

**CITY OF ONTARIO
CITY COUNCIL, REDEVELOPMENT AGENCY,
AND HOUSING AUTHORITY
AGENDA
JANUARY 10, 2012 AT 2:30 P.M.**

Paul S. Leon
Mayor

Sheila Mautz
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Debra Dorst-Porada
Council Member



Chris Hughes
City Manager

John E. Brown
City Attorney

Mary E. Wirtes, MMC
City Clerk

James R. Milhiser
Treasurer

WELCOME to a Special Meeting of the Ontario City Council.

- All documents for public review are on file with the Records Management/City Clerk's Department located at 303 East B Street, Ontario, CA 91764.
- Anyone wishing to speak during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Clerk will not accept blue slips after that time.
- Comments will be limited to 3 minutes. Speakers will be alerted when they have 1 minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.
- In accordance with State Law, remarks during public comment are to be limited to subjects within Council's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the room will not be permitted. All those wishing to speak including Council and Staff need to be recognized by the Chair before speaking.

**ONTARIO CONVENTION CENTER
2000 E. CONVENTION CENTER WAY
ROOM 101, ONTARIO, CA**

ORDER OF BUSINESS: The Special City Council, Redevelopment Agency, and Housing Authority meeting begins with Public Comment at 2:30 p.m. followed by the Special Meeting and Closed Session Public Comment and Closed Session at 2:45 p.m. No agenda item will be introduced for consideration after 10:00 p.m. except by majority vote of the City Council.

(EQUIPMENT FOR THE HEARING IMPAIRED AVAILABLE IN THE RECORDS MANAGEMENT OFFICE)

CALL TO ORDER (*OPEN SESSION*)

2:30 p.m.

ROLL CALL

Mautz, Wapner, Bowman, Dorst-Porada, Mayor/Chairman Leon

PLEDGE OF ALLEGIANCE

Council Member Bowman

PUBLIC COMMENTS

2:30 p.m.

The Public Comment portion of the Special Council/Redevelopment Agency/Housing Authority meeting is limited to 15 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

As previously noted -- if you wish to address the Council, fill out one of the blue slips at the rear of the room and give it to the City Clerk.

AGENDA REVIEW/ANNOUNCEMENTS: The City Manager will go over all updated materials and correspondence received after the agenda was distributed to ensure Council Members have received them. He will also make any necessary recommendations regarding Agenda modifications or announcements regarding Agenda items to be considered.

CONSENT CALENDAR

All matters listed under **CONSENT CALENDAR** will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for a separate vote.

Each member of the public wishing to address the City Council on items listed on the Consent Calendar will be given a total of 3 minutes.

1. A RESOLUTION DESIGNATING THE CITY OF ONTARIO AS THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY; A RESOLUTION DESIGNATING THE ONTARIO HOUSING AUTHORITY TO PERFORM THE HOUSING FUNCTIONS PREVIOUSLY PERFORMED BY THE ONTARIO REDEVELOPMENT AGENCY; AND A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY ACCEPTING THE TRANSFER OF HOUSING ASSETS AND FUNCTIONS OF THE ONTARIO REDEVELOPMENT AGENCY

That the City of Ontario and the Ontario Housing Authority take the following actions:

- (A) The City Council adopt a resolution designating the City of Ontario as Successor Agency to the Ontario Redevelopment Agency and implement the duties under Part 1.85 of the Health and Safety Code, subject to certain reservation of rights;
- (B) The City Council adopt a resolution ratifying the transfer of the Ontario Redevelopment Agency's housing assets and functions to the Ontario Housing Authority under Part 1.85 of Division 24 of the Health and Safety Code, subject to certain reservation of rights; and
- (C) The Authority Board adopt a resolution ratifying the transfer of the Ontario Redevelopment Agency's housing assets and functions to the Ontario Housing Authority under Part 1.85 of Division 24 of the Health and Safety Code, subject to certain reservation of rights.

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DESIGNATING THE CITY OF ONTARIO AS THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY UNDER PART 1.85 OF THE HEALTH AND SAFETY CODE SUBJECT TO RESERVATIONS HEREIN STATED.

**ONTARIO CONVENTION CENTER
2000 E. CONVENTION CENTER WAY
ROOM 101, ONTARIO, CA**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DESIGNATING THE ONTARIO HOUSING AUTHORITY TO PERFORM THE HOUSING FUNCTIONS PREVIOUSLY PERFORMED BY THE ONTARIO REDEVELOPMENT AGENCY UNDER PART 1.85 OF DIVISION 24 OF THE HEALTH AND SAFETY CODE SUBJECT TO RESERVATIONS HEREIN STATED.

RESOLUTION NO. OHA - _____

A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF ONTARIO, CALIFORNIA, ACCEPTING THE TRANSFER OF THE HOUSING ASSETS AND FUNCTIONS OF THE ONTARIO REDEVELOPMENT AGENCY UNDER PART 1.85 OF DIVISION 24 OF THE HEALTH AND SAFETY CODE SUBJECT TO RESERVATIONS HEREIN STATED.

CLOSED SESSION PUBLIC COMMENT The Closed Session Public Comment portion of the Council/Redevelopment Agency/Housing Authority meeting is limited to a maximum of 3 minutes for each speaker and comments will be limited to matters appearing on the Closed Session. Additional opportunities for further Public Comment will be given during and at the end of the meeting.

CLOSED SESSION

- GC 54957(b)(1), PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Title: City Manager:
To establish goals and objectives

In attendance: Mautz, Wapner, Bowman, Dorst-Porada, Mayor/Chairman Leon

REPORT ON CLOSED SESSION

COUNCIL MATTERS

Mayor Leon
Mayor pro Tem Mautz
Council Member Wapner
Council Member Bowman
Council Member Dorst-Porada

***ONTARIO CONVENTION CENTER
2000 E. CONVENTION CENTER WAY
ROOM 101, ONTARIO, CA***

STAFF MATTERS

City Manager Hughes

ADJOURNMENT

CITY OF ONTARIO

Agenda Report
January 10, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION DESIGNATING THE CITY OF ONTARIO AS THE SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY; A RESOLUTION DESIGNATING THE ONTARIO HOUSING AUTHORITY TO PERFORM THE HOUSING FUNCTIONS PREVIOUSLY PERFORMED BY THE ONTARIO REDEVELOPMENT AGENCY; AND A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY ACCEPTING THE TRANSFER OF HOUSING ASSETS AND FUNCTIONS OF THE ONTARIO REDEVELOPMENT AGENCY

RECOMMENDATION: That the City of Ontario and the Ontario Housing Authority take the following actions:

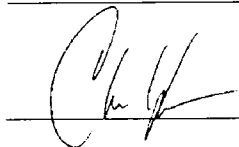
- (A) The City Council adopt a resolution designating the City of Ontario as Successor Agency to the Ontario Redevelopment Agency and implement the duties under Part 1.85 of the Health and Safety Code, subject to certain reservation of rights;
- (B) The City Council adopt a resolution ratifying the transfer of the Ontario Redevelopment Agency's housing assets and functions to the Ontario Housing Authority under Part 1.85 of Division 24 of the Health and Safety Code, subject to certain reservation of rights; and
- (C) The Authority Board adopt a resolution ratifying the transfer of the Ontario Redevelopment Agency's housing assets and functions to the Ontario Housing Authority under Part 1.85 of Division 24 of the Health and Safety Code, subject to certain reservation of rights.

COUNCIL GOALS: Develop Strategies and Take Actions to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the Growth and Evolution of the City's Economy

STAFF MEMBER PRESENTING: John Andrews, Economic Development Director

Prepared by: Charity Hernandez
Department: Economic Development

City Manager
Approval: _____



Submitted to Council/O.R.A./O.H.A. **1/10/12**
Approved: _____
Continued to: _____
Denied: _____

1

FISCAL IMPACT: The City, as the Successor Agency, would be responsible for administering any and all outstanding enforceable obligations of the Ontario Redevelopment Agency. In accordance with State law, the Successor Agency is entitled to receive reimbursement of administrative costs up to 5% of the Fiscal Year 2011-12 gross tax increment and 3% for each year thereafter.

BACKGROUND: On December 29, 2011, the California Supreme Court issued its final opinion in the redevelopment related litigation action, California Redevelopment Association v. Ana Matosantos. Specifically, the Court upheld AB 1X 26, which eliminated redevelopment agencies in California, and found AB 1X 27 to be unlawful which would have allowed redevelopment agencies to remain in existence if they opted into a Voluntary Alternative Redevelopment Program. On August 26, 2011, the City of Ontario opted in by adopting Ordinance No. 2938.

The City has the ability to serve as the Successor Agency to the Ontario Redevelopment Agency. Subject to monitoring by an Oversight Board, the Successor Agency would be responsible for winding down the Agency's existing obligations and liquidating the Agency's assets. Should the City decide to become the Successor Agency, all the assets, properties, contracts, and records of the Agency would be transferred to the City. Should the City not elect to serve as the Successor Agency, the first taxing entity that submits a resolution electing to be the Successor Agency shall be permitted to serve in that capacity. Agency staff believes that it is in best interest of Ontario that the City serve as the Successor Agency.

In conjunction with the action above, staff also recommends that the Ontario Housing Authority be designated to receive the transfer of all the housing assets, obligations and functions previously performed by the Agency.

Pursuant to Title 14 of the California Code of Regulations, Section 15378, this item is not subject to California Environmental Quality Act review because such approvals are not considered a project, are government funding mechanisms and fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant environmental impact.

**CITY OF ONTARIO
CLOSED SESSION REPORT**

City Council / / Housing Authority / / Redevelopment Agency / /
Redevelopment Financing Agency / / Other / / (GC 54957.1)

January 10, 2012

ROLL CALL: Mautz __, Wapner __, Bowman __, Dorst-Porada __
Mayor / Chairman Leon __.

STAFF: City Manager / Executive Director __, City Attorney __

In attendance: Mautz __, Wapner __, Bowman __, Dorst-Porada __, Mayor / Chairman Leon __

- GC 54957(b)(1), PUBLIC EMPLOYEE PERFORMANCE EVALUATION:
Title: City Manager: To establish goals and objectives

| No Reportable Action | Continue | Approved |
|----------------------|----------|----------|
|----------------------|----------|----------|

| | | |
|-----|-----|-----|
| / / | / / | / / |
|-----|-----|-----|

Disposition: _____

Reported by: _____
City Attorney / City Manager / Executive Director