

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

**MINUTES
JANUARY 17, 2012**

JOINT MEETINGS

Regular meetings of the Ontario City Council, Ontario Housing Authority and Ontario Redevelopment Agency were held on Tuesday, January 17, 2012, at the Ontario City Hall, 303 East B Street, Ontario, CA.

CLOSED SESSION

The Mayor called the City Council/ Housing Authority/ Redevelopment Agency meetings to order at 6:01 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 management and operations, specifically the 1967 Joint Powers Agreement, and the possibility of resumption by the City.
- GC 54956.9 (a) & (c), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Inland Empire Utilities Agency v. All Persons Interested In the Matter Of The Validity Of Ordinance No. 2936 Of The City Council Of The City Of Ontario Dated May 17, 2011, et al., Case No. SBSC CIVRS1107454.
- GC 54956.9 (a) & (c), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Inland Empire Utilities Agency v. Ontario Redevelopment Agency, et al., Case No. SBSC CIVRS 1110390

CALL TO ORDER

The Mayor called the City Council/ Housing Authority/ Redevelopment Agency meetings to order at 6:32 p.m., and requested the City Clerk to call the roll.

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

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 Wapner.

The Invocation was offered by *Brother Donald Sanders*, Calvary Apostolic Tabernacle.

CLOSED SESSION REPORT

City Attorney Brown stated that several matters were discussed in Closed Session and indicated that no reportable action was taken.

PUBLIC COMMENT

Omar Gonzalez announced the Third Annual Substance Abuse Violence Policy Conference will be held on June 12-13, 2012 at the Ontario Convention Center. He spoke briefly about the conference and who it can benefit, and asked Council and the community to save the date indicating it will be a free event. Interested parties may call 909-982-8641 for further information.

AGENCY REVIEW/ ANNOUNCEMENTS

City Manager Hughes advised that Council Members had received a revised Exhibit for Agenda Item #5 – *Special Assessments*.

JOINT AGENCIES CONSENT CALENDAR

MOTION: Moved by Council Member Dorst-Porada, 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 December 20, 2011, as on file in the Records Management Department.

2. BILLS/ PAYROLL

Approved Bills in the amount of \$18,553,206.84, from November 20 through December 17, 2011; and Payroll in the amount of \$5,484,508.71, from November 20 through December 17, 2011, when audited by the Finance Committee.

3. ONTARIO REDEVELOPMENT AGENCY ANNUAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2011

The Redevelopment Agency Board accepted the Ontario Redevelopment Agency's Annual Report for Fiscal Year ended June 30, 2011

4. UPDATE TO ADMINISTRATIVE POLICIES

City Council received and approved updates to administrative policies including (i) the City Boards, Commissions, and Committees Handbook and (ii) adoption of a Resolution rescinding Resolution No. 2009-022 and restating the policy regarding the receipt and distribution of tickets and/or passes.

RESOLUTION NO. 2012-003 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, RESCINDING RESOLUTION NO. 2009-022 AND RESTATING THE CITY'S POLICY REGARDING THE RECEIPT AND DISTRIBUTION OF TICKETS AND/OR PASSES IN THE FURTHERANCE OF THE CITY'S REASONABLY DEFINED PUBLIC PURPOSES.

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

City Council adopted a Resolution for recovery of fees and costs incurred in abating property and dangerous building violations, as well as administrative citations and civil penalties associated with property maintenance violations; and placing special assessments on County tax rolls.

RESOLUTION NO. 2012-004 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.

6. CENTRACS ADVANCED TRAFFIC MANAGEMENT SYSTEM SOFTWARE

City Council approved the sole source purchase of the Centrac's Advanced Traffic Management System Software from Econolite Control Products, Inc. of Anaheim, CA, in the amount of \$145,000 including applicable sales tax and estimated shipping.

7. AMENDMENT TO THE CONSTRUCTION CONTRACT FOR EECBG AND CDBG ENERGY EFFICIENT STREET LIGHT PROJECT/ INTELLIGENT TRANSPORTATION SERVICES INC. DBA REPUBLIC ITS

City Council approved Contract Change Order No. 3 in the amount of \$41,541, to an agreement with Intelligent Transportation Services Inc. dba Republic ITS of Anaheim, CA, to revise the existing contract amount (including contingency) from \$663,070 to \$704,611; and authorized the City Manager to execute said contract Change Order up to the appropriations limits approved by the City Council in the current adopted budget, overall grant award and related documents.

8. NORTH MILLIKEN AVENUE GRADE SEPARATION PROJECT TRANSLOADING FUNDING AGREEMENTS WITH ARMORCAST PRODUCTS CO. (ARMORCAST) AND CEREAL FOOD PROCESSING OF KANSAS, INC. (CEREAL FOODS)

City Council approved transloading funding agreements with Armorcast Products Co. of North Hollywood, CA, and Cereal Food Processors, Inc. of Mission Woods, KA; and authorized the City Manager to execute said agreements and related documents.

9. PROFESSIONAL SERVICES AGREEMENT FOR HAZARDOUS MATERIALS COLLECTION AND DISPOSAL SERVICES/ FILTER RECYCLING SERVICES, INC.

City Council awarded Contract No. MS 11-11.01 to Filter Recycling Services, Inc. of Bloomington, CA and authorized the City Manager to execute a one-year agreement for hazardous materials collection and disposal services with the option to extend for up to three additional one-year periods.

10. A RESOLUTION AUTHORIZING APPLICATION FOR A CATALYST COMMUNITY GRANT AND EXECUTION OF A MEMORANDUM OF UNDERSTANDING REGARDING THE DOWNTOWN CORE CATALYST PROJECT UNDER THE CATALYST PROJECTS FOR CALIFORNIA SUSTAINABLE STRATEGIES PILOT INNOVATIVE HOUSING PROGRAM

City Council adopted a Resolution authorizing staff to submit an application to the State of California Department of Housing and Community Development (HCD) for \$500,000 under the Catalyst Projects for California Sustainable Strategies Pilot Program; approve a Memorandum of Understanding (MOU) between HCD and the City regarding the Downtown Core Catalyst Project in substantially the same form as the MOU on file with the Records Management Department; and authorized the City Manager to execute any and all documents necessary or desirable for the submission of the grant application and

implementation of the Program including, but not limited to, execution of a State of California Standard Agreement.

RESOLUTION NO. 2012-005 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING AN APPLICATION FOR CATALYST COMMUNITY GRANT PROGRAM.

11. APPROVAL OF AGREEMENTS WITH THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) FOR REIMBURSEMENT OF CERTAIN COSTS ASSOCIATED WITH THE PURCHASE OF COMPRESSED NATURAL GAS (CNG) POWERED VEHICLES AND UPGRADES TO THE CNG FUELING STATION/SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

City Council approved agreements with the SCAQMD to participate in the Local Government Match Program to receive reimbursements of \$180,000 for the purchase of six (6) replacement CNG refuse trucks; up to \$400,000 for upgrades to the CNG fueling station and authorized the City Manager to execute said agreements.

12. CONSTRUCTION CONTRACT FOR WELL DRILLING AT MULTIPLE SITES

City Council approved specifications for the Well Drilling at Multiple Sites project; authorized the City Manager to award and execute Ontario Municipal Utilities Company Contract No. UT 1112-05 and related documents to the lowest responsible and responsive bidder for an amount not-to-exceed the current City Council authorized budget including a 15% contingency, or to reject all bids if needed; and authorized the filing of a Notice of Completion at the conclusion of all construction activities related to the project.

MOTION UNANIMOUSLY CARRIED. The Mayor/ Chairman declared Resolution Nos. 2012-003, 2012-004 and 2012-005 duly passed and adopted.

END OF JOINT CONSENT CALENDAR

PUBLIC HEARING

13. CONSIDERATION OF A RESOLUTION APPROVING THE CONCEPTUAL PLAN AND THE EXPANDED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE MILL CREEK WETLANDS RECREATION AND RESTORATION PROJECT, A PROPOSED 47-ACRE NATURAL WATER TREATMENT SYSTEM CONSISTING OF A RECREATION PLAN, NATIVE HABITAT PLAN, AND WATER QUALITY PLAN

City Council considered adoption of a Resolution approving the conceptual plan, the Expanded Initial Study/Mitigated Negative Declaration and Mitigation

Monitoring and Reporting Program for the Mill Creek Wetlands Recreation and Restoration Project; and authorized the City Manager to sign documents necessary to effectuate the Project submitted by the City of Ontario which is bisected by Chino Corona Road, east of Comet Avenue and west of Cucamonga/ Mill Creek in the City of Chino.

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. 2012-006 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE CONCEPTUAL PLAN AND THE EXPANDED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE MILL CREEK WETLANDS RECREATION AND RESTORATION PROJECT, ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND AUTHORIZING THE CITY MANGER TO EXECUTE DOCUMENTS

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada, and unanimously carried to adopt said Resolution No. 2012-006.

REPORT FROM AIRPORT LIAISON SUBCOMMITTEE

Council Member Wapner reported on the City's efforts to regain control of ONT and described a new public relations campaign that was launched. He advised that staff has created a website <SetONTariofree.com> and a Facebook page which contain facts and information on the issue of local control, allows people to get updates and lists the agencies supporting our effort. Council Member Wapner noted that polling results will be announced which show that the matter extends beyond Ontario and is a Southern California issue. Council Member Wapner indicated the poll establishes that Los Angeles residents want Ontario to regain control of ONT, and he feels their support will help Los Angeles policy makers to make the right decision in the matter knowing that their public is behind them. Council Member Wapner said he anticipates exciting news in the near future about getting the airport under local control.

A brief video presentation was shown that has been distributed via USB flash-drives to city leaders throughout California seeking their support and that of federal officials.

Mayor Leon stressed that this was not solely a local issue and encouraged everyone to get the word out that this international airport is being limited by the actions of Los Angeles. He referenced statistics in the video of 1.3 million cars that are unnecessarily on the road going to LAX bypassing Ontario because of the airport's under utilization. Mayor Leon thanked staff and the sub-committee for their ongoing efforts to bring about local control.

COUNCIL/ STAFF COMMENT

Council Member Dorst-Porada said the Council's focus is to get the airport back and keep the associated jobs; and secondly, to urge the State of California to reflect on the work accomplished in communities by redevelopment agencies and reinstate them. Ms. Dorst-Porada announced Monte Carlo Night fundraiser at 6:00 p.m. on January 20 at the Elks Lodge sponsored by the Ontario Police Officers Association; the Ontario Museum's Chinese New Year exhibit; and a performance on Monday, January 23, by the Ontario Chaffey Community Show Band. Council Member Dorst-Porada urged the community to volunteer noting school districts are especially in need of help.

Mayor pro Tem Mautz said the airport video very succinctly outlines the issues, is of high quality, and noted her anxiousness to regain control of ONT. She urged people to attend both the Casino night fundraiser and the presentation on January 25 at Gardiner Spring Auditorium by Jack Pelzer on his best-selling book, "A Boy Called It."

Council Member Bowman spoke of the dedication of Senator Ruben Ayala who died recently and who spent his life representing the community in which he served. He said Mr. Ayala was a well-rounded, well-respected individual. Mr. Bowman noted that private services will be held at 2:00 p.m. on Thursday, January 19, in Chino Hills with a memorial service later at Chino Hills High School; and he requested tonight's meeting be adjourned in Senator Ayala's honor.

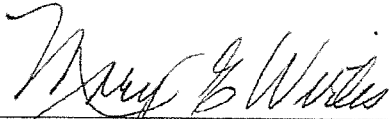
Mayor Leon indicated the Police Department was well represented at the Dr. Martin Luther King, Jr. memorial as Chief Hopley and others were present. Mayor Leon requested the meeting also adjourn in honor of *Gene Rivera*, a dedicated Ontario resident who passed away recently.

City Manager Hughes thanked staff for a fantastic job producing the airport video and their efforts on the campaign to gain local control of the airport.

ADJOURN IN MEMORIAM

There being no further business to come before the joint agencies, the meetings adjourned at 6:53 p.m., in the memory of Senator Ruben Ayala and Mr. Gene Rivera.

Respectfully submitted,



MARY E. WIRTES, MMC, CITY CLERK/ SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/ CHAIRMAN