

CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
APRIL 19, 2016

Paul S. Leon
Mayor

Debra Dorst-Porada
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Paul Vincent Avila
Council Member



Al C. Boling
City Manager

John E. Brown
City Attorney

Sheila Mautz
City Clerk

James R. Milhiser
Treasurer

WELCOME to a meeting of the Ontario City Council.

- All documents for public review are on file with the Records Management/City Clerk's Department located at 303 East B Street, Ontario, CA 91764.
- Anyone wishing to speak during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Clerk will not accept blue slips after that time.
- Comments will be limited to 3 minutes. Speakers will be alerted when they have 1 minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.
- In accordance with State Law, remarks during public comment are to be limited to subjects within Council's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Council and Staff need to be recognized by the Chair before speaking.

ORDER OF BUSINESS The regular City Council and Housing Authority meeting begins with Public Comment at 6:30 p.m. immediately followed by the Regular Meeting and Public Hearings. No agenda item will be introduced for consideration after 10:00 p.m. except by majority vote of the City Council.

(EQUIPMENT FOR THE HEARING IMPAIRED AVAILABLE IN THE RECORDS MANAGEMENT OFFICE)

CALL TO ORDER (*OPEN SESSION*)

6:30 p.m.

ROLL CALL

Dorst-Porada, Wapner, Bowman, Avila, Mayor/Chairman Leon

PLEDGE OF ALLEGIANCE

Mayor pro Tem Dorst-Porada

INVOCATION

Pastor Reegis Richard, The Joshua Center International

PUBLIC COMMENTS

6:30 p.m.

The Public Comment portion of the Council/Housing Authority meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

As previously noted -- if you wish to address the Council, fill out one of the blue slips at the rear of the chambers and give it to the City Clerk.

AGENDA REVIEW/ANNOUNCEMENTS The City Manager will go over all updated materials and correspondence received after the Agenda was distributed to ensure Council Members have received them. He will also make any necessary recommendations regarding Agenda modifications or announcements regarding Agenda items to be considered.

CONSENT CALENDAR

All matters listed under **CONSENT CALENDAR** will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for a separate vote.

Each member of the public wishing to address the City Council on items listed on the Consent Calendar will be given a total of 3 minutes.

1. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council and Housing Authority of March 15, 2016, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills February 21, 2016 through March 5, 2016 and **Payroll** February 21, 2016 through March 5, 2016, when audited by the Finance Committee.

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

That the City Council adopt 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 the San Bernardino County Tax Rolls.

RESOLUTION NO. _____

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.

4. A RESOLUTION ORDERING THE SUMMARY VACATION OF THE RIGHTS-OF-WAY AND PUBLIC SERVICE EASEMENT IN A PORTION OF FOURTH STREET WEST OF SULTANA AVENUE AND RECONVEYING ANY OF THE CITY'S INTEREST THEREIN

That the City Council adopt a resolution ordering the summary vacation of the rights-of-way and public service easement in a portion of Fourth Street west of Sultana Avenue and reconveying any of the City's interest therein.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF THE RIGHTS-OF-WAY AND PUBLIC SERVICE EASEMENT IN A PORTION OF FOURTH STREET WEST OF SULTANA AVENUE AND RECONVEYING ANY OF THE CITY'S INTEREST THEREIN.

5. AGREEMENT FOR ENGINEERING DESIGN AND RIGHT OF WAY SERVICES FOR THE MOUNTAIN AVENUE AND HOLT BOULEVARD INTERSECTION WIDENING PROJECT/PARSONS TRANSPORTATION GROUP INC.

That the City Council approve a Professional Services Agreement (on file in the Records Management Department) with Parsons Transportation Group Inc. (Parsons), of Ontario, California, to provide engineering design and right of way services for the Mountain Avenue and Holt Boulevard Intersection Widening Project (Project) for \$705,989 plus a 5% contingency of \$35,300 for a total authorized expenditure of \$741,289; and authorize the City Manager to execute said agreement and all future amendments.

6. AN ORDINANCE CREATING AND AUTHORIZING THE CREATION OF THE ONTARIO HOUSING AUTHORITY COMMISSION AND AMENDING ARTICLE 1 AND ADDING ARTICLE 11 OF CHAPTER 2 OF TITLE 2 OF THE ONTARIO MUNICIPAL CODE

That the City Council consider and adopt an ordinance creating and authorizing the creation of the Ontario Housing Authority Commission and amending Article 1 and adding Article 11 to Chapter 2 of Title 2 of the Ontario Municipal Code.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CREATING AND AUTHORIZING THE ONTARIO HOUSING AUTHORITY COMMISSION AND AMENDING ARTICLE 1 AND ADDING ARTICLE 11 OF CHAPTER 2 OF TITLE 2 OF THE ONTARIO MUNICIPAL CODE.

7. AN AGREEMENT 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

That the City Council approve an agreement with the South Coast Air Quality Management District (SCAQMD) to participate in the Local Government Match Program to receive reimbursement of \$270,000; and authorize the City Manager to execute said agreement (on file with the Records Management Department).

8. ACCEPTANCE AND RENEWAL OF THE KAISER HEAL ZONE GRANT - PHASE II

That the City Council accept the \$1,000,000 Kaiser Permanente HEAL Zone Phase II grant and authorize the City Manager or his designee to execute required grant agreements and all items related to the implementation of the grant.

9. AUTHORIZE THE PURCHASE OF REPLACEMENT FLEET VEHICLES

That the City Council take the following actions:

- (A) Award Bid No. 613 for the purchase and delivery of five 2017 Ford Police Patrol SUV Vehicles in the amount of \$162,033 from Fairview Ford of San Bernardino, California, for the Police Department; and
- (B) Authorize the purchase and delivery of one 2015 BMW R1200RT-P motorcycle from Long Beach BMW of Long Beach, California, in the amount of \$29,199 consistent with the terms and conditions of the Los Angeles Sheriff's Department Purchase Order No. PO-SH-15323008-1 for the Police Department; and
- (C) Authorize additional purchase and delivery for Bid No. 574 of one 2016 Ford SUV Utility Police Interceptor in the amount of \$27,266 from Fairway Ford of Placentia, California, for the Police Department; and
- (D) Authorize the purchase and delivery of one 2016 Ford Law Enforcement Sedan in the amount of \$24,293 from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 1028 for the Police Department; and
- (E) Authorize the purchase and delivery of one 2016 KME Custom 100' Tractor Drawn Aerial in the amount of \$1,281,642 from Kovatch Mobile Equipment (KME) of Ontario, California; approve KME as the sole source provider for current and future procurements of fire apparatus; and authorize the City Manager to execute a purchase agreement (on file in the Records Management Department) for the Fire Department; and
- (F) Authorize the purchase and delivery of one Jacobsen Large Area Rotary Mower in the amount of \$90,838 from Jacobsen Southern California of Corona, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 070313-JCS for the Parks Department; and
- (G) Authorize the purchase and delivery of one Kubota L4701HST Tractor in the amount of \$25,026 from Kubota Tractor Corporation of Torrance, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 070313-KBA for the Parks Department.

PUBLIC HEARINGS

Pursuant to Government Code Section 65009, if you challenge the City's zoning, planning or any other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the public hearing.

10. AN ORDINANCE ADDING CHAPTER 17 TO TITLE 6 OF THE ONTARIO MUNICIPAL CODE, REGULATING THE SALE OF BUTANE

That the City Council introduce and waive further reading of an ordinance adding Chapter 17 to Title 6 of the Ontario Municipal Code, regulating the sale of butane.

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

Written communication.

Oral presentation.

Public hearing closed.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADDING CHAPTER 17 TO TITLE 6 OF THE ONTARIO MUNICIPAL CODE, REGULATING THE SALE OF BUTANE.

11. A DEVELOPMENT CODE AMENDMENT, FILE NO. PDCA16-002, PROPOSING VARIOUS CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE, MODIFYING CERTAIN PROVISIONS OF DIVISION 3.02 (NONCONFORMING SIGNS), DIVISION 5.02 (LAND USE), DIVISION 5.03 (STANDARDS FOR CERTAIN LAND USES, ACTIVITIES AND FACILITIES), DIVISION 6.01 (DISTRICT STANDARDS AND GUIDELINES), AND DIVISION 8.01 (SIGN REGULATIONS)

That the City Council introduce and waive further reading of an ordinance approving File No. PDCA16-002, a Development Code Amendment proposing several clarifications to the Ontario Development Code (Ontario Municipal Code Title 9) including:

- (1) Deletion of "billboard signs" from the nonconforming sign amortization list (Table 3.02-1);
- (2) Deletion all reference to the CCC zoning district;
- (3) Addition of "escape, exit, mystery and puzzle rooms" as a conditionally permitted land use in the CC, CR, MU-1, BP, IL, and IG zones;
- (4) Clarification that the public convenience or necessity determination criteria (Section 5.03.025: alcoholic beverage sales) applies only to off-premise alcoholic beverage control licenses;
- (5) Clarification that a temporary outdoor sales event (Section 5.03.395: temporary and interim land uses, buildings, and structures) may only be allowed in conjunction with a legally established business that has been operated for a period of at least 180 days prior to a requested event;

- (6) Clarification that within the ICC Overlay district (Section 6.01.035: Overlay Zoning Districts), a maximum 25 percent building expansion is allowed in conjunction with an existing, legally established, commercial land use;
- (7) Combination of all political sign regulations (Section 8.01.020: Sign Standards) into a single provision, and add clarifying purpose and intent statements; and
- (8) Clarification that the maximum timeframes for the issuance of temporary promotional and special event signs and banners (Table 8.01: Sign Regulation Matrix).

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

Written communication.

Oral presentation.

Public hearing closed.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA16-002, A DEVELOPMENT CODE AMENDMENT PROPOSING VARIOUS CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE: [1] DELETE “BILLBOARD SIGNS” FROM THE NONCONFORMING SIGN AMORTIZATION LIST (TABLE 3.02-1); [2] DELETE ALL REFERENCES TO THE CCC ZONING DISTRICT; [3] ADD “ESCAPE, EXIT, MYSTERY AND PUZZLE ROOMS” AS A CONDITIONALLY PERMITTED LAND USE IN THE CC, CR, MU-1, BP, IL, AND IG ZONES; [4] CLARIFY THAT THE PUBLIC CONVENIENCE OR NECESSITY DETERMINATION CRITERIA (SECTION 5.03.025: ALCOHOLIC BEVERAGE SALES) APPLIES ONLY TO OFF-PREMISE ALCOHOLIC BEVERAGE CONTROL LICENSES; [5] CLARIFY THAT A TEMPORARY OUTDOOR SALES EVENT (SECTION 5.03.395: TEMPORARY AND INTERIM LAND USES, BUILDINGS, AND STRUCTURES) MAY ONLY BE ALLOWED IN CONJUNCTION WITH A LEGALLY ESTABLISHED BUSINESS THAT HAS BEEN OPERATED FOR A PERIOD OF AT LEAST 180 DAYS PRIOR TO A REQUESTED EVENT; [6] CLARIFY THAT WITHIN THE ICC (INTERIM COMMUNITY COMMERCIAL) OVERLAY DISTRICT (SECTION 6.01.035: OVERLAY ZONING DISTRICTS), A BUILDING EXPANSION, MAXIMUM 25 PERCENT, IS ONLY ALLOWED IN CONJUNCTION WITH AN EXISTING, LEGALLY ESTABLISHED, COMMERCIAL LAND USE; [7] COMBINE THE ALL POLITICAL SIGN REGULATIONS (SECTION 8.01.020: SIGN STANDARDS) INTO A SINGLE PROVISION, AND ADD CLARIFYING PURPOSE AND INTENT STATEMENTS; AND [8] CLARIFY THE MAXIMUM TIMEFRAMES FOR THE ISSUANCE OF TEMPORARY PROMOTIONAL AND SPECIAL EVENT SIGNS AND BANNERS (TABLE 8.01: SIGN REGULATION MATRIX), AND MAKING FINDINGS IN SUPPORT THEREOF.

STAFF MATTERS

City Manager Boling

COUNCIL MATTERS

Mayor Leon
Mayor pro Tem Dorst-Porada
Council Member Wapner
Council Member Bowman
Council Member Avila

ADJOURNMENT

CITY OF ONTARIO

Agenda Report

April 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION FOR PLACEMENT OF SPECIAL ASSESSMENTS ON THE COUNTY TAX ROLLS

RECOMMENDATION: That the City Council adopt 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 the San Bernardino County Tax Rolls.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport Operate in a Businesslike Manner

FISCAL IMPACT: The levy of special assessments will result in recovery of \$118,183 in costs that the City has expended for inspection or abatement of property violations as well as the collection of \$35,392 associated with civil penalties and/or fines for continued violations, for a total of \$153,575 related to 189 parcels. When received, reimbursement of \$135,323 will be made to the General Fund and \$18,252 to the Dangerous Building Fund.

BACKGROUND: The City has established revolving funds to cover City costs for abatement of property and dangerous building violations as a result of code enforcement activities as well as the generation of fines associated with administrative citations for property maintenance violations and fees and penalties associated with the Systematic Health and Safety Inspection Program, Abandoned and Distressed Property Program and Weed and Refuse Abatement Program. These costs, fines, fees and penalties are recovered through placement of special tax assessments upon the properties. The placement of special assessments and collection of revenue is done under Ordinance 3046, Property Appearance (Title 5, Chapter 22 of the Ontario Municipal Code); Chapter 9 of the Uniform Code for the Abatement of Dangerous Buildings; Ordinance 2920 for civil penalties for continued violations of the Ontario Municipal Code and fines associated with administrative citations (Title 1, Chapters 2 and 5 of the Ontario Municipal Code). The City and County currently have a contractual agreement regarding implementation of special assessments; however, a resolution authorizing the placement of the specific assessments is required.

STAFF MEMBER PRESENTING: Robert Gluck, Code Enforcement Director

Prepared by: Erin Bonett
Department: Code Enforcement

Submitted to Council/O.H.A. 04/19/2016

Approved: _____

Continued to: _____

Denied: _____

City Manager Approval: 

3

This assessment cycle, the Code Enforcement Department has billed property owners for the abatement of violations, the issuance of fines associated with administrative citations, the issuance of fees and penalties associated with the Systematic Health and Safety Inspection Program, the issuance of registration fees and civil penalties associated with the Abandoned and Distressed Property Program, and the issuance of notice and re-inspection fees as well as civil penalties for the Weed and Refuse Abatement Program on 300 parcels. Of this, there are remaining amounts due on 189 parcels. Attached are itemized accountings of: (1) costs associated with inspection or abatement as shown in Exhibit A of the resolution; (2) civil penalties and/or fines for continued violations as shown in Exhibit B of the resolution; and (3) total amounts per parcel as shown in Exhibit C of the resolution. The expenditure list, with any necessary corrections and adjustments, will be submitted to the County prior to August 2016 for its 2016-2017 tax rolls.

All affected property owners were given notice of the imposition of the special assessment via certified mail as provided in Ontario Municipal Code Section 1-4.05(a), and either have not requested an appeal or have exhausted the appellate procedure in Ontario Municipal Code Section 1-4.05(b).

RESOLUTION NO. _____

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.

WHEREAS, Ordinance No. 3046, Property Appearance (Title 5, Chapter 22, of the Ontario Municipal Code) and Chapter 9 of the Uniform Code for the Abatement of Dangerous Buildings provide for the abatement of property nuisances by repair, rehabilitation, demolition or removal; and

WHEREAS, under Resolution 94-112, Resolution ORA-499, and the Cooperation and Reimbursement Agreement entered into on the 15th day of November, 1994, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made a one-time advance to the City of One Hundred Fifty Thousand Dollars (\$150,000) to repair or abate dangerous buildings and properties throughout the City; and

WHEREAS, under a first amendment to the Cooperation and Reimbursement Agreement entered into on the 16th day of July 1996, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made an additional advance to the City of One Hundred Thousand Dollars (\$100,000) to continue to repair or abate dangerous buildings and properties throughout the City; and

WHEREAS, under Resolution 94-113, Resolution ORA-500, and the Cooperation and Reimbursement Agreement entered into on the 15th day of November 1994, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made a one-time advance to the City of Thirty Thousand Dollars (\$30,000) to repair or abate dangerous buildings and properties in the 6th and Grove area; and

WHEREAS, under Resolution 94-12, Resolution ORA-464, and the Cooperation and Reimbursement Agreement entered into on the 22nd day of February 1994, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made a one-time advance to the City of One Hundred Fifty Thousand Dollars (\$150,000) to repair or demolish dangerous buildings throughout the City; and

WHEREAS, Ordinance No. 2894, Systematic Health and Safety Inspection Program (Title 8, Chapter 17, of the Ontario Municipal Code), provides for the collection of unpaid service fees, plus any penalties and accrued interest by Special Assessment; and

WHEREAS, Ordinance No. 2920, provides for the assessment of civil penalties for continued violations of the Ontario Municipal Code (Title 1, Chapter 2 of the Ontario Municipal Code), and for fines associated with administrative citations to be collected by Special Assessment (Title 1, Chapter 5 of the Ontario Municipal Code), and establishes a uniform procedure before imposing such Special Assessments (Title 1, Chapter 4 of the Ontario Municipal Code); and

WHEREAS, the above said ordinances, resolutions and agreements provide for recovery of costs incurred in the abatement of violations by means of a Special Assessment placed on the tax rolls; and

WHEREAS, the City has incurred costs involved in the abatement of violations under the Ontario Municipal Code and Uniform Code for the Abatement of Dangerous Buildings, issuing Notices of Violation, and administering the Systematic Health and Safety Program and wishes to recover said costs; and

WHEREAS, the owners of all parcels listed in Exhibit A, B, and C were given notice of imposition of such Special Assessment as provided in Ontario Municipal Code Section 1-4.05(a), and either have not requested an appeal, or have exhausted the appellate procedure provided in Ontario Municipal Code Section 1-4.05(b); and

WHEREAS, the City has an executed contract with the San Bernardino County Board of Supervisors for collection of said assessments;

NOW, THEREFORE, BE IT RESOLVED that the City Council:

1. Confirmed the costs associated with inspection or abatement on the properties as set forth in the report in Exhibit A; and
2. Confirmed the civil penalties and/or fines for continued violations on the properties as set forth in the report in Exhibit B; and
3. Confirmed that Exhibit C contains the total amount assessed for both confirmed costs and confirmed civil penalties and/or fines for each of the properties; and
4. Found and determined that the report, and Exhibits contained therein are true and accurate; and
5. Adopts the above said report and finds that the costs of inspection or abatement on the properties listed are the costs set forth in Exhibit A, the civil penalties and/or fines for continued violations are the penalties and/or fines as set forth in Exhibit B, and the same are hereby charged and placed as special assessments upon the respective properties; and
6. Directs Exhibit C shall be sent to the Auditor-Controller of San Bernardino County and shall be collected on the County tax roll.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of April 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2016- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2016- duly passed and adopted by the Ontario City Council at their regular meeting held April 19, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

**City of Ontario
Code Enforcement Department
2016/2017 Tax Roll Year Special Assessments
Exhibit A**

Parcel Number	Address	Amount Due
0108-322-04	1839 N GLENN AV, Ontario, CA 91764	379.65
0108-401-02	1851 N DEL NORTE AV, Ontario, CA 91764	1,197.04
0108-441-09	1424 N GROVE AV, Ontario, CA 91764	87.75
0108-491-04	1703 E DEODAR ST, Ontario, CA 91764	567.75
0108-541-19	1646 E YALE ST, Ontario, CA 91764	46.05
0108-541-31	1718 E YALE ST, Ontario, CA 91764	1,724.06
0108-543-12	1232 N BAKER AV, Ontario, CA 91764	870.57
0108-601-14	1522 N LAKE AV, Ontario, CA 91764	525.28
0108-612-16	1604 N EL DORADO AV, Ontario, CA 91764	619.55
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	1,075.00
0110-071-06	1377 E HOLT BL, Ontario, CA 91761	1,590.00
0110-111-11	1654 E HOLT BL, Ontario, CA 91761	995.00
0110-111-12	1660 E HOLT BL, Ontario, CA 91761	725.00
0110-152-22	761 N AMADOR AV, Ontario, CA 91764	260.05
0110-153-01	1231 E G ST, Ontario, CA 91764	1,783.96
0110-153-14	816 N AMADOR AV, Ontario, CA 91764	532.15
0110-163-30	908 N CALAVERAS AV, Ontario, CA 91764	1,233.38
0110-181-11	1610 E FOURTH ST, Ontario, CA 91764	465.00
0110-202-32	1005 N GLENN AV, Ontario, CA 91764	1,819.08
0113-351-09	1166 S MILDRED AV, Ontario, CA 91761	1,554.65
0113-534-15	2003 E CHERRY HILL CT, Ontario, CA 91761	476.95
0113-572-17	1744 E TAM O'SHANTER ST, Ontario, CA 91761	207.95
0209-331-18	1902 E DEODAR ST, Ontario, CA 91764	951.87
0209-331-25	1952 E DEODAR ST, Ontario, CA 91764	87.75
0210-182-60	0 N HAVEN AV, Ontario, CA 91764	615.00
0210-212-36	201 N PONDEROSA AV, Ontario, CA 91761	50.00
0210-301-46	2044 E HAWTHORNE CT, Ontario, CA 91764	1,230.05
0216-211-24	13519 S GROVE AV, Ontario, CA 91761	138.55
0216-401-63	2500 S VINEYARD AV, Ontario, CA 91761	1,212.71
1008-572-14	1415 W HARVARD PL, Ontario, CA 91762	120.05
1008-572-24	1504 W FOURTH ST, Ontario, CA 91762	582.42
1010-093-09	1521 W J ST, Ontario, CA 91762	1,889.03
1010-095-10	958 N BENSON AV, Ontario, CA 91762	2,262.82
1010-154-10	917 W BERKELEY CT, Ontario, CA 91762	617.01
1010-422-30	1435 W FAWN ST, Ontario, CA 91762	115.55
1010-445-19	509 N CAMELLIA AV, Ontario, CA 91762	1,474.30
1010-452-25	515 N AZALEA AV, Ontario, CA 91762	135.15
1010-493-16	841 W HOLLOWELL ST, Ontario, CA 91762	32,474.70
1010-494-12	864 W HOLLOWELL ST, Ontario, CA 91762	129.45
1010-512-15	955 W HOLLOWELL ST, Ontario, CA 91762	87.75
1010-534-11	1316 W VESTA ST, Ontario, CA 91762	110.00
1010-543-04	1240 W HOLT BL, Building:1, Ontario, CA 91762	1,027.50
1011-221-16	1560 W MISSION BL, Ontario, CA 91762	1,420.00
1011-396-03	833 S GRANITE PRIVADO, Ontario, CA 91762	44.80

**City of Ontario
Code Enforcement Department
2016/2017 Tax Roll Year Special Assessments
Exhibit A**

Parcel Number	Address	Amount Due
1011-401-20	1031 S PALMETTO AV, Building:UU, Unit:1, Ontario, CA 91762	110.00
1011-544-03	1114 W RALSTON ST, Ontario, CA 91762	87.75
1014-182-15	844 W JUNIPER ST, Ontario, CA 91762	157.05
1014-231-26	1605 S BENSON AV, Ontario, CA 91762	827.70
1046-511-17	0 E EIGHTH ST, Ontario, CA 91764	1,305.00
1046-511-18	0 E EIGHTH ST, Ontario, CA 91764	835.00
1047-213-15	1520 N PLEASANT AV, Ontario, CA 91764	46.71
1047-214-08	1519 N PLEASANT AV, Ontario, CA 91764	1,138.23
1047-311-13	667 W LA DENEY DR, Ontario, CA 91762	110.00
1047-371-04	552 E HAWTHORNE ST, Ontario, CA 91764	110.00
1047-372-06	564 E BONNIE BRAE CT, Ontario, CA 91764	46.71
1047-473-39	1037 E FOURTH ST, Ontario, CA 91764	712.05
1047-481-13	1241 N COUNCIL AV, Ontario, CA 91764	44.80
1047-521-17	541 E PRINCETON ST, Ontario, CA 91764	1,509.33
1047-521-81	630 E YALE ST, Ontario, CA 91764	1,600.07
1048-011-38	737 W FOURTH ST, Ontario, CA 91762	1,680.69
1048-043-24	932 N LAUREL AV, Ontario, CA 91762	36.49
1048-111-14	763 E PLAZA SERENA ST, Ontario, CA 91764	101.65
1048-131-13	1012 E FOURTH ST, Ontario, CA 91764	1,604.00
1048-131-27	1027 N CUCAMONGA AV, Ontario, CA 91764	710.00
1048-161-17	834 N PARKSIDE AV, Ontario, CA 91764	2,058.34
1048-252-40	123 E H ST, Ontario, CA 91764	73.85
1048-332-23	564 W D ST, Ontario, CA 91762	971.73
1048-351-03	215 W G ST, Ontario, CA 91762	1,008.05
1048-375-08	423 E E ST, Ontario, CA 91764	138.55
1048-381-04	526 E G ST, Ontario, CA 91764	2,016.00
1048-391-09	527 E E ST, Ontario, CA 91764	50.51
1048-393-23	507 E D ST, Ontario, CA 91764	255.65
1048-412-05	720 E F ST, Ontario, CA 91764	2,041.90
1048-421-67	939 E D ST, Ontario, CA 91764	727.15
1048-442-21	1083 E E ST, Ontario, CA 91764	101.55
1048-492-12	962 E ELMA ST, Ontario, CA 91761	46.71
1048-525-01	634 E NOCTA ST, Ontario, CA 91761	767.94
1048-525-19	639 E HOLT BL, Ontario, CA 91761	120.05
1048-566-05	317 N EUCLID AV, Building:1, Unit:A, Ontario, CA 91762	758.49
1049-011-09	767 W BROOKS ST, Ontario, CA 91762	50.00
1049-021-03	634 W BROOKS ST, Ontario, CA 91762	109.49
1049-141-24	1194 E HOLT BL, Ontario, CA 91761	615.00
1049-203-17	0 E ONTARIO BL, Ontario, CA 91761	285.00
1049-232-18	550 E PARK ST, Ontario, CA 91761	110.00
1049-232-20	560 E PARK ST, Ontario, CA 91761	3,550.60
1049-268-04	111 W NEVADA ST, Ontario, CA 91762	3,012.75
1049-333-04	209 W CARLTON ST, Unit:A, Ontario, CA 91762	783.94
1049-333-26	226 W MAITLAND ST, Ontario, CA 91762	1,219.05

City of Ontario
Code Enforcement Department
2016/2017 Tax Roll Year Special Assessments
Exhibit A

Parcel Number	Address	Amount Due
1049-353-11	919 S SULTANA AV, Ontario, CA 91761	2,751.60
1049-481-04	612 E BELMONT ST, Ontario, CA 91761	48.67
1049-551-10	407 W BELMONT ST, Unit:A, Ontario, CA 91762	37.55
1049-591-29	622 W PHILLIPS ST, Ontario, CA 91762	87.75
1050-091-35	1516 S PLEASANT AV, Ontario, CA 91761	1,605.40
1050-101-23	630 E DE ANZA ST, Ontario, CA 91761	2,511.14
1050-262-21	404 E LOCUST ST, Ontario, CA 91761	3,022.25
1050-361-40	453 W GREVILLEA ST, Ontario, CA 91762	747.00
1050-401-26	325 E GREVILLEA ST, Ontario, CA 91761	342.36
1050-411-32	1920 S MONTEREY AV, Ontario, CA 91761	2,777.97
1050-614-02	2112 S FERN AV, Ontario, CA 91762	579.60
1050-661-19	1459 S EUCLID AV, Unit:27, Ontario, CA 91761	43.94
1051-011-36	647 W PHILADELPHIA ST, Ontario, CA 91762	1,678.92
1051-121-09	2215 S HOPE PL, Ontario, CA 91761	110.00
1051-181-70	2424 S GOLDCREST PL, Ontario, CA 91761	87.75
1051-221-12	147 W GEYER CT, Ontario, CA 91762	1,898.77
1051-321-52	1151 E WALNUT ST, Ontario, CA 91761	305.05
1051-431-57	2614 S EUCLID AV, Ontario, CA 91762	50.51
1083-442-76	2858 S MILL CREEK RD, Ontario, CA 91761	338.64
	Total	118,182.73

**City of Ontario
Code Enforcement Department
2016/2017 Tax Roll Year Special Assessments
Exhibit B**

Parcel Number	Address	Amount Due
0108-551-32	1736 E PRINCETON ST, Ontario, CA 91764	200.00
0108-582-22	1621 N LAKE AV, Ontario, CA 91764	20.00
0110-071-07	1383 E HOLT BL, Ontario, CA 91761	550.00
0110-301-21	1843 E FOURTH ST, Ontario, CA 91764	120.00
0113-351-15	1261 S GROVE AV, Ontario, CA 91761	220.00
0113-383-08	2047 S BAKER AV, Building:3, Ontario, CA 91761	100.00
0113-396-09	2311 E LOCUST ST, Ontario, CA 91761	2,112.45
0113-463-20	1459 E PHILADELPHIA ST, Building:1, Ontario, CA 91761	500.00
0113-564-24	2905 S SPYGLASS CT, Ontario, CA 91761	800.00
0113-571-49	2615 S QUAKER RIDGE PL, Ontario, CA 91761	150.00
0113-641-05	2133 S GREEN PRIVADO, Ontario, CA 91761	300.00
0210-191-31	600 N ARCHIBALD BL, Ontario, CA 91764	1,805.00
0210-291-35	1649 E LA DENEY DR, Ontario, CA 91764	100.00
0210-341-60	2208 E LA DENEY WY, Ontario, CA 91764	120.00
0216-351-66	2407 S DEL NORTE PL, Ontario, CA 91761	300.00
0216-361-25	2437 S IMPERIAL PL, Ontario, CA 91761	100.00
0216-471-30	1231 E COTTONWOOD ST, Ontario, CA 91761	320.00
0218-761-68	3653 S BURNING TREE DR, Ontario, CA 91761	760.00
0218-771-49	3722 S MUSTANG DR, Ontario, CA 91761	100.00
1008-461-18	960 W BONNIE BRAE CT, Ontario, CA 91762	760.00
1008-532-12	1060 W YALE ST, Ontario, CA 91762	200.00
1010-113-16	936 N OAKS AV, Ontario, CA 91762	100.00
1010-192-08	948 W H ST, Ontario, CA 91762	100.00
1011-111-05	1409 HOLT BL, Building:1, Ontario, CA 91762	740.00
1011-134-05	234 S MOUNTAIN AV, Building:1, Ontario, CA 91762	1,213.95
1014-431-25	1429 W FRANCIS ST, Ontario, CA 91762	50.00
1014-472-94	1017 W FRANCIS ST, Ontario, CA 91762	450.00
1015-131-24	2240 S MOUNTAIN AV, Building:1, Ontario, CA 91762	170.00
1047-151-07	1152 E SEVENTH ST, Ontario, CA 91764	200.00
1047-391-03	1414 N CAMPUS AV, Ontario, CA 91764	100.00
1047-401-01	702 E HAWTHORNE ST, Ontario, CA 91764	100.00
1047-413-15	1340 N ALLYN AV, Ontario, CA 91764	3,220.00
1047-503-10	804 E HARVARD PL, Ontario, CA 91764	150.00
1047-543-29	407 E FOURTH ST, Ontario, CA 91764	3,910.00
1048-043-04	111 W J ST, Ontario, CA 91762	701.30
1048-064-18	329 E J ST, Ontario, CA 91764	100.00
1048-121-13	930 N LA PALOMA AV, Ontario, CA 91764	20.00
1048-123-26	906 N ORCHARD LN, Ontario, CA 91764	990.00
1048-131-32	1049 E J ST, Ontario, CA 91764	170.00
1048-181-08	946 E GRANADA CT, Ontario, CA 91764	100.00
1048-181-09	952 E GRANADA CT, Ontario, CA 91764	100.00
1048-202-15	754 E H ST, Ontario, CA 91764	50.00
1048-243-16	317 E G ST, Ontario, CA 91764	200.00
1048-362-08	516 N EUCLID AV, Building:2, Ontario, CA 91764	100.00

**City of Ontario
Code Enforcement Department
2016/2017 Tax Roll Year Special Assessments
Exhibit B**

Parcel Number	Address	Amount Due
1048-363-04	404 N EUCLID AV, Building:1, Ontario, CA 91764	100.00
1048-366-01	206 E G ST, Ontario, CA 91764	500.00
1048-374-03	416 E E ST, Ontario, CA 91764	100.00
1048-553-17	130 N EUCLID AV, Building:1, Ontario, CA 91761	100.00
1049-011-08	769 W BROOKS ST, Ontario, CA 91762	550.00
1049-058-03	109 W TRANSIT ST, Ontario, CA 91762	100.00
1049-111-01	316 S BON VIEW AV, Building:1, Ontario, CA 91761	150.00
1049-231-04	524 E STATE ST, Ontario, CA 91761	150.00
1049-231-05	520 E STATE ST, Ontario, CA 91761	150.00
1049-242-10	122 E PARK ST, Ontario, CA 91761	620.00
1049-267-08	107 W SUNKIST ST, Ontario, CA 91762	20.00
1049-272-03	421 W PARK ST, Ontario, CA 91762	2,110.00
1049-362-03	736 E CALIFORNIA ST, Ontario, CA 91761	500.00
1049-503-19	645 E BELMONT ST, Unit:B, Ontario, CA 91761	150.00
1050-013-21	628 W SONOMA CT, Ontario, CA 91762	100.00
1050-081-14	207 E BUDD ST, Ontario, CA 91761	500.00
1050-093-05	1543 S MONTEREY AV, Ontario, CA 91761	100.00
1050-261-20	1613 S EUCLID AV, Ontario, CA 91761	150.00
1050-262-19	320 E LOCUST ST, Ontario, CA 91761	450.00
1050-262-20	328 E LOCUST ST, Ontario, CA 91761	100.00
1050-271-19	1632 S PALM AV, Ontario, CA 91762	600.00
1050-311-58	1621 S CYPRESS AV, Ontario, CA 91762	150.00
1050-501-12	2091 S CUCAMONGA AV, Ontario, CA 91761	100.00
1050-531-31	2112 S TAYLOR PL, Ontario, CA 91761	100.00
1050-531-40	2101 S CALDWELL PL, Ontario, CA 91761	340.00
1050-581-26	2057 S LEMON AV, Ontario, CA 91761	300.00
1050-582-36	2050 S CHERRY AV, Ontario, CA 91761	200.00
1050-614-03	2118 S FERN AV, Ontario, CA 91762	300.00
1050-641-11	2115 S CYPRESS AV, Ontario, CA 91762	200.00
1051-201-07	2435 S SULTANA AV, Ontario, CA 91761	600.00
1051-201-21	563 E OAK HILL ST, Ontario, CA 91761	300.00
1051-201-65	661 E FAIRFIELD CT, Ontario, CA 91761	340.00
1051-421-15	2603 S EUCLID AV, Ontario, CA 91761	300.00
1052-381-13	13525 S EUCLID AV, Ontario, CA 91761	340.00
1083-101-05	2517 S SEAGULL AV, Ontario, CA 91761	450.00
1083-281-02	2621 S TAHOE DR, Ontario, CA 91761	300.00
1083-382-13	2741 S BEAR CREEK PL, Ontario, CA 91761	400.00
1083-471-07	3840 E SALMON RIVER LN, Ontario, CA 91761	700.00

Total 35,392.70

**City of Ontario
Code Enforcement Department
2016/2017 Tax Roll Year Special Assessments
Exhibit C**

Parcel Number	Address	Amount Due
0108-322-04	1839 N GLENN AV, Ontario, CA 91764	379.65
0108-401-02	1851 N DEL NORTE AV, Ontario, CA 91764	1,197.04
0108-441-09	1424 N GROVE AV, Ontario, CA 91764	87.75
0108-491-04	1703 E DEODAR ST, Ontario, CA 91764	567.75
0108-541-19	1646 E YALE ST, Ontario, CA 91764	46.05
0108-541-31	1718 E YALE ST, Ontario, CA 91764	1,724.06
0108-543-12	1232 N BAKER AV, Ontario, CA 91764	870.57
0108-551-32	1736 E PRINCETON ST, Ontario, CA 91764	200.00
0108-582-22	1621 N LAKE AV, Ontario, CA 91764	20.00
0108-601-14	1522 N LAKE AV, Ontario, CA 91764	525.28
0108-612-16	1604 N EL DORADO AV, Ontario, CA 91764	619.55
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	1,075.00
0110-071-06	1377 E HOLT BL, Ontario, CA 91761	1,590.00
0110-071-07	1383 E HOLT BL, Ontario, CA 91761	550.00
0110-111-11	1654 E HOLT BL, Ontario, CA 91761	995.00
0110-111-12	1660 E HOLT BL, Ontario, CA 91761	725.00
0110-152-22	761 N AMADOR AV, Ontario, CA 91764	260.05
0110-153-01	1231 E G ST, Ontario, CA 91764	1,783.96
0110-153-14	816 N AMADOR AV, Ontario, CA 91764	532.15
0110-163-30	908 N CALAVERAS AV, Ontario, CA 91764	1,233.38
0110-181-11	1610 E FOURTH ST, Ontario, CA 91764	465.00
0110-202-32	1005 N GLENN AV, Ontario, CA 91764	1,819.08
0110-301-21	1843 E FOURTH ST, Ontario, CA 91764	120.00
0113-351-09	1166 S MILDRED AV, Ontario, CA 91761	1,554.65
0113-351-15	1261 S GROVE AV, Ontario, CA 91761	220.00
0113-383-08	2047 S BAKER AV, Building:3, Ontario, CA 91761	100.00
0113-396-09	2311 E LOCUST ST, Ontario, CA 91761	2,112.45
0113-463-20	1459 E PHILADELPHIA ST, Building:1, Ontario, CA 91761	500.00
0113-534-15	2003 E CHERRY HILL CT, Ontario, CA 91761	476.95
0113-564-24	2905 S SPYGLASS CT, Ontario, CA 91761	800.00
0113-571-49	2615 S QUAKER RIDGE PL, Ontario, CA 91761	150.00
0113-572-17	1744 E TAM O'SHANTER ST, Ontario, CA 91761	207.95
0113-641-05	2133 S GREEN PRIVADO, Ontario, CA 91761	300.00
0209-331-18	1902 E DEODAR ST, Ontario, CA 91764	951.87
0209-331-25	1952 E DEODAR ST, Ontario, CA 91764	87.75
0210-182-60	0 N HAVEN AV, Ontario, CA 91764	615.00
0210-191-31	600 N ARCHIBALD BL, Ontario, CA 91764	1,805.00
0210-212-36	201 N PONDEROSA AV, Ontario, CA 91761	50.00
0210-291-35	1649 E LA DENEY DR, Ontario, CA 91764	100.00
0210-301-46	2044 E HAWTHORNE CT, Ontario, CA 91764	1,230.05
0210-341-60	2208 E LA DENEY WY, Ontario, CA 91764	120.00
0216-211-24	13519 S GROVE AV, Ontario, CA 91761	138.55
0216-351-66	2407 S DEL NORTE PL, Ontario, CA 91761	300.00
0216-361-25	2437 S IMPERIAL PL, Ontario, CA 91761	100.00

**City of Ontario
Code Enforcement Department
2016/2017 Tax Roll Year Special Assessments
Exhibit C**

Parcel Number	Address	Amount Due
0216-401-63	2500 S VINEYARD AV, Ontario, CA 91761	1,212.71
0216-471-30	1231 E COTTONWOOD ST, Ontario, CA 91761	320.00
0218-761-68	3653 S BURNING TREE DR, Ontario, CA 91761	760.00
0218-771-49	3722 S MUSTANG DR, Ontario, CA 91761	100.00
1008-461-18	960 W BONNIE BRAE CT, Ontario, CA 91762	760.00
1008-532-12	1060 W YALE ST, Ontario, CA 91762	200.00
1008-572-14	1415 W HARVARD PL, Ontario, CA 91762	120.05
1008-572-24	1504 W FOURTH ST, Ontario, CA 91762	582.42
1010-093-09	1521 W J ST, Ontario, CA 91762	1,889.03
1010-095-10	958 N BENSON AV, Ontario, CA 91762	2,262.82
1010-113-16	936 N OAKS AV, Ontario, CA 91762	100.00
1010-154-10	917 W BERKELEY CT, Ontario, CA 91762	617.01
1010-192-08	948 W H ST, Ontario, CA 91762	100.00
1010-422-30	1435 W FAWN ST, Ontario, CA 91762	115.55
1010-445-19	509 N CAMELLIA AV, Ontario, CA 91762	1,474.30
1010-452-25	515 N AZALEA AV, Ontario, CA 91762	135.15
1010-493-16	841 W HOLLOWELL ST, Ontario, CA 91762	32,474.70
1010-494-12	864 W HOLLOWELL ST, Ontario, CA 91762	129.45
1010-512-15	955 W HOLLOWELL ST, Ontario, CA 91762	87.75
1010-534-11	1316 W VESTA ST, Ontario, CA 91762	110.00
1010-543-04	1240 W HOLT BL, Building:1, Ontario, CA 91762	1,027.50
1011-111-05	1409 HOLT BL, Building:1, Ontario, CA 91762	740.00
1011-134-05	234 S MOUNTAIN AV, Building:1, Ontario, CA 91762	1,213.95
1011-221-16	1560 W MISSION BL, Ontario, CA 91762	1,420.00
1011-396-03	833 S GRANITE PRIVADO, Ontario, CA 91762	44.80
1011-401-20	1031 S PALMETTO AV, Building:UU, Unit:1, Ontario, CA 91762	110.00
1011-544-03	1114 W RALSTON ST, Ontario, CA 91762	87.75
1014-182-15	844 W JUNIPER ST, Ontario, CA 91762	157.05
1014-231-26	1605 S BENSON AV, Ontario, CA 91762	827.70
1014-431-25	1429 W FRANCIS ST, Ontario, CA 91762	50.00
1014-472-94	1017 W FRANCIS ST, Ontario, CA 91762	450.00
1015-131-24	2240 S MOUNTAIN AV, Building:1, Ontario, CA 91762	170.00
1046-511-17	0 E EIGHTH ST, Ontario, CA 91764	1,305.00
1046-511-18	0 E EIGHTH ST, Ontario, CA 91764	835.00
1047-151-07	1152 E SEVENTH ST, Ontario, CA 91764	200.00
1047-213-15	1520 N PLEASANT AV, Ontario, CA 91764	46.71
1047-214-08	1519 N PLEASANT AV, Ontario, CA 91764	1,138.23
1047-311-13	667 W LA DENEY DR, Ontario, CA 91762	110.00
1047-371-04	552 E HAWTHORNE ST, Ontario, CA 91764	110.00
1047-372-06	564 E BONNIE BRAE CT, Ontario, CA 91764	46.71
1047-391-03	1414 N CAMPUS AV, Ontario, CA 91764	100.00
1047-401-01	702 E HAWTHORNE ST, Ontario, CA 91764	100.00
1047-413-15	1340 N ALLYN AV, Ontario, CA 91764	3,220.00
1047-473-39	1037 E FOURTH ST, Ontario, CA 91764	712.05

**City of Ontario
Code Enforcement Department
2016/2017 Tax Roll Year Special Assessments
Exhibit C**

Parcel Number	Address	Amount Due
1047-481-13	1241 N COUNCIL AV, Ontario, CA 91764	44.80
1047-503-10	804 E HARVARD PL, Ontario, CA 91764	150.00
1047-521-17	541 E PRINCETON ST, Ontario, CA 91764	1,509.33
1047-521-81	630 E YALE ST, Ontario, CA 91764	1,600.07
1047-543-29	407 E FOURTH ST, Ontario, CA 91764	3,910.00
1048-011-38	737 W FOURTH ST, Ontario, CA 91762	1,680.69
1048-043-04	111 W J ST, Ontario, CA 91762	701.30
1048-043-24	932 N LAUREL AV, Ontario, CA 91762	36.49
1048-064-18	329 E J ST, Ontario, CA 91764	100.00
1048-111-14	763 E PLAZA SERENA ST, Ontario, CA 91764	101.65
1048-121-13	930 N LA PALOMA AV, Ontario, CA 91764	20.00
1048-123-26	906 N ORCHARD LN, Ontario, CA 91764	990.00
1048-131-13	1012 E FOURTH ST, Ontario, CA 91764	1,604.00
1048-131-27	1027 N CUCAMONGA AV, Ontario, CA 91764	710.00
1048-131-32	1049 E J ST, Ontario, CA 91764	170.00
1048-161-17	834 N PARKSIDE AV, Ontario, CA 91764	2,058.34
1048-181-08	946 E GRANADA CT, Ontario, CA 91764	100.00
1048-181-09	952 E GRANADA CT, Ontario, CA 91764	100.00
1048-202-15	754 E H ST, Ontario, CA 91764	50.00
1048-243-16	317 E G ST, Ontario, CA 91764	200.00
1048-252-40	123 E H ST, Ontario, CA 91764	73.85
1048-332-23	564 W D ST, Ontario, CA 91762	971.73
1048-351-03	215 W G ST, Ontario, CA 91762	1,008.05
1048-362-08	516 N EUCLID AV, Building:2, Ontario, CA 91764	100.00
1048-363-04	404 N EUCLID AV, Building:1, Ontario, CA 91764	100.00
1048-366-01	206 E G ST, Ontario, CA 91764	500.00
1048-374-03	416 E E ST, Ontario, CA 91764	100.00
1048-375-08	423 E E ST, Ontario, CA 91764	138.55
1048-381-04	526 E G ST, Ontario, CA 91764	2,016.00
1048-391-09	527 E E ST, Ontario, CA 91764	50.51
1048-393-23	507 E D ST, Ontario, CA 91764	255.65
1048-412-05	720 E F ST, Ontario, CA 91764	2,041.90
1048-421-67	939 E D ST, Ontario, CA 91764	727.15
1048-442-21	1083 E E ST, Ontario, CA 91764	101.55
1048-492-12	962 E ELMA ST, Ontario, CA 91761	46.71
1048-525-01	634 E NOCTA ST, Ontario, CA 91761	767.94
1048-525-19	639 E HOLT BL, Ontario, CA 91761	120.05
1048-553-17	130 N EUCLID AV, Building:1, Ontario, CA 91761	100.00
1048-566-05	317 N EUCLID AV, Building:1, Unit:A, Ontario, CA 91762	758.49
1049-011-08	769 W BROOKS ST, Ontario, CA 91762	550.00
1049-011-09	767 W BROOKS ST, Ontario, CA 91762	50.00
1049-021-03	634 W BROOKS ST, Ontario, CA 91762	109.49
1049-058-03	109 W TRANSIT ST, Ontario, CA 91762	100.00
1049-111-01	316 S BON VIEW AV, Building:1, Ontario, CA 91761	150.00

**City of Ontario
Code Enforcement Department
2016/2017 Tax Roll Year Special Assessments
Exhibit C**

Parcel Number	Address	Amount Due
1049-141-24	1194 E HOLT BL, Ontario, CA 91761	615.00
1049-203-17	0 E ONTARIO BL, Ontario, CA 91761	285.00
1049-231-04	524 E STATE ST, Ontario, CA 91761	150.00
1049-231-05	520 E STATE ST, Ontario, CA 91761	150.00
1049-232-18	550 E PARK ST, Ontario, CA 91761	110.00
1049-232-20	560 E PARK ST, Ontario, CA 91761	3,550.60
1049-242-10	122 E PARK ST, Ontario, CA 91761	620.00
1049-267-08	107 W SUNKIST ST, Ontario, CA 91762	20.00
1049-268-04	111 W NEVADA ST, Ontario, CA 91762	3,012.75
1049-272-03	421 W PARK ST, Ontario, CA 91762	2,110.00
1049-333-04	209 W CARLTON ST, Unit:A, Ontario, CA 91762	783.94
1049-333-26	226 W MAITLAND ST, Ontario, CA 91762	1,219.05
1049-353-11	919 S SULTANA AV, Ontario, CA 91761	2,751.60
1049-362-03	736 E CALIFORNIA ST, Ontario, CA 91761	500.00
1049-481-04	612 E BELMONT ST, Ontario, CA 91761	48.67
1049-503-19	645 E BELMONT ST, Unit:B, Ontario, CA 91761	150.00
1049-551-10	407 W BELMONT ST, Unit:A, Ontario, CA 91762	37.55
1049-591-29	622 W PHILLIPS ST, Ontario, CA 91762	87.75
1050-013-21	628 W SONOMA CT, Ontario, CA 91762	100.00
1050-081-14	207 E BUDD ST, Ontario, CA 91761	500.00
1050-091-35	1516 S PLEASANT AV, Ontario, CA 91761	1,605.40
1050-093-05	1543 S MONTEREY AV, Ontario, CA 91761	100.00
1050-101-23	630 E DE ANZA ST, Ontario, CA 91761	2,511.14
1050-261-20	1613 S EUCLID AV, Ontario, CA 91761	150.00
1050-262-19	320 E LOCUST ST, Ontario, CA 91761	450.00
1050-262-20	328 E LOCUST ST, Ontario, CA 91761	100.00
1050-262-21	404 E LOCUST ST, Ontario, CA 91761	3,022.25
1050-271-19	1632 S PALM AV, Ontario, CA 91762	600.00
1050-311-58	1621 S CYPRESS AV, Ontario, CA 91762	150.00
1050-361-40	453 W GREVILLEA ST, Ontario, CA 91762	747.00
1050-401-26	325 E GREVILLEA ST, Ontario, CA 91761	342.36
1050-411-32	1920 S MONTEREY AV, Ontario, CA 91761	2,777.97
1050-501-12	2091 S CUCAMONGA AV, Ontario, CA 91761	100.00
1050-531-31	2112 S TAYLOR PL, Ontario, CA 91761	100.00
1050-531-40	2101 S CALDWELL PL, Ontario, CA 91761	340.00
1050-581-26	2057 S LEMON AV, Ontario, CA 91761	300.00
1050-582-36	2050 S CHERRY AV, Ontario, CA 91761	200.00
1050-614-02	2112 S FERN AV, Ontario, CA 91762	579.60
1050-614-03	2118 S FERN AV, Ontario, CA 91762	300.00
1050-641-11	2115 S CYPRESS AV, Ontario, CA 91762	200.00
1050-661-19	1459 S EUCLID AV, Unit:27, Ontario, CA 91761	43.94
1051-011-36	647 W PHILADELPHIA ST, Ontario, CA 91762	1,678.92
1051-121-09	2215 S HOPE PL, Ontario, CA 91761	110.00
1051-181-70	2424 S GOLDCREST PL, Ontario, CA 91761	87.75

**City of Ontario
Code Enforcement Department
2016/2017 Tax Roll Year Special Assessments
Exhibit C**

Parcel Number	Address	Amount Due
1051-201-07	2435 S SULTANA AV, Ontario, CA 91761	600.00
1051-201-21	563 E OAK HILL ST, Ontario, CA 91761	300.00
1051-201-65	661 E FAIRFIELD CT, Ontario, CA 91761	340.00
1051-221-12	147 W GEYER CT, Ontario, CA 91762	1,898.77
1051-321-52	1151 E WALNUT ST, Ontario, CA 91761	305.05
1051-421-15	2603 S EUCLID AV, Ontario, CA 91761	300.00
1051-431-57	2614 S EUCLID AV, Ontario, CA 91762	50.51
1052-381-13	13525 S EUCLID AV, Ontario, CA 91761	340.00
1083-101-05	2517 S SEAGULL AV, Ontario, CA 91761	450.00
1083-281-02	2621 S TAHOE DR, Ontario, CA 91761	300.00
1083-382-13	2741 S BEAR CREEK PL, Ontario, CA 91761	400.00
1083-442-76	2858 S MILL CREEK RD, Ontario, CA 91761	338.64
1083-471-07	3840 E SALMON RIVER LN, Ontario, CA 91761	700.00
	Total	153,575.43

CITY OF ONTARIO

Agenda Report
April 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ORDERING THE SUMMARY VACATION OF THE RIGHTS-OF-WAY AND PUBLIC SERVICE EASEMENT IN A PORTION OF FOURTH STREET WEST OF SULTANA AVENUE AND RECONVEYING ANY OF THE CITY'S INTEREST THEREIN

RECOMMENDATION: That the City Council adopt a resolution ordering the summary vacation of the rights-of-way and public service easement in a portion of Fourth Street west of Sultana Avenue and reconveying any of the City's interest therein.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: None. The City did not pay to acquire the subject property. There will be no revenue as a result of the reconveyance. The applicant has paid applicable processing fees to defray the City's cost to process this request.

BACKGROUND: The north 11 feet of lots 7, 8, 9 and 10, in Block 1, as shown on Tract Map No. 1716, Rosewood Tract, were offered for dedication in fee simple to the City for street and other municipal purposes by, C. C. Graber Co. (see Exhibit 1, attached). Due to changes in the City's Master Plan of Streets & Highways, the dedicated area will not be needed for any present or future street or other municipal purposes and is determined to be excess. The applicant, Kirk Wallace, has requested the City to vacate that portion of Fourth Street and reconvey the vacated portion to the existing owners, who are the successors in interest to the original subdivider.

Section 66477.5(c) of the California Government Code requires the City to reconvey the subject property in interest to the subdivider or successor in interest if the dedication was made in fee simple and the City has determined that the same public purpose for which the dedication was required no longer exists. Since the subdivider offered the rights-of-way in fee simple, and this portion of Fourth Street is not required for

STAFF MEMBER PRESENTING: Louis Abi-Younes, P.E., City Engineer

Prepared by: Antonio Alejos
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 04/19/2016

Approved: _____

Continued to: _____

Denied: _____

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street and other municipal purposes, the City will reconvey the subject property to the subdivider or the successor in interest.

Sections 8330-8336 of the California Streets and Highways Code authorize the City to summarily vacate (by resolution with no public hearing) excess public service easement or rights-of-way of a street not required for street or highway purposes.

EXHIBIT 1
V-273



 INDICATES STREET RIGHT-OF-WAY TO BE VACATED
 INDICATES EXISTING PROPERTY BOUNDARY LINES

AERIAL PHOTO OF A PORTION OF FOURTH STREET WEST OF SULTANA AVENUE

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF THE RIGHTS-OF-WAY AND PUBLIC SERVICE EASEMENT IN A PORTION OF FOURTH STREET WEST OF SULTANA AVENUE AND RECONVEYING ANY OF THE CITY'S INTEREST THEREIN.

WHEREAS, C.C. Graber Co., offered for dedication in fee simple to the City of Ontario, for street and other municipal purposes, the north 11 feet of Lots 7, 8, 9 and 10, consisting of areas more specifically described and depicted in the attached Exhibits A and B ("Property"); and

WHEREAS, such offer was made on Tract Map No. 1716, Rosewood Tract; and

WHEREAS, the Property was originally intended to be developed for street and other municipal purposes, but never has been so developed, and changes in the City's Master Plan of Streets & Highways in the vicinity of the "Property" have rendered the "Property" unnecessary for such purposes; and

WHEREAS, this vacation of the rights-of-way and public service easement on the "Property" is made pursuant to the requirements of California Streets and Highways Code, Division 9 – Change of Grade and Vacation, Part 3 – Public Streets, Highways, and Service Easements Vacation Law (Streets & Highways Code Sections 8300 et seq.), Chapter 4 – Summary Vacation; and

WHEREAS, the California Government Code requires the City to reconvey the subject property in interest to the subdivider or successor in interest if the dedication was made to the City in fee simple and the City has determined that the same public purpose for which the dedication was required no longer exists; and

WHEREAS, Section 8330-8336 of the California Streets and Highways Code authorizes the City to summarily vacate (by resolution with no public hearing) excess public service easement or rights-of-way of a street not required for street or highway purposes; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California:

1. That the above recitals are true and correct.
2. That title to the above-described portion of Fourth Street, more specifically described in Exhibit A and depicted on Exhibit B attached hereto, are hereby vacated and shall be subdivider or successor in interest.

3. That the City Clerk of the City of Ontario, California, shall cause a copy of this Resolution to be recorded in the office of the County Recorder of San Bernardino County, California.
4. That upon recordation required hereby, the vacation is complete and the street and any public service easements vacated no longer constitute a street or public service easement.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of April 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2016- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2016- duly passed and adopted by the Ontario City Council at their regular meeting held April 19, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT 'A'
V-273
LEGAL DESCRIPTION

THE NORTHERLY 11.00 FEET OF LOTS 7, 8, 9 AND 10, BLOCK 1, TRACT 1716, ROSEWOOD TRACT,
IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT
THEREOF RECORDED IN BOOK 25 OF MAPS, PAGE 55, RECORDS OF SAID COUNTY.

CONTAINS 2,245 S.F. MORE OR LESS

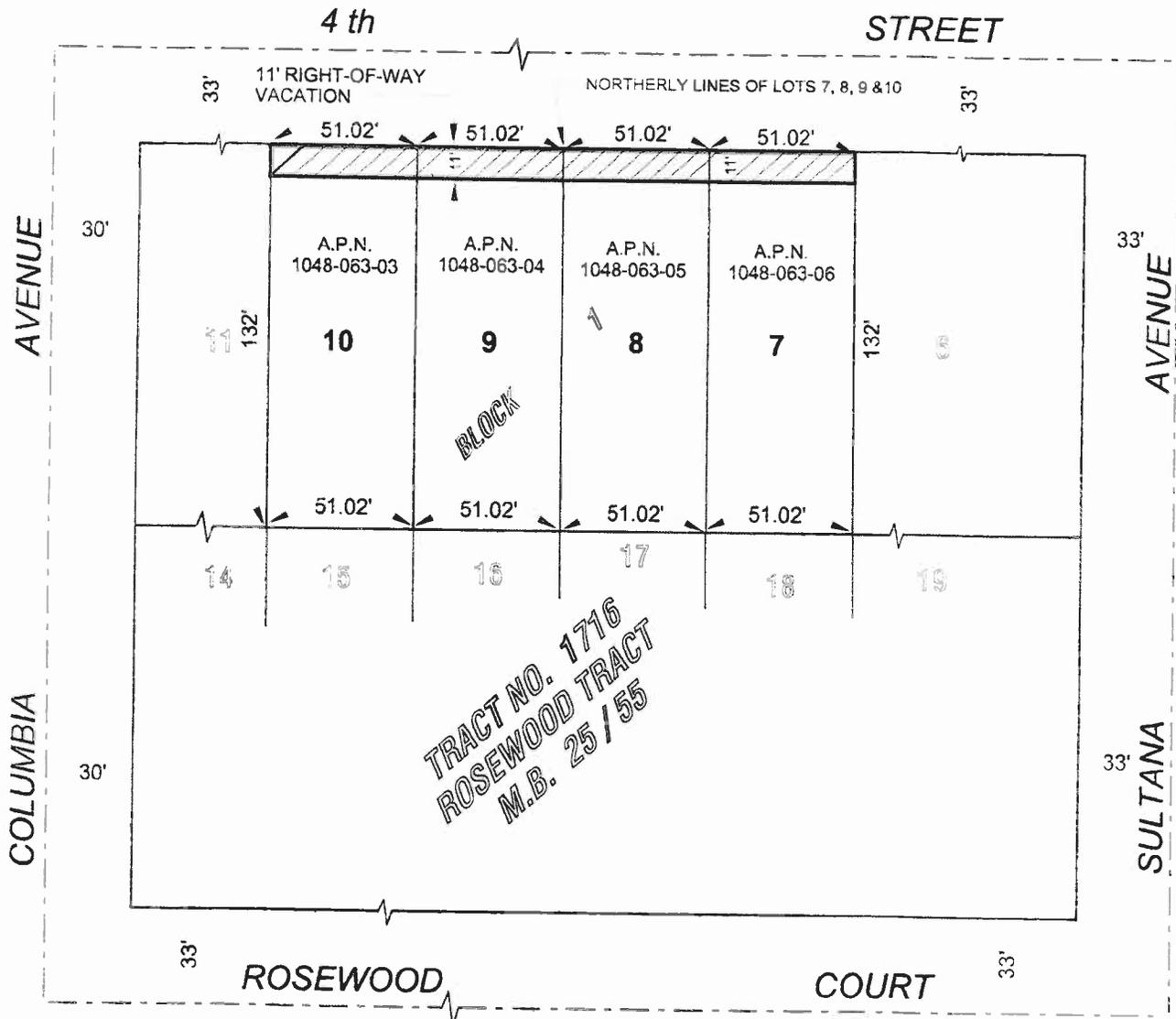


Boyd Schneiderwent 3-23-16

BOYD SCHNEIDERWENT L.S. 5553

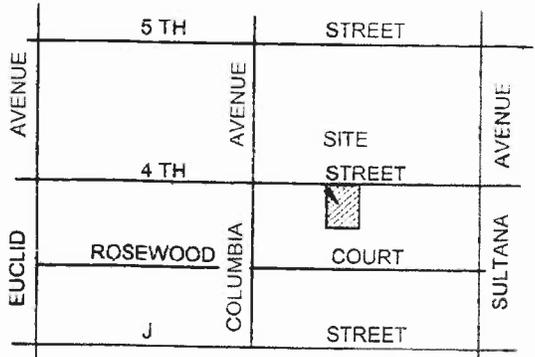
DATED

EXHIBIT 'B'
V-273



Boyd Schneiderwent

THIS PLAT WAS PREPARED WITH MY KNOWLEDGE AND CONSENT



BOYD SCHNEIDERWENT P.L.S.
9099 ROCHESTER ROAD
PHELAN CA 92371

(760) 868-0346 (909) 980-3701
FAX (760) 868-3027

E-mail: schneiderwent@hotmail.com

DRAWN BY: BLS	REVIEWED BY: BLS	CHECKED BY: BLS	SCALE: 1" = 60'	SHEET: 1 OF 1
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CITY OF ONTARIO

Agenda Report
April 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: AGREEMENT FOR ENGINEERING DESIGN AND RIGHT OF WAY SERVICES FOR THE MOUNTAIN AVENUE AND HOLT BOULEVARD INTERSECTION WIDENING PROJECT

RECOMMENDATION: That the City Council approve a Professional Services Agreement (on file in the Records Management Department) with Parsons Transportation Group Inc. (Parsons), of Ontario, California, to provide engineering design and right of way services for the Mountain Avenue and Holt Boulevard Intersection Widening Project (Project) for \$705,989 plus a 5% contingency of \$35,300 for a total authorized expenditure of \$741,289; and authorize the City Manager to execute said agreement and all future amendments.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Pursue City's Goals and Objectives by Working with Other Governmental Agencies
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The FY 2015-16 Capital Improvement Program (CIP) includes appropriations in the amount of \$7,000,000 to complete all phases of the Project, including design, right of way acquisition and construction. Per the San Bernardino Associated Governments (SANBAG) Valley Major Street Program – Arterial Subprogram, the City's share of the Project is 44.4% from Old Model Colony Street Development Impact Fees and SANBAG's Measure I share is 55.6%. The split is in accordance with SANBAG's approved Measure I 2010-2040 Strategic Plan.

BACKGROUND: The Project will widen the approaches to the intersection of Mountain Avenue and Holt Boulevard to its ultimate configuration consistent with The Ontario Plan. The agreement is for preparation of plans, specifications and estimates (PS&E), right of way acquisition support and design support during construction.

On February 5, 2016, the City solicited proposals for Engineering Design and Right of Way Services for the Project and received four proposals. A selection team of five City staff reviewed the proposals. After evaluation of the firms, the selection team recommended that Parsons be selected.

STAFF MEMBER PRESENTING: Louis Abi-Younes, P.E., City Engineer

Prepared by: Jay Bautista
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 04/19/2016

Approved: _____

Continued to: _____

Denied: _____

5

Parsons submitted an initial fee proposal of \$804,150. Staff finalized the scope of services and negotiated a contract amount of \$705,989.

The consultant's hourly compensation rates were found to be reasonable and consistent with industry standards, and their proposed number of hours is adequate to provide the required scope of services.

CITY OF ONTARIO

Agenda Report
April 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: AN ORDINANCE CREATING AND AUTHORIZING THE CREATION OF THE ONTARIO HOUSING AUTHORITY COMMISSION AND AMENDING ARTICLE 1 AND ADDING ARTICLE 11 OF CHAPTER 2 OF TITLE 2 OF THE ONTARIO MUNICIPAL CODE

RECOMMENDATION: That the City Council consider and adopt an ordinance creating and authorizing the creation of the Ontario Housing Authority Commission and amending Article 1 and adding Article 11 to Chapter 2 of Title 2 of the Ontario Municipal Code.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: Each voting member of the Ontario Housing Authority Commission shall be paid the sum of fifty dollars (\$50) for attendance at each publicly noticed meeting of the Commission, including publicly noticed workshops and briefings. The cost of these meetings will be paid by the Ontario Housing Authority and there will be no impact to the General Fund.

BACKGROUND: On December 2, 1997, by Resolution No. 97-098, the City Council of the City of Ontario ("City Council") declared a need for and established the Ontario Housing Authority ("Authority") and made appropriate findings under the Housing Authorities Law ("Health & Safety Code, § 34200 et seq.) in order to activate the Authority. In addition, the City Council declared itself as the Authority's Board ("Authority Board").

On April 5, 2016, the City Council introduced an ordinance to create and authorize the Ontario Housing Authority Commission; and the City Council and Authority Board approved resolutions adopting the bylaws for the Ontario Housing Authority Commission.

Pursuant to Health and Safety Code section 34290, if the City Council declares itself to be the Authority Board, the City Council must also appoint two of the Authority's tenants to serve as members of the

STAFF MEMBER PRESENTING: Brent D. Schultz, Housing & Municipal Services Director

Prepared by: Julie Bjork
Department: Housing/Municipal Services

Submitted to Council/O.H.A. 04/19/2016

Approved: _____

Continued to: _____

Denied: _____

City Manager Approval: 

6

Authority Board. Alternatively, the City Council can create a housing commission pursuant to Health and Safety Code section 34291.

City staff recommends adoption of an ordinance amending Article 1 and adding Article 11 to Chapter 2 of Title 2 of the Ontario Municipal Code to create the Ontario Housing Authority Commission (“Housing Commission”). Under the proposed ordinance, the Housing Commission will be made up of seven (7) members, of which two (2) members will be required to be tenants of the Authority, if the Authority has tenants. Each of the five (5) City Council members shall submit to the Mayor the name of one (1) person proposed for appointment to the Commission. Additionally, with the assistance of staff, the City Council Nomination Committee will review applications for the two (2) members who are tenants of the Authority, and bring forward nominations to the City Council as a whole for appointment by a majority vote.

Matters to be heard by the Commission:

- Ontario Housing Authority Annual Report (submitted annually to the State by October 1st); and
- Make recommendations on annual budget for consideration

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CREATING AND AUTHORIZING THE ONTARIO HOUSING AUTHORITY COMMISSION AND AMENDING ARTICLE 1 AND ADDING ARTICLE 11 OF CHAPTER 2 OF TITLE 2 OF THE ONTARIO MUNICIPAL CODE.

WHEREAS, the City Council of the City of Ontario ("City") declared the need for and established the Ontario Housing Authority ("Authority") to transact business and exercise power inferred on the Authority under Housing Authorities Law (Health & Safety Code, § 34200 et seq.); and

WHEREAS, the Authority is engaged in activities to execute and implement affordable housing pursuant to the provisions of the Housing Authorities Law; and

WHEREAS, pursuant to Health and Safety Code section 34290, the City Council can create a housing commission by ordinance pursuant to Health and Safety Code Section 34291 to review and make recommendations to the Authority and appoint tenant commissioners to serve on the housing commission; and

WHEREAS, the City Council desires to establish and authorize the Ontario Housing Authority Commission ("Commission") to, pursuant to Health and Safety Code Section 34291, review, advise and make recommendations to the Authority, as specified in the Commission bylaws; and

WHEREAS, the Commission shall have seven (7) housing commissioners ("Commissioners"), the qualifications, method of appointment and removal of which are set forth herein and in the Commission bylaws, to serve in a purely advisory role; and

WHEREAS, the City Council desires to have each of the five (5) City Council members submit to the Mayor the name of one (1) person proposed for appointment as a Commissioner to the Commission. The City Council-appointed Commissioners will serve as five (5) of the seven (7) Commissioners. Additionally, if the Authority has tenants, the City Council as a whole, by majority vote, shall appoint two (2) tenants of the Authority, one (1) of which shall be over sixty-two (62) years of age, if the Authority has tenants over that age, ("Tenant Commissioners") as at-large Commissioners to complete the Commission; and

WHEREAS, the Tenant Commissioners shall have all the powers, duties, privileges and immunities of any other Commissioner; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

SECTION 2. Municipal Code Amendment.

Section 2-2.101 of Article 1 of Chapter 2 of Title 2 of the Ontario Municipal Code is hereby amended, with added text shown underlined, to read in its entirety as follows:

"Sec. 2-2.101. Appointment, number, removal, terms and vacancies of regular and at-large members of commissions, committees and boards.

(a) All members of the City's committees, commissions and boards shall be appointed and removed and shall serve subject to the terms set forth in this section, unless specifically otherwise provided. This section shall not apply to ad hoc committees, commissions or boards which are established from time to time by the City Council other than by means of adoption of an ordinance. This section shall, however, apply to the following committees, commissions and boards which have been created within the City and which are provided for in the Code as indicated below:

- (1) Planning Commission (Title 2, Chapter 2, Article 3).
- (2) Recreation and Parks Commission (Title 2, Chapter 2, Article 4).
- (3) Ontario Public Library Board of Trustees (Title 2, Chapter 5).
- (4) Ontario Museum of History and Art Board of Trustees (Title 2, Chapter 9).
- (5) Ontario Housing Authority Commission (Title 2, Chapter 2, Article 1).

(b) All committees, commissions and boards shall consist of not more than five (5) members, except:

- (1) The Recreation and Parks Commission shall consist of seven (7) regular members and one (1) non-voting student member. The seven (7) regular members shall include two (2) school representatives, one from the high school level and one from the elementary school level, and these two (2) shall be at-large members appointed under the process described in subsection (d)(4). The application process, selection, term and duties of the student member shall be consistent with the Recreation and Parks Commission's administrative policy, as amended from time to time.

(2) The Planning Commission shall consist of seven (7) members, two (2) of which shall be at-large members appointed under the process described in subsection (d)(4).

(3) The Ontario Housing Authority Commission shall consist of seven (7) members. The seven (7) members shall include five (5) regular members appointed by each of the five (5) City Council members and, if the Housing Authority has tenants, two (2) tenant members, who are tenants of the Housing Authority, one (1) of which shall be over sixty-two (62) years of age, if the Housing Authority has tenants over that age, and these two (2) shall be at-large members appointed under the process described in subsection (d)(4).

(c) Members of each committee, commission and board shall be residents of the City, but shall not otherwise be employees of the City while serving on such committee, commission or board.

(d) With the exception of the non-voting student member of the Recreation and Parks Commission, members of each of the City's committees, commissions and boards shall be appointed in accordance with the following procedures:

- (1) Any resident desiring appointment to a committee, commission or board must complete a formal application to be filed with the City Clerk.
- (2) Immediately after the regular municipal election, the City Clerk shall solicit applications for at-large seats. The City Clerk shall also solicit applications for individual City Council-nominated seats, should any City Council member so request. Said solicitations shall be published at least once in a local newspaper of general circulation.
- (3) Each of the five (5) City Council members shall submit to the Mayor the name of one (1) person proposed for appointment to a committee, commission or board; said nominees shall be eligible for appointment only if a formal application is on file with the City Clerk, and upon approval of such appointment by the Mayor and concurrence of the City Council, the name of the appointee shall be recorded in the minutes of the City Council meeting. If the City Council member responsible for the original nomination fails to make a successful nomination within sixty days following the beginning of that City Council member's term, the City Council may itself appoint an individual to fill that position.

- (4) The City Council, by a majority vote, shall appoint two (2) of its members to serve as a Nominations Committee to bring forward nominees from the applicant pool to serve as the at-large members on committees, commissions or boards. These nominees must be approved by the Mayor and the concurrence of the City Council.
- (5) In the case of a vacancy on committees, commissions or boards, the City Council member who made the original nomination shall have the right to nominate a person to fill the vacancy subject to the approval of the Mayor and the concurrence of the City Council in accordance with subsection (d)(3). If the City Council member who made the original nomination fails to make a successful nomination following the vacancy, the City Council may itself appoint an individual to fill that position. If the vacancy occurs by an at-large member appointed through the process in subsection (d)(4), then the nomination of a replacement shall be made in accordance with that subsection.

(e) A City Council member may submit to the Mayor the name of an appointee proposed for removal by a commission, committee or board, and upon approval of such name by the Mayor and concurrence of the City Council, such appointee's removal shall be recorded in the minutes of the City Council meeting.

(f) Any member of any committee, commission or board may be removed by a majority vote of the City Council.”

Article 11 of Chapter 2 of Title 2 of the Ontario Municipal Code is hereby added, to read in its entirety as follows:

Sec. 2-2.1101. Established.

Pursuant to the provisions of Cal. Health & Safety Code § 34291, there is created a housing commission for the City of Ontario, which shall be known as the “Ontario Housing Authority Commission.

Sec. 2-2.1102. Powers and duties.

The Ontario Housing Authority Commission shall serve in an advisory capacity to the Ontario Housing Authority and shall review and make recommendations on all matters to come before the Ontario Housing Authority prior to authority action, except emergency matters and matters which, by resolution, are excluded from its review.

Sec. 2-2.1103. Organization.

The Ontario Housing Authority Commission, as appropriate, may on or after the date of final adoption of the ordinance codified in this article, approve by resolution all other items necessary or beneficial for the Ontario Housing Authority Commission to transact business and conduct its affairs.

SECTION 3. Creation and Authorization. The Ontario Housing Authority Commission is hereby created and authorized to review, advise and make recommendations to the Ontario Housing Authority Commission.

SECTION 4. CEQA. This Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, Section 15061(b)(3), that this Ordinance is nonetheless exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The City Council, therefore, directs City staff to file a Notice of Exemption with the County Clerk of the County of San Bernardino in accordance with CEQA Guidelines.

SECTION 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 303 East "B" Street, Ontario, CA 91764. The custodian of these records is the City Clerk.

SECTION 6. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 7. Effective Date. This Ordinance shall become effective thirty (30) days following its adoption.

SECTION 8. Certification. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California, within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 19th day of April 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3047 was duly introduced at a regular meeting of the City Council of the City of Ontario held April 5, 2016 and adopted at the regular meeting held April 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3047 duly passed and adopted by the Ontario City Council at their regular meeting held April 19, 2016 and that Summaries of the Ordinance were published on April 12, 2016 and April 26, 2016 in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
April 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: AN AGREEMENT 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

RECOMMENDATION: That the City Council approve an agreement with the South Coast Air Quality Management District (SCAQMD) to participate in the Local Government Match Program to receive reimbursement of \$270,000; and authorize the City Manager to execute said agreement (on file with the Records Management Department).

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Operate in a Businesslike Manner
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: The City has been awarded grant funds from the Mobile Source Air Pollution Reduction Review Committee (MSRC) Local Government Match Program in an amount of \$270,000 for the purchase of nine compressed natural gas refuse trucks. The Fiscal Year 2015-16 budget includes appropriations in the amount of \$2,385,000 for purchasing the dedicated CNG heavy-duty vehicles. There is no impact to the General Fund.

BACKGROUND: The MSRC Local Government Match Program was designed to encourage the purchase of alternative fuel heavy-duty motor vehicles by providing reimbursement for the incremental cost increase of outfitting the vehicles with CNG fuel systems. The program offers to co-fund projects implemented by cities and counties that utilize their Motor Vehicle Registration Fee Subvention Funds (AB2766 Subvention Funds) and local resources to expand access to and availability of CNG, along with the use of alternative fuel vehicles. The City currently operates more than seventy CNG and alternative fuel vehicles.

STAFF MEMBER PRESENTING: Brent D. Schultz, Housing and Municipal Services Director

Prepared by: Craig Grabow
Department: Housing/Municipal Services

City Manager
Approval: 

Submitted to Council/O.H.A. 04/19/2016

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report
April 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: ACCEPTANCE AND RENEWAL OF THE KAISER HEAL ZONE GRANT - PHASE II

RECOMMENDATION: That the City Council accept the \$1,000,000 Kaiser Permanente HEAL Zone Phase II grant and authorize the City Manager or his designee to execute required grant agreements and all items related to the implementation of the grant.

COUNCIL GOALS: Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Pursue City's Goals and Objectives by Working with Other Governmental Agencies
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

FISCAL IMPACT: The acceptance of the Kaiser Permanente Healthy Eating, Active Living (HEAL) Zone grant will result in \$1,000,000 of revenue to the Healthy Ontario HEAL Zone Initiative and associated partners for their collective work in Ontario's HEAL Zone over a three year period.

BACKGROUND: HEAL Zones were designed to help make healthy choices accessible to more people in underserved communities and to prevent diseases, such as diabetes and hypertension, that often result from obesity. For four years, the Healthy Ontario Collaborative has been implementing community based strategies in neighborhoods, schools, parks, clinics, recreation centers and faith institutions to improve healthy eating and physical activity environments and policies. With the three year renewal of the grant, the Collaborative will be able to expand and strengthen existing interventions and document population health improvements. The Healthy Ontario Collaborative was one of six HEAL Zones originally approved with Phase 1 and is one of only five HEAL Zones approved with Phase 2.

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Karen Thompson
Department: Planning Department

City Manager
Approval: 

Submitted to Council/O.H.A. 04/19/2016

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report
April 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: AUTHORIZE THE PURCHASE OF REPLACEMENT FLEET VEHICLES

RECOMMENDATION: That the City Council take the following actions:

- (A) Award Bid No. 613 for the purchase and delivery of five 2017 Ford Police Patrol SUV Vehicles in the amount of \$162,033 from Fairview Ford of San Bernardino, California, for the Police Department; and
- (B) Authorize the purchase and delivery of one 2015 BMW R1200RT-P motorcycle from Long Beach BMW of Long Beach, California, in the amount of \$29,199 consistent with the terms and conditions of the Los Angeles Sheriff's Department Purchase Order No. PO-SH-15323008-1 for the Police Department; and
- (C) Authorize additional purchase and delivery for Bid No. 574 of one 2016 Ford SUV Utility Police Interceptor in the amount of \$27,266 from Fairway Ford of Placentia, California, for the Police Department; and
- (D) Authorize the purchase and delivery of one 2016 Ford Law Enforcement Sedan in the amount of \$24,293 from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 1028 for the Police Department; and
- (E) Authorize the purchase and delivery of one 2016 KME Custom 100' Tractor Drawn Aerial in the amount of \$1,281,642 from Kovatch Mobile Equipment (KME) of Ontario, California; approve KME as the sole source provider for current and future procurements of fire apparatus; and authorize the City Manager to execute a purchase agreement (on file in the Records Management Department) for the Fire Department; and

STAFF MEMBER PRESENTING: Brent D. Schultz, Housing and Municipal Services Director

Prepared by: Craig Grabow
Department: MS/Fleet Services

City Manager
Approval: 

Submitted to Council/O.H.A. 04/19/2016
Approved: _____
Continued to: _____
Denied: _____

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- (F) Authorize the purchase and delivery of one Jacobsen Large Area Rotary Mower in the amount of \$90,838 from Jacobsen Southern California of Corona, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 070313-JCS for the Parks Department; and
- (G) Authorize the purchase and delivery of one Kubota L4701HST Tractor in the amount of \$25,026 from Kubota Tractor Corporation of Torrance, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 070313-KBA for the Parks Department.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner

FISCAL IMPACT: The Fiscal Year 2016-17 Adopted budget includes appropriations in the amount of \$1,666,311 for the purchase of replacement or additional vehicles. The total cost of the vehicles recommended for purchase is \$1,640,297.

BACKGROUND: The vehicles recommended for purchase in this action have outlived their useful life, and it is no longer cost effective to maintain them. They are scheduled for replacement pursuant to ongoing effort to reduce expenses, maximize useful life expectancy and extend replacement cycles of fleet equipment while ensuring safe and reliable fleet operation.

City of Ontario Municipal Code Section 2-6.11 (b) (3) allows for the purchase of supplies and equipment through cooperative purchasing when another governmental agency generally follows the provisions of Government Code Section 54201 through 54204.

(A) Bid No. 613: Five 2017 Ford Police Patrol SUV Vehicles for the Police Department

On March 2016, the City solicited bids for five 2017 Ford Police Patrol SUV Vehicles. Staff recommends award to Fairview Ford, located in San Bernardino, CA, the in the amount of \$162,033 as the only responsive bidder.

(B) One 2015 BMW R1200RT-P Motorcycle for the Police Department

Staff recommends the cooperative purchase and delivery of one 2015 BMW R1200RT-P motorcycle from Long Beach BMW of Long Beach, California, in the amount of \$29,199 consistent with the terms and conditions of the Los Angeles Sheriff's Department Purchase Order No. PO-SH-15323008-1.

(C) One 2016 Ford Utility Interceptor for the Police Department

On October 20, 2015 City Council approved Bid No. 574 and authorized the purchase of ten Ford Interceptor SUVs for the Police Department from Fairway Ford of Placentia, California. The results were as follows:

Ten Ford Interceptor SUVs		
<u>Supplier</u>	<u>Location</u>	<u>Bid Amount</u>
Fairway Ford	Placentia, CA	\$272,658
Fairview Ford	San Bernardino, CA	\$273,305
Star Ford Lincoln	Glendale, CA	\$275,355
Frontier Ford	Santa Clara, CA	\$276,016

The awarded bid states the City reserves the right to order more, less, or no items at the “per unit cost” stated in the bid proposal. City Staff and Fairway Ford of Placentia, California, have negotiated the purchase of one additional 2016 Ford Utility Interceptor at the same price per unit (\$27,266), as previously ordered.

(D) One 2016 Ford Law Enforcement Sedan for the Police Department

Staff recommends the cooperative purchase and delivery of one 2016 Ford Law Enforcement Sedan in the amount of \$24,293 from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 10281.

(E) One 2016 KME Custom 100’ Tractor Drawn Aerial for the Fire Department

Staff recommends the purchase of one 2016 KME Custom 100’ Tractor Drawn Aerial from Kovatch Mobile Equipment (KME) of Ontario, California, in the amount of \$1,281,642 to replace an existing 1996 Tractor Drawn Aerial from the fleet and is consistent with the City’s equipment replacement criteria. Currently, the Fire Department apparatus fleet consists of eight KME and nine American LaFrance model trucks. In January 2014, American LaFrance went out of business and no longer manufactures fire trucks. On January 20, 2015, the City Council approved Kovatch Mobile Equipment (KME) of Ontario, California, as the sole source provider of fire pumper trucks.

Fleet Services and Fire Department staff reevaluated several factors in considering the recommendation to award a sole source contract to KME for all future fire apparatus procurements; location of service center, warranty and support services, quality and reliability of their product, and training needs. KME of Ontario provides the City with services such as annual pump testing, aerial ladder certification, warranty repairs, body repairs and fabrication. Fleet Services and Fire Department staff also evaluated several additional factors concerning the continuity of operation, training and maintenance of both current and future fire apparatus. Accordingly, KME was determined to be the manufacturer that will best meet the City’s needs in providing reliable emergency services to the community.

(F) One Jacobsen Large Area Rotary Mower for the Parks Department

Staff recommends the cooperative purchase of one Jacobsen Large Area Rotary Mower from Jacobsen Southern California of Corona, California, in the amount of \$90,838 consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 070313-JCS.

(G) One Kubota Tractor for the Parks and Maintenance Department

Staff recommends the cooperative purchase and delivery of one Kubota L4701HST from Kubota Tractor Corporation of Torrance, California, in the amount of \$25,026 consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 070313-KBA.

CITY OF ONTARIO

Agenda Report
April 19, 2016

SECTION:
PUBLIC HEARINGS

SUBJECT: AN ORDINANCE ADDING CHAPTER 17 TO TITLE 6 OF THE ONTARIO MUNICIPAL CODE, REGULATING THE SALE OF BUTANE

RECOMMENDATION: That the City Council introduce and waive further reading of an ordinance adding Chapter 17 to Title 6 of the Ontario Municipal Code, regulating the sale of butane.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Maintain the Current High Level of Public Safety

FISCAL IMPACT: None.

BACKGROUND: Butane honey oil (also known as “butane hash oil”) is a concentrate derived from marijuana. Except as authorized by law, possession of a marijuana concentrate is punishable as a misdemeanor, subject to up to one year in prison and a fine of up to \$500. Additionally, except as authorized by law, manufacture of a marijuana concentrate is a felony offense carrying a prison sentence up to three years (prosecuted under the California Health Safety Code section on the cultivation of marijuana). Moreover, manufacturing within 300 feet of an occupied residence or structure is an aggravating factor in sentencing.

In spite of these criminal penalties, there has been an increase in the illicit manufacturing of honey oil across the state of California. Honey oil production is an underground, non-commercial industry, which can include manufacturing sites in hotel rooms, garages, homes, and backyards. The manufacturing process for honey oil is highly volatile, as butane is applied to the parts of a marijuana plant and is released into the air, whereupon it can ignite explosively. This dangerous process has caused several explosions across the state and our region in just the last year.

Regulation over the sale of butane provides one way to curb the illicit manufacture of honey oil. The manufacture of honey oil requires large amounts of refined butane (i.e. five times refined (“5x”) or

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Scott Melendrez / David Sheasby
Department: Police Department / Citywide
Administration

Submitted to Council/O.H.A. 04/19/2016
Approved: _____

City Manager
Approval: _____

Continued to: _____
Denied: _____



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higher of any of the following: iso-butane, n-butane, and butane). In contrast, most legitimate uses—i.e. for use in cigarette lighters, camp stoves, and small commercial applications like jewelry making—require only small amounts of unrefined butane. Culinary tools and some cigar lighters may use refined butane, but only in very small amounts.

Unrefined butane is typically sold by weight, in small canisters ranging in size from 2.7 ounces to 10.1 ounces. Drug stores, gas stations, kitchen supply stores, smoke shops, and other mainstream retailers regularly carry these size containers. Refined butane is typically sold by volume in canisters of 300 milliliters to 600 milliliters. In some specialty gas supply stores, refined butane can be specially ordered in pre-filled 5 gallon tanks. Currently, only one such specialty gas supply store is located in Ontario; but it is not able to accommodate sales of butane. Customers are directed to order through the corporate office in Santa Ana, and sales of such tanks are rare.

Legitimate, non-commercial purchasers of butane typically require only a small number of canisters at a time. For these purchasers, a cap on the amount of unrefined or refined butane that can be purchased in one transaction will not interfere with their legitimate needs.

Conversely, a cap on refined butane sales per transaction could potentially have an impact on the illicit, underground manufacture of honey oil. Honey oil “labs” are known to require large numbers of 300 milliliter canisters of refined butane. A cap on refined butane sales, coupled with an identification requirement to purchase multiple canisters of it, could deter some individuals from procuring enough to illegally produce honey oil. In turn, this could reduce the risk of honey oil lab explosions in the City.

The proposed ordinance prohibits the sale of more than 1,200 milliliters of refined butane (i.e. four 300 milliliter canisters) per transaction. Furthermore, it requires retailers to maintain a log of all sales of refined butane greater than 600 milliliters. This amount represents two 300 milliliter canisters. As part of the log, retailers must record the name and address of the purchaser, as verified by a government-issued, picture identification card, and the amount purchased. Lastly, the ordinance requires that retailers keep refined butane either in a locked area or behind a counter or other area not accessible by the public.

Similar ordinances have been adopted by cities and counties across the state. The League of California Cities is currently looking at possible state legislation to restrict the sale of butane.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADDING CHAPTER 17 TO TITLE 6 OF THE ONTARIO MUNICIPAL CODE, REGULATING THE SALE OF BUTANE.

WHEREAS, across the state of California there has been an increase in the illicit manufacturing of “butane honey oil” (also known as “butane hash oil”) a concentrate derived from marijuana; and

WHEREAS, high grade butane such as n-butane and butane refined five times or higher is most prevalently used in the manufacture of honey oil; and

WHEREAS, honey oil is widely manufactured in an underground, non-commercial industry, which can include manufacturing sites in hotel rooms, garages, homes, and backyards; and

WHEREAS, the manufacturing process for honey oil is highly volatile and has led to multiple explosions across the state of California; and

WHEREAS, there is a current and immediate threat to the public health, safety, and welfare in that the manufacture, processing, transportation, possession, and sales of illicit narcotics and drugs are inherently dangerous and that chemicals, compounds, substances, by-products and wastes which are associated with the manufacture of illicit narcotics and drugs are both dangerous and injurious to the health, welfare, and safety of citizens of the City; and

WHEREAS, regulation over the sale of butane provides one way to regulate the manufacture of honey oil.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario as follows:

SECTION 1. Findings. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. A Chapter 17 is hereby added to Title 6 of the Ontario Municipal Code to read, in its entirety, as follows:

“CHAPTER 17: REGULATION OF BUTANE PURCHASES

Sec. 6-17.01. Legislative Purpose.

- (a) The City Council finds that there is a current and immediate threat to the public health, safety, and welfare in that the manufacture, processing, transportation, possession, and sales of illicit narcotics and drugs are inherently dangerous and that chemicals, compounds, substances, by-products and wastes which are associated with the manufacture of illicit narcotics and drugs are both dangerous and injurious to the health, welfare, and safety of citizens of the City.

- (b) The City Council finds that there has been a dramatic increase in reports of explosions occurring as a result of the manufacture of butane honey oil and butane hash oil, which require butane to extract tetrahydrocannabinol (THC) from parts of the marijuana plant.
- (c) The City Council finds that the general public does not normally purchase butane in large quantities and it is not the City Council's intent to restrain legitimate businesses or customers from selling or purchasing it.
- (d) No provisions of this chapter shall hinder or supersede any other applicable state or federal statute.

Sec. 6-17.02. Definitions.

For the purposes of this article:

- (a) "Butane" means five times refined ("5x") or higher of any of the following: iso-butane, n-butane, and butane.
- (b) "Retailer" means any retail business, company, corporation, person, employee, associate, or wholesaler who furnishes, distributes, sells or gives away products as described in this section.
- (c) "Customer" means any person who purchases or acquires the products described in this section, or persons who are present for the purchase or acquisition of the products described in this section.
- (d) "Sell" means to furnish, give away, exchange, transfer, deliver, surrender, or supply whether for monetary gain or not.

Sec. 6-17.03. Limitations on Sales.

- (a) No Retailer shall knowingly Sell to a single Customer and no single Customer shall acquire more than 1,200 milliliters of Butane, per transaction.
- (b) Retailers shall keep a log of all Butane sales cumulatively or individually amounting to greater than 600 milliliters in a single transaction, including the date of sale, amount purchased, and the name and address of the individual purchasing the Butane, as verified by a driver's license or other official, government-issued photo identification listing a place of residence. Retailers shall retain records for a period of at least one year and shall furnish copies of records to City officials upon request.
- (c) No Retailer shall display for sale, trade or exchange, any Butane except in an area from which the public shall be securely precluded without employee assistance. Two (2) such acceptable methods for displaying Butane for sale shall be by containment in:
 - (1) A completely enclosed cabinet or other storage device which shall be

permanently affixed to a building or building structure, and which shall, at all times except during access by authorized representatives, remain securely locked; or

- (2) In an enclosed area behind a sales or service counter from which the public is precluded from entry.

Sec. 6-17.04. Penalties.

Any person, Customer, or Retailer violating any of the provisions of this Chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

SECTION 3. CEQA. The City Council hereby finds that adoption of this Ordinance is not a "project" under the California Environmental Quality Act because the Ordinance does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4).

SECTION 4. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings and this Ordinance are based are located at the City Clerk's office located at 303 East "B" Street, Ontario, CA 91764. The custodian of these records is the City Clerk.

SECTION 5. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective thirty (30) days following its adoption.

SECTION 7. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held _____ and adopted at the regular meeting held _____, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. _____ duly passed and adopted by the Ontario City Council at their regular meeting held _____ and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
April 19, 2016

SECTION:
PUBLIC HEARINGS

SUBJECT: A DEVELOPMENT CODE AMENDMENT, FILE NO. PDCA16-002, PROPOSING VARIOUS CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE, MODIFYING CERTAIN PROVISIONS OF DIVISION 3.02 (NONCONFORMING SIGNS), DIVISION 5.02 (LAND USE), DIVISION 5.03 (STANDARDS FOR CERTAIN LAND USES, ACTIVITIES AND FACILITIES), DIVISION 6.01 (DISTRICT STANDARDS AND GUIDELINES), AND DIVISION 8.01 (SIGN REGULATIONS)

RECOMMENDATION: That the City Council introduce and waive further reading of an ordinance approving File No. PDCA16-002, a Development Code Amendment proposing several clarifications to the Ontario Development Code (Ontario Municipal Code Title 9) including:

- (1) Deletion of "billboard signs" from the nonconforming sign amortization list (Table 3.02-1);
- (2) Deletion all reference to the CCC zoning district;
- (3) Addition of "escape, exit, mystery and puzzle rooms" as a conditionally permitted land use in the CC, CR, MU-1, BP, IL, and IG zones;
- (4) Clarification that the public convenience or necessity determination criteria (Section 5.03.025: alcoholic beverage sales) applies only to off-premise alcoholic beverage control licenses;
- (5) Clarification that a temporary outdoor sales event (Section 5.03.395: temporary and interim land uses, buildings, and structures) may only be allowed in conjunction with a legally established business that has been operated for a period of at least 180 days prior to a requested event;
- (6) Clarification that within the ICC Overlay district (Section 6.01.035: Overlay Zoning Districts), a maximum 25 percent building expansion is allowed in conjunction with an existing, legally established, commercial land use;
- (7) Combination of all political sign regulations (Section 8.01.020: Sign Standards) into a single provision, and add clarifying purpose and intent statements; and
- (8) Clarification that the maximum timeframes for the issuance of temporary promotional and special event signs and banners (Table 8.01: Sign Regulation Matrix).

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Charles Mercier
Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 04/19/2016

Approved: _____

Continued to: _____

Denied: _____

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COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: None.

BACKGROUND: On December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028), which became effective on January 1, 2016. Since that approval, staff has identified several minor alterations to the Development Code needed to adjust and clarify the recent comprehensive update. The proposed Development Code Amendment includes the following recommended changes:

(1) Revise Development Code Division 3.02 (Nonconforming Signs), removing “billboard signs” from the nonconforming sign amortization list (Table 3.02-1: Amortization Period of Certain Classifications of Nonconforming Signs). This revision was initiated at the recommendation of the City Attorney, to correct a conflict with provisions in State law that provide certain protections to existing billboard signs;

(2) Delete all Development Code references to the CCC zoning district, which was combined with the CCS (Convention Center Support Commercial) zone prior to the approval of the comprehensive update to the Ontario Development Code. Several references to the CCC zoning district were inadvertently left in the Development Code, requiring their removal;

(3) Revise Development Code Division 5.02 (General Land Use Provisions), adding “Escape, Exit, Mystery, and Puzzle Rooms” to Table 5.02-1 (Land Use Matrix), as a conditionally permitted use in the CC (Community Commercial), CR (Regional Commercial), MU-1 (Mixed Use Area 1), BP (Business Park), IL (Light Industrial), and IG (General Industrial) zoning districts. The business is modeled after the Escape-The-Room videogame genre, which typically follow a standard formula: Groups of 4 to 12 people are locked in a themed room filled with clues and puzzles, and the group is provided a limited amount of time to solve the clues and puzzles, in order to exit the room;

(4) Revise the “Alcoholic Beverage Sales” land use standards (Development Code Section 5.03.025), clarifying that the Public Convenience or Necessity determination criteria only applies to off-premise Alcoholic Beverage Control licenses;

(5) Revise the “Temporary and Interim Land Uses, Buildings, and Structures” land use standards (Development Code Section 5.03.395), clarifying that a temporary outdoor retail sales event may only be allowed in conjunction with a business that has been operated for a period of at least 180 days prior to the event. This clarification is intended to close an existing loophole that allows a business to temporarily rent a series of locations (usually 30 to 60 days), in order to obtain a Temporary Use Permit (TUP) to conduct outdoor retail sales events. By moving from location to location, the business is able to circumvent the maximum number of temporary sales events allowed per calendar year (4 “specified holiday periods” and 4 “additional periods,” each period maximum 7 days duration);

(6) Revise the Interim Community Commercial Overlay District provisions (Development Code Section 6.01.035), clarifying that a building expansion may only be allowed for the purpose of expanding

an existing, legally established, commercial land use. Expansions would be limited to one time, not to exceed 25 percent of the existing gross floor area. This provision is consistent with the requirements applicable to nonconforming nonresidential structures;

(7) Combine the various Political Sign regulations, which are currently divided among several sections in Division 8.01 (Sign Regulations), into a single provision (Subsection 8.01.020.K), and add provisions clarifying the purpose and intent of the Political Sign regulations; and

(8) Revise the Sign Regulation Matrix (Development Code Table 8.01-1), clarifying the timeframes for the issuance of temporary promotional and special event signs and banners, as follows:

- Business Grand Opening — One time, maximum 30 days duration.
- Retail Sales Event — Maximum 7 days duration during the specified “holiday sale periods” (Presidents’ Day, Memorial Day, Independence Day, and Labor Day), and 4 “additional periods,” not to exceed a total of 56 days per calendar year. Each “additional period” may be used consecutively with “holiday sale periods,” not to exceed a total of 6 consecutive periods (42 consecutive days).
- Holiday Retail Sales (Christmas tree and pumpkin sales) — Maximum 30 days duration per calendar year.
- Shows and Exhibits — Maximum 30 days duration per calendar year.
- Amusement and/or Sporting Events — Maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration.
- Tent Revivals — Maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration.
- Charitable and Fund Raising Events — Allowed during the specified “holiday periods,” and 4 “additional periods.”

On March 22, 2016, the Planning Commission conducted a public hearing to consider the above-described Development Code Amendment, and concluded the hearing on that date. Upon conclusion of the public hearing, the Planning Commission voted unanimously (6-0-1) to approve Resolution No. PC16-011, recommending that the City Council approve the subject Development Code Amendment.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, and Policy Plan (General Plan) components of The Ontario Plan (TOP). More specifically, TOP goals and policies furthered by the proposed project are noted in the Planning Commission staff report (attached).

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project does not affect the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN COMPLIANCE: The project site is located within the Airport Influence Area of Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan (ALUCP).

ENVIRONMENTAL REVIEW: The environmental impacts of this project were reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140), previously prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (Resolution No. 2015-095) on September 1, 2015. This Application serves to provide clarifications to the existing Development Code document and will not introduce any new significant environmental impacts.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA16-002, A DEVELOPMENT CODE AMENDMENT PROPOSING VARIOUS CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE: [1] DELETE "BILLBOARD SIGNS" FROM THE NONCONFORMING SIGN AMORTIZATION LIST (TABLE 3.02-1); [2] DELETE ALL REFERENCES TO THE CCC ZONING DISTRICT; [3] ADD "ESCAPE, EXIT, MYSTERY AND PUZZLE ROOMS" AS A CONDITIONALLY PERMITTED LAND USE IN THE CC, CR, MU-1, BP, IL, AND IG ZONES; [4] CLARIFY THAT THE PUBLIC CONVENIENCE OR NECESSITY DETERMINATION CRITERIA (SECTION 5.03.025: ALCOHOLIC BEVERAGE SALES) APPLIES ONLY TO OFF-PREMISE ALCOHOLIC BEVERAGE CONTROL LICENSES; [5] CLARIFY THAT A TEMPORARY OUTDOOR SALES EVENT (SECTION 5.03.395: TEMPORARY AND INTERIM LAND USES, BUILDINGS, AND STRUCTURES) MAY ONLY BE ALLOWED IN CONJUNCTION WITH A LEGALLY ESTABLISHED BUSINESS THAT HAS BEEN OPERATED FOR A PERIOD OF AT LEAST 180 DAYS PRIOR TO A REQUESTED EVENT; [6] CLARIFY THAT WITHIN THE ICC (INTERIM COMMUNITY COMMERCIAL) OVERLAY DISTRICT (SECTION 6.01.035: OVERLAY ZONING DISTRICTS), A BUILDING EXPANSION, MAXIMUM 25 PERCENT, IS ONLY ALLOWED IN CONJUNCTION WITH AN EXISTING, LEGALLY ESTABLISHED, COMMERCIAL LAND USE; [7] COMBINE THE ALL POLITICAL SIGN REGULATIONS (SECTION 8.01.020: SIGN STANDARDS) INTO A SINGLE PROVISION, AND ADD CLARIFYING PURPOSE AND INTENT STATEMENTS; AND [8] CLARIFY THE MAXIMUM TIMEFRAMES FOR THE ISSUANCE OF TEMPORARY PROMOTIONAL AND SPECIAL EVENT SIGNS AND BANNERS (TABLE 8.01: SIGN REGULATION MATRIX), AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, The City of Ontario ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA16-002, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which states long-term principles, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens; and

WHEREAS, On December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028), which became effective on January 1, 2016. City staff has initiated several minor alterations to the Development Code to adjust and further clarify the recent comprehensive update; and

WHEREAS, pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, the Application was reviewed for consistency with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, and was found to be consistent with the Housing Element, as the project does not affect the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix; and

WHEREAS, the project site is located within the Airport Influence Area of Ontario International Airport (ONT), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan (ALUCP), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity ; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140), previously prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (Resolution No. 2015-095) on September 1, 2015. The Addendum found that subject application will not introduce any new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. All previously adopted mitigation measures are a condition of project approval and are incorporated by this reference; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, On March 22, 2016, the Planning Commission of the City of Ontario conducted a public hearing to consider the Application, and concluded the hearing on that date. Upon conclusion of the public hearing, the Planning Commission voted unanimously (6-0-1) to approve Resolution No. PC16-011, recommending that the City Council approve the Application; and

WHEREAS, on April 19, 2016, the City Council of the City of Ontario conducted a public hearing to consider the Application, and concluded said hearing on that date. Upon conclusion of the public hearing, the City Council approved the introduction (first reading) of this Ordinance, and waived further reading of the Ordinance; and

WHEREAS, all legal prerequisites to the adoption of this ordinance have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

SECTION 1. *Development Code Chapter 3.0 (Nonconforming Lots, Land Uses, Structures, and Signs).* Make changes to Chapter 3.0 (Nonconforming Lots, Land Uses, Structures, and Signs) of the City of Ontario Development Code (Ordinance No. 3028), modifying Division 3.02 (Nonconforming Signs) to removing “Billboard Signs” from the nonconforming sign amortization list contained in Table 3.02-1 (Amortization Period of Certain Classifications of Nonconforming Signs).

SECTION 2. *Development Code Chapter 5.0 (Zoning and Land Use).* Make changes to Chapter 5.0 (Zoning and Land Use) of the City of Ontario Development Code (Ordinance No. 3028), as follows:

a. Amend Development Code Division 5.02 (Land Use), removing all references to the CCC zoning district contained in Table 5.02-1 (Land Use Matrix).

b. Amend Development Code Division 5.03 (Standards for Certain Land Uses, Activities, and Facilities), as follows:

1. Revise Section 5.03.020 (Air Transportation) and Section 5.03.270 (Massage Services), removing all reference to the CCC zoning district.

2. Revise Section 5.03.025, Paragraph F.3 (Criteria for Determining Public Convenience or Necessity), to read as follows:

Criteria for Determining Public Convenience or Necessity. Within a census tract having an undue concentration of off-premise ABC licenses, the City desires to strike a balance between the number of off-premise licenses and the convenience of store customers. Consequently, the Reviewing Authority shall rely upon the following factors in making a determination of public convenience or necessity:

3. Revise Section 5.03.395, adding Subparagraph G.1.f to read as follows:

A retail sales event shall only be allowed in conjunction with a legally established business that has been operated for a period of at least 180 days prior to the retail sales event.

SECTION 3. *Development Code Chapter 6.0 (Development and Subdivision Regulations).* Make changes to Chapter 6.0 (Development and Subdivision Regulations) of the City of Ontario Development Code (Ordinance No. 3028), as follows:

a. Revise Development Code Section 6.01.015 (Commercial Zoning Districts, removing all reference to the CCC zoning district; and

b. Clarify Development Code Section 6.01.035 (Overlay Zoning Districts), amending Subparagraph C.5.c (ICC (*Expansion of Existing Commercial Structures and Uses*)) to read as follows:

c. *Expansion of Existing Commercial Structures and Uses.*

(1) *Within the ICC Overlay District, building expansion, shall only be allowed for the purpose of expanding an existing, legally established commercial land use, which is allowed pursuant to Subparagraph B.5.b(3) of this Section.*

(2) *The expansion of an existing commercial building shall be allowed pursuant to the requirements of Subsection 3.01.020.J (Alteration and/or Expansion of a Nonconforming Nonresidential Structure) of this Development Code, and shall be developed consistent with the standards of the CC zoning district.*

(3) *New Residential Development. New residential development, which is proposed consistent with the Official Land Use Plan (Exhibit LU-01) of the Policy Plan component of The Ontario Plan, shall first require a zone change to the HDR-45 zoning district pursuant to Section 4.01.040 (Zone Changes) of this Development Code, and full compliance with the land use requirements, and development standards and guidelines of the HDR-45 zoning district.*

(4) *Protection of ICC Overlay District Land Use and Development Rights. All land use and development rights granted by the ICC Overlay District shall be transferable to any future owner(s) of property within the ICC Overlay District, and their assigns.*

SECTION 4. *Development Code Chapter 8.0 (Sign Regulations).* Make changes to Chapter 8.0 (Sign Regulations) of the City of Ontario Development Code (Ordinance No. 3028), as follows:

a. Combine the various Political Sign regulations, which are currently divided among several sections in Division 8.01 (Sign Regulations), into Subsection 8.01.020.K (Political Signs), and add provisions clarifying the purpose and intent of the Political Sign regulations. Subsection 8.01.020.K (Political Signs) shall read as follows:

K. Political Signs.

1. Purpose.

a. *The purpose of these political sign regulations is to identify the compatibility between the utilization of political signs, the protection of the right to privacy of individuals, and the quiet and undisturbed enjoyment of property.*

b. *It is recognized that there have been abuses in the placement of political signs within the City, including: [i] trespassing upon private property; [ii] placement of political signs without permission from the property owner; [iii] placement of political signs in such a fashion as to make it difficult to remove them; [iv] littering caused by dislodged political signs; [v] sight distance hazards to traffic due to sign size and location; [vi] distracting appearance; [vii] aesthetically displeasing impact; [viii] unnecessary proliferation; and [ix] other reasons, all of which are determined to be contrary to the best interests of the community, and in opposition to the public health, safety and welfare.*

c. *The reasonable regulation of political signs will obviate many of the objections that have been raised to the unregulated placement of such signs.*

d. *It is recognized that to the extent that placement of political signs is not contrary to the purposes stated herein, it is in the best interests of the City and its inhabitants to allow political expression, and, for that reason, it is but to avoid the total prohibition of such signs.*

e. *It is believed that responsibility for the placement of political signs should lie with the candidate for public office, the proponents and opponents of ballot measures, and the various political committees connected therewith. It is recognized that political signs are printed by, or at the direction of, those listed herein, and that the ultimate responsibility for the distribution of such signs and their placement lies with them.*

2. Definition. *The term "political sign," as used herein, means any election or nonelection sign, advertising structure, or display, which communicate any message or idea identifying, supporting, opposing, promoting, or conveying a position upon, or relating to, any political cause or issue, or candidate for public office, or proposition or issue connected with any local, special, state, or national election.*

3. Political Sign Registration. *Pursuant to BPC Section 5405.3, any candidate (or their designee) or the proponents of a ballot measure who seek to utilize political signs, shall first file a Statement of Responsibility with the Code Enforcement Department, on a City registration form. The registrant shall be responsible for removing the temporary political sign, and may be required to reimburse the City for any cost incurred for temporary political sign removal.*

4. Permitted Signs. Political signs, as herein defined, shall be permitted within any zoning district subject to compliance with all of the rules and regulations set forth in Paragraph K.5 (Regulations) herein.

5. Regulations.

a. No provision in this Development Code shall be so construed as to prohibit the placing of temporary political signs.

b. No political sign shall be installed or displayed sooner than 45 days preceding the election for which the sign is intended.

c. No political sign shall exceed 16 SF in total area, except that a double-faced sign, not exceeding 16 SF on each side, shall be permitted.

d. No political sign shall exceed an overall height of 8 FT, except if such sign shall be within an enclosed building or structure.

e. No candidate for public office, proponent or opponent of ballot measures, and/or any political committees connected therewith, shall post more than one political sign per lot or parcel.

f. No political sign shall be lighted either directly or indirectly.

g. No political sign shall be placed on private property, vacant or otherwise, without the permission of the owner of the property.

h. No political sign shall be placed or affixed to a tree, fence, post, utility pole, or any structure, by glue, nails, or screws.

i. No political sign shall be posted on any public property or in the public right-of-way.

j. No political sign shall be placed within the right-of-way of any highway, or within 660 FT of the edge of, and visible from, the right-of-way of a landscaped freeway.

k. No political signs shall be posted in violation of any other provisions of this Development Code.

l. All political signs shall be removed within 10 days following the date of the election for which the sign was intended.

6. Removal of Illegally Placed Political Signs. The Building Official may cause the removal of any sign placed contrary to any provision of the Political Sign provisions contained herein (commencing with Subsection K (Political Signs) of this Section).

b. Revise Development Code Table 8.01-1 (Sign Regulation Matrix) to clarify timeframes for the issuance of temporary promotional and special event signs and banners, to read as follows:

1. Business Grand Opening. A new business may be allowed temporary signage identifying its grand opening, one time, for a maximum of 30 days duration.

2. Retail Sales Event. A Retail Sales Event pursuant to Paragraph 5.03.395.G.1 of this Development Code may be allowed temporary signage for maximum 7 days duration during the specified "holiday sale periods," and during the specified "additional periods" for which a Temporary Use Permit has been issued, not to exceed a total of 56 days per calendar year. Each "additional period" may be used consecutively with "holiday sale periods," not to exceed a total of 6 consecutive periods (42 consecutive days).

3. Holiday Retail Sales. Holiday Retail Sales established pursuant to Paragraph 5.03.395.G.2 of this Development Code may be allowed temporary signage for maximum 30 days duration.

4. Shows and Exhibits. Shows and Exhibits established pursuant to Paragraph 5.03.395.G.3 of this Development Code may be allowed temporary signage for maximum 30 days duration.

5. Amusement and/or Sporting Events. Amusement and/or Sporting Events established pursuant to Paragraph 5.03.395.G.4 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration.

6. Tent Revivals. Tent Revivals established pursuant to Paragraph 5.03.395.G.5 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration.

7. Charitable and Fund Raising Events. Charitable and Fund Raising Events established pursuant to Paragraph 5.03.395.G.6 of this Development Code may be allowed temporary signage during the specified "holiday periods," and the specified "additional events" for which a Temporary Use Permit has been issued.

SECTION 5. Environmental Determination and Findings. As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the previously adopted Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140), previously prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (Resolution No. 2015-095) on September 1, 2015, and supporting documentation. Based upon the facts and information contained in the he previous Addendum to The Ontario Plan Environmental Impact Report, and supporting documentation, the City Council finds as follows:

- a. The previous Addendum contains a complete and accurate reporting of the environmental impacts associated with the Application; and
- b. The previous Addendum was completed in compliance with CEQA and the Guidelines promulgated thereunder; and.
- c. The previous Addendum reflects the independent judgement of the City Council; and
- d. All previously adopted mitigation measures, which are applicable to the Application, are a condition of Project approval, and are incorporated herein by this reference.

SECTION 6. *Housing Element Consistency.* Based upon the facts and information contained in the Application, and supporting documentation, the City Council finds that, at the time of Project implementation, the Project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan.

SECTION 7. *Airport Land Use Compatibility Plan (ALUCP) Consistency.* Based upon the facts and information contained in the Application, and supporting documentation, the City Council finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

SECTION 8. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the City Council hereby concludes as follows:

- a. The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and
- b. The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

SECTION 9. *City Council Action.* Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council hereby approves the subject Development Code Amendment, File No. PDCA16-002.

SECTION 10. *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 11. *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 12. *Severability.* If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 13. *Effective Date.* This Ordinance shall become effective 30 days following its adoption.

SECTION 14. *Publication and Posting.* The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held _____ and adopted at the regular meeting held _____, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. _____ duly passed and adopted by the Ontario City Council at their regular meeting held _____ and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)