

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
APRIL 21, 2015**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, April 21, 2015 at the Ontario City Hall, 303 East B Street, Ontario, California.

CLOSED SESSION

The Mayor called the City Council/Housing 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: 1048-581-58; 520-526½ West Vesta Street (aka 520 West Vesta Street, Units A-F); City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Housing Opportunities Group, Inc. a California nonprofit, public benefit corporation; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0210-204-09; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Piemonte Business Park, LLC; Under negotiation: Price and terms of payment.
- 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 6:32 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 Avila.

The Invocation was offered by *Reverend Frank Hamilton*, First Christian Church of Ontario.

CLOSED SESSION REPORT

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

PUBLIC COMMENT

Liz Casas-McAnlis, introduced herself as the Chair of the Partners for Innovative Communities (PIC). She invited residents to the next PIC meeting on Thursday, April 23, 2015 at the Ontario Police Department.

Julie Duarte, coordinator for PIC, invited residents to the Partners for Innovative Communities conference on June 23 and 24, 2015 from 7:30 a.m. to 4:00 p.m. at the Ontario Convention Center. She stated that it is free to all attendees and provided invitations for City Council. She added that topics to be discussed included community health, wealth and prosperity.

Sheila Mautz, invited all residents and City Council to attend the American Legion fundraiser to benefit the Wounded Warrior Project on Saturday, April 25, 2015 at 7:00 p.m. She stated tickets were available for \$10 which included a canine Wounded Warriors presentation, two live bands and dinner.

Council Member Bowman noted the menu for the American Legion fundraiser.

Peggi Hazlett, announced the Fifty-fifth Annual Police Recognition Luncheon at the Doubletree on Wednesday, May 22, 2015.

Nancy Bumstead, spoke on the Relay for Life event taking place on Saturday, May 30, 2015, and announced that she had purple and white ribbons for sale. Ms. Bumstead added that Bumstead's Bicycles would be donating bicycles to those who raise the most money this year.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Boling indicated there were updated exhibits for Item No. 4 regarding the assessments for which payment was received as of noon today.

CONSENT CALENDAR

Agenda Item #4 was pulled from the Consent Calendar for separate consideration as requested by Council Member Avila.

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada to approve the balance of 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 17, 2015, as on file in the Records Management Department.

2. **BILLS/PAYROLL**

Approved **Bills** in the amount of \$5,749,794.84 for the period from March 8, 2015 through March 21, 2015 and **Payroll** in the amount of \$2,444,746.83 for the period of March 8, 2015 through March 21, 2015, when audited by the Finance Committee.

3. **DESIGNATION OF VOTING DELEGATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS GENERAL ASSEMBLY**

City Council designated Council Member Debra Dorst-Porada as the City's voting delegate for the Southern California Association of Governments (SCAG) General Assembly scheduled for May 7, 2015.

5. **A RESOLUTION APPROVING IMPROVEMENT AGREEMENTS, IMPROVEMENT SECURITIES AND FINAL TRACT MAP NOS. 18991, 18992, 18993 AND 18994 LOCATED AT THE SOUTHWEST CORNER OF HAVEN AVENUE AND SCHAEFER AVENUE**

City Council adopted a resolution approving improvement agreements, improvement securities and Final Tract Map Nos. 18991, 18992, 18993 and 18994 located at the southwest corner of Haven Avenue and Schaefer Avenue within The Avenue Specific Plan area.

RESOLUTION NO. 2015-027 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING IMPROVEMENT AGREEMENTS, IMPROVEMENT SECURITIES AND FINAL TRACT MAP NOS. 18991, 18992, 18993, AND 18994, LOCATED AT THE SOUTHWEST CORNER OF HAVEN AVENUE AND SCHAEFER AVENUE.

6. **AWARD CONSTRUCTION CONTRACT NO. IT15-FIB-001 FIBER OPTIC CABLE INSTALLATION TO PROVIDE HIGH-SPEED INTERNET (BROADBAND) CONNECTION TO THE PARK PLACE DEVELOPMENT GENERALLY LOCATED AT MERRILL AND ARCHIBALD AVENUES/CROSTOWN ELECTRICAL & DATA, INC.**

City Council:

- (A) Awarded Construction Contract No. IT15-FIB-001 to Crosstown Electrical & Data, Inc. ("Crosstown") of Irwindale, California, in the bid amount of \$148,576 for the installation of fiber optic cable plus a 15% contingency of \$22,286, for a total of \$170,862 in the Park Place Development generally located at Merrill and Archibald Avenues; and

- (B) Authorized the City Manager to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, easements, reduction of retention accounts, and the filing of Notice of Completion at the conclusion of all related work.

7. ACCEPT A WRITTEN PETITION TO CREATE A COMMUNITY FACILITIES DISTRICT; ADOPT A RESOLUTION OF INTENT TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE); AND TO AUTHORIZE THE ASSOCIATED LEVY OF SPECIAL TAXES AND ADOPT A RESOLUTION TO INCUR BONDED INDEBTEDNESS

City Council:

- (A) Accepted a written petition from Lennar Homes of California, Inc., located in Corona, California, to create a Community Facilities District, and to waive certain procedural matters, under the Mello-Roos Community Facilities Act of 1982;
- (B) Adopted a Resolution of Intent to establish City of Ontario Community Facilities District No. 31 (Carriage House / Amberly Lane); authorized the associated levy of special taxes therein; and set a public hearing for the formation of the CFD as part of the regularly scheduled City Council meeting scheduled for Tuesday, June 2, 2015; and
- (C) Adopted a Resolution to Incur Bonded Indebtedness of proposed Community Facilities District No. 31 (Carriage House / Amberly Lane).

RESOLUTION NO. 2015-028 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

RESOLUTION NO. 2015-029 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO INCUR BONDED INDEBTEDNESS OF THE PROPOSED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE).

8. A DEVELOPMENT IMPACT FEE CREDIT AND REIMBURSEMENT AGREEMENT WITH LENNAR HOMES OF CALIFORNIA, INC. (WEST HAVEN SPECIFIC PLAN)

City Council authorized the City Manager to execute a Development Impact Fee Credit and Reimbursement Agreement with Lennar Homes of California, Inc., for the construction of public infrastructure in the West Haven Specific Plan area (Tract No. 18476).

9. AN AGREEMENT FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE ARMSTRONG RANCH SPECIFIC PLAN/PHIL MARTIN & ASSOCIATES, INC.

City Council approved and authorized the City Manager to execute an agreement with Phil Martin & Associates, Inc., of Irvine, California, to prepare an Environmental Impact Report (EIR) for the Armstrong Ranch Specific Plan, related to property located north of Remington Avenue, south of Merrill Avenue, east of Carpenter Avenue, and west of the Cucamonga Creek flood control channel, in the amount not to exceed \$172,150 (includes a 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. 2015-027, 2015-028 and 2015-029, unanimously adopted with the exception of Item No. 4.

ITEM PULLED FROM CONSENT CALENDAR

4. A RESOLUTION FOR PLACEMENT OF SPECIAL ASSESSMENTS ON COUNTY TAX ROLLS

City Council adopted a resolution for recovery of fees and costs incurred in abating property and dangerous building violations as well as administrative citations and civil penalties associated with property maintenance violations, and placing special assessments on County tax rolls.

RESOLUTION NO. 2015-026 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

Council Member Avila asked how many on the list were senior citizens and if the City has liquidated properties to pay the costs.

City Manager Boling indicated assessments were related to recovery of fees, administrative citations and penalties. Properties that fail to comply and fail to pay are placed on the county tax rolls. He added that the City looks at property maintenance and applies the codes regardless of the age of the property owner. In response to Council Member Avila's second question, City Manager Boling stated that none of the properties listed have been liquidated.

MOTION: Moved by Mayor Leon, and seconded by Mayor pro Tem Wapner and carried to adopt Resolution No. 2015-026, with Council Member Avila opposed.

	Yes	No	Abstain
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

10. **A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE SUBAREA 29 SPECIFIC PLAN (FILE NO. PSPA14-002) TO: (1) INCREASE THE RESIDENTIAL UNIT COUNT BY 99 UNITS (FROM 2,293 TO 2,392); (2) REVISE AND UPDATE EXHIBITS AND LANGUAGE TO REFLECT THE PROPOSED HOUSING PRODUCT TYPE CHANGES AND PROVIDE CONSISTENCY WITH THE ONTARIO PLAN (TOP) POLICY PLAN; AND (3) REVISE THE LAND USE PLAN TO REFLECT THE PLANNING AREA PRODUCT CHANGES FOR PROPERTY LOCATED SOUTH OF EUCALYPTUS AVENUE, NORTH OF THE COUNTY LINE CHANNEL (BELLEGRAVE FLOOD CONTROL CHANNEL), BETWEEN THE CUCAMONGA CREEK CHANNEL AND HAVEN AVENUE**

City Council adopted a resolution approving an addendum to the Subarea 29 Specific Plan Environmental Impact Report (SCH #2004011009) analyzing the environmental effects of the project, pursuant to State CEQA Guidelines Section 15164; and adopted a resolution approving an amendment to the Subarea 29 Specific Plan (File No. PSPA14-002), located south of Eucalyptus Avenue, north of the County Line Channel (Bellegrave Flood Control Channel), between the Cucamonga Creek Channel and Haven Avenue (APN: 0218-014-01 thru 07; 0218-014-10 thru 17; 0218-022-01 thru 04; 0218-022-06 thru 12; 0218-033-01 thru 14; 0218-042-01 thru 05; 0218-042-10, 12 and 13; 0218-052-01 thru 05; 0218-052-08 thru 11; 0218-271-11 and 19; 0218-281-06 and 15 thru 17; and 0218-321-13, 17 and 30).

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

RESOLUTION NO. 2015-030 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE SUBAREA 29 SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT (SCH #2004011009), ADOPTED FOR FILE NO. PSP03-003, PREPARED FOR FILE NO. PSPA14-002 FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 0218-014-01 THRU 07; 0218-014-10 THRU 17; 0218-022-01 THRU 04; 0218-022-06 THRU 12; 0218-033-01 THRU 14; 0218-042-01 THRU 05; 0218-042-10, 12 AND 13; 0218-052-01 THRU 05; 0218-052-08 THRU 11;

0218-271-11 AND 19; 0218-281-06 AND 15 THRU 17; AND 0218-321-13, 17 AND 30.

RESOLUTION NO. 2015-031 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA14-002, AN AMENDMENT TO THE SUBAREA 29 SPECIFIC PLAN TO: (1) INCREASE THE RESIDENTIAL UNIT COUNT BY 99 UNITS (FROM 2,293 TO 2,392); (2) REVISE AND UPDATE EXHIBITS AND LANGUAGE TO REFLECT THE PROPOSED HOUSING PRODUCT TYPE CHANGES AND PROVIDE CONSISTENCY WITH THE ONTARIO PLAN (TOP) POLICY PLAN; AND (3) REVISE THE LAND USE PLAN TO REFLECT THE PLANNING AREA PRODUCT CHANGES FOR PROPERTY LOCATED SOUTH OF EUCALYPTUS AVENUE, NORTH OF THE COUNTY CHANNEL LINE (BELLEGRAVE FLOOD CONTROL CHANNEL), BETWEEN THE CUCAMONGA CREEK CHANNEL AND HAVEN AVENUE AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 0218-014-01 THRU 07; 0218-014-10 THRU 17; 0218-022-01 THRU 04; 0218-022-06 THRU 12; 0218-033-01 THRU 14; 0218-042-01 THRU 05; 0218 042-10, 12 AND 13; 0218-052-01 THRU 05; 0218-052-08 THRU 11; 0218 271-11 AND 19; 0218-281-06 AND 15 THRU 17; AND 0218-321-13, 17 AND 30.

The Mayor opened the public hearing.

Sage McCleve, representative for Lewis and Stratham Development Company, spoke on the upcoming project and added that there is great momentum in the New Model Colony. He stated that they are now turning to Phase II and adding diversity. He stated that the City is a great partner to work with.

The Mayor closed the public hearing.

MOTION: Moved by Council Member Bowman, and seconded by Council Member Dorst-Porada and carried by unanimous vote to adopt Resolution Nos. 2015-030 and 2015-031.

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

Council Member Dorst-Porada thanked all who attended the Museum exhibition on Saturday, April 18, 2015 noting that the event drew over 300 participants. Ms. Dorst-Porada mentioned that many well known artists participated. In addition, she

reminded all residents of the Kiwanis Club pancake breakfast and car show on June 6, 2015, at 6:30 a.m.

Mayor pro Tem Wapner spoke on the positive experience he had with Dr. Dudziak for his wisdom teeth removal. Mr. Wapner thanked Dr. Dudziak and his staff for their work.

Mayor Leon stated he recently represented the City in China with a delegation from foreign countries. He added he was very excited that we are well known among other cities including the struggle to regain control of the Ontario International Airport. Mayor Leon also announced the Annual Esperanza Scholarship to honor students who earned college scholarships. He stated the free event would be done Emmy Award style this year and noted performers who were expected to be present.

Mayor pro Tem Wapner thanked Deputy Chief Williams for his work on the Every 15 Minutes Program at Chaffey High School last week. Mr. Wapner stressed the benefits of the program and suggested that everyone view the YouTube videos.

Council Member Bowman announced a vacancy on the Museum Board as a result of Michelle Dubas' resignation. Mr. Bowman invited residents to apply and get involved. He added that six weeks ago Council Member Dorst-Porada was nominated Woman of the Year by Assemblymember Freddie Rodriguez and now she was being honored by the Upland Toastmasters.

Council Member Avila extended his congratulations to Chaffey High School for their participation in the Percussionist Championship. He added that last month Chaffey High School also participated in the Academic Decathlon and placed 10th statewide. Mr. Avila congratulated Council Member Dorst-Porada on her awards. Council Member Avila stressed his concerns for poverty and homelessness in the City of Ontario stating there is a need to find a way to lessen the impact, especially on senior citizens.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:08 p.m. He announced the next regular meetings on Tuesday, May 5, 2015.

Respectfully submitted,



VICKI KASAD, MMC, ASSISTANT CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN