

**ONTARIO CITY COUNCIL/  
ONTARIO HOUSING AUTHORITY  
MINUTES  
JUNE 16, 2015**

**JOINT MEETINGS**

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, June 16, 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 6:03 p.m., and inquired whether persons were present who wished to speak to a Closed Session item. Hearing none, the Council with all members present thereupon adjourned to Closed Session at 6:03 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: *Inland Oversight Committee v. City of Ontario, San Bernardino County Superior Court, CIVRS 1208559.*
- 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 6:33 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 Bowman.

The Invocation was offered by *Pastor Brian E. Kennedy*, Mt. Zion Baptist Church.

## **PUBLIC COMMENT**

*Guillermo Torres*, expressed his concerns with security at a local grocery store in the City of Ontario. He detailed his experience and added he believes the security guards to be a danger to the community, particularly the homeless.

*Michael Krouse*, President of the Greater Ontario Convention and Visitors Bureau, gave an update on the Huck Finn Jubilee. He stated that the entertainment industry is calling the Huck Finn Jubilee the Premier West Coast Blue Grass Festival. Mr. Krouse also provided an update on the success of the Town Square.

*Michael Phillips*, thanked the City of Ontario for the support they receive at American Legion post 112. He was especially grateful for the help the City provided regarding their parking lot. Mr. Phillips also thanked the City for its support with their annual car show.

*John Louis Iomions*, thanked the City of Ontario for supporting the Esperanza Scholarship Foundation Gala. Mr. Iomions spoke on his desire to give back to the community and invited all to a benefit concert with the Abba tribute band, Always Abba, on August 8, 2015, adding that every dollar raised goes to a scholar.

*Keith Calvert*, commented on the pending airport court case. Mr. Calvert specifically questioned the voting rights of the City of Ontario in regard to transferring the airport to Los Angeles.

*Linda Johnson*, spoke on the Edison towers adjacent to Archibald Ranch and stressed the need for communication and transparency between residents and the City of Ontario.

*John Johnson*, stated he was very emotional at the June 2, 2015 meeting and expressed his gratitude for what the City of Ontario has done to help Archibald Ranch fight to underground the Edison power lines.

## **CLOSED SESSION REPORT**

City Attorney Brown reported that City Council discussed three of the Closed Session items and there were no reportable actions.

## **AGENDA REVIEW/ANNOUNCEMENTS**

City Manager Boling announced updated resolutions for Item No. 12.

## **CONSENT CALENDAR**

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Dorst-Porada 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 May 19, 2015, and the special meeting of the City Council and Housing Authority of May 15, 2015, as on file in the Records Management Department.

**2. BILLS/PAYROLL**

Approved Bills in the amount of \$9,163,334.48 for the period from May 3, 2015 through May 16, 2015 and Payroll in the amount of \$2,482,537.41 for the period from May 3, 2015 through May 16, 2015, when audited by the Finance Committee.

**3. AN ORDINANCE RESCINDING ORDINANCE 3011, REGARDING THE MORATORIUM ON THE ISSUANCE OF BUSINESS LICENSES OR OTHER PERMITS OR ENTITLEMENTS FOR MASSAGE ESTABLISHMENTS.**

City Council adopted an ordinance rescinding Ordinance 3011. Introduction and first reading took place at a public hearing on June 2, 2015.

**ORDINANCE NO. 3022 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, RESCINDING ORDINANCE NO. 3011, REGARDING THE MORATORIUM ON THE ISSUANCE OF BUSINESS LICENSES OR OTHER PERMITS OR ENTITLEMENTS FOR MASSAGE ESTABLISHMENTS.**

**4. AMENDMENT TO THE COMPENSATION AND BENEFITS PROFILE FOR UNREPRESENTED PART-TIME EMPLOYEES DUE TO MANDATED SICK LEAVE BENEFITS**

City Council approved and authorized the City Manager to execute an amendment to the current Compensation and Benefits Profile for employees in the non-represented Part-Time group to ensure compliance with the State of California's Healthy Workplaces/Healthy Families Act of 2014 (Paid Sick Leave).

**5. MAINTENANCE SERVICE AGREEMENT FOR CUSTODIAL MAINTENANCE SERVICES AT VARIOUS CITY LOCATIONS/MERCHANTS BUILDING MAINTENANCE**

City Council authorized the City Manager to execute a three-year Maintenance Service Agreement with Merchants Building Maintenance of Pomona, California, for an estimated annual cost of \$489,556; authorized the addition of future service areas as needed; and authorized the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

**6. ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

City Council approved the Analysis of Impediments to Fair Housing Choice Plan ("AI").

**7. AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH MWH CONSTRUCTORS FOR CONSTRUCTION MANAGEMENT & INSPECTION SERVICES RELATED TO THE WELL NO. 41 WELLHEAD TREATMENT PROJECT**

City Council approved and authorized the City Manager to execute an amendment to the existing Professional Services Agreement with MWH Constructors of Pasadena, California, to provide additional construction management and inspection services for the Well No. 41 Wellhead Treatment Project in the amount of \$250,000.

**8. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES - PHASE I) FOR FISCAL YEAR 2015-16**

City Council adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 24 (Park Place Facilities - Phase I) for Fiscal Year 2015-16.

**RESOLUTION NO. 2015-061** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES – PHASE I), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2015-16.

**9. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE) FOR FISCAL YEAR 2015-16 AND ADOPTION OF ORDINANCES LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 AND DISSOLVING CITY OF ONTARIO FACILITIES DISTRICT NO. 14 (WEST HAVEN I)**

City Council:

- (A) Considered and adopted an ordinance authorizing the levy of special taxes within City of Ontario Community Facilities District No. 31 (Carriage House / Amberly Lane). Introduction and first reading took place at a public hearing on June 2, 2015.
- (B) Adopted a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 31 (Carriage House / Amberly Lane) for Fiscal Year 2015-16; and

- (C) Considered and adopted an ordinance dissolving City of Ontario Community Facilities District No. 14 (West Haven I). Introduction and first reading took place at a public hearing on June 2, 2015.

**ORDINANCE NO. 3020** AN ORDINANCE OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE).

**RESOLUTION NO. 2015-062** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2015-16.

**ORDINANCE NO. 3021** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DISSOLVING CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 14 (WEST HAVEN I).

**MOTION UNANIMOUSLY CARRIED.** The Mayor/Chairman declared Resolution Nos. 2015-061, 2015-062 and Ordinance Nos. 3022, 3020 and 3021 unanimously adopted.

#### **END OF JOINT CONSENT CALENDAR**

#### **PUBLIC HEARINGS**

#### **10. ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO'S. 1, 2, 3 AND 4 FOR FISCAL YEAR 2015-2016**

City Council took the following actions pertaining to the levy of assessments within Ontario Parkway Maintenance Assessment Districts (OPMAD) No's. 1, 2, 3 and 4:

- (A) Conducted a combined public hearing on the levy of the annual assessments for each district;
- (B) Considered and adopted a resolution approving the Engineer's Reports relating to the levy of assessments for each district; and
- (C) Considered and adopted resolutions confirming the diagrams and assessments, and providing for the assessment levy within each District.

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

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

**RESOLUTION NO. 2015-063** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2015-16.

**RESOLUTION NO. 2015-064** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAMS AND ASSESSMENTS, AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3 FOR FISCAL YEAR 2015-16.

**RESOLUTION NO. 2015-065** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4 FOR FISCAL YEAR 2015-16.

**MOTION:** Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution Nos. 2015-063, 2015-064, 2015-065.

**11. ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2 FOR FISCAL YEAR 2015-2016**

City Council took the following actions pertaining to the levy of assessments within Street Lighting Maintenance Districts (SLMD) No. 1 and 2:

- (A) Conducted a combined public hearing on the levy of the annual assessments for each district;
- (B) Considered and adopted a resolution approving the Engineer's Reports relating to the levy of assessments for each district; and
- (C) Considered and adopted resolutions confirming the diagrams and assessments, and providing for the assessment levy for each District.

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

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

**RESOLUTION NO. 2015-066** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2 FOR FISCAL YEAR 2015-2016.

**RESOLUTION NO. 2015-067** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN STREET LIGHTING MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2015-2016.

**RESOLUTION NO. 2015-068** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE ANNUAL ASSESSMENT LEVY WITHIN STREET LIGHTING MAINTENANCE DISTRICT NO. 2 FOR FISCAL YEAR 2015-2016.

**MOTION:** Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and carried by unanimous vote to adopt Resolution Nos. 2015-066, 2015-067, 2015-068.

**12. A PUBLIC HEARING REGARDING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT AND AN OPERATING COVENANT AGREEMENT BETWEEN THE CITY OF ONTARIO AND QVC, INC. PURSUANT TO GOVERNMENT CODE SECTION 53083; CONSIDERATION OF RESOLUTIONS ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT, APPROVING THE OPERATING COVENANT AGREEMENT, AND MAKING RELATED FINDINGS**

City Council took the following actions:

- (A) Held the public hearing;
- (B) Adopted a resolution accepting the Economic Development Subsidy Report prepared pursuant to Government Code Section 53083 regarding an Operating Covenant Agreement by and between the City of Ontario and QVC, Inc., a Delaware Corporation;
- (C) Adopted a resolution approving the Operating Covenant Agreement between the City of Ontario and QVC, Inc., authorizing the City Manager to execute the Operating Covenant Agreement and making related findings; and
- (D) Directed City staff to file a Notice of Determination based upon the City Council's finding that the impacts of this project were analyzed in conjunction with the Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH #2014051020) that was certified by the City Council on April 7, 2015.

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

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

**RESOLUTION NO. 2015-069** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT PREPARED PURSUANT TO GOVERNMENT CODE SECTION 53083 REGARDING AN OPERATING COVENANT AGREEMENT BY AND BETWEEN THE CITY OF ONTARIO AND QVC, INC.

**RESOLUTION NO. 2015-070** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE OPERATING COVENANT AGREEMENT BETWEEN THE CITY OF ONTARIO AND QVC, INC. AND MAKING RELATED FINDINGS.

**MOTION:** Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution Nos. 2015-069 and 2015-070.

## **STAFF MATTERS**

City Manager Boling had no comments.

## **COUNCIL COMMENTS**

Council Member Dorst-Porada spoke on the success of the Huck Finn Jubilee. She added that the City of Ontario has many activities to offer including museum events with new artwork. She urged residents to follow Facebook and view the Ontario Living Magazine.

Mayor pro Tem Wapner noted he represented the City of Ontario at a Public Safety Steering Committee meeting he attended in Salt Lake City with the National League of Cities. Mr. Wapner noted a particularly interesting discussion pertained to policy considerations regarding the retention of data on new technology.

Mayor Leon also spoke on the success of the Huck Finn Jubilee. He announced the California Sports Hall of Fame event on Sunday, June 21, 2015, Esperanza Scholarship Foundation presentation of Always Abba, Wednesday concerts in the park, and Friday night movies at the Ontario Town Square. Mr. Leon added that he traveled to Washington D.C. to attend the Build Health Challenge Grant Award on behalf of the City of Ontario. He stated the City's health partners received \$250,000 which is being matched by San Antonio Hospital to promote a culture of health in Ontario.

Council Member Bowman discussed Vector Control and commended Michael Krouse on the success of the Huck Finn Jubilee. He also asked Council Member Dorst-Porada to speak on the Arts and Culture Strategic Planning Group recommendations.

Council Member Dorst-Porada stated the Arts and Culture Strategic Planning Group has been working to expand art and culture in the community. She added that a new logo has been created for the Museum of Art, Ontario, and that Jasper the Picnic Ant is coming back with hopes that he might become the City's mascot.

Council Member Avila stated he was very impressed with the activities and developments in the City of Ontario. He stated he understood the concerns of Archibald Ranch residents but was glad they revisited their goals and objectives. He also mentioned that he loves the City of Ontario for its transparency and expressed his appreciation for living in this Country.

#### **RECESSED TO CONTINUED CLOSED SESSION**

The meeting was recessed to a continued Closed Session at 7:18 p.m.

The meeting reconvened at 8:27 p.m. with no reportable action.

#### **ADJOURNMENT TO THE NEXT MEETING**

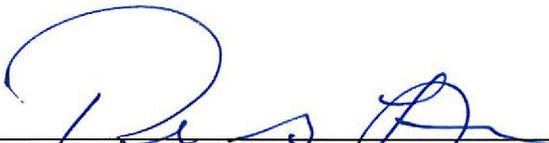
Mayor Leon adjourned the meetings of the Joint Agencies to the next scheduled special meeting on June 17, 2015 at 8:27 p.m. He announced the next regular meetings on Tuesday, July 7, 2015.

Respectfully submitted,



MARY E. WHITES, MMC, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN