

**ONTARIO CITY COUNCIL  
ONTARIO HOUSING AUTHORITY  
ONTARIO REDEVELOPMENT AGENCY  
MINUTES  
February 5, 2008**

***JOINT MEETINGS***

Regular meetings of the Ontario City Council, Ontario Housing Authority and Ontario Redevelopment Agency were held on Tuesday, February 5, 2008, in the Council Chambers, City Hall.

The meetings were called to order at 5:36 p.m., by Mayor / Chairman Leon. All members were present as noted by Mayor Leon. There was no one present who wished to speak to a Closed Session item.

***CLOSED SESSION***

The Members then met in Closed Session for discussions regarding:

- **GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR:** Gregory C. Devereaux regarding Ontario Police Officers Association.

***CALL TO ORDER***

The City Council / Housing Authority / Redevelopment Agency reconvened in open session at 6:32 p.m.

The Pledge of Allegiance was led by Council Member Jim Bowman.

The Invocation was offered by *Pastor Nancy Carlson*, Trinity United Methodist Church.

**PRESENT:** Mayor / Chairman Paul S. Leon; Mayor pro Tem / Vice Chairman Jason Anderson; Council / Authority / Agency Members Alan D. Wapner, Sheila Mautz and Jim W. Bowman.

**ABSENT:** None.

Also present were City Manager / Executive Director Gregory C. Devereaux, City Attorney John Brown and City Clerk / Secretary Mary E. Wirtes.

***REPORT OF CLOSED SESSION***

City Attorney Brown indicated that no reportable action was taken in Closed Session.

## ***PUBLIC COMMENT***

*Monica Gutierrez* introduced herself as the Press Secretary and contact for the City of Ontario on behalf of Congressman Joe Baca. She announced the names of high school students who had been nominated by Congressman Baca to United States Military Academies from local high schools. They were Douglas I. Somoza, Colony High School nominated to Westpoint Academy; Austin E. Lan, Colony High School nominated to the Air Force Academy; Daniel D. Morales, Ontario High School nominated to both the Naval and Air Force Academy; and Brian P. Fleischer, Colony High School nominated to the Naval Academy.

Ms. Gutierrez distributed flyers inviting residents to attend a workshop on Foreclosure Prevention to be held from 8:00 a.m. to 1:00 p.m. at Loveland Community Church on Saturday, February 9, 2008; and said Congressman Baca is working on legislation in this area.

*Sylvester Brooks* commented on Council action at recent meetings and said Ontario is a good City and he appreciates it. He encouraged Council Members to require contractors who work on City streets to return after completion of their projects to mitigate the impact of such work.

Mayor Leon asked Police Chief Doyle to comment regarding a recent article in the local paper and an attempt to steal the Chief's vehicle. He told of the Chief's capture of the potential thief in the middle of the night in his pajamas and presented him with a "Superman T-shirt." Chief Doyle responded that "old people still rule."

*Matthew Hernandez* referred to a recent article in the Los Angeles Times regarding the number of homeless people living in a 4-block region of the City and the paper's reference to Ontario as a "shantytown." Mr. Hernandez questioned the reputation of the City in view of its proximity to Ontario Airport and status as a gateway into the region.

Mayor pro Tem Anderson responded that the area had expanded and City staff now feel it has become a health and safety risk the City is attempting to control and will be meeting with County Supervisor Ovitt. Mr. Anderson said initially the City attempted to assist homeless who were living behind businesses and residing in the community but it has created unforeseen consequences.

*Bruce Ireland* said he is concerned about the tent city as well stating there are families and seniors in this situation, many of whom are receiving assistance from local churches and agencies and are able to leave. He said the people who are still in that position need bedding under their units to keep them off the ground and requested assistance for them.

*Regina Brown*, representative for the Reach Out West End Mentoring Program, said they are looking for help and support, and invited Council Members and the public to assist their efforts to help young people.

*Dorene Hopkins* referred to a recent article in Fortune Magazine regarding Wal-Mart Stores, referred to residents on East J Street who are requesting curb, sidewalk and street light improvements, said there is need for an animal shelter in Ontario, and reported that the police have assisted people in the community citing the need for a police substation in downtown Ontario.

*Ken Housen*, Ontario resident in the vicinity of Walker and Walnut Avenue requested reduction in speed limits in this area and said the area around the crosswalk is not maintained. He has observed syringes near there and complained on several occasions. Mr. Housen was referred to Deputy Police Chief Hopley for assistance.

*Yolanda Roberts*, mother of a boy killed recently near Walker and Walnut, said the City needs to improve streets including the addition of a stop sign where her son was hit. Mrs. Roberts said a representative of the City proposed a flashing warning light which she does not feel will be sufficient, and they are seeking a signed petition from local residents.

Mayor Leon assured Mrs. Roberts that the City feels this is a very serious issue and staff is preparing a report that will assist them. Mr. Leon requested this matter be placed on the next Council agenda for consideration.

*Nancy Bumstead*, representing the American Cancer Society, introduced Marty Binney to speak on behalf of their *Relay for Life* to be held on May 17, 2008. Mr. Binney announced an organizational meeting at Chaffey High School Cafeteria from 6:00 to 7:30 p.m. on February 12<sup>th</sup> and invited Council Members and the public to participate in their fundraiser to “Celebrate, Remember and Fight Back.”

## **AGENDA REVIEW / ANNOUNCEMENTS**

City Manager Devereaux said there were no announcements.

## **JOINT AGENCIES CONSENT CALENDAR**

### **1. APPROVAL OF MINUTES**

Approve minutes for the regular meeting of the City Council, Redevelopment Agency and Housing Authority on January 15, 2008; the Special Meetings of the City Council, Redevelopment Agency and Housing Authority on September 24, 2007, October 9, 2007, October 30, 2007 and November 26, 2007; and approve same as on file in the Records Management Department.

**2. *BILLS / PAYROLL***

Approve **bills** in the amount of \$10,478,687.77, from December 30, 2007, through January 12, 2008; and **payroll** in the amount of \$2,494,432.04, from January 5 through January 18, 2008, when audited by the Finance Committee.

**3. *AN ORDINANCE LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 14***

Adopt an Ordinance approving the levy of special taxes within City of Ontario Community Facilities District No. 14 (West Haven I).

**ORDINANCE NO. 2887**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 14 (WEST HAVEN I)**

**4. *COMMUNITY NOISE REGULATIONS***

Adopt an Ordinance approving proposed changes to the Ontario Municipal Code regarding Noise Regulations.

**ORDINANCE NO. 2888**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REPEALING SECTION 9-1.3305 OF THE ONTARIO MUNICIPAL CODE AND ADDING CHAPTER 29 TO TITLE 5 TO THE ONTARIO MUNICIPAL CODE REGARDING THE REGULATION OF NOISE**

**5. *ORDINANCE AMENDING CHAPTER 12 OF TITLE 4 AND ADDING CHAPTER 22 TO TITLE 4 OF THE ONTARIO MUNICIPAL CODE***

Adopt an Ordinance amending Chapter 12 of Title 4 and adding Chapter 22 to Title 4 of the Ontario Municipal Code concerning cost recovery for Police services at large parties on private property, prohibiting consumption of alcoholic beverages by minors and allowing or hosting gatherings where unsupervised minors are consuming alcoholic beverages.

**ORDINANCE NO. 2889**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 12 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE, WITH CERTAIN AMENDMENTS AND ADDITIONS THERETO RELATING TO COST RECOVERY FOR POLICE SERVICES AT LARGE PARTIES ON PRIVATE PROPERTY AND BY ADDING CHAPTER 22 TO TITLE 4 OF THE ONTARIO MUNICIPAL CODE TO PROVIDE FOR PROHIBITION AGAINST CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS AND ALLOWING OR HOSTING GATHERINGS WHERE UNSUPERVISED MINORS ARE CONSUMING ALCOHOLIC BEVERAGES**

**6. AWARD OF BIDS FOR THE PURCHASE OF FLEET VEHICLES**

Award the following procurement actions for the purchase of fleet vehicles:

- A. Bid No. 07.11-03 to Diversified Truck Center of Mira Loma, CA in the amount of \$693,103 for the purchase of three Front Loading Compressed Natural Gas (CNG) Powered Refuse Trucks;
- B. Bid No. 07.11-04 to Carmenita Ford Trucks of Santa Fe Springs, CA in the amount of \$868,502 for the purchase of four Automated Side Loading Compressed Natural Gas (CNG) Powered Refuse Trucks;
- C. Bid No. 07.11-05 to Fritts Ford of Riverside, CA in the amount of \$15,188 for the purchase of one Ford Escape XLS;
- D. Bid No. 07.12-01 to Fritts Ford of Riverside, CA in the amount of \$58,563 for the purchase of three 3 / 4 ton Extended Cab Pickup Trucks;
- E. Bid No. 07.12-02 to Raceway Ford of Riverside, CA in the amount of \$26,405 for the purchase of one 3 / 4 ton Extended Cab Pickup Truck (Bed Delete) with Utility Body;
- F. Bid No. 07.12-03 to Victor Buick-GMC of Corona, CA in the amount of \$30,052 for the purchase of two Extended Cab 4x2 Pickup Trucks (Small Size Extended ½ Ton);
- G. Bid No. 07.12-04 to Fritts Ford of Riverside, CA in the amount of \$38,896 for the purchase of two Extended Cab 4x2 Pickup Trucks (Full Size ½ Ton);
- H. Bid No. 07.12-05 to Fritts Ford of Riverside, CA in the amount of \$26,883 for the purchase of one 11,000 GVW Truck Cab and Chassis with Body;
- I. Bid No. 07.12-06 to Victor Buick-GMC of Corona, CA in the amount of \$139,286 for the purchase of three Medium Duty Trucks with Platform Bed Dump Body;

- J. Purchase order to Turf Star of Brea, CA in the amount of \$73,771 for the purchase of one GM580D Toro Mower per State of California Department of General Services Contract #4-02-037-0003B.

**7. COOPERATIVE AGREEMENT FOR THE CONSTRUCTION OF A MASTER PLANNED STORM DRAIN AND REIMBURSEMENT OF COSTS FOR APPROXIMATELY 613 FEET LOCATED IN VINEYARD AVENUE SOUTH OF THE ROUTE 60 FREEWAY / ROBERT H. KO**

Approve and authorize the City Manager to execute a cooperative agreement between Robert H. Ko and the City of Ontario for construction of a master planned storm drain, and reimbursement of costs for approximately 613 feet of storm drain located south of the 60 Freeway.

**8. PROFESSIONAL SERVICES AGREEMENTS FOR DESIGN SERVICES ON THE RENOVATION OF CITY HALL PROJECT / ROBERT BORDERS AND ASSOCIATES**

Authorize the City Manager to execute two professional services agreements with Robert Borders & Associates of Newport Beach, CA, in a total amount of \$1,303,822 (including a 10% joint contingency of \$118,529) for design services related to the core / shell and interior renovation of the City Hall building.

**Motion:** Moved by *Bowman*, seconded by *Anderson*, and unanimously carried to adopt the joint Calendars as recommended.

**PUBLIC HEARING**

**9. FILE NOS. PDEV06-058 AND PCUP06-037, A DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A FOUR-STORY, 122-ROOM HOTEL**

Adopt resolutions approving a Development Plan and Conditional Use Permit (File No's. PDEV06-058 and PCUP06-037) for construction and operation of a four-story, 122-room hotel on 1.4 acres to be located on the south side of Shelby Street and the west side of Haven Avenue within the Urban Commercial Land Use District of the Ontario Center Specific Plan

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. 2008-006**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP06-037, A CONDITIONAL USE PERMIT TO OPERATE A 122-ROOM, 4-STORY HOTEL ON 1.4 ACRES IN THE URBAN COMMERCIAL LAND USE DISTRICT OF THE ONTARIO CENTER SPECIFIC PLAN LOCATED ON THE SOUTH SIDE OF SHELBY STREET AND ON THE WEST SIDE OF HAVEN AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 0210-193-14**

**RESOLUTION NO. 2008-007**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV06-058, A DEVELOPMENT PLAN TO CONSTRUCT A 122-ROOM 4-STORY HOTEL ON 1.4 ACRES IN THE URBAN COMMERCIAL LAND USE DISTRICT OF THE ONTARIO CENTER SPECIFIC PLAN LOCATED ON THE SOUTH SIDE OF SHELBY STREET AND ON THE WEST SIDE OF HAVEN AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 0210-193-14**

**Motion:** Moved by *Anderson*, seconded by *Mautz*, and unanimously carried to adopt said Resolution Nos. 2008-006 and 2008-007.

***COUNCIL / STAFF COMMENT***

Council Member Mautz suggested closing the meeting in memory of Robert Graber.

Council Member Bowman said *Robert Graber* who died at age 97 was a long-standing resident of Ontario and married to his wife for 71 years. He said he attended services earlier in the day and Mr. Graber will be greatly missed. Mr. Bowman also suggested Council Members consider requesting information regarding the attendance participation of appointments to the various committees in order to remain well informed about appointee' participation.

Mayor pro Tem Anderson said he received a letter from a resident regarding the work performed by a Public Works employee in Streets who was totally professional in the performance of his work.

Mayor Leon requested that in addition to adjourning the meeting to the memory of Robert Graber, Council also adjourn in memoriam to *Jesse Lopez*, a long-time City employee who was 47 years old and worked in Maintenance. He said Mr. Lopez was a graduate from Ontario High School. He was well respected by his co-workers and has worked hard to maintain the community since 1986. Mr. Lopez died in his sleep and left behind his wife, 5 daughters and 2 granddaughters.

***ADJOURN IN MEMORIAM***

Mayor Leon announced the next regular meeting on February 19, 2008. Council Members then adjourned in memoriam at 7:18 p.m. to the memory of *Robert Graber* and *Jesse Lopez* as previously announced.