

**CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
JUNE 21, 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 Closed Session and Closed Session Comment at 6:00 p.m., 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*)

6:00 p.m.

ROLL CALL

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

CLOSED SESSION PUBLIC COMMENT The Closed Session Public Comment portion of the Council/Housing Authority meeting is limited to a maximum of 3 minutes for each speaker and comments will be limited to matters appearing on the Closed Session. Additional opportunities for further Public Comment will be given during and at the end of the meeting.

CLOSED SESSION

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1046-601-08; 150 South Euclid Avenue, Upland, CA; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Andy Oshay; Under negotiation: Price and terms of payment.

In attendance: Dorst-Porada, Wapner, Bowman, Avila, Mayor/Chairman Leon

PLEDGE OF ALLEGIANCE

Council Member Avila

INVOCATION

Pastor Brian E Kennedy, Mt. Zion Baptist Church

REPORT ON CLOSED SESSION

City Attorney

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 May 17, 2016, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills April 17, 2016 through April 30, 2016 and **Payroll** April 17, 2016 through April 30, 2016, when audited by the Finance Committee.

3. AN AGREEMENT FOR ANIMAL CONTROL SERVICES; AND ADOPTION OF A RESOLUTION MODIFYING CERTAIN DOG LICENSING FEES AND THE CORRESPONDING PENALTY FOR FAILURE TO TIMELY PAY SUCH LICENSING FEES/INLAND VALLEY HUMANE SOCIETY & SPCA

That the City Council approve a two-year agreement (on file with the Records Management Department) with the Inland Valley Humane Society & SPCA of Pomona, California, for the provision of animal control services; adopt a resolution updating dog license fees and an associated penalty for failure to pay such fees on time; and authorize the extension of the agreement for up to one two-year period.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, MODIFYING CERTAIN DOG LICENSING FEES AND THE CORRESPONDING PENALTY FOR FAILURE TO TIMELY PAY SUCH LICENSING FEES.

4. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18855 LOCATED AT THE NORTHEAST CORNER OF CHINO AVENUE AND NEWTON AVENUE

That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Tract Map No. 18855 located at the northeast corner of Chino Avenue and Newton Avenue within the Countryside Specific Plan area.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18855, LOCATED AT THE NORTHEAST CORNER OF CHINO AVENUE AND NEWTON AVENUE.

5. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19682 LOCATED AT THE SOUTHWEST CORNER OF CAMPUS AVENUE AND SUNKIST STREET

That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Parcel Map No. 19682 located at the southwest corner of Campus Avenue and Sunkist Street.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND PARCEL MAP NO. 19682 LOCATED AT THE SOUTHWEST CORNER OF CAMPUS AVENUE AND SUNKIST STREET.

6. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 5 (FREEWAY INTERCHANGE PROJECT) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 5 (Freeway Interchange Project) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 5 (FREEWAY INTERCHANGE PROJECT), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

7. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 9 (Edenglen) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

8. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 10 (Ontario Airport Towers) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2016-17.

9. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER – PHASE IV) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 13 (California Commerce Center – Phase IV) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER – PHASE IV), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17

10. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 20 (Wal-Mart) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2016-17.

11. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 21 OF THE CITY OF ONTARIO (PARKSIDE) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 21 of the City of Ontario (Parkside) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 21 OF THE CITY OF ONTARIO (PARKSIDE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

12. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 23 (Park Place Services) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

13. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES - PHASE I) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 24 (Park Place Facilities - Phase I) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES – PHASE I), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

14. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 27 (New Haven Services) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17

15. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES – AREA A), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

16. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE) FOR FISCAL YEAR 2016-17

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 31 (Carriage House/Amberly Lane) for Fiscal Year 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

17. ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NOS. 1, 2, 3 AND 4 FOR FISCAL YEAR 2016-17

That the City Council adopt resolutions pertaining to the levy of assessments within Ontario Parkway Maintenance Assessment District (OPMAD) Nos. 1, 2, 3 and 4:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer’s Report for each district relating to the annual levy of assessments; and
- (B) A resolution giving preliminary approval of the Engineer’s Report; and
- (C) A resolution for District Nos. 1, 2 and 3, and a resolution for District No. 4, declaring the City’s intention to levy the special assessments for Fiscal Year 2016-17 and setting the date of July 19, 2016 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER’S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2016-17 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2016-17 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

18. ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICT NOS. 1 AND 2 FOR FISCAL YEAR 2016-17

That the City Council adopt resolutions pertaining to the levy of assessments within Street Lighting Maintenance District (SLMD) Nos. 1 and 2:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments;
- (B) A resolution giving preliminary approval of the Engineer's Reports; and
- (C) A resolution for each district declaring the City's intention to levy the special assessments for Fiscal Year 2016-17 and setting the date of July 19, 2016 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND NO. 2 FOR FISCAL YEAR 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND NO. 2 FOR FISCAL YEAR 2016-17.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2016-17 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 1 PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2016-17 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 2, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

19. APPROVAL OF ALLOCATION AND SPENDING PLAN FOR THE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FOR FY 2016

That the City Council approve and authorize the City Manager to execute all documents necessary to participate in the Bureau of Justice Assistance (BJA) Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and approve the proposed \$35,938 grant spending plan.

20. AMENDMENT TO AN ARCHITECTURAL SERVICES AGREEMENT WITH HOLT ARCHITECTS, INC. FOR THE POLICE DEPARTMENT HEADQUARTERS IMPROVEMENTS PROJECT

That the City Council authorize the City Manager to execute an amendment to the existing Architectural Services Agreement with Holt Architects, Inc. of Riverside California for the Police Department Headquarters Improvements Project in the amount of \$96,033 for a total contract value of \$193,833. The Architectural Services Agreement and proposed amendment are on file with the Records Management Department.

21. AMENDMENT TO THE AGREEMENT WITH ALL CITY MANAGEMENT SERVICES, INC. FOR CROSSING GUARD SERVICES

That the City Council authorize the City Manager to execute an amendment (on file with Records Management Department) to the existing Professional Services Agreement with All City Management Services, Inc., of Santa Fe Springs, California, extending the agreement for three years at an estimated annual cost of \$310,100 the first year; and authorize up to two one-year extensions based upon mutual consent basis consistent with City Council approved budgets.

22. A PURCHASE OF ONE MOBILE GENERATOR/JOHNSON POWER SYSTEMS

That the City Council approve and authorize the purchase and delivery of one Caterpillar XQ570 Power Module Mobile Generator from Johnson Power Systems of Riverside, California, in the amount of \$278,472 consistent with the terms and conditions of the cooperative procurement process resulting in National Joint Powers Alliance Contract (NJPA) Invitation for Bids No. 080613 and resulting Contract No. 080613-CAT.

23. A RESOLUTION APPROVING AN APPLICATION FOR THE USED OIL PAYMENT PROGRAM CYCLE 7 (FISCAL YEAR 2016-17) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

That the City Council adopt a resolution approving a grant application for an estimated \$46,000 from the Used Oil Payment Program Cycle 7 (Fiscal Year 2016-17) through the State of California Department of Resources Recycling and Recovery (CalRecycle); and authorize the City Manager or his designee to execute all necessary documents to participate in the program.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN ANNUAL APPLICATION TO PARTICIPATE IN THE USED OIL PAYMENT PROGRAM CYCLE 7 (FISCAL YEAR 2016-17) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE).

24. A RESOLUTION ELIMINATING WATER USE LIMITATIONS AND VOLUMETRIC PENALTIES

That the City Council adopt a resolution rescinding Resolution No. 2015-093 and eliminating water use limitations and volumetric penalties imposed to comply with the State Water Resources Control Board Emergency Water Conservation regulations.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, RESCINDING RESOLUTION NO. 2015-093 AND THE IMPOSITION OF VOLUMETRIC PENALTIES FOR EXCESSIVE WATER USE.

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.

25. A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES – AREA B); INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES; AND ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS

That the City Council:

- (A) Adopt a resolution establishing Community Facilities District No. 30 (New Haven Facilities - Area B), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopt a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 30 (New Haven Facilities - Area B);
- (C) Adopt a resolution calling a special election for City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B);
- (D) Adopt a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien;
- (E) Introduce and waive further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B);
- (F) Adopt a resolution authorizing the execution and delivery of an amended and restated acquisition and funding agreement with Brookcal Ontario, LLC, a Delaware Limited Liability Company; and
- (G) Introduce and waive further reading of an ordinance dissolving City of Ontario Community Facilities District No. 29 (New Haven Facilities - Area B).

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.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED ACQUISITION AND FUNDING AGREEMENT WITH BROOKCAL ONTARIO, L.L.C.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DISSOLVING CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 29 (NEW HAVEN FACILITIES - AREA B).

26. A PUBLIC HEARING TO CONSIDER A CITY INITIATED GENERAL PLAN AMENDMENT (FILE NO. PGPA16-003) TO AMEND THE HOUSING ELEMENT OF THE POLICY PLAN (GENERAL PLAN) TO REVISE THE AVAILABLE LAND INVENTORY (HOUSING ELEMENT APPENDIX) AND ALLOW ADMINISTRATIVE MODIFICATIONS TO THE INVENTORY

That City Council conduct a public hearing and adopt a Resolution approving General Plan Amendment File No. PGPA16-003, to revise the Available Land Inventory and allow administrative modifications to the inventory.

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.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA16-003, AN AMENDMENT TO THE HOUSING ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING AVAILABLE LAND INVENTORY (HOUSING ELEMENT APPENDIX) AND ALLOWING ADMINISTRATIVE MODIFICATIONS TO THE INVENTORY (SEE EXHIBIT A) (A PART OF CYCLE 1 FOR THE 2016 CALENDAR YEAR)

27. A PUBLIC HEARING TO RECEIVE AND RESPOND TO PUBLIC COMMENTS ON THE DRAFT 2015 URBAN WATER MANAGEMENT PLAN AND A RESOLUTION ADOPTING THE 2015 URBAN WATER MANAGEMENT PLAN

That the City Council:

- (A) Conduct a public hearing to receive and respond to Public Comment on the Draft 2015 Urban Water Management Plan (on file with Records Management); and
- (B) Adopt a Resolution adopting the 2015 Urban Water Management Plan.

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.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE 2015 URBAN WATER MANAGEMENT PLAN.

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
CLOSED SESSION REPORT**
City Council // Housing Authority // Other // (GC 54957.1)
June 21, 2016

ROLL CALL: Dorst-Porada __, Wapner __, Bowman __, Avila __ Mayor / Chairman Leon __.

STAFF: City Manager / Executive Director __, City Attorney __

In attendance: Dorst-Porada __, Wapner __, Bowman __, Avila __, Mayor / Chairman Leon __

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 1046-601-08; 150 South Euclid Avenue, Upland, CA; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Andy Oshay; Under negotiation: Price and terms of payment.

No Reportable Action	Continue	Approved
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Disposition: _____

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: AN AGREEMENT FOR ANIMAL CONTROL SERVICES; AND ADOPTION OF A RESOLUTION MODIFYING CERTAIN DOG LICENSING FEES AND THE CORRESPONDING PENALTY FOR FAILURE TO TIMELY PAY SUCH LICENSING FEES

RECOMMENDATION: That the City Council approve a two-year agreement (on file with the Records Management Department) with the Inland Valley Humane Society & SPCA of Pomona, California, for the provision of animal control services; adopt a resolution updating dog license fees and an associated penalty for failure to pay such fees on time; and authorize the extension of the agreement for up to one two-year period.

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

FISCAL IMPACT: The Inland Valley Humane Society & SPCA (IVHS) collects animal licensing fees and other service fees directly from pet owners and retains such fees to offset the costs of the animal control and educational programs. The FY2015-16 budget includes \$573,033 for these services, based on the prior agreement initiated in 2011, which adjusts the contract amount annually to reflect changes in the regional Consumer Price Index (CPI) with an annual cap of 5%. The costs for services under the proposed agreement are \$588,000 for FY2016-17. Under the agreement, future years' costs are adjusted based on changes to the regional CPI, with an annual cap of 5%. Any additional revenues generated from adjustments to licensing fees and associated penalties may be used to reduce down the amount of funds due from the City.

BACKGROUND: The City of Ontario has contracted with IVHS for animal control and shelter services since 1990. The contractual services include: collection of stray and unwanted, injured, or dead animals; enforcement of leash laws and other City regulatory ordinances relating to animals within the City; provision of animal ambulance services; and operation of an animal shelter in compliance with California standards.

STAFF MEMBER PRESENTING: Al C. Boling, City Manager

Prepared by: David Sheasby
Department: Citywide Administration

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

3

The City's existing agreement with IVHS expires on June 30, 2016. The proposed contract is for a two year period, with a City option to renew for an additional two year period. IVHS anticipates a FY2016-17 operating budget of \$1,563,971 for its services in Ontario, of which it proposes to charge the City \$588,000. The remainder of the budget will be funded through donations and the collection of dog license fees and impound fees.

In Ontario, the IVHS currently collects a fee of \$45 for unaltered dogs, \$20 for altered dogs, and a \$25 penalty for violations. Under the proposal, IVHS will collect a fee of \$55 for unaltered dogs, \$25 for altered dogs, and a \$35 dollar penalty for violations. Ontario's fees will remain comparable to the fees of other cities within IVHS's service area. For reference, the current fees for surrounding communities are as follows:

<u>City</u>	<u>Unaltered</u>	<u>Altered</u>	<u>Penalty</u>
San Bernardino County	\$96	\$15	\$15
Pomona	\$75	\$25	\$35
Rancho Cucamonga	\$60	\$15	\$18
Ontario (Proposed)	\$55	\$25	\$35
Chino Hills	\$50	\$15	\$35
Claremont	\$50	\$25	\$35
Montclair	\$50	\$25	\$35
Upland	\$50	\$20	\$40
La Verne	\$45	\$20	\$25
Chino	\$35	\$15	\$35

In addition to the services above, the IVHS operates a full service facility featuring animal care services such as training, a pet store, pet adoptions, and pet owner information and education. The facility includes a dog kennel, a cat adoption ward, and a dispatch center. IVHS also provides a low-cost vaccination and microchip program for Ontario residents, and special programs for Pit Bull, Chihuahua, and outdoor cat owners where those animals can be spayed/neutered, microchipped, and vaccinated for just \$30.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, MODIFYING CERTAIN DOG LICENSING FEES AND THE CORRESPONDING PENALTY FOR FAILURE TO TIMELY PAY SUCH LICENSING FEES.

WHEREAS, Section 6-1.206(a) of the Ontario Municipal Code authorizes the collection of an annual fee for dog licenses; and

WHEREAS, Section 6-1.206(c) of the Ontario Municipal Code authorizes the imposition of penalties for the failure to pay the annual fee for dog licenses on time; and

WHEREAS, the City of Ontario has previously entered into a contract with the Inland Valley Humane Society and SPCA (IVHS) for the provision of animal control and shelter services for impounded animals; and

WHEREAS, the City Council has authorized the IVHS to issue licenses and collect fees and penalties from owners of such animals; and

WHEREAS, the City Council may modify license fees for such services in response to increases in the costs for the provision of such services; and

WHEREAS, the Ontario Municipal Code specifies that the annual fee amounts for dog licenses are to be established by a resolution of the City Council; and

WHEREAS, the Ontario Municipal Code specifies that the penalty for failure to pay the annual fee for dog licenses is to be established by a resolution of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The annual fees for dog licenses shall be as follows:

Unaltered Dog	\$55.00
Altered Dog	\$25.00

SECTION 2. Pursuant to Ontario Municipal Code Section 6-1.206(c), the penalty for violations of Ontario Municipal Code Section 6-1.206(a) shall be as follows:

Penalty	\$35.00
---------	---------

SECTION 3. The modified fees and penalty shall be effective as of July 1, 2016.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18855 LOCATED AT THE NORTHEAST CORNER OF CHINO AVENUE AND NEWTON AVENUE

RECOMMENDATION: That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Tract Map No. 18855 located at the northeast corner of Chino Avenue and Newton Avenue within the Countryside Specific Plan area.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Invest in the Growth and Evolution of the City's Economy
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

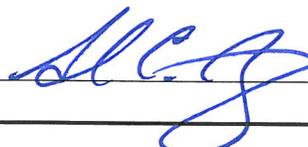
FISCAL IMPACT: None. All public infrastructure improvements required for this subdivision will be constructed by the developer at its sole cost.

BACKGROUND: Final Tract Map No. 18855, consisting of thirty-nine residential lots on 8.77 acres, as shown on the attached Exhibit A, has been submitted by the developer Forestar Development Company/Forestar Countryside, LLC of Newport Beach, California (Mr. Stephen C. Cameron, President).

Improvements will include bridge widening, street improvements, curb, gutter, sidewalk, driveway approaches, ADA access ramps, landscaped parkway and neighborhood edges, multi-purpose trails, fire hydrants, sewer, water, recycled water, storm drain, street lights and fiber optic system. Improvements in parkway landscaping will be consistent with current City approved drought measures. The developer has entered into an improvement agreement with the City for Final Tract Map No. 18855 and has posted adequate security to ensure construction of the required improvements.

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

Prepared by: Naiim Khoury
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

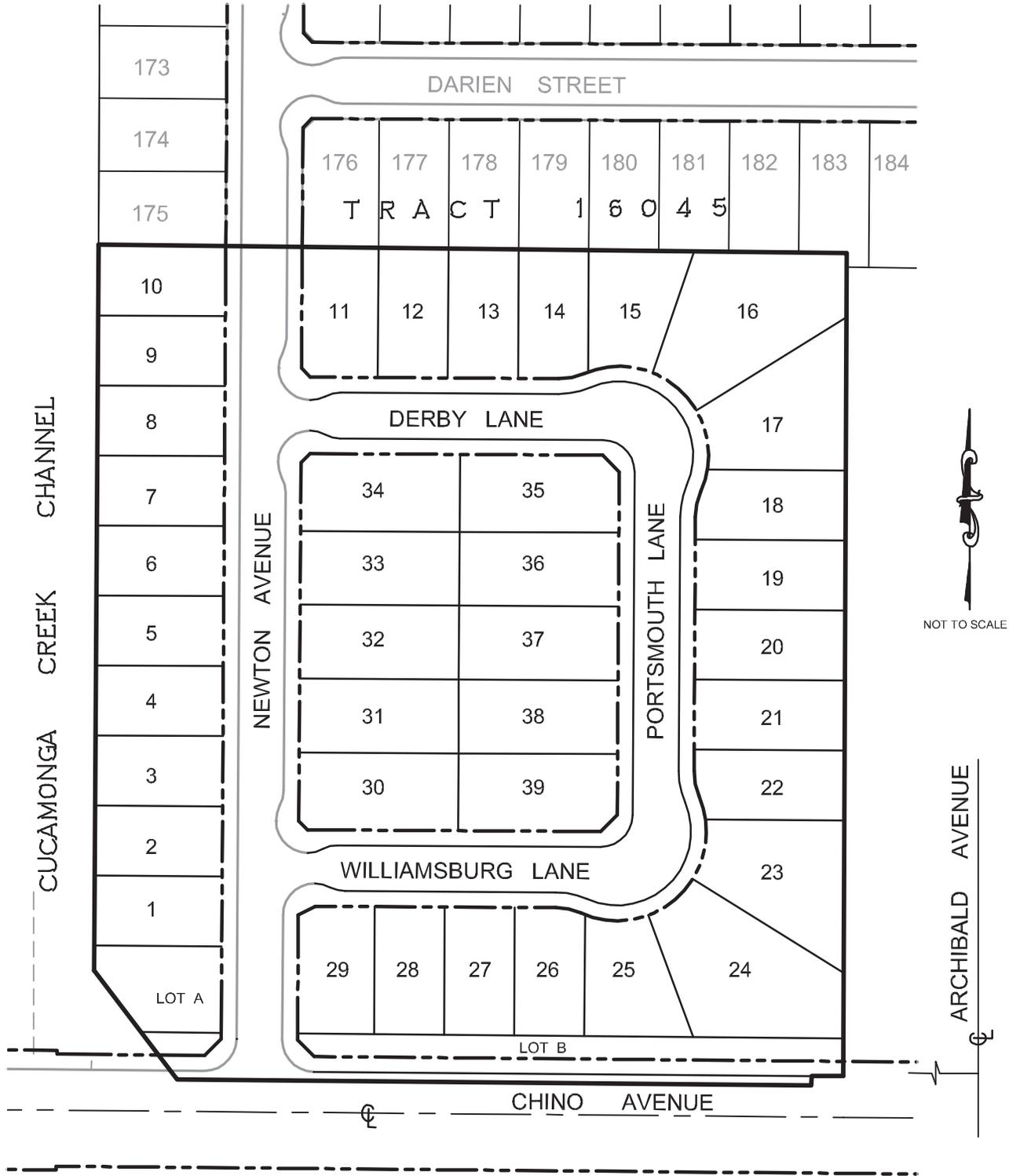
4

Tentative Tract Map No. 18855 was approved by the Planning Commission on December 20, 2012 and is consistent with the Countryside Specific Plan area.

This map meets all conditions of the Subdivision Map Act and the Ontario Municipal Code and has been reviewed and approved by the City Engineer

EXHIBIT A

TRACT MAP 18855



PREPARED BY:
L. D. KING, INC.
 10309 COMMERCE CENTER DRIVE
 SUITE 250
 RANCHO CUCAMONGA, CA 91730

APPLICANT:
FORESTAR DEVELOPMENT CO.
 4590 MAC ARTHUR BLVD
 SUITE 600
 NEWPORT BEACH, CA 92660

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18855, LOCATED AT THE NORTHEAST CORNER OF CHINO AVENUE AND NEWTON AVENUE.

WHEREAS, Tentative Tract Map No. 18855, submitted for approval by the developer, Forestar Development Company/Forestar Countryside, LLC of Newport Beach, California (Mr. Stephen C. Cameron, President) was approved by the Planning Commission of the City of Ontario on December 20, 2012; and

WHEREAS, Tentative Tract Map No. 18855 consisting of thirty-nine residential lots and on 8.77 acres; all being a subdivision of a portion of Lot 8, Block 1 and a portion of Block 5 of the Moist Belt Tract, as per Map Recorded in Book 12, page 45 of Maps in the Office of the County Recorder of San Bernardino County, California; and

WHEREAS, to meet the requirements established as prerequisite to final approval of Final Tract Map No. 18855, said developer has offered an improvement agreement together with good and sufficient security, in conformance with the City Attorney's approved format, for approval and execution by the City; and

WHEREAS, said developer has prepared Covenants, Conditions and Restrictions (CC&R's), reviewed and approved by the City Attorney's Office and the City Engineer, to ensure the right to mutual ingress and egress and continued maintenance of common facilities by commonly affected property owners.

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

1. That said improvement agreement be, and the same is, approved and the City Manager is authorized to execute same on behalf of said City, and the City Clerk is authorized to attest thereto; and
2. That said improvement security is accepted as good and sufficient, subject to approval as to form and content thereof by the City Attorney; and
3. That Final Tract Map No. 18855 be approved and that the City Clerk be authorized to execute the statement thereon on behalf of said City.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 19682 LOCATED AT THE SOUTHWEST CORNER OF CAMPUS AVENUE AND SUNKIST STREET

RECOMMENDATION: That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Parcel Map No. 19682 located at the southwest corner of Campus Avenue and Sunkist Street.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Invest in the Growth and Evolution of the City's Economy
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities).

FISCAL IMPACT: None. All public infrastructure improvements required for this subdivision will be constructed by the developer at its sole cost.

BACKGROUND: Final Parcel Map No. 19682, consisting of two parcels on 11.09 acres located on the former Sunkist Property at the southwest corner of Campus Avenue and Sunkist Street, as shown on the attached Exhibit A, has been submitted by the developer MHG Ontario, LLC, a California Limited Liability Company (Mr. Kevin McCarthy, Executive Vice President and Mr. John R. Burroughs, Vice President).

Improvements will include curb and gutter, sidewalk, landscaped parkway, water service laterals, sewer laterals, driveway approaches, ADA access ramps and fiber optic system. Improvements in parkway landscaping will be consistent with current City approved drought measures. The developer has entered into an improvement agreement with the City for Parcel Map No. 19682 and has posted adequate security to ensure construction of the required improvements.

Tentative Parcel Map No. 19682 was approved by the Planning Commission on December 22, 2015.

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

Prepared by: Naiim Khoury
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. _____

Approved: _____

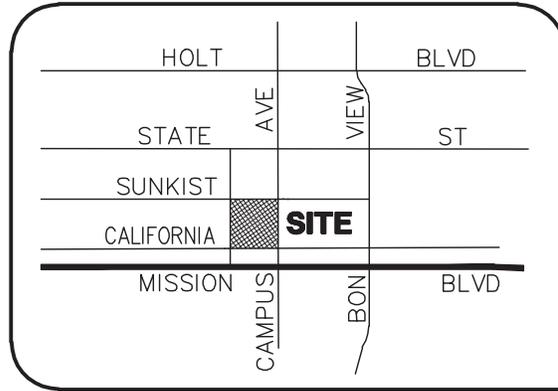
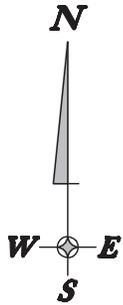
Continued to: _____

Denied: _____

5

This map meets all conditions of the Subdivision Map Act and the Ontario Municipal Code and has been reviewed and approved by the City Engineer.

EXHIBIT 'A' PM 19682



LOCATION MAP
N.T.S.



PREPARED BY:
PBLA ENGINEERING, INC.
Planning • Engineering • Surveying
4790 IRVINE BLVD., STE 105-262
IRVINE, CALIF. 92620
(888) 714-9642 • (714)389-9191 FAX

CITY OF ONTARIO
ENGINEERING DEPARTMENT

FILE No. PM-19682

APPLICANT: MHG ONTARIO, LLC
PROJECT: PARCEL MAP No. 19682

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND PARCEL MAP NO. 19682 LOCATED AT THE SOUTHWEST CORNER OF CAMPUS AVENUE AND SUNKIST STREET.

WHEREAS, Tentative Parcel Map No. 19682, submitted for approval by the developer, MHG Ontario, LLC, a California Limited Liability Company, (Mr. Kevin McCarthy, Executive Vice President and Mr. John R. Burroughs, Vice President) was approved by the Planning Commission of the City of Ontario on December 22, 2015; and

WHEREAS, Tentative Parcel Map No. 19682 consisting of two parcels on 11.09 acres; being a subdivision of Lots 2 and 3 in Blocks 121 and 122 and a portion of Lots 1 and 4 in Blocks 121 and 122 of Villa Plots Southside Tract, filed in Book 6, page 11 of Maps, together with a portion of Monterey Avenue, formerly known as Ontario Avenue, vacated by Resolution No. 847, recorded in Book 1168, Page 10 of O.R. in the Office of the County Recorder of San Bernardino County, California; and

WHEREAS, to meet the requirements established as prerequisite to final approval of Final Parcel Map No. 19682, said developer has offered an improvement agreement, together with good and sufficient security, in conformance with the City Attorney's approved format, for approval and execution by the City; and

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

1. That said improvement agreement be, and the same is, approved and the City Manager is authorized to execute same on behalf of said City, and the City Clerk is authorized to attest thereto; and
2. That said improvement security is accepted as good and sufficient, subject to approval as to form and content thereof by the City Attorney; and
3. That Final Parcel Map No. 19682 be approved and that the City Clerk be authorized to execute the statement thereon on behalf of said City.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report

June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 5 (FREEWAY INTERCHANGE PROJECT) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 5 (Freeway Interchange Project) for Fiscal Year 2016-17.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport

Focus Resources in Ontario's Commercial and Residential Neighborhoods

Operate in a Businesslike Manner

Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains, and Public Facilities)

FISCAL IMPACT: Special tax revenue, required to pay debt service on the District's outstanding bonds, administration and incidental expenses in the coming year, will be generated in the amount of \$474,369.

BACKGROUND: On June 6, 1995, the City Council adopted Resolution No. 95-65 establishing the formation of Community Facilities District No. 5, ("District") as shown on the boundary map. Community Facilities District No. 5 was formed to provide funding for the construction of three projects, as follows:

- Improvement of the Milliken Avenue/I-10 Freeway Interchange,
- Improvement of the Fourth Street/I-15 Freeway Interchange, and
- Improvement of Milliken Avenue from the I-10 Freeway to the south side of Guasti Road, including portions of Guasti Road east and west of Milliken Avenue to the entrances of the two truck stops.

These improvements are vital to traffic circulation in the northeastern portion of Ontario, to the Ontario Mills, to the Ontario Center, and to the truck stops south of the I-10 Freeway at Milliken Avenue.

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

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On September 12, 1995, upon conclusion of the property owner election, the District received an 82.5% affirmative vote of the property owners in favor of approving the sale of bonds and the levy of an annual special tax to secure the bonded indebtedness. On July 15, 1997, the City Council adopted Resolution No. 97-059, authorizing the issuance of \$12,000,000 in bonds, and Ordinance No. 2639, authorizing the levy of an annual special tax.

Due to the varying levels of benefit received by the properties within the District from the improvements, the District is divided into two tax rate zones identified as Zone A and Zone B. The special tax for the properties within Zone B was prepaid prior to the issuance of bonds; therefore, there is no special tax levy on the properties within Zone B of this District.

The modification of the Fourth Street/I-15 Freeway Interchange was completed in March 1997. The Milliken Avenue and Guasti Road project was completed in January 1999. The modification of the Milliken Avenue/I-10 Freeway Interchange was completed in May 2001. Bond proceeds have been fully expended and the District has no further obligation for funding the improvements.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied until the bonds mature in 2017. The tax rates required for Fiscal Year 2016-17 are \$819.08 per Taxable Acre for Zone A, and \$0.00 per Taxable Acre for Zone B, where the property owners have fully prepaid their tax obligation. The special tax finances the annual debt service, administration and incidental expenses for the bonds issued by the District. Within Zone A, the maximum annual special tax that may be levied is \$2,500.00 per Taxable Acre.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 5 (FREEWAY INTERCHANGE PROJECT), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as COMMUNITY FACILITIES DISTRICT NO. 5 (FREEWAY INTERCHANGE PROJECT) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2639 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above do not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Debt service on all bonds or other indebtedness issued to finance those facilities and incidental expenses authorized to be financed by the District (including the costs of any credit enhancement);
- (b) Costs of those facilities authorized to be financed by the District;
- (c) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (d) Administrative costs of the District; and
- (e) Any amounts required to replenish any reserve funds established in association with bonds issued to finance those facilities and incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 5 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 5, Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 5
(FREEWAY INTERCHANGE PROJECT)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2016-17**

The Community Facilities District has been divided into two (2) Tax Rate Zones:

1. Zone "A": Properties generally located north of the I-10 freeway, which primarily benefit from the improvement of the Milliken Avenue/I-10 Freeway Interchange, and the improvement of the Fourth Street/I-15 Freeway Interchange.
2. Zone "B": Properties generally located south of the I-10 Freeway, which primarily benefit from the improvement of the Milliken Avenue/I-10 Freeway Interchange, and the improvement of Milliken Avenue from the I-10 Freeway to the south side of Guasti Road, and portions of Guasti Road east and west of Milliken Avenue.

The rate of the special tax for each zone is as follows:

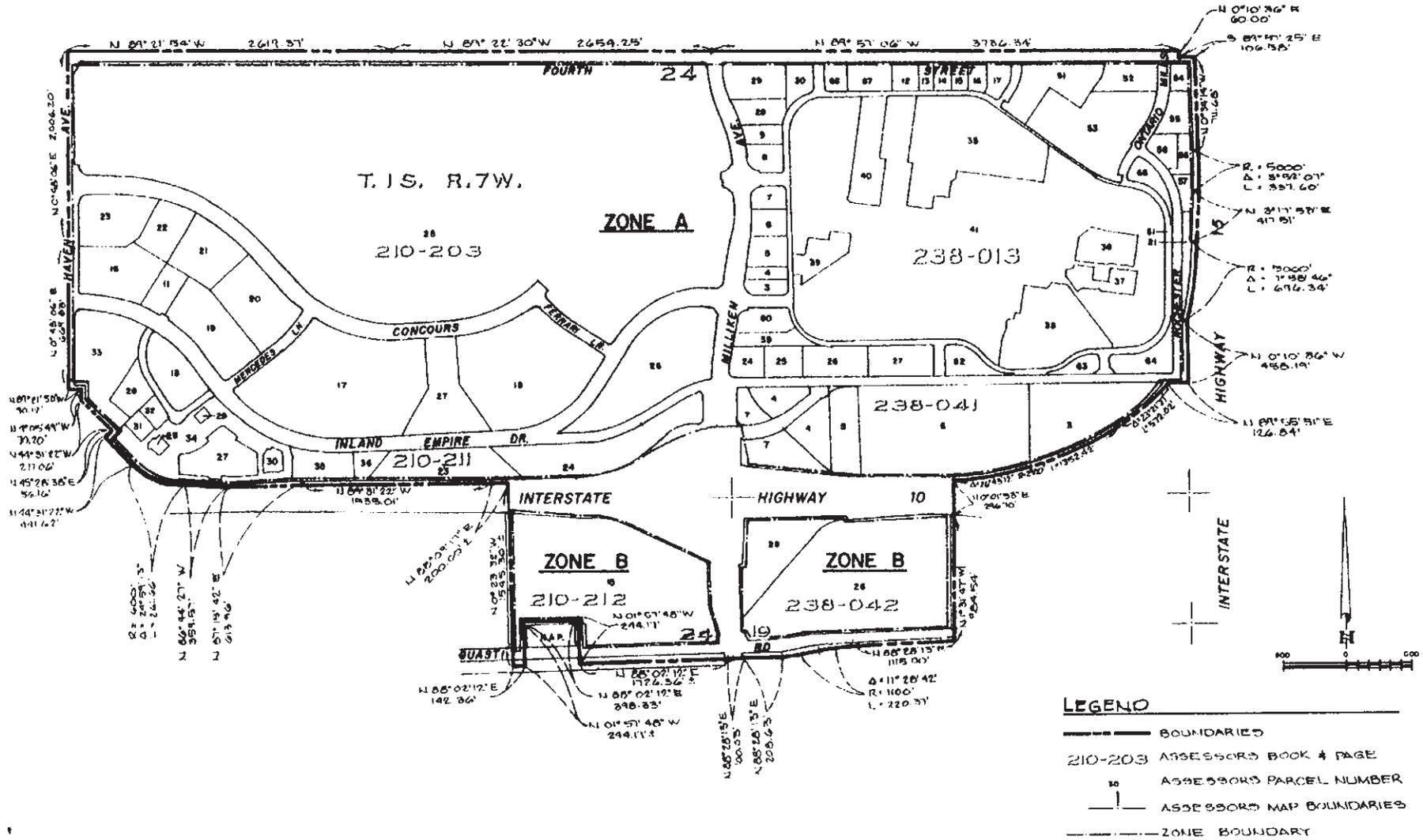
Zone "A":	\$ 819.08 per Taxable Acre
Zone "B":	\$ 0.00 per Taxable Acre

For the purpose of calculating the special tax, "Taxable Acre" shall be as defined in Ordinance No. 2639, which authorizes the levy of the special tax.

The above rates are based on the amount required to pay debt service on the outstanding bonds, together with any adjustments required, as authorized by ordinance. Data used in the calculation of the rates relative to parcel acreage and taxable status may change prior to issuance of the tax bills by the County. If changes do occur, the amount levied upon each property shall be adjusted.

COMMUNITY FACILITIES DISTRICT NO.5 (FREEWAY INTERCHANGE DISTRICT)

CITY OF ONTARIO, COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA



CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 9 (Edenglen) for Fiscal Year 2016-17.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced and Self-Sustaining Community in the New Model Colony.

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$534,702 to fund City services, administration and incidental expenses.

BACKGROUND: On March 20, 2007, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 9 ("District") with the adoption of Resolution No. 2007-036, declaring the City's intention to establish the District and to authorize the levy of special taxes, and Resolution No. 2007-037, to issue bonds for the District. On May 1, 2007, the City Council adopted Resolution No. 2007-056 establishing the formation of the District.

Upon a successful property owner election, the City Council adopted Ordinance No. 2860 on May 15, 2007, authorizing the levy of special taxes for the District to finance facilities (Special Tax A) and to fund City services (Special Tax B). Due to the downturn in the housing market, Edenglen Ontario LLC, the developer, retracted its request for bond financing of facilities. On October 16, 2007, the City Council adopted Resolution No. 2007-120 determining that Special Tax A for facilities cease to be levied. Special Tax B for City services remains in full force and effect.

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

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The District, as shown on the boundary map, is within the westerly portion of the Edenglen Specific Plan development within the New Model Colony. The Edenglen Specific Plan addresses the development of approximately 160 acres and is generally located on the south side of Riverside Drive, north of Chino Avenue, west of Milliken Avenue, and east of Mill Creek Avenue. The residential portion of the development, which comprises the District, is approximately 80 acres and is expected to consist of 310 single-family units and 274 multi-family units at build-out.

Special Tax B is levied each fiscal year to fund authorized services and administrative expenses associated with administering the District. The authorized services to be funded from special taxes are police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance of parks, parkways and open space and flood and storm protection services.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. Fiscal Year 2008-09 was the first year that this special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax, as approved by the property owners, beginning on July 1, 2010, and annually thereafter, the maximum annual tax rates shall be increased by an amount equal to 2% of the amount in effect the previous Fiscal Year. The Fiscal Year 2015-16 tax rates and the maximum and proposed annual tax rates for Fiscal Year 2016-17 are as follows:

Annual Tax Rates

Land Use	Tax Zone	FY 2015-16 Annual Tax Rates		FY 2016-17 Maximum Tax Rates		FY 2016-17 Proposed Annual Tax Rates		No. of Units or SF	Totals
Residential	1	\$ 1,396.44	per Unit	\$ 1,424.37	per Unit	\$1,424.37	per Unit	218	\$310,512.66
Residential	2	\$ 1,093.50	per Unit	\$ 1,115.37	per Unit	\$1,115.37	per Unit	201	\$224,189.37
Non-Residential	N/A	\$ 0.2703	per SF	\$ 0.2757	per SF	\$ 0.2757	per SF	0	\$ -
Total Annual Tax									\$534,702.03

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 9 (Edenglen) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2860 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of those services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 9 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 9 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN)**

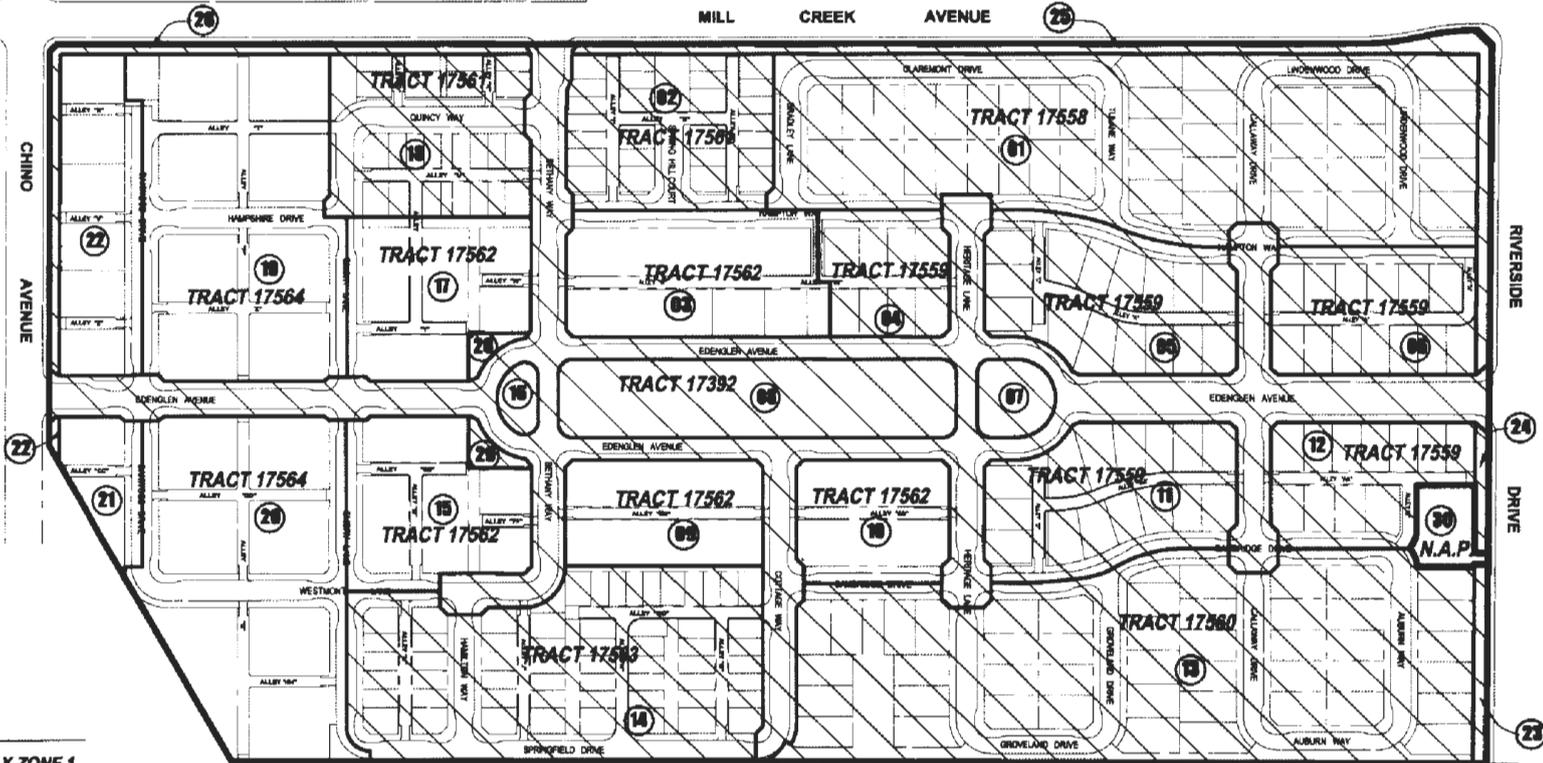
**SPECIAL TAX RATES
FOR FISCAL YEAR 2016-17**

Land Use	Tax Zone	Annual Tax Rates
Residential	1	\$1,424.37 per Unit
Residential	2	\$1,115.37 per Unit
Non-Residential	N/A	\$0.2757 per SF

'N/A' means not applicable. 'SF' means Square Footage and 'Unit' means residential dwelling unit, as defined in the Rate and Method of Apportionment of Special Tax for the District.

PROPOSED BOUNDARIES OF
 CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN)
 COUNTY OF SAN BERNARDINO
 STATE OF CALIFORNIA

GENERAL NOTE: PARCELS PER ASSESSOR'S MAP BOOK 0218 PAGE 92



LEGEND

-  TAX ZONE 1
-  TAX ZONE 2
-  CFD BOUNDARY
-  PARCEL BOUNDARY
- 0218-921-XX  PARCEL NUMBER

TAX ZONE 1	TAX ZONE 2
TRACT 17392	TRACT 17562
TRACT 17558	TRACT 17564
TRACT 17559	
TRACT 17560	
TRACT 17561	
TRACT 17563	

NOTE: BOUNDARY MAP NOT TO SCALE

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 10 (Ontario Airport Towers) for Fiscal Year 2016-17.

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

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$11,004 to fund City services, administration and incidental expenses.

BACKGROUND: On June 5, 2007, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 10 ("District") with the adoption of Resolution No. 2007-066, declaring the City's intention to establish the District and to authorize the levy of a special tax, and Resolution No. 2007-067, to issue bonds for the District. On July 17, 2007, the City Council adopted Resolution No. 2007-093, forming the District. Upon a successful property owner election, on August 21, 2007, the City Council adopted Ordinance No. 2871, authorizing the levy of a special tax for the District to finance facilities and City services related to the Ontario Airport Towers project. The District boundaries are shown on the boundary map.

Subsequent to the initial proceedings forming the District, authorizing the issuance of bonds and the levy of the special tax, the City Council conducted several additional proceedings related to amending the rate and method of apportionment of the special tax, reauthorizing the issuance of bonds, and reauthorizing the levy of the special tax. On March 17, 2009, the City Council adopted Ordinance No. 2902 which authorized the levy of a special tax pursuant to the last amended rate and method of

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

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apportionment of the special tax. Ordinance No. 2902 also rescinded the previously adopted special tax ordinances.

The public infrastructure facilities required for the development of the Ontario Airport Towers project were originally planned to be financed with the issuance of bonds by the District. However, due to the economic downturn, the planned issuance of bonds was abandoned. The special tax for City services remains in full force and effect.

The Ontario Airport Towers project addresses the development of approximately 25 acres and is generally located on the south side of Interstate 10 Freeway, north of Guasti Road, east of Archibald Avenue and west of Turner Avenue. The project is planned for development in 5 phases: 850,000 square feet of Class A office space (five buildings), 10,000 square feet of retail space, and a 175 room hotel.

The special tax for City services is levied each fiscal year to fund services and administrative expenses as follows: police protection services, fire protection and rescue services and parkway and open space maintenance services; and all costs related to financing and administering the services, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District and administering the District. Special tax collections and expenses for the District were \$10,245 and \$10,580 respectively, during Fiscal Year 2014-2015, which is the most recent fiscal year ended.

The adoption of a resolution by the City Council is required annually to establish the special tax rate to be levied. Fiscal Year 2008-09 was the first year that the special tax for City Services was levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, beginning on July 1, 2008, and annually thereafter, the maximum annual Services Special tax rate shall be increased by an amount equal to the greater of (i) the increase, if any, in the Consumer Price Index for the Los Angeles-Riverside-Orange County Area for All Urban Consumers, or (ii) 2% of the amount in effect the previous Fiscal Year. The proposed tax rate for Fiscal Year 2016-17 represents a 2.0% increase over the previous Fiscal Year. The assessed tax rate for Fiscal Year 2015-16, and the maximum and proposed tax rate for Fiscal Year 2016-17, are as follows:

ANNUAL TAX RATE

FY 2015-16 Annual Tax Rate	FY 2016-17 Maximum Tax Rate	FY 2016-17 Proposed Annual Tax Rate	Taxable Acreage	Total
\$ 568.65 /acre	\$ 580.02 /acre	\$ 580.02 /acre	18.971	\$ 11,003.56

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as "COMMUNITY FACILITIES DISTRICT NO. 10 OF THE CITY OF ONTARIO (ONTARIO AIRPORT TOWERS)" (hereinafter referred to as "District" or "Community Facilities District No. 10"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2902 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a services special tax (the "Services Special Tax") and a facilities special tax (the "Facilities Special Tax") to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rate of the Services Special Tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rate and amount of the Services Special Tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution together with a list of all parcels subject to the Services Special Tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) police protection services, fire protection and rescue services and parkway and open space maintenance services (the "Services"); and
- (b) all costs related to financing and administering the Services, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District and administering the District (the "Services Incidental Expenses").

SECTION 6. The Services Special Tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said Services Special Tax.

SECTION 7. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 10 Special Tax," or by any other suitable designation, the installment of the Services Special Tax.

SECTION 8. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such Services Special Tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 9. This legislative body hereby certifies that the levy of the Services Special Tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 10
(ONTARIO AIRPORT TOWERS)**

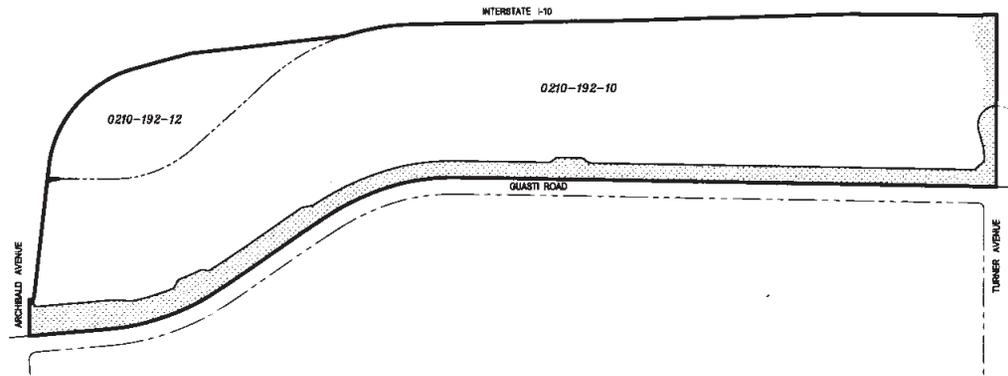
**SERVICES SPECIAL TAX RATE
FOR FISCAL YEAR 2016-17**

All Assessor's Parcels of Taxable Property within Community Facilities District No. 10 shall be taxed at the following special tax rate pursuant to the Rate and Method of Apportionment of Special tax, as amended:

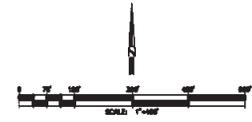
FY 2016-17 Special Tax Rate: \$580.02 per Acre

Assessor's Parcel, Acre and Taxable Property shall all have the meanings as defined in the Rate and Method of Apportionment of Special tax, as amended.

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 10 OF
CITY OF ONTARIO
(ONTARIO AIRPORT TOWERS)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA



LEGEND	
	CFD BOUNDARY
	EXISTING PARCEL LINE
	PROPOSED RIGHT-OF-WAY
	EXEMPT AREA
	ASSESSOR'S PARCEL NUMBER



CITY OF ONTARIO

Agenda Report

June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER – PHASE IV) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 13 (California Commerce Center – Phase IV) for Fiscal Year 2016-17.

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

FISCAL IMPACT: Special tax revenue, required to pay the debt service on the District's outstanding bonds, administration and incidental expenses, will be generated in the amount of \$383,571.

BACKGROUND: On April 1, 2008, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 13 ("District") with the adoption of Resolution No. 2008-018, declaring the City's intention to establish the District and to authorize the levy of special taxes, and Resolution No. 2008-019, to issue bonds for the District. On May 6, 2008, the City Council adopted Resolution No. 2008-032 forming the District. The District is located along the south side of Francis Street, between Haven and Milliken Avenues, as shown on the boundary map.

Upon a successful property owner election, the City Council adopted Ordinance No. 2893 on June 3, 2008, authorizing the levy of special taxes in the District to finance facilities. The facilities are public infrastructure improvements required for the development of the California Commerce Center - Phase IV project, which was developed by SR Acquisition Corporation, LLC and Ontario Industrial, LLC (affiliates of the SARES REGIS Group and J.P. Morgan). The facilities include street improvements and utility connections on Francis Street between Haven Avenue and Dupont Street, and

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

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the installation of new storm drain facilities to tie into the existing Lower Deer Creek storm drain system.

The California Commerce Center - Phase IV project addresses the development of approximately 100 acres and is generally located on the south side of Francis Street, east of Haven Avenue and west of Milliken Avenue. SR Acquisition Corporation, LLC and Ontario Industrial, LLC developed 6 parcels of warehouse industrial buildings comprising approximately 1.94 million square feet of floor space, and one parcel of commercial retail building(s) totaling approximately 20,000 square feet of floor space.

The public infrastructure facilities authorized to be funded by the special tax were fully completed by the developer and accepted by the City in January 2009. Bond proceeds have been fully expended and the District has no further obligation for funding the facilities.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied, until the bonds mature in 2038. Fiscal Year 2008-09 was the first year that the special tax was levied. Special tax collections and expenses for the District were \$373,045 and \$336,418 respectively, during Fiscal Year 2014-2015, which is the most recent fiscal year ended. The assessed tax rates for Fiscal Year 2015-16, and the maximum and proposed annual tax rates for Fiscal Year 2016-17, are as follows:

ANNUAL TAX RATES

Land Use Class	Description		FY 2015-16 Annual Tax Rates	FY 2016-17 Maximum Tax Rates	FY 2016-17 Proposed Annual Tax Rates	Totals
1	Industrial	1,936,142 Bldg. SF	\$ 0.1927 per SF	\$ 0.2111 per SF	\$ 0.1928 per SF	\$ 373,288.18
2	Commercial	2.05 Acre Parcel	\$ 10,275.82 per Parcel	\$ 11,275.00 per Parcel	\$ 10,283.17 per Parcel	\$ 10,283.17
Total Annual Tax						\$ 383,571.35

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER – PHASE IV), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as "COMMUNITY FACILITIES DISTRICT NO. 13 OF THE CITY OF ONTARIO (CALIFORNIA COMMERCE CENTER – PHASE IV)" (hereinafter referred to as "District" or "Community Facilities District No. 13"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2893 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above do not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Debt service on all bonds or other indebtedness issued to finance those facilities and incidental expenses authorized to be financed by the District (including the costs of any credit enhancement);
- (b) Costs of those facilities authorized to be financed by the District;
- (c) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (d) Administrative costs of the District; and
- (e) Any amounts required to replenish any reserve funds established in association with bonds issued to finance those facilities and incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into a Special Tax Fund created and established in connection with the issuance of bonds by the District.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 13 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 13
(CALIFORNIA COMMERCE CENTER – PHASE IV)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2016-17**

Land Use Class	Description	Annual Tax Rates
1	Industrial	\$0.1928 per SF
2	Commercial	\$10,283.17 per Parcel

"SF" means Square Footage as defined in the Rate and Method of Apportionment of Special Tax for the District.

**PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 13
OF THE CITY OF ONTARIO
(CALIFORNIA COMMERCE CENTER PHASE IV)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA**

(1) Filed in the office of the Clerk of the City of Ontario this 2nd day of April, 2008.

Traci R. McKinley
Traci R. McKinley, Assistant
Clerk of the City of Ontario,
California



(2) I hereby certify that the within map showing the proposed boundaries of Community Facilities District No. 13 of the City of Ontario (California Commerce Center Phase IV), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 1st day of April, 2008, by its Resolution No. 2008-018.

Traci R. McKinley
Traci R. McKinley, Assistant
Clerk of the City of Ontario,
California



(3) San Bernardino County Recorder's Certificate

This map has been filed under Document Number 2008-0149087, this 4th day of April, 2008, at 8:05 A.M., in Book 83 of Maps of Assessment and Community Facilities Districts at page 86, at the request of the City of Ontario in the amount of \$ 10.00.

Issued by Clerk Joseph,
County of San Bernardino
Book 2008-149087
Page 86

Larry Walker
Auditor/Controller-Recorder
County of San Bernardino

By: *Diana T. Hernandez*
Deputy Recorder

Assessor Parcel Numbers within the Boundaries of Community Facilities District No. 13 of the City of Ontario (California Commerce Center Phase IV):

- 0211-281-04
- 0211-281-21
- 0211-281-23

LEGEND

Proposed Boundaries of Community Facilities District No. 13 of the City of Ontario (California Commerce Center Phase IV), San Bernardino County, California

PARCEL N Parcel Map 18334 Parcel Number

DUPONT STREET

MILLIKEN AVENUE

Reference is hereby made to Parcel Map No. 18334 recorded on March 14, 2008 in Book 227 of Parcel Maps Pages 17 through 22, as Document No. 2008-0115329, Official Records of San Bernardino County for a description of the lines and dimensions of each lot and parcel.

HAVEN AVENUE

FRANCIS STREET

PARCEL 1

PARCEL 3

PARCEL 4

PARCEL 2

PARCEL 5

PARCEL 6

STREET

FRANCIS

PARCEL 7



CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 20 (Wal-Mart) for Fiscal Year 2016-17.

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

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$25,700 to fund City services, administration and incidental expenses.

BACKGROUND: On June 4, 2013, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 20 ("District") with the adoption of Resolution No. 2013-035, declaring the City's intention to establish the District and to authorize the levy of special taxes. On July 16, 2013, the City Council adopted Resolution No. 2013-082 forming the District. Upon a successful property owner election, the City Council adopted Ordinance No. 2963 on August 20, 2013, authorizing the levy of special taxes for the District to finance City services related to the Community Facilities District.

The District, as shown on the boundary map, addresses the commercial development of approximately 16.28 acres located on the west side of Mountain Avenue, south of Sixth Street, and north of Fifth Street.

As adopted, the special tax for City services is to be levied each fiscal year, beginning in Fiscal Year 2014-15, to fund City services. The services authorized to be financed, in whole or in part, by Community Facilities District No. 20 of the City of Ontario are as follows: (1) the operation and

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Service, Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

10

maintenance of the public street lighting facilities and appurtenances that serve the property and whose installation was identified as part of the project and (2) the maintenance and servicing of the landscaping and appurtenant improvements of the raised, landscaped median constructed by the landowner on Mountain Avenue between Fifth Street and Sixth Street.

The adoption of a resolution by the City Council is required annually to establish the special tax rate to be levied. As noted, Fiscal Year 2014-2015 was the first year that the special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax, as approved by the property owners, beginning on April 1, 2014, and annually thereafter, the maximum annual tax rates shall be increased by the greater of the Consumer Price Index for all urban consumers in the Los Angeles-Riverside-Orange County area or the Southern California Edison LS-2 rate. Special tax collections and expenses for the District were \$24,517, during Fiscal Year 2014-2015, which is the most recent fiscal year ended. The assessed tax rate for FY 2015-16 and the maximum and proposed annual tax rate for Fiscal Year 2016-17, are as follows:

ANNUAL TAX RATE CFD 20 - Walmart				
FY 2015-16 Annual Tax Rate	FY 2016-17 Maximum Tax Rate	FY 2016-17 Proposed Annual Rate	Acres	Total
\$ 1,552.24 /acre	\$ 1,578.63 /acre	\$ 1,578.63 /acre	16.28	\$ 25,700.10

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as "COMMUNITY FACILITIES DISTRICT NO. 20 OF THE CITY OF ONTARIO (WAL-MART)" (hereinafter referred to as "District" or "Community Facilities District No. 20"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2963 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a services special tax (the "Services Special Tax") and a facilities special tax (the "Facilities Special Tax") to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rate of the Services Special Tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rate and amount of the Services Special Tax to be collected to pay for the Costs and Expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution together with a list of all parcels subject to the Services Special Tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) the lighting, operating, maintaining, improving and servicing of the public street lights and appurtenances benefiting the properties within the District, the maintaining improving and servicing of the landscaping and appurtenances of the raised, landscaped median to be constructed by the landowner on the west side of Mountain Avenue between 5th Street and 6th Street (the "Services"); and
- (b) all costs related to financing and administering the Services, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District and administering the District (the "Services Incidental Expenses").

SECTION 6. The Services Special Tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said Services Special Tax.

SECTION 7. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 20 Special Tax," or by any other suitable designation, the installment of the Services Special Tax.

SECTION 8. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such Services Special Tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 9. This legislative body hereby certifies that the levy of the Services Special Tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 20
(WAL-MART)**

**SERVICES SPECIAL TAX RATE
FOR FISCAL YEAR 2016-17**

All Assessor's Parcels of Taxable Property within Community Facilities District No. 20 shall be taxed at the following special tax rate pursuant to the Rate and Method of Apportionment of Special tax, as amended:

FY 2016-17 Special Tax Rate: \$1,578.63 per Acre

Assessor's Parcel, Acre and Taxable Property shall all have the meanings as defined in the Rate and Method of Apportionment of Special tax, as amended.

**Proposed Boundaries of
Community Facilities District No. 20
of the City of Ontario (Wal-Mart)
County of San Bernardino
State of California**

Filed in the office of the Clerk of the City of Ontario
this 4th day of June, ~~2012~~
2013.

Dick Kanel, Assistant City
Clerk of the City of Ontario

I hereby certify that the within map showing the proposed
boundaries of Community Facilities District No. 20 of the
City of Ontario (Wal-Mart), County of San Bernardino,
State of California, was approved by the City Council of the
City of Ontario at a regular meeting thereof, held on
the 4th day of June, ~~2012~~, 2013,
by its Resolution No. 2013-035.

Dick Kanel, Assistant City
Clerk of the City of Ontario



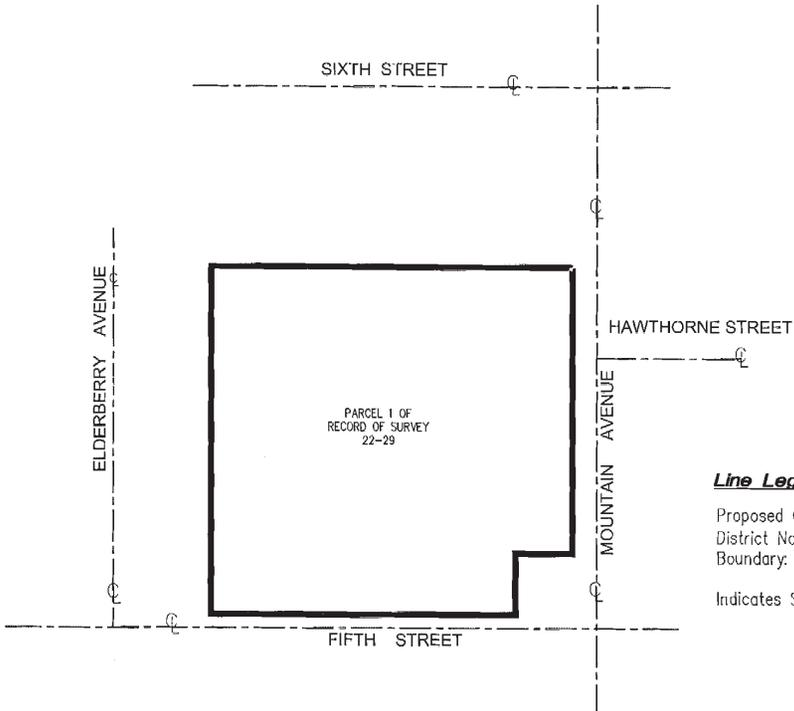
San Bernardino County Recorder's Certificate

This map has been filed under Document
Number 2013 0265512, this 13th day of
June, 2013 at 2:43 P.m. in Book 85
of Maps of Assessment and Community Facilities Districts
at Page 65, at the Request of the City of Ontario
in the amount of \$ 10.00.

Recorded in Official Records
County of San Bernardino
Doc# 2013-0265512
6/13/2013 2:43 PM

Dennis Draeger
Assessor-Recorder-Clerk
County of San Bernardino

By: Cecilia May
Deputy Recorder



Line Legend:
Proposed Community Facilities
District No. 20 (Wal-Mart)
Boundary:

Indicates Street Centerline:

Parcel Numbers
within the Boundaries of the City
of Ontario Community
Facilities District No. 20 (Wal-Mart):

PARCEL 1 OF RECORD OF SURVEY 22-29, BEING A SURVEY OF
PORTIONS OF LOTS 741, 742, 747 AND 748, MAP OF ONTARIO,
AS RECORDED IN BOOK 11 OF MAPS, PAGE 6, RECORDS OF
THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

CITY OF ONTARIO

Agenda Report

June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 21 OF THE CITY OF ONTARIO (PARKSIDE) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 21 of the City of Ontario (Parkside) for Fiscal Year 2016-17.

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

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$50,132 to fund City services, administration and incidental expenses.

BACKGROUND: On July 2, 2013, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 21 ("District") with the adoption of Resolution No. 2013-071, declaring the City's intention to establish the District and to authorize the levy of a special tax. On August 20, 2013, the City Council adopted Resolution No. 2013-088 forming the District. Upon a successful property owner election, the City Council adopted Ordinance No. 2966 on September 3, 2013, authorizing the levy of a special tax for the District to finance City services, related to the Parkside residential project.

The District, as shown on the boundary map, addresses the residential development of approximately 19.6 acres located north of Inland Empire Boulevard, south of Fourth Street, east of Archibald Avenue and west of Turner Avenue. At build-out, the development will include 150 detached units and 152 attached units.

As adopted, the special tax for City services is to be levied each fiscal year, beginning in Fiscal Year 2014-15. The services authorized to be financed, in whole or in part, by Community Facilities

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

11

District No. 21 of the City of Ontario (Parkside) are as follows: (1) the operation and maintenance of the public street lighting facilities and appurtenances that serve the property and whose installation is identified in the Parkside Development’s Conditions of Approval; (2) the maintenance and servicing of the landscaping and appurtenant improvements of the raised, landscaped median constructed by the landowners on Inland Empire Boulevard pursuant to the Parkside Development’s Conditions of Approval; and (3) the maintenance and servicing of the landscaping and appurtenant improvements for the City right-of-way parkways bordering the project on the north side of Inland Empire Boulevard and the west side of Tuner Avenue.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2014-15 was the first year that the special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, beginning on July 1, 2014, and annually thereafter, the maximum annual services special tax rate shall be increased by an amount equal to the greater of (i) the increase, if any, in the Consumer Price Index for the Los Angeles-Riverside-Orange County Area for all urban consumers, or (ii) 2% of the amount in effect the previous Fiscal Year. As proposed, the rates for FY 2016-17 reflect a 2% increase from the rates adopted for FY 2015-16. The assessed rates for FY 2015-16 and the maximum and proposed annual tax rates for Fiscal Year 2016-17 are as follows:

Annual Tax Rates

Land Use	FY 2015-16 Assessed Tax Levy	FY 2016-17 Maximum Tax Rates	FY 2016-17 Proposed Annual Tax Rates	No. of Units	Totals
Detached Property	\$218.27 per Unit	\$222.63 per Unit	\$222.63 per Unit	150	\$33,394.50
Attached Property	\$170.93 per Unit	\$174.35 per Unit	\$174.35 per Unit	96	\$16,737.60
Total Annual Tax					\$50,132.10

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 21 OF THE CITY OF ONTARIO (PARKSIDE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 21 (Parkside) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2966 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of those services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 21 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 21 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 21 (PARKSIDE)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2016-17**

Land Use Class	Land Use	Annual Tax Rates
Detached Property	Residential	\$222.63 per Unit
Attached Property	Residential	\$174.35 per Unit

Proposed Boundaries of
Community Facilities District No. 21
of The City Of Ontario (Parkside)
County Of San Bernardino
State Of California

Filed in the office of the Clerk of the City of Ontario
this 2nd day of July, 2013.

Vicki Kased
Clerk of the City of Ontario

I hereby certify that the within map showing the proposed
boundaries of Community Facilities District No. 21 of the
City of Ontario (Parkside), County of San Bernardino,
State of California, was approved by the City Council of the
City of Ontario at a regular meeting thereof, held on
the 2nd day of July, 2013,
by its Resolution No. 2013-071.

Vicki Kased
Clerk of the City of Ontario



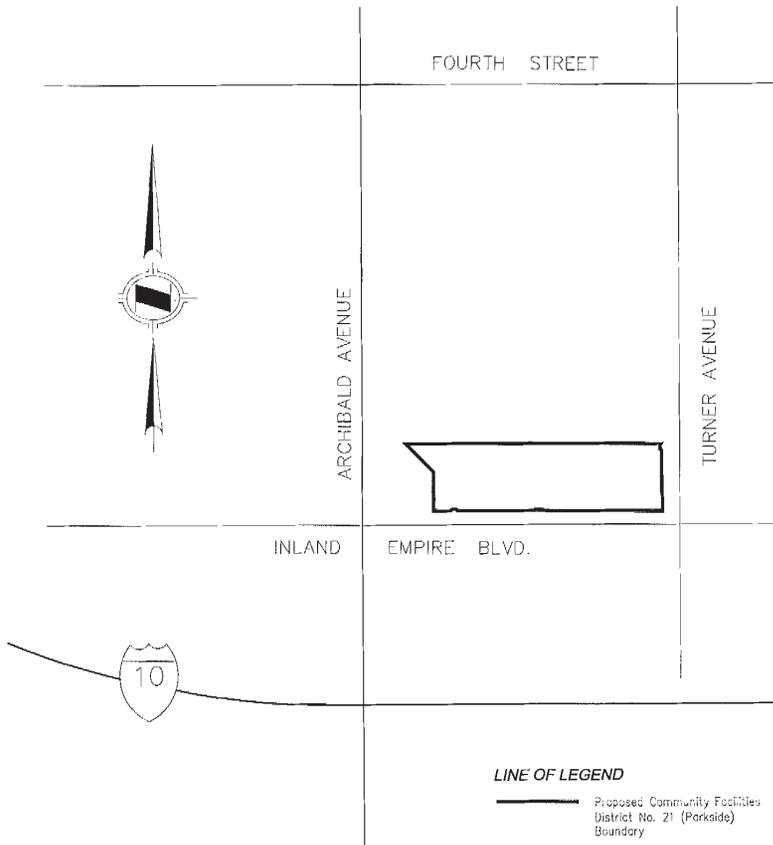
San Bernardino County Recorder's Certificate

This map has been filed under Document
Number 2013-0200897, this 9th day of
JULY, 2013, at 2:16 p.m. in Book 85
of Maps of Assessment and Community Facilities Districts
at Page 88-89, at the Request of the City of Ontario
in the amount of \$ 12.00.

Dennis Droeger
Assessor-Recorder-Clerk
County of San Bernardino

By: Michelle Linnis Post
Deputy Recorder

Recorded in Official Records
County of San Bernardino
Book: 2013-0200897
7/29/2013 2:25 PM



LINE OF LEGEND

Proposed Community Facilities
District No. 21 (Parkside)
Boundary

Parcel Numbers
within the Boundaries of the City
of Ontario Community
Facilities: District No. 21 (Parkside):

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA,
BEING LOTS 1 THROUGH 11, INCLUSIVE, AND LETTERED LOTS A THROUGH G,
INCLUSIVE OF TRACT NO. 18850, AS SHOWN ON A MAP FILED IN BOOK 337,
PAGE 16 THROUGH 20, INCLUSIVE, OF MAPS, PARCELS 1 AND 2 OF PARCEL
MAP NO. 16979, AS SHOWN ON A MAP FILED IN BOOK 234, PAGES 51
THROUGH 54, INCLUSIVE, OF PARCEL MAPS AND A PORTION OF LOT 14 OF
THE MAP OF CUCAMONGA LANDS RECORDED IN BOOK 4 PAGE 9 OF MAPS, ALL
IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

CITY OF ONTARIO

Agenda Report
June 21, 2016

**SECTION:
CONSENT CALENDAR**

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 23 (Park Place Services) for Fiscal Year 2016-17.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$414,050 to fund City services, administration and incidental expenses.

BACKGROUND: On February 4, 2014, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 23 ("District") with the adoption of Resolution No. 2014-003, declaring the City's intention to establish the District and to authorize the levy of special taxes. On March 18, 2014, the City Council adopted Resolution No. 2014-019 establishing the formation of the District. Upon a successful property owner election, the City Council adopted Ordinance No. 2988 on April 1, 2014, authorizing the levy of special taxes for the District to finance City services expenses related to the Park Place project.

The District, as shown on the boundary map, addresses the residential development of approximately 340 acres located north of Bellegrave Avenue, south of Eucalyptus Avenue, east of Archibald Avenue, and west of Haven Avenue. At build-out, the development will include 1,429 detached residential units.

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

City Manager
Approval: 

Denied: _____

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As adopted, the special tax for City services is to be levied each fiscal year, beginning in Fiscal Year 2015-16, to fund City services. The services authorized to be financed, in whole or in part, by City of Ontario Community Facilities District No. 23 (Park Place Services) are as follows: police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads, open space and flood and storm drain protection services, and maintenance and operation of any real property or tangible property with an estimated useful life of five or more years that is owned by the City.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2015-16 was the first year that the special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, "...beginning on January 1, 2015, and annually thereafter, the maximum annual services special tax rate shall be increased at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year." The assessed rates for FY 2015-16 and the maximum and proposed annual tax rates for Fiscal Year 2016-17 are as follows:

Annual Tax Rates

	FY 2015-16 Annual Tax Rates	FY 2016-17 Maximum Tax Rates	FY 2016-17 Proposed Annual Tax Rates	No. of Units	Total
Single-Family Detached Unit	\$1,442.48	\$1,500.18	\$1,500.18	276	\$414,049.68
Multiple Family Unit	\$1,250.08	\$1,300.08	\$1,300.08	-	\$ -
Gated Apartment Community Unit	\$1,048.32	\$1,090.25	\$1,090.25	-	\$ -
Non-Residential Property	\$ 0.27	\$ 0.2812	\$ 0.2812	-	\$ -
Annual Tax Amount					\$414,049.68

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 23 (Park Place Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2988 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of those services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 23 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 23 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES)**

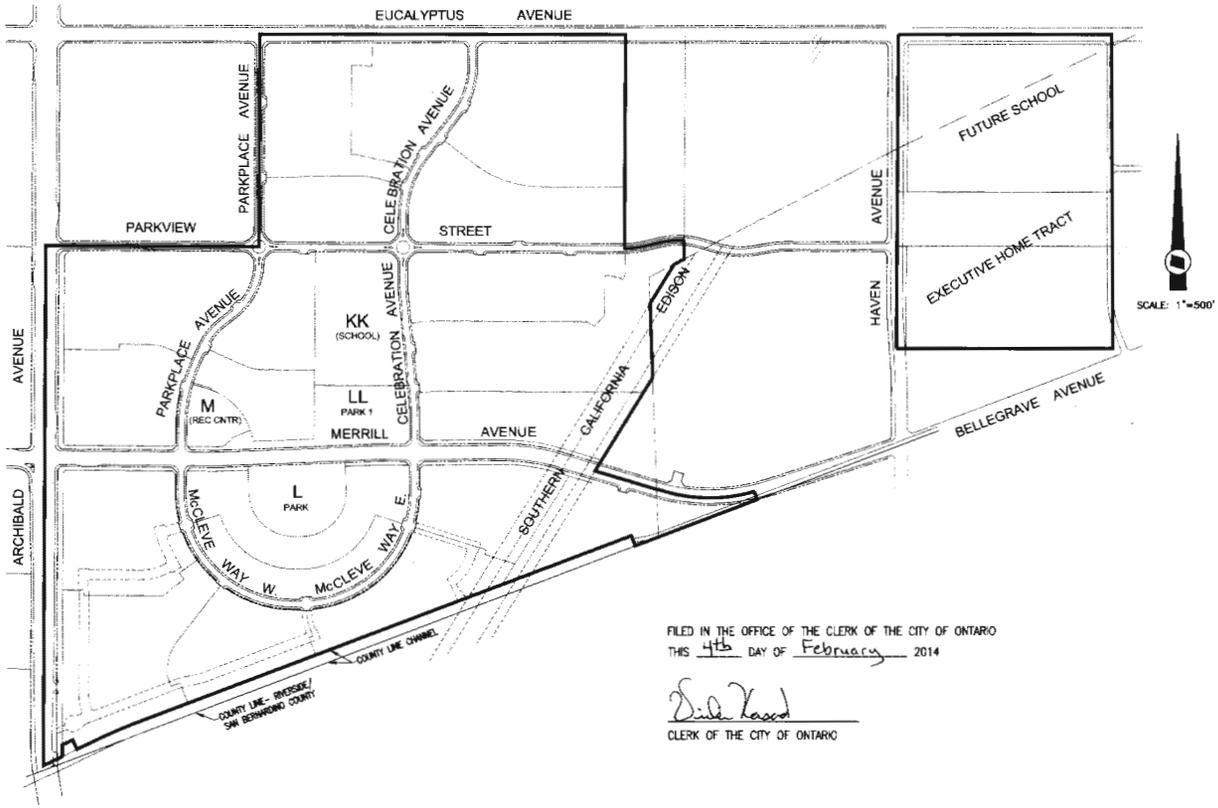
**SPECIAL TAX RATES
FOR FISCAL YEAR 2016-17**

Land Use	Annual Tax Rates
Single Family Detached Unit	\$1,500.18
Multiple Family Unit	\$1,300.08
Gated Apartment Community Unit	\$1,090.25
Non-Residential Property	\$ 0.2812

PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES) COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA

CONTAINS ALL OF TRACTS 18913-1 AND 17821 AS SHOWN ON MAPS FILED IN BOOK 338 OF TRACT MAPS, AT PAGES 1 THROUGH 7 AND BOOK 333 OF TRACT MAPS, PAGES 64 THROUGH 77, RESPECTIVELY, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

AREA FOR FUTURE SCHOOL AND EXECUTIVE HOME TRACT:
BEING A PORTION OF GOVERNMENT LOTS 1, 2, 5, 6, AND 7, SECTION 24, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND THE FRACTIONAL NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, AS SHOWN BY SECTIONIZED SURVEY OF THE JURUPA RANCHO, RECORDED IN BOOK 9, PAGE 33 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID FRACTIONAL NORTHWEST 1/4 BEING ALL THAT PORTION OF THE NORTHWEST 1/4 OF SAID SECTION 24, LYING IN THE JURUPA RANCHO, AND IN RIVERSIDE COUNTY, ACCORDING TO THE OFFICIAL PLAT THEREOF.



FILED IN THE OFFICE OF THE CLERK OF THE CITY OF ONTARIO
THIS 4th DAY OF February 2014

Dale Kead
CLERK OF THE CITY OF ONTARIO

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES), COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ONTARIO AT A REGULAR MEETING THEREOF, HELD ON THE 4th DAY OF February 2014, BY ITS RESOLUTION NO. 2014-003

Dale Kead
CLERK OF THE CITY OF ONTARIO



SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE
FILED THIS 11th DAY OF Feb, 2014, AT THE HOUR OF 2:30 O'CLOCK P.M. IN BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 10, AND AS INSTRUMENT NO. 2014-0058330 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA. EXEMPT RECORDING REQUESTED PER CALIFORNIA CODE 6103

DENNIS DRAEGER
ASSESSOR-RECORDER-COUNTY CLERK
COUNTY OF SAN BERNARDINO

Recorded in Official Records,
County of San Bernardino
Book: 2214 - 026892
2/11/2014 2:31 PM

BY: *[Signature]*
DEPUTY RECORDER

APNs
0218-052-02 & 03
0218-052-04 & 05
0218-042-01
0218-042-02
0218-042-03
0218-042-04
0218-042-05
0218-022-01
0218-022-02
0218-022-03
0218-022-04
0218-033-01 & 02
0218-033-03 & 04
0218-033-05 & 06
0218-052-01
0218-014-01
0218-014-02
0218-014-04
0218-014-05
0218-014-07
0218-331-12
0218-331-18
0218-331-30

LEGEND
 PROPOSED BOUNDARIES OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES)

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES - PHASE I) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 24 (Park Place Facilities - Phase I) for Fiscal Year 2016-17.

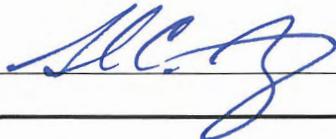
COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: Special tax revenue, to acquire public improvements and to pay the anticipated debt service on the district's forthcoming bonds issuance, and related authorized expenses of the district, will be generated in the amount of \$1,124,511. The use of Mello-Roos financing for public facilities in the residential development of the Park Place project is estimated to generate approximately \$14 million, which will be used to help fund a portion of the public infrastructure improvements that will serve the project. Since Mello-Roos bonds are not a direct obligation of the City, and are paid from special taxes levied on each taxable parcel in the district, there is no general fund impact from the issuance of Mello-Roos bonds.

BACKGROUND: On September 2, 2014, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 24 ("District") with the adoption of Resolution No. 2014-090, declaring the City's intention to establish the District and to authorize the levy of special taxes. On November 18, 2014, the City Council adopted Resolution No. 2014-107 establishing the formation of the District. Upon a successful property owner election, the City Council adopted Ordinance No. 3002 on December 2, 2014, authorizing the levy of special taxes for the District to finance public improvements related to the Park Place project.

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016
Approved: _____
Continued to: _____
Denied: _____

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The District, as shown on the boundary map, addresses the residential development of approximately 72 acres located north of Bellegrave Avenue, south of Eucalyptus Avenue, east of Archibald Avenue, and west of Haven Avenue. At build-out, the development will include 432 detached residential units.

As adopted, the special tax for public improvements is to be levied each fiscal year, beginning in Fiscal Year 2015-16. The public improvements authorized to be financed, in whole or in part, by City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase I) are as follows: street and bridge improvements, including grading, paving, curbs and gutters, sidewalks, street signalization and signage, street lights and parkway and landscaping related thereto, domestic and recycled water distribution facilities, sewer collection facilities and equipment, aquatic facilities and equipment, fire facilities and equipment, police facilities and equipment, library facilities and equipment, fiber optic telecommunication system facilities, general governmental office, administrative and meeting facilities, and land, rights-of-way and easements necessary for any such facilities.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2015-16 was the first year that the special tax was levied. The assessed tax rates for Fiscal Year 2015-16 and the maximum and proposed annual tax rates for Fiscal Year 2016-17, which are being assessed on all developed and final mapped property, are as follows:

Annual Facilities Tax Rates

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/ Acres	FY 2015-16 Annual Tax Rates	FY 2016-17 Assigned/Maximum Tax Rates	FY 2016-17 Proposed Annual Tax Rates	Total
Developed Property:						
Residential Property	<1,601	-	\$1,752.00 per Unit	\$1,713.00 per Unit	\$1,713.00 per Unit	-
Residential Property	1,601-1,700	10	\$1,868.00 per Unit	\$1,817.00 per Unit	\$1,817.00 per Unit	\$18,170.00
Residential Property	1,701-1,800	9	\$1,975.00 per Unit	\$1,904.00 per Unit	\$1,904.00 per Unit	\$17,136.00
Residential Property	1,801-1,900	9	\$2,070.00 per Unit	\$1,986.00 per Unit	\$1,986.00 per Unit	\$17,874.00
Residential Property	1,901-2,000	9	\$2,182.00 per Unit	\$2,099.00 per Unit	\$2,099.00 per Unit	\$18,891.00
Residential Property	2,001-2,100	-	\$2,199.00 per Unit	\$2,107.00 per Unit	\$2,107.00 per Unit	-
Residential Property	2,101-2,200	22	\$2,349.00 per Unit	\$2,209.00 per Unit	\$2,209.00 per Unit	\$48,598.00
Residential Property	2,201-2,300	-	\$2,491.00 per Unit	\$2,277.00 per Unit	\$2,277.00 per Unit	-
Residential Property	2,301-2,400	13	\$2,576.00 per Unit	\$2,386.00 per Unit	\$2,386.00 per Unit	\$31,018.00
Residential Property	2,401-2,500	46	\$2,688.00 per Unit	\$2,460.00 per Unit	\$2,460.00 per Unit	\$113,160.00
Residential Property	2,501-2,600	-	\$2,791.00 per Unit	\$2,571.00 per Unit	\$2,571.00 per Unit	-
Residential Property	2,601-2,700	21	\$2,898.00 per Unit	\$2,681.00 per Unit	\$2,681.00 per Unit	\$56,301.00
Residential Property	2,701-2,800	8	\$2,950.00 per Unit	\$2,729.00 per Unit	\$2,729.00 per Unit	\$21,832.00
Residential Property	2,801-2,900	21	\$3,010.00 per Unit	\$2,783.00 per Unit	\$2,783.00 per Unit	\$58,443.00
Residential Property	2,901-3,000	21	\$3,117.00 per Unit	\$2,875.00 per Unit	\$2,875.00 per Unit	\$60,375.00
Residential Property	3,001-3,100	23	\$3,272.00 per Unit	\$3,003.00 per Unit	\$3,003.00 per Unit	\$69,069.00
Residential Property	3,101-3,200	3	\$3,435.00 per Unit	\$3,112.00 per Unit	\$3,112.00 per Unit	\$9,336.00
Residential Property	3,201-3,300	22	\$3,499.00 per Unit	\$3,124.00 per Unit	\$3,124.00 per Unit	\$68,728.00
Residential Property	3,301-3,400	-	\$3,547.00 per Unit	\$3,205.00 per Unit	\$3,205.00 per Unit	-

Residential Property	3,401-3,500	17	\$3,603.00 per Unit	\$3,301.00 per Unit	\$3,301.00 per Unit	\$56,117.00
Residential Property	3,501-3,600	9	\$3,710.00 per Unit	\$3,425.00 per Unit	\$3,425.00 per Unit	\$30,825.00
Residential Property	3,601-3,700	-	\$3,795.00 per Unit	\$3,458.00 per Unit	\$3,458.00 per Unit	-
Residential Property	3,701-3,800	-	\$3,880.00 per Unit	\$3,542.00 per Unit	\$3,542.00 per Unit	-
Residential Property	3,801-3,900	-	\$3,965.00 per Unit	\$3,627.00 per Unit	\$3,627.00 per Unit	-
Residential Property	3,901-4,000	13	\$4,050.00 per Unit	\$3,781.00 per Unit	\$3,781.00 per Unit	\$49,153.00
Residential Property	>4,000	-	\$4,135.00 per Unit	\$3,795.00 per Unit	\$3,795.00 per Unit	-
Final Mapped Property	N/A	2.33	N/A	\$32,771.00 per Acre	\$23,898.91 per Acre	\$55,756.18
Final Mapped Property	N/A	1.41	N/A	\$31,193.00 per Acre	\$22,748.12 per Acre	\$31,983.85
Final Mapped Property	N/A	5.56	N/A	\$24,756.00 per Acre	\$18,053.81 per Acre	\$100,343.05
Final Mapped Property	N/A	3.64	N/A	\$28,780.00 per Acre	\$20,988.39 per Acre	\$76,292.80
Final Mapped Property	N/A	2.57	N/A	\$32,255.00 per Acre	\$23,522.61 per Acre	\$60,382.62
Final Mapped Property	N/A	0.26	N/A	\$33,625.00 per Acre	\$24,521.71 per Acre	\$6,473.73
Final Mapped Property	N/A	1.83	N/A	\$36,156.00 per Acre	\$26,367.49 per Acre	\$48,252.45
					Annual Tax Total	\$1,124,510.68

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES – PHASE I), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 24 (Park Place Facilities – Phase I) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3002 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of providing facilities and services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 24 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 24 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES – PHASE I)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2016-17**

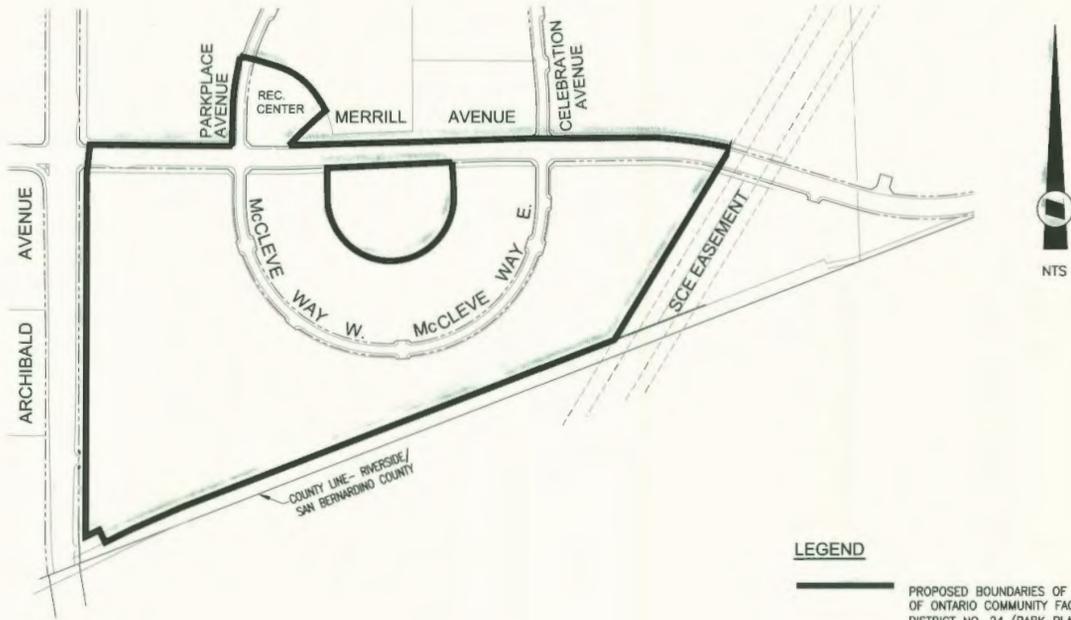
ANNUAL FACILITIES TAX RATES

Land Use	Residential Floor Area (Sq. Ft.)	FY 2016-17 Assigned/Maximum Tax Rates		FY 2016-17 Proposed Annual Tax Rates	
Developed Property:					
Residential Property	<1,601	\$1,713.00	per Unit	\$1,713.00	per Unit
Residential Property	1,601-1,700	\$1,817.00	per Unit	\$1,817.00	per Unit
Residential Property	1,701-1,800	\$1,904.00	per Unit	\$1,904.00	per Unit
Residential Property	1,801-1,900	\$1,986.00	per Unit	\$1,986.00	per Unit
Residential Property	1,901-2,000	\$2,099.00	per Unit	\$2,099.00	per Unit
Residential Property	2,001-2,100	\$2,107.00	per Unit	\$2,107.00	per Unit
Residential Property	2,101-2,200	\$2,209.00	per Unit	\$2,209.00	per Unit
Residential Property	2,201-2,300	\$2,277.00	per Unit	\$2,277.00	per Unit
Residential Property	2,301-2,400	\$2,386.00	per Unit	\$2,386.00	per Unit
Residential Property	2,401-2,500	\$2,460.00	per Unit	\$2,460.00	per Unit
Residential Property	2,501-2,600	\$2,571.00	per Unit	\$2,571.00	per Unit
Residential Property	2,601-2,700	\$2,681.00	per Unit	\$2,681.00	per Unit
Residential Property	2,701-2,800	\$2,729.00	per Unit	\$2,729.00	per Unit
Residential Property	2,801-2,900	\$2,783.00	per Unit	\$2,783.00	per Unit
Residential Property	2,901-3,000	\$2,875.00	per Unit	\$2,875.00	per Unit
Residential Property	3,001-3,100	\$3,003.00	per Unit	\$3,003.00	per Unit
Residential Property	3,101-3,200	\$3,112.00	per Unit	\$3,112.00	per Unit
Residential Property	3,201-3,300	\$3,124.00	per Unit	\$3,124.00	per Unit
Residential Property	3,301-3,400	\$3,205.00	per Unit	\$3,205.00	per Unit
Residential Property	3,401-3,500	\$3,301.00	per Unit	\$3,301.00	per Unit
Residential Property	3,501-3,600	\$3,425.00	per Unit	\$3,425.00	per Unit
Residential Property	3,601-3,700	\$3,458.00	per Unit	\$3,458.00	per Unit
Residential Property	3,701-3,800	\$3,542.00	per Unit	\$3,542.00	per Unit
Residential Property	3,801-3,900	\$3,627.00	per Unit	\$3,627.00	per Unit
Residential Property	3,901-4,000	\$3,781.00	per Unit	\$3,781.00	per Unit
Residential Property	>4,000	\$3,795.00	per Unit	\$3,795.00	per Unit

Land Use	No. of Acres	FY 2016-17 Assigned/Maximum Tax Rates		FY 2016-17 Proposed Annual Tax Rates	
Final Mapped Property	2.33	\$32,771.00	per Acre	\$23,898.91	per Acre
Final Mapped Property	1.41	\$31,193.00	per Acre	\$22,748.12	per Acre
Final Mapped Property	5.56	\$24,756.00	per Acre	\$18,053.81	per Acre
Final Mapped Property	3.64	\$28,780.00	per Acre	\$20,988.39	per Acre
Final Mapped Property	2.57	\$32,255.00	per Acre	\$23,522.61	per Acre
Final Mapped Property	0.26	\$33,625.00	per Acre	\$24,521.71	per Acre
Final Mapped Property	1.83	\$36,156.00	per Acre	\$26,367.49	per Acre

PROPOSED BOUNDARIES OF
CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 24
(PARK PLACE FACILITIES PHASE 1)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA

CONTAINS ALL OF TRACT 18913-1 AND A PORTION OF TRACT 17821 AS SHOWN ON MAPS FILED IN BOOK 338 OF TRACT MAPS, AT PAGES 1 THROUGH 7 AND BOOK 333 OF TRACT MAPS, PAGES 64 THROUGH 77, RESPECTIVELY, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.



LEGEND

— PROPOSED BOUNDARIES OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE 1)

CFD NO. 24 APNs

- 0218-062-01 Thru 69
- 0218-072-01 Thru 38
- 0218-083-01 Thru 28
- 0218-092-01 Thru 47
- 0218-355-01 Thru 75
- 0218-342-01 Thru 57
- 0218-362-01 Thru 55
- 0218-022-13
- 0218-052-13, 16, 18 & 19

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF ONTARIO
THIS 2nd DAY OF September, 2014

CLERK OF THE CITY OF ONTARIO

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE 1), COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ONTARIO AT A REGULAR MEETING THEREOF, HELD ON THE 2nd DAY OF September, 2014, BY ITS RESOLUTION NO. 2014-090

Vicki Reed
CLERK OF THE CITY OF ONTARIO



SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE

FILED THIS 4th DAY OF September 2014, AT THE HOUR OF 2:42 O'CLOCK P.M. IN BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 28, AND AS INSTRUMENT NO. 2014-0327047 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA. EXEMPT RECORDING REQUESTED PER CALIFORNIA CODE 6493

DENNIS DRAEGER
ASSESSOR-RECORDER-COUNTY CLERK
COUNTY OF SAN BERNARDINO

By: Smara Garcia
DEPUTY RECORDER

Recorded in Official Records
County of San Bernardino
Dist. 2014-0827047
9/04/2014 2:47 PM

CITY OF ONTARIO

Agenda Report

June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 27 (New Haven Services) for Fiscal Year 2016-17.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$208,020 to fund City services, administration and incidental expenses.

BACKGROUND: On May 6, 2014, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 27 ("District") with the adoption of Resolution No. 2014-035, declaring the City's intention to establish the District and to authorize the levy of special taxes. On June 17, 2014, the City Council adopted Resolution No. 2014-061, forming the District. Upon a successful property owner election, the City Council adopted Ordinance No. 2993 on July 1, 2014, authorizing the levy of special taxes in the District to finance City services related to the New Haven residential project.

The District, as shown on the boundary map, addresses the residential development of approximately 179 acres located north of Edison Avenue south of Schaefer Avenue, east of Archibald Avenue, and west of Haven Avenue. At build-out, the development will include 1,247 residential units: 712 detached units, 352 attached units, and 183 apartments.

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

14

As adopted, the special tax for City services is to be levied each fiscal year, beginning in Fiscal Year 2015-16, to fund City services. The services authorized to be financed, in whole or in part, by City of Ontario Community Facilities District No. 27 (New Haven Services) are as follows: police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads, open space and flood and storm drain protection services, and maintenance and operation of any real property or tangible property with an estimated useful life of five or more years that is owned by the City.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2015-16 was the first year that the special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, "...beginning on January 1, 2015, and annually thereafter, the maximum annual services special tax rate shall be increased at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year." The assessed tax rates for Fiscal Year 2015-16, and the maximum and proposed annual tax rates for Fiscal Year 2016-17, are as follows:

Annual Tax Rates

	FY 2015-16 Annual Tax Rates	FY 2016-17 Maximum Tax Rates	FY 2016-17 Proposed Annual Tax Rates	No. of Units	Total
Single-Family Detached Unit	\$1,442.48	\$1,500.18	\$1,500.18	78	\$117,014.04
Multiple Family Unit	\$1,250.08	\$1,300.08	\$1,300.08	70	\$ 91,005.60
Gated Apartment Community Unit	\$1,048.32	\$1,090.25	\$1,090.25	-	\$ -
Non-Residential Property	\$ 0.27	\$ 0.2812	\$ 0.2812	-	\$ -
Annual Tax Amount					\$208,019.64

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 27 (New Haven Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2993 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of those services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 27 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 27 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

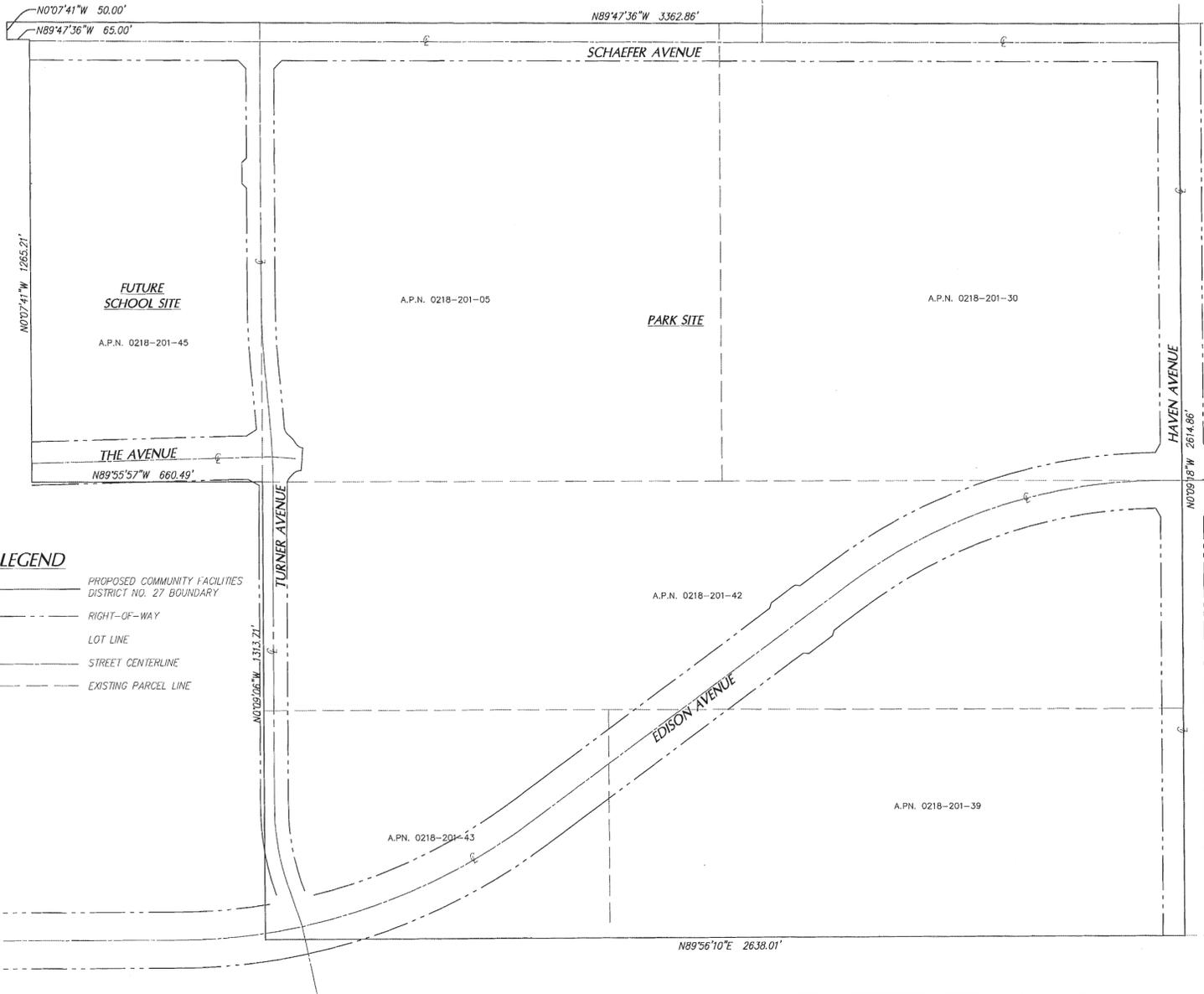
**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2016-17**

Land Use	Annual Tax Rates
Single Family Detached Unit	\$1,500.18
Multiple Family Unit	\$1,300.08
Gated Apartment Unit	\$1,090.25
Non-Residential Property	\$ 0.2812

21/98

PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES
 DISTRICT NO. 27 (NEW HAVEN SERVICES)
 COUNTY OF SAN BERNARDINO
 STATE OF CALIFORNIA



LEGEND

- PROPOSED COMMUNITY FACILITIES DISTRICT NO. 27 BOUNDARY
- - - RIGHT-OF-WAY
- LOT LINE
- STREET CENTERLINE
- - - EXISTING PARCEL LINE

Filed in the office of the City Clerk of the City of Ontario this 15 day of May, 2014.

Sidi Kasad
Asst. City Clerk of the City of Ontario

I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 27 (New Haven Services), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 6th day of May, 2014, by its Resolution No. 2014-035.

Sidi Kasad
Asst. City Clerk of the City of Ontario

San Bernardino County Recorder's Certificate

Filed this 12th day of May, 2014 at the hour of 10:02 o'clock A.M., in Book 86 of Maps of Assessment and Community Facilities Districts at Page 17, and as Instrument No. 2014-0170922, in the Office of the County Recorder in the County of San Bernardino, State of California, in the amount of \$ 10.00.

Dennis Draeger
Assessor-Recorder-Clerk
County of San Bernardino

Recorded in Official Records,
County of San Bernardino
Doc#: 2014-0170922
5/12/2014 10:02 AM

By: *Dennis Draeger*
Deputy Recorder



CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A) for Fiscal Year 2016-17.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: Special tax revenue, to acquire public improvements and to pay related district expenses, will be generated in the amount of \$239,353. The use of Mello-Roos financing for public facilities in the residential development of the New Haven Facilities - Area A project is estimated to generate approximately \$8 million, which will be used to help fund a portion of the public infrastructure improvements that will serve the project. Since Mello-Roos bonds are not a direct obligation of the City, and are paid from special taxes levied on each taxable parcel in the district, there is no general fund impact from the issuance of Mello-Roos bonds.

BACKGROUND: On September 15, 2015, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 28 ("District") with the adoption of Resolution No. 2015-098, declaring the City's intention to establish the District and to authorize the levy of special taxes. On October 20, 2015, the City Council adopted Resolution No. 2015-111, forming the District. Upon a successful property owner election, the City Council adopted Ordinance No. 3031 in November 2015, authorizing the levy of special taxes for the District to finance public improvements related to the New Haven Facilities - Area A project.

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

15

The District, as shown on the boundary map, addresses the development of approximately 53 acres located generally east of Turner Avenue, west of Haven Avenue, south of Schaefer Avenue, and north of Ontario Ranch Road (formerly Edison Avenue). At build-out, the residential development will include 240 detached and 92 attached residential units.

As adopted, the special tax for public improvements is to be levied each fiscal year, beginning in Fiscal Year 2016-17. The public improvements authorized to be financed, in whole or in part, by City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A) are as follows: street and bridge improvements, including grading, paving, curbs and gutters, sidewalks, street signalization and signage, street lights and parkway and landscaping related thereto, domestic and recycled water distribution facilities, sewer collection facilities and equipment, aquatic facilities and equipment, fire facilities and equipment, police facilities and equipment, library facilities and equipment, fiber optic telecommunication system facilities, general governmental office, administrative and meeting facilities, and land, rights-of-way and easements necessary for any such facilities.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2016-17 will be the first year that the special tax will be levied. The maximum and proposed annual tax rates for Fiscal Year 2016-17, which are being assessed on all developed property, are as follows:

Annual Facilities Tax Rates

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/ Acres	FY 2016-17 Assigned/Maximum Tax Rates	FY 2016-17 Proposed Annual Tax Rates	Total
Developed Property:					
Single Family Detached Property	<1,701	-	\$1,823.00 per Unit	\$1,823.00 per Unit	-
Single Family Detached Property	1,701-1,900	-	\$2,061.00 per Unit	\$2,061.00 per Unit	-
Single Family Detached Property	1,901-2,100	-	\$2,133.00 per Unit	\$2,133.00 per Unit	-
Single Family Detached Property	2,101-2,300	18	\$2,324.00 per Unit	\$2,324.00 per Unit	\$41,832.00
Single Family Detached Property	2,301-2,500	-	\$2,483.00 per Unit	\$2,483.00 per Unit	-
Single Family Detached Property	2,501-2,700	9	\$2,632.00 per Unit	\$2,632.00 per Unit	\$23,688.00
Single Family Detached Property	2,701-2,900	-	\$2,935.00 per Unit	\$2,935.00 per Unit	-
Single Family Detached Property	2,901-3,100	-	\$3,114.00 per Unit	\$3,114.00 per Unit	-
Single Family Detached Property	3,101-3,300	8	\$3,214.00 per Unit	\$3,214.00 per Unit	\$25,712.00
Single Family Detached Property	3,301-3,500	10	\$3,429.00 per Unit	\$3,429.00 per Unit	\$34,290.00
Single Family Detached Property	3,501-3,700	9	\$3,591.00 per Unit	\$3,591.00 per Unit	\$32,319.00
Single Family Detached Property	3,701-3,900	-	\$3,770.00 per Unit	\$3,770.00 per Unit	-
Single Family Detached Property	3,901-4,100	-	\$3,956.00 per Unit	\$3,956.00 per Unit	-
Single Family Detached Property	4,101-4,300	-	\$4,141.00 per Unit	\$4,141.00 per Unit	-
Single Family Detached Property	4,301-4,500	-	\$4,326.00 per Unit	\$4,326.00 per Unit	-
Single Family Detached Property	4,501-4,700	-	\$4,512.00 per Unit	\$4,512.00 per Unit	-
Single Family Detached Property	>4,700	-	\$4,697.00 per Unit	\$4,697.00 per Unit	-

Single Family Attached Property	<801	-	\$943.00 per Unit	\$943.00 per Unit	-
Single Family Attached Property	801-950	-	\$984.00 per Unit	\$984.00 per Unit	-
Single Family Attached Property	951-1,100	16	\$1,100.00 per Unit	\$1,100.00 per Unit	\$17,600.00
Single Family Attached Property	1,101-1,300	-	\$1,185.00 per Unit	\$1,185.00 per Unit	-
Single Family Attached Property	1,301-1,500	8	\$1,377.00 per Unit	\$1,377.00 per Unit	\$11,016.00
Single Family Attached Property	1,501-1,700	16	\$1,628.00 per Unit	\$1,628.00 per Unit	\$26,048.00
Single Family Attached Property	1,701-1,900	16	\$1,678.00 per Unit	\$1,678.00 per Unit	\$26,848.00
Single Family Attached Property	1,901-2,100	-	\$1,900.00 per Unit	\$1,900.00 per Unit	-
Single Family Attached Property	2,101-2,300	-	\$1,993.00 per Unit	\$1,993.00 per Unit	-
Single Family Attached Property	>2,300	-	\$2,154.00 per Unit	\$2,154.00 per Unit	-
				Annual Tax Total	\$239,353.00

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES – AREA A), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 28 (NEW HAVEN FACILITIES – AREA A) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3031 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of providing facilities and services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 28 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 28 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

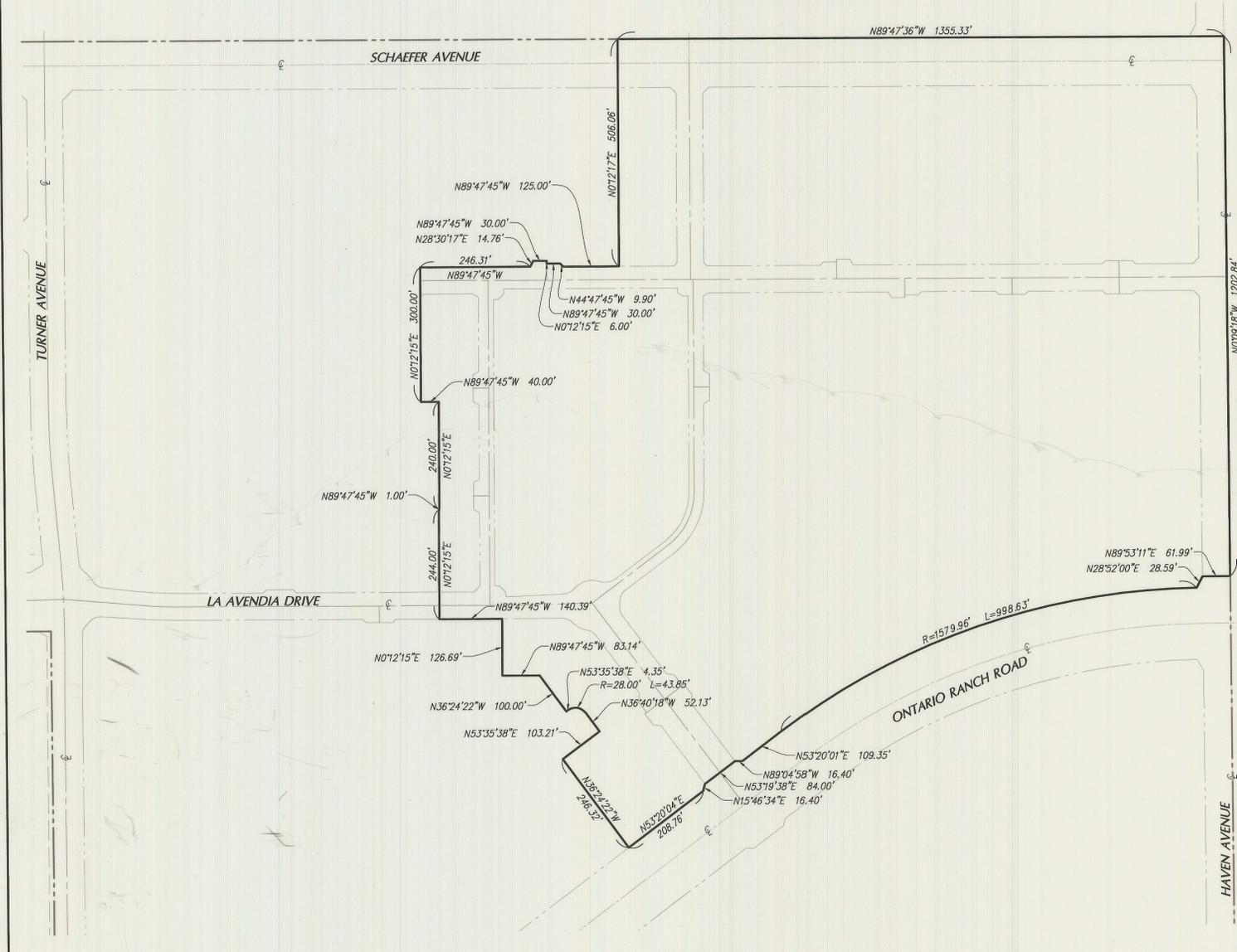
**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES – AREA A)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2016-17**

ANNUAL FACILITIES TAX RATES

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/ Acres	FY 2016-17 Assigned/Maximum Tax Rates	FY 2016-17 Proposed Annual Tax Rates	Total
Developed Property:					
Single Family Detached Property	<1,701	-	\$1,823.00 per Unit	\$1,823.00 per Unit	-
Single Family Detached Property	1,701-1,900	-	\$2,061.00 per Unit	\$2,061.00 per Unit	-
Single Family Detached Property	1,901-2,100	-	\$2,133.00 per Unit	\$2,133.00 per Unit	-
Single Family Detached Property	2,101-2,300	18	\$2,324.00 per Unit	\$2,324.00 per Unit	\$41,832.00
Single Family Detached Property	2,301-2,500	-	\$2,483.00 per Unit	\$2,483.00 per Unit	-
Single Family Detached Property	2,501-2,700	9	\$2,632.00 per Unit	\$2,632.00 per Unit	\$23,688.00
Single Family Detached Property	2,701-2,900	-	\$2,935.00 per Unit	\$2,935.00 per Unit	-
Single Family Detached Property	2,901-3,100	-	\$3,114.00 per Unit	\$3,114.00 per Unit	-
Single Family Detached Property	3,101-3,300	8	\$3,214.00 per Unit	\$3,214.00 per Unit	\$25,712.00
Single Family Detached Property	3,301-3,500	10	\$3,429.00 per Unit	\$3,429.00 per Unit	\$34,290.00
Single Family Detached Property	3,501-3,700	9	\$3,591.00 per Unit	\$3,591.00 per Unit	\$32,319.00
Single Family Detached Property	3,701-3,900	-	\$3,770.00 per Unit	\$3,770.00 per Unit	-
Single Family Detached Property	3,901-4,100	-	\$3,956.00 per Unit	\$3,956.00 per Unit	-
Single Family Detached Property	4,101-4,300	-	\$4,141.00 per Unit	\$4,141.00 per Unit	-
Single Family Detached Property	4,301-4,500	-	\$4,326.00 per Unit	\$4,326.00 per Unit	-
Single Family Detached Property	4,501-4,700	-	\$4,512.00 per Unit	\$4,512.00 per Unit	-
Single Family Detached Property	>4,700	-	\$4,697.00 per Unit	\$4,697.00 per Unit	-
Single Family Attached Property	<801	-	\$943.00 per Unit	\$943.00 per Unit	-
Single Family Attached Property	801-950	-	\$984.00 per Unit	\$984.00 per Unit	-
Single Family Attached Property	951-1,100	16	\$1,100.00 per Unit	\$1,100.00 per Unit	\$17,600.00
Single Family Attached Property	1,101-1,300	-	\$1,185.00 per Unit	\$1,185.00 per Unit	-
Single Family Attached Property	1,301-1,500	8	\$1,377.00 per Unit	\$1,377.00 per Unit	\$11,016.00
Single Family Attached Property	1,501-1,700	16	\$1,628.00 per Unit	\$1,628.00 per Unit	\$26,048.00
Single Family Attached Property	1,701-1,900	16	\$1,678.00 per Unit	\$1,678.00 per Unit	\$26,848.00
Single Family Attached Property	1,901-2,100	-	\$1,900.00 per Unit	\$1,900.00 per Unit	-
Single Family Attached Property	2,101-2,300	-	\$1,993.00 per Unit	\$1,993.00 per Unit	-
Single Family Attached Property	>2,300	-	\$2,154.00 per Unit	\$2,154.00 per Unit	-
Annual Tax Total					\$239,353.00

PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A)
 COUNTY OF SAN BERNARDINO
 STATE OF CALIFORNIA



Filed in the office of the City Clerk of the City of Ontario this 15th day of September, 2015.

Diane Wood
 Asst. City Clerk of the City of Ontario

I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 15th day of Sept., 2015, by its Resolution No. 2015-098.

Diane Wood
 Asst. City Clerk of the City of Ontario

San Bernardino County Recorder's Certificate

Filed this 22nd day of SEPTEMBER 2015, at the hour of 2:09 o'clock P.M., in Book 86 of Maps of Assessment and Community Facilities Districts at Page 97, and under document number 2015-0414026 in the Office of the County Recorder in the County of San Bernardino, State of California, at the request of the City of Ontario, in the amount of \$10.00

Bob Dutton
 Assessor-Recorder
 County of San Bernardino

By: Nicole Lurie Ross
 Deputy Recorder

Recorded in Official Records,
 County of San Bernardino
 Book: 2015-0414026
 9/22/2015 2:09 PM

LEGEND

- PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A)
- RIGHT-OF-WAY
- STREET CENTERLINE

City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A) includes:

Lots 1 through 17, inclusive, of Tract Map No. 18991.
 Lots 1 through 227, inclusive of Tract Map No. 18992.



CITY OF ONTARIO

Agenda Report

June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE) FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 31 (Carriage House/Amberly Lane) for Fiscal Year 2016-17.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: The use of Mello-Roos financing for facilities in the residential development of the Carriage House /Amberly Lane project is estimated to generate approximately \$6 million, which will be used to help fund a portion of the public infrastructure improvements that will serve the project, and approximately \$200,000 per year, at build out, to fund City services. Since Mello-Roos bonds are not a direct obligation of the City, and are paid from special taxes levied on each taxable parcel in the district, there is no general fund impact from the issuance of Mello-Roos bonds.

BACKGROUND: On April 21, 2015, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 31 ("District") with the adoption of Resolution No. 2015-028, declaring the City's intention to establish the District and to authorize the levy of special taxes. On June 2, 2015, the City Council adopted Resolution No. 2015-057 establishing the formation of the District. The District, as shown on the boundary map, addresses the residential development of approximately 30.9 gross acres located East of Turner Avenue, generally west of Haven Avenue, generally south of Chino Avenue and north of Schaefer Avenue. At build out, the development is projected to include 143 single-family units.

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services
City Manager Approval: 

Submitted to Council/O.H.A. 06/21/2016
Approved: _____
Continued to: _____
Denied: _____

16

As adopted, special taxes to fund public improvements and City services are to be levied each fiscal year, beginning in Fiscal Year 2015-16. The public improvements authorized to be financed, in whole or in part, by City of Ontario Community Facilities District No. 31 (Carriage House / Amberly Lane) are as follows: street and bridge improvements, including grading, paving, curbs and gutters, sidewalks, street signalization and signage, street lights and parkway and landscaping related thereto, domestic and recycled water distribution facilities, sewer collection facilities and equipment, aquatic facilities and equipment, fire facilities and equipment, police facilities and equipment, library facilities and equipment, fiber optic telecommunication system facilities, general governmental office, administrative and meeting facilities, and land, rights-of-way and easements necessary for any such facilities. City services authorized to be levied are as follows: police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads, open space and flood and storm drain protection services, and maintenance and operation of any real property or tangible property owned by the City with an estimated useful life of five or more years.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2015-16 was the first year that the special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, "...beginning on January 1, 2015, and annually thereafter, the maximum annual services special tax rate shall be increased at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year." There will be no annual increase to the facilities special tax rates. The maximum and proposed annual tax rates for Fiscal Year 2016-17, which, as proposed, are being assessed only on developed property, are as follows:

FY16-17 Annual Facilities Tax Rates

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units	FY 2016-17 Assigned/Maximum Facilities Tax Rates	FY 2016-17 Proposed Facilities Tax Rates	Total
Developed Property:					
Single Family Detached	<2,101	14	\$2,282.00 per Unit	\$2,282.00 per Unit	\$31,948.00
Single Family Detached	2,101-2,400	-	\$2,424.00 per Unit	\$2,424.00 per Unit	-
Single Family Detached	2,401-2,700	19	\$2,849.00 per Unit	\$2,849.00 per Unit	\$54,131.00
Single Family Detached	2,701-3,000	-	\$2,960.00 per Unit	\$2,960.00 per Unit	-
Single Family Detached	3,001-3,300	25	\$3,286.00 per Unit	\$3,286.00 per Unit	\$82,150.00
Single Family Detached	3,301-3,600	5	\$3,550.00 per Unit	\$3,550.00 per Unit	\$17,750.00
Single Family Detached	>3,600	12	\$4,153.00 per Unit	\$4,153.00 per Unit	\$49,836.00
Annual Tax Amount					\$235,815.00

FY16-17 Annual Services Tax Rates

Land Use	No. of Units/ Sq. Ft.	FY 2016-17 Maximum Tax Rates	FY 2016-17 Proposed Annual Tax Rates	Total
Developed Property				
Single Family Detached	75	\$1,499.68 per Unit	\$1,499.68 per Unit	\$112,476.00
Multiple Family	-	\$1,300.00 per Unit	\$1,300.00 per Unit	-
Gated Apartment Community	-	\$1,089.92 per Unit	\$1,089.92 per Unit	-
Non-Residential Property	-	\$0.2808 per Sq. Ft.	\$0.2808 per Sq. Ft.	-
Annual Tax Amount				\$112,476.00

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 31 (Carriage House / Amberly Lane) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3020 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of providing facilities and services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 31 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 31 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 31
(CARRIAGE HOUSE / AMBERLY LANE)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2016-17**

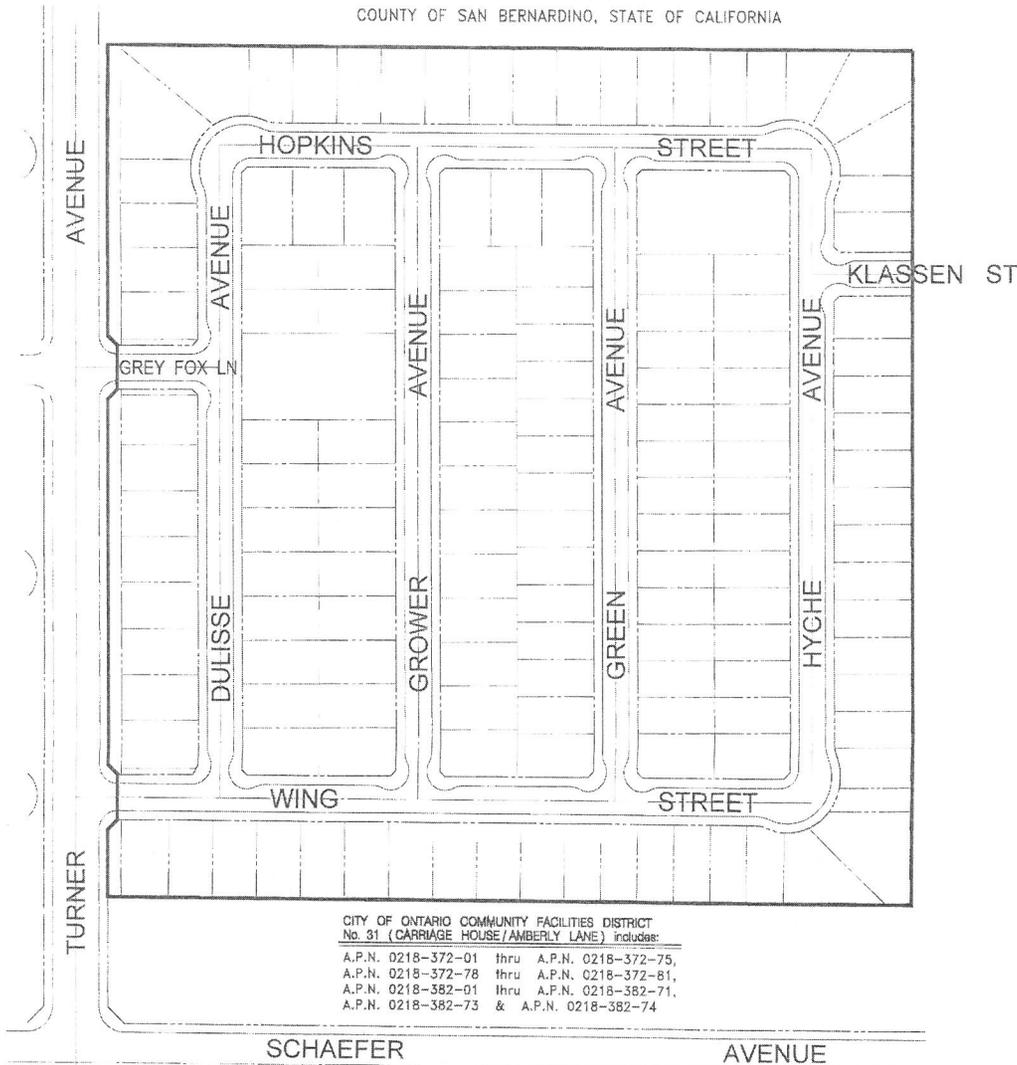
ANNUAL FACILITIES TAX RATES

Land Use	Residential Floor Area (Sq. Ft.)	FY 2016-17 Assigned/Maximum Facilities Tax Rates	FY 2016-17 Proposed Annual Tax Rates
Developed Property:			
Single Family Detached	<2,101	\$2,282.00 per Unit	\$2,282.00 per Unit
Single Family Detached	2,101-2,400	\$2,424.00 per Unit	\$2,424.00 per Unit
Single Family Detached	2,401-2,700	\$2,849.00 per Unit	\$2,849.00 per Unit
Single Family Detached	2,701-3,000	\$2,960.00 per Unit	\$2,960.00 per Unit
Single Family Detached	3,001-3,300	\$3,286.00 per Unit	\$3,286.00 per Unit
Single Family Detached	3,301-3,600	\$3,550.00 per Unit	\$3,550.00 per Unit
Single Family Detached	>3,600	\$4,153.00 per Unit	\$4,153.00 per Unit

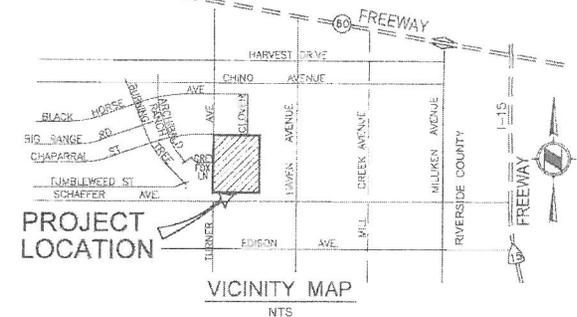
ANNUAL SERVICES TAX RATES

Land Use	FY 2016-17 Maximum Tax Rates	FY 2016-17 Proposed Annual Tax Rates	Total
Developed Property:			
Single Family Detached	\$1,499.68 per Unit	\$1,499.68 per Unit	\$112,476.00
Multiple Family	\$1,300.00 per Unit	\$1,300.00 per Unit	\$0.00
Gated Apartment Community	\$1,089.92 per Unit	\$1,089.92 per Unit	\$0.00
Non-Residential Property			
Non-Residential Property	\$0.2808 per Sq. Ft.	\$0.2808 per Sq. Ft.	\$0.00

PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT No. 31
 (CARRIAGE HOUSE / AMBERLY LANE)
 COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA



CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT
 No. 31 (CARRIAGE HOUSE/AMBERLY LANE) includes:
 A.P.N. 0218-372-01 thru A.P.N. 0218-372-75,
 A.P.N. 0218-372-78 thru A.P.N. 0218-372-81,
 A.P.N. 0218-382-01 thru A.P.N. 0218-382-71,
 A.P.N. 0218-382-73 & A.P.N. 0218-382-74



LEGEND

- PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITIES FACILITIES DISTRICT No. 31 (CARRIAGE HOUSE/AMBERLY LANE)
- RIGHT-OF-WAY
- STREET CENTERLINE
- CURB

Filed in the office of the City Clerk of the City of Ontario this 14th day of April, 2015.

Dick Yand
 Asst. City Clerk of the City of Ontario

CITY OF ONTARIO CLERK'S CERTIFICATE

I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 31 (Carriage House/Amberly Lane), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 14th day of April, 2015, by its Resolution No. 2015-029.

Dick Yand
 Asst. City Clerk of the City of Ontario

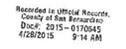
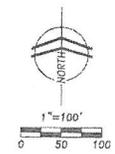


SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE

Filed this 28th day of April, 2015, at the hour of 9:14 o'clock A.M. in Book 86 of Maps of Assessment and Community Facilities Districts at Page 50, and under Document Number 2015-0170445 in the Office of the County Recorder in the County of San Bernardino, State of California, at the request of the City of Ontario, in the amount of \$10.00.

Dennis Draeger
 Assessor-Recorder-Clerk
 County of San Bernardino

by: *Michelle Lurrio-Kath*
 Deputy Recorder

CITY OF ONTARIO

Agenda Report

June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NOS. 1, 2, 3 AND 4 FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt resolutions pertaining to the levy of assessments within Ontario Parkway Maintenance Assessment District (OPMAD) Nos. 1, 2, 3 and 4:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments; and
- (B) A resolution giving preliminary approval of the Engineer's Report; and
- (C) A resolution for District Nos. 1, 2 and 3, and a resolution for District No. 4, declaring the City's intention to levy the special assessments for Fiscal Year 2016-17 and setting the date of July 19, 2016 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

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

FISCAL IMPACT: As proposed, special assessment revenue will be generated in the amount of \$284,131 from OPMAD Nos. 1, 2 and 3, and \$307,692 from OPMAD No. 4 during Fiscal Year 2016-17. The total cost of \$582,119 for operation and maintenance within OPMAD Nos. 1, 2 and 3 will exceed the assessment revenues by \$297,988. The differential will be funded from the General Fund. If approved, the General Fund portion will be included in the City's proposed budget for Fiscal Year 2016-17. The total proposed special assessment for OPMAD No. 4 is sufficient to pay all expenses within this service area. The special assessments for OPMAD Nos. 1, 2, and 3, Zone 2000-1, are capped, so there are no proposed changes from the FY 2015-16 special assessments. The recommended special assessment rate for OPMAD No. 3, Zone 2000-2, includes an increase of 1.9%

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

17

from the FY 2015-16 rate. As proposed, the average increase in the recommended special assessment rates for the 6 maintenance areas in OPMAD No. 4 is 2.25%.

BACKGROUND: The first of these districts was formed in 1976 pursuant to the Landscaping and Lighting Act of 1972 (the “1972 Act”). Additional territories are annexed to the districts from time to time as development proceeds. The districts were formed to help minimize the continually increasing cost of maintaining and operating the landscaping along public streets where the property owners do not have direct access to the landscaping. A special assessment is levied annually on benefiting properties for the cost of operation and maintenance of certain parkway landscaping facilities within the districts. The City’s Community & Public Services Agency establishes the annual operation and maintenance costs and administers the maintenance of the landscaping. Annually, an Engineer’s Report for each district must be prepared which apportions these costs to each parcel within the districts. The locations of the districts are shown on the attached maps.

OPMAD Nos. 1, 2, and 3 are comprised of single-family residential developments. Due to varying characteristics, the districts are organized into benefit zones and/or maintenance areas. Each zone/maintenance area is assessed for only the operation and maintenance of the facilities from which it receives special direct benefit. The total assessment for each maintenance area is then apportioned to its constituent parcels.

Special assessment revenue will be generated in the combined amount of \$284,131 from OPMAD Nos. 1, 2 and 3. The maximum and proposed Fiscal Year 2016-17 special assessment rates for OPMAD Nos. 1, 2 and 3, along with last year’s special assessment rates, are as follows:

	Prior Year 2015-16	Proposed 2016-17	Maximum 2016-17
OPMAD No. 1	\$ 66.32 per lot	\$ 66.32	\$ 66.32
OPMAD No. 2	\$ 34.04 per lot	\$ 34.04	\$ 34.04
OPMAD No. 3, Zone 2000-1	\$ 41.29 per lot	\$ 41.29	\$ 41.29
OPMAD No. 3, Zone 2000-2	\$ 170.08 per lot	\$ 173.24	\$ 214.32

OPMAD No. 4 is comprised of single-family residential tracts and the Ontario Mills development area. The district is organized into 6 Maintenance Areas (MAs). Each maintenance area is assessed for only the operation and maintenance of the facilities from which it receives direct special benefit. The total assessment for each maintenance area is then apportioned to its constituent parcels.

The assessments for OPMAD No. 4 will generate a total of \$307,697. OPMAD No. 4 will generate sufficient revenue to pay all expenses within the service area. The maximum and proposed Fiscal Year 2016-17 special assessment rates for OPMAD No. 4 along with last year’s special assessment rates are as follows:

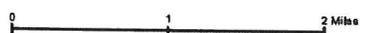
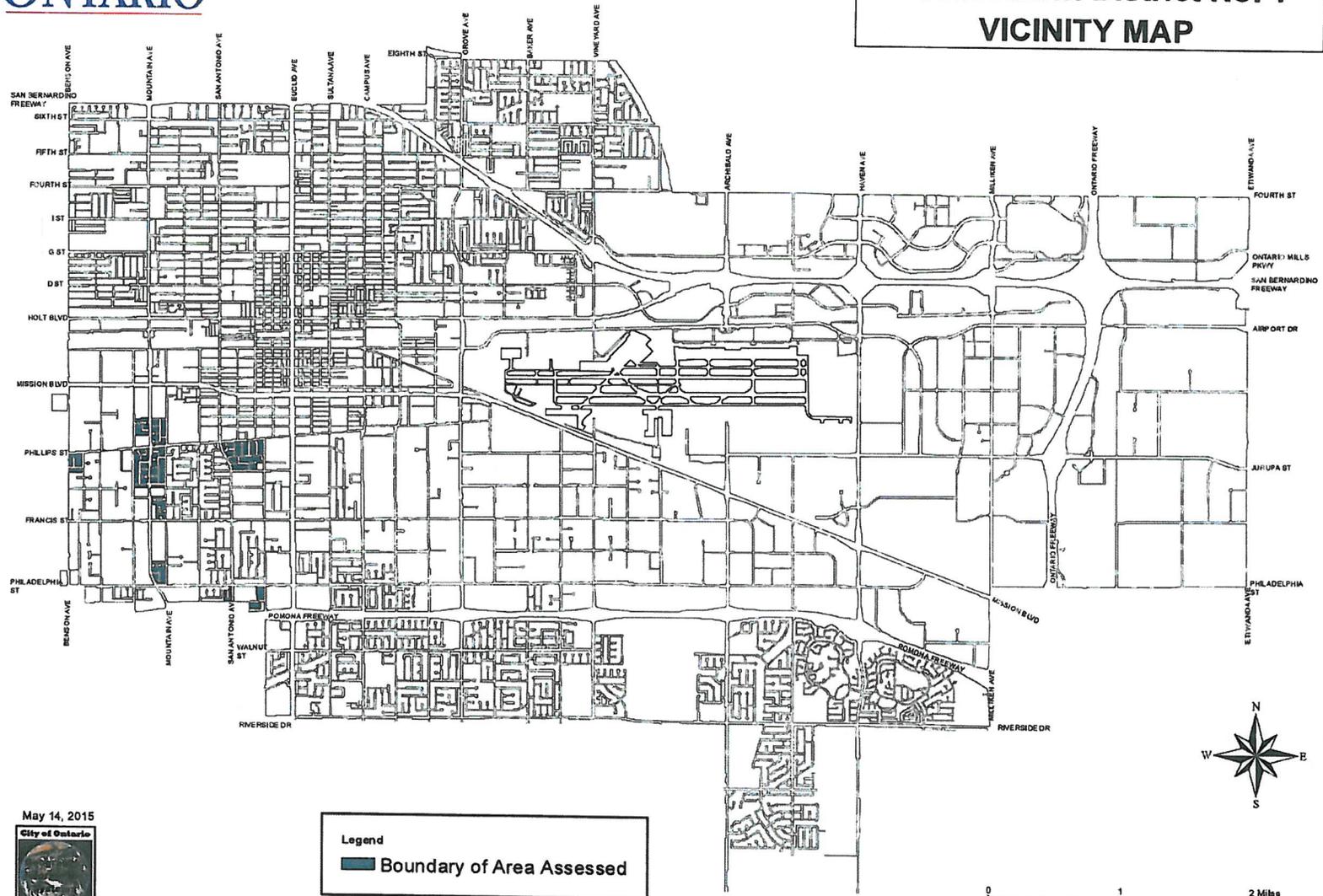
	Prior Year 2015-16	Proposed 2016-17	Maximum 2016-17
MA# 99-1	\$ 50.58 per lot	\$ 51.70	\$ 52.15
MA# 99-2	\$ 319.06 per lot	\$ 327.23	\$ 328.95
MA# 99-3	\$ 984.53 per acre	\$ 1,016.70	\$ 1,181.19
MA# 00-1	\$ 241.71 per lot	\$ 246.28	\$ 323.97
MA# 04-1	\$ 977.65 per lot	\$ 990.48	\$ 2,063.63
MA# 05-1	\$ 1,330.01 per lot	\$ 1,360.86	\$ 2,557.97

Pursuant to the "1972 Act," Engineer's Reports have been prepared for each district, and are on file with the Records Management Department. Each report includes plans and specifications for the improvements and maintenance, an estimate of costs, a diagram of the area proposed to be assessed, and an assessment of the costs to the various parcels within each district.

A public hearing is required for each district prior to adoption of the proposed assessments. A combined public hearing will be held on July 19, 2016 for the purpose of accepting comments and written protests. At the conclusion of the public hearing, the City Council will consider adoption of resolutions confirming the assessments and ordering the levy of the assessments for tax year 2016-17. Notice of the public hearing for the levy of assessments will be published in the local newspaper, in accordance with the applicable statutes.



Ontario Parkway Maintenance Assessment District No. 1 VICINITY MAP



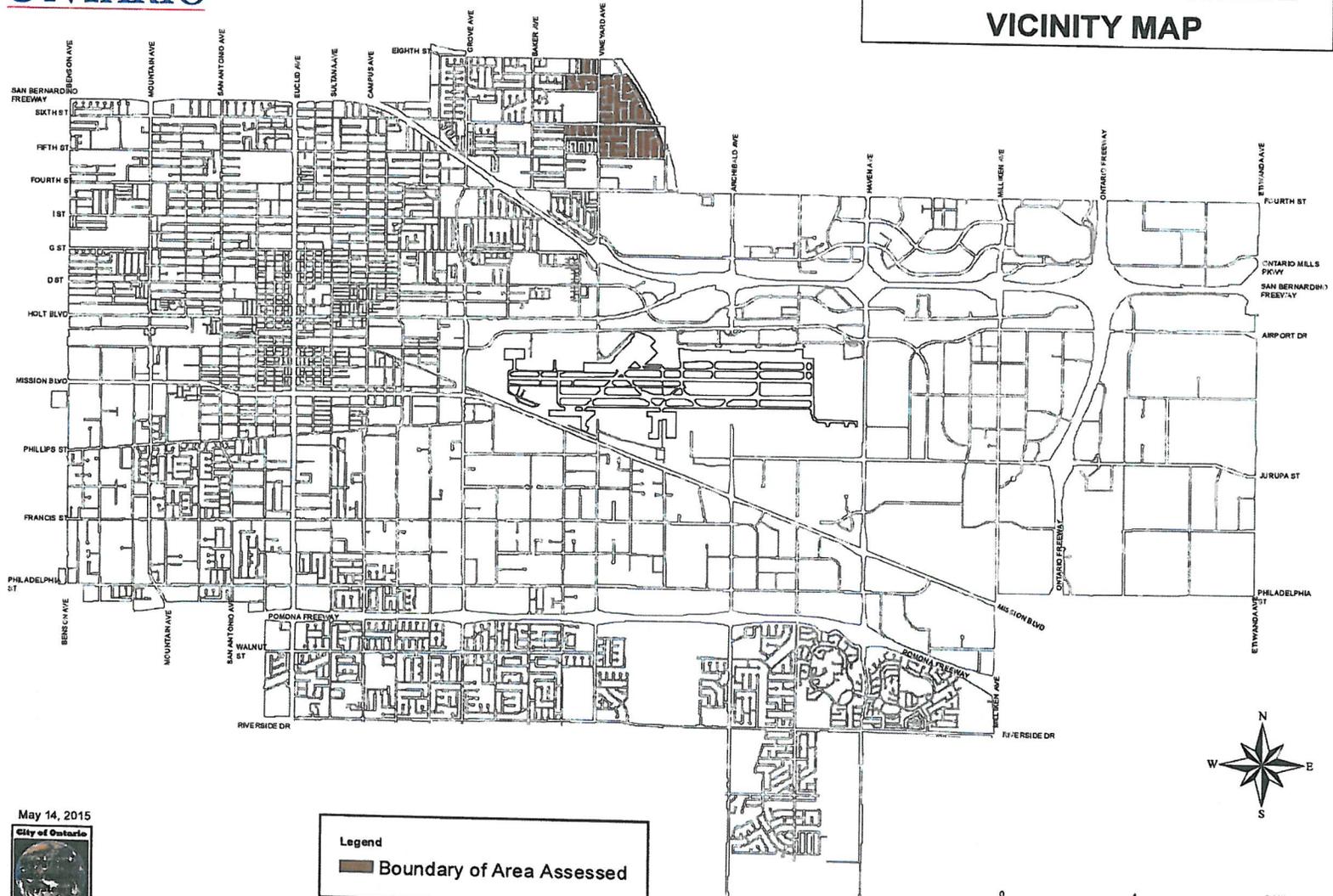
Legend
■ Boundary of Area Assessed

May 14, 2015
City of Ontario

Planview\parks\msh\parks\2011\CP1\Map_1_111111.dwg



Ontario Parkway Maintenance Assessment District No. 2 VICINITY MAP



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May 14, 2015

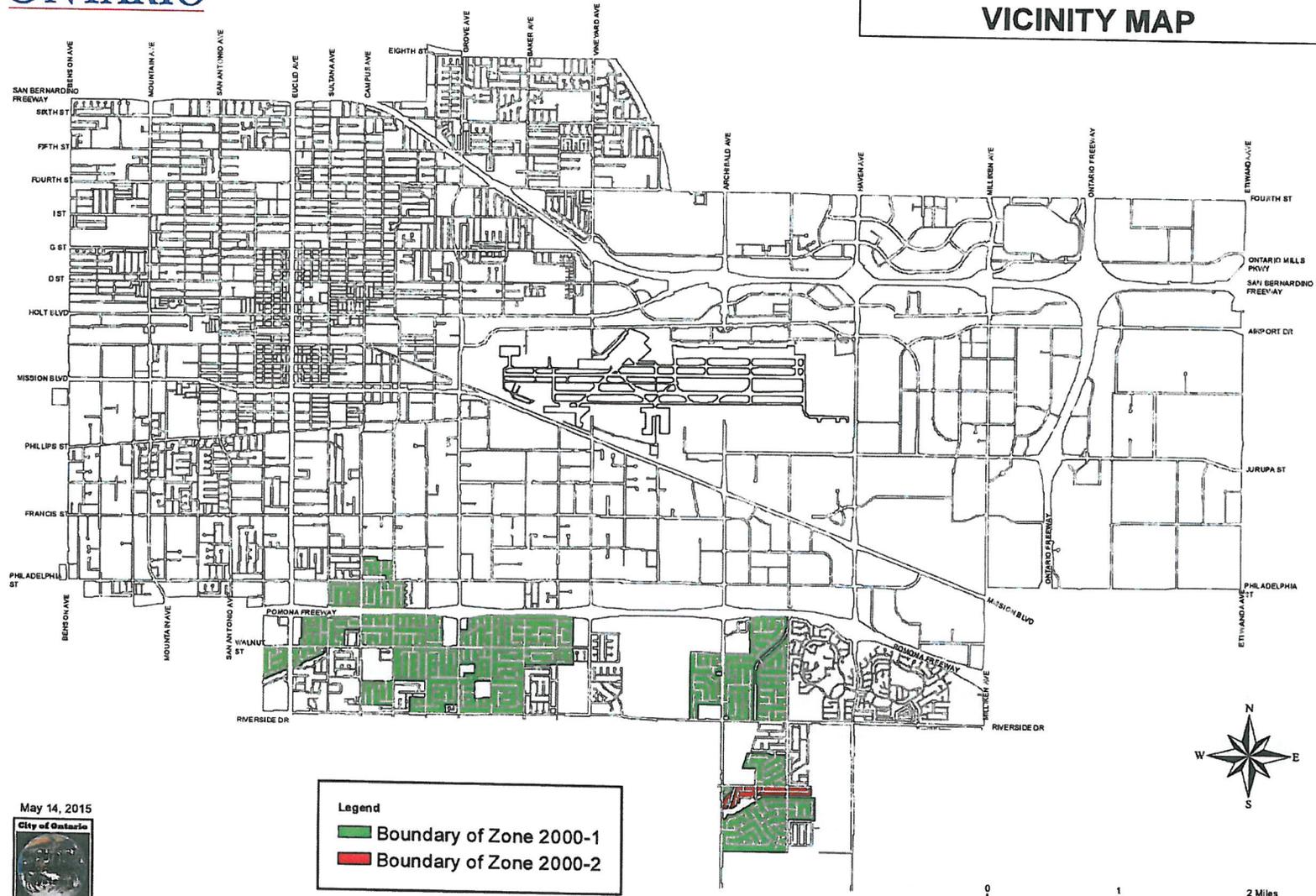


Legend
■ Boundary of Area Assessed

0 1 2 Miles



Ontario Parkway Maintenance Assessment District No. 3 VICINITY MAP



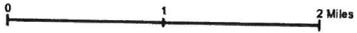
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May 14, 2015



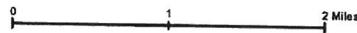
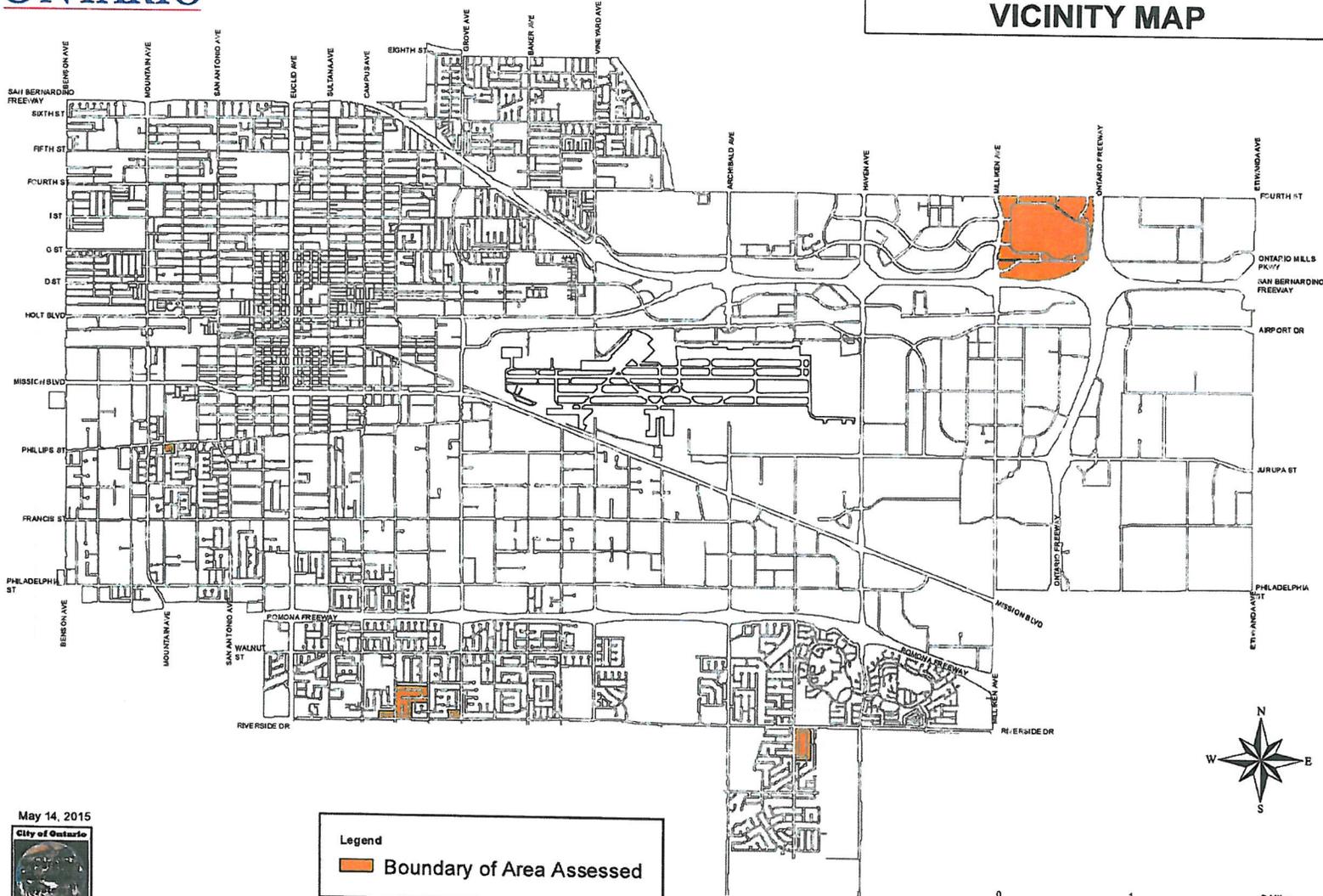
Legend

- Boundary of Zone 2000-1
- Boundary of Zone 2000-2





Ontario Parkway Maintenance Assessment District No. 4 VICINITY MAP



Legend
 Boundary of Area Assessed

May 14, 2015



Planner: Nick Adams; Designer: Jeff Kopp; Map: L. G. Smith

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, previously formed maintenance districts pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), known and designated as

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4

(the "Districts"); and

WHEREAS, at this time the City Council desires to initiate proceedings to provide for the annual levy of assessments for the ensuing fiscal year to provide for the annual costs for maintenance of improvements within the Districts; and

WHEREAS, the proceedings for the annual levy of assessments shall relate to the fiscal year commencing July 1, 2016, and ending June 30, 2017; and

WHEREAS, there has been submitted to this City Council for its consideration at this time, maps showing the boundaries of the area affected by the levy of the assessment for the above-referenced fiscal year, and inventory maps showing and describing in general the works of improvement proposed to be maintained in said Districts, said description being sufficient to identify the works of improvement and the areas proposed to be assessed for said maintenance thereof.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the maps entitled

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4
BOUNDARY AND INVENTORY MAPS

attached hereto, as submitted to this City Council, showing the boundaries of the proposed areas to be assessed and showing the works of improvement to be maintained, are hereby approved, and a copy thereof shall be on file in the Records

Management Department and open to public inspection. The parcels and properties within said area are those proposed to be assessed to pay the costs and expenses for said maintenance work.

SECTION 3. That the proposed maintenance work within the area proposed to be assessed shall be for certain landscaping and appurtenant improvements, as said maintenance work is set forth in the Reports to be presented to this City Council for consideration.

SECTION 4. That the Assessment Engineer, Harris & Associates, is hereby ordered to prepare and file with this City Council the Assessment Engineer's Reports relating to said annual assessment and levy in accordance with the provisions of 1972 Act, Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law").

SECTION 5. That upon completion, said Assessment Engineer's Reports shall be filed with the City Clerk, who shall then submit the same to this City Council for its consideration pursuant to the Assessment Law.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

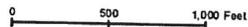


Ontario Parkway Maintenance Assessment District No. 1 Boundary and Inventory Map



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May 14, 2015



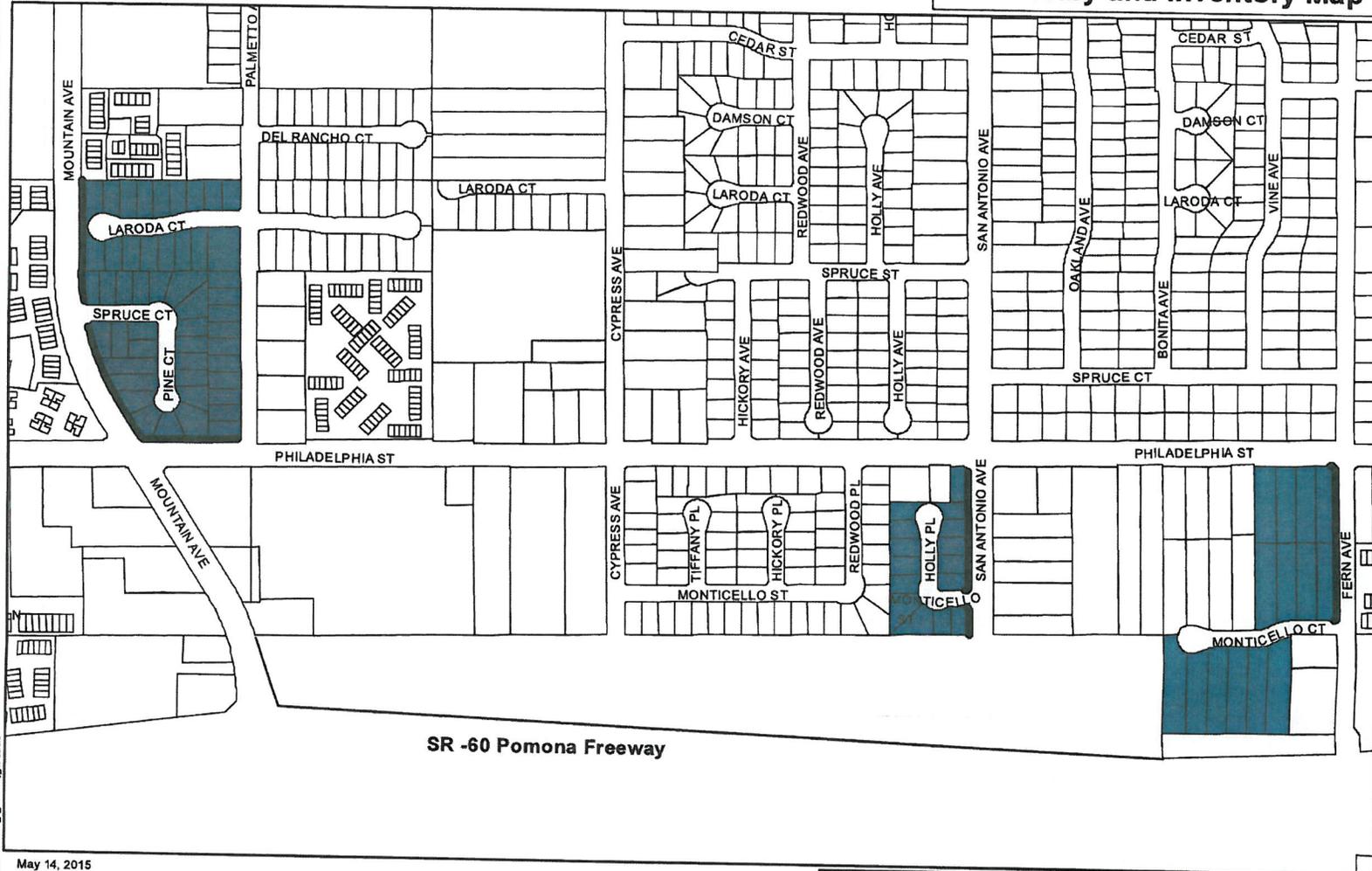
- Legend**
- Areas Maintained
 - Boundary of Area Assessed

Map 1 of 2

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Ontario Parkway Maintenance Assessment District No. 1 Boundary and Inventory Map



P:\assess\adm\Bases\1001\OPMAD_L_Boundary_2012.mxd

May 14, 2015



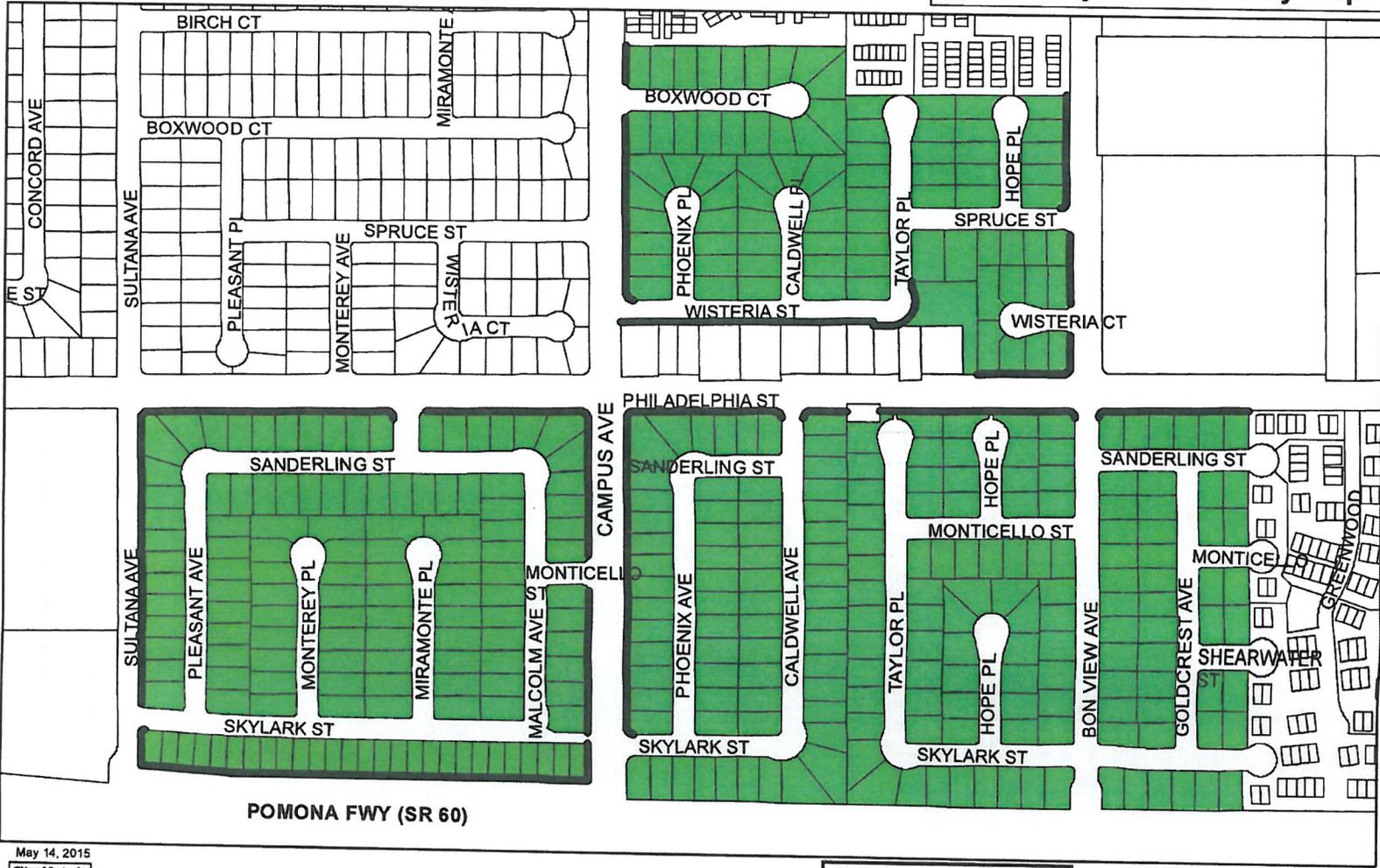
- Legend**
- Areas Maintained
 - Boundary of Area Assessed

Map 2 of 2

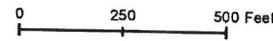
Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Ontario Parkway Maintenance Assessment District No. 3 Boundary and Inventory Map



Planning\Map\MapDocs\2014\DPMA3_3_boundary_1012.mxd
 May 14, 2015
 City of Ontario



Legend **Map 1 of 5**

- Areas Maintained
- Boundary of Zone 2000-1

Note:
 Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

Ontario Parkway Maintenance Assessment District No. 3 Boundary and Inventory Map



Note: Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

Legend

- Map 3 of 5
- Areas Maintained
- Boundary of Zone 2000-1



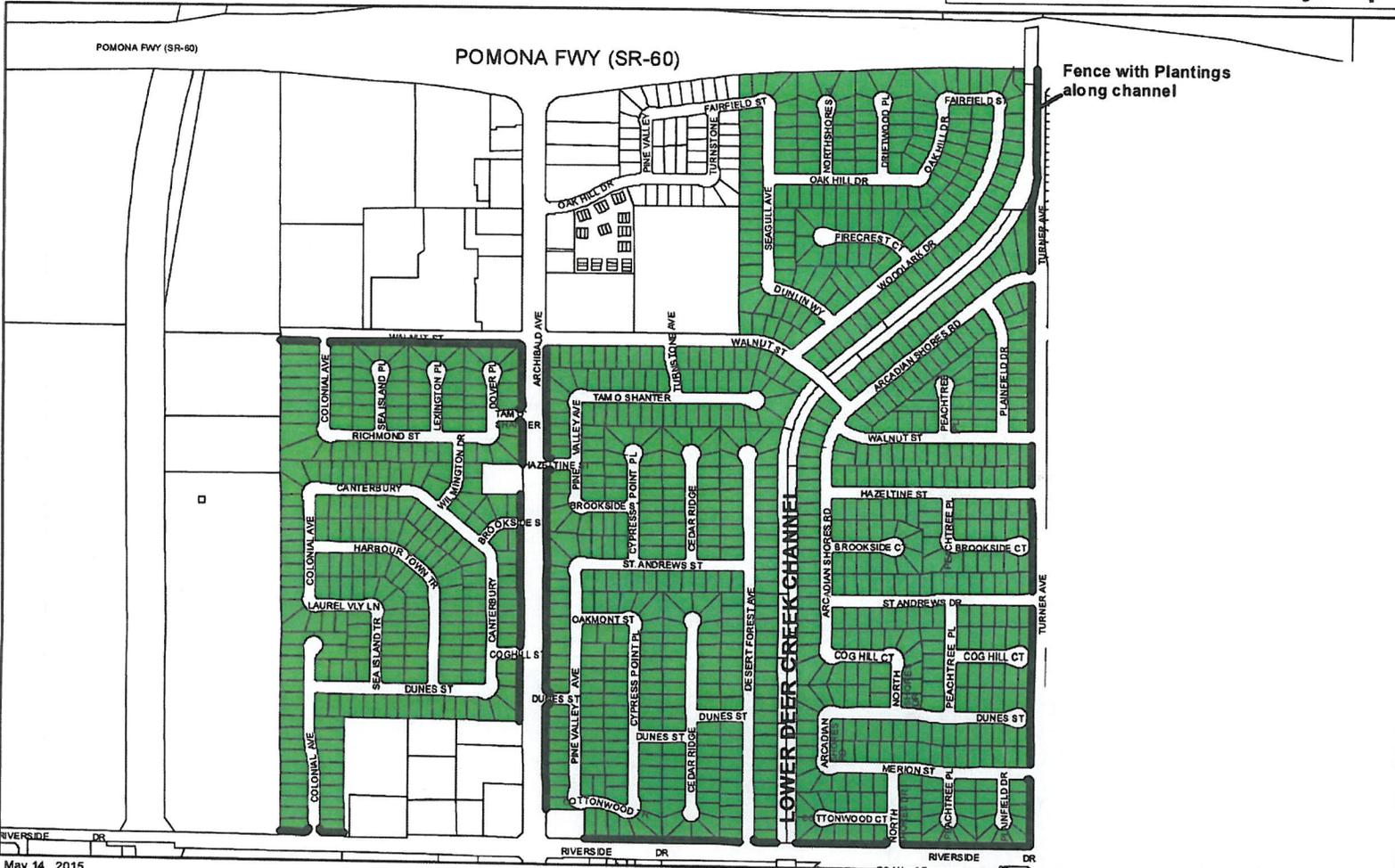
May 14, 2015



PlotSheet:Map3:150142P1A0_3.pound7_2015.mxd

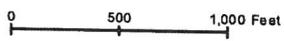


Ontario Parkway Maintenance Assessment District No. 3 Boundary and Inventory Map



Fence with Plantings along channel

May 14, 2015
City of Ontario



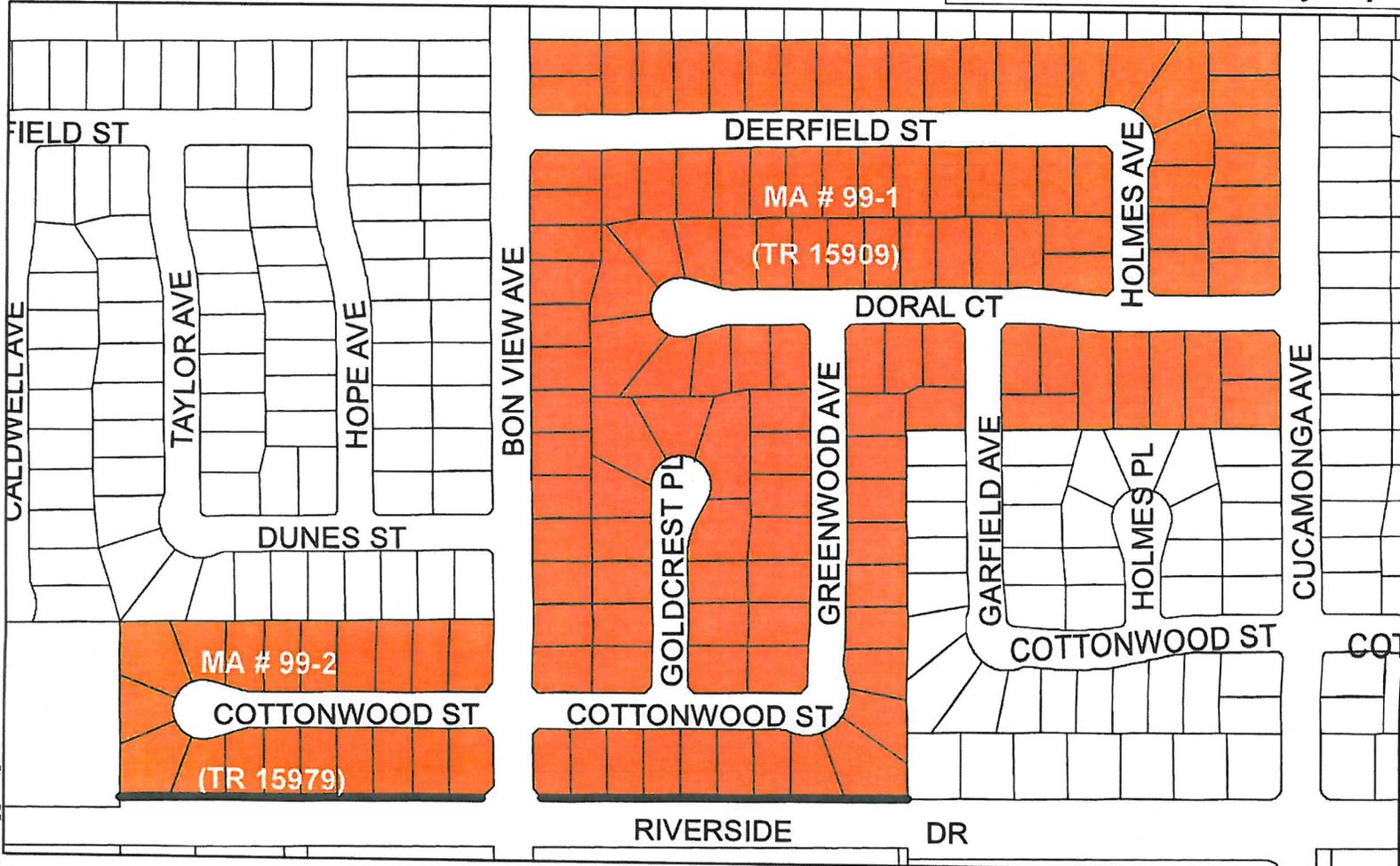
Legend Map 4 of 5

- Areas Maintained
- Boundary of Zone 2000-1

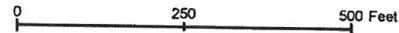
Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



**Ontario Parkway Maintenance
Assessment District No. 4
Boundary and Inventory Map**



May 14, 2015
City of Ontario



Legend

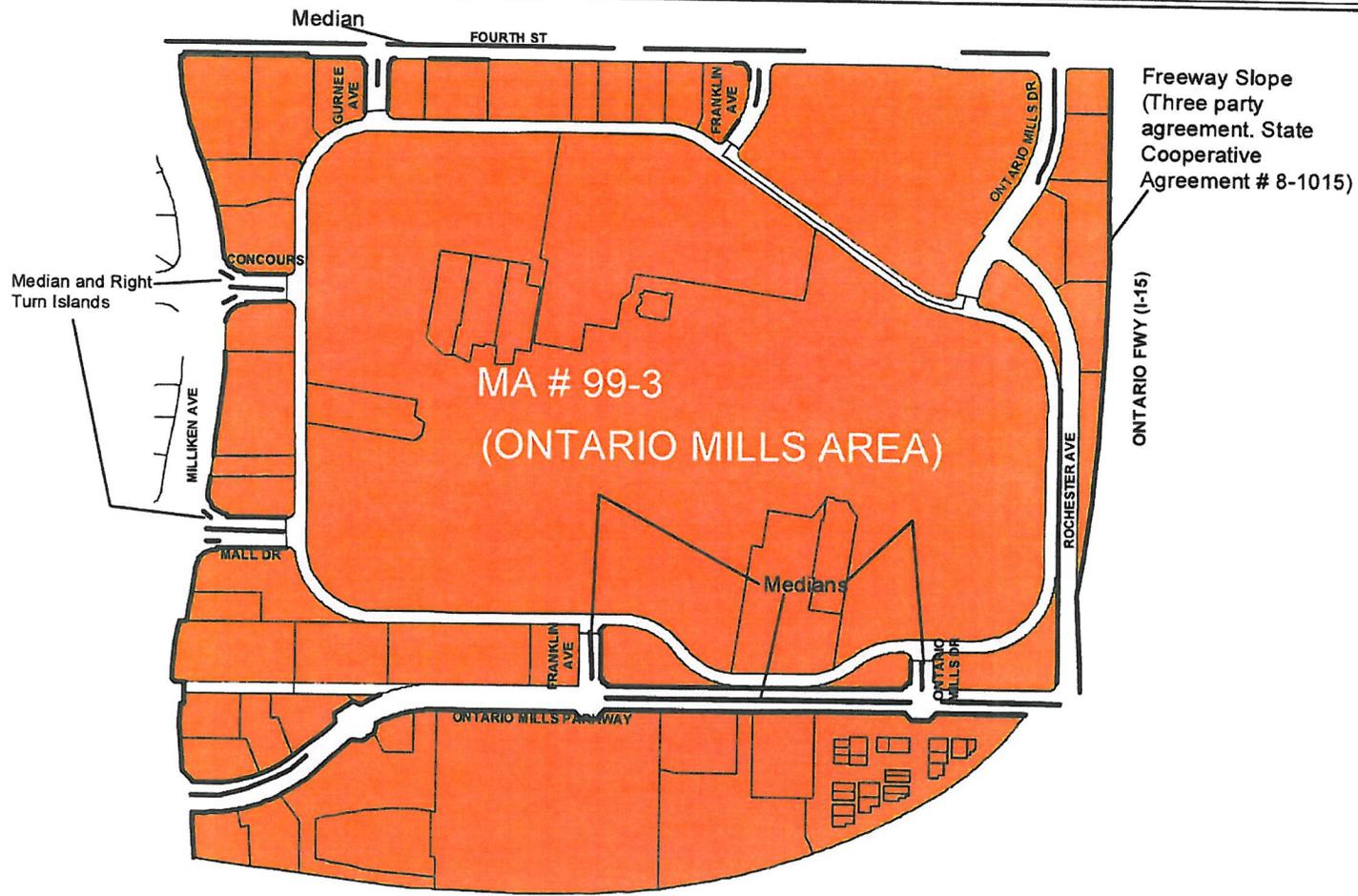
- Areas Maintained
- MA - # Boundary and Maintenance Area #

Map 1 of 5

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Ontario Parkway Maintenance Assessment District No. 4 Boundary and Inventory Map



May 14, 2015



0 500 1,000 Feet



Legend

- Areas Maintained
- MA - # Boundary and Maintenance Area #

Map 2 of 5

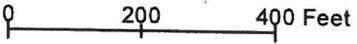
Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Ontario Parkway Maintenance Assessment District No. 4 Boundary and Inventory Map



May 14, 2015
City of Ontario



Legend

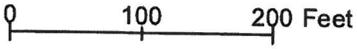
- Areas Maintained
- MA - # Boundary and Maintenance Area #

Map 3 of 5

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



**Ontario Parkway Maintenance
Assessment District No. 4
Boundary and Inventory Map**



Legend

- Areas Maintained
- MA - # Boundary and Maintenance Area #

Map 5 of 5

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

P:\assess\MapInfo\32014\OPMA\4_Boundary_SoB.mxd

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law"), did, by previous Resolution, order the preparation of the Assessment Engineer's Reports for the annual levy of assessments for the referenced Fiscal Year in the maintenance assessment districts known and designated as

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4

(the "Districts"); and

WHEREAS, there has now been presented to this City Council the Assessment Engineer's Reports as required by the Assessment Law and as previously directed by Resolution; and

WHEREAS, this City Council has now examined and reviewed the Assessment Engineer's Reports as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments on a preliminary basis, have been spread in accordance with the special benefits received from the improvements to be maintained, as set forth in said Assessment Engineer's Reports.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Assessment Engineer's Reports as presented, consisting of the following:

- A. Plans and specifications describing the general nature, location, and extent of the improvements to be maintained and the extent of such maintenance;
- B. An estimate of the cost of the maintenance of the improvements for the Districts for the referenced fiscal year;

- C. A diagram for each District, showing the area and properties proposed to be assessed; and
- D. An annual assessment for the referenced Fiscal Year of the estimated costs of the maintenance of those improvements to be maintained during such Fiscal Year, assessing the net amount upon all assessable lots and/or parcels within the Districts in proportion to the special benefits received;

are hereby approved on a preliminary basis and are ordered to be filed in the Records Management Department as a permanent record and to remain open to public inspection.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Assessment Engineer's Reports.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2016-17 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

WHEREAS, the City Council of the City of Ontario, California, has previously formed landscaping maintenance assessment districts pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California, in what is known and designated as

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3

(hereinafter referred to as the Districts); and

WHEREAS, at this time, this City Council desires to conduct proceedings to provide for the annual levy of assessments for the ensuing fiscal year, to provide for the costs and expenses necessary for continual maintenance of improvements within said Districts; and

WHEREAS, at this time, there has been presented and approved by this City Council, the Engineer's Reports as required by law, and this City Council desires to conduct the proceedings for said annual levy.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the public interest and convenience requires, and it is the intention of this City Council, to undertake proceedings for the annual levy and collection of special assessments for the continual maintenance of certain improvements, all to service and benefit said Districts as said area is shown and delineated on the maps as previously approved by this City Council and on file in the Records Management Department, open to public inspection, and herein so referenced and made a part hereof, and proposed changes thereto are set forth in the Engineer's Reports, incorporated herein as a part hereof.

REPORT

SECTION 3. That the Engineer's Reports regarding the annual levy for said Districts, which Reports are for maintenance for said fiscal year, are hereby approved and are directed to be filed in the Records Management Department.

ASSESSMENT

SECTION 4. That the public interest and convenience requires, and it is the intention of this City Council to order the annual assessment levy for the Districts as set forth and described in said Engineer's Reports, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance and improvement as estimated in said Reports.

DESCRIPTION OF MAINTENANCE

SECTION 5. The assessments levied and collected shall be for the maintenance of certain parkway landscaping and appurtenant improvements, as set forth in the Engineer's Reports, referenced and so incorporated herein.

COUNTY AUDITOR

SECTION 6. The County Auditor shall enter on the County Assessment Roll the amount of the assessments, and the County Tax Collector shall collect said assessments at the time and in the same manner as County taxes are collected. After collection by the County, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer for purposes of paying for the costs and expenses of said Districts.

SPECIAL FUND

SECTION 7. That all monies collected shall be deposited in a special fund. Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the making of this maintenance and improvement, the City Council may transfer into said fund as it may deem necessary to expedite the proceedings. Any such transfer shall be repaid out of the proceeds of the assessments provided for in this Resolution.

BOUNDARIES OF DISTRICTS

SECTION 8. Said contemplated maintenance work is in the opinion of this City Council, of direct benefit to the properties within the boundaries of the Districts, and this City Council makes the costs and expenses of said maintenance chargeable upon the Districts, which Districts said City Council hereby declares to be the Districts benefited by said improvement and maintenance, and to be further assessed to pay the costs and expenses thereof. Said Districts shall include each and every parcel of land within the boundaries of said Districts, as said Districts are shown on the maps as approved by this City Council and on file in the Records Management Department.

PUBLIC PROPERTY

SECTION 9. Any lots or parcels of land known as public property, as the same are defined in Section 22663 of Division 15, Part 2, of the Streets and Highways Code of the State of California, which are included within the boundaries of the Districts, shall be omitted and exempt from any assessment to be made under these proceedings to cover any of the costs and expenses of said improvement and maintenance work.

PUBLIC HEARING

SECTION 10. NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD THE 19TH DAY OF JULY, 2016, AT THE HOUR OF 6:30 O'CLOCK P.M., IN THE REGULAR MEETING OF THE CITY COUNCIL, BEING IN THE COUNCIL CHAMBERS, WHICH IS THE TIME AND PLACE FIXED BY THIS CITY COUNCIL FOR THE HEARING OF PROTESTS OR OBJECTIONS IN REFERENCE TO THE ANNUAL LEVY OF ASSESSMENTS, TO THE EXTENT OF THE MAINTENANCE, BY PROPERTY OWNERS AFFECTED HEREBY AND ANY OTHER MATTERS CONTAINED IN THIS RESOLUTION. ANY PERSONS WHO WISH TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

NOTICE

SECTION 11. That the City Clerk is hereby authorized and directed to publish, pursuant to Government Code Section 6061, a copy of this Resolution in the INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation within said City, said publication shall be made one time and not less than ten (10) days before the date set for the Public Hearing.

SECTION 12. That this Resolution shall take effect immediately upon its adoption.

SECTION 13. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed to the below listed person at the local agency or department so designated:

Bob Chandler
City of Ontario
303 East "B" Street
Ontario, California 91764
(909) 395-2353

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2016-17 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

WHEREAS, the City Council of the City of Ontario, California, has previously formed a landscaping maintenance assessment district, and authorized the levy of assessments therein pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law") in what is known and designated as

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4

(the "District"); and

WHEREAS, the City Council previously undertook proceedings as required by the Assessment Law to consider the approval of the levy of (a) maximum annual assessments to finance the estimated costs of the maintenance of all of the improvements to ultimately be maintained upon the completion and acceptance thereof for maintenance, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefits received; together with a formula pursuant to which such maximum assessment may be adjusted annually for inflation, and (b) an initial annual assessment of the estimated costs of the maintenance of those improvements to be maintained during such Fiscal Year, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefits received; and

WHEREAS, upon the conclusion of the public hearing related to the proposed levy of the maximum annual assessments referred to in the preceding recital, the assessment ballots submitted in favor of the maximum annual assessments and the assessment ballots received in opposition to the levy of the maximum annual assessments were tabulated with assessment ballots weighted according to the proportional financial obligation of the affected properties; and

WHEREAS, as a result of the tabulation of the assessment ballots submitted, it was determined that the assessment ballots submitted, and not withdrawn, in favor of the proposed maximum annual assessment exceeded the assessment ballots submitted, and not withdrawn, in opposition to the levy of the maximum annual assessment; and

WHEREAS, this City Council has initiated proceedings to provide for the annual levy of assessments for the referenced Fiscal Year, to finance the costs and expenses necessary for continual maintenance of improvements within said Districts; and

WHEREAS, at this time, there has been presented and approved by this City Council, the Assessment Engineer's Report as required by the Assessment Law, and this City Council desires to conduct the proceedings to authorize said annual levy; and

WHEREAS, the proposed annual assessments for the referenced Fiscal Year as set forth in the Assessment Engineer's Report do not exceed the maximum annual assessments as previously authorized to be levied and, therefore, the proposed levy of assessments for the referenced Fiscal Year are not deemed to be "increased" over the maximum annual assessments.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

RECITALS

SECTION 1. That the above recitals are all true and correct.

IMPROVEMENTS AND MAINTENANCE

SECTION 2. That the public interest and convenience requires, and it is the intention of this City Council, to undertake proceedings for the annual levy and collection of special assessments for the continual maintenance of the improvements described below, all to service and specially benefit the properties within said District as said area is shown and delineated on a map as previously approved by this City Council and on file in the Records Management Department, open to public inspection, and herein so referenced and made a part hereof.

The improvements to be maintained include the landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalks within designated medians, parkways, other public rights-of-way and dedicated easements specially benefiting the properties within the District.

The maintenance of such landscaping shall include the furnishing of services and materials for the ordinary and usual maintenance and servicing of the improvements, including:

- (a) Repair, removal, or replacement of all or any part of any improvement;
- (b) Providing for the life, growth, health, and beauty of the improvements, including cultivation, irrigation, trimming, spraying, fertilizing, and/or treating for disease and injury; and
- (c) The removal of trimmings, rubbish, and debris.

The annual assessment for the referenced Fiscal Year shall be levied only for those improvements completed or projected to be completed and accepted by this City Council for maintenance prior to or during said Fiscal Year.

ASSESSMENT ENGINEER'S REPORT

SECTION 3. That the Assessment Engineer's Report regarding the annual levy for said District, which Report is for maintenance for the said Fiscal Year, is hereby approved and is directed to be filed in the Records Management Department. Reference is made to such Report for a full and detailed description of the improvements to be maintained, the boundaries of the District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District.

ASSESSMENT

SECTION 4. That the public interest and convenience requires, and it is the intention of this City Council to order the annual assessment levy for the District as set forth and described in said Assessment Engineer's Report, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance and improvement as estimated in the Assessment Engineer's Report.

BOUNDARIES OF DISTRICT

SECTION 5. Said contemplated maintenance work is in the opinion of this City Council, of direct benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon a District, which District said City Council hereby declares to be the District benefited by said improvement and maintenance, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown on a map as approved by this City Council and on file in the Records Management Department, and so designated by the name of the District.

PUBLIC HEARING

SECTION 6. NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD THE 19TH DAY OF JULY, 2016, AT THE HOUR OF 6:30 O'CLOCK P.M., IN THE REGULAR MEETING OF THE CITY COUNCIL, BEING IN THE COUNCIL CHAMBERS, WHICH IS THE TIME AND PLACE FIXED BY THIS CITY COUNCIL FOR THE HEARING OF PROTESTS OR OBJECTIONS IN REFERENCE TO THE ANNUAL LEVY OF ASSESSMENTS, TO THE EXTENT OF THE MAINTENANCE, BY ANY INTERESTED PERSON AND ANY OTHER MATTERS CONTAINED IN THIS RESOLUTION. ANY PERSONS WHO WISH TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

NOTICE

SECTION 7. That the City Clerk is hereby authorized and directed to publish, pursuant to Government Code Section 6061, a copy of this Resolution in the INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation within said City, said publication shall be made one time and not less than ten (10) days before the date set for the Public Hearing.

EFFECTIVE DATE OF RESOLUTION

SECTION 8. That this Resolution shall take effect immediately upon its adoption.

PROCEEDING INQUIRIES

SECTION 9. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed to the below listed person at the local agency or department so designated:

Bob Chandler
City of Ontario
303 East "B" Street
Ontario, California 91764
(909) 395-2353

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report

June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICT NOS. 1 AND 2 FOR FISCAL YEAR 2016-17

RECOMMENDATION: That the City Council adopt resolutions pertaining to the levy of assessments within Street Lighting Maintenance District (SLMD) Nos. 1 and 2:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments;
- (B) A resolution giving preliminary approval of the Engineer's Reports; and
- (C) A resolution for each district declaring the City's intention to levy the special assessments for Fiscal Year 2016-17 and setting the date of July 19, 2016 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

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

FISCAL IMPACT: As proposed, special assessment revenue will be generated in the amount of \$391,987 from SLMD No. 1 and \$95,143 from SLMD No. 2 during Fiscal Year 2016-17. A portion of the facilities within SLMD No. 1 provide general benefit to the public at large and cannot be funded with the assessment. The amount of general benefit is \$16,882. The total of the recommended assessments is increasing by an average of 2.3% for the two Benefit Zones within SLMD No. 1, and by 2.3% for the twelve maintenance areas in SLMD No. 2.

BACKGROUND: Street Lighting Maintenance District No. 1 was formed in 1984, and Street Lighting Maintenance District No. 2 was formed in 1999, pursuant to the Landscaping and Lighting Act of 1972 (the "1972 Act"), to help minimize the continually increasing cost for maintaining and operating the

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

18

City's street lighting system. A special assessment is levied annually on benefiting properties for the cost of maintenance and operation of certain street lighting facilities within the districts. The locations of the districts are shown on the attached maps.

The City's Municipal Services Department establishes the annual maintenance costs and maintains the street lighting system. An Engineer's Report for each district must be prepared annually, apportioning the costs to each parcel within the districts. The districts are comprised of commercial, industrial and some multi-family residential properties. Due to varying characteristics, the districts are organized into benefit zones and/or maintenance areas. Each zone/maintenance area is assessed for only the operation and maintenance of the facilities from which it receives direct special benefit. The total assessment for each zone/maintenance area is then apportioned to its constituent parcels. Therefore, the assessments are unique and specific to each individual parcel of property.

The total assessment during tax year 2015-16 was \$383,266 in SLMD No. 1, and \$93,035 in SLMD No. 2. The proposed total assessments for tax year 2016-17 are \$391,987 in SLMD No. 1, and \$95,143 in SLMD No. 2. A portion of the facilities within SLMD No. 1 provide general benefit to the public at large and cannot be funded with the assessment. The amount of this general benefit is \$16,882 per Fiscal Year 2016-17. The assessed tax rates for Fiscal Year 2015-16, and the maximum and proposed tax rates for Fiscal Year 2016-17, are as follows:

		Assessed 2015-16	Proposed 2016-17	Maximum 2016-17
SLMD No. 1, Zone 2000-1	per AU	\$ 134	\$ 137	\$ 139
SLMD No. 1, Zone 2000-2	per AU	\$ 67	\$ 69	\$ 114
SLMD No. 2, MA# 99-1		\$ 4,134	\$ 4,229	\$ 9,880
SLMD No. 2, MA# 99-2		\$ 2,136	\$ 2,185	\$ 4,913
SLMD No. 2, MA# 99-3		\$ 4,267	\$ 4,366	\$ 8,186
SLMD No. 2, MA# 99-4		\$ 1,428	\$ 1,461	\$ 3,279
SLMD No. 2, MA# 99-5		\$ 1,303	\$ 1,334	\$ 3,074
SLMD No. 2, MA# 99-6		\$ 12,779	\$ 13,074	\$ 28,691
SLMD No. 2, MA# 99-7		\$ 388	\$ 393	\$ 887
SLMD No. 2, MA# 99-8		\$ 2,848	\$ 2,914	\$ 6,549
SLMD No. 2, MA# 00-1		\$ 2,724	\$ 2,788	\$ 3,014
SLMD No. 2, MA# 00-2		\$ 1,428	\$ 1,461	\$ 2,010
SLMD No. 2, MA# 00-3		\$ 7,824	\$ 7,996	\$ 11,052
SLMD No. 2, MA# 00-4		\$ 51,776	\$ 52,941	\$ 63,287

AU-Assessment Unit (e.g. – Zone 2000-1: 1 vacant acre = 0.25 AU; Zone 2000-2: 1 vacant acre = 1 AU)

Pursuant to the "1972 Act," Engineer's Reports have been prepared for each district, and are on file with the Records Management Department. Each report includes plans and specifications for the improvements being operated and maintained, an estimate of costs, a diagram of the area proposed to be assessed, and an assessment of the costs to the various parcels within the districts.

A public hearing is required for each district prior to adoption of the proposed assessments. A combined public hearing will be held on July 19, 2016 for the purpose of accepting comments and written protests. At the conclusion of the public hearing, the City Council will consider adoption of resolutions confirming the assessments and ordering the levy of the assessments for tax year 2016-17. Notice of the public hearing for the levy of assessments will be published in the local newspaper, in accordance with the applicable statutes

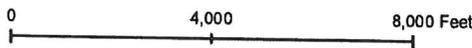


Street Lighting Maintenance District No.1 VICINITY MAP



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May 14, 2015



Legend

- Zone 2000-1
- Zone 2000-2

Note:
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.

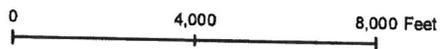


Street Lighting Maintenance District No.2 VICINITY MAP



P:\users\scott\4\dm\GIS\2014\SL MD_2_vicinity.mxd

May 14, 2015



Legend
Street Light Maintenance District 2

Note:
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND NO. 2 FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, previously formed maintenance districts pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2

(the "Districts"); and

WHEREAS, at this time the City Council desires to initiate proceedings to provide for the annual levy of assessments for the referenced Fiscal Year to provide for the annual costs for maintenance of improvements within the Districts; and

WHEREAS, the proceedings for the annual levy of assessments shall relate to the Fiscal Year commencing July 1, 2016, and ending June 30, 2017; and

WHEREAS, there has been submitted to this City Council for its consideration at this time, maps showing the boundaries of the areas affected by the levy of the assessments for the above-referenced Fiscal Year, and inventory maps showing and describing in general the works of improvement proposed to be maintained in said Districts, said description being sufficient to identify the works of improvement and the areas proposed to be assessed for said maintenance thereof.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the maps entitled

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2
BOUNDARY MAP AND INVENTORY MAPS

attached hereto, as submitted to this City Council, showing the boundaries of the proposed areas to be assessed and showing the works of improvement to be

maintained, are hereby approved, and a copy thereof shall be on file in the Records Management Department and open to public inspection. The proposed parcels and properties within said areas are those to be assessed to pay the costs and expenses for said maintenance work.

SECTION 3. That the proposed maintenance work within the areas proposed to be assessed shall be for street lighting and signal and appurtenant improvements, as said maintenance work is set forth in the Reports to be presented to this City Council for consideration.

SECTION 4. That the Assessment Engineer, Harris & Associates, is hereby ordered to prepare and file with this City Council the Assessment Engineer's Reports relating to said annual assessment and levy in accordance with the provisions of 1972 Act, Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law").

SECTION 5. That upon completion, said Assessment Engineer's Reports shall be filed with the City Clerk, who shall then submit the same to this City Council for its consideration pursuant to the Assessment Law.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

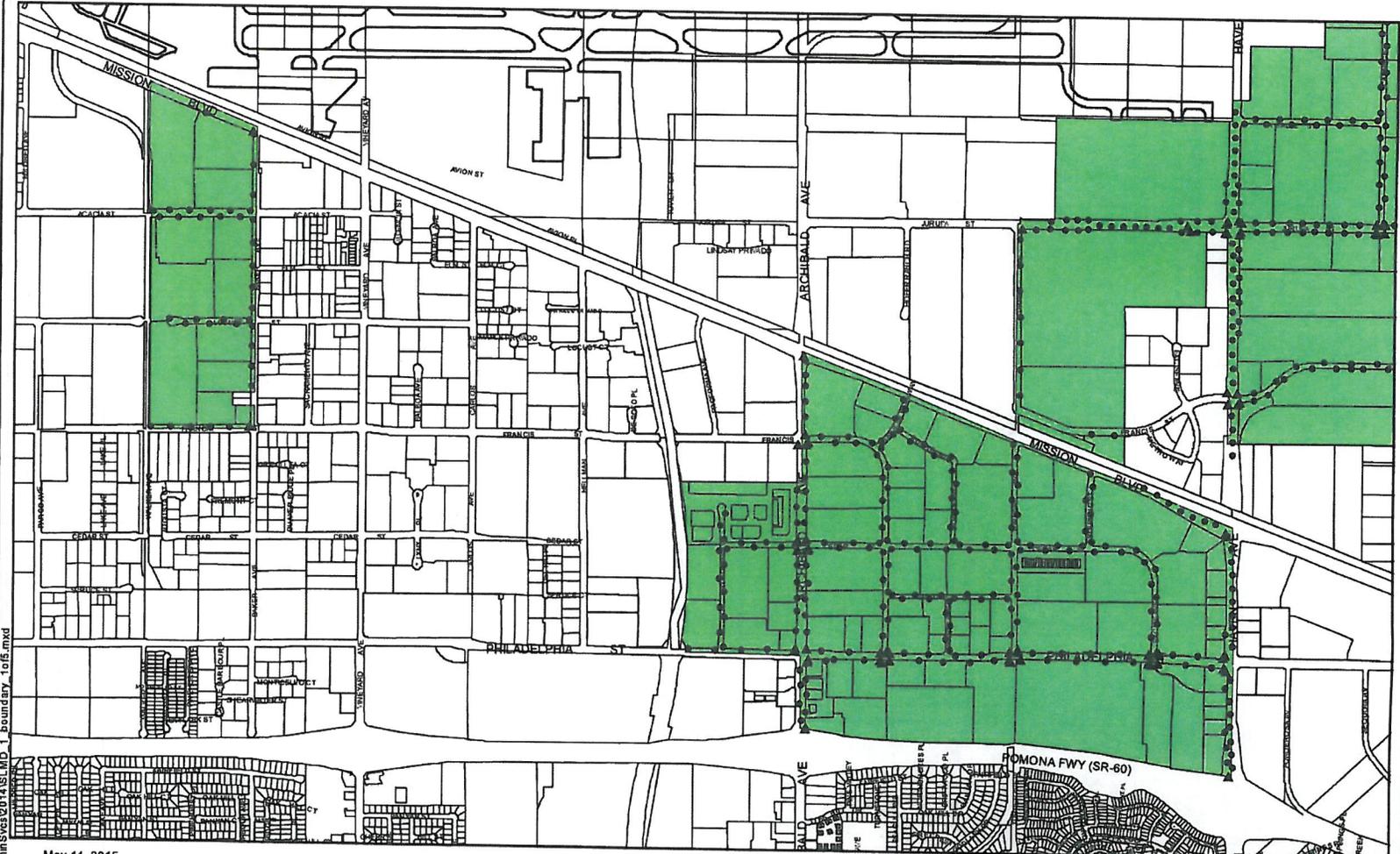
The foregoing is the original of Resolution No. 2016- duly passed and adopted by the Ontario City Council at their regular meeting held June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

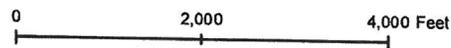


Street Lighting Maintenance District No.1 Boundary and Inventory Map



P:\users\scott\ADMIN\GIS\MapDocs\1_boundary_1of5.mxd

May 14, 2015



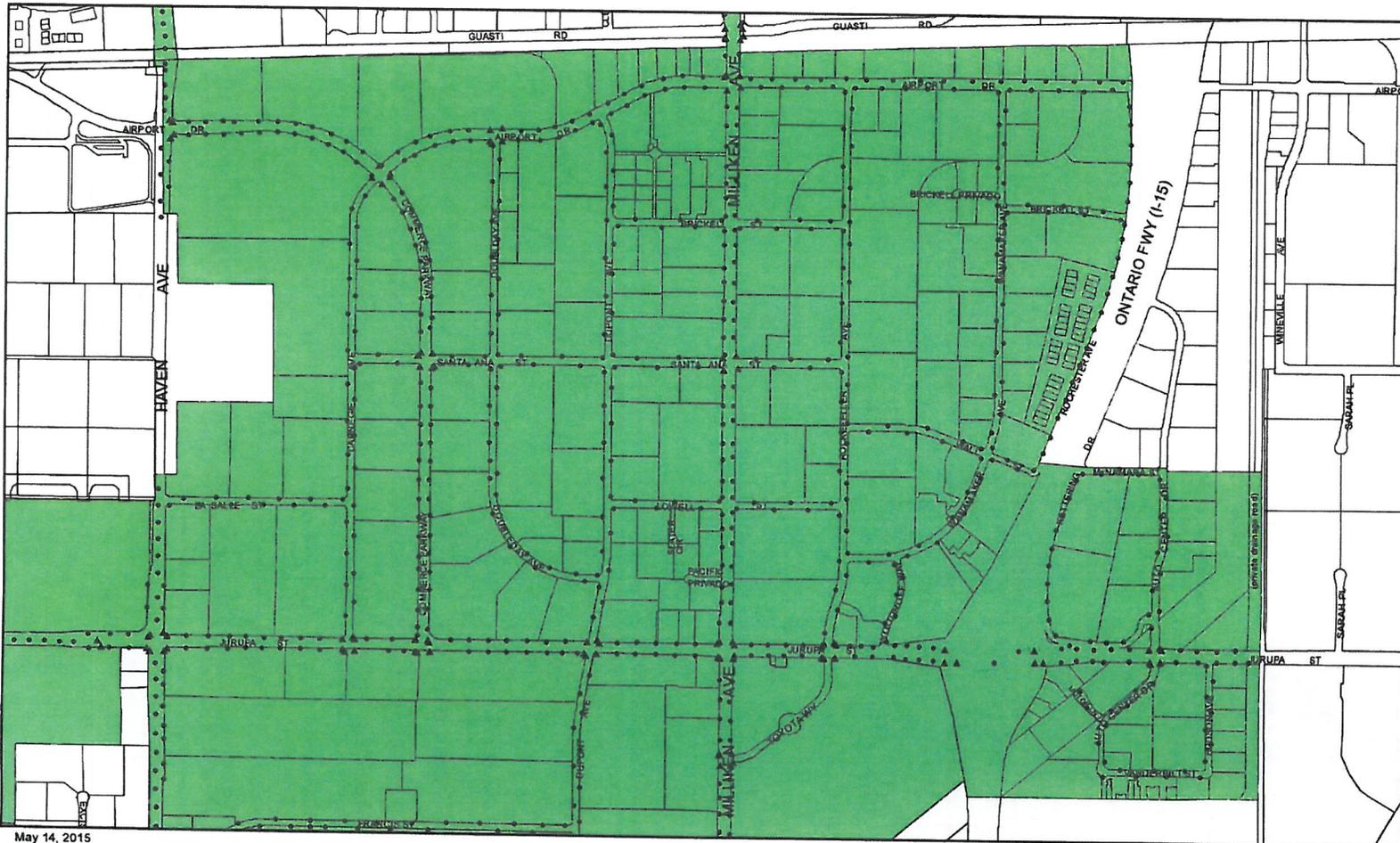
Legend 1 of 5

- Street Lights
- ▲ Safety Lights
- ZONE 2000-1
- ▨ Zone 2000-2

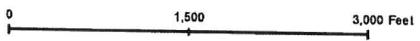
Note:
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.



Street Lighting Maintenance District No.1 Boundary and Inventory Map



May 14, 2015



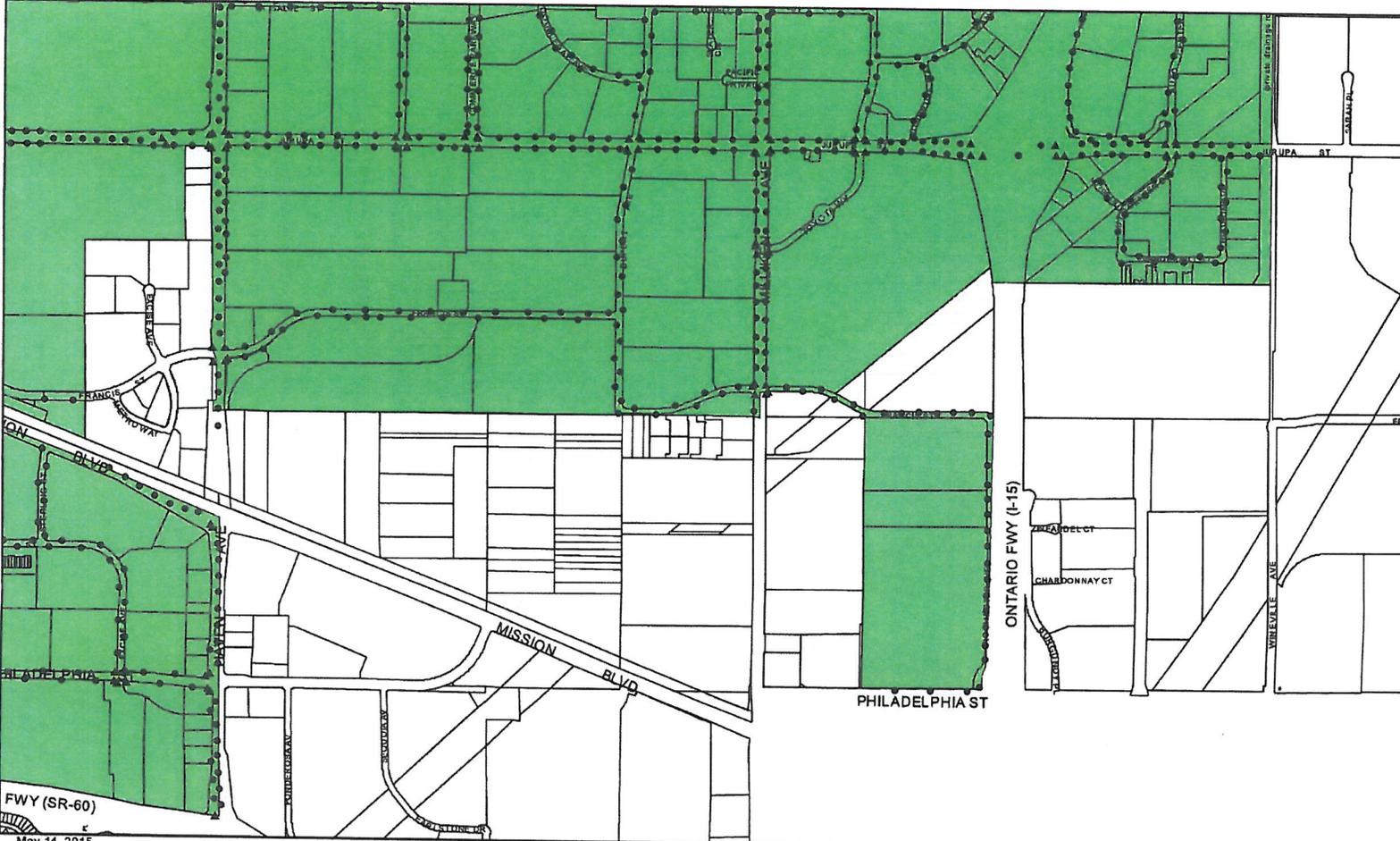
Legend 2 of 6

- Street Lights
- ▲ Safety Lights
- ZONE 2000-1
- ▨ Zone 2000-2

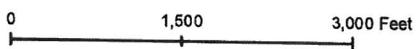
Note:
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.



Street Lighting Maintenance District No.1 Boundary and Inventory Map



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City of Ontario
May 14, 2015

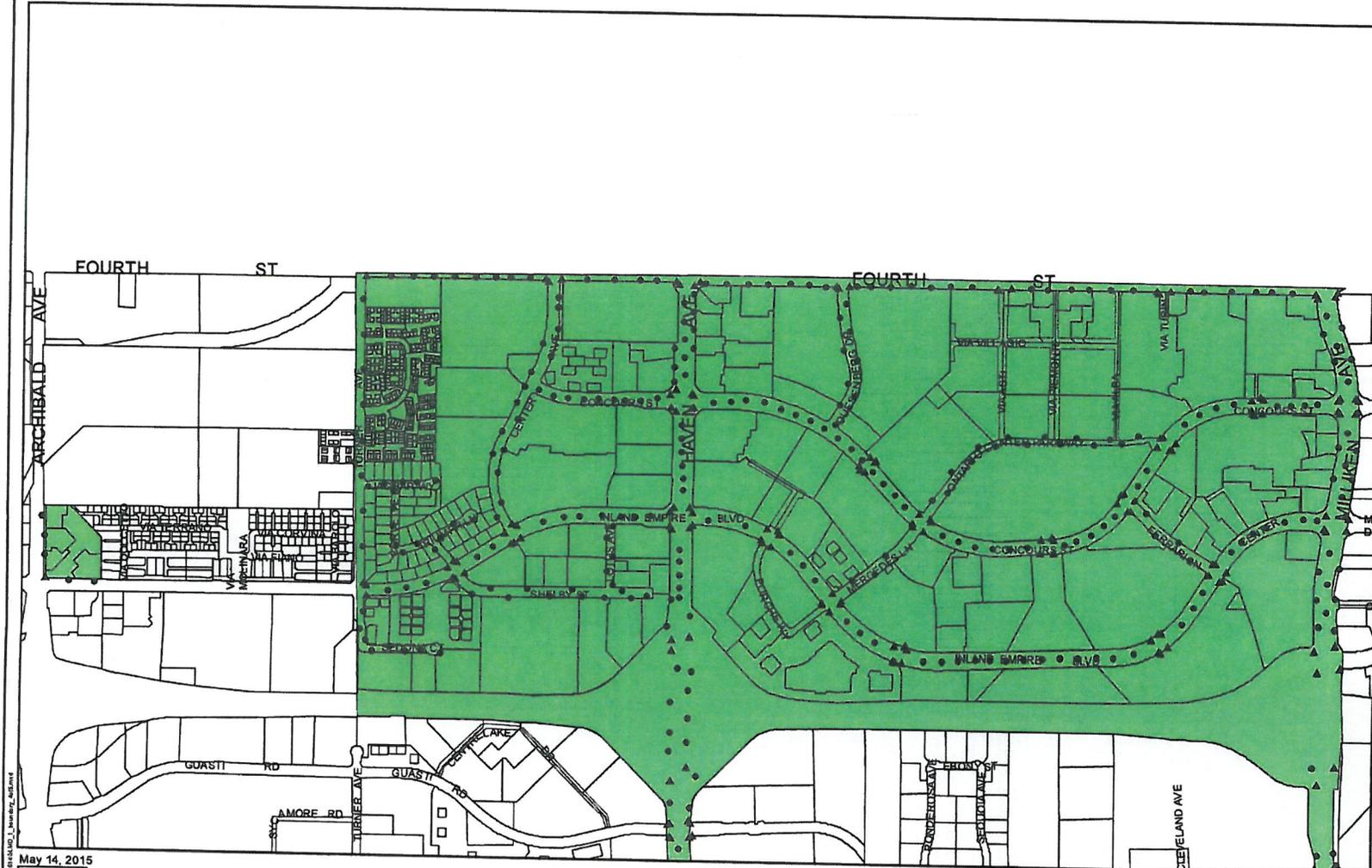


- Legend 3 of 5**
- Street Lights
 - ▲ Safety Lights
 - ZONE 2000-1
 - Zone 2000-2

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Street Lighting Maintenance District No.1 Boundary and Inventory Map



May 14, 2015
City of Ontario

0 950 1,900 Feet



Legend 4 of 5

- Street Lights
- ▲ Safety Lights
- ZONE 2000-1
- Zone 2000-2

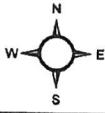
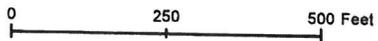
Note:
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.



Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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Legend 1 of 9

- Street Light
- ▲ Safety Light
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.

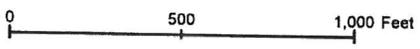


Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 14, 2015



Legend 2 of 9

- Streetlight
- Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Street Lighting Maintenance District No. 2 Boundary and Inventory Map



MA # 99-4

POMONA FWY (SR-60)

ARCH

ARCHIBALD AVE

OAK HILL DR

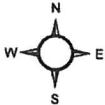
PINE VALLEY

Plusers\acct\Admin\svcs\2014\SLMD_2_boundary_3of8.mxd

May 14, 2015



0 250 500 Feet



Legend 3 of 9

- Streetlight
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

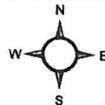
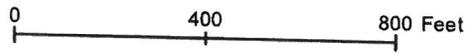


Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 14, 2015



Legend 9 of 9

- Streetlight
- MA # Boundary and Maintenance Area #

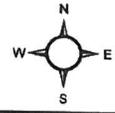
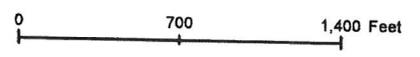
Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 14, 2015
City of Ontario

Legend 4 of 9

- Streetlight
- ▲ Safety Lights
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

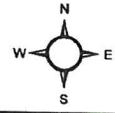
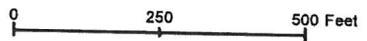


Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 14, 2015



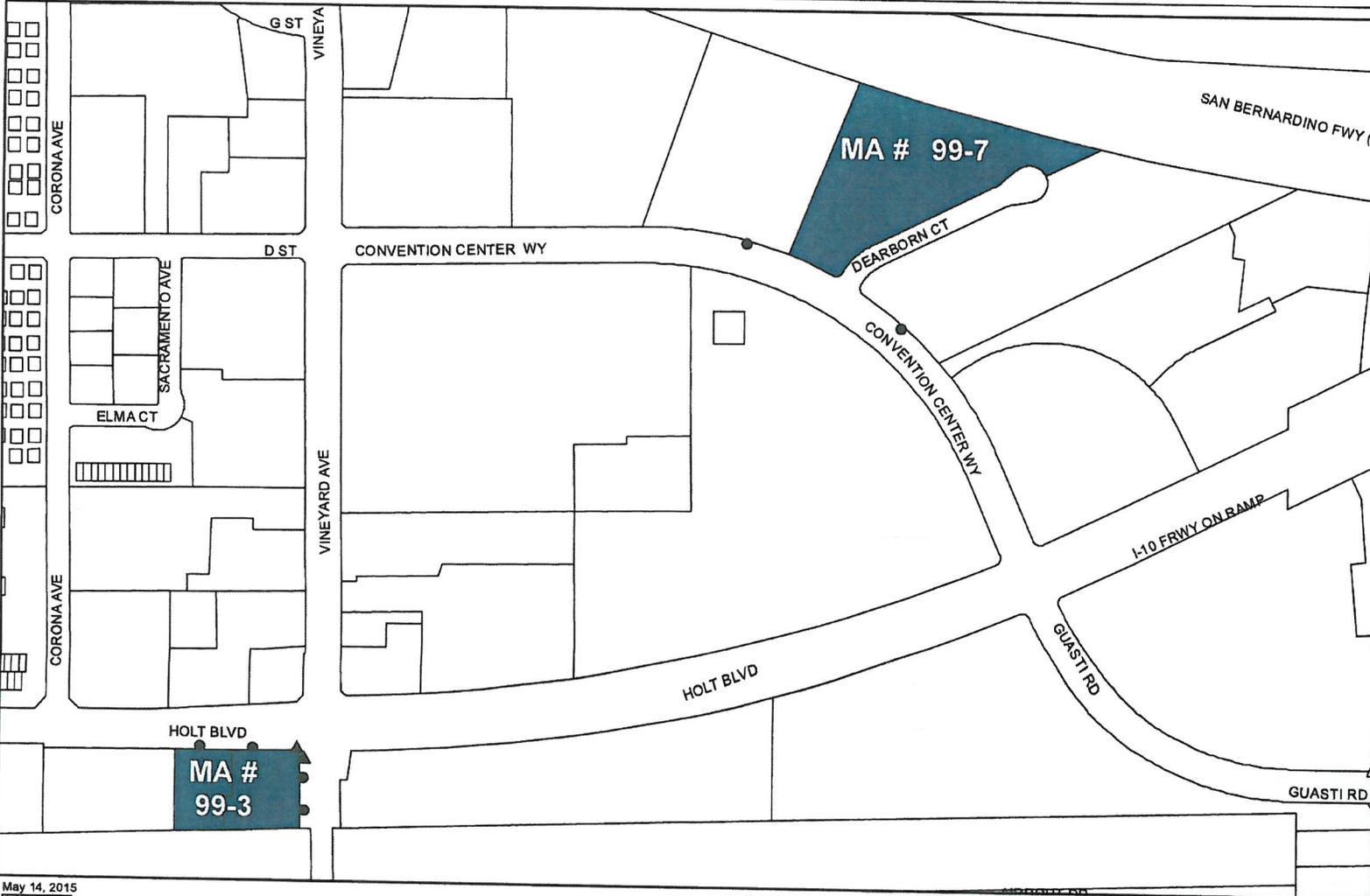
Legend 5 of 9

- Streetlight
- MA # Boundary and Maintenance Area #

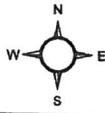
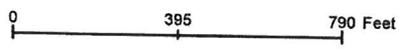
Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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Legend		6 of 9	
●	Streetlight	▲	Safety Lights
MA #	Boundary and Maintenance Area #		

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

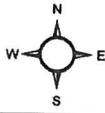


Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 14, 2015
City of Ontario

0 500 1,000 Feet



Legend 7 of 8

- Streetlight
- ▲ Safety Light
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Street Lighting Maintenance District No. 2 Boundary and Inventory Map



MA # 00-2

Railroad

GUASTI RD

ROCHESTER AVE

ONTARIO FWY (I-15)

KETTERING DR

AIRPORT DR

WINEVILLE AVE

WINEVILLE AVE

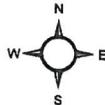
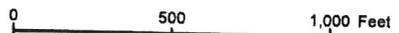
AIRPORT DR

RICKELL ST

ROCHESTER AVE

KETTERING DR

May 14, 2015



Legend 8 of 9

- Street light
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND NO. 2 FOR FISCAL YEAR 2016-17.

WHEREAS, the City Council of the City of Ontario, California, pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law"), did, by previous Resolution, order the preparation of the Assessment Engineer's Reports for the annual levy of assessments for the referenced Fiscal Year in the maintenance assessment districts known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2

(the "Districts"); and

WHEREAS, there has now been presented to this City Council the Assessment Engineer's Reports as required by the Assessment Law and as previously directed by Resolution; and

WHEREAS, this City Council has now examined and reviewed the Assessment Engineer's Reports as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments on a preliminary basis, have been assessed in accordance with the special benefits received from the improvements to be maintained, as set forth in said Assessment Engineer's Reports.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Assessment Engineer's Reports as presented, consisting of the following:

- A. Plans and specifications describing the general nature, location, and extent of the improvements to be maintained and the extent of such maintenance for each District;
- B. An estimate of the cost of the maintenance of the improvements for each District for the referenced Fiscal Year;

- C. A diagram for each District, showing the area and properties proposed to be assessed; and
- D. An annual assessment within each District for the referenced Fiscal Year of the estimated costs of the maintenance of those improvements to be maintained during such Fiscal Year, assessing the net amount upon all assessable lots and/or parcels within each District in proportion to the special benefits received;

are hereby approved on a preliminary basis and are ordered to be filed in the Records Management Department as a permanent record and to remain open to public inspection.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Assessment Engineer's Reports.

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2016-17 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 1 PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

WHEREAS, the City Council of the City of Ontario, California, has previously formed a street lighting maintenance assessment district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), in what is known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICT NO. 1

(hereinafter referred to as the District); and

WHEREAS, the City Council has previously undertaken proceedings as required by the 1972 Act, Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act and, together with the 1972 Act and Article XIID, the "Assessment Law") to approve and has approved the levy of maximum annual assessments to finance the estimated costs of the maintenance of all of the improvements to be maintained, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefits received; together with a formula pursuant to which such maximum assessments may be adjusted annually for inflation; and

WHEREAS, at this time, this City Council desires to conduct proceedings to provide for the annual levy of assessments for the referenced Fiscal Year, to provide for the costs and expenses necessary for continual maintenance of improvements within said District; and

WHEREAS, at this time, there has been presented and approved by this City Council, the Engineer's Report as required by law, and this City Council desires to conduct the proceedings for said annual levy; and

WHEREAS, the proposed annual assessments for the referenced Fiscal Year as set forth in the Assessment Engineer's Report do not exceed the maximum annual assessments as previously authorized to be levied and, therefore, the proposed levy of assessments for the referenced Fiscal Year are not deemed to be "increased" over the maximum annual assessments.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the public interest and convenience requires, and it is the intention of this City Council, to undertake proceedings for the annual levy and collection of special assessments for the continual maintenance of certain improvements, all to service and specially benefit said District as said area is shown and delineated on the maps as previously approved by this City Council and on file in the Records Management Department, open to public inspection, and herein so referenced and made a part hereof, and proposed changes thereto are set forth in the Engineer's Report, incorporated herein as a part hereof.

REPORT

SECTION 3. That the Engineer's Report regarding the annual levy for said District, which Report is for maintenance for said Fiscal Year, is hereby approved and is directed to be filed in the Records Management Department. Reference is made to such Report for a full and detailed description of the improvements to be maintained, the boundaries of the District and the zones therein, and the proposed assessments on assessable lots and parcels of land within the District.

ASSESSMENT

SECTION 4. That the public interest and convenience requires, and it is the intention of this City Council to order the annual assessment levy for the District as set forth and described in said Engineer's Report, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance and improvement as estimated in said Report.

DESCRIPTION OF MAINTENANCE

SECTION 5. The assessments levied and collected shall be for the maintenance of certain street lighting and appurtenant improvements, as set forth in the Engineer's Report, referenced and so incorporated herein.

COUNTY AUDITOR

SECTION 6. The County Auditor shall enter on the County Assessment Roll the amount of the assessments, and the County Tax Collector shall collect said assessments at the time and in the same manner as County taxes are collected. After collection by the County, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer for purposes of paying for the costs and expenses of said District.

SPECIAL FUND

SECTION 7. That all monies collected shall be deposited in a special fund. Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the making of this maintenance and improvement, the City Council may transfer into said fund as it may deem necessary to expedite the proceedings. Any such transfer shall be repaid out of the proceeds of the assessments provided for in this Resolution.

BOUNDARIES OF DISTRICT

SECTION 8. Said contemplated maintenance work is in the opinion of this City Council, of special benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon the District, which District said City Council hereby declares to be the District specially benefited by said improvement and maintenance, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown on the maps as approved by this City Council and on file in the Records Management Department.

PUBLIC HEARING

SECTION 9. NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD THE 19TH DAY OF JULY, 2016, AT THE HOUR OF 6:30 O'CLOCK P.M., IN THE REGULAR MEETING OF THE CITY COUNCIL, BEING IN THE COUNCIL CHAMBERS, WHICH IS THE TIME AND PLACE FIXED BY THIS CITY COUNCIL FOR THE HEARING OF PROTESTS OR OBJECTIONS IN REFERENCE TO THE ANNUAL LEVY OF ASSESSMENTS, TO THE EXTENT OF THE MAINTENANCE, BY PROPERTY OWNERS AFFECTED HEREBY AND ANY OTHER MATTERS CONTAINED IN THIS RESOLUTION. ANY PERSONS WHO WISH TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

NOTICE

SECTION 10. That the City Clerk is hereby authorized and directed to publish, pursuant to Government Code Section 6061, a copy of this Resolution in the INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation within said City, said publication shall be made one time and not less than ten (10) days before the date set for the Public Hearing.

SECTION 11. That this Resolution shall take effect immediately upon its adoption.

SECTION 12. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed to the below listed person at the local agency or department so designated:

Bob Chandler
City of Ontario
303 East "B" Street
Ontario, California 91764
(909) 395-2353

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2016-17 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 2, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

WHEREAS, the City Council of the City of Ontario, California, has previously formed a street lighting maintenance assessment district, and authorized the levy of assessments therein pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law") in what is known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICT NO. 2

(the "District"); and

WHEREAS, the City Council previously undertook proceedings as required by the Assessment Law to consider the approval of the levy of (a) maximum annual assessments to finance the estimated costs of the maintenance of all of the improvements to ultimately be maintained upon the completion and acceptance thereof for maintenance, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefits received; together with a formula pursuant to which such maximum assessment may be adjusted annually for inflation, and (b) an initial annual assessment of the estimated costs of the maintenance of those improvements to be maintained during such Fiscal Year, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefits received; and

WHEREAS, upon the conclusion of the public hearing related to the proposed levy of the maximum annual assessments referred to in the preceding recital, the assessment ballots submitted in favor of the maximum annual assessments and the assessment ballots received in opposition to the levy of the maximum annual assessments were tabulated with assessment ballots weighted according to the proportional financial obligation of the affected properties; and

WHEREAS, as a result of the tabulation of the assessment ballots submitted, it was determined that the assessment ballots submitted, and not withdrawn, in favor of the proposed maximum annual assessment exceeded the assessment ballots submitted, and not withdrawn, in opposition to the levy of the maximum annual assessment; and

WHEREAS, this City Council has initiated proceedings to provide for the annual levy of assessments for the referenced Fiscal Year, to finance the costs and expenses necessary for continual maintenance of improvements within said District; and

WHEREAS, at this time, there has been presented and approved by this City Council, the Assessment Engineer's Report as required by the Assessment Law, and this City Council desires to conduct the proceedings to authorize said annual levy; and

WHEREAS, the proposed annual assessments for the referenced Fiscal Year as set forth in the Assessment Engineer's Report do not exceed the maximum annual assessments as previously authorized to be levied and, therefore, the proposed levy of assessments for the referenced Fiscal Year are not deemed to be "increased" over the maximum annual assessments.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

RECITALS

SECTION 1. That the above recitals are all true and correct.

IMPROVEMENTS AND MAINTENANCE

SECTION 2. That the public interest and convenience requires, and it is the intention of this City Council, to undertake proceedings for the annual levy and collection of special assessments for the continual maintenance of the improvements described below, all to service and specially benefit the properties within said District as said area is shown and delineated on a map as previously approved by this City Council and on file in the Records Management Department, open to public inspection, and herein so referenced and made a part hereof:

The improvements to be maintained include street lighting facilities specially benefiting the properties within the District. Such street lighting facilities include all works or improvements used or useful for street lighting, including luminaires, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communications circuits, appliances, attachments and appurtenances.

The maintenance of such street lighting facilities shall include the furnishing of services and materials for the ordinary and usual maintenance and servicing of the street lighting facilities, including:

- (a) Repair, removal, or replacement of all or any part of any street lighting facility; and
- (b) The provision of electric current for the operation of such street lighting facilities.

Reference is made to the Assessment Engineer's Report for further information regarding the improvements to be maintained and the scope of such maintenance.

The annual assessment for the referenced Fiscal Year shall be levied only for those improvements completed or projected to be completed and accepted by this City Council for maintenance prior to or during said Fiscal Year.

ASSESSMENT ENGINEER'S REPORT

SECTION 3. That the Assessment Engineer's Report regarding the annual levy for said District, which Report is for maintenance for the said Fiscal Year, is hereby approved and is directed to be filed in the Records Management Department. Reference is made to such Report for a full and detailed description of the improvements to be maintained, the boundaries of the District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District.

ASSESSMENT

SECTION 4. That the public interest and convenience requires, and it is the intention of this City Council to order the annual assessment levy for the District as set forth and described in said Assessment Engineer's Report, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance and improvement as estimated in the Assessment Engineer's Report.

BOUNDARIES OF DISTRICT

SECTION 5. Said contemplated maintenance work is in the opinion of this City Council, of direct benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon a District, which District said City Council hereby declares to be the District benefited by said improvement and maintenance, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown on a map as approved by this City Council and on file in the Records Management Department, and so designated by the name of the District.

PUBLIC HEARING

SECTION 6. NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD THE 19TH DAY OF JULY, 2016, AT THE HOUR OF 6:30 O'CLOCK P.M., IN THE REGULAR MEETING OF THE CITY COUNCIL, BEING IN THE COUNCIL CHAMBERS, WHICH IS THE TIME AND PLACE FIXED BY THIS CITY COUNCIL FOR THE HEARING OF PROTESTS OR OBJECTIONS IN REFERENCE TO THE ANNUAL LEVY OF ASSESSMENTS, TO THE EXTENT OF THE MAINTENANCE, BY ANY INTERESTED PERSON AND ANY OTHER MATTERS CONTAINED IN THIS RESOLUTION. ANY PERSONS WHO WISH TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

NOTICE

SECTION 7. That the City Clerk is hereby authorized and directed to publish, pursuant to Government Code Section 6061, a copy of this Resolution in the INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation within said City, said publication shall be made one time and not less than ten (10) days before the date set for the Public Hearing.

EFFECTIVE DATE OF RESOLUTION

SECTION 8. That this Resolution shall take effect immediately upon its adoption.

PROCEEDING INQUIRIES

SECTION 9. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed to the below listed person at the local agency or department so designated:

Bob Chandler
City of Ontario
303 East "B" Street
Ontario, California 91764
(909) 395-2353

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report

June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: APPROVAL OF ALLOCATION AND SPENDING PLAN FOR THE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FOR FY 2016

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute all documents necessary to participate in the Bureau of Justice Assistance (BJA) Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and approve the proposed \$35,938 grant spending plan.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Maintain the Current High Level of Public Safety
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: Upon approval and receipt of the grant award, a separate Grant Identification Number will be established to record, monitor and report on the financial activities of this grant award. The total grant award is \$37,829, of which 5% (\$1,891) will be assigned to the Law & Justice Group of San Bernardino County for administrative fees, resulting in a net award to the City in the amount of \$35,938. This is a one-time allocation with no local matching funds requirement, and grant expenditures must be completed within the four-year grant period. If approved, budget adjustments for appropriations and revenue will be included in the next budget update report to the City Council.

BACKGROUND: The Bureau of Justice Assistance has announced the availability of grant funds through the Edward Byrne Memorial JAG Program. Ontario has participated in the JAG Program (formerly the Local Law Enforcement Block Grant) since 1997. Grant allocations are predetermined through a formula based on population and crime statistics. Ontario has been allocated \$37,829 for FY 2016-17. Under the JAG legislation, the County of San Bernardino will act as the fiscal agent for disbursement of the funds.

Based on current law enforcement operational needs, the Police Department proposes the following grant spending plan: Professional Standards Software - \$35,938

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Donna Bailey
Department: Police

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: AMENDMENT TO AN ARCHITECTURAL SERVICES AGREEMENT WITH HOLT ARCHITECTS, INC. FOR THE POLICE DEPARTMENT HEADQUARTERS IMPROVEMENTS PROJECT

RECOMMENDATION: That the City Council authorize the City Manager to execute an amendment to the existing Architectural Services Agreement with Holt Architects, Inc. of Riverside California for the Police Department Headquarters Improvements Project in the amount of \$96,033 for a total contract value of \$193,833. The Architectural Services Agreement and proposed amendment are on file with the Records Management 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: Appropriations for this contract amendment were included in the Third Quarter Fiscal Year 2015-16 Budget Report approved by City Council on May 17, 2016 to cover the increase of \$96,033, and a new contract value of \$193,833.

BACKGROUND: Through a competitive bid process, an Architectural Services Agreement was awarded to Holt Architects, Inc. in December 2015 in the amount of \$97,800 for work on the Police Department Headquarters Improvement Project. After initial site plans and design drawings were prepared, staff determined that the project scope should be expanded to incorporate the addition of Information Technology department staff offices and a critical server room upgrade, as well as the design of additional affected work areas including the Briefing Room/Department Operations Center, Patrol offices and ancillary spaces. The amendment reflects the revised architectural scope increasing the project square footage from an estimated 5,800 square feet to 11,188 square feet.

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Christine Booker
Department: Police

City Manager Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report

June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: AMENDMENT TO THE AGREEMENT WITH ALL CITY MANAGEMENT SERVICES, INC. FOR CROSSING GUARD SERVICES

RECOMMENDATION: That the City Council authorize the City Manager to execute an amendment (on file with Records Management Department) to the existing Professional Services Agreement with All City Management Services, Inc., of Santa Fe Springs, California, extending the agreement for three years at an estimated annual cost of \$310,100 the first year; and authorize up to two one-year extensions based upon mutual consent basis consistent with City Council approved budgets.

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 estimated annual cost for crossing guard services for the first year is \$310,100. The proposed agreement amendment incorporates negotiated annual cost increases in response to the recently approved Bill AB No. 1522 enacting the Healthy Workplaces, Healthy Families Act effective July 2015 and the California Minimum Wage increase effective January 2016. In an effort to contain costs for necessary outside professional services, staff has negotiated billing rates for the agreement term which reflect between 4 and 7% increases to the hourly billing rate. The cost for the first year is estimated at \$310,100. Appropriations are included in the Police Department's proposed annual operation budget for the upcoming Fiscal Year 2016-17 and will be added to future years' budgets, if approved.

BACKGROUND: In January, 1999 the City Council approved a Professional Services Agreement with All City Management Services for crossing guard services as a result of a competitive proposal process. The specific locations and times for crossing guard services are negotiated on an annual basis between the participating school districts and the Ontario Police Department based on current and projected considerations for the academic year. The combined increases represent the most significant and impactful escalation in minimum wages since contract inception.

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Donna Bailey
Department: Police

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016
Approved: _____
Continued to: _____
Denied: _____

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The current agreement expires June 30, 2016. Staff recommends amending the current agreement for an additional three years based on All City Management Services satisfactory performance; and authorize the option to extend for up to two additional years.

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A PURCHASE OF ONE MOBILE GENERATOR

RECOMMENDATION: That the City Council approve and authorize the purchase and delivery of one Caterpillar XQ570 Power Module Mobile Generator from Johnson Power Systems of Riverside, California, in the amount of \$278,472 consistent with the terms and conditions of the cooperative procurement process resulting in National Joint Powers Alliance Contract (NJPA) Invitation for Bids No. 080613 and resulting Contract No. 080613-CAT.

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

FISCAL IMPACT: The Fiscal Year 2015-16 Capital Improvement budget includes appropriations from the Water Capital Fund for the purchase of this generator. The total cost is \$278,472. There is no impact to the General Fund.

BACKGROUND: The Water Master Plan recommends equipping a sufficient number of wells with backup power to ensure daily water demands are met and fire flow availability is maintained in the event of an extended power outage. A sudden loss of power caused by an emergency, such as an earthquake, would limit the City's ability to pump water from its wells. The use of mobile generators provides the City with operational flexibility in responding to power outages. The backup power program goal is to acquire and maintain eight mobile generators to provide emergency power during extended outages to the City's groundwater well facilities. The City currently has three of the eight planned mobile generators.

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. The cooperative purchase and delivery of this equipment is recommended from Johnson Power Systems, through the NJPA Contract Invitation for Bids No. 080613. The NJPA is a public agency serving as a national municipal contracting agency, which facilitates a competitive bidding and contracting process on behalf of the needs of itself and its current

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Dennis Mejia
Department: MU/Engineering
City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016
Approved: _____
Continued to: _____
Denied: _____

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and potential member agencies nationally. If approved, Equipment Services will procure the mobile generator through the NJPA and incorporate it into the existing fleet.

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION APPROVING AN APPLICATION FOR THE USED OIL PAYMENT PROGRAM CYCLE 7 (FISCAL YEAR 2016-17) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

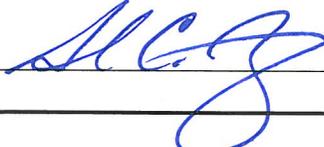
RECOMMENDATION: That the City Council adopt a resolution approving a grant application for an estimated \$46,000 from the Used Oil Payment Program Cycle 7 (Fiscal Year 2016-17) through the State of California Department of Resources Recycling and Recovery (CalRecycle); and authorize the City Manager or his designee to execute all necessary documents to participate in the program.

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

FISCAL IMPACT: The City is eligible to receive approximately \$46,000 in per capita funding through the Used Oil Payment Program to fund qualifying expenses made between July 1, 2016 and June 30, 2018. There are no additional costs and no matching funds required for the City to participate in this grant program. If approved, the additional appropriations and corresponding revenue will be included in the next quarterly budget report to the City Council. There is no impact to the General Fund.

BACKGROUND: The California Oil Recycling Enhancement Act provides annual payments to local governments for the implementation of used oil and filter collection programs. The costs covered by this program include publicity, educational materials, and collection facility operations that support used oil and filter recycling, including some of the costs associated with the City's Household Hazardous Waste Collection Facility located at 1430 South Cucamonga Avenue. The program is intended to assist the City in achieving the goals set by the State of California to reduce the amount of waste sent to the landfills by 50%. Used oil recycling and household hazardous waste collection are integral programs for attaining this goal.

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Bob Figoni
Department: MU/Solid Waste
City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016
Approved: _____
Continued to: _____
Denied: _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN ANNUAL APPLICATION TO PARTICIPATE IN THE USED OIL PAYMENT PROGRAM CYCLE 7 (FISCAL YEAR 2016-17) FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE).

WHEREAS, pursuant to Public Resources Code §48690 the Department of Resources Recycling and Recovery (CalRecycle) has established the Used Oil Payment Program to make payments to qualifying jurisdictions for implementation of their used oil programs; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the Used Oil Payment Program,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ontario authorizes the submittal of a Used Oil Payment Program application to CalRecycle.

BE IT FURTHER RESOLVED that the City Manager or his designee is hereby authorized and empowered to execute in the name of the City of Ontario all documents, including but not limited to applications, agreements annual reports including expenditure reports and amendments necessary to secure said payments to support the Used Oil Payment Program.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ELIMINATING WATER USE LIMITATIONS AND VOLUMETRIC PENALTIES

RECOMMENDATION: That the City Council adopt a resolution rescinding Resolution No. 2015-093 and eliminating water use limitations and volumetric penalties imposed to comply with the State Water Resources Control Board Emergency Water Conservation regulations.

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

FISCAL IMPACT: Increases in potable water sales as a result of eliminating water use limitations and volumetric penalties may result in minor increases of revenue for the Water Fund and a corresponding increase in some operational costs such as potable water purchases. These assumptions were incorporated into the approved Fiscal Year 2016-17 budget, and no further budget adjustments are required at this time.

BACKGROUND: On April 1, 2015, in response to statewide severe drought conditions, Governor Brown signed Executive Order B-29-15 requiring all water suppliers in California to reduce potable water use by a combined 25%, beginning June 1, 2015 and continuing through February 28, 2016. The Executive Order was followed by promulgation of the State Water Resources Control Board (SWRCB) Emergency Water Conservation Regulations.

On May 5, 2015, the City Council declared a water shortage and approved implementation of Stage 2 of the City's Municipal Code Water Conservation Plan (as described in Section 6-8.27 of Ontario Municipal Code, Chapter 8A). Following this, the SWRCB approved additional regulations which removed the requirement to limit the number of days that outdoor irrigation is allowed and replaced it with agency specific potable water use reduction requirements. In addition, the mandatory water use reduction period was extended through October 2016.

On September 1, 2015, in order to comply with the SWRCB's Regulations, the City amended the Municipal Code Water Conservation Plan and adopted Resolution No. 2015-093 which established water

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Ryan Shaw
Department: MU/Administration

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

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use limitations and volumetric penalties for non-compliance. The City's residents and businesses have responded to the call for conservation and cumulatively reduced potable water use by over 20% since June 2015, keeping the City in compliance with the SWRCB's Regulations.

On May 9, 2016, in response to improved water supply conditions statewide, the Governor signed Executive Order B-37-16 requiring the SWRCB to establish revised near-term regulations, effective June 1, 2016, and establish more permanent long-term water use regulations by January 2017. The near-term revisions allow for water suppliers to establish a revised water use reduction target through a "self-certification" process with the SWRCB. Staff is exploring the benefits of self-certifying as a regional entity through the jointly owned Water Facilities Authority or as an independent urban water supplier. With the investments Ontario has made in developing local water supplies (groundwater rights and well production, Chino Basin Desalters and recycled water), staff has determined that either approach will eliminate the need for mandatory water use reductions.

The adoption of this resolution will eliminate mandatory water use reductions and volumetric penalties for Ontario residents and businesses, as provided by Executive Order B-37-16 effective June 1, 2016, and will begin with the July billing cycle. The City will remain in Stage 2 of its Water Conservation Plan; however, amendments to the City's Water Conservation Plan may be required following the SWRCB's long-term water use regulations anticipated in January 2017.

The City is required to continue its monthly reporting of water usage to the SWRCB and enforce water use efficiency practices required by the SWRCB and Stage 2 of Ontario's Water Conservation Plan. In addition, the City will continue to promote long-term water use efficiency and offer water saving programs to the City's residents and businesses such as: rebate programs, free landscape workshops and free classroom education materials. All water saving programs offered by the City can be found at www.OntarioWaterWise.org.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, RESCINDING RESOLUTION NO. 2015-093 AND THE IMPOSITION OF VOLUMETRIC PENALTIES FOR EXCESSIVE WATER USE.

WHEREAS, on January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions; and

WHEREAS, on April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions; and

WHEREAS, on April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Water Resource Control Board (the "State Board") to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; and

WHEREAS, on April 1, 2015, Governor Jerry Brown issued an Executive Order calling for statewide mandatory potable water use reductions of up to 25%; and

WHEREAS, on May 5, 2015, the State Board approved regulations, based on Governor Brown's Executive Order, mandating the City of Ontario (the "City") reduce its potable water consumption by 20% percent for June 2015 through February 2016 as compared to the same months in 2013; and

WHEREAS, on November 13, 2015, the Governor issued an Executive Order that directs the State Board to, if drought conditions persist through January 2016, extend until October 31, 2016 restrictions to achieve a statewide reduction in potable water usage; and

WHEREAS, on February 16, 2016, the State Board determined that the drought conditions that formed the basis of the Governor's emergency proclamations continued to exist, and that the drought conditions will likely continue for the foreseeable future and additional action by both the State Board and local water suppliers was necessary to prevent waste and unreasonable use of water and to further promote conservation; and

WHEREAS, because winter 2016 saw improved hydrologic conditions in parts of California, on May 9, 2016, the Governor issued Executive Order B-37-16 ordering state agencies to update temporary emergency water restrictions and transition to permanent, long-term improvements in water use, and directing the State Board to adjust the emergency conservation regulations through the end of January 2017; and

WHEREAS, the State Board determined that the mandatory demand-driven conservation standards in place over the last ten months should be adjusted, but that conservation standards are still needed in case this winter was a short reprieve in a longer drought; and

WHEREAS, recognizing persistent yet less severe drought conditions throughout California, on May 18, 2016, the State Board adopted an emergency water conservation regulation that replaces the February 2, 2016 emergency regulation. The May 2016 regulation will be in effect from June 2016 through January 2017 and requires locally developed conservation standards based upon each agency's specific circumstances. It replaces the prior percentage reduction-based water conservation standard with a localized "stress test" approach. These standards require local water agencies to ensure a three-year supply assuming three more dry years like the ones the state experienced from 2012 to 2015. Water agencies that would face shortages under three additional dry years will be required to meet a conservation standard equal to the amount of shortage; and

WHEREAS, the City is authorized pursuant to Water Code section 375(a) to prescribe and define by ordinance or resolution restrictions, prohibitions, and exclusions for the use of water during a threatened or existing water shortage and adopt and enforce a water conservation and regulatory program to: (i) prohibit the waste of City water or the use of City water during such period; (ii) prohibit use of water during such periods for specific uses which the City may from time to time find to be nonessential, an unreasonable use, and unreasonable method of use, or a waste of water; and (iii) reduce and restrict the quantity of water used by those persons within the City for the purpose of conserving the water supplies of the City; and

WHEREAS, pursuant to California Water Code section 377(i), the City may enforce water use limitations established by an ordinance or resolution, or as otherwise authorized by law, by a volumetric penalty in an amount established by the City Council; and

WHEREAS, to secure compliance with the rules and regulations established by the City during water shortages, and assure important public policy objectives are achieved for the reduction of water usage during severe and critical water shortages, on September 1, 2015, the City Council adopted Resolution No. 2015-093 establishing volumetric penalties for excessive water use (the "penalties") by customers when the City has declared a Stage 2, 3 or 4 water shortage, pursuant to Chapter 8A, of Title 6 of the Ontario Municipal Code; and

WHEREAS, the City has been imposing the penalties on customers who have violated the declared water shortage stage mandatory water use restrictions in accordance with and as set forth in Resolution No. 2015-093; and

WHEREAS, in response to the mandatory conservation measures in effect within the City, customers reduced their potable water consumption by 20% percent for June 2015 through February 2016 as compared to the same months in 2013; and

WHEREAS, pursuant to Section 5 of Resolution No. 2015-093, the water use limitations and penalties established therein are to remain in effect until such time that the State Board's water use reduction mandate has been lifted, unless otherwise terminated by the City Council by a separate resolution; and

WHEREAS, based on the State Board's termination of water use reduction mandates, the reduction in potable water use within the City and the City's improved water supply projections, the City Council has determined to rescind Resolution No. 2015-093 and the imposition of the penalties authorized therein.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ontario as follows:

SECTION 1. The City Council hereby finds and determines that the forgoing Recitals are true and correct and by this reference are incorporated herein, made findings and determinations of the City Council, and made a part hereof.

SECTION 2. Effective July 1, 2016, the City Council hereby rescinds Resolution No. 2015-093 and the imposition of any penalties authorized to be imposed pursuant thereto.

SECTION 3. The City Manager and his authorized designees are hereby authorized and directed to take such actions as shall be necessary to effectuate the purposes of this Resolution.

SECTION 4. The City Council hereby declares that it would have adopted each section of this Resolution irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective, and should any portion of this Resolution be invalidated by order of a Court of competent jurisdiction, all other portions of this Resolution shall remain in full force and effect until modified or superseded by action of this City Council.

SECTION 5. This Resolution shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Resolution, and shall take effect immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES – AREA B); INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES; AND ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS

RECOMMENDATION: That the City Council:

- (A) Adopt a resolution establishing Community Facilities District No. 30 (New Haven Facilities - Area B), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopt a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 30 (New Haven Facilities - Area B);
- (C) Adopt a resolution calling a special election for City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B);
- (D) Adopt a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien;
- (E) Introduce and waive further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B);
- (F) Adopt a resolution authorizing the execution and delivery of an amended and restated acquisition and funding agreement with Brookcal Ontario, LLC, a Delaware Limited Liability Company; and
- (G) Introduce and waive further reading of an ordinance dissolving City of Ontario Community Facilities District No. 29 (New Haven Facilities - Area B).

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services
City Manager Approval: 

Submitted to Council/O.H.A. 06/21/2016
Approved: _____
Continued to: _____
Denied: _____

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**COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New
Model Colony**

FISCAL IMPACT: The use of Mello-Roos financing for facilities in the residential development of the New Haven Facilities - Area B project is estimated to generate approximately \$11.9 million, which will be used to help fund a portion of the public infrastructure improvements that will serve the project. Since Mello-Roos bonds are not a direct obligation of the City, and are paid from special taxes levied on each taxable parcel in the district, there is no general fund impact from the issuance of Mello-Roos bonds.

BACKGROUND: The Mello-Roos Community Facilities Act of 1982 provided local government, with the consent from a majority of the property owners, the authority to establish community facilities districts for the purpose of levying special taxes to fund governmental services and to finance various kinds of public infrastructure facilities. With the adoption of Resolution 2014-061 on June 17, 2014, the City Council authorized the levy of special taxes to fund various city services for the district. Under the Mello-Roos Act, the initial steps in the formation of a community facilities district to finance public improvements are adopting resolutions declaring the City's intention to establish a community facilities district and levy special taxes, and to issue bonds. On October 20, 2015, the City Council adopted Resolution of Formation No. 2015-115, and associated resolutions, establishing Community Facilities District No. 29 (New Haven Facilities - Area B). Subsequently, to capitalize on market conditions, the developer requested the annexation of an additional 100 detached units and 56 attached units into Community Facilities District No. 29 (New Haven Facilities - Area B), along with an expansion of the District's acreage by 21 acres. The process of annexing in the additional units and acreage consists of forming a new district and dissolving the existing district. Towards that end, on May 17, 2016, the City Council approved Resolution No. 2016-034, a Resolution of Intention to establish City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) and authorize the levy of special taxes, and Resolution No. 2016-035, declaring its intention to issue bonds for the district. The Resolution of Intention set the public hearing date for the regularly scheduled City Council meeting of June 21, 2016 to consider formation matters.

In the First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony ("First Amended and Restated Construction Agreement") between the City and NMC Builders, LLC, the City agreed to cooperate with the members of NMC Builders, LLC in the formation of community facilities districts. Brookcal Ontario, LLC., a member of NMC Builders, LLC., has provided a written petition to the City requesting formation of a community facilities district for the New Haven Facilities - Area B project in Ontario Ranch. The New Haven Facilities - Area B project addresses the development of approximately 58 acres located generally east of Archibald Avenue, west of Haven Avenue, south of Schaefer Avenue and north of Ontario Ranch Road (formerly Edison Avenue). At build out, the development is projected to include 444 units - 346 detached units and 98 attached units.

Included, as part of the Resolution of Formation, is the Rate and Method of Apportionment of Special Tax for City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B). The terms of the Rate and Method of Apportionment of Special Tax are consistent with the City Council's adopted Mello-Roos Local Goals and Policies in all aspects, except that the percentage of assessed value of the total annual tax obligation plus the Homeowners Association (HOA) fee exceeds the adopted

policy thresholds, in aggregate, by .25% for detached units, and by .48% for attached units. However, as was previously authorized for other community facilities districts formed in the Ontario Ranch, and as is consistent with the “enhanced level of amenities” provisions of the Memorandum of Agreement executed between the City and NMC Builders on July 21, 2015, it is recommended that the policy threshold limitations be waived in this instance in recognition of the enhanced level of amenities and services to be provided by the project’s HOA(s), which are of the type contemplated by the Memorandum of Agreement. The Community Facilities District is being formed pursuant to the provisions of the Brookcal Development Agreement, and the First Amended and Restated Construction Agreement between the City and NMC Builders.

Under the proposed Rate and Method of Apportionment, **the portion of the maximum annual special tax rates which will be used to fund debt service payments on the bonds is fixed and will not increase over time.** The amount of bonds authorized (\$39 million) under the resolution is set intentionally higher than the current proposed bond amount (approximately \$11.9 million) in order to allow future City Councils the option, without increasing the amount of the annual special taxes, to issue additional bonds to replace and/or construct new public infrastructure improvements in the future, or to fund City services. The term and structure of the Rate and Method of Apportionment of Special Tax for the New Haven Facilities – Area B project is consistent with those of the previously adopted Rates and Methods of Apportionment for Ontario Ranch community facilities districts. This will ensure that the special tax rates levied on all residential property owners in community facilities districts in Ontario Ranch be developed in a consistent and equivalent manner. In addition, under the provisions of the Mello-Roos Act, to ensure that home buyers are making an informed decision, all residential builders in New Model Colony community facilities districts will be required to disclose the maximum annual special tax amount to each homeowner before entering into a sales contract.

Attached are five resolutions and two ordinances. The first resolution establishes the Community Facilities District, with the rate and method of apportionment of special taxes, and authorizes the levy of special taxes within the Community Facilities District. The second resolution deems the necessity of incurring bonded indebtedness. The third calls for a special landowner election to be held on June 21, 2016. The fourth resolution declares the results of the election, including a statement from the City Clerk as to the canvass of ballots, and directs the recording of the Notice of Special Tax Lien. The fifth resolution authorizes the execution and delivery of an amended and restated Acquisition and Funding Agreement. The first ordinance authorizes the levying of special taxes within the District, and the second ordinance dissolves Community Facilities District 29 (New Haven Facilities – Area B).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

WHEREAS, on May 17, 2016, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District, Proposed to be Named City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), and to Authorize the Levy of Special Taxes" (the "Resolution of Intention"), stating its intention to establish a community facilities district (the "Community Facilities District") proposed to be named City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), to authorize the levy of special taxes within the Community Facilities District to finance certain public facilities and services and setting the date for a public hearing to be held on the establishment of the Community Facilities District; and

WHEREAS, pursuant to the Resolution of Intention, notice of said public hearing was published in the *Inland Valley Daily Bulletin*, a newspaper of general circulation published in the area of the Community Facilities District, in accordance with the Act; and

WHEREAS, on this date, the City Council opened, conducted and closed said public hearing; and

WHEREAS, pursuant to the Resolution of Intention, each officer of the City who is or will be responsible for providing one or more of the proposed types of public facilities or services was directed to study, or cause to be studied, the proposed Community Facilities District and, at or before said public hearing, file a report with the City Council containing a brief description of the public facilities and services by type that will in his or her opinion be required to adequately meet the needs of the Community Facilities District, and his or her estimate of the cost of providing such public facilities and services; such officers were also directed to estimate the fair and reasonable cost of the public facilities proposed to be purchased as completed public facilities and of the incidental expenses proposed to be paid; and

WHEREAS, said report was so filed with the City Council and made a part of the record of said public hearing; and

WHEREAS, at the hearing, the testimony of all persons for or against the establishment of the Community Facilities District, the extent of the Community Facilities District and the furnishing of the specified types of public facilities and services was heard; and

WHEREAS, written protests against the establishment of the Community Facilities District, the furnishing of any specified type or types of facilities and services within the Community Facilities District or the levying of any specified special tax were not made or filed at or before said hearing by 50% or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be included in the Community Facilities District, or the owners of one-half or more of the area of land in the territory proposed to be included in the Community Facilities District and not exempt from the special tax; and

WHEREAS, there has been filed with the City Clerk of the City a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of May 26, 2016, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the proposed Community Facilities District for each of the 90 days preceding the close of said public hearing; and

WHEREAS, Section 53314.9 of the Act provides that, at any time either before or after the formation of a community facilities district, the legislative body may accept advances of funds from any source, including, but not limited to, private persons or private entities and may provide, by resolution, for the use of those funds for any authorized purpose, including, but not limited to, paying any cost incurred by the local agency in creating a community facilities district; and

WHEREAS, Section 53314.9 of the Act further provides that the legislative body may enter into an agreement, by resolution, with the person or entity advancing the funds, to repay all or a portion of the funds advanced, as determined by the legislative body, with or without interest, under all the following conditions: (a) the proposal to repay the funds is included in both the resolution of intention to establish a community facilities district adopted pursuant to Section 53521 of the Act and in the resolution of formation to establish a community facilities district pursuant to Section 53325.1 of the Act, (b) any proposed special tax is approved by the qualified electors of the community facilities district pursuant to the Act, and (c) any agreement shall specify that if the qualified electors of the community facilities district do not approve the proposed special tax, the local agency shall return any funds which have not been committed for any authorized purpose by the time of the election to the person or entity advancing the funds; and

WHEREAS, the City and BrookCal Ontario, L.L.C. (the "Landowner") entered into a Deposit and Reimbursement Agreement, dated as of April 1, 2016 (the "Deposit Agreement"), that provides for the advancement of funds by the Landowner to be used to pay costs incurred in connection with the establishment of the Community Facilities District and the issuance of special tax bonds thereby, and provides for the reimbursement to the Landowner of such funds advanced, without interest, from the proceeds of any such bonds issued by the Community Facilities District; and

WHEREAS, in accordance with Section 53314.9 of the Act, the City desires to accept such advances and to reimburse the Landowner therefor, without interest, from the proceeds of special tax bonds issued by the Community Facilities District;

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The Community Facilities District is hereby established pursuant to the Act.

SECTION 3. The Community Facilities District is hereby named "City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B)."

SECTION 4. The public facilities (the "Facilities") proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption "Facilities" on Exhibit A hereto, which is by this reference incorporated herein. Those Facilities proposed to be purchased as completed public facilities are described under the caption "Facilities to be Purchased" on Exhibit A hereto. The services (the "Services") proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption "Services" on Exhibit A hereto. The incidental expenses proposed to be incurred are identified under the caption "Incidental Expenses" on Exhibit A hereto. All or any portion of the Facilities may be financed through a financing plan, including, but not limited to, a lease, lease-purchase or installment-purchase arrangement.

SECTION 5. The proposed special tax to be levied within the Community Facilities District has not been precluded by majority protest pursuant to Section 53324 of the Act.

SECTION 6. Except where funds are otherwise available, a special tax sufficient to pay for all Facilities and Services, secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District, will be annually levied within the Community Facilities District. The rate and method of apportionment of the special tax (the "Rate and Method"), in sufficient detail to allow each landowner within the proposed Community Facilities District to estimate the maximum amount that he or she will have to pay, is described in Exhibit B attached hereto, which is by this reference incorporated herein. The conditions under which the obligation to pay the special tax to pay for Facilities may be prepaid and permanently satisfied are specified in the Rate and Method. The special tax will be collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as the City Council shall determine, including direct billing of the affected property owners.

SECTION 7. The special tax may only finance the Services to the extent that they are in addition to those provided in the territory of the Community Facilities District before the Community Facilities District is created. The Services may not supplant services already available within that territory when the Community Facilities District is created.

SECTION 8. The tax year after which no further special tax to pay for Facilities will be levied against any parcel used for private residential purposes is specified in the Rate and Method. Under no circumstances shall the special tax to pay

for Facilities in any fiscal year against any parcel used for private residential purposes be increased as a consequence of delinquency or default by the owner or owners of any other parcel or parcels within the Community Facilities District by more than 10% above the amount that would have been levied in that fiscal year had there never been any such delinquencies or defaults. For purposes of this paragraph, a parcel shall be considered "used for private residential purposes" not later than the date on which an occupancy permit for private residential use is issued.

SECTION 9. Pursuant to Section 53344.1 of the Act, the City Council hereby reserves to itself the right and authority to allow any interested owner of property within the Community Facilities District, subject to the provisions of said Section 53344.1 and to those conditions as it may impose, and any applicable prepayment penalties as prescribed in the bond indenture or comparable instrument or document, to tender to the Community Facilities District treasurer in full payment or part payment of any installment of the special taxes or the interest or penalties thereon which may be due or delinquent, but for which a bill has been received, any bond or other obligation secured thereby, the bond or other obligation to be taken at par and credit to be given for the accrued interest shown thereby computed to the date of tender.

SECTION 10. The name, address and telephone number of the office that will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and that will be responsible for estimating further special tax levies pursuant to Section 53340.2 of the Act are as follows: Management Analyst, Management Services, City of Ontario, 303 East B Street, Ontario, California 91764, (909) 395-2341.

SECTION 11. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the Community Facilities District and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the City Council ceases.

SECTION 12. The boundary map of the Community Facilities District has been recorded in San Bernardino County in Book 87 at Page 17 of Maps of Assessments and Community Facilities Districts in the San Bernardino County Recorder's Office (Document No. 2016-0197676).

SECTION 13. The annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the Community Facilities District is hereby established at \$39,000,000.

SECTION 14. Pursuant to the provisions of the Act, the levy of the special tax and a proposition to establish the appropriations limit specified above shall be subject to the approval of the qualified electors of the Community Facilities District at a special election. The City Council hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of May 26, 2016, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close

of the public hearing held by the City Council on the establishment of the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax. The voting procedure shall be by mailed or hand-delivered ballot.

SECTION 15. The Landowner has heretofore advanced certain funds, and may advance additional funds, which have been or may be used to pay costs incurred in connection with the creation of the Community Facilities District and the issuance of special tax bonds thereby. The City Council has previously approved the acceptance of such funds for the purpose of paying costs incurred in connection with the creation of the Community Facilities District and the issuance of special tax bonds thereby. The City Council proposes to repay all or a portion of such funds expended for such purpose, solely from the proceeds of such bonds, pursuant to the Deposit Agreement. The Deposit Agreement is hereby incorporated herein as though set forth in full herein.

SECTION 16. The City Council hereby finds and determines that all proceedings up to and including the adoption of this Resolution were valid and in conformity with the requirements of the Act. In accordance with Section 53325.1 of the Act, such finding shall be final and conclusive.

SECTION 17. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 18. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

FACILITIES, SERVICES AND INCIDENTAL EXPENSES

Facilities

The types of facilities to be financed by the Community Facilities District are street and bridge improvements, including grading, paving, curbs and gutters, sidewalks, street signalization and signage, street lights and parkway and landscaping related thereto, domestic and recycled water distribution facilities, sewer collection facilities, solid waste facilities, storm drainage facilities, park and recreation facilities and equipment, aquatic facilities and equipment, fire facilities and equipment, police facilities and equipment, library facilities and equipment, fiber optic telecommunication system facilities, general governmental office, administrative and meeting facilities, and land, rights-of-way and easements necessary for any of such facilities.

Facilities to be Purchased

The types of facilities to be purchased as completed facilities are street and bridge improvements, including grading, paving, curbs and gutters, sidewalks, street signalization and signage, street lights and parkway and landscaping related thereto, domestic and recycled water distribution facilities, sewer collection facilities, solid waste facilities, storm drainage facilities, park and recreation facilities and equipment, aquatic facilities and equipment, fire facilities and equipment, police facilities and equipment, library facilities and equipment, fiber optic telecommunication system facilities, general governmental office, administrative and meeting facilities, and land, rights-of-way and easements necessary for any of such facilities.

Services

The types of services to be financed by the Community Facilities District are police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads and open space, flood and storm protection services and maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the City.

Incidental Expenses

The incidental expenses proposed to be incurred include the following:

- (a) the cost of planning and designing public facilities to be financed, including the cost of environmental evaluations of those facilities;
- (b) the costs associated with the creation of the Community Facilities District, issuance of bonds, determination of the amount of taxes, collection of taxes, payment of taxes, or costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District; and
- (c) any other expenses incidental to the construction, completion, and inspection of the authorized work.

EXHIBIT B

CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES – AREA B)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax shall be levied on all Assessor's Parcels in the City of Ontario Community Facilities District No. 30 (New Haven Facilities – Area B) ("CFD No. 30") and collected each Fiscal Year, commencing in Fiscal Year 2016-17, in an amount determined by the City Council of the City of Ontario through the application of the Rate and Method of Apportionment, as described below. All of the real property in CFD No. 30, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or **"Acreage"** means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Subdivision Map, parcel map, condominium plan, or other recorded County map.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the California Government Code.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 30: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or CFD No. 30 or both); the costs of collecting the Special Taxes (whether by the County or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City or CFD No. 30 of complying with arbitrage rebate requirements; the costs to the City or CFD No. 30 of complying with City, CFD No. 30, or obligated persons disclosure requirements associated with applicable federal and state securities laws and of the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City or CFD No. 30 related to the analysis and reduction, if any, of the Special Tax on Single Family Property in accordance with Section C.1 herein; the costs of the City or CFD No. 30 related to an appeal of the Special Tax; the costs associated with the release of funds from any escrow account; the City's administration fees and third party expenses; the costs of City staff time and reasonable overhead relating to CFD No. 30; and amounts estimated or advanced by the City or CFD No. 30 for any other

administrative purposes of the CFD, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" means, with respect to an Assessor's Parcel, that number assigned to such Assessor's Parcel by the County for purposes of identification.

"Assigned Special Tax" means the Special Tax for each Land Use Class of Developed Property, as determined in accordance with Section C.1.a.2 below.

"Backup Special Tax" means the Special Tax for each Land Use Class of Developed Property, as determined in accordance with Section C.1.a.3 below.

"Bonds" means any bonds or other debt (as defined in Section 53317(d) of the Act) issued by CFD No. 30 under the Act and payable from Special Taxes.

"Buildable Lot" means an individual lot, within a Final Subdivision Map or an area expected by CFD No. 30 to become Final Mapped Property, such as the area within a Tentative Tract Map, for which a building permit may be issued without further subdivision of such lot.

"CFD Administrator" means an official of the City responsible for determining the Special Tax Requirement, providing for the levy and collection of the Special Taxes, and performing the other duties provided for herein.

"CFD No. 30" means City of Ontario Community Facilities District No. 30 (New Haven Facilities – Area B).

"City" means the City of Ontario, California.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 30.

"County" means the County of San Bernardino.

"Designated Buildable Lot" means a Buildable Lot for which a building permit has not been issued by the City as of the date of calculation of the Backup Special Tax.

"Developed Property" means for each Fiscal Year, all Taxable Property, exclusive of Final Mapped Property, Taxable Property Owner Association Property, and Taxable Public Property, for which a building permit or other applicable permit for new construction was issued after January 1, 2015, and before May 1 of the prior Fiscal Year.

“Expected Residential Lot Count” means 444 Buildable Lots of Single Family Property or, as determined by the CFD Administrator, the number of Buildable Lots of Single Family Property based on the most recent Tentative Tract Map(s) or most recently recorded Final Subdivision Map(s) or modified Final Subdivision Map(s).

“Facilities” means the public facilities authorized to be financed, in whole or in part, by CFD No. 30.

“Final Mapped Property” means, for each Fiscal Year, all Taxable Property, exclusive of Developed Property, Taxable Property Owner Association Property, and Taxable Public Property, which as of January 1 of the previous Fiscal Year was located within a Final Subdivision Map. The term Final Mapped Property shall include any parcel map or Final Subdivision Map, or portion thereof, that creates individual lots for which a building permit may be issued, including Parcels that are designated as a remainder Parcel (i.e., one where the size, location, etc., precludes any further subdivision or taxable use).

“Final Subdivision Map” means a final tract map, parcel map, or lot line adjustment approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or a condominium plan recorded pursuant to California Civil Code 1352 that, in either case, creates individual lots for which building permits may be issued without further subdivision.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Indenture” means the indenture, fiscal agent agreement, resolution, or other instrument pursuant to which Bonds are issued, as modified, amended, and/or supplemented from time to time.

“Land Use Class” means any of the classes listed in Table 1 below.

“Maximum Special Tax” means, with respect to an Assessor’s Parcel of Taxable Property, the Maximum Special Tax determined in accordance with Section C.1 below that can be levied in any Fiscal Year on such Assessor’s Parcel of Taxable Property.

“Minimum Sale Price” means the minimum price at which Units of a given Land Use Class have sold or are expected to be sold in a normal marketing environment and shall not include prices for such Units that are sold at a discount to expected sales prices for the purpose of stimulating the initial sales activity with respect to such Land Use Class.

“Non-Residential Property” means all Assessor’s Parcels of Developed Property for which a building permit was issued by the City permitting the construction of one or more non-residential structures or facilities.

“Other Residential Property” means all Assessor’s Parcels of Developed Property for which a building permit was issued by the City for purposes of constructing Units, excluding Single Family Attached Property and Single Family Detached Property.

“Outstanding Bonds” means all Bonds which are outstanding under and in accordance with the provisions of the Indenture.

“Price Point Consultant” means any consultant or firm of such consultants selected by CFD No. 30 that (a) has substantial experience in performing price point studies for residential units within community facilities districts established under the Act or otherwise estimating or confirming pricing for residential units in such community facilities districts, (b) has recognized expertise in analyzing economic and real estate data that relates to the pricing of residential units in such community facilities districts, (c) is in fact independent and not under the control of CFD No. 30 or the City, (d) does not have any substantial interest, direct or indirect, with or in (i) CFD No. 30, (ii) the City, (iii) any owner of real property in CFD No. 30, or (iv) any real property in CFD No. 30, and (e) is not connected with CFD No. 30 or the City as an officer or employee thereof, but who may be regularly retained to make reports to CFD No. 30 or the City.

“Price Point Study” means a price point study or a letter updating a previous price point study prepared by the Price Point Consultant pursuant to Section C herein.

“Property Owner Association Property” means, for each Fiscal Year, any property within the boundaries of CFD No. 30 that was owned by a property owner association, including any master or sub-association, as of January 1 of the prior Fiscal Year.

“Proportionately” means (a) for Developed Property in the first step of Section D below, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Developed Property; however, for Developed Property in the fourth step of Section D below, Proportionately means that the amount of the increase above the Assigned Special Tax, if necessary, is equal for all Assessor’s Parcels of Developed Property, except that if the Backup Special Tax limits the increase on any Assessor’s Parcel(s), then the amount of the increase shall be equal for the remaining Assessor’s Parcels; (b) for Final Mapped Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Final Mapped Property; (c) for Undeveloped Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Undeveloped Property; (d) for Taxable Property Owner Association Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Taxable Property Owner Association Property; and (e) for Taxable Public Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Taxable Public Property.

“Public Property” means, for each Fiscal Year, property within the boundaries of CFD No. 30 that is (a) owned by, irrevocably offered to, or dedicated to the federal government, the State, the County, the City, or any local government or other public agency or (b) encumbered by an easement for purposes of public right-of-way that makes impractical its use for any purpose other than that set forth in such easement, provided that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use.

“Rate and Method of Apportionment” means this Rate and Method of Apportionment of Special Tax.

“Residential Floor Area” means all of the Square Footage of living area within the perimeter of a Unit, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of Residential Floor Area shall be as set forth in the building permit(s) issued for such Assessor’s Parcel, or as set forth in other official records maintained by the City’s Building Department or other appropriate means selected by CFD No. 30. The actual Square Footage shall be rounded up to the next whole square foot. Once such determination has been made for an Assessor’s Parcel, it shall remain fixed in all future Fiscal Years unless an appeal pursuant to Section F below is approved that results in a change in the actual Square Footage.

“Services” means the services authorized to be financed, in whole or in part, by CFD No. 30.

“Single Family Attached Property” means all Assessor’s Parcels of Developed Property for which a building permit or use permit was issued for construction of a residential structure consisting of two or more Units that share common walls, have separate Assessor’s Parcel Numbers assigned to them (except for a duplex unit, which may share an Assessor’s Parcel with another duplex unit), and may be purchased by individual homebuyers (which shall still be the case even if the Units are purchased and subsequently offered for rent by the owner of the Unit), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 1351.

“Single Family Detached Property” means all Assessor’s Parcels of Developed Property for which a building permit was issued for construction of a Unit, on one legal lot, that does not share a common wall with another Unit.

“Single Family Property” means all Assessor’s Parcels of Single Family Attached Property and Single Family Detached Property.

“Special Tax” means the special tax authorized by the qualified electors of CFD No. 30 to be levied within the boundaries of CFD No. 30.

“Special Tax Requirement” means for any Fiscal Year that amount required, after taking into account available amounts held in the funds and accounts established under the Indenture, for CFD No. 30 to: (i) pay debt service on all Outstanding Bonds which is due in the calendar year that commences in such Fiscal Year; (ii) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds; (iii) pay Administrative Expenses; (iv) provide any amounts required to establish or replenish any reserve fund for the Bonds; (v) pay directly for acquisition or construction of Facilities, or the cost of Services, to the extent that the inclusion of such amounts does not increase the Special Tax levy on Final Mapped Property or Undeveloped Property; (vi) provide an amount equal to Special Tax delinquencies based on the historical delinquency rate for the Special Tax as determined by the CFD Administrator.

“Square Footage” or **“Sq. Ft.”** means the floor area square footage reflected on the original construction building permit, or as set forth in other official records maintained by the City’s Building Department or other appropriate means selected by CFD No. 30, issued for construction of Single Family Property, Other Residential Property, or Non-Residential Property, plus any square footage subsequently added to a building of Non-Residential Property after issuance of a building permit for expansion or renovation of such building.

“State” means the State of California.

“Taxable Property” means, for each Fiscal Year, all of the Assessor’s Parcels within the boundaries of CFD No. 30 that are not exempt from the Special Tax pursuant to law or Section E below.

“Taxable Property Owner Association Property” means, for each Fiscal Year, all Assessor’s Parcels of Property Owner Association Property that are not exempt from the Special Tax pursuant to Section E below.

“Taxable Public Property” means, for each Fiscal Year, all Assessor’s Parcels of Public Property that are not exempt from the Special Tax pursuant to law or Section E below.

“Tentative Tract Map” means a map: (i) showing a proposed subdivision of an Assessor’s Parcel(s) and the conditions pertaining thereto; (ii) that may or may not be based on a detailed survey; and (iii) that is not recorded by the County to create legal lots.

“Total Tax Burden” means for any Unit, the annual Special Tax, together with *ad valorem* property taxes, special assessments, special taxes for any overlapping community facilities district, and any other taxes, fees, and charges which are levied and imposed on such Unit and the real property on which it is located and collected by the County on *ad valorem* tax bills and which are secured by such Unit and the real property on which it is located, assuming such Unit had been completed, sold, and subject to such levies and impositions, excluding service charges such as those related to sewer and trash.

“Trustee” means the trustee or fiscal agent under the Indenture.

“TTM 18993” means Tentative Tract Map No. 18993, the area of which is located within CFD No. 30.

“TTM 18994” means Tentative Tract Map No. 18994, the area of which is located within CFD No. 30.

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property, Final Mapped Property, Taxable Public Property, or Taxable Property Owner Association Property.

“Unit” means an individual single-family detached or attached home, townhome, condominium, apartment, or other residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, beginning with Fiscal Year 2016-17, all Taxable Property within CFD No. 30 shall be classified as Developed Property, Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, or Undeveloped Property and shall be subject to Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below. Assessor’s Parcels of Single Family Detached Property shall be assigned to Land Use Classes 1 through 13, and Assessor’s Parcels of Single Family Attached Property shall be assigned to Land Use Classes 14 through 21, as listed in Table 1 below based on the Residential Floor Area of the Units on such Assessor’s Parcels. Other Residential Property shall be assigned to Land Use Class 22, and Non-Residential Property shall be assigned to Land Use Class 23.

C. MAXIMUM SPECIAL TAX

1. Special Tax

At least 30 days prior to the issuance of Bonds, the Assigned Special Tax on Developed Property (set forth in Table 1 below) shall be analyzed in accordance with and subject to the conditions set forth in this Section C. At such time, CFD No. 30 shall select and engage a Price Point Consultant and the CFD Administrator shall request the Price Point Consultant to prepare a Price Point Study setting forth the Minimum Sale Price of Units within each Land Use Class. If based upon such Price Point Study the CFD Administrator calculates that the Total Tax Burden applicable to Units within one or more Land Use Classes of Single Family Property to be constructed within CFD No. 30 exceeds 1.95% of the Minimum Sale Price of such Units, the Assigned Special Tax shall be reduced to the extent necessary to cause the Total Tax Burden that shall apply to Units within such Land Use Class(es) not to exceed 1.95% of the Minimum Sale Price of such Units. Each Assigned Special Tax reduction for a Land Use Class shall be calculated by the CFD Administrator separately, and it shall not be required that such reduction be proportionate among Land Use Classes. In connection with any reduction in the Assigned Special Tax, the Backup Special Tax shall also be reduced by the CFD Administrator based on the percentage reduction in Maximum Special Tax revenues within the Tentative Tract Map area(s) where the Assigned Special Tax reductions occurred. The Special Tax reductions required pursuant to this paragraph shall be reflected in an amended notice of Special Tax lien which CFD No. 30 shall cause to be recorded by executing a certificate in substantially the form attached herein as Exhibit A. The reductions in this section apply to Single Family Property, but not to Other Residential Property or Non-Residential Property.

a. **Developed Property**

1) *Maximum Special Tax*

The Maximum Special Tax that may be levied in any Fiscal Year for each Assessor's Parcel classified as Developed Property shall be the greater of (i) the amount derived by application of the Assigned Special Tax or (ii) the amount derived by application of the Backup Special Tax. The Maximum Special Tax shall not increase in future years, other than as calculated pursuant to Section C.1.a.3 below.

2) *Assigned Special Tax*

The Assigned Special Tax that may be levied in any Fiscal Year for each Land Use Class is shown below in Table 1.

**TABLE 1
ASSIGNED SPECIAL TAX – DEVELOPED PROPERTY**

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax
1	Single Family Detached Property	< 1,701	\$1,660 per Unit
2	Single Family Detached Property	1,701 – 1,900	\$1,837 per Unit
3	Single Family Detached Property	1,901 – 2,100	\$1,896 per Unit
4	Single Family Detached Property	2,101 – 2,300	\$2,053 per Unit
5	Single Family Detached Property	2,301 – 2,500	\$2,251 per Unit
6	Single Family Detached Property	2,501 – 2,700	\$2,404 per Unit
7	Single Family Detached Property	2,701 – 2,900	\$2,557 per Unit
8	Single Family Detached Property	2,901 – 3,100	\$2,703 per Unit
9	Single Family Detached Property	3,101 – 3,300	\$2,816 per Unit
10	Single Family Detached Property	3,301 – 3,500	\$2,962 per Unit
11	Single Family Detached Property	3,501 – 3,700	\$3,156 per Unit
12	Single Family Detached Property	3,701 – 3,900	\$3,274 per Unit
13	Single Family Detached Property	> 3,900	\$3,429 per Unit
14	Single Family Attached Property	< 801	\$851 per Unit
15	Single Family Attached Property	801 – 950	\$911 per Unit
16	Single Family Attached Property	951 – 1,100	\$1,019 per Unit
17	Single Family Attached Property	1,101 – 1,300	\$1,136 per Unit
18	Single Family Attached Property	1,301 – 1,500	\$1,300 per Unit
19	Single Family Attached Property	1,501 – 1,700	\$1,595 per Unit

20	Single Family Attached Property	1,701 – 1,900	\$1,691 per Unit
21	Single Family Attached Property	> 1,900	\$1,886 per Unit
22	Other Residential Property		\$28,946 per Acre
23	Non-Residential Property		\$28,946 per Acre

3) *Backup Special Tax*

The Backup Special Tax shall be \$2,364 per Unit for Single Family Detached Property and \$1,374 per Unit for Single Family Attached Property. However, if the Expected Residential Lot Count does not equal 346 for Single Family Detached Property or 98 for Single Family Attached Property, and the City has not issued Bonds, then the Backup Special Tax for Designated Buildable Lots of Single Family Property shall be calculated separately for Single Family Detached Property and Single Family Attached Property according to the following formula:

$$\text{Backup Special Tax} = \$818,009 \div \text{Expected Residential Lot Count for Single Family Detached Property}$$

or
$$\$134,683 \div \text{Expected Residential Lot Count for Single Family Attached Property}$$

If any portion of a Final Subdivision Map, or any area expected by CFD No. 30 to become Final Mapped Property, such as the area within TTM 18993, TTM 18994, or any other Tentative Tract Map, changes any time after the City has issued Bonds, causing an adjustment to the number of Designated Buildable Lots, then the Backup Special Tax for all Designated Buildable Lots of Single Family Detached Property or Single Family Attached Property subject to the change shall be calculated according to the following steps:

Step 1: Determine the total Backup Special Taxes that could have been collected from Designated Buildable Lots, separately for Single Family Detached Property and Single Family Attached Property, prior to the Final Subdivision Map or expected Final Mapped Property change.

Step 2: Divide the amount(s) determined in Step 1 by the number of Designated Buildable Lots, separately for Single Family Detached Property and Single Family Attached Property, that exists after the Final

Subdivision Map or expected Final Mapped Property change.

Step 3: Apply the amount(s) determined in Step 2 as the Backup Special Tax per Unit for Single Family Detached Property or Single Family Attached Property.

The Backup Special Tax for an Assessor's Parcel shall not change once an Assessor's Parcel is classified as Developed Property.

b. *Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, and Undeveloped Property*

The Maximum Special Tax for Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, and Undeveloped Property shall be \$28,946 per Acre, and shall not be subject to increase or reduction and, therefore, shall remain the same in every Fiscal Year.

2. Multiple Land Use Classes on an Assessor's Parcel

In some instances an Assessor's Parcel of Developed Property may contain more than one Land Use Class. The Maximum Special Tax levied on such Assessor's Parcel shall be the sum of the Maximum Special Tax for all Units of Single Family Property and Acres of Other Residential Property and Non-Residential Property (based on the pro rata share of Square Footage between Other Residential Property and Non-Residential Property, according to the applicable building permits, Final Subdivision Map, parcel map, condominium plan, or other recorded County map) located on that Assessor's Parcel.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Each Fiscal Year, beginning with Fiscal Year 2016-17, the CFD Administrator shall determine the Special Tax Requirement for such Fiscal Year. The Special Tax shall then be levied as follows:

First: If needed to satisfy the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property up to 100% of the applicable Assigned Special Tax;

Second: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Final Mapped Property up to 100% of the Maximum Special Tax for Final Mapped Property;

Third: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for Undeveloped Property;

Fourth: If additional monies are needed to satisfy the Special Tax Requirement after the first three steps have been completed, then the levy of the Special Tax on each Assessor's Parcel of Developed Property whose Maximum Special Tax is determined through the application of the Backup Special Tax shall be increased Proportionately from the Assigned Special Tax up to the Maximum Special Tax for each such Assessor's Parcel;

Fifth: If additional monies are needed to satisfy the Special Tax Requirement after the first four steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Property Owner Association Property up to the Maximum Special Tax for Taxable Property Owner Association Property;

Sixth: If additional monies are needed to satisfy the Special Tax Requirement after the first five steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to the Maximum Special Tax for Taxable Public Property.

Notwithstanding the above, under no circumstances shall the Special Tax levied in any Fiscal Year on any Assessor's Parcel of Single Family Property or Other Residential Property for which an occupancy permit for private residential use has been issued be increased as a result of delinquency or default by the owner or owners of any other Assessor's Parcel or Assessor's Parcels within CFD No. 30 by more than ten percent above the amount that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

E. EXEMPTIONS

No Special Tax shall be levied on up to 17.69 Acres of Public Property and up to 3.68 Acres of Property Owner Association Property. Tax-exempt status will be assigned by the CFD Administrator in the chronological order in which property becomes Public Property or Property Owner Association Property.

Property Owner Association Property or Public Property that is not exempt from the Special Tax under this section shall be subject to the levy of the Special Tax and shall be taxed Proportionately as part of the fifth or sixth step, respectively, in Section D above, up to 100% of the applicable Maximum Special Tax for Taxable Property Owner Association Property and Taxable Public Property. No Special Tax shall be levied in any Fiscal Year on Assessor's Parcels that have fully prepaid the Special Tax obligation pursuant to the formula set forth in Section H.

F. APPEALS

Any property owner may file a written appeal of the Special Tax with CFD No. 30 claiming that the amount or application of the Special Tax is not correct. The appeal

must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator's decision relative to the appeal, the owner may then file a written appeal with the City Council whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the City Council requires the Special Tax to be modified or changed in favor of the property owner, then the CFD Administrator shall determine if sufficient Special Tax revenue is available to make a cash refund. If a cash refund cannot be made, then an adjustment shall be made to credit future Special Tax levy(ies).

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

G. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that the Special Taxes may be collected in such other manner as the City Council shall determine, including direct billing of affected property owners.

H. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section H:

“CFD Public Facilities” means \$10,979,000 for each Prepayment Period, or such lower number as determined by the City Council to be sufficient to fund the Facilities and Services to be provided by CFD No. 30.

“Expenditures Fund” means funds or accounts, regardless of their names, that are established to hold moneys that are available to acquire or construct Facilities and to fund Services.

“Future Facilities Costs” means the CFD Public Facilities minus (i) Facilities and Services costs previously paid from the Expenditures Fund during the Prepayment Period in which the prepayment is being made, (ii) moneys currently on deposit in the Expenditures Fund from deposits made during the Prepayment Period in which the prepayment is being made, and (iii) moneys currently on deposit in an escrow fund that are expected to be available to finance Facilities costs. In no event shall the amount of Future Facilities Costs be less than zero.

“**Prepayment Period**” means one of three periods of time during which a Special Tax prepayment may be made.

“**Prepayment Period 1**” means July 1, 2016, through June 30, 2050.

“**Prepayment Period 2**” means July 1, 2050, through June 30, 2083.

“**Prepayment Period 3**” means July 1, 2083, through June 30, 2117.

1. Prepayment in Full

The obligation of an Assessor's Parcel to pay the Special Tax may be prepaid as described herein, provided that a prepayment may be made only for Assessor's Parcels for which a building permit for new construction was issued after January 1, 2015, and only if there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Special Tax obligation shall provide the CFD Administrator with written notice of intent to prepay. Within 30 days of receipt of such written notice, the CFD Administrator shall notify such owner of the prepayment amount for such Assessor's Parcel. The CFD Administrator may charge a fee for providing this service. Prepayment in any six month period must be made not less than 45 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given to the Trustee pursuant to the Indenture.

The Special Tax Prepayment Amount (defined below) shall be calculated as summarized below (capitalized terms as defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance Amount
plus	Administrative Fees and Expenses
<u>less</u>	<u>Reserve Fund Credit</u>
Total	Prepayment Amount

As of the proposed date of prepayment, the Special Tax Prepayment Amount (defined below) shall be calculated by the CFD Administrator as follows:

Paragraph No.

1. Confirm that no Special Tax delinquencies apply to such Assessor's Parcel, and determine the Prepayment Period for the proposed prepayment.
2. Compute the Assigned Special Tax and Backup Special Tax for the Assessor's Parcel to be prepaid based on the Developed Property Special Tax which is, or could be, charged in the current Fiscal Year. For Assessor's Parcels of Final Mapped Property (for which a building permit has been issued but which is not

yet classified as Developed Property) to be prepaid, compute the Assigned Special Tax and Backup Special Tax for that Assessor's Parcel as though it was already designated as Developed Property, based upon the building permit which has already been issued for that Assessor's Parcel.

3. (a) Divide the Assigned Special Tax computed pursuant to Paragraph 2 by the total estimated Assigned Special Tax for CFD No. 30 based on the Developed Property Special Tax which could be charged in the current Fiscal Year on all expected development through buildout of CFD No. 30, excluding any Assessor's Parcels which have been prepaid, and

(b) Divide the Backup Special Tax computed pursuant to Paragraph 2 by the estimated total Backup Special Tax at buildout of CFD No. 30, excluding any Assessor's Parcels which have been prepaid.
4. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (the "Bond Redemption Amount").
5. Multiply the Bond Redemption Amount computed pursuant to Paragraph 4 by the applicable redemption premium (e.g., the redemption price minus 100%), if any, on the Outstanding Bonds to be redeemed (the "Redemption Premium").
6. Compute the Future Facilities Costs for the applicable Prepayment Period.
7. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the amount determined pursuant to Paragraph 6 to compute the amount of Future Facilities Costs to be prepaid (the "Future Facilities Amount").
8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.
9. Determine the Special Tax levied on the Assessor's Parcel in the current Fiscal Year which has not yet been paid.
10. Add the amounts computed pursuant to Paragraphs 8 and 9 to determine the "Defeasance Amount".
11. Verify the administrative fees and expenses of CFD No. 30, including the costs to compute the prepayment, the costs to invest the prepayment proceeds, the costs to redeem Bonds, and the costs to record any notices to evidence the prepayment and the redemption (the "Administrative Fees and Expenses").
12. If reserve funds for the Outstanding Bonds, if any, are at or above 100% of the reserve requirement (as defined in the Indenture) on the prepayment date, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the

“Reserve Fund Credit”). No Reserve Fund Credit shall be granted if reserve funds are below 100% of the reserve requirement on the prepayment date or the redemption date.

13. The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Paragraphs 4, 5, 7, 10, and 11, less the amount computed pursuant to Paragraph 12 (the “Prepayment Amount”).
14. From the Prepayment Amount, the amounts computed pursuant to Paragraphs 4, 5, 10, and 12 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to Paragraph 7 shall be deposited into the Expenditures Fund. The amount computed pursuant to Paragraph 11 shall be retained by CFD No. 30.

The Special Tax Prepayment Amount may be sufficient to redeem other than a \$5,000 increment of Bonds. In such cases, the increment above \$5,000, or integral multiple thereof, will be retained in the appropriate fund established under the Indenture to be used with the next prepayment of Bonds or to make debt service payments.

As a result of the payment of the current Fiscal Year’s Special Tax levy as determined under Paragraph 9 (above), the CFD Administrator shall remove the current Fiscal Year’s Special Tax levy for such Assessor’s Parcel from the County tax rolls. With respect to any Assessor’s Parcel that is prepaid during Prepayment Period 3, the CFD Administrator shall cause a suitable notice to be recorded in compliance with the Act to indicate that the Special Tax has been prepaid and that the obligation of such Assessor’s Parcel to pay the Special Tax shall cease.

With respect to the Special Tax for any Assessor’s Parcel that is prepaid during Prepayment Period 1 or Prepayment Period 2, the obligation of such Assessor’s Parcel to pay the Special Tax shall be tolled, or suspended, through the end of such Prepayment Period, but shall resume in the first Fiscal Year of the subsequent Prepayment Period. The CFD Administrator shall cause a suitable notice to be recorded in compliance with the Act to indicate that the Special Tax has been satisfied for the remainder of the applicable Prepayment Period but has not been permanently satisfied and the obligation to pay the Special Tax will resume in the first Fiscal Year of the Prepayment Period following the Prepayment Period in which the prepayment was made. Once the obligation of an Assessor’s Parcel to pay the Special Tax resumes, the Special Tax for the then applicable Prepayment Period may be prepaid.

Notwithstanding the foregoing, no Special Tax prepayment shall be allowed unless the amount of Maximum Special Tax that may be levied on Taxable Property within CFD No. 30 (after excluding 17.69 Acres of Public Property and 3.68 acres of Property Owner Association Property) both prior to and after the proposed prepayment is at least 1.1 times the maximum annual debt service on all Outstanding Bonds.

2. Prepayment in Part

The Special Tax on an Assessor's Parcel for which a building permit for new construction was issued after January 1, 2015, may be partially prepaid. The amount of the prepayment shall be calculated as in Section H.1, except that a partial prepayment shall be calculated by the CFD Administrator according to the following formula:

$$PP = PF \times \%$$

The terms above have the following meaning:

PP = the partial prepayment

PF = the Prepayment Amount (full prepayment) for the Special Tax calculated according to Section H.1

% = the percentage by which the owner of the Assessor's Parcel(s) is partially prepaying the Special Tax

The Special Tax partial prepayment amount must be sufficient to redeem at least a \$5,000 increment of Bonds.

The owner of any Assessor's Parcel who desires such prepayment shall notify the CFD Administrator of such owner's intent to partially prepay the Special Tax and the percentage by which the Special Tax shall be prepaid. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of the Special Tax for an Assessor's Parcel within thirty (30) days of the request and may charge a fee for providing this service. With respect to any Assessor's Parcel that is partially prepaid, the CFD Administrator shall (i) distribute the remitted prepayment funds according to Section H.1, and (ii) indicate in the records of CFD No. 30 that there has been a partial prepayment of the Special Tax and that a portion of the Special Tax with respect to such Assessor's Parcel, equal to the outstanding percentage (100% - "%", as defined above) of the Maximum Special Tax, shall continue to be levied on such Assessor's Parcel pursuant to Section D during the Prepayment Period in which the partial prepayment is made.

For partial prepayments made during Prepayment Period 1 or Prepayment Period 2, the full amount of the Special Tax shall resume in the first Fiscal Year of the Prepayment Period following the Prepayment Period in which the partial prepayment was made. Once the obligation of an Assessor's Parcel to pay the Special Tax resumes, the Special Tax for the then applicable Prepayment Period may be prepaid.

I. TERM OF SPECIAL TAX

The Fiscal Year after which no further Special Tax shall be levied or collected is Fiscal Year 2116-2117, except that the Special Tax that was lawfully levied in or before such Fiscal Year and that remains delinquent may be collected in subsequent years.

EXHIBIT A

**CERTIFICATE OF MODIFICATION OF SPECIAL TAX
(PAGE 1 OF 3)**

CITY OF ONTARIO AND CFD No. 30 CERTIFICATE

1. Pursuant to Section C.1 of the Rate and Method of Apportionment of Special Tax for City of Ontario Community Facilities District No. 30 (New Haven Facilities – Area B) (“CFD No. 30”), the Assigned Special Tax and the Backup Special Tax for Developed Property within CFD No. 30 has been modified.
 - a. The information in Table 1 relating to the Assigned Special Tax for Developed Property within CFD No. 30, as stated in Section C.1.a.2 of the Rate and Method of Apportionment, has been modified as follows:

**TABLE 1
ASSIGNED SPECIAL TAX – DEVELOPED PROPERTY**

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax
1	Single Family Detached Property	< 1,701	\$[] per Unit
2	Single Family Detached Property	1,701 – 1,900	\$[] per Unit
3	Single Family Detached Property	1,901 – 2,100	\$[] per Unit
4	Single Family Detached Property	2,101 – 2,300	\$[] per Unit
5	Single Family Detached Property	2,301 – 2,500	\$[] per Unit
6	Single Family Detached Property	2,501 – 2,700	\$[] per Unit
7	Single Family Detached Property	2,701 – 2,900	\$[] per Unit
8	Single Family Detached Property	2,901 – 3,100	\$[] per Unit
9	Single Family Detached Property	3,101 – 3,300	\$[] per Unit
10	Single Family Detached Property	3,301 – 3,500	\$[] per Unit
11	Single Family Detached Property	3,501 – 3,700	\$[] per Unit
12	Single Family Detached Property	3,701 – 3,900	\$[] per Unit
13	Single Family Detached Property	> 3,900	\$[] per Unit

EXHIBIT A

**CERTIFICATE OF MODIFICATION OF SPECIAL TAX
(PAGE 2 OF 3)**

14	Single Family Attached Property	< 801	\$[] per Unit
15	Single Family Attached Property	801 – 950	\$[] per Unit
16	Single Family Attached Property	951 – 1,100	\$[] per Unit
17	Single Family Attached Property	1,101 – 1,300	\$[] per Unit
18	Single Family Attached Property	1,301 – 1,500	\$[] per Unit
19	Single Family Attached Property	1,501 – 1,700	\$[] per Unit
20	Single Family Attached Property	1,701 – 1,900	\$[] per Unit
21	Single Family Attached Property	> 1,900	\$[] per Unit
22	Other Residential Property		\$[] per Acre
23	Non-Residential Property		\$[] per Acre

- b. The Backup Special Tax for Developed Property, as stated in Section C.1.a.3, shall be modified as follows:

The Backup Special Tax shall be \$[] per Unit for Single Family Detached Property and \$[] per Unit for Single Family Attached Property. However, if the Expected Residential Lot Count does not equal 346 for Single Family Detached Property or 98 for Single Family Attached Property, and the City has not issued Bonds, then the Backup Special Tax for Designated Buildable Lots of Single Family Property shall be calculated separately for Single Family Detached Property and Single Family Attached Property according to the following formula:

$$\text{Backup Special Tax} = \frac{\$[]}{\text{Expected Residential Lot Count for Single Family Detached Property}}$$

or
$$\frac{\$[]}{\text{Expected Residential Lot Count for Single Family Attached Property}}$$

EXHIBIT A

**CERTIFICATE OF MODIFICATION OF SPECIAL TAX
(PAGE 3 OF 3)**

2. The Special Tax for Developed Property may only be modified prior to the first issuance of CFD No. 30 Bonds.
3. Upon execution of this certificate by CFD No. 30, CFD No. 30 shall cause an amended notice of Special Tax lien for CFD No. 30 to be recorded reflecting the modifications set forth herein.

By execution hereof, the undersigned acknowledge, on behalf of the City and CFD No. 30, receipt of this certificate and modification of the Rate and Method of Apportionment as set forth in this certificate.

CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES – AREA B)

By: _____

Date: _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B).

WHEREAS, on May 17, 2016, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District, Proposed to be Named City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), and to Authorize the Levy of Special Taxes" stating its intention to establish City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) (the "Community Facilities District") and to authorize the levy of special taxes within the Community Facilities District to finance certain public facilities and services; and

WHEREAS, on May 17, 2016, the City Council also adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, to Incur Bonded Indebtedness of the Proposed City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B)" (the "Resolution to Incur Bonded Indebtedness") declaring the necessity for incurring bonded indebtedness and setting the date for a public hearing to be held on the proposed debt issue; and

WHEREAS, pursuant to the Resolution to Incur Bonded Indebtedness, notice of said public hearing was published in the *Inland Valley Daily Bulletin*, a newspaper of general circulation published in the area of the Community Facilities District, in accordance with the Act; and

WHEREAS, on this date, the City Council opened, conducted and closed said public hearing; and

WHEREAS, at said public hearing, any person interested, including persons owning property within the area and desiring to appear and present any matters material to the questions set forth in the Resolution to Incur Bonded Indebtedness appeared and presented such matters; and

WHEREAS, oral or written protests against the proposed debt issue were not made or filed at or before said public hearing by 50% or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be included in the Community Facilities District, or the owners of one-half or more of the area of land in the territory proposed to be included in the Community Facilities District and not exempt from the special tax; and

WHEREAS, on this date, the City Council adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B),

Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District” (the “Resolution of Formation”); and

WHEREAS, the City Clerk of the City (the “City Clerk”) is the election official that will conduct the special election on the proposition to incur bonded indebtedness for the Community Facilities District; and

WHEREAS, there has been filed with the City Clerk a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of May 26, 2016, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of said public hearing; and

WHEREAS, there has been filed with the City Clerk consents and waivers of all of the landowners of record in the Community Facilities District waiving any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said special election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), consenting to the holding of said special election on June 21, 2016, and waiving any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act; and

WHEREAS, the City Clerk has concurred in said waivers and has concurred in holding said special election on June 21, 2016;

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The City Council deems it necessary to incur the bonded indebtedness.

SECTION 3. The bonded indebtedness will be incurred for the purpose of financing the costs of the Facilities (as defined in the Resolution of Formation), including all costs and estimated costs incidental to, or connected with, the accomplishment of such purpose.

SECTION 4. In accordance with the previous determination of the City Council, the whole of the Community Facilities District will pay for the bonded indebtedness.

SECTION 5. The maximum aggregate amount of debt to be incurred is \$39,000,000.

SECTION 6. The maximum term the bonds to be issued shall run before maturity is 40 years.

SECTION 7. The maximum annual rate of interest to be paid shall not exceed the maximum interest rate permitted by applicable law at the time of sale of the bonds, payable semiannually or at such times as the City Council or its designee shall determine, the actual rate or rates and times of payment of such interest to be determined by the City Council or its designee at the time or times of sale of the bonds.

SECTION 8. The proposition to incur the bonded indebtedness will be submitted to the voters.

SECTION 9. The City Council hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of May 26, 2016, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings held by the City Council on the proposed debt issue for the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax.

SECTION 10. The City Council hereby finds and determines that the qualified electors of the Community Facilities District have unanimously consented (a) to the waiver of any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), and (b) to the holding of said election on June 21, 2016. The City Council hereby finds and determines that the City Clerk has concurred in said waivers and has concurred in holding said election on June 21, 2016.

SECTION 11. The date of the special community facilities district election (which shall be consolidated with the special district election to levy a special tax within the Community Facilities District) at which time the proposition shall be submitted to the voters is June 21, 2016.

SECTION 12. The election is to be conducted by mail ballot. The mailed ballots are required to be received in the office of the City Clerk no later than 7:30 p.m. on June 21, 2016; provided, however, that if all of the qualified electors have voted prior to such time, the election may be closed with the concurrence of the City Clerk.

SECTION 13. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 14. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B).

WHEREAS, on this date, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" (the "Resolution of Formation"), establishing City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) (the "Community Facilities District"), authorizing the levy of a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District; and

WHEREAS, on this date, the City Council also adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B)" (the "Resolution Deeming it Necessary to Incur"), deeming it necessary to incur bonded indebtedness in the maximum amount of \$39,000,000; and

WHEREAS, pursuant to the provisions of said resolutions, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District are to be submitted to the qualified electors of the Community Facilities District as required by the Act; and

WHEREAS, the City Council desires to designate the City Clerk of the City (the "City Clerk") as the election official for the special election provided for herein; and

WHEREAS, there has been filed with the City Clerk a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of May 26, 2016, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings on the establishment of the Community Facilities District and the proposed debt issue for the Community Facilities District; and

WHEREAS, there has been filed with the City Clerk consents and waivers of all of the landowners of record in the Community Facilities District waiving any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said special election, including any time limit or requirement applicable to an election

pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), consenting to the holding of said special election on June 21, 2016 and waiving any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act; and

WHEREAS, the City Clerk has concurred in said waivers and has concurred in holding said special election on June 21, 2016;

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

SECTION 1. Pursuant to Sections 53351, 53326 and 53325.7 of the Act, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be submitted to the qualified electors of the Community Facilities District at an election called therefor as provided below.

SECTION 2. The City Clerk is hereby designated as the official to conduct said election.

SECTION 3. As authorized by Section 53353.5 of the Act, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be combined into one ballot proposition.

SECTION 4. The City Council hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of May 26, 2016, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings heretofore held by the City Council on the establishment of the Community Facilities District and the proposed debt issue for the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax.

SECTION 5. The City Council hereby finds and determines that the qualified electors of the Community Facilities District have unanimously consented (a) to the waiver of any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), (b) to the holding of said election on June 21, 2016, and (c) to the waiver of any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act. The City Council hereby finds and determines that the City Clerk has concurred in said waivers and has concurred in holding said election on June 21, 2016.

SECTION 6. The City Council hereby calls a special election to submit to the qualified electors of the Community Facilities District the combined proposition to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District, which election shall be held at 303 East B Street, Ontario, California, on June 21, 2016. The City Council has caused to be provided to the City Clerk, as the official to conduct said election, the Resolution of Formation, the Resolution of Deeming it Necessary to Incur, a certified map of sufficient scale and clarity to show the boundaries of the Community Facilities District, and a sufficient description to allow the City Clerk to determine the boundaries of the Community Facilities District.

The voted ballots shall be returned to the City Clerk not later than 7:30 p.m. on June 21, 2016; provided, however, that if all of the qualified electors have voted prior to such time, the election may be closed with the concurrence of the City Clerk.

SECTION 7. Pursuant to Section 53326 of the Act, the election shall be conducted by mail or hand-delivered ballot pursuant to Section 4000 *et. seq.* of the California Elections Code. Except as otherwise provided in the Act, the provisions of law regulating elections of the City, insofar as they may be applicable, will govern the election.

SECTION 8. The form of the ballot for said election is attached hereto as Exhibit A and by this reference incorporated herein, and such form of ballot is hereby approved. The City Clerk shall cause to be delivered to each of the qualified electors of the Community Facilities District a ballot in said form. Each ballot shall indicate the number of votes to be voted by the respective landowner to which it pertains.

Each ballot shall be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The identification envelope for return of the ballot shall be enclosed with the ballot, shall have the return postage prepaid, and shall contain: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or the authorized representative of the landowner entitled to vote and is the person whose name appears on the identification envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration described in clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing board.

Analysis and arguments with respect to the ballot proposition are hereby waived, as provided in Section 53327 of the Act.

SECTION 9. The City Clerk shall accept the ballots of the qualified electors in the office of the City Clerk at 303 East B Street, Ontario, California, to and including 7:30 p.m. on June 21, 2016, whether said ballots be personally delivered or received by mail. The City Clerk shall have available ballots which may be marked at said location on the election day by said qualified electors.

SECTION 10. The City Council hereby determines that the facilities and services financed by the Community Facilities District are necessary to meet increased demands placed upon local agencies as a result of development occurring in the Community Facilities District.

SECTION 11. The specific purposes of the bonded indebtedness proposed to be incurred is the financing of the Facilities (as defined in the Resolution of Formation), including all costs and estimated costs incidental to, or connected with, the accomplishment of such purpose, and the proceeds of such bonded indebtedness shall be applied only to such specific purposes.

Upon approval of the proposition to incur bonded indebtedness, and the sale of any bonds evidencing such indebtedness, the City Council shall take such action as may be necessary to cause to be established an account for deposit of the proceeds of sale of the bonds. For so long as any proceeds of the bonds remain unexpended, the Management Analyst, Management Services of the City shall cause to be filed with the City Council, no later than January 1 of each year, a report stating (a) the amount of bond proceeds received and expended during the preceding year, and (b) the status of any project funded or to be funded from bond proceeds. Said report may relate to the calendar year, fiscal year, or other appropriate annual period, as the Management Analyst, Management Services of the City shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the City Council.

SECTION 12. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 13. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

OFFICIAL BALLOT

CITY OF ONTARIO

June 21, 2016

SPECIAL ELECTION

This ballot is for a special, landowner election. The number of votes to be voted pursuant to this ballot is ____.

INSTRUCTIONS TO VOTERS:

To vote on the measure, mark a cross (+) in the voting square after the word "YES" or after the word "NO". All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Ontario and obtain another.

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 30
(NEW HAVEN FACILITIES - AREA B)

MEASURE SUBMITTED TO VOTE OF VOTERS: Shall the City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) (the "Community Facilities District") be authorized to incur bonded indebtedness in a maximum aggregate amount of not to exceed \$39,000,000 and levy a special tax in order to finance certain facilities and services and shall the annual appropriations limit of the Community Facilities District be established in the amount of \$39,000,000, all as specified in the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" and the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B)," each adopted by the City Council of the City of Ontario on June 21, 2016?

Yes:

No:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND
DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

WHEREAS, on June 21, 2016, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B)" (the "Resolution Calling Election"), calling for a special election of the qualified electors within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) (the "Community Facilities District"); and

WHEREAS, pursuant to the terms of the Resolution Calling Election and the provisions of the Act, the special election was held on June 21, 2016; and

WHEREAS, the City Clerk of the City (the "City Clerk") has certified the canvass of the returns of the election and has filed a Canvass and Statement of Results of Election (the "Canvass"), a copy of which is attached hereto as Exhibit A.

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

SECTION 1. The City Council has received, reviewed and hereby accepts the Canvass.

SECTION 2. The City Council hereby finds and declares that the ballot proposition submitted to the qualified electors of the Community Facilities District pursuant to the Resolution Calling Election has been passed and approved by such electors in accordance with Section 53328, Section 53355 and Section 53325.7 of the Act.

SECTION 3. The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of San Bernardino a notice of special tax lien in the form required by the Act, said recording to occur no later than fifteen days following adoption by the City Council of this Resolution.

SECTION 4. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 5. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED and ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 30
(NEW HAVEN FACILITIES - AREA B)

CANVASS AND STATEMENT OF RESULTS OF ELECTION

I hereby certify that on June 21, 2016, I canvassed the returns of the special election held on June 21, 2016, for the City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), that the total number of ballots cast in said Community Facilities District and the total number of votes cast for and against the proposition are as follows and that the totals as shown for and against the proposition are true and correct:

	Qualified Landowner <u>Votes</u>	Votes <u>Cast</u>	<u>YES</u>	<u>NO</u>
City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) Special Election, June 21, 2016	58	—	—	—

MEASURE SUBMITTED TO VOTE OF VOTERS: Shall the City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) (the "Community Facilities District") be authorized to incur bonded indebtedness in a maximum aggregate amount of not to exceed \$39,000,000 and levy a special tax in order to finance certain facilities and services and shall the annual appropriations limit of the Community Facilities District be established in the amount of \$39,000,000, all as specified in the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" and the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B)," each adopted by the City Council of the City of Ontario on June 21, 2016?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this 21st day of June, 2016.

BY: _____
Sheila Mautz, City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B).

WHEREAS, on May 17, 2016, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District, Proposed to be Named City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), and to Authorize the Levy of Special Taxes" stating its intention to establish City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) (the "Community Facilities District") and to finance certain public facilities (the "Facilities") and services (the "Services"); and

WHEREAS, on June 21, 2016, the City Council held said hearing on the establishment of the Community Facilities District, as required by the Act; and

WHEREAS, subsequent to the close of said hearing, the City Council adopted resolutions entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" (the "Resolution of Formation"), "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B)" and "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B)", which resolutions established the Community Facilities District, authorized the levy of a special tax within the Community Facilities District and called an election within the Community Facilities District on the proposition of incurring indebtedness, levying a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District, respectively; and

WHEREAS, on June 21, 2016, an election was held in which the qualified electors of the Community Facilities District approved said proposition by more than the two-thirds vote required by the Act.

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby authorizes and levies special taxes within the Community Facilities District pursuant to Sections 53328 and 53340 of the Act, at the rate and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the "Rate and Method of Apportionment"). The special taxes are hereby levied commencing in fiscal year 2016-17 and in each fiscal year thereafter until the last fiscal year in which such special taxes are authorized to be levied pursuant to the Rate and Method of Apportionment.

SECTION 2. The City Council may, in accordance with subdivision (b) of Section 53340 of the Act, provide, by resolution, for the levy of the special tax in future tax years at the same rate or at a lower rate than the rate provided by this Ordinance. In no event shall the special tax be levied on any parcel within the Community Facilities District in excess of the maximum tax specified therefor in the Rate and Method of Apportionment.

SECTION 3. The special tax shall be levied on all of the parcels in the Community Facilities District, unless exempted by law or by the Rate and Method of Apportionment.

SECTION 4. The proceeds of the special tax shall only be used to pay, in whole or in part, the cost of providing the Facilities and Services and incidental expenses pursuant to the Act.

SECTION 5. The special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes, unless another procedure is adopted by the City Council.

SECTION 6. If for any reason any portion of this Ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the Community Facilities District, by a court of competent jurisdiction, the balance of this Ordinance and the application of the special tax to the remaining parcels within the Community Facilities District shall not be affected.

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)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED ACQUISITION AND FUNDING AGREEMENT WITH BROOKCAL ONTARIO, L.L.C.

WHEREAS, certain real property within the boundaries of the City located generally south of State Route 60 is commonly known as the New Model Colony; and

WHEREAS, the City has approved a General Plan Amendment for the New Model Colony, which has been supplemented by certain water, recycled water and sewer master plans (as so supplemented, the "General Plan Amendment") and has certified an Environmental Impact Report and adopted a Mitigated Negative Declaration in connection with the General Plan Amendment (together, the "Environmental Impact Report"); and

WHEREAS, the City has specified in the General Plan Amendment and the Environmental Impact Report the major backbone transportation, water, sewer, storm drainage, parks, public safety infrastructure and fiber optic systems required to serve the New Model Colony; and

WHEREAS, the New Model Colony is now commonly referred to as the Ontario Ranch; and

WHEREAS, BrookCal Ontario, L.L.C., a limited liability company organized and existing under the laws of the State of Delaware ("BrookCal"), is developing certain of the property within the Ontario Ranch (the "Property"); and

WHEREAS, certain of such major backbone infrastructure is required to serve the Property; and

WHEREAS, the City and BrookCal desire to provide a mechanism to fund, in a timely manner, the costs of certain of such major backbone infrastructure required to serve the Ontario Ranch (the "Facilities") so that such development may occur; and

WHEREAS, in order to provide such a mechanism, the City has, pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act"), established City of Ontario Community Facilities District No. 28 (New Haven Facilities – Area A) ("Community Facilities District No. 28") and City of Ontario Community Facilities District No. 29 (New Haven Facilities – Area B) ("Community Facilities District No. 29"), the boundaries of each of which include a portion of the Property; and

WHEREAS, in connection therewith, the City and the Developer entered into the Acquisition Agreement, dated as of October 20, 2015 (the "Original Acquisition Agreement"), pursuant to which, in accordance with the terms set forth therein, the

Developer is to construct or cause to be constructed certain of the Facilities, which, upon satisfaction of the conditions specified herein, the City is to acquire and take title thereto, which acquisitions are to be funded by Community Facilities District No. 28 and Community Facilities District No. 29; and

WHEREAS, the City and the Developer have determined that certain additional portions of the Property should be incorporated into such funding mechanism; and

WHEREAS, in order to implement such incorporation, the City (a) pursuant to the provisions of the Act, has established City of Ontario Community Facilities District No. 30 (New Haven Facilities – Area B) (“Community Facilities District No. 30”), the boundaries of which include such additional portions of the Property, as well as the portions of the Property included within Community Facilities District No. 29, and (b) is in the process of dissolving Community Facilities District No. 29 pursuant to the provisions of the Act; and

WHEREAS, the City and the Developer desire to amend and restate the Original Acquisition Agreement in order to reflect that the acquisition of the Facilities pursuant thereto is to be funded by Community Facilities District No. 28 and Community Facilities District No. 30, rather than Community Facilities District No. 28 and Community Facilities District No. 29; and

WHEREAS, there has been presented to this meeting a form of Amended and Restated Acquisition Agreement that so amends and restates the Original Acquisition Agreement (such Amended and Restated Acquisition and Funding Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the “Amended and Restated Acquisition Agreement”).

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

SECTION 1. The Amended and Restated Acquisition Agreement, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, be and the same is hereby approved. Each of the Mayor of the City, and such other member of the City Council as the Mayor may designate, the City Manager of the City and the Administrative Services/Finance Director of the City, and such other officer or employee of the City as the City Manager may designate (the “Authorized Officers”) is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the City, to execute and deliver the Amended and Restated Acquisition Agreement in the form submitted to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Amended and Restated Acquisition Agreement by such Authorized Officer.

SECTION 2. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DISSOLVING CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 29 (NEW HAVEN FACILITIES - AREA B).

WHEREAS, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), previously established City of Ontario Community Facilities District No. 29 (New Haven Facilities - Area B) (the "Community Facilities District") and to finance certain public facilities (the "Facilities") and services (the "Services"); and

WHEREAS, the qualified electors of the Community Facilities District authorized the levy of special taxes (the "Special Taxes") within the Community Facilities District to finance certain public facilities (the "Facilities") and certain public services (the "Services"); and

WHEREAS, pursuant to the Act, a Notice of Special Tax Lien with respect to the Community Facilities District was recorded in the Office of the County Recorder of the County of San Bernardino on October 22, 2015, as Instrument No. 2015-0458716 (the "Notice of Special Tax Lien"); and

WHEREAS, no debt has been incurred by the Community Facilities District; and

WHEREAS, the City Council has determined that no Facilities are to be financed by the Community Facilities District; and

WHEREAS, the City Council has determined that no Services are to be financed by the Community Facilities District; and

WHEREAS, as no Facilities and no Services are to be financed, the Community Facilities District has no authorization to levy the Special Taxes; and

WHEREAS, the City Council desires to dissolve the Community Facilities District pursuant to Section 53338.5 of the Act.

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that the Community Facilities District is not obligated to pay any outstanding debt.

SECTION 2. The City Council hereby finds and determines that the Community Facilities District has no authorization to levy the Special Taxes.

SECTION 3. The Community Facilities District is hereby dissolved.

SECTION 4. The City Clerk of the City is hereby directed to cause to be recorded with the County Recorder of the County of San Bernardino an addendum to the Notice of Special Tax Lien, which shall state that the Community Facilities District and all associated liens, if any, have been dissolved.

SECTION 5. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Ordinance and not inconsistent with the provisions hereof.

SECTION 6. 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 June 21, 2016 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

June 21, 2016

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER A CITY INITIATED GENERAL PLAN AMENDMENT (FILE NO. PGPA16-003) TO AMEND THE HOUSING ELEMENT OF THE POLICY PLAN (GENERAL PLAN) TO REVISE THE AVAILABLE LAND INVENTORY (HOUSING ELEMENT APPENDIX) AND ALLOW ADMINISTRATIVE MODIFICATIONS TO THE INVENTORY

RECOMMENDATION: That City Council conduct a public hearing and adopt a Resolution approving General Plan Amendment File No. PGPA16-003, to revise the Available Land Inventory and allow administrative modifications to the inventory.

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

FISCAL IMPACT: None.

BACKGROUND: The Housing Element is one of the seven mandated elements of the General Plan, which each city and county in the State is required to adopt and periodically update. The City adopted the current Housing Element on October 15, 2013. The Housing Element is required to identify vacant or underutilized sites that can accommodate housing units for all income categories allocated in the Regional Housing Needs Assessment (RHNA). The inventory is contained in the Appendix of the Housing Element and identifies specific parcels with density ranges, assumed densities and minimum number of units that are counted towards the City's RHNA obligation. Ontario's RHNA obligation is shown in the table below.

Sites which are in the Land Inventory must meet the minimum number of units and density identified in the Land Inventory in order to be found consistent with The Ontario Plan. In order to keep the Land Inventory current and accurate, and ensure that the City's RHNA obligation can be met, periodic modification are needed in order to:

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Melanie Mullis
Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

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- Remove sites that are found to be no longer suitable for the intensity assumed;
- Adjust the assumed density and/or number of units on a site on the inventory to reflect the intensity that can feasibly be achieved; and
- Add sites which are now vacant or underutilized to the inventory that were not available at the time the Housing Element was adopted.

	Lower Income	Moderate Income	Above Moderate Income	Total RHNA Need
Number of Units*	4,337	1,977	4,547	10,861
Density Range	25.1 DU/Acre or Higher	10 – 25 DU/Acre	Less than 10 DU/Acre	
*Only sites which are vacant or underutilized and can accommodate a minimum of 12 units on the site can be included on the inventory				

The proposed Housing Element amendment will update the Land Inventory, as shown in Exhibit A of the resolution, including:

- Removal of one site too small to accommodate the minimum number of units identified;
- Reduction of the density for HDR-45 zoned properties less than 2 acres to an assumed density of 25.1 du/acre;
- Modification of the density assumptions for Meredith Properties from 57 du/acre to 37 du/acre (however the number of affordable units will not change);
- Addition of properties that previously did not qualify to be on the inventory; and
- Update to the current status of the properties requiring zone changes.

In addition, future revisions to the inventory can be done administratively, without a General Plan Amendment, as long as the criteria specified in the table above is maintained. This will allow properties to be added or modified (the assumed density and/or number of units) in the inventory as long as the minimum number of units for each income category required by RHNA is maintained. This will allow staff to respond in a more fluid manner to projects that are not able to achieve consistency with Land Inventory assumptions made but are otherwise viable.

The Planning Commission reviewed the proposed General Plan Amendment on May 24, 2016, and voted unanimously, 6 to 0, to recommend that the City Council approve the application.

AIRPORT LAND USE COMPATIBILITY: The Proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) Ontario.

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was adopted by the City Council on October 15, 2013. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated

herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA16-003, AN AMENDMENT TO THE HOUSING ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING AVAILABLE LAND INVENTORY (HOUSING ELEMENT APPENDIX) AND ALLOWING ADMINISTRATIVE MODIFICATIONS TO THE INVENTORY (SEE EXHIBIT A) (A PART OF CYCLE 1 FOR THE 2016 CALENDAR YEAR)

WHEREAS, City of Ontario ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA16-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. On October 15, 2013, the City adopted a Housing Element Update which included a List of Available Land (Land Inventory) which identified sites available to satisfy the City's share of the region's future housing needs (RHNA); and

WHEREAS, the project sites are located within the Airport Influence Area of Ontario International Airport and the Project is consistent with the policies and criteria set forth within the Airport Land Use Compatibility Plan; 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 (State Clearinghouse No. 2008101140) which was adopted by the City Council on October 15, 2013, and this Application introduces no new significant environmental impacts; 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 May 24, 2016, the Planning Commission of the City of Ontario conducted a duly noticed public hearing and issued Resolution No. PC16-023, recommending the City Council approve the application.

WHEREAS, on June 21, 2016, the City Council of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

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

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

SECTION 1. 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 (State Clearinghouse No. 2008101140) adopted on October 15, 2013 and supporting documentation. Based upon the facts and information contained in the Addendum 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 Project; 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 Project, shall be a condition of Project approval and are incorporated herein by reference.

SECTION 2. 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 General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

➤ H2-6: Infill Development. We support the revitalization of neighborhoods through the construction of higher-density developments on underutilized residential and commercial sites.

b. The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

c. The Housing Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the first amendment to the Housing Element of the 2016 calendar year consistent with Government Code Section 65358;

d. Periodic updating and modifications to the Available Land Inventory of the Housing Element is prudent if the following criteria adopted as part of the 2013 Housing Element Update is maintained:

	Lower Income	Moderate Income	Above Moderate Income	Total RHNA Need
Number of Units*	4,337	1,977	4,547	10,861
Density Range	25.1 DU/Acre or Higher	10 – 25 DU/Acre	Less than 10 DU/Acre	
*Only sites which are vacant or underutilized and can accommodate a minimum of 12 units on the site can be included on the inventory				

e. During the amendment of the general plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council hereby APPROVES the Project.

SECTION 4. 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 5. 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 6. The City Clerk shall certify to the adoption of the Resolution.

PASSED, APPROVED AND ADOPTED this 21st day of June 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, 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

**EXHIBIT A
List of Properties on the Housing Element Land Inventory**

APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate Income Units (0-9 DU/AC)	Notes	Current Status	
100852203	Mountain Corridor	1	Commercial	No	NC	0.172	CN	0-25										
100852202	Mountain Corridor	2	Commercial	No	NC	4.039	CN	0-25										
100852201	Mountain Corridor	3	Commercial	No	NC	1.451	CN	0-25			31.0	177	177				Approved Mixed Use Senior Project 177 units	
100851316	Mountain Corridor	4	Commercial	No	NC	0.135	CN	0-25										
101046203	Mountain Corridor	5	Commercial	No	HDR	1.543	HDR-45		HDR-45	25-45	25.1	38	38				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101046202	Mountain Corridor	6	Commercial	No	HDR	1.613	HDR-45		HDR-45	25-45	25.1	40	40				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101046201	Mountain Corridor	7	Commercial	No	HDR	0.983	HDR-45		HDR-45	25-45	25.1	24	24				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052126	Mountain Corridor	8	Parking Lot	No	HDR	0.519	HDR-45		HDR-45	25-45	25.1	13	13				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052127	Mountain Corridor	9	Commercial	No	HDR	0.346	HDR-45		HDR-45	25-45	25.1	9	9				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052128	Mountain Corridor	10	Commercial	No	HDR	1.241	HDR-45		HDR-45	25-45	25.1	31	31				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055216	Mountain Corridor	11	Commercial	No	HDR	0.68	HDR-45		HDR-45	25-45	25.1	17	17				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055210	Mountain Corridor	12	Commercial	No	HDR	0.406	HDR-45		HDR-45	25-45	25.1	10	10				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055237	Mountain Corridor	13	Commercial	No	HDR	0.392	HDR-45		HDR-45	25-45	25.1	10	10				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055232	Mountain Corridor	14	Vacant	No	HDR	0.463	HDR-45		HDR-45	25-45	25.1	12	12				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055233	Mountain Corridor	15	Auto Repair	No	HDR	0.463	HDR-45		HDR-45	25-45	25.1	12	12				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101055234	Mountain Corridor	16	Vacant	No	HDR	0.421	HDR-45		HDR-45	25-45	25.1	11	11				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054332	Mountain Corridor	17	Parking Lot	No	HDR	0.414	HDR-45		HDR-45	25-45	25.1	10	10				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054314	Mountain Corridor	18	Commercial	No	HDR	0.441	HDR-45		HDR-45	25-45	25.1	11	11				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054313	Mountain Corridor	19	Commercial	No	HDR	0.353	HDR-45		HDR-45	25-45	25.1	9	9				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054309	Mountain Corridor	20	Vacant Building	No	HDR	0.46	HDR-45		HDR-45	25-45	25.1	12	12				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054330	Mountain Corridor	21	Commercial	No	HDR	0.873	HDR-45		HDR-45	25-45	25.1	22	22				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054307	Mountain Corridor	22	Retail	No	HDR	0.44	HDR-45		HDR-45	25-45	25.1	11	11				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054306	Mountain Corridor	23	Commercial	No	HDR	0.555	HDR-45		HDR-45	25-45	25.1	14	14				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054305	Mountain Corridor	24	Commercial	No	HDR	0.755	HDR-45		HDR-45	25-45	25.1	19	19				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054304	Mountain Corridor	25	Commercial	No	HDR	0.87	HDR-45		HDR-45	25-45	25.1	22	22				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054327	Mountain Corridor	26	Vacant Building	No	HDR	0.423	HDR-45	16-25	HDR-45	25-45	25.1	11	11				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054302	Mountain Corridor	27	Commercial	No	HDR	0.467	HDR-45		HDR-45	25-45	25.1	12	12				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101054301	Mountain Corridor	28	Commercial	No	HDR	1.243	HDR-45		HDR-45	25-45	25.1	31	31				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052217	Mountain Corridor	29	Commercial	No	HDR	0.998	HDR-45		HDR-45	25-45	25.1	25	25				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052213	Mountain Corridor	30	Commercial	No	HDR	0.357	HDR-45		HDR-45	25-45	25.1	9	9				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101052206	Mountain Corridor	31	Commercial	No	HDR	0.672	HDR-45		HDR-45	25-45	25.1	17	17				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101050207	Mountain Corridor	32	Auto Sales	No	HDR	0.427	HDR-45		HDR-	25-45	25.1	11	11				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101050178	Mountain Corridor	33	Commercial	No	HDR	0.349	HDR-45		HDR-45	25-45	25.1	9	9				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101050177	Mountain Corridor	34	Auto Sales	No	HDR	0.349	HDR-45		HDR-45	25-45	25.1	9	9				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
101050176	Mountain Corridor	35	Commercial	No	HDR	1.476	HDR-45		HDR-45	25-45	25.1	37	37				Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016

List of Properties on the Housing Element Land Inventory

APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate Income Units (0-9 DU/AC)	Notes	Current Status
101049103	Mountain Corridor	36	Auto Sales	No	MDR	1.291	MDR-25		MDR- 25	18-25	20.0	26		26		Zone-Change-Required	Part of PZC16-001 approved by City Council 5-3-2016
101049102	Mountain Corridor	37	Auto Sales	No	MDR	0.532	MDR-25		MDR- 25	18-25	20.0	11		11		Zone-Change-Required	Part of PZC16-001 approved by City Council 5-3-2016
101049116	Mountain Corridor	38	Auto Sales	No	MDR	0.43	MDR-25		MDR- 25	18-25	20.0	9		9		Zone-Change-Required	Part of PZC16-001 approved by City Council 5-3-2016
104860415	Mountain Corridor	39	Auto Sales	No	MDR	1.266	MDR-25		MDR- 25	18-25	20.0	25		25		Zone-Change-Required	Part of PZC16-001 approved by City Council 5-3-2016
104860414	Mountain Corridor	40	Auto Sales	No	MDR	0.518	MDR-25		MDR- 25	18-25	20.0	10		10		Zone-Change-Required	Part of PZC16-001 approved by City Council 5-3-2016
104860413	Mountain Corridor	41	Commercial	No	MDR	0.553	MDR-25		MDR- 25	18-25	20.0	11		11		Zone-Change-Required	Part of PZC16-001 approved by City Council 5-3-2016
104905101	Downtown	42	Parking Lot	Yes	MU	0.286	MU-1	25-75	MU-1	25-75	25.1	7	7			Zone-Change-Required-	
104905102	Downtown	43	Vacant	Yes	MU	0.79	MU-1	25-75	MU-1	25-75	25.1	20	20			Zone-Change-Required-	
104905303	Downtown	44	Vacant Building	No	MU	0.392	MU-1	25-75	MU-1	25-75	25.1	10	10			Zone-Change-Required-	
104905304	Downtown	45	Used Auto Sales	No	MU	0.387	MU-1	25-75	MU-1	25-75	25.1	10	10			Zone-Change-Required-	
104905501	Downtown	46	Retail	No	MU	0.212	MU-1	25-75	MU-1	25-75	25.1	5	5			Zone-Change-Required-	
104905509	Downtown	47	Auto Repair	No	MU	0.298	MU-1	25-75	MU-1	25-75	25.1	7	7			Zone-Change-Required-	
104905204	Downtown	48	Vacant	Yes	MU	0.696	MU-1	25-75	MU-1	25-75	25.1	17	17			Zone-Change-Required-	
104905406	Downtown	49	Retail	No	MU	0.231	MU-1	25-75	MU-1	25-75	25.1	6	6			Zone-Change-Required-	
104905402	Downtown	50	Vacant	Yes	MU	0.455	MU-1	25-75	MU-1	25-75	25.1	11	11			Zone-Change-Required-	
104905404	Downtown	51	Office	No	MU	0.498	MU-1	25-75	MU-1	25-75	25.1	12	12			Zone-Change-Required-	
104905606	Downtown	52	Parking Lot	Yes	MU	0.35	MU-1	25-75	MU-1	25-75	25.1	9	9			Zone-Change-Required-	
104905605	Downtown	53	Office	Yes	MU	0.354	MU-1	25-75	MU-1	25-75	25.1	9	9			Zone-Change-Required-	
104855112	Downtown	54	Vacant	Yes	MU	0.488	PUD	25-75		25-75	65.0						
104855111	Downtown	55	Vacant	Yes	MU	0.683	PUD	25-75		25-75	65.0						
104855110	Downtown	56	Vacant	Yes	MU	1.06	PUD	25-75		25-75	65.0						
104855113	Downtown	57	Parking Lot	Yes	MU	0.146	PUD	25-75		25-75	65.0						
104855301	Downtown	58	Vacant	Yes	MU	0.17	PUD	25-75		25-75	65.0						
104855317	Downtown	59	Commercial	No	MU	0.184	PUD	25-75		25-75	65.0						
104855316	Downtown	60	Commercial	No	MU	0.089	PUD	25-75		25-75	65.0						
104855315	Downtown	61	Vacant Building	Yes	MU	0.089	PUD	25-75		25-75	65.0						
104855314	Downtown	62	Vacant	Yes	MU	0.089	PUD	25-75		25-75	65.0						
1048 5531 3	Downtown	63	Vacant Building	Yes	MU	0.177	PUD	25-75		25-75	65.0						
1048 5531 2	Downtown	64	Vacant	Yes	MU	0.089	PUD	25-75		25-75	65.0						
1048 5531 1	Downtown	65	Vacant	Yes	MU	0.089	PUD	25-75		25-75	65.0						
10485531 0	Downtown	66	Vacant	Yes	MU	0.06	PUD	25-75		25-75	65.0	156	156				PUD Amended in June 2011 to increase density range allowing 156 units A1 Block of approved Town Center PUD
104855302	Downtown	67	Commercial	No	MU	0.19	PUD	25-75		25-75	65.0						
104855303	Downtown	68	Parking Lot	No	MU	0.19	PUD	25-75		25-75	65.0						
104855304	Downtown	69	Parking Lot	No	MU	0.19	PUD	25-75		25-75	65.0						
104855305	Downtown	70	Parking Lot	Yes	MU	0.132	PUD	25-75		25-75	65.0						

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104855309	Downtown	71	Parking Lot	Yes	MU	0.079	PUD	25-75		25-75	65.0						
104855308	Downtown	72	Parking Lot	Yes	MU	0.149	PUD	25-75		25-75	65.0						
104855307	Downtown	73	Parking Lot	Yes	MU	0.093	PUD	25-75		25-75	65.0						
104855306	Downtown	74	Parking Lot	Yes	MU	0.084	PUD	25-75		25-75	65.0						
104847211	East Holt	75	Vacant	Yes	MU	3.368	MU-2		MU-2	14-40	30.0	101	101			Zone Change Required	Part of PZC16-001 approved by City Council 5-3-2016
104743222	Grove Corridor	76	Vacant	No	HDR	0.764	MDR-18		HDR-45	25-45	25.0	0	0			Zone Change Required	Site not large enough once existing flood control is accommodated
104744301	Grove Corridor	77	Vacant	No	HDR	3.786	MDR-18		HDR-45	25-45	25.1	95	95			Zone Change Required	
10846104	Grove Corridor	78	Vacant	No	MDR	7.962	CIV		MDR-18	11-18	16.2	129		129		Zone Change Required	
10846103	Grove Corridor	79	Vacant	No	MDR	1.14	CIV		MDR-18	11-18	16.2	18		18		Zone Change Required	
10846102	Grove Corridor	80	Vacant	No	MDR	1.928	CIV		MDR-18	11-18	16.2	31		31		Zone Change Required	
10846101	Grove Corridor	81	Vacant	No	MDR	2.712	CIV		MDR-18	11-18	16.2	44		44		Zone Change Required	
10851116	Grove Corridor	82	Vacant	No	HDR	1.422	MDR-11		HDR-45	25-45	25.1	36	36			Zone Change Required	
10851117	Grove Corridor	83	Vacant	No	HDR	0.966	MDR-11		HDR-45	25-45	25.1	24	24			Zone Change Required	
101136105	Mission Corridor	84	Vacant	No	HDR	1.334	HDR-45		HDR-45	25-45	25.1	33	33			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005) PDEV15-027 submitted for 54 DU's
101136104	Mission Corridor	85	Church	No	HDR	0.447	HDR-45	1-2	HDR-45	25-45	25.1	12	12			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136103	Mission Corridor	86	Church	No	HDR	0.499	HDR-45	1-2	HDR-45	25-45	25.1	13	13			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136102	Mission Corridor	87	Single Family	No	HDR	0.898	HDR-45	1-2	HDR-45	25-45	25.1	23	23			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136101	Mission Corridor	88	Single Family	No	HDR	1.216	HDR-45	1-2	HDR-45	25-45	25.1	31	31			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136127	Mission Corridor	89	Auto Repair	No	HDR	0.6	HDR-45		HDR-45	25-45	25.1	16	16			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136108	Mission Corridor	90	Commercial	No	HDR	0.421	HDR-45		HDR-45	25-45	25.1	11	11			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136110	Mission Corridor	91	Commercial	No	HDR	0.388	HDR-45		HDR-45	25-45	25.1	10	10			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136128	Mission Corridor	92	Commercial	No	HDR	0.402	HDR-45		HDR-45	25-45	25.1	11	11			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136130	Mission Corridor	93	Commercial	No	HDR	0.392	HDR-45		HDR-45	25-45	25.1	10	10			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136115	Mission Corridor	94	Single Family	No	HDR	0.883	HDR-45		HDR-45	25-45	25.1	23	23			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136107	Mission Corridor	95	Vacant	No	HDR	0.613	HDR-45	1-2	HDR-45	25-45	25.1	16	16			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136112	Mission Corridor	96	Vacant	No	HDR	0.38	HDR-45	1-2	HDR-45	25-45	25.1	10	10			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136129	Mission Corridor	97	Vacant	No	HDR	0.419	HDR-45	1-2	HDR-45	25-45	25.1	11	11			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)

List of Properties on the Housing Element Land Inventory

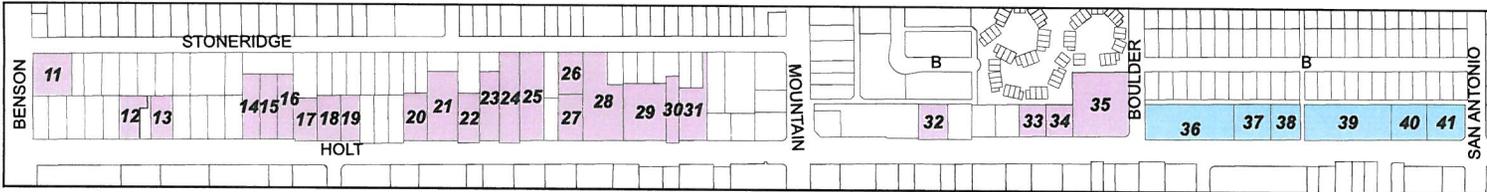
APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate Income Units (0-9 DU/AC)	Notes	Current Status
101136131	Mission Corridor	98	Vacant	No	HDR	0.409	HDR-45	1-2	HDR- 45	25-45	25.1	11	11			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136123	Mission Corridor	99	Vacant	No	HDR	0.367	HDR-45	1-2	HDR- 45	25-45	25.1	12	12			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136125	Mission Corridor	100	Single Family	No	HDR	0.368	HDR-45	1-2	HDR- 45	25-45	25.1	10	10			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101136126	Mission Corridor	101	Single Family	No	HDR	0.349	HDR-45	1-2	HDR- 45	25-45	25.1	9	9			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101137113	Mission Corridor	102	Commercial	No	HDR	0.375	HDR-45		HDR- 45	25-45	25.1	10	10			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101137112	Mission Corridor	103	Trailer Sales	No	HDR	1.58	HDR-45		HDR- 45	25-45	25.1	40	40			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101137114	Mission Corridor	104	Trailer Sales	No	HDR	0.716	HDR-45	1-2	HDR- 45	25-45	25.1	18	18			Zone Change Required	PDEV15-023 submitted for 75 DU's
101137115	Mission Corridor	105	Vacant	No	HDR	0.716	HDR-45	1-2	HDR- 45	25-45	25.1	18	18			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101137116	Mission Corridor	106	Single Family	No	HDR	0.867	HDR-45	1-2	HDR- 45	25-45	25.1	22	22			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101138265	Mission Corridor	107	Vacant	No	HDR	0.867	HDR-45		HDR- 45	25-45	25.1	22	22			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005)
101138204	Mission Corridor	108	Vacant	No	HDR	1.984	HDR-45		HDR- 45	25-45	25.1	60	50			Zone Change Required	Zone Change to HDR completed 1-20-2015 (PZC14-005) PDEV14-040 submitted for 69 DU's
105038107	Euclid Corridor	109	Single Family	No	MDR	0.396	MDR-18	11-16		11-18	14.4	6		6			Zone Change to MDR completed 7-2-2013
105038108	Euclid Corridor	110	Single Family	No	MDR	0.607	MDR-18	11-16		11-18	14.4	9		9			Zone Change to MDR completed 7-2-2013
105038109	Euclid Corridor	111	Single Family	No	MDR	0.841	MDR-18	11-16		11-18	14.4	12		12			Zone Change to MDR completed 7-2-2013
105059110	Euclid Corridor	112	Single Family	No	MDR	0.834	MDR-18	11-16		11-18	14.4	12		12			Zone Change to MDR completed 7-2-2013
105059111	Euclid Corridor	113	Single Family	No	MDR	0.556	MDR-18	11-16		11-18	14.4	8		8			Zone Change to MDR completed 7-2-2013
105060101	Euclid Corridor	114	Single Family	No	MDR	1.895	MDR-18	11-16		11-18	14.4	27		27			Zone Change to MDR completed 7-2-2013
105060125	Euclid Corridor	115	Vacant	No	MDR	1.895	MDR-18	11-16		11-18	14.4	27		27			Zone Change to MDR completed 7-2-2013
105153105	Campus Site	116			MDR	9.452	MDR-18	11-16		11-18	14.4	136		136			
105153106	Campus Site	117			MDR	0.174	MDR-18	11-16		11-18	14.4	3		3			
	OAMC - Meredith	118	Vacant	No	MU	15.435 ac	SP	14-125		14-125	37.0	800	800			MEREDITH SPECIFIC PLAN 800 UNITS PROPOSED	
	OAMC - Festival	119	Vacant	No	MU	30.08	SP	10-25		10-25	10.0	302		302		FESTI VAL SP APPROVED 302 UNITS	
	OAMC - Guasti Plaza	120	Vacant	No	MU	7.813 ac	SP	25-60		25-60	60.0	468	468			APPROVED GUASTI SP RESIDENTIAL OVERLAY 468 UNITS	
21018209	OAMC - Wagner	121	Vacant	No	HDR	10.946 ac	SP	25-45		25-45	25.1	298	298			WAGNER SP APPROVED 298 UNITS	PDEV13-006 approved for 298 DU's on 4-20-2015
21020411	OAMC - Piemonte	122	Vacant	No	MU	4.311 ac	SP	25-75		25-75	43.0	185	185			APPROVED PIEMONTE SP 378 CONDOS	
21020410	OAMC - Piemonte	123	Vacant	No	MU	4.442 ac	SP	25-75		25-75	43.0	193	193			APPROVED PIEMONTE SP 378 CONDOS	

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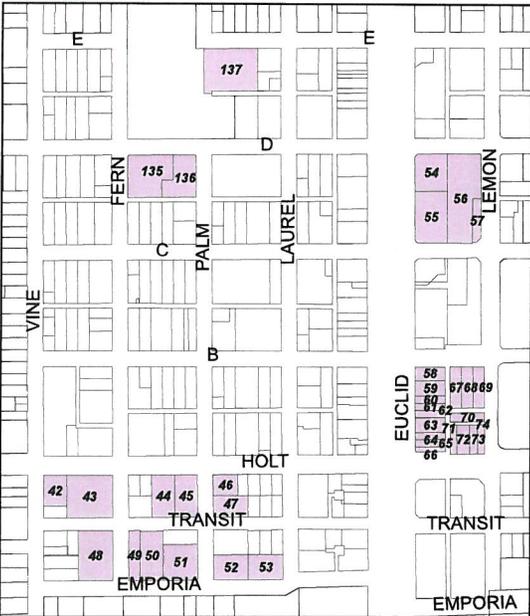
APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate Income Units (0-9 DU/AC)	Notes	Current Status
2102 0416	OAMC - Piemonte	124	Vacant	No	MU	4,245 ac	SP	25-75		25-75	46.0	195	195			APPROVED SP PIEMONTE 428 UNITS OVER COMMERCIAL	
21020419	OAMC - Piemonte	125	Vacant	No	MU	5,084 ac	SP	25-75		25-75	46.0	233	233			APPROVED SP PIEMONTE 428 UNITS OVER COMMERCIAL	
	NMC - Countryside	126	Agricultural/ Vacant	No	LDR	178	SP	5-9		5-9		819			819	NMC Approved Specific Plan	
	NMC - West Haven	127	Agricultural/ Vacant	No	LDRIN C	199	SP	6		6		753			753	NMC Approved Specific Plan	
	NMC - Rich Haven	128	Agricultural/ Vacant	No	MU/M DR/L MDR/ LDR	510	SP	5-20		5-20		4,256		1524	2732	NMC Approved Specific Plan	
	NMC - Edenglen	129	Agricultural/ Vacant	No	LDR/ MDR/ BPIGC	160	SP	4-17		4-17		584		307	277	NMC Approved Specific Plan	
	NMC - The Avenue	130	Agricultural/ Vacant	No	LDR/ MDR/ LMDR	560	SP	2-12		2-12		2,552		532	2020	NMC Approved Specific Plan	
	NMC - Parkside	131	Agricultural/ Vacant	No	MDR/ NC/BP	249	SP	8-25		8-25		1,947		1510	437	NMC Approved Specific Plan	
	NMC - Subarea 29	132	Agricultural/ Vacant	No	LDR/N C/BP/ IND	532	SP	5		5		2,291			2291	NMC Approved Specific Plan	
	NMC - Esperanza	133	Agricultural/ Vacant	No	LDR/ MDR	23	SP	13-24		13-24		1,410		496	914	NMC Approved Specific Plan	
104743316	Grove Corridor	134	Parking Lot	No	HDR	1.081	P1	NA	HDR-45	25-45	25.1	28	28				Part of PZC16-001 going to CC 5-3-2016
104857601	Downtown	135	Parking Lot	No	HDR	0.701	P1	NA	HDR-45	25-45	25.1	18	18				Part of PZC16-001 going to CC 5-3-2016
104857602	Downtown	136	Parking Lot	No	HDR	0.467	P1	NA	HDR-45	25-45	25.1	12	12				Part of PZC16-001 going to CC 5-3-2016
104835314	Downtown	137	Parking Lot	No	HDR	0.927	P1	NA	HDR-45	25-45	25.1	24	24				Part of PZC16-001 going to CC 5-3-2016
105114103	Philadelphia & Cucamonga	138	Vacant	No	MDR	5.4	MDR-25	18.1-25			25.7	139	139				139 Apartments under Construction
10855101	Grove Corridor	139	Vacant	No	HDR	0.675	HDR-45	25 - 45		25 - 45	25.1						
10855134	Grove Corridor	140	Vacant	No	HDR	0.374	HDR-45	25 - 45		25 - 45	25.1	36	36			Former Church demolished in 2016	
10855135	Grove Corridor	141	Vacant	No	HDR	0.386	HDR-45	25 - 45		25 - 45	25.1						
TOTAL INVENTORY												19,952	4,474	5,225	10,243		
RHNA ALLOCATION												10,861	4,337	1,977	4,547		
NET BTWN RHNA AND INVENTORY												9,091	137	3,248	5,696		

NOTE: Words in Red are additions or modifications to the inventory. Words that are ~~str~~ through are to be eliminated from the inventory.

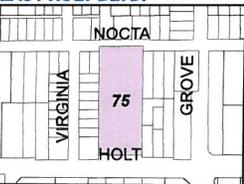
WEST HOLT BLVD



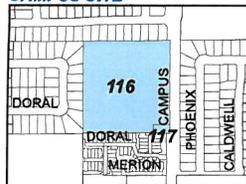
DOWNTOWN



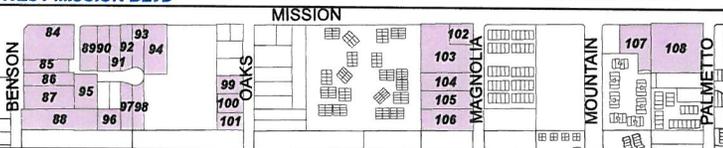
EAST HOLT BLVD.



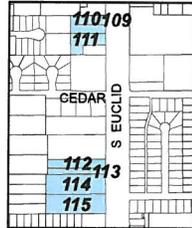
CAMPUS SITE



WEST MISSION BLVD



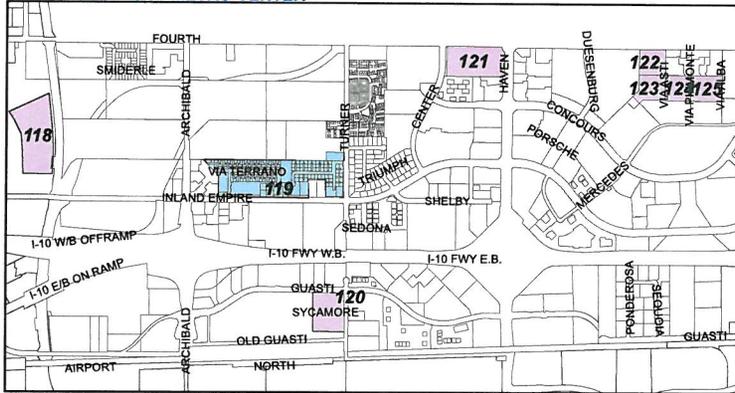
SOUTH EUCLID



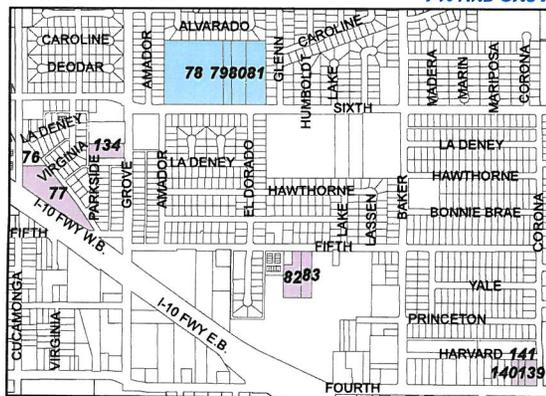
PHILADELPHIA & CUCAMONGA



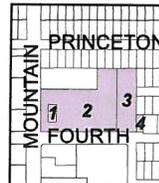
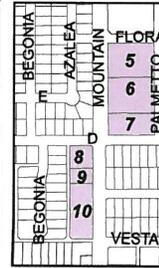
ONTARIO AIRPORT METRO CENTER



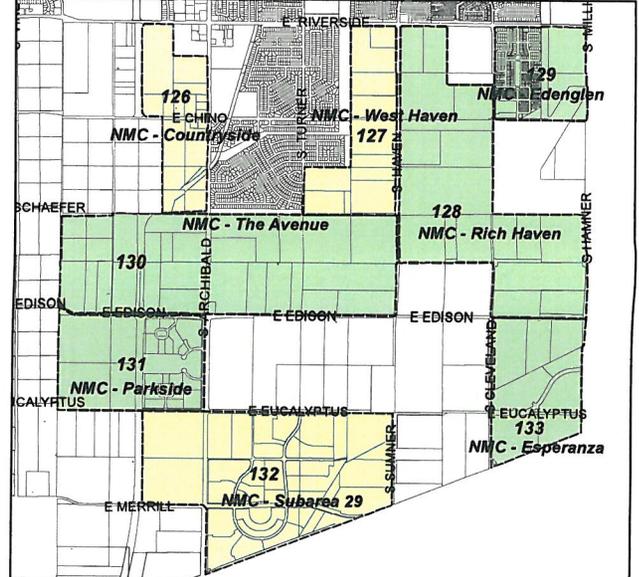
I-10 AND GROVE



MOUNTAIN CORRIDOR



NEW MODEL COLONY



Housing Element Land Inventory

Sites in Housing Element Land Inventory Income Categories

- Low Income (>25 DU/AC)
- Moderate Income (10 - 25 DU/AC)
- Moderate & Above-Moderate Income (See Inventory)
- Above-Moderate Income (<10 DU/AC)

Map ID (See Land Inventory for Details)

BACKGROUND INFORMATION
Each City in California is required to prepare a Housing Element every 5 - 10 years. The Housing Element must, in part, identify available sites that can accommodate the number and type of dwelling units that have been allocated to the City.

Projects on sites identified in the Available Land Inventory of the Housing Element (and shown on this map) must be consistent with the density range identified in the Land Inventory and the minimum number of units specified in order to be consistent with the City's General Plan (The Ontario Plan). State law requires all projects to be consistent with the General Plan.

If a site is identified on this map as being part of the Inventory, be sure to check the Land Inventory which is found in the appendix of the Ontario Housing Element which can be found at: <http://www.ontarioplan.org/index.cfm?27915/34473>

CITY OF ONTARIO

Agenda Report
June 21, 2016

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO RECEIVE AND RESPOND TO PUBLIC COMMENTS ON THE DRAFT 2015 URBAN WATER MANAGEMENT PLAN AND A RESOLUTION ADOPTING THE 2015 URBAN WATER MANAGEMENT PLAN

RECOMMENDATION: That the City Council:

- (A) Conduct a public hearing to receive and respond to Public Comment on the Draft 2015 Urban Water Management Plan (on file with Records Management); and
- (B) Adopt a Resolution adopting the 2015 Urban Water Management Plan.

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

FISCAL IMPACT: The water programs described in the Draft 2015 Urban Water Management Plan are consistent with City Council approved work plans and budgets for water recycling, conservation and planning programs and activities. There is no impact to the General Fund.

BACKGROUND: The State Urban Water Management Planning Act (Water Code Section 10610, et. seq.) mandates that every urban water supplier providing water for municipal purposes to more than 3,000 customers, or annually supplying more than 3,000 acre-feet of water, prepare an Urban Water Management Plan (UWMP) every five years to specify long-term water resource planning objectives and ensure adequate water supplies to meet existing and future demands. The UWMP is required to be adopted by City Council and submitted to the State Department of Water Resources by July 1, 2016.

In accordance with State guidelines and requirements, Ontario Municipal Utilities Company staff has prepared the Draft 2015 UWMP. The Urban Water Management Plan Act requires an UWMP to describe and evaluate sources of supply, reasonable and practical efficient water uses, such as recycling, and water demand management activities. It also requires an UWMP to evaluate the capability to supply water in drought periods as well as normal years. The Draft 2015 UWMP also outlines the

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Ryan Shaw
Department: MU/Administration

City Manager
Approval: 

Submitted to Council/O.R.A./O.H.A. 06/21/2016

Approved: _____

Continued to: _____

Denied: _____

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City's plan for complying with Senate Bill SBX7-7 which requires a 20% reduction in per capita water consumption by 2020. In addition, the Draft 2015 UWMP can be used as a foundation for preparing water supply assessments and written verifications as required by Senate Bills 610 and 221 for new projects subject to CEQA consisting of more than 500 dwelling units or equivalent water use.

The City has always actively managed its water resources for the population that it serves to ensure the quality, quantity, and reliability of the water supply in a cost effective manner. In accordance with "The Ontario Plan," the City has developed its own Water, Recycled Water and Wastewater Master Plans; as well as a regional Integrated Resources Plan and Water Use Efficiency Business Plan. Collectively, these planning documents act as the City's road map for ensuring reliable, cost-effective, and environmentally responsible water supplies for the next 25 years. This approach follows the City's vision goal of "A sustained, community-wide prosperity which continuously adds value and yields benefits." The Draft 2015 UWMP meets the City's vision goal by proactively analyzing the present, past and future state of the water supply and builds upon the foundations laid out by "The Ontario Plan."

Staff has coordinated the Draft 2015 UWMP with UWMP's prepared by the Water Facilities Authority (an imported water treatment plant jointly owned by the City), the Chino Basin Desalter Authority (local water supply wells and treatment plants jointly owned by the City) and the Inland Empire Utilities Agency (the regional imported water wholesaler) for consistency. This provides a solid framework for water supply assessment and planning for the City.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE 2015 URBAN WATER MANAGEMENT PLAN.

WHEREAS, the California Legislature enacted Assembly Bill 797 (Water Code Section 10610 et seq., known as the Urban Water Management Planning Act) during the 1983-1984 Regular Session, and as amended subsequently, which mandates that every supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually prepare an Urban Water Management Plan; and

WHEREAS, the City of Ontario is a water supplier of more than 3,000 acre-feet annually; and

WHEREAS, the Plan is periodically reviewed at least once every five years; and

WHEREAS, the City of Ontario staff completed the draft 2015 Urban Water Management Plan; and

WHEREAS, a public hearing was held by the City of Ontario City Council on June 21, 2016 to respond to public comments regarding on the Urban Water Management Plan .

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

SECTION 1. The 2015 Urban Water Management Plan for the City of Ontario is hereby adopted.

SECTION 2. The Utilities General Manager is hereby authorized to file three copies of the Plan with the State Department of Water Resources.

SECTION 3. The City Manager is hereby authorized and directed to implement the Water Programs as detailed in the adopted 2015 Urban Water Management Plan, including recommendations to the City Council regarding necessary procedures, rules, and regulations in an effort to carry out effective and equitable water programs.

SECTION 4. This Resolution shall take effect upon adoption.

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

PASSED, APPROVED, AND ADOPTED this 21st day of June 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 June 21, 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 June 21, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)