

**ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY
ONTARIO REDEVELOPMENT AGENCY
MINUTES
AUGUST 16, 2011**

JOINT MEETINGS

Regular meetings of the Ontario City Council, Ontario Housing Authority and Ontario Redevelopment Agency were held on Tuesday, August 16, 2011, at the Ontario City Hall, 303 East B St.

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 54956.9 (b), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: *One or more cases: City of Los Angeles/Los Angeles World Airports (LAWA), ongoing effort to review all alternatives with respect to ONT, specifically the 1967 Joint Powers Agreement and the possibility of resumption by the City, as announced by City Attorney John Brown prior to convening the session.*

OPEN SESSION

The Mayor called the City Council/ Housing Authority/ Redevelopment Agency meetings to order at 6:34 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 Mautz.

The Invocation was offered by *Pastor Richard Bargas*, First Fundamental Bible Church.

CLOSED SESSION REPORT

No reportable action was taken in Closed Session.

PUBLIC COMMENT

Dorene Hopkins, spoke of people who are upset with the decision for the Walmart development, commented on perceived lack of pedestrian traffic on Euclid Avenue, advised that curbing and lighting were needed on J Street, as well as a stop sign on J and Sultana Avenue; and said drivers are speeding in the area and speed limits need to be posted.

Erina Higa, Ontario resident, requested support of the Emporia Art District, perhaps by attending the quarterly Art Walk event. She said support for youth and the community members who attend reflect positively on the District. Ms. Higa also suggested the contractor and crew who are working to rehabilitate the home at 223 North Vine Avenue be recognized for their renovation efforts.

AGENCY REVIEW/ ANNOUNCEMENTS

City Manager Hughes advised there were minor revisions to the Resolution in Agenda Item #10. City Clerk Wirtes indicated updated Exhibits A and B for the Resolution in Agenda Item #4 had been submitted this evening.

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, Redevelopment Agency and Housing Authority of July 5 and July 19, 2011; and the Special Meetings of the City Council, Redevelopment Agency, Housing Authority on June 22 and July 5, 2011, as on file in the Records Management Department.

2. BILLS/PAYROLL

Approve **Bills** in the amount of \$15,733,732.66, June 5, 2011 through July 2, 2011; and **Payroll** in the amount of \$4,828,760.80, June 5, 2011 through July 2, 2011, when audited by the Finance Committee.

3. AN AMENDMENT TO A LETTER OF AGREEMENT FOR PERSONNEL CONSULTING SERVICES

City Council authorized the City Manager to execute an amendment to the Letter of Agreement with Norman A. Traub Associates, of Yorba Linda, CA, for on-going consulting services on an as-needed basis related to personnel matters at established billing rates; and extending the term for one year.

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

City Council adopted a Resolution to recover costs incurred in abating property and dangerous building violations, as well as fees and penalties associated with property maintenance violations and placing special assessments on County tax rolls.

RESOLUTION NO. 2011-054 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.

5. COOPERATIVE AGREEMENT FOR MEASURE I 2010-2040 FUNDING

City Council rescinded the existing San Bernardino County Transportation Authority (SANBAG) Jurisdiction Master Agreement No. C10250, and approved a new Jurisdiction Master Agreement (No. C12020) between SANBAG and the City for the Public Share of Measure I 2010-2040 Valley Major Street Program, Arterial Sub-program Funds; and authorized the City Manager to execute said agreement.

6. AN ORDINANCE AUTHORIZING THE CITY OF ONTARIO TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM

City Council adopted an Ordinance to approve the City's participation in the Alternative Voluntary Redevelopment Program in order to permit the continued existence and operation of the Ontario Redevelopment Agency in accordance with the provisions of Part 1.9 of the California Health and Safety Code. First reading and introduction of the Ordinance took place on July 19, 2011.

ORDINANCE NO. 2938 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE CITY OF ONTARIO TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM, SUBJECT TO CERTAIN CONDITIONS AND RESERVATIONS.

7. AN ORDINANCE APPROVING A DEVELOPMENT CODE AMENDMENT, FILE NO. PDCA11-001, REVISING ONTARIO MUNICIPAL CODE TITLE 9, CHAPTER 1 (ZONING AND LAND USE REQUIREMENTS), ARTICLE 26 (HISTORIC PRESERVATION), SECTION 9-1.2625 (H) WAIVERS

City Council adopted an Ordinance approving File No. PDCA11-001 revising the Ontario Municipal Code Title 9, Chapter 1 (Zoning and Land Use Requirements), Article 26 (Historic Preservation), Section 9-1.2625 (h) Waivers, for the purpose of eliminating the 40-year dimensional composition shingle replacement requirement and replacing it with a 30-year dimensional composition shingle or

equivalent roof replacement requirement. First reading and introduction of the Ordinance took place at a public hearing on July 19, 2011.

ORDINANCE NO. 2939 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA11-001, A DEVELOPMENT CODE AMENDMENT REVISING ARTICLE 26 (HISTORIC PRESERVATION), SECTION 9-1.2625(H) OF TITLE 9 (DEVELOPMENT CODE), CHAPTER 1 (ZONING AND LAND USE REQUIREMENTS), OF THE ONTARIO MUNICIPAL CODE, FOR THE PURPOSE OF ELIMINATING THE 40-YEAR DIMENSIONAL SHINGLE ROOF REPLACEMENT REQUIREMENT AND TO INCLUDE A 30-YEAR COMPOSITION DIMENSIONAL SHINGLE OR EQUIVALENT ROOF REPLACEMENT REQUIREMENT, AND MAKING FINDINGS IN SUPPORT THEREOF.

8. AUTHORIZE THE PURCHASE OF REPLACEMENT POLICE VEHICLES

City Council authorized the purchase of replacement police vehicles including fourteen (14) Ford Crown Victoria Police Interceptors and six (6) Chevrolet Tahoe Police Pursuit Vehicles from Wondries Fleet Group of Alhambra, CA, in the amount of \$535,148 consistent with the terms and conditions of Los Angeles County Solicitations RFB-IS-1120188-1 and RFB-IS-233510.

MOTION UNANIMOUSLY CARRIED. The Mayor/ Chairman declared Resolution No. 2011-054, and Ordinance Nos. 2938 and 2939 duly passed and adopted.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARINGS

9. A PUBLIC HEARING TO CONSIDER FILE NO. PHP11-013, THE DESIGNATION OF THE JAMES A. FINELY HOUSE, LOCATED AT 413 WEST SIXTH STREET, AS A LOCAL HISTORIC LANDMARK

City Council adopted a Resolution approving File No. PHP11-013 designating 413 West Sixth Street (APN: 1047-341-03) as Local Historic Landmark No. 88.

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

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

RESOLUTION NO. 2011-055 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA APPROVING FILE NO. PHP11-013, THE DESIGNATION OF THE JAMES A. FINELY HOUSE, LOCATED AT 413 WEST SIXTH STREET, AS LOCAL HISTORIC LANDMARK NO. 88, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1047-341-03

was read by title only. **MOTION:** Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Mautz, and unanimously to adopt said Resolution No. 2011-055

Mayor pro Tem Dorst-Porada commented on how beautiful the houses are on Sixth Street and thanked the owners for the care of their property.

10. A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND CHAPTER 12 OF TITLE 4 CONCERNING COST RECOVERY FOR POLICE SERVICES AT LARGE PARTIES ON PRIVATE PROPERTY

City Council approved introduction and waived further reading of an Ordinance amending Chapter 12 of Title 4 of the Ontario Municipal Code (OMC) to reduce calls for service, streamline enforcement procedures, and enhance recovery of police services costs relating to large parties on private property.

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 requesting to be heard, the Mayor closed the public hearing.

Mayor pro Tem Dorst-Porada suggested elimination of the word “large” in the Ordinance to which Police Chief Hopley responded that inclusion of a definition of what constitutes a “large” party is beneficial. Mayor Leon added that the Ordinance will help police address recurring party calls and reduce the intrusion on our peace that parties can create.

ORDINANCE NO. 2940 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 12 OF THE TITLE 4 OF THE ONTARIO MUNICIPAL CODE, WITH CERTAIN AMENDMENTS AND ADDITIONS THERETO RELATING TO COST RECOVERY FOR POLICE SERVICES AT PARTIES ON PRIVATE PROPERTY

was introduced for first reading by title only. **MOTION:** Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Mautz, and unanimously accepted for introduction as amended.

COUNCIL/ STAFF COMMENT

Mayor pro Tem Dorst-Porada indicated the Arts community in the Emporia Art District is making a valiant effort by hosting Art Walks every two months. She also noted the contractor for house renovation at 223 North Vine Avenue is doing a beautiful job and she stopped in to commend them. At her question about the property's ownership, City Manager Hughes said he will provide information to Council as the property is in receivership. City Attorney Brown noted the City has been successful in getting third party receivers who work with Code Enforcement to improve properties.

Council Member Wapner advised the community that students of Chaffey Community College, Crafton Hills College, San Bernardino Valley College, and California State University at San Bernardino are able to obtain free bus passes from Omnitrans under a one-year pilot program. He noted the program is being funded with Air Quality Management District dollars, and Omnitrans is hoping students will vote themselves a fee for the following years to continue the program.

Council Member Mautz thanked everyone who participated in Ontario Night Out noting it was very successful and she had a wonderful time. Ms. Mautz said she attended the Grand Opening of the Embassy Suites in Ontario as well.

Mayor Leon encouraged residents to use the My Ontario Smart Phone application to report maintenance issues they note as they travel through the City. He said he is very impressed with staff's response. The Mayor also reported on his participation in the regional Vector Control Board noting we are in the high season for mosquitoes that carry the West Nile virus. He urged people to report standing water where breeding areas are formed and to help eliminate carriers of lime disease and ticks. Mayor Leon commended staff for their conduct of Ontario Night Out. He announced he and his wife, Cheryl are celebrating 30 years of marriage this year, and Cheryl is turning 50 years of age; he wished her a Happy Birthday.

ADJOURNMENT

There being no further business to come before the Joint Agencies, the Mayor adjourned the meetings at 6:59 p.m.

Respectfully submitted,



MARY E. WIRTES, MMC, CITY CLERK/ SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/ CHAIRMAN