conducted site inspections. He added that all firms met the minimum requirements.

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 \$9,749,700.07 for the period from February 22, 2015 through March 7, 2015 and **Payroll** in the amount of \$2,444,746.83 for the period of February 22, 2015 through March 7, 2015, when audited by the Finance Committee.

3. **RESOLUTIONS TO APPROVE THE TRANSFER OF FORMER ONTARIO REDEVELOPMENT AGENCY PROPERTIES FROM THE CITY OF ONTARIO OR THE ONTARIO HOUSING AUTHORITY TO THE SUCCESSOR AGENCY**

- (A) City Council adopted a resolution approving and authorizing the transfer of former Ontario Redevelopment Agency properties from the City to the Successor Agency;
- (B) Successor Agency adopted a resolution approving and accepting the transfer of former Ontario Redevelopment Agency properties from the City to the Successor Agency;
- (C) Ontario Housing Authority adopted a resolution approving and authorizing the transfer of former Ontario Redevelopment Agency properties from the City to the Successor Agency; and
- (D) Successor Agency adopted a resolution approving and accepting the transfer of former Ontario Redevelopment Agency properties from the Ontario Housing Authority to the Successor Agency.

RESOLUTION NO. 2015-022 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE TRANSFER OF CERTAIN PROPERTIES OF THE FORMER ONTARIO REDEVELOPMENT AGENCY FROM THE CITY OF ONTARIO TO THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY.

RESOLUTION NO. SA-003 A RESOLUTION OF THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE TRANSFER OF CERTAIN PROPERTIES OF THE FORMER ONTARIO REDEVELOPMENT AGENCY FROM THE CITY OF ONTARIO TO THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY.

RESOLUTION NO. OHA-081 A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE TRANSFER OF CERTAIN PROPERTIES OF THE FORMER ONTARIO REDEVELOPMENT AGENCY FROM THE ONTARIO HOUSING AUTHORITY TO THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY.

RESOLUTION NO. SA-004 A RESOLUTION OF THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE TRANSFER OF CERTAIN PROPERTIES OF THE FORMER ONTARIO REDEVELOPMENT AGENCY FROM THE ONTARIO HOUSING AUTHORITY TO THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY.

4. AUTHORIZE AND AWARD THE PURCHASE OF REPLACEMENT FLEET VEHICLES/LONG BEACH BMW

City Council authorized the purchase and delivery of four 2015 BMW R1200RT-P motorcycles from Long Beach BMW of Long Beach, California, in the amount of \$116,796 consistent with the terms and conditions of the Los Angeles Sheriff's Department Purchase Order No. PO-SH-15323008-1.

5. AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 32 (ARCHIBALD/SCHAEFER – SERVICES)

City Council considered and adopted an ordinance authorizing the levy of special taxes within City of Ontario Community Facilities District No. 32 (Archibald/Schaefer – Services). Introduction and first reading took place at a public hearing on March 17, 2015.

ORDINANCE NO. 3016 AN ORDINANCE OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 32 (ARCHIBALD/SCHAEFER – SERVICES).

6. A DEVELOPMENT IMPACT FEE CREDIT AND REIMBURSEMENT AGREEMENT WITH SL ONTARIO DEVELOPMENT COMPANY LLC

City Council authorized the City Manager to execute a Development Impact Fee Credit and Reimbursement Agreement with SL Ontario Development Company LLC (SLODC), a Delaware Limited Liability Company, for the construction of public infrastructure in the Park Place development project.

7. A WATER PURCHASE AGREEMENT WITH AQUA CAPITAL MANAGEMENT LP

City Council approved and authorized the City Manager to execute a water purchase agreement subject to non-substantive changes with Aqua Capital Management LP, a Delaware Limited Partnership located in Omaha, Nebraska, for the permanent transfer of overlying groundwater rights in the amount of \$3,820,244.

8. A CONSTRUCTION CONTRACT AND PROFESSIONAL SERVICES AGREEMENT FOR THE CONSTRUCTION, MANAGEMENT, AND INSPECTION OF SEWER MAIN IMPROVEMENTS AT VARIOUS LOCATIONS/GCI CONSTRUCTION, INC./PARSON BRINKERHOFF, INC.

City Council:

- (A) Approved the plans and specifications, and awarded Contract No. UT 1314-06 to GCI Construction, Inc. of San Clemente, California, for the construction of sewer main improvements at various locations in the

amount of \$959,067 plus a 15% contingency of \$143,860, for a total amount of \$1,102,927; 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

- (B) Authorized the City Manager to execute a Professional Services Agreement with Parson Brinkerhoff, Inc. of San Bernardino, California, to provide construction management and inspection services for sewer main improvements at various locations in the amount of \$158,044 plus a 15% contingency of \$23,707, for a total amount of \$181,751.

9. A PURCHASE AGREEMENT FOR STORM DRAIN FILTER SCREENS/JOHN COMMERCIAL SERVICES

City Council approved and authorized the City Manager to execute a sole source Purchase Agreement/Order in the amount of \$139,000 for Fiscal Year 2014-15 with John Commercial Services of Anaheim, California, for the purchase and installation of 125 curb inlet storm drain debris screens citywide, and authorized the company as a sole source vendor for future purchases.

10. AN ORDINANCE APPROVING AN AMENDMENT TO THE PROVISIONS OF THE ONTARIO MUNICIPAL CODE TITLE 9 (DEVELOPMENT CODE) REGARDING THE LOCATION AND OPERATION OF MASSAGE ESTABLISHMENTS AND THE OFFERING OF MASSAGE SERVICES

City Council considered and adopted an ordinance approving the Development Code Amendment (File No. PDCA15-001), amending the provisions relating to the location and operation of massage establishments and the offering of massage services). Introduction and first reading took place at a public hearing on March 17, 2015.

ORDINANCE NO. 3017 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING THE PROVISIONS OF THE ONTARIO MUNICIPAL CODE TITLE 9 (DEVELOPMENT CODE) REGARDING THE LOCATION AND OPERATION OF MASSAGE ESTABLISHMENTS AND THE OFFERING OF MASSAGE SERVICES, AND MAKING FINDINGS IN SUPPORT THEREOF.

11. GRANT OF TOWING CARRIER PERMITS AND AWARD OF CITY CONTRACT TOWING SERVICES AGREEMENTS

City Council granted towing carrier permits and authorized the City Manager to execute City Contract Towing Services Agreements with Dietz Towing, LLC; James Fogelsong Towing and Storage Inc.; United Road Towing, DBA Bill and Wags Inc.; and Pepe's Towing Service, all of Ontario, California, for a period of five years.

MOTION UNANIMOUSLY CARRIED. The Mayor/Chairman declared Resolution No. 2015-022, SA-003, SA-004, OHA-081 and Ordinance Nos. 3016 and 3017, unanimously adopted.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARINGS

12. A PUBLIC HEARING TO CONSIDER RESOLUTIONS APPROVING [1] FILE NO. PGPA13-005, A GENERAL PLAN AMENDMENT, WHICH (A) REVISES THE POLICY PLAN OFFICIAL LAND USE PLAN (EXHIBIT LU-01) TO CHANGE THE LAND USE ON APPROXIMATELY 148 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF VINEYARD AVENUE AND FOURTH STREET, FROM MIXED USE AND PUBLIC SCHOOL, TO INDUSTRIAL, (B) REVISES THE POLICY PLAN FUTURE BUILDOUT (EXHIBIT LU-03) PROJECTIONS FOR THE MEREDITH GROWTH AREA, TO BE CONSISTENT WITH THE PROPOSED LAND USE CHANGES, AND (C) REVISES THE GENERALIZED AND GROWTH AREAS (EXHIBIT LU-04) TO BE CONSISTENT WITH THE PROPOSED LAND USE CHANGES; [2] FILE NO. PSPA14-003, A SPECIFIC PLAN AMENDMENT, WHICH MODIFIES THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN, ORIGINALLY ADOPTED IN 1981, TO REALIZE APPROXIMATELY 3 MILLION SQUARE FEET OF INDUSTRIAL LAND USES, UP TO 600 HOTEL ROOMS AND 1.1 MILLION SQUARE FEET OF COMMERCIAL LAND USES, AND UP TO 800 RESIDENTIAL UNITS, ON APPROXIMATELY 257.7 ACRES OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF INTERSTATE 10 FREEWAY, BETWEEN VINEYARD AND ARCHIBALD AVENUES, AND PROVIDES PLANNING GUIDANCE ON LAND USES, CIRCULATION, UTILITIES AND INFRASTRUCTURE, DEVELOPMENT STANDARDS AND DESIGN GUIDELINES, AND SPECIFIC PLAN IMPLEMENTATION; [3] THE CERTIFICATION OF THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN AMENDMENT ENVIRONMENTAL IMPACT REPORT (EIR) (SCH #2014051020) PREPARED FOR THE GENERAL PLAN AMENDMENT AND SPECIFIC PLAN AMENDMENT; AND [4] THE ADOPTION OF FINDINGS OF OVERRIDING CONSIDERATIONS ADDRESSING TRAFFIC, AIR QUALITY, AND NOISE IMPACTS, WHICH THE EIR FOUND TO BE SIGNIFICANT AND UNAVOIDABLE

City Council considered and adopted the following:

- (A) A resolution certifying the Meredith International Centre Specific Plan Amendment Environmental Impact Report (EIR), including Findings of Overriding Considerations addressing traffic, air quality, and noise impacts, which the EIR found to be significant and unavoidable;
- (B) A resolution approving a General Plan Amendment (File No. PGPA13-005), which:
- (1) Revises the Policy Plan Official Land Use Plan (Exhibit LU-01) to change the land use on approximately 148 acres of land generally located at the southeast corner of Vineyard Avenue and Fourth Street, from Mixed Use and Public School, to Industrial; and

- (2) Revises the Policy Plan Future Buildout (Exhibit LU-03) for the Meredith growth area, to be consistent with the proposed Official Land Use Plan changes; and
 - (3) Revises the Generalized and Growth Areas (Exhibit LU-04) to be consistent with the proposed Official Land Use Plan changes; and
- (C) A resolution approving a Specific Plan Amendment (File No. PSPA14-003), which modifies the Meredith International Centre Specific Plan to allow for the development of approximately 3 million square feet of industrial land uses, up to 600 hotel rooms, up to 1.1 million square feet of commercial land uses, and up to 800 residential units, and revise the planning guidance on allowed land uses, circulation, utilities and infrastructure, development standards and design guidelines, and specific plan implementation.

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

There was one written communication in support from *Cory Briggs*.

The Mayor opened the public hearing.

Jeff Roberts, publicly acknowledged that this was a great opportunity to develop an open field that he has been looking at for 30 years. He added that the impact on City Rentals would be great help.

Ly Kou, is against the change in the land use because she does not think it is necessary to go from mixed use to industrial. She added that she was concerned with the 800 residential units.

Seeing no one else requesting to be heard, the public hearing was closed at 7:06 p.m.

Mayor pro Tem Wapner stated he is familiar with the vacant lot at 4th and Vineyard and added that it has actually been vacant for over 50 years. He added that originally the specific plan was for millions of square feet of Class A Office. He stated that the reason for the housing was that the new uses of the space are going to generate thousands of new jobs, as a result, City Council is trying to create housing for the jobs that will be produced.

Council Member Bowman noted the effort by the owners to make sure there is balance. He added that the plan also includes a hotel and entertainment. He stated the need for cities to look into the future and serve the needs of residents, particularly as we take back the airport.

RESOLUTION NO. 2015-023 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN AMENDMENT, FILE NO. PSPA14-003, AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PLAN (APNS: 0110-311-15, 24, 26 AND 33).

RESOLUTION NO. 2015-024 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA13-005, A GENERAL PLAN AMENDMENT TO REVISE THE LAND USE ELEMENT OF THE POLICY PLAN, INCLUDING: (1) A REVISION TO THE LAND USE PLAN (EXHIBIT LU-01) TO CHANGE THE LAND USE ON APPROXIMATELY 148 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF VINEYARD AVENUE AND FOURTH STREET, FROM MIXED USE TO INDUSTRIAL (SEE EXHIBIT A); (2) A REVISION TO FUTURE BUILDOUT (EXHIBIT LU-03) PROJECTIONS FOR THE MEREDITH GROWTH AREA TO BE CONSISTENT WITH THE PROPOSED LAND USE CHANGES (SEE EXHIBIT B); AND (3) A REVISION TO THE GENERALIZED AND GROWTH AREAS (EXHIBIT LU-04) MAP TO BE CONSISTENT WITH THE PROPOSED LAND USE CHANGES (SEE EXHIBIT C), AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0110-311-15, 24, 26 AND 33. (CYCLE 1 FOR THE 2015 CALENDAR YEAR).

RESOLUTION NO. 2015-025 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA14-003, WHICH MODIFIES THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN, ORIGINALLY ADOPTED IN 1981, TO REALIZE APPROXIMATELY 3 MILLION SQUARE FEET OF INDUSTRIAL LAND USES, UP TO 600 HOTEL ROOMS, UP TO 1.14 MILLION SQUARE FEET OF COMMERCIAL LAND USES, AND UP TO 800 RESIDENTIAL UNITS, ALL ON APPROXIMATELY 257.7 ACRES OF LAND GENERALLY LOCATED SOUTH OF FOURTH STREET, NORTH OF THE INTERSTATE 10 FREEWAY, BETWEEN VINEYARD AND ARCHIBALD AVENUES, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0110-311-12, 15, 21, 24, 26, 28, 32, 33, 36, 37, 43 & 44; AND 0110-321-05 & 25 THROUGH 29.

MOTION: Moved by Council Member Bowman, and seconded by Mayor pro Tem Wapner and carried by unanimous vote to adopt Resolution Nos. 2015-023, 2015-024 and 2015-025.

STAFF MATTERS

City Manager Boling had no comments

COUNCIL MATTERS

GOLD LINE AUTHORITY DESIGNATION – ALTERNATE

Council Member Dorst-Porada was designated as the *Gold Line Authority*, alternate.

COUNCIL COMMENTS

Mayor pro Tem Wapner responded to public comment regarding toll roads stating that the study is for express lanes for the County because Los Angeles is proposing express lanes into San Bernardino and Riverside County is building them. He added that the benefit is to the public as it relieves congestion in the other lanes as well.

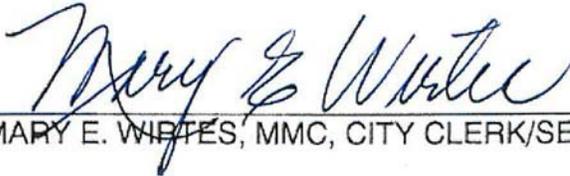
Mayor Leon added that these were issues that were handled by SANBAG and not by the City of Ontario.

Council Member Avila recognized the promotions announced in March for the Ontario Police Department, particularly highlighting the appointment of Derek Williams as Deputy Chief. He also added that he uses the 91 Express Lanes very sparingly and stated that it would be helpful for those willing to spend the money.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:29 p.m. He announced the next regular meetings on Tuesday, April 21, 2015.

Respectfully submitted,



MARY E. WIRTES, MMC, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN