

**ONTARIO CITY COUNCIL/  
ONTARIO HOUSING AUTHORITY  
MINUTES  
May 19, 2015**

**JOINT MEETINGS**

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, May 19, 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 6:01 p.m., and inquired whether persons were present who wished to speak to a Closed Session item.

*Stephen Rogers*, addressed the Ontario International Airport litigation and noted that he was a former employee who left in 2003. He suggested that his past experience might be helpful in working through the challenges in this lawsuit.

Hearing no further comments, the Council with all members present thereupon adjourned to Closed Session at 6:04 p.m. for discussion as follows:

- GC 54956.9 (d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION *Two (2) cases.*
- 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 6:45 p.m., and requested the City Clerk call the roll.

<b>PRESENT:</b> 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 *Mike Ingram*, First Church of Christ, Scientist. Mayor Leon also requested a moment of silence in support of the Pontell and Vanderguis families who suffered recent losses.

## **PUBLIC COMMENT**

*Keith Calvert*, indicated that he is a former City of Ontario employee and expressed his love for the City, the people, and the top professionals who run it. He commented on the intent of the original transfer of the airport for management purposes to Los Angeles and stressed the need to bring control back to Ontario and fulfill the will of the voters.

*Don Tisor*, expressed disappointment with the California Public Utilities Commission CPUC decision, but stressed that the residents will not give up their fight. He thanked the City Council for their efforts and noted that Southern California Edison (SCE) did not even send a representative to the hearing. He stressed the impacts and dangers of the TRTP lines and questioned what the City will do to contest the decision.

*Wendy Hamilton*, commented that with the CPUC decision they have lost the battle but inquired what their next step should be. She suggested that the City should facilitate a meeting between the City, the residents and SCE. She also inquired if the City Council was aware of a proposed median that will block their neighborhood in on Archibald. She stressed the limitations it would place on access and specifically public safety access.

*Tom Burciaga*, thanked the Mayor for the Esperanza Gala last Saturday, noting that it was a wonderful event. He also advised the City Council of the loss of another World War II veteran, George R. Cards. He indicated that Mr. Cards participated in the Battle of the Bulge and garnered many medals; and stressed the importance of remembering the contributions of the veterans to our country. He invited area veterans to contact him regarding any needs they might have and to participate in the July 4th parade on the Esperanza float.

*Dale Briggs*, encouraged the passage of Items 3 and 7 on this agenda, indicating that it is a great project on the Meredith Specific Plan property. He indicated that it would be a fabulous project with an eye toward LEED certification, solar, water reclamation, improved traffic flow, and a solution for wastewater runoff issues. He commended the development team and City staff for a beautiful project.

*Peggi Hazlett*, thanked everyone who participated in the 50th Annual Police Recognition event and announced upcoming Chamber of Commerce events.

*Stephen Rogers*, commented on his experiences and challenges since leaving City of Ontario employment in 2003.

## **CLOSED SESSION REPORT**

City Attorney Brown reported that Closed Session would continue following the meeting; however, the first item discussed was the California Public Utilities Commission decision, as the City might anticipate litigation on this matter. He explained that on May 7, 2015, the CPUC voted to adopt the proposed decision denying the City's request for a stay on the project and under-grounding of the power lines; and the Commission issued a written ruling on May 15, 2015. City Attorney Brown indicated that he had been

authorized by the City Council to indicate that the City intends to continue the legal fight pending further discussion with the Archibald Ranch residents. He further indicated that this discussion will result in a formal request for reconsideration by the CPUC.

## **AGENDA REVIEW/ANNOUNCEMENTS**

City Manager Boling indicated that there were no announcements.

## **CONSENT CALENDAR**

*Stephen Rogers*, commented on Item 3 of the Consent Calendar and expressed concern with the processing of parcel maps and compliance with the Subdivision Map Act.

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

### **1. APPROVAL OF MINUTES**

Approved Minutes for the regular meeting of the City Council and Housing Authority of April 21, 2015, and the special meeting of the City Council and Housing authority of April 23, 2015, as on file in the Records Management Department.

### **2. BILLS/PAYROLL**

Approved Bills in the amount of \$7,892,211.00 for the period from April 5, 2015 through April 18, 2015 and Payroll in the amount of \$2,539,725.84 for the period of April 5, 2015 through April 18, 2015, when audited by the Finance Committee.

### **3. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19612 LOCATED AT THE SOUTHEAST CORNER OF FOURTH STREET AND VINEYARD AVENUE**

City Council adopted a resolution approving an improvement agreement, improvement security and Final Parcel Map No. 19612 located at the southeast corner of Fourth Street and Vineyard Avenue within the Meredith Centre Specific Plan area.

**RESOLUTION NO. 2015-038** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19612 LOCATED AT THE SOUTHEAST CORNER OF FOURTH STREET AND VINEYARD AVENUE.

**4. A RESOLUTION APPROVING THE TERMS AND CONDITIONS FOR ONTARIO FIRE DEPARTMENT RESPONSES TO AND REIMBURSEMENT FOR CALIFORNIA FIRE AND RESCUE MUTUAL AID SYSTEM REQUESTS**

City Council adopted a resolution approving the terms and conditions for Fire Department responses to California Fire and Rescue Mutual Aid System requests to assist State of California and Federal Fire Agencies; and authorized the City Manager to develop, approve and periodically update an Out-of-Jurisdiction Response Policy applicable to mutual aid emergency incident assignments.

**RESOLUTION NO. 2015-039** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE TERMS AND CONDITIONS FOR FIRE DEPARTMENT RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATION AND ASSIGNED TO AN EMERGENCY INCIDENT.

**5. A PROFESSIONAL SERVICES AGREEMENT WITH WELLS FARGO INSURANCE SERVICES USA, INC. FOR EMPLOYEE BENEFIT BROKER/CONSULTANT SERVICES**

City Council authorized the City Manager to execute a three year agreement with the option to extend for two successive one year periods with Wells Fargo Insurance Services USA, Inc. of Torrance, California, for employee benefit broker/consultant services with annual amounts estimated to be \$70,000 per year, or \$210,000 for the initial contract term.

**6. AN ORDINANCE AMENDING CHAPTER 5 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE RELATING TO TAXICABS AND AUTOMOBILES FOR HIRE AND A RESOLUTION ESTABLISHING THE FEE FOR INSPECTION AND REINSPECTION OF TAXICABS AND AUTOMOBILES FOR HIRE**

City Council considered and adopted an ordinance amending Chapter 5 of Title 4 of the Ontario Municipal Code, updating the regulation of taxicabs and automobiles for hire, and adopt a resolution establishing the taxicab inspection and reinspection fee.). Introduction and first reading took place at a public hearing on May 5, 2015

**ORDINANCE NO. 3018** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 5 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE RELATING TO TAXICABS AND AUTOMOBILES FOR HIRE.

**RESOLUTION NO. 2015-040** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ESTABLISHING A FEE FOR THE INSPECTION OF TAXICABS AND AUTOMOBILES FOR HIRE AND A FEE FOR THE REINSPECTION OF TAXICABS AND AUTOMOBILES FOR HIRE.

**MOTION UNANIMOUSLY CARRIED.** The Mayor/Chairman declared Resolution Nos. 2015-38, 2015-39 and 2015-40, and Ordinance No. 3018 unanimously adopted.

## **END OF JOINT CONSENT CALENDAR**

## **PUBLIC HEARINGS**

- 7. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND SRG ARCHIBALD, LLC, AND CRAIG DEVELOPMENT CORPORATION FOR THE CONSTRUCTION OF UP TO 3 MILLION SQUARE FEET OF INDUSTRIAL LAND USES, 1.1 MILLION SQUARE FEET OF COMMERCIAL LAND USES (INCLUDING UP TO 600 HOTEL ROOMS), AND UP TO 800 RESIDENTIAL UNITS, ON 257.7 ACRES OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF INTERSTATE 10 FREEWAY, SOUTH OF FOURTH STREET, BETWEEN VINEYARD AND ARCHIBALD AVENUES, WITHIN THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN**

City Council introduced and waived further reading of an ordinance approving the Development Agreement (File No. PDA15-001, on file with the Records Management Department) between SRG Archibald, LLC, a Delaware limited liability company; Craig Development Corporation, a California corporation; and the City of Ontario, providing for the development of 257.7 acres of land within the Meredith International Centre Specific Plan, generally located on the north side of Interstate 10 Freeway, south of Fourth Street, between Vineyard and Archibald Avenues (APNs: 0110-311-12, 15, 21, 24, 26, 28, 32, 33, 36, 37, 43 & 44; and 0110-321-05 & 25 through 29).

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department. There were no written communications.

**ORDINANCE NO. 3019 (FIRST READING)** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND SRG ARCHIBALD, LLC, AND CRAIG DEVELOPMENT CORPORATION (FILE NO. PDA15-001), TO FACILITATE THE DEVELOPMENT OF APPROXIMATELY 3 MILLION SQUARE FEET OF INDUSTRIAL LAND USES, 1.1 MILLION SQUARE FEET OF COMMERCIAL LAND USES (INCLUDING UP TO 600 HOTEL ROOMS), AND UP TO 800 RESIDENTIAL UNITS, ON 257.7 ACRES OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF INTERSTATE 10 FREEWAY, SOUTH OF FOURTH STREET, BETWEEN VINEYARD AND ARCHIBALD AVENUES, WITHIN THE MEREDITH INTERNATIONAL CENTRE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 0110-311-12, 15, 21, 24, 26, 28, 32, 33, 36, 37, 43 & 44; AND 0110-321-05 & 25 THROUGH 29).

The Mayor opened the public hearing.

*Stephen Rogers*, commented on the magnitude of this project and questioned why there was no staff presentation. He noted that the project included \$21 million in eligible infrastructure and a waiver of the CC&R's until the first building occupancy and questioned the project processing.

The Mayor closed the public hearing.

**MOTION:** Moved by Mayor pro Tem Wapner, seconded by Council Member Dorst-Porada and carried by unanimous vote to introduce Ordinance No. 3019.

### **STAFF MATTERS**

City Manager Boling had no comments.

### **COUNCIL COMMENTS**

Council Member Dorst-Porada commented that City Council does its own due diligence to assure that they are making appropriate decisions. She advised that she got back today from the International Conference of Shopping Centers (ICSC) with Council Member Bowman, Mayor pro tem Wapner, City Manager Boling and staff. She explained that they were seeking opportunities for great restaurants and retail businesses for the downtown area and also met with the Mills representatives to hear their plans for the mall. Council Member Dorst-Porada also announced Talent Night at Town Square on May 20, 2015 and the Kiwanis Pancake Breakfast and Rotary Car Show on June 6, 2015.

Mayor Leon recapped the Esperanza Scholarship on May 16, 2015, noting that there were 67 students who each received \$1,000 scholarships. He thanked Alex Espinoza for his work in building the City's intellectual capital and encouraging students to stay in the community. He commended the efforts of Dave Masterson at Chaffey High School and Mr. Rocio and the Colony High School Drum group and noted the other celebrity participants in the program. Mayor Leon announced a concert on August 6, 2015 at the Convention Center by Always Abba that will serve as a fundraiser for the Esperanza program.

Council Member Bowman noted that he also attended the ICSC Conference and explained that this was an opportunity to show people that Ontario is the place to do business. He thanked Economic Development Director Andrews and his staff for their presentations during the conference and their ongoing efforts to bring talent to the downtown. He also noted the success of the Chamber of Commerce Police Recognition Luncheon.

Mayor pro Tem Wapner noted tragedies in the community this week and requested that this meeting be adjourned in memory of retired Police Sergeant Stan McCloskey.

Council Member Avila expressed pleasure in the efforts of the Archibald Ranch neighborhood. He indicated that he was very much impacted when he toured the neighborhood and saw SCE poles, and questioned how they were approved by CPUC.

He reiterated the City Council's support for the residents' efforts. Council Member Avila also commented on his participation in the Vietnam War and detailed some statistics of the Civil War and World War II in light of Memorial Day.

### **RECESS TO CONTINUED CLOSED SESSION**

The meeting was recessed to a continued Closed Session at 7:33 p.m.

The meeting reconvened at 8:12, with no reportable action.

### **ADJOURNMENT**

Mayor Leon adjourned the meetings of the Joint Agencies at 8:12 p.m. in memory of retired Police Sergeant Stan McCloskey. He announced the next regular meetings on Tuesday, June 2, 2015.

Respectfully submitted,



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MARY E. WIRTES, MMC, CITY CLERK/SECRETARY

APPROVED:



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PAUL S. LEON, MAYOR/CHAIRMAN