

**ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY
ONTARIO REDEVELOPMENT AGENCY**

**MINUTES
MARCH 15, 2011**

JOINT MEETINGS

Regular meetings of the Ontario City Council, Ontario Housing Authority and Ontario Redevelopment Agency were held on Tuesday, March 15, 2011, at the Ontario Senior Center, 225 East B Street, Ontario.

CLOSED SESSION

The Mayor called the City Council/ Housing Authority/ 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 advised that all Members were present and thereupon adjourned to Closed Session for discussion as follows:

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APNs: 1048-552-14, 15 and 17: 240 N. Euclid Avenue;
City/Agency/Authority Negotiator: Chris Hughes or his designee; Negotiating
parties: Wells Fargo Bank, N.A.; Under negotiation: Price and terms of payment.

CALL TO ORDER

The Mayor called the City Council/ Housing Authority/ Redevelopment Agency meetings to order at 6:30 p.m., and requested the City Clerk to call the roll.

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|-----------------|-------------------------------------|---|
| PRESENT: | Mayor/ Chairman | Paul S. Leon |
| | Mayor pro Tem/ Vice Chairman | Debra Dorst-Porada |
| | Council/ Authority/ Agency Members: | Alan D. Wapner, Sheila Mautz and Jim W. Bowman |

ABSENT: None

Also present were City Manager/Executive Director Chris Hughes, City Attorney 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 Mike Urciuoli*, Calvary Chapel, Ontario.

CLOSED SESSION REPORT

City Attorney Brown announced that the Redevelopment Agency Board had taken no reportable action, but did agree to lease the property at 240 N. Euclid Avenue to Wells Fargo Bank at the rate of \$12,000 per month through June 21, 2015.

AGENCY REVIEW/ ANNOUNCEMENTS

City Manager Hughes advised Council Members that revised pages 427 and 428 were replaced in the exhibit for Agenda Item #9 – *Development Impact Fees*.

PUBLIC COMMENT

Dorene Hopkins made several comments with respect to the Page One Café at the Ovitt Family Community Library, the outcome of the November election and library usage. Council Member Bowman commented that there is an expected level of decorum in public sessions, and indicated that he would appreciate that future comments before the Council be substantive without personal attacks. Mr. Bowman noted that the Ovitt family has given a lot of spirit and life to the community and it is an injustice to hear critical comments directed at Mr. Ovitt or his family at meeting after meeting.

Ryan Lewis, Ontario Firefighters, gave an update on their fundraisers including *Fire On Ice* in February at which time \$19,000 was raised for the Muscular Dystrophy Association, *Hoops for Hope* which earned over \$10,000 for San Antonio Hospital and the City of Hope, and the *Tip a Firefighter* event scheduled on March 17th to benefit Stevens Hope at which they will try to raise \$20,000.

JOINT AGENCIES CONSENT CALENDAR

MOTION: Moved by Council Member Mautz, seconded by Council Member Bowman, the Joint Agencies approved the following Consent Calendar items as recommended.

1. APPROVAL OF MINUTES

Approved Minutes for the regular meetings of the City Council, Housing Authority and Redevelopment Agency dated February 15, 2011, as on file in the Records Management Department.

2. BILLS/ PAYROLL

Approved Bills in the amount of \$11,273,033.12, from January 16 through January 29, 2011; and Payroll in the amount of \$2,388,103.65, from January 16 through January 29, 2011, when audited by the Finance Committee.

3. RESOLUTION APPROVING THE FILING OF THE SECOND ROUND APPLICATION FOR GRANT FUNDS THROUGH THE STATE DEPARTMENT OF PARKS AND RECREATION

City Council adopted a Resolution approving the filing of the second round application for grant funds through the Statewide Park Development and Community Revitalization Act of 2008 Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond of 2006 (Proposition 84) for the Civic Center Community Conservation Park.

RESOLUTION NO. 2011-009 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION ACT OF 2008 PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84) FOR THE CIVIC CENTER COMMUNITY CONSERVATION PARK.

4. AN ORDINANCE GRANTING A ONE-YEAR TIME EXTENSION TO ALL DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND VARIANCE APPROVALS

City Council adopted an Ordinance granting a one-year time extension to all Development Plan, Conditional Use Permit and Variance approvals which are due to expire on or before March 1, 2012.

ORDINANCE NO. 2933 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, GRANTING A ONE YEAR TIME EXTENSION TO ALL DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND VARIANCE APPROVALS WHICH ARE ACTIVE AND DUE TO EXPIRE ON OR BEFORE MARCH 1, 2012, AND MAKING FINDINGS IN SUPPORT THEREOF

5. APPLICATION FOR A STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT

City Council authorized the City Manager to apply for and execute grant documents to accept a 12-month grant for a maximum of \$25,000 to assist in funding overtime enforcement operations for an Alcoholic Beverage Control (ABC) Investigator to address alcohol related problems in the community.

6. ACCEPTANCE OF A GRANT AWARD FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY AND THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY

City Council authorized the City Manager to execute all documents necessary to accept a three-year grant award in the amount of \$77,101 from the U.S. Department of Homeland Security (DHS) and the California Emergency Management Agency for the Homeland Security Grant Program.

7. CONSENT TO A JOINT PUBLIC HEARING WITH THE ONTARIO CITY COUNCIL AND THE ONTARIO REDEVELOPMENT AGENCY REGARDING ADOPTION OF THE DRAFT REDEVELOPMENT PLAN FOR THE PROPOSED MERGER OF THE FIVE REDEVELOPMENT PROJECT AREAS: PROJECT AREA NO. 1, PROJECT AREA NO. 2, CENTER CITY, CIMARRON, AND GUASTI

City Council and the Redevelopment Agency Board adopted Resolutions authorizing and consenting to a Joint Public Hearing on May 3, 2011, to consider adoption of the draft Redevelopment Plan for the proposed Project Area merger.

RESOLUTION NO. 2011-010 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CONSENTING TO A JOINT PUBLIC HEARING WITH THE ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA, WITH RESPECT TO ADOPTION OF THE DRAFT REDEVELOPMENT PLAN FOR THE PROPOSED MERGER OF THE FIVE REDEVELOPMENT PROJECT AREAS: PROJECT AREA NO. 1, PROJECT AREA NO. 2, CENTER CITY, CIMARRON, AND GUASTI.

RESOLUTION NO. ORA-815 A RESOLUTION OF THE ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA, CONSENTING TO A JOINT PUBLIC HEARING WITH THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, WITH RESPECT TO ADOPTION OF THE DRAFT REDEVELOPMENT PLAN FOR THE PROPOSED MERGER OF THE FIVE REDEVELOPMENT PROJECT AREAS: PROJECT AREA NO. 1, PROJECT AREA NO. 2, CENTER CITY, CIMARRON, AND GUASTI.

MOTION UNANIMOUSLY CARRIED. The Mayor/ Chairman declared Resolution Nos. 2011-009, 2011-010, ORA-815 and Ordinance No. 2933 duly passed and adopted.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARINGS

8. AN ORDINANCE ESTABLISHING A DEVELOPMENT AGREEMENT (FILE NO. PDA10-001) BETWEEN FORESTAR COUNTRYSIDE, LLC AND THE CITY OF ONTARIO FOR THE RESIDENTIAL DEVELOPMENT OF 77.2 ACRES

City Council held a public hearing to introduce and waive further reading of an Ordinance establishing a Development Agreement (File No. PDA10-001) between Forestar Countryside, LLC, and the City of Ontario for the residential development 77.2 acres of land as prescribed in the Countryside Specific Plan within the New Model Colony. The property is located north of Schaefer Avenue, south of Riverside Drive, east of the Cucamonga Channel and west of Archibald Avenue (APNs: 218-131-11, 12, 22, 40, and 43 and 218-111-057).

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

There were no written communications, and no one wishing to be heard, the Mayor closed the public hearing

ORDINANCE NO. 2934 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND FORESTAR COUNTRYSIDE, LLC. FILE NO. PDA10-001, TO ESTABLISH THE TERMS AND CONDITIONS FOR RESIDENTIAL DEVELOPMENT OF 69.7 ACRES WITHIN THE COUNTRYSIDE SPECIFIC PLAN, OF THE NEW MODEL COLONY, GENERALLY LOCATED NORTH OF SCHAEFER AVENUE, SOUTH OF RIVERSIDE DRIVE, EAST OF THE CUCAMONGA CHANNEL, AND WEST OF ARCHIBALD AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF (APNS: 0218-111-57, 0218-131-11, 12, AND 40)

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman, and unanimously carried to accept said Ordinance for introduction and first reading.

9. A PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION TO UPDATE AND MODIFY DEVELOPMENT IMPACT FEES

City Council adopted a Resolution to update and modify the City's Development Impact Fees.

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

There were no written communications, and no one wishing to be heard, the Mayor closed the public hearing

RESOLUTION NO. 2011-011 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, UPDATING AND MODIFYING DEVELOPMENT IMPACT FEES

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Mautz, the City Council approved Resolution No. 2011-011 . **MOTION UNANIMOUSLY CARRIED**

COUNCIL/ STAFF COMMENT

Council Member Mautz indicated how proud she is of the firefighters who participated in Hoops for Hope and urged people to attend the Tip a Firefighter event on St. Patrick's Day.

Council Member Bowman also encouraged people to participate in Tip a Firefighter on Thursday, March 17. He reminded people of the State of the City presentation involving Ontario's business community at 5:00 p.m., tomorrow at the Ontario Convention Center.

Mayor pro Tem Dorst-Porada urged residents to prepare for an earthquake noting the City will not be able to care for over 170,000 people. She invited those interested to become involved in the Community Emergency Response Team (CERT) classes beginning in May and continuing for the first three Saturdays of the month. Mayor pro Tem Dorst-Porada announced the Kiwanis Pancake Breakfast will be held at the Ontario Convention Center this year as they will be supporting the Police and Fire Games on their usual weekend. She also wished her father a Happy Birthday. Ms. Dorst-Porada requested tonight's meeting be adjourned in memory of *Betty Wiltsey*, wife of former Council Member Ray Wiltsey, who died last week.

ADJOURNMENT IN MEMORIAM

At 6:47 p.m., Mayor Leon adjourned the meeting to the memory of Betty Wiltsey as requested, and announced the next regularly scheduled meeting will be held on April 5, 2011.

Respectfully submitted,

MARY E. WIRTES, MMC, CITY CLERK/ SECRETARY

APPROVED:

PAUL S. LEON, MAYOR/ CHAIRMAN