

**ONTARIO CITY COUNCIL  
ONTARIO HOUSING AUTHORITY  
ONTARIO REDEVELOPMENT AGENCY  
MINUTES  
March 4, 2008**

***JOINT MEETINGS***

Regular meetings of the Ontario City Council, Ontario Housing Authority and Ontario Redevelopment Agency were held on Tuesday, March 4, 2008, in the Council Chambers, City Hall.

The meetings were called to order at 5:37 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.
- **GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**  
Property: 1455 North Mountain, 1499 North Mountain, 1115 West 6th Street, 1121 West 6<sup>th</sup> Street, 1425 North Mountain, 1437 North Mountain and 1445 North Mountain; 1133 West 6th Street; 1131 West 6th Street.; City / Agency / Authority Negotiator: Gregory C. Devereaux or his designee; Negotiating parties: Cody Small; Alexander Philips; Under negotiation: Price and terms of payment.
- **GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**  
Property: 2025 S. Bon View, APN: 105-0511-01; City / Agency / Authority Negotiator: Gregory C. Devereaux or his designee; Negotiating parties: General Electric Company / Lisa Hamilton or her designee; Under negotiation: Price and terms of payment.
- **GC 54956.9, CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION:** *One case*

***CALL TO ORDER***

The City Council / Housing Authority / Redevelopment Agency reconvened in open session at 6:33 p.m.

## **REPORT OF CLOSED SESSION**

The City Attorney reported that Council gave direction to staff and to property negotiators with respect to Closed Session items 2 and 3 on which no reportable action was taken; he indicated the other Closed Session items will be considered at the conclusion of tonight's meeting.

The Pledge of Allegiance was led by Council Member Wapner.

The Invocation was offered by *Senior Pastor Brian E. Kennedy*, Mt. Zion Baptist Church who also commended the City for its efforts with respect to the homeless and indicated it is more than many larger cities have done.

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

**ABSENT:** None.

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

## **AGENDA REVIEW / ANNOUNCEMENTS**

City Manager Devereaux said there were no announcements.

## **SPECIAL CEREMONIES**

### **RECOGNITION OF MARTY BINNEY, ONTARIO SENIOR CENTER VOLUNTEER AND RECIPIENT OF THE CALIFORNIA PARKS & RECREATION SOCIETY'S CHAMPION OF THE COMMUNITY AWARD**

Council Member Wapner introduced *Marty Binney* and provided some background on his contributions to the community. He announced that Mr. Binney was the recipient of the California Parks & Recreation Society's Champion of the Community Award for cities with populations over 100,000. The award was presented to him at the Long Beach Convention Center recently, and he was the only individual honored at that meeting from the western states. The Mayor and Council Members honored Mr. Binney and presented him with a framed Certificate of Recognition.

Mr. Binney spoke briefly to say he was tremendously honored by the award and thanked members of the Parks and Recreation staff for their support and encouragement. He said he was blessed to be part of the process.

**RECOGNITION OF CITY STAFF MEMBERS MANUEL CADENA, PATRICIA MOYER, IVSEL NUNEZ AND BECKIE GILLAM FOR HEROIC AND HUMANITARIAN EFFORTS**

Director Ken Jeske introduced City staff members *Manuel Cadena, Patricia Moyer, Ivsel Nunez* and *Beckie Gillam* in recognition of their heroic and humanitarian efforts in managing a dangerous situation at the Ontario Senior Center. Mr. Jeske said a weapon was brought into the Center during Bingo putting people at risk and the assailant was disarmed by staff members who then notified the Police Department. Council Members honored and recognized each employee and presented them with Certificates of Appreciation for effort well beyond the call of duty.

**PUBLIC COMMENT**

*Dorene Hopkins* commented on several matters including the November election, residents on East Holt Boulevard concerned about homeless in the area, the new stop sign at Walker and Walnut, need for reduced speed limits and a police substation in the downtown area. She indicated residents are supportive of the Ontario Police Department.

*Sandie Zellmer* thanked the Mayor and Council Members for the concert the previous evening at Gardiner Spring Auditorium with members of the “Wicked” musical cast and its success in raising money to help the Esperanza Scholarship Foundation.

*Evelyn Sierra* expressed concern about the “tent city” in Ontario and requested a timeline for its vacation. She said there are increasing numbers and it provides potential for parole violators. Ms. Sierra said the party her family attempted to assist robbed them, and said the homeless prefer their way of life. Mayor Leon referred her to Director of Housing Schultz for assistance.

**JOINT AGENCIES CONSENT CALENDAR**

**1. APPROVAL OF MINUTES**

Approve minutes for the regular meetings of the City Council, Housing Authority and Redevelopment Agency dated February 19, 2008, as on file in the Records Management Department.

**2. BILLS / PAYROLL**

Approve **bills** in the amount of \$8,231,126.97, from January 27, 2008 through February 9, 2008; and **payroll** in the amount of \$2,356,291.21, from February 2, 2008 through February 15, 2008, when audited by the Finance Committee.

**3. CONTRACT NO. RDA 0607-09 FOR TENANT IMPROVEMENTS AT 200 N. CHERRY AVENUE / GAMUT CONSTRUCTION COMPANY, INC.**

Award Contract No. RDA 0607-09 to Gamut Construction Company, Inc., of Montclair, CA, for the bid amount of \$3,843,000 plus a twenty percent (20%) contingency of \$768,600 for a total of \$4,611,600; authorize the City Manager to execute said contract; and authorize the filing of a Notice of Completion at the conclusion of all construction activities related to the project.

**4. AGREEMENT FOR PREPARATION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (SEIR) FOR THE RICH HAVEN SPECIFIC PLAN LOCATED IN THE NEW MODEL COLONY AND APPROVAL OF BUDGET ADJUSTMENTS FOR PLANNING DEPARTMENT REVENUES AND EXPENDITURES / MICHAEL BRANDMAN ASSOCIATES**

Approve an agreement with Michael Brandman Associates, of Irvine, CA, to prepare a Subsequent Environmental Impact Report (SEIR) for The Rich Haven Specific Plan located in the New Model Colony (NMC) for \$159,300 plus a twenty percent (20%) contingency of \$31,860 for a total amount of \$191,160; approve the respective adjustments to budgeted revenues and expenditures; and authorize the City Manager to approve any future amendments and budget adjustments necessary to complete the SEIR.

**5. APPROVE THE PLANS AND SPECIFICATIONS AND AWARD CONTRACT NO. TR0602 / NEW WEST SIGNAL**

Approve the plans and specifications, and award Contract No. TR0602 to New West Signal of Fontana, CA, for the bid amount of \$181,764 plus a fifteen percent (15%) contingency of \$27,265 for a total of \$209,029; authorize the City Manager to execute said contract and related documents; and authorize the filing of a Notice of Completion at the conclusion of all construction activities related to the project.

**6. PLANS AND SPECIFICATIONS AND AWARD CONTRACT NO. TR0701 FOR EMERGENCY VEHICLE PRE-EMPTION AND BATTERY BACK-UP INSTALLATION AT VARIOUS LOCATIONS / MACADEE ELECTRICAL**

Approve the plans and specifications, and award Contract No. TR0701 to Macadee Electrical of Chino, CA, for the bid amount of \$129,723 plus a ten percent (10%) contingency of \$12,972 for a total of \$142,695; authorize the City Manager to execute said contract and related documents; and authorize the filing of a Notice of Completion at the conclusion of all construction activities related to the project.

**7. RESOLUTION APPROVING PARCEL MAP NO. 18117 FOR COMMERCIAL / INDUSTRIAL CONDOMINIUM PURPOSES / ONTARIO PARKWAY, LLC**

Adopt a Resolution approving Parcel Map No. 18117 for Commercial / Industrial Condominium purposes for property located on the south side of Ontario Mills Parkway approximately 160 feet west of Rochester Avenue submitted by the developer, Ontario Parkway, LLC (Gilbert Bates, Managing Member).

**RESOLUTION NO. 2008-013**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING PARCEL MAP NO. 18117 FOR COMMERCIAL / INDUSTRIAL CONDOMINIUM PURPOSES LOCATED ON THE SOUTH SIDE OF ONTARIO MILLS PARKWAY APPROXIMATELY 160 FEET WEST OF ROCHESTER AVENUE**

**8. RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND PARCEL MAP NO. 18334 / SR ACQUISITION CORPORATION LLC**

Adopt a resolution approving an improvement agreement, improvement security, and Parcel Map No. 18334 for property located at the southeast corner of Haven Avenue and Francis Street submitted by the developer, SR Acquisition Corporation LLC, a Delaware Limited Liability Company (John R. Rizzo).

**RESOLUTION NO. 2008-014**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY, AND PARCEL MAP NO. 18334 LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND FRANCIS STREET**

**9. PURCHASE OF 100 TASERS™ AND TASER Cams™ / PROFORCE LAW ENFORCEMENT**

Authorize the purchase of one hundred TASERS™ and TASER Cams™ from / ProForce Law Enforcement of Brea, CA, in the amount of \$131,240.

**10. PURCHASE OF A DIGITAL RECORDING SYSTEM / VERSATILE INFORMATION PRODUCTS, INC.**

Authorize the purchase of a digital voice recording system from Versatile Information Products, Inc. of Riverside, CA, for the amount of \$132,000.

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

### ***COUNCIL / STAFF COMMENT***

Council Member Mautz requested tonight's meeting adjourn in memoriam to *Loyal Nixon*, former President of Kiwanis, a long-time resident, and a very active member of the community.

Council Member Bowman said he attended the regional Transportation Planning meeting on which Council Member Wapner serves as Chairman and had significant involvement in the Plan.

Council Member Wapner thanked Council Member Bowman and Mayor Leon for attending the Southern California Associated Governments (SCAG) workshop that represented six Southern California County Governments. He said the Regional Transportation Plan budget totals \$569 billion and he is very excited about the projects within the scope of the Plan.

Council Member Wapner added that Ontario now has a Girls Fastpitch Softball League that plays at Kimball Park and who conducted opening ceremonies the previous Saturday.

Mayor Leon said he was happy to speak at the opening ceremonies on Saturday and especially to encourage a team effort. Mr. Leon referred to the lifelong impact his coach had on him at a very young age because of his positive attitude.

### ***ADJOURN TO CLOSED SESSION***

At 7:05 p.m., the Joint Agencies adjourned to Closed Session to complete earlier discussions. No one came forward to speak to any of the Closed Session items.

The Joint Meetings reconvened at 8:09 p.m.

### ***CLOSED SESSION REPORT***

City Manager / Executive Director Devereaux indicated there was not reportable action taken.

***ADJOURN IN MEMORIAM***

As previously indicated the meeting did adjourn in Memoriam to the memory of *Loyal Nixon* at 8:09 p.m.

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Mary Wirtes, MMC, City Clerk / Secretary

APPROVED:

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Paul S. Leon, Mayor / Chairman