

**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**

Item continued to the July 5, 2016, meeting.

**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
----------------------	----------	----------

/ /

/ /

/ /

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
<b>Ontario (Proposed)</b>	<b>\$55</b>	<b>\$25</b>	<b>\$35</b>
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	\$15

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 21<sup>st</sup> 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

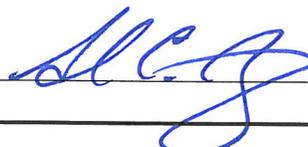
**FISCAL IMPACT:** None. All public infrastructure improvements required for this subdivision will be constructed by the developer at its sole cost.

**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: \_\_\_\_\_

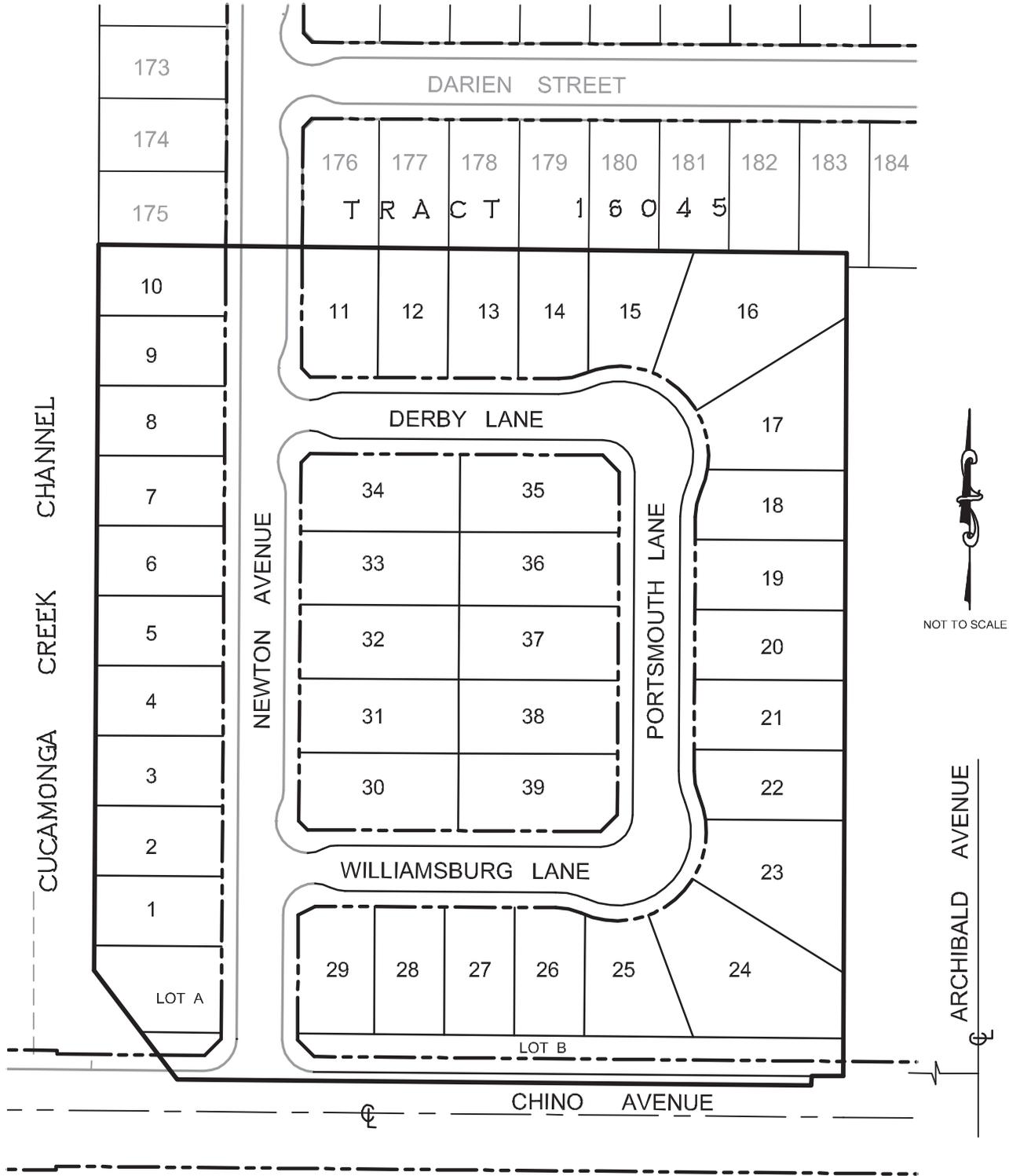
4

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 21<sup>st</sup> 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: \_\_\_\_\_

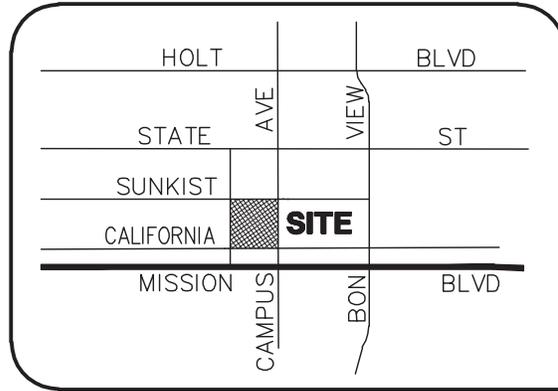
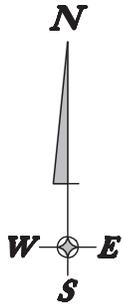
Continued to: \_\_\_\_\_

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 21<sup>st</sup> 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: \_\_\_\_\_

6

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 21<sup>st</sup> 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:

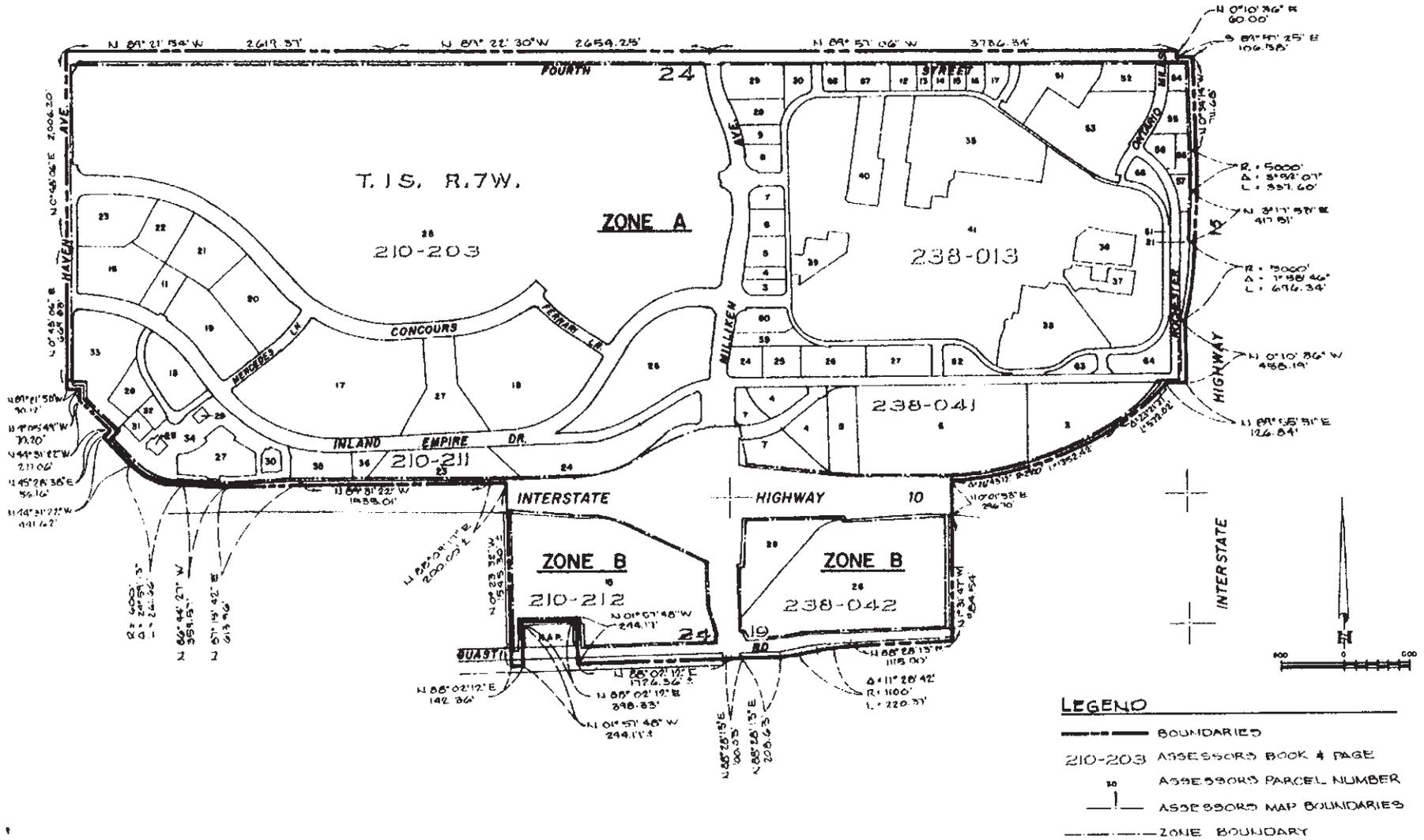
Zone "A":	\$ 819.08 per Taxable Acre
Zone "B":	\$ 0.00 per Taxable Acre

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: \_\_\_\_\_

7

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	\$ -
<b>Total Annual Tax</b>									<b>\$534,702.03</b>

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 21<sup>st</sup> 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)**

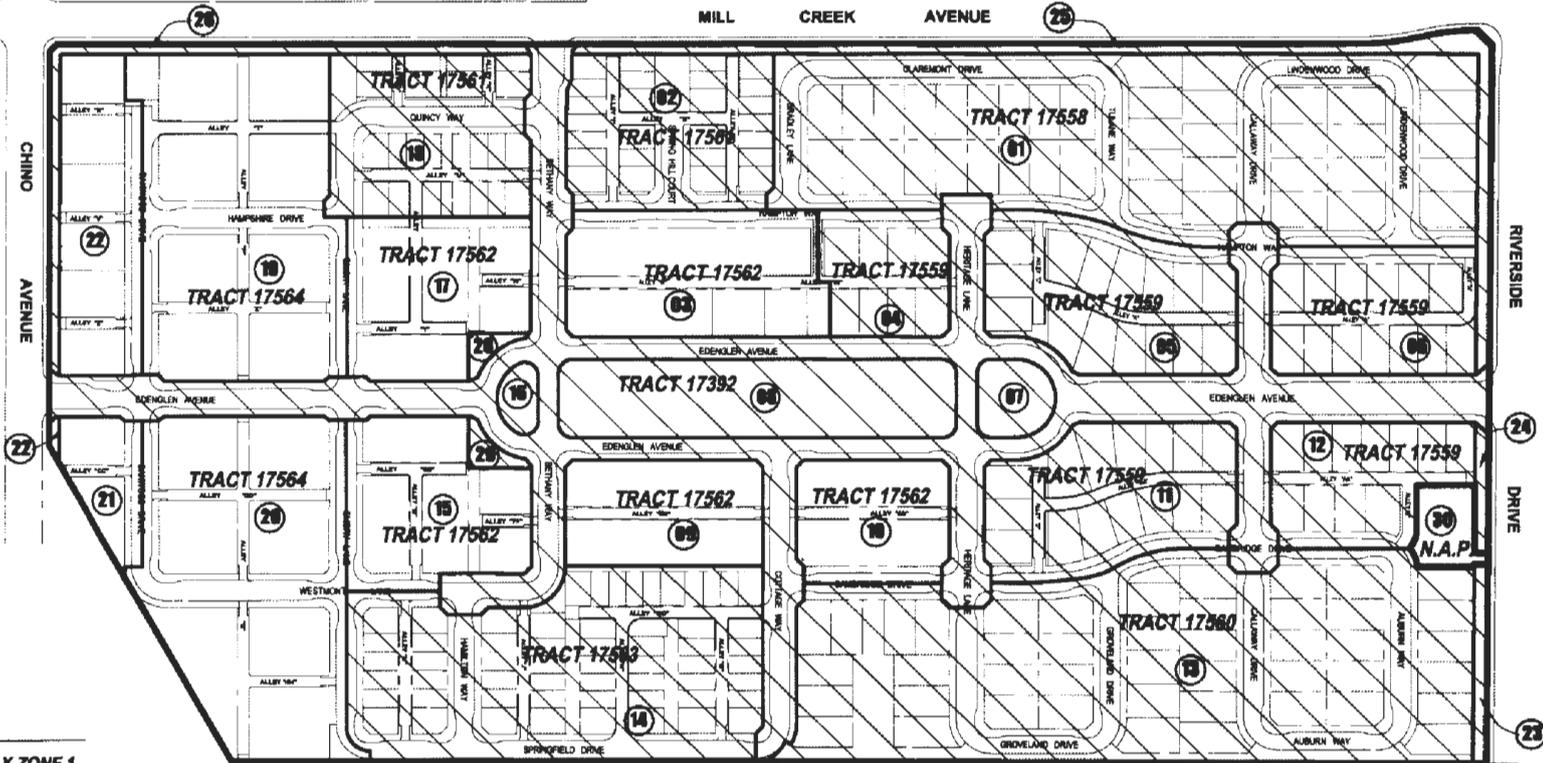
**SPECIAL TAX RATES  
FOR FISCAL YEAR 2016-17**

<b>Land Use</b>	<b>Tax Zone</b>	<b>Annual Tax Rates</b>
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: \_\_\_\_\_

8

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 21<sup>st</sup> 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)**

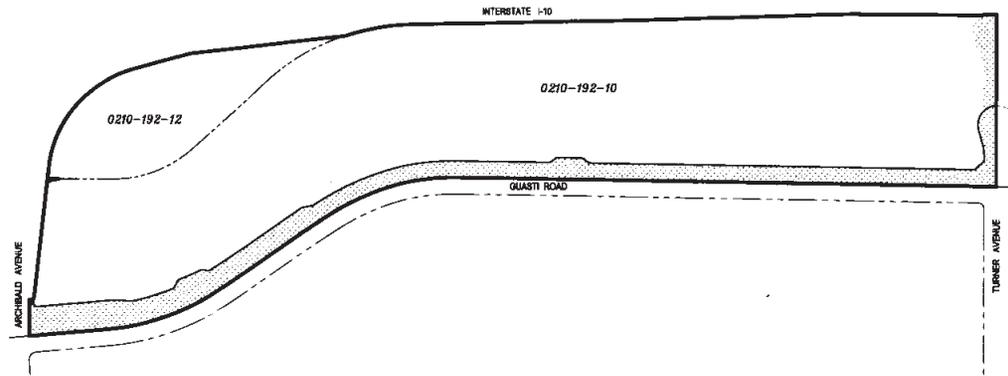
**SERVICES SPECIAL TAX RATE  
FOR FISCAL YEAR 2016-17**

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:

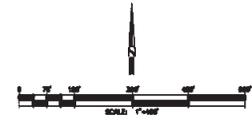
FY 2016-17 Special Tax Rate:                      \$580.02 per Acre

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: \_\_\_\_\_

9

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**

<b>Land Use Class</b>	<b>Description</b>		<b>FY 2015-16 Annual Tax Rates</b>	<b>FY 2016-17 Maximum Tax Rates</b>	<b>FY 2016-17 Proposed Annual Tax Rates</b>	<b>Totals</b>
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
<b>Total Annual Tax</b>						<b>\$ 383,571.35</b>

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 21<sup>st</sup> 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**

<b>Land Use Class</b>	<b>Description</b>	<b>Annual Tax Rates</b>
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 2<sup>nd</sup> 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 1<sup>st</sup> 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 4<sup>th</sup> 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

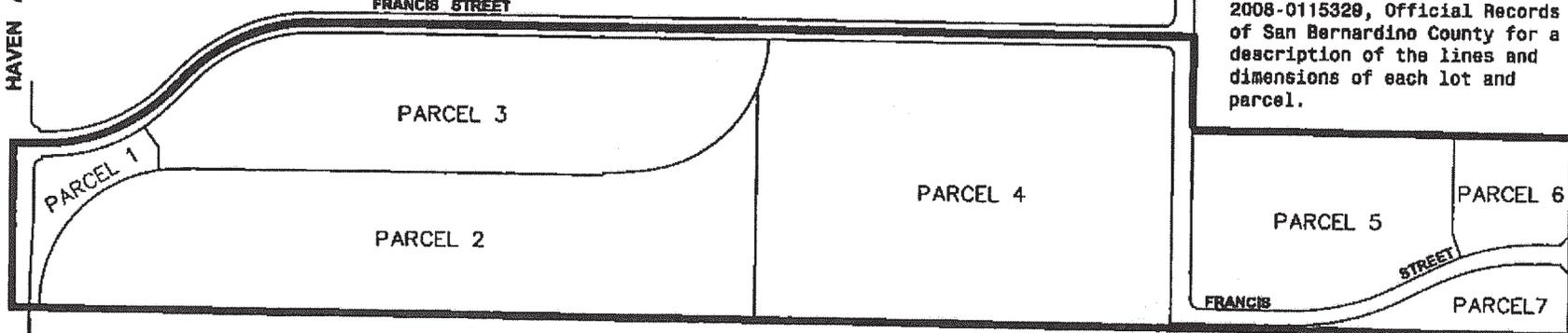
DUPONT STREET

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



# 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 5<sup>th</sup> Street and 6<sup>th</sup> 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 21<sup>st</sup> 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 Kead 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 Kead Assistant City  
Clerk of the City of Ontario



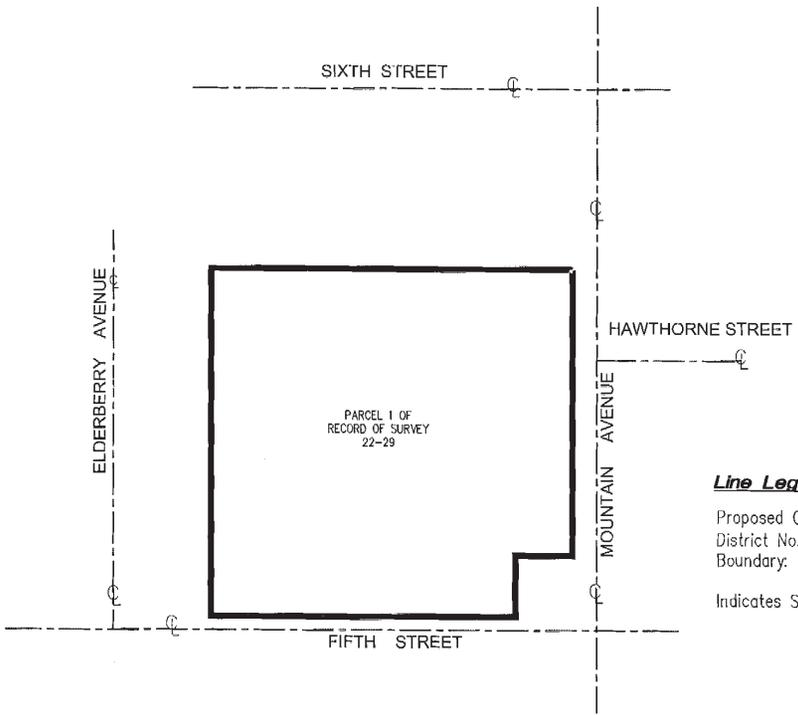
San Bernardino County Recorder's Certificate

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**

<b>Land Use</b>	<b>FY 2015-16 Assessed Tax Levy</b>	<b>FY 2016-17 Maximum Tax Rates</b>	<b>FY 2016-17 Proposed Annual Tax Rates</b>	<b>No. of Units</b>	<b>Totals</b>
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
<b>Total Annual Tax</b>					<b>\$50,132.10</b>

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 21<sup>st</sup> 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**

<b>Land Use Class</b>	<b>Land Use</b>	<b>Annual Tax Rates</b>
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



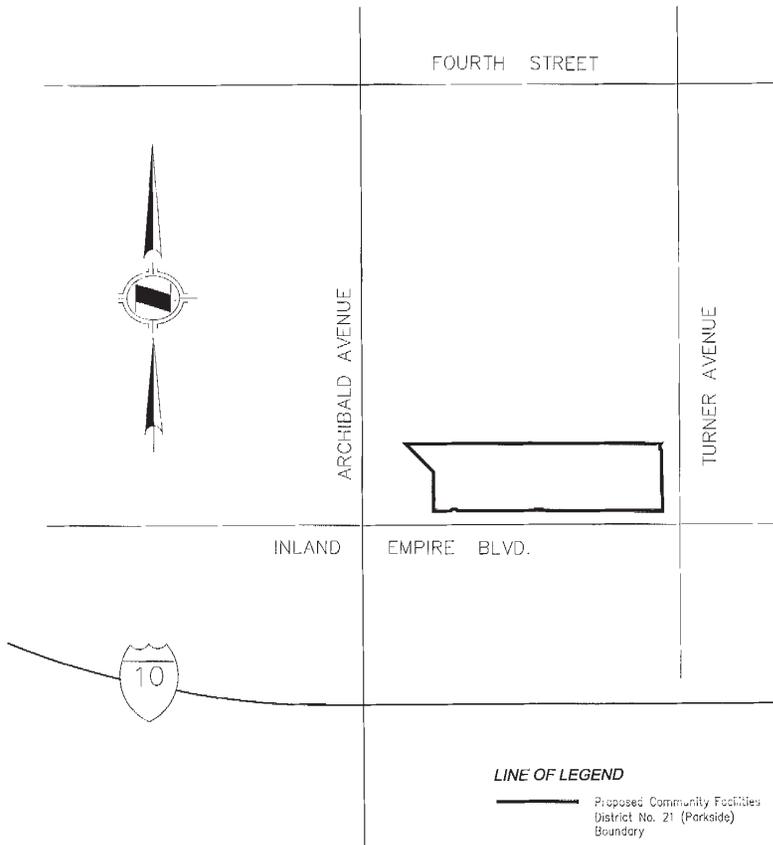
San Bernardino County Recorder's Certificate

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



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: \_\_\_\_\_

12

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**

	<b>FY 2015-16 Annual Tax Rates</b>	<b>FY 2016-17 Maximum Tax Rates</b>	<b>FY 2016-17 Proposed Annual Tax Rates</b>	<b>No. of Units</b>	<b>Total</b>
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	-	\$ -
<b>Annual Tax Amount</b>					<b>\$414,049.68</b>

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 21<sup>st</sup> 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)**

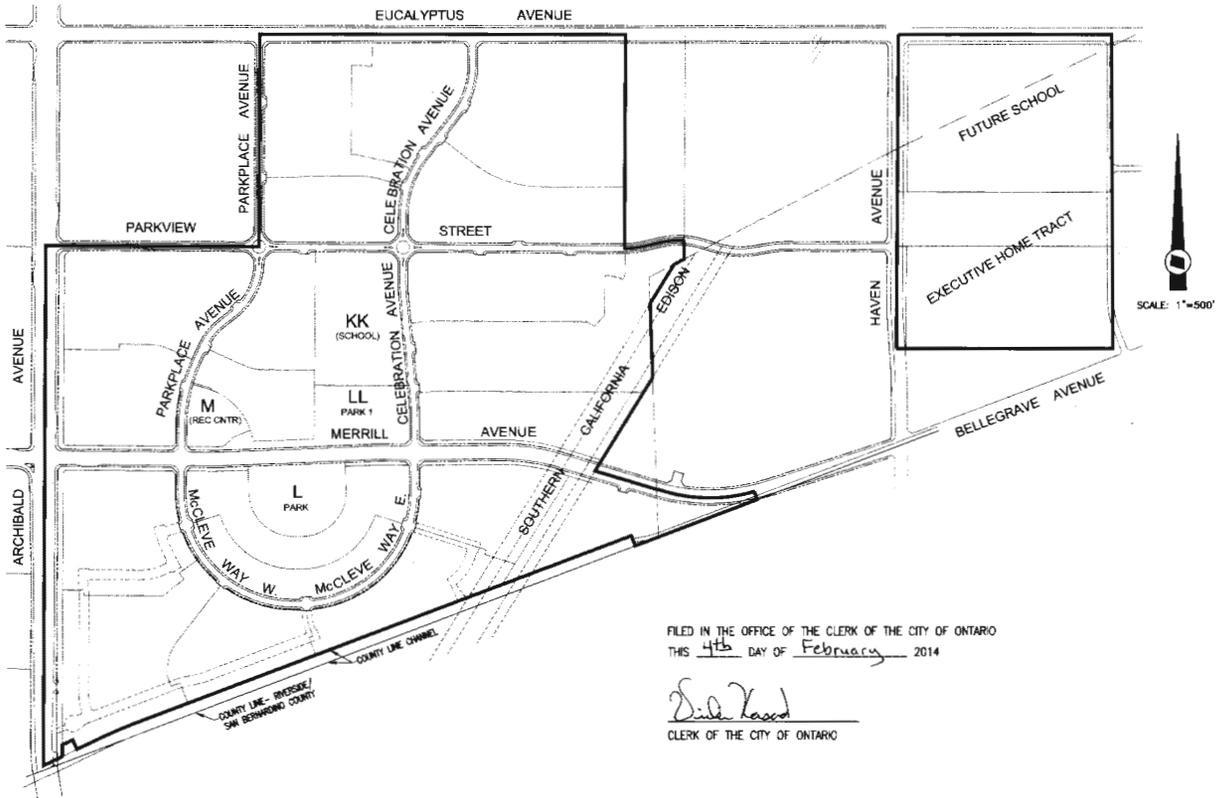
**SPECIAL TAX RATES  
FOR FISCAL YEAR 2016-17**

<b>Land Use</b>	<b>Annual Tax Rates</b>
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.

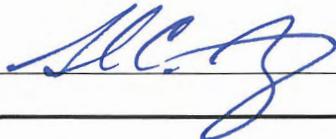
**COUNCIL GOALS:** Regain Local Control of the Ontario International Airport  
Focus Resources in Ontario's Commercial and Residential Neighborhoods  
Ensure the Development of a Well Planned, Balanced and Self-Sustaining Community in the New Model Colony

**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: \_\_\_\_\_

13

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
					<b>Annual Tax Total</b>	<b>\$1,124,510.68</b>

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 21<sup>st</sup> 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**

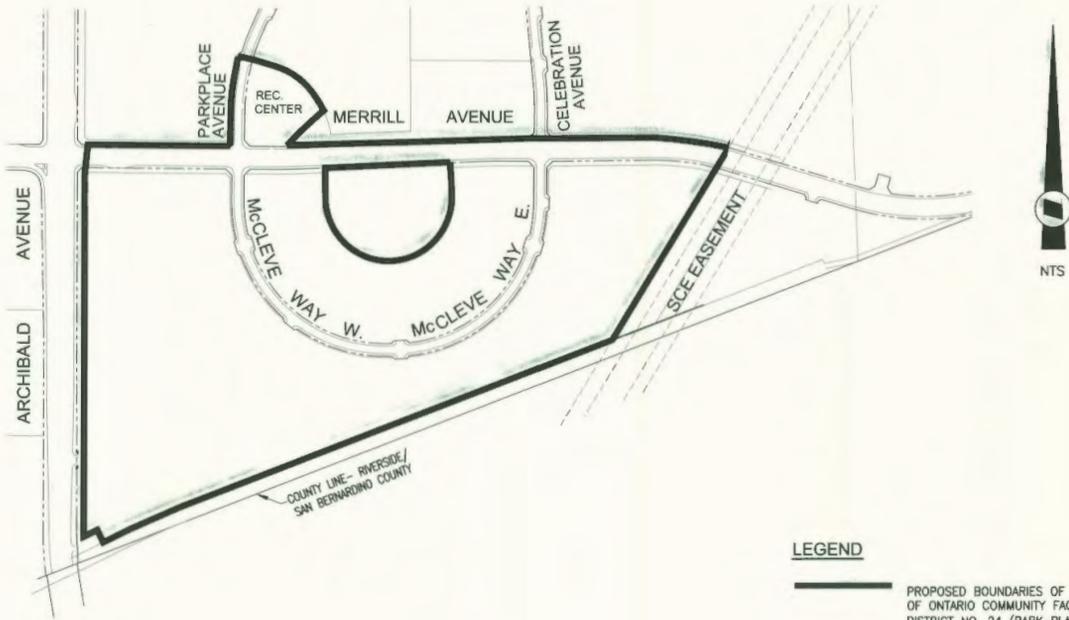
**ANNUAL FACILITIES TAX RATES**

<b>Land Use</b>	<b>Residential Floor Area (Sq. Ft.)</b>	<b>FY 2016-17 Assigned/Maximum Tax Rates</b>		<b>FY 2016-17 Proposed Annual Tax Rates</b>	
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

<b>Land Use</b>	<b>No. of Acres</b>	<b>FY 2016-17 Assigned/Maximum Tax Rates</b>		<b>FY 2016-17 Proposed Annual Tax Rates</b>	
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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 4<sup>th</sup> 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**

	<b>FY 2015-16 Annual Tax Rates</b>	<b>FY 2016-17 Maximum Tax Rates</b>	<b>FY 2016-17 Proposed Annual Tax Rates</b>	<b>No. of Units</b>	<b>Total</b>
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	-	\$ -
<b>Annual Tax Amount</b>					<b>\$208,019.64</b>

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 21<sup>st</sup> 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"**

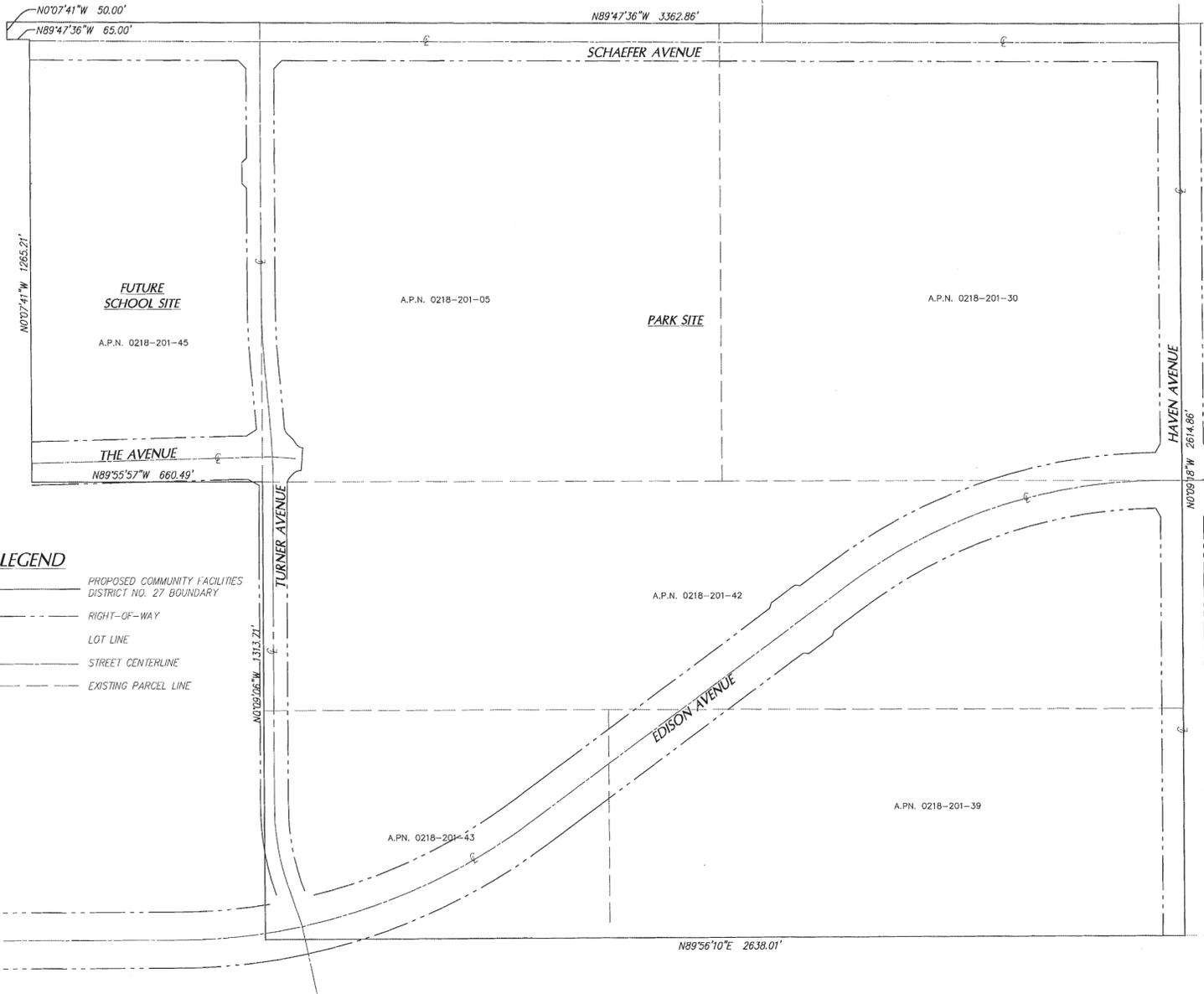
**CITY OF ONTARIO  
COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES)**

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

<b>Land Use</b>	<b>Annual Tax Rates</b>
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 6<sup>th</sup> 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 12<sup>th</sup> 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	-
				<b>Annual Tax Total</b>	<b>\$239,353.00</b>

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 21<sup>st</sup> 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"**

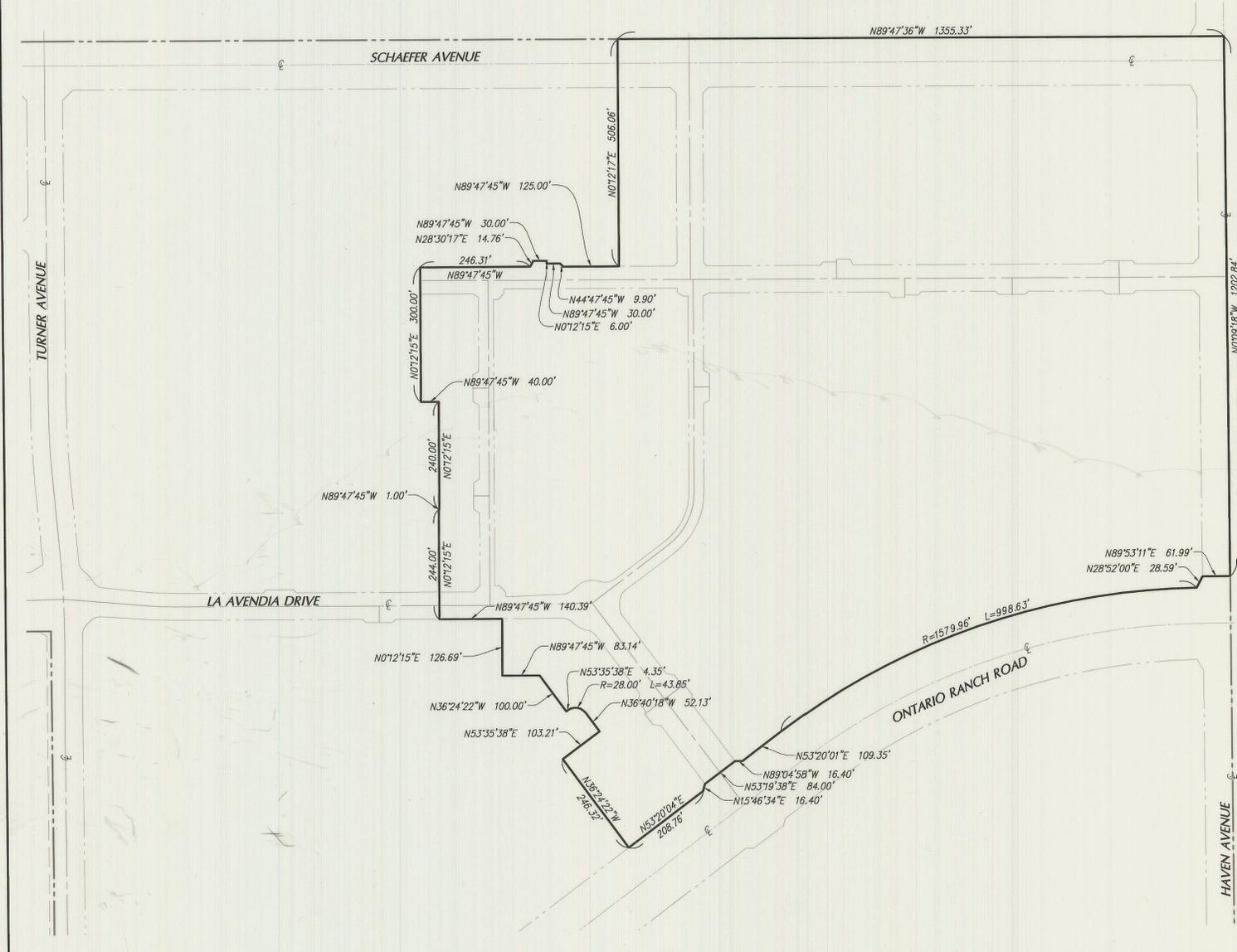
**CITY OF ONTARIO  
COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES – AREA A)**

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

**ANNUAL FACILITIES TAX RATES**

<b>Land Use</b>	<b>Residential Floor Area (Sq. Ft.)</b>	<b>No. of Units/ Acres</b>	<b>FY 2016-17 Assigned/Maximum Tax Rates</b>	<b>FY 2016-17 Proposed Annual Tax Rates</b>	<b>Total</b>
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	-
<b>Annual Tax Total</b>					<b>\$239,353.00</b>

**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 15<sup>th</sup> 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 15<sup>th</sup> 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 22<sup>nd</sup> 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 Luvio 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
<b>Developed Property:</b>					
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
<b>Annual Tax Amount</b>					<b>\$235,815.00</b>

**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.	-
<b>Annual Tax Amount</b>				<b>\$112,476.00</b>

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 21<sup>st</sup> 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**

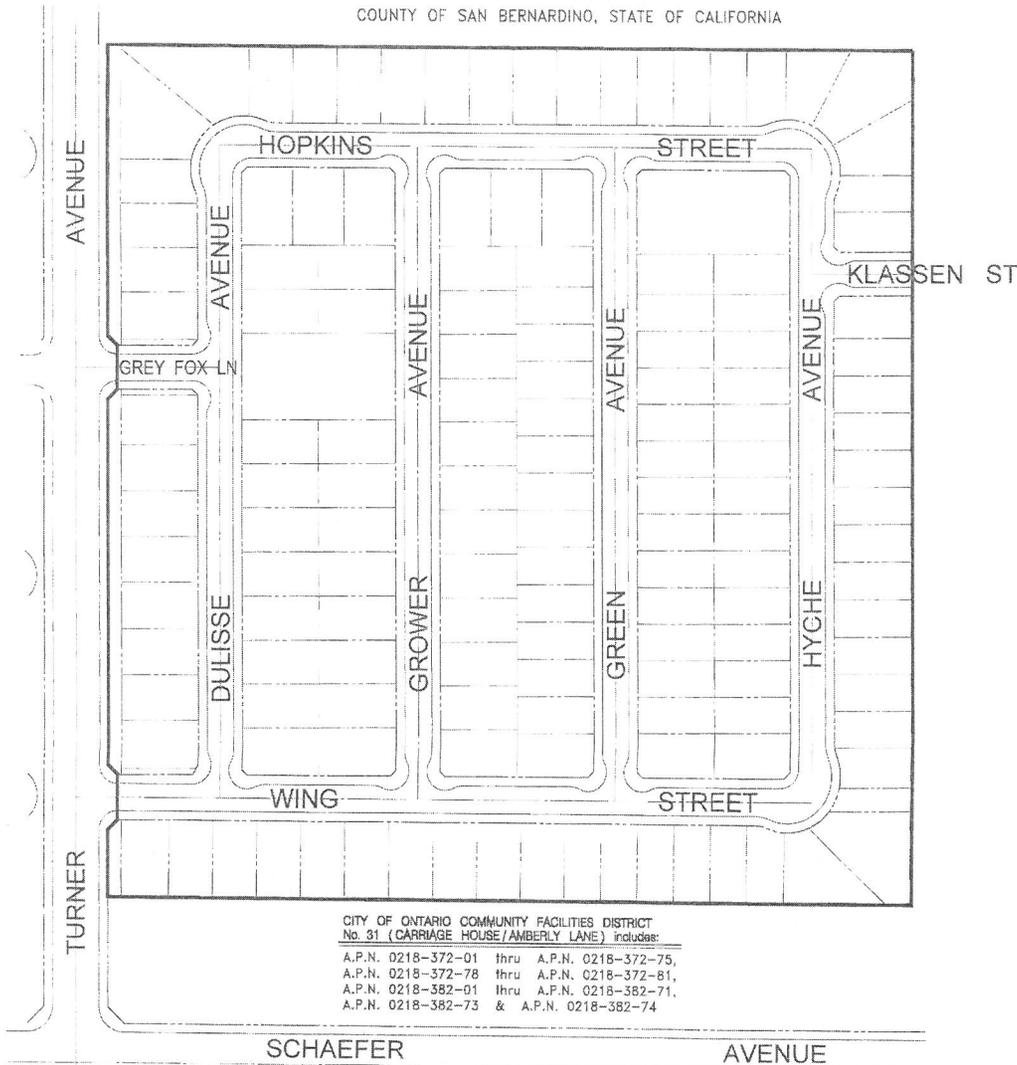
**ANNUAL FACILITIES TAX RATES**

<b>Land Use</b>	<b>Residential Floor Area (Sq. Ft.)</b>	<b>FY 2016-17 Assigned/Maximum Facilities Tax Rates</b>	<b>FY 2016-17 Proposed Annual Tax Rates</b>
<b>Developed Property:</b>			
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**

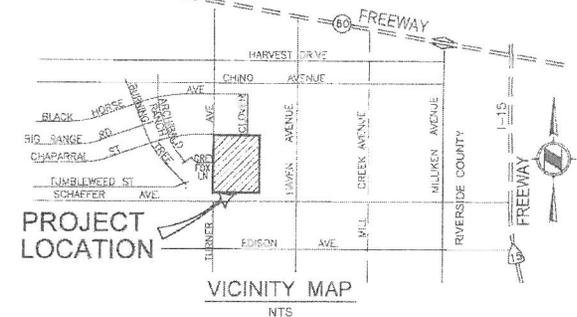
<b>Land Use</b>	<b>FY 2016-17 Maximum Tax Rates</b>	<b>FY 2016-17 Proposed Annual Tax Rates</b>	<b>Total</b>
<b>Developed Property:</b>			
Single Family Detached	\$1,499.68 per Unit	\$1,499.68 per Unit	\$112,476.00
Multiple Family	\$1,300.00 per Unit	\$1,300.00 per Unit	\$0.00
Gated Apartment Community	\$1,089.92 per Unit	\$1,089.92 per Unit	\$0.00
<b>Non-Residential Property</b>			
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 14<sup>th</sup> 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 21<sup>st</sup> day of April, 2015, by its Resolution No. 2015-029.

*Dick Yand*  
 Asst. City Clerk of the City of Ontario

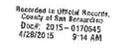
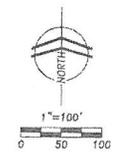


**SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE**

Filed this 28<sup>th</sup> 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-Kott*  
 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:

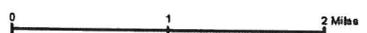
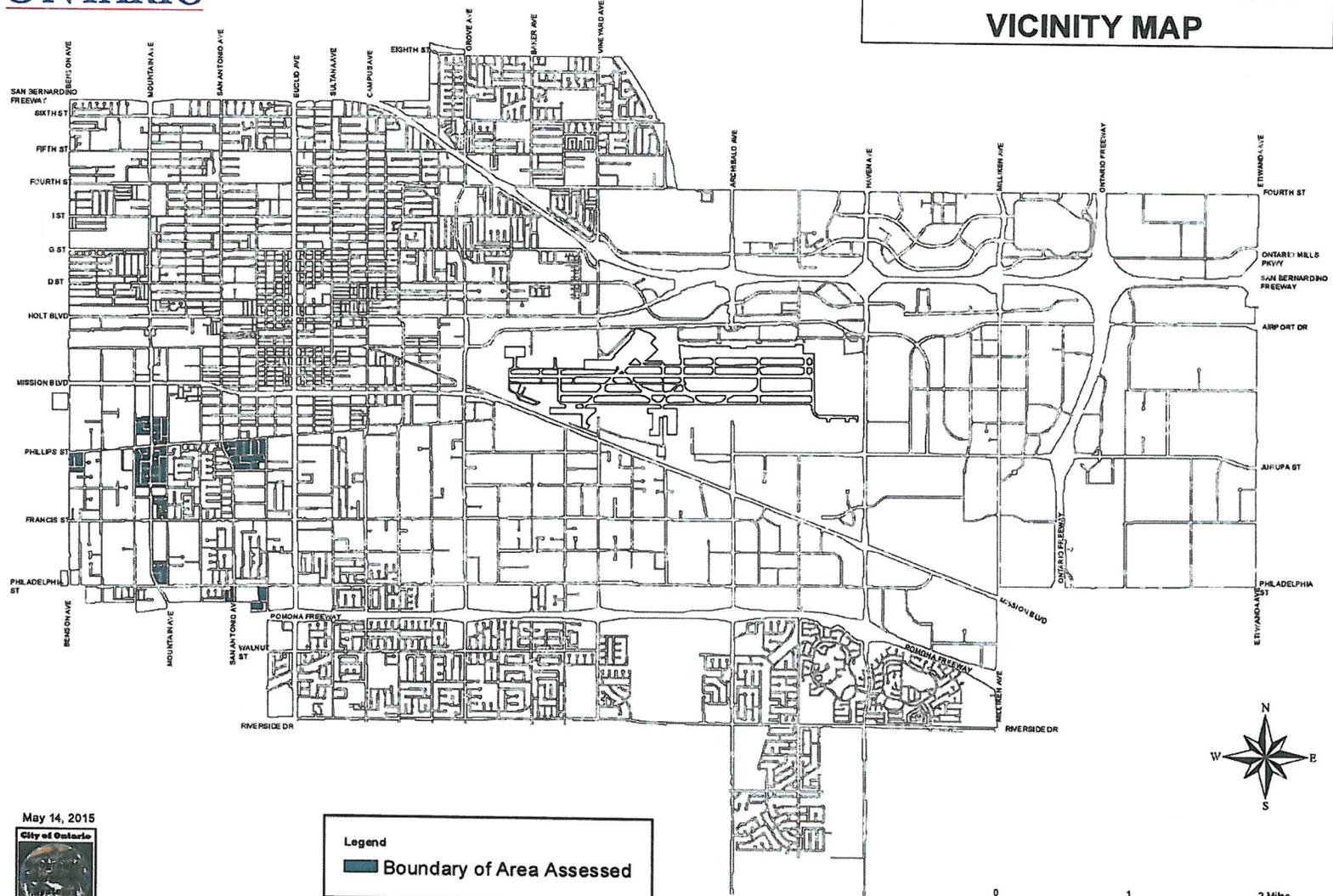
	Prior Year 2015-16	Proposed 2016-17	Maximum 2016-17
MA# 99-1	\$ 50.58 per lot	\$ 51.70	\$ 52.15
MA# 99-2	\$ 319.06 per lot	\$ 327.23	\$ 328.95
MA# 99-3	\$ 984.53 per acre	\$ 1,016.70	\$ 1,181.19
MA# 00-1	\$ 241.71 per lot	\$ 246.28	\$ 323.97
MA# 04-1	\$ 977.65 per lot	\$ 990.48	\$ 2,063.63
MA# 05-1	\$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



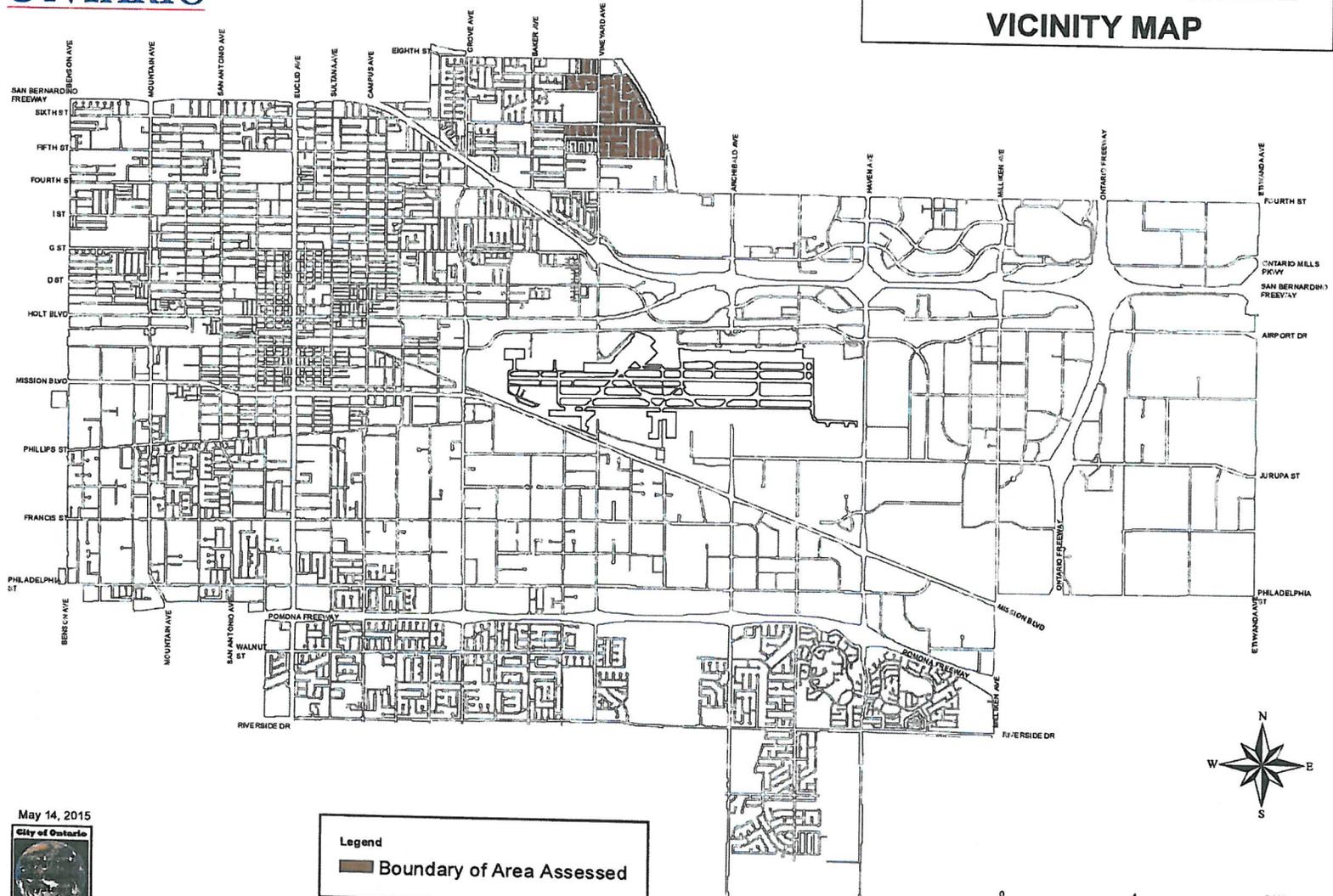
**Legend**  
■ Boundary of Area Assessed



Planned and maintained by the City of Ontario. All rights reserved.



# Ontario Parkway Maintenance Assessment District No. 2 VICINITY MAP



Plus:\ns\loc\Map\m\m\sect\2014\CP\MAD\_2\_vicinity.mxd

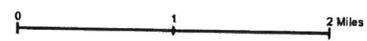
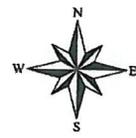
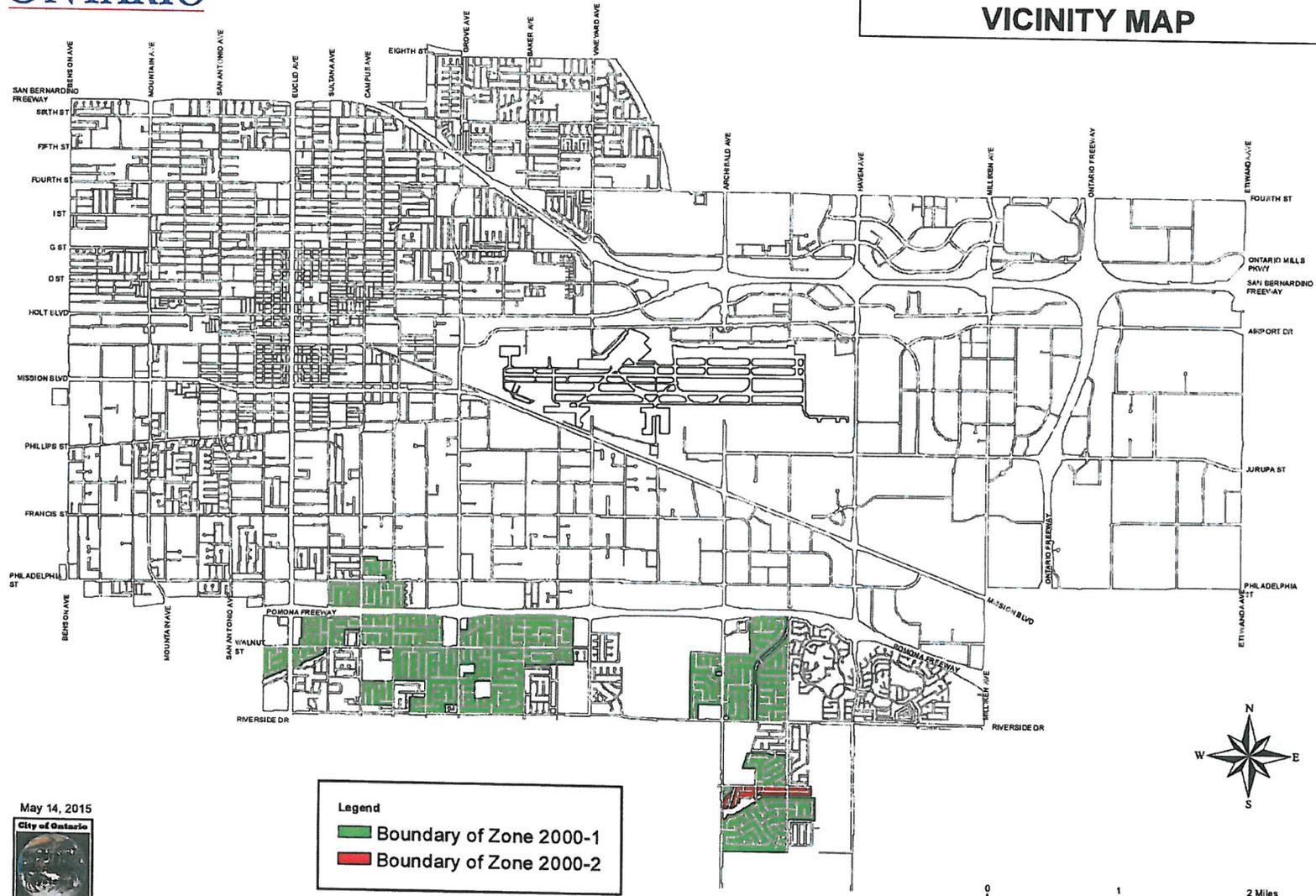
May 14, 2015



**Legend**  
■ Boundary of Area Assessed



# Ontario Parkway Maintenance Assessment District No. 3 VICINITY MAP



**Legend**

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

May 14, 2015



P:\water\backfill\mads\mads\2015\NCP\MAD\_3\_vicinity.mxd



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 21<sup>st</sup> 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)

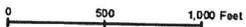


# Ontario Parkway Maintenance Assessment District No. 1 Boundary and Inventory Map



P:\mains\mains\mains\1001\OPMAD\_1\boundary\_1.mxd

May 14, 2015



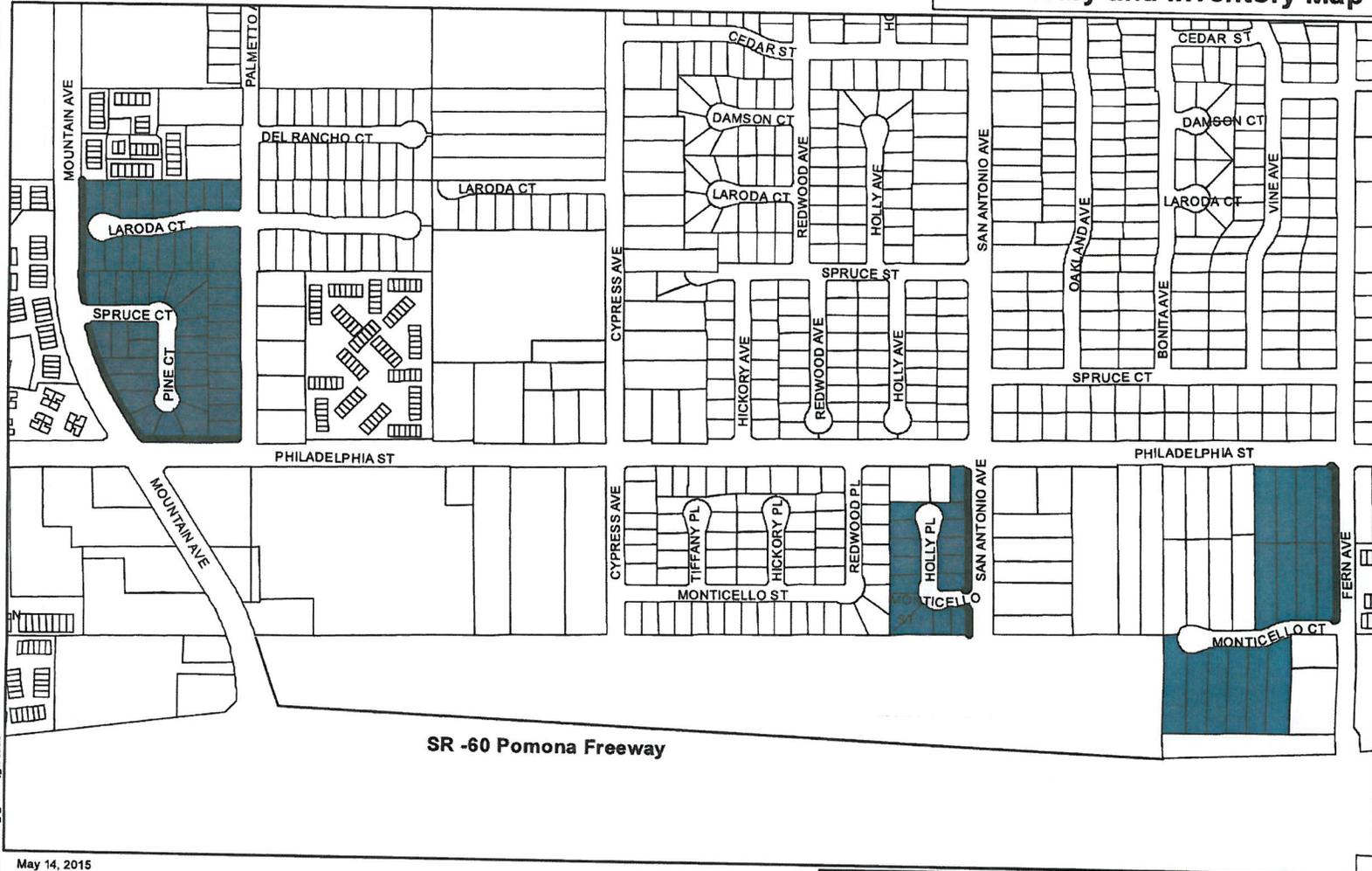
- Legend**
- Areas Maintained
  - Boundary of Area Assessed

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

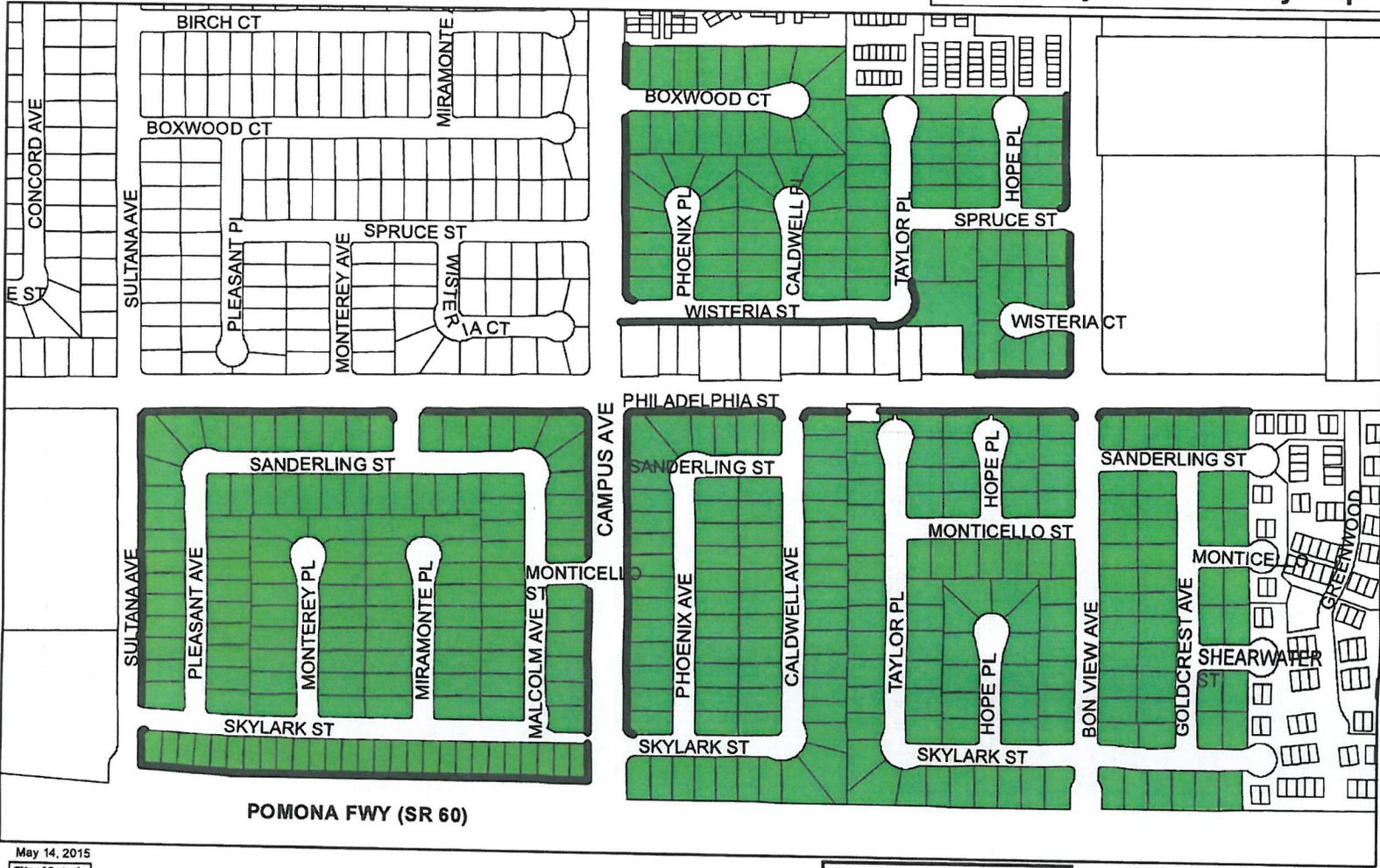
Map 2 of 2

**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.

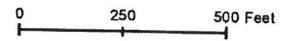




# Ontario Parkway Maintenance Assessment District No. 3 Boundary and Inventory Map



Planning\Map\MapDocs\2014\DPMA3\_3\_boundary\_1012.mxd  
 May 14, 2015  
 City of Ontario



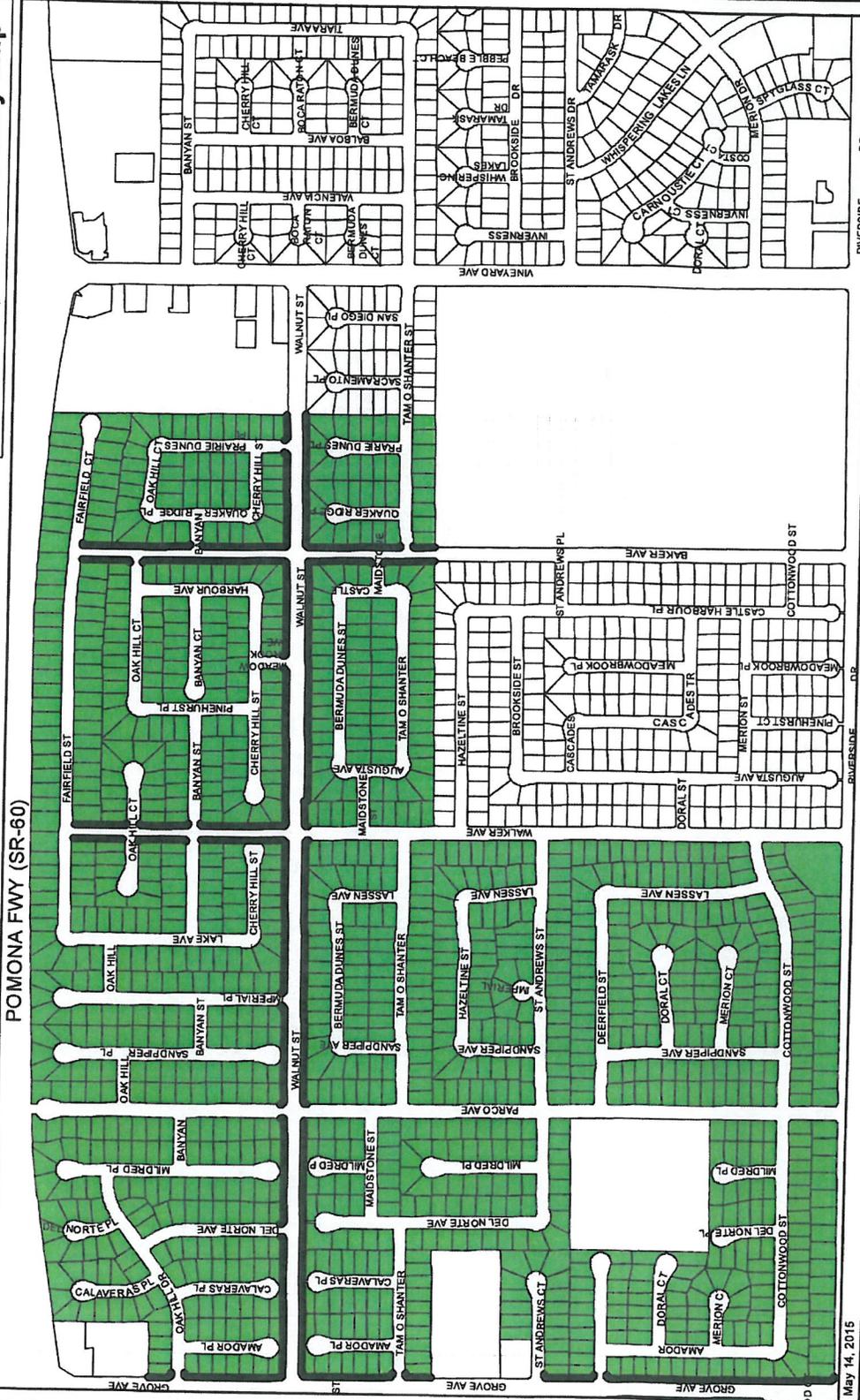
**Legend**      **Map 1 of 5**

- 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**

- Areas Maintained
- Boundary of Zone 2000-1

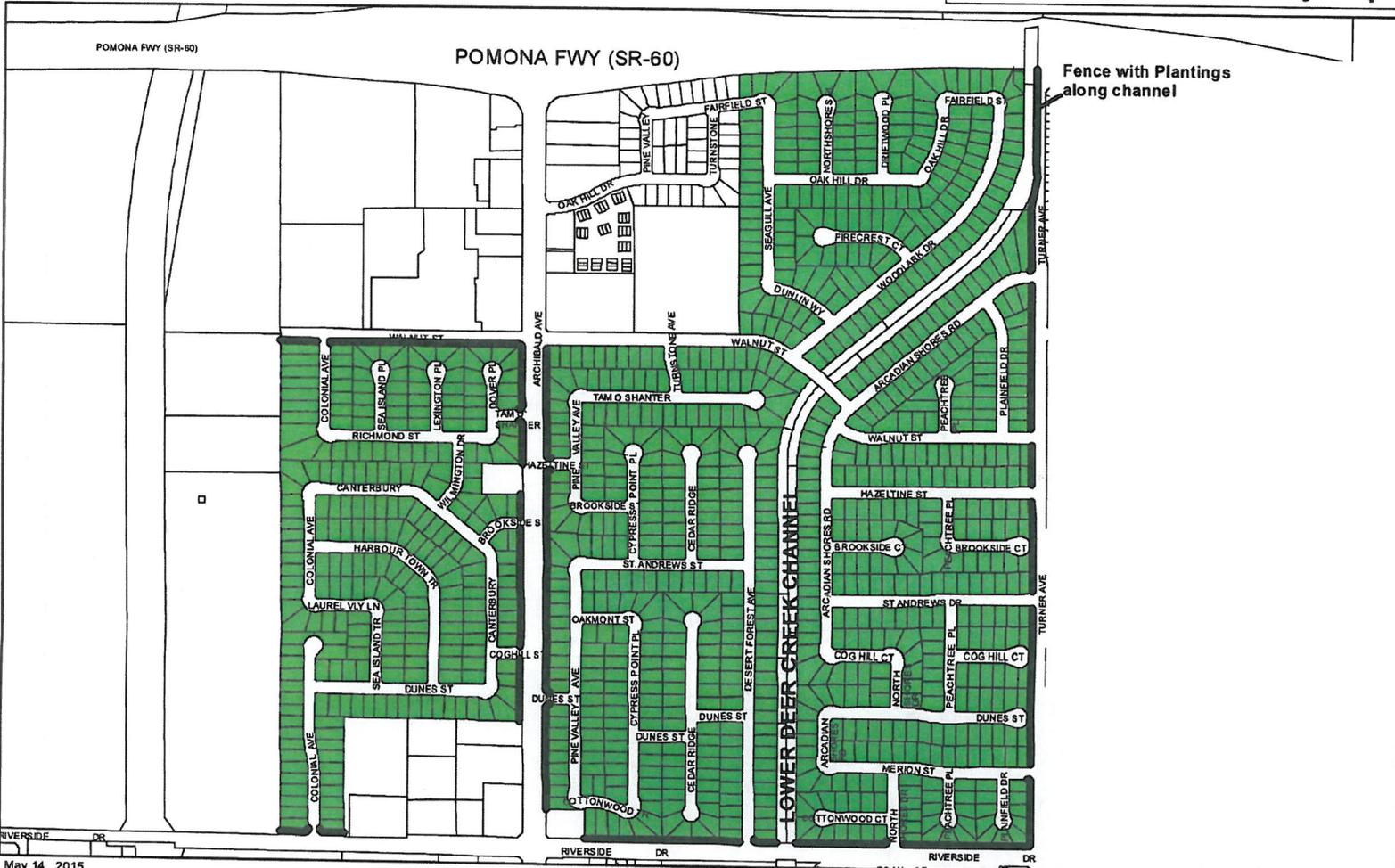


May 14, 2015



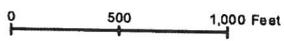


# Ontario Parkway Maintenance Assessment District No. 3 Boundary and Inventory Map



Fence with Plantings along channel

May 14, 2015  
City of Ontario



**Legend** Map 4 of 5

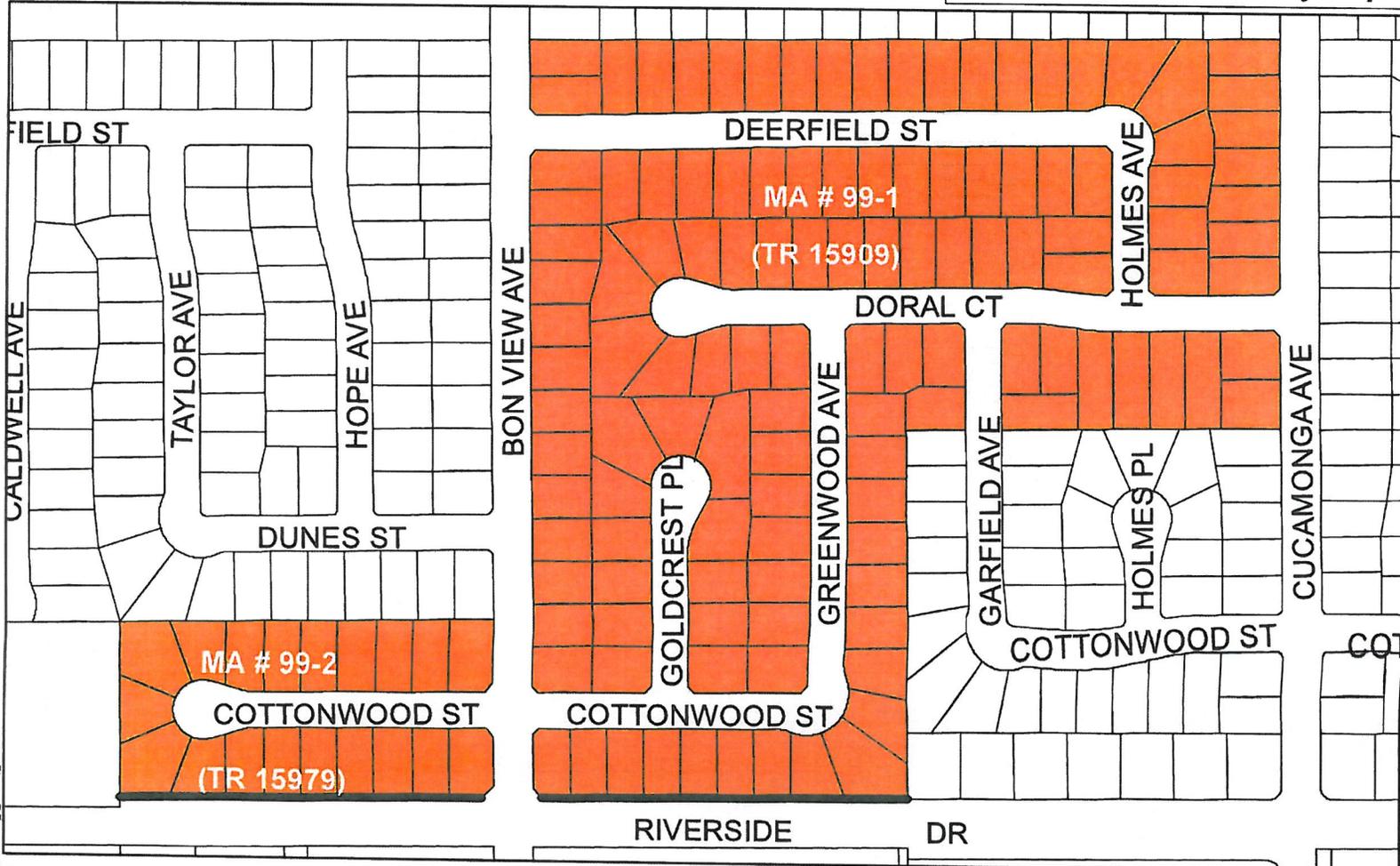
- Areas Maintained
- Boundary of Zone 2000-1

**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.

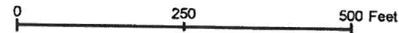




**Ontario Parkway Maintenance  
Assessment District No. 4  
Boundary and Inventory Map**



May 14, 2015  
City of Ontario



**Legend**

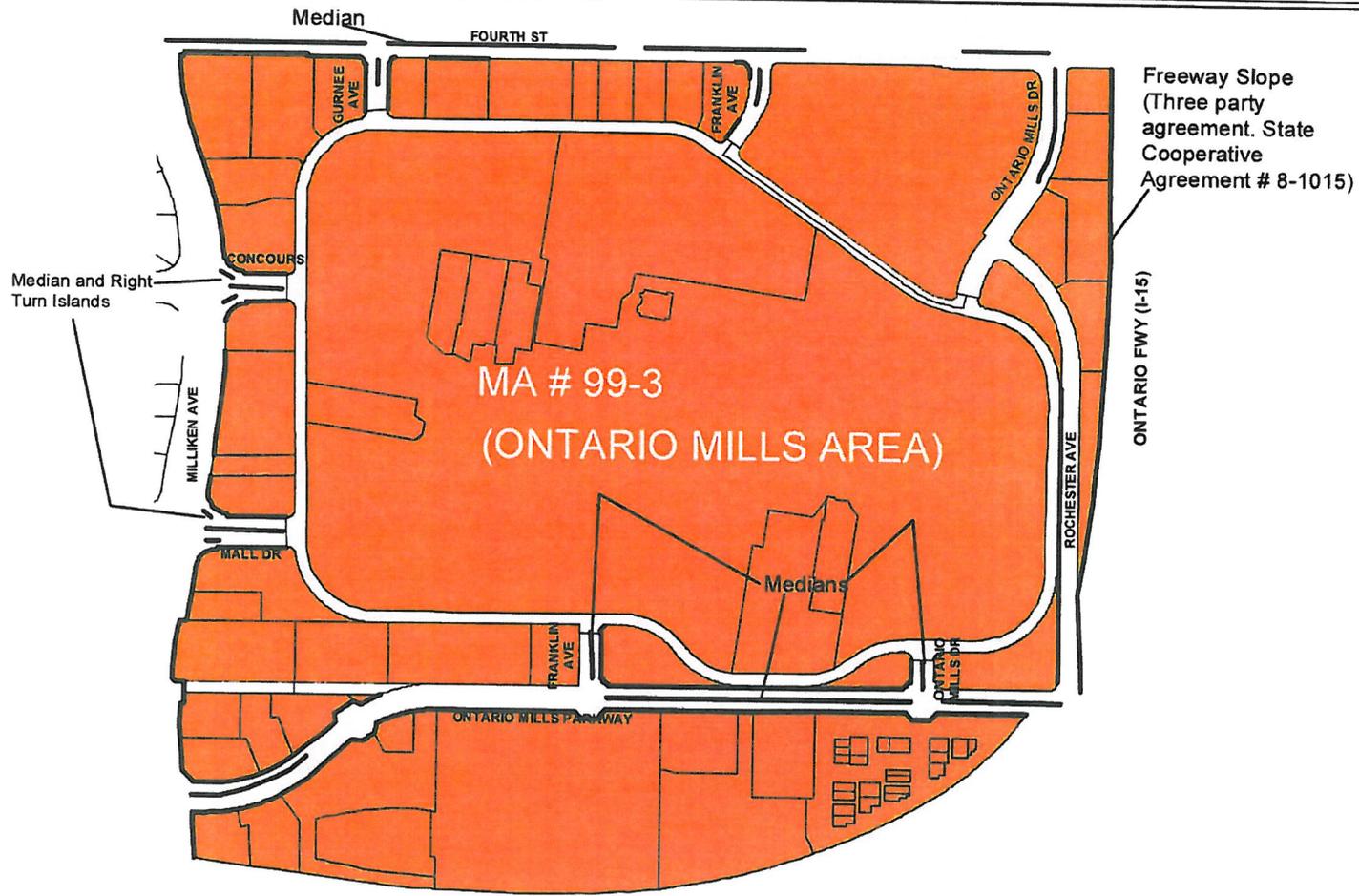
- Areas Maintained
- MA - # Boundary and Maintenance Area #

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

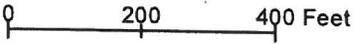
Note: Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



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



May 14, 2015  
City of Ontario



**Legend**

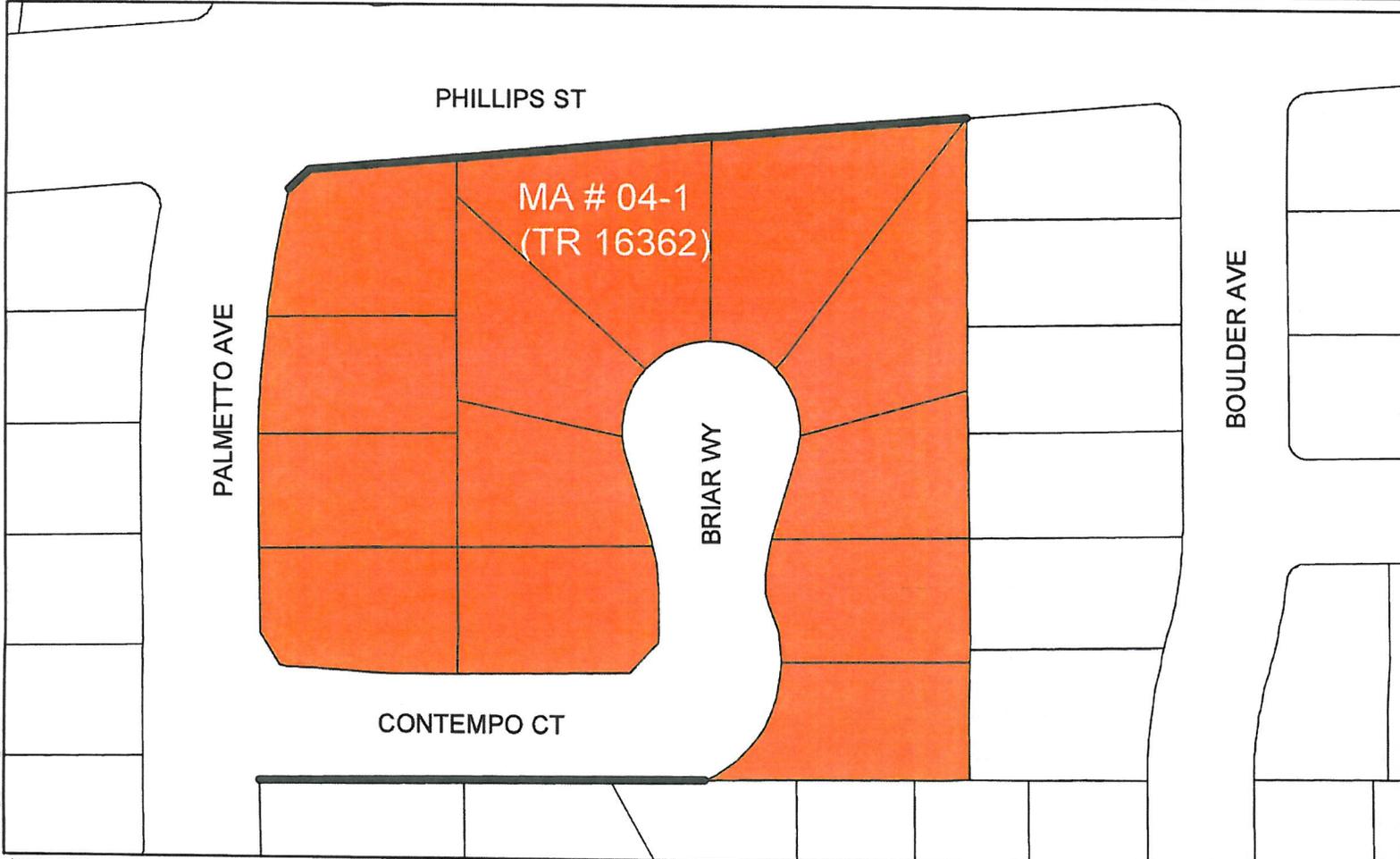
- Areas Maintained
- MA - # Boundary and Maintenance Area #

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**



May 14, 2015  
City of Ontario  


0 45 90 Feet



**Legend**

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

Map 4 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

0 100 200 Feet



**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 21<sup>st</sup> 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 19<sup>TH</sup> 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 21<sup>st</sup> 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 19<sup>TH</sup> 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 21<sup>st</sup> 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

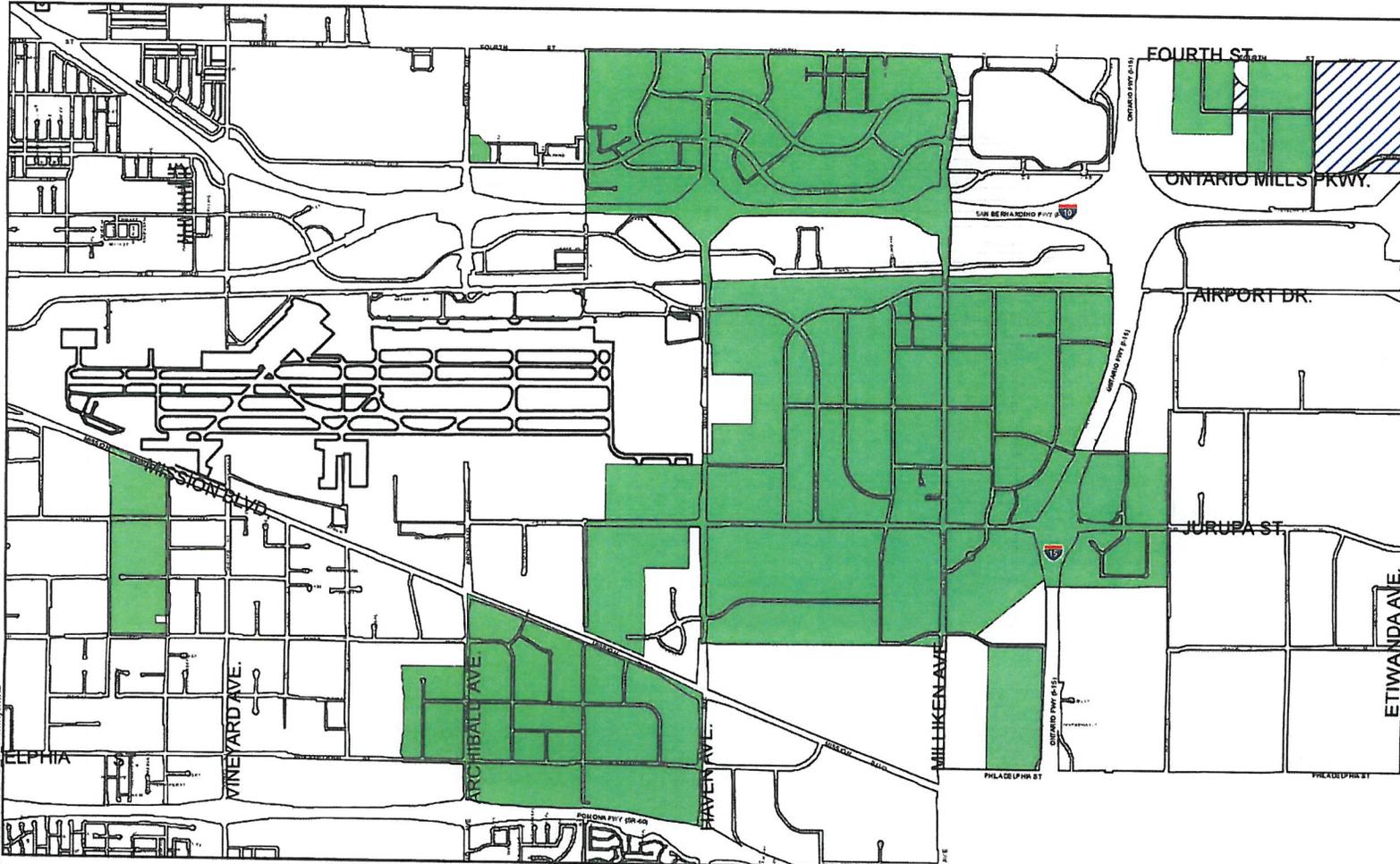
AU-Assessment Unit (e.g. – Zone 2000-1: 1 vacant acre = 0.25 AU; Zone 2000-2: 1 vacant acre = 1 AU)

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

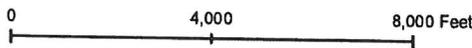


# Street Lighting Maintenance District No.1 VICINITY MAP



P:\users\scott\adm\m\svcs\2014\SLMD\_1\_vicinity.mxd

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.

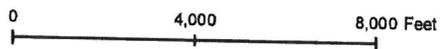


# Street Lighting Maintenance District No.2 VICINITY MAP



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 21<sup>st</sup> 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)

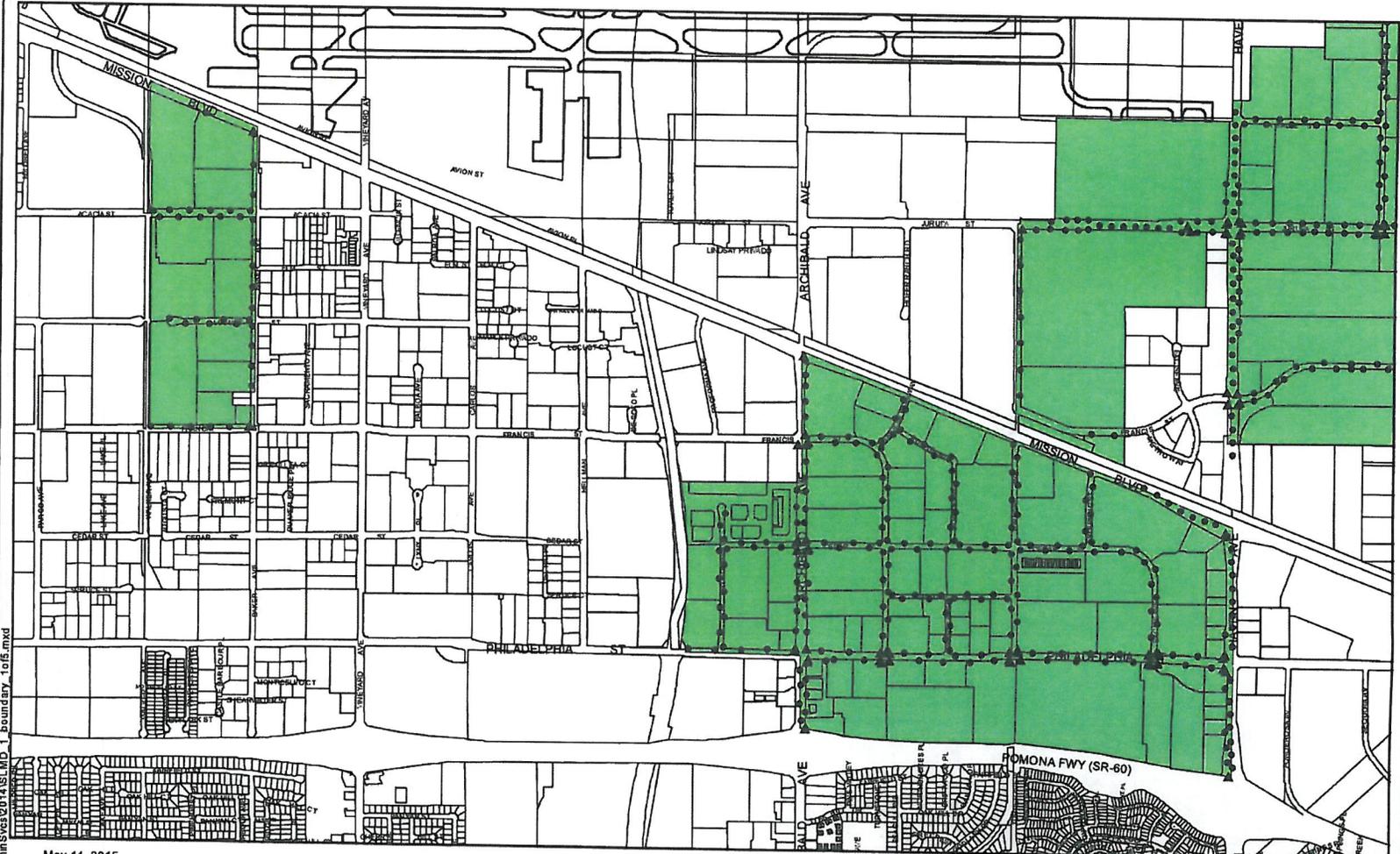
The foregoing is the original of Resolution No. 2016-        duly passed and adopted by the Ontario City Council at their regular meeting held June 21, 2016.

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

(SEAL)

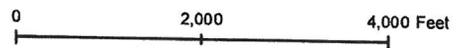


# Street Lighting Maintenance District No.1 Boundary and Inventory Map



P:\users\scott\Admin\SVCS\GIS\MD\_1\_boundary\_1of5.mxd

May 14, 2015



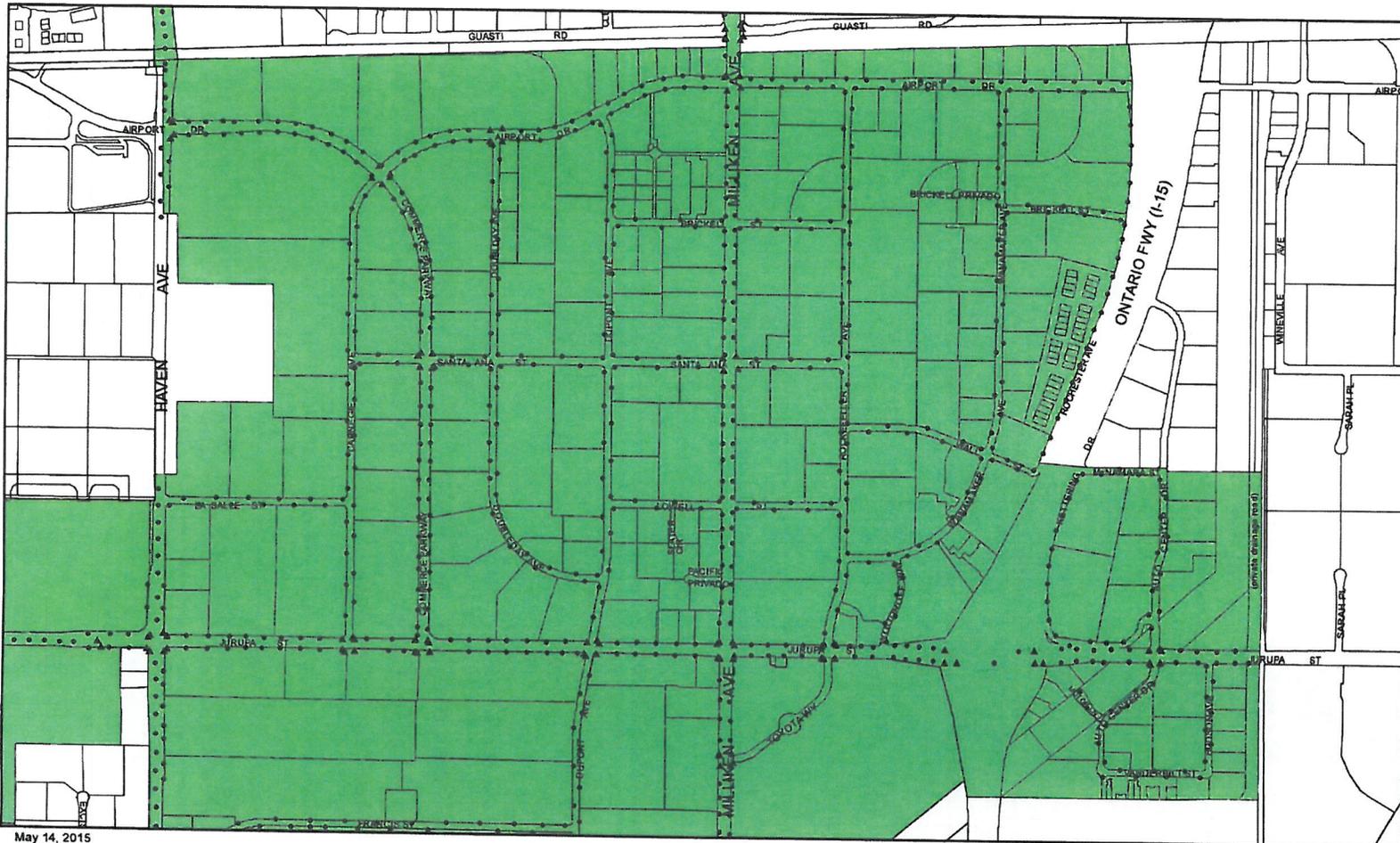
**Legend 1 of 5**

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

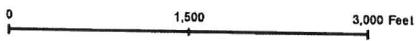
**Note:**  
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.



# Street Lighting Maintenance District No.1 Boundary and Inventory Map



May 14, 2015



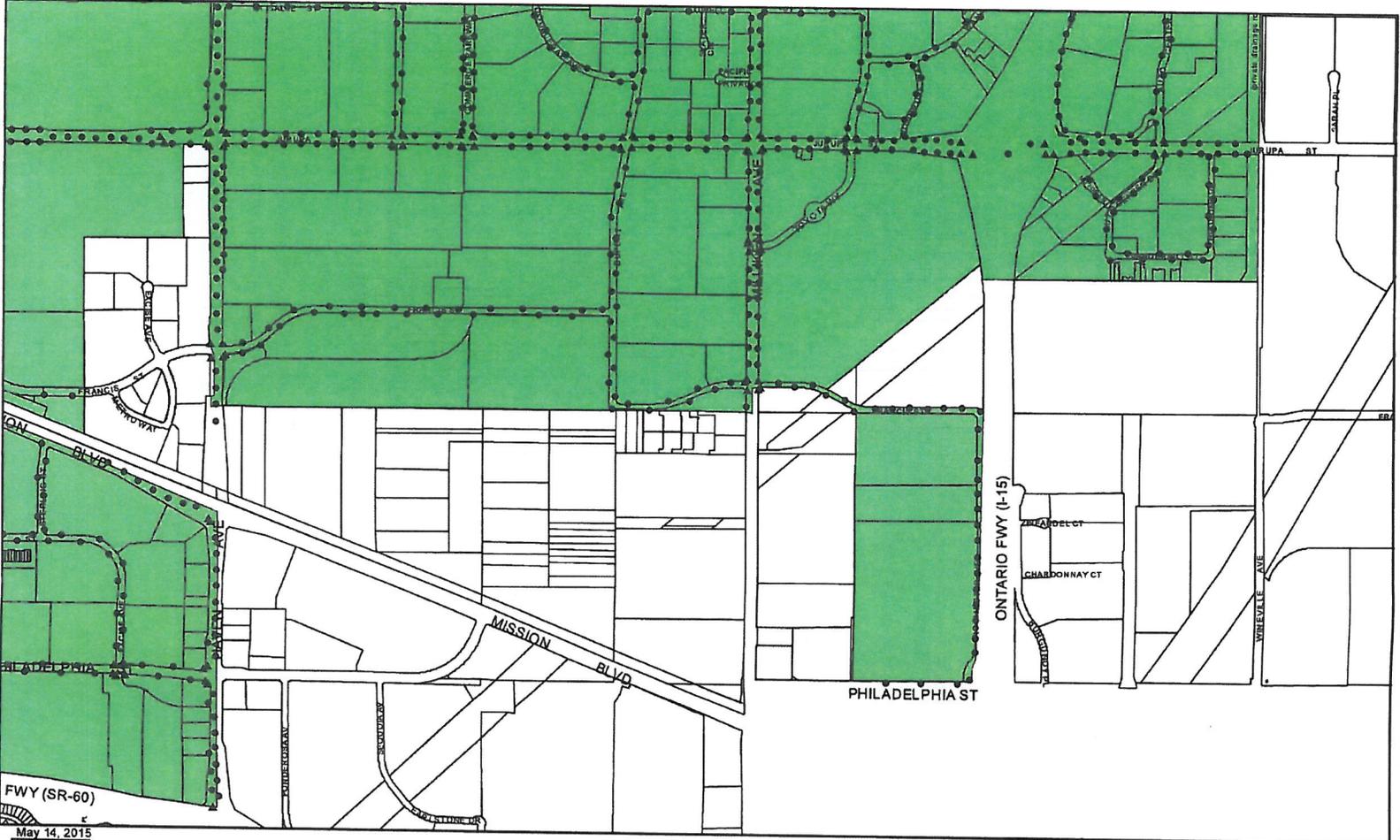
### Legend 2 of 6

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

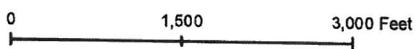
**Note:**  
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown herein.



# Street Lighting Maintenance District No.1 Boundary and Inventory Map



File:assessor\MapInfo\GIS\EXT\GIS\_MD\_L\_bounding\_2015.mxd  
City of Ontario  
May 14, 2015

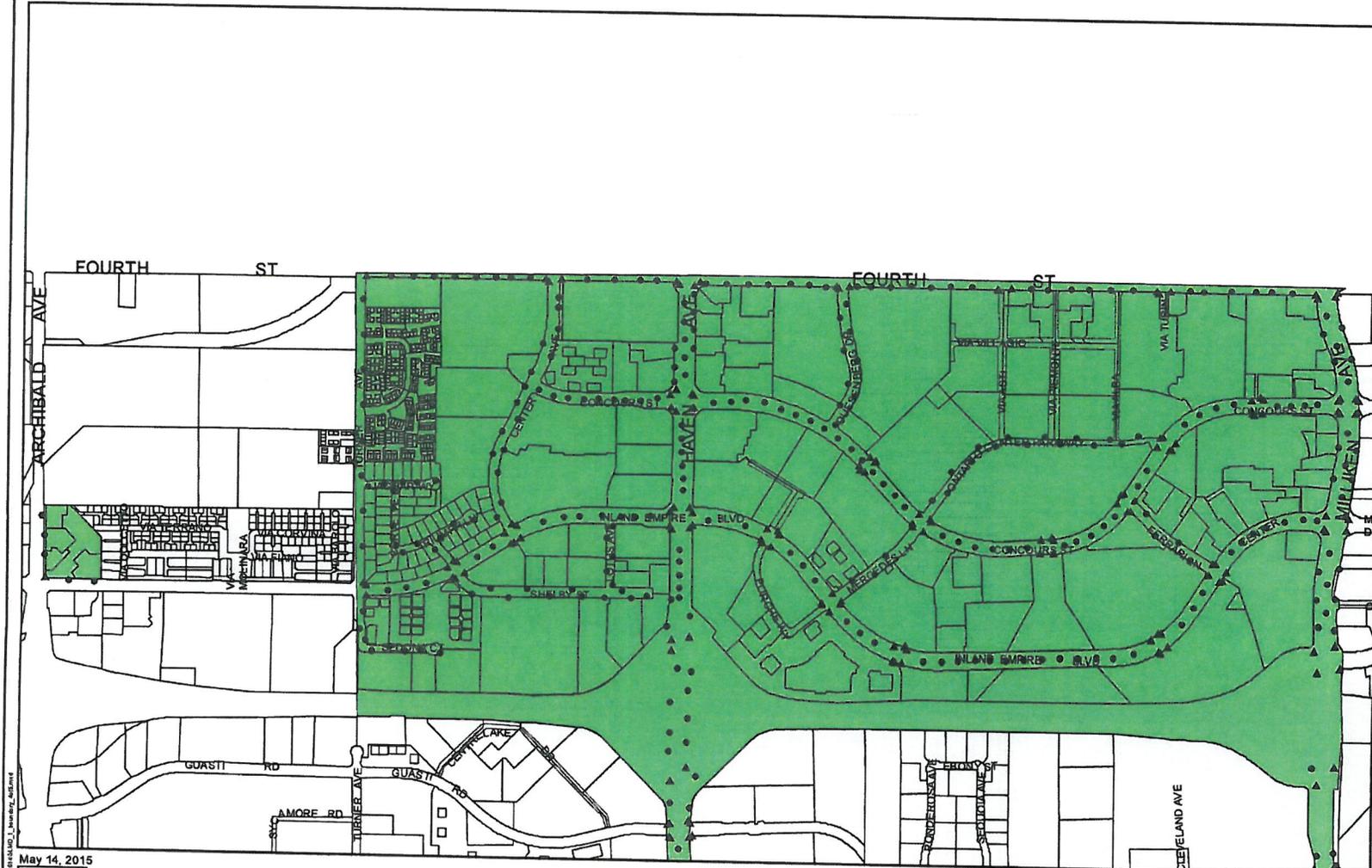


- Legend 3 of 5**
- Street Lights
  - ▲ Safety Lights
  - ZONE 2000-1
  - Zone 2000-2

**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

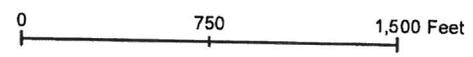
**Note:**  
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.



# Street Lighting Maintenance District No. 1 Boundary and Inventory Map



May 14, 2015



Legend 5 of 5	
●	Street Lights
▲	Safety Lights
■ (Green)	Zone 2000-1
■ (Blue Hatched)	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.

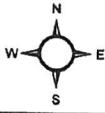
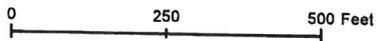
P:\m\sc\ref\m\sc\ref\1201402\MD\_1\_bouary\_505.mxd



# Street Lighting Maintenance District No. 2 Boundary and Inventory Map



P:\user\lca\Admin\Svc\2014\SLMD\_2\_boundary\_1of9.mxd



**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.

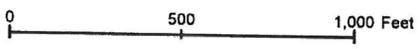


# Street Lighting Maintenance District No. 2 Boundary and Inventory Map



P:\users\lscott\Admin\SVcs\2014\SLMD\_2\boundary\_2018.mxd

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

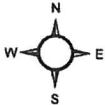
PINE VALLEY

Plusers\acct\Admin\Gva3201\ASLMD\_2\_Boundary\_3018.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.

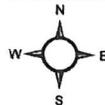
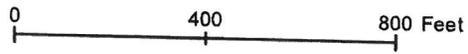


# Street Lighting Maintenance District No. 2 Boundary and Inventory Map



P:\Users\lcomAdmin\lcom\2014\SLMD\_2\_boundary\_0818.mxd

May 14, 2015



**Legend** 9 of 9

- Streetlight
- MA # Boundary and Maintenance Area #

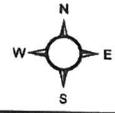
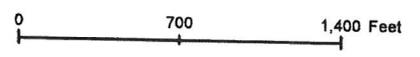
**Note:**  
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

# Street Lighting Maintenance District No. 2 Boundary and Inventory Map



F:\users\ecm\Admin\cva\20146.LMD\_2\_boundary\_408.mxd

May 14, 2015



**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.

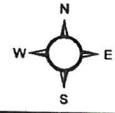
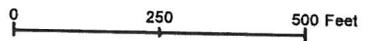


# Street Lighting Maintenance District No. 2 Boundary and Inventory Map



P:\users\ecor\Admin\svcs\2014\SLMD\_2\_Boundary\_5of9.mxd

May 14, 2015



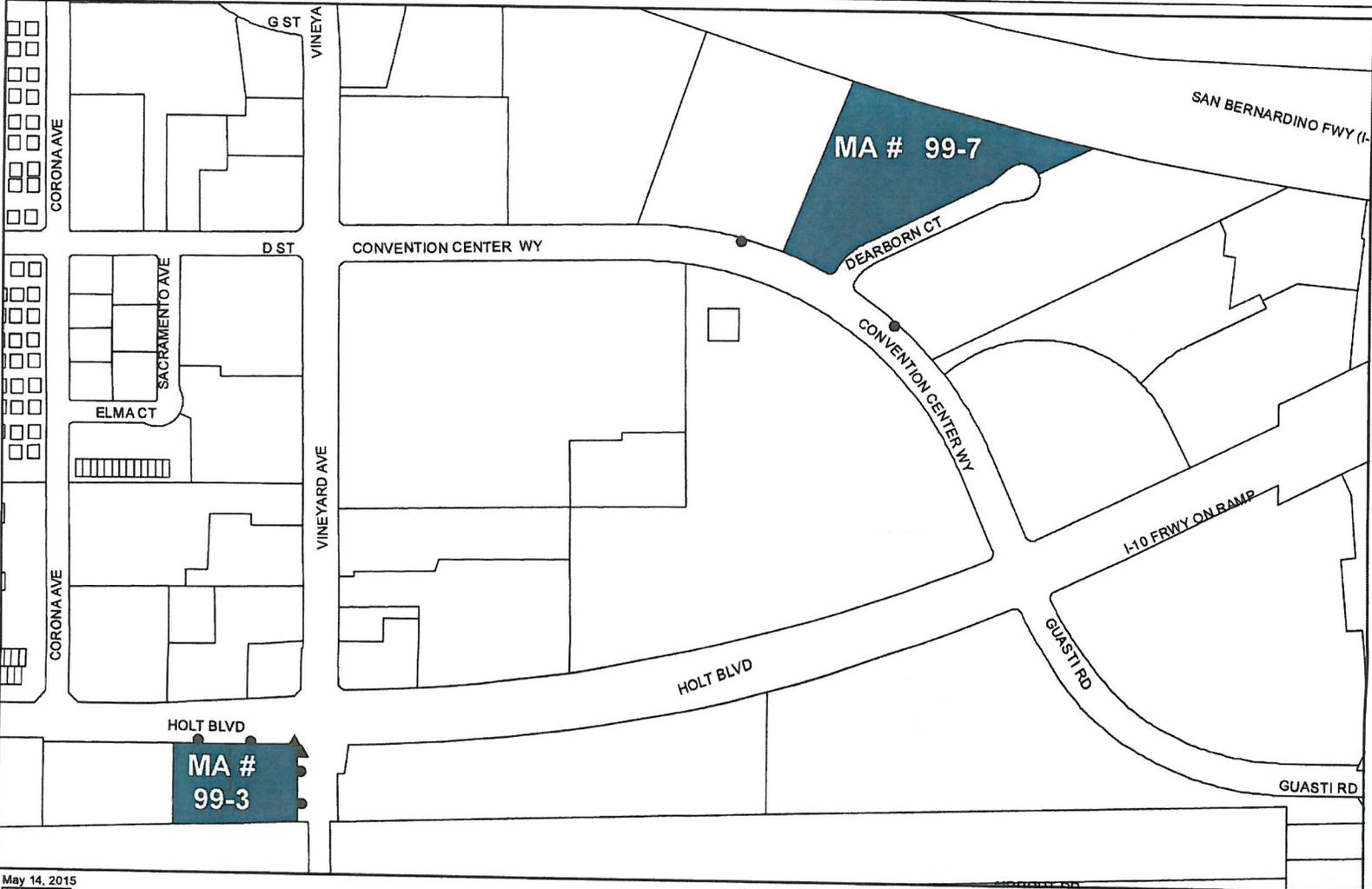
**Legend** 5 of 9

- Streetlight
- MA # Boundary and Maintenance Area #

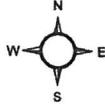
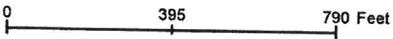
**Note:**  
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



# Street Lighting Maintenance District No. 2 Boundary and Inventory Map



P:\users\lucan\Admin\Src\2014\SLMD\_2\_Boundary\_808.mxd  
May 14, 2015  
City of Ontario



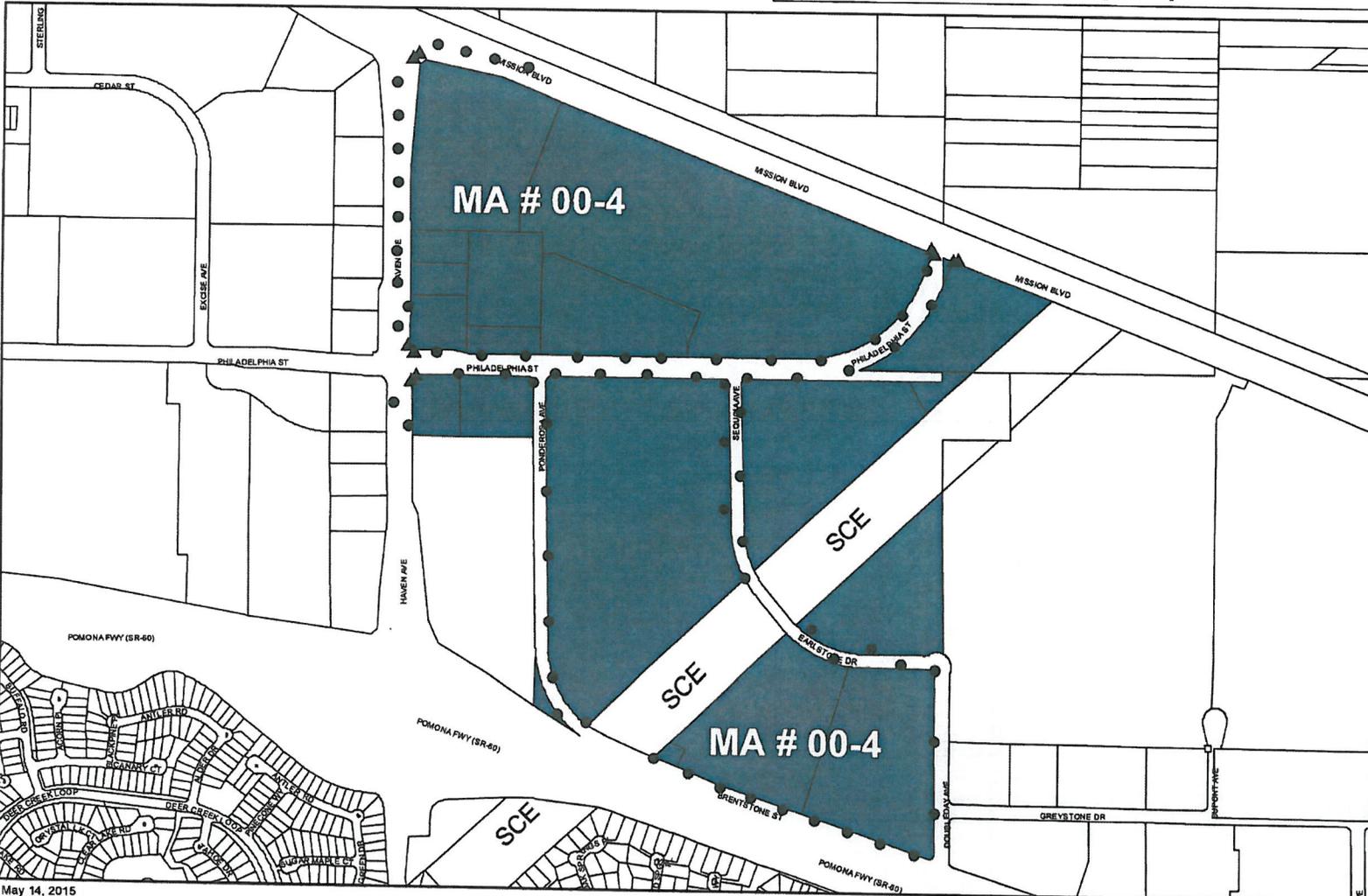
**Legend** 6 of 9

- 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.



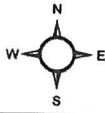
# Street Lighting Maintenance District No. 2 Boundary and Inventory Map



P:\users\scott\Admin\5\scs2014\SL\MD\_2\_boundary\_7of8.mxd  
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

AIRPORT DR

RICKELL ST

ROCHESTER AVE

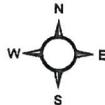
KETTERING DR

WINEVILLE AVE

May 14, 2015



0 500 1,000 Feet



**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.

P:\users\kco\MapAdmin\301451\MD\_2\_boundary\_809.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 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 21<sup>st</sup> 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 19<sup>TH</sup> 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 21<sup>st</sup> 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 19<sup>TH</sup> 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 21<sup>st</sup> 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: \_\_\_\_\_

21

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: \_\_\_\_\_

22

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**

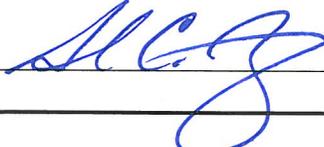
**RECOMMENDATION:** That the City Council adopt a resolution approving a grant application for an estimated \$46,000 from the Used Oil Payment Program Cycle 7 (Fiscal Year 2016-17) through the State of California Department of Resources Recycling and Recovery (CalRecycle); and authorize the City Manager 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 21<sup>st</sup> 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: \_\_\_\_\_

24

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](http://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 21<sup>st</sup> 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)

**ITEM NO. 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**

*This Item was continued to July 5, 2016.*

# 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: \_\_\_\_\_

26

- 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.

	<b>Lower Income</b>	<b>Moderate Income</b>	<b>Above Moderate Income</b>	<b>Total RHNA Need</b>
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:

	<b>Lower Income</b>	<b>Moderate Income</b>	<b>Above Moderate Income</b>	<b>Total RHNA Need</b>
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 21<sup>st</sup> 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		<b>Zone-Change-Required</b>	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		<b>Zone-Change-Required</b>	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		<b>Zone-Change-Required</b>	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		<b>Zone-Change-Required</b>	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		<b>Zone-Change-Required</b>	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		<b>Zone-Change-Required</b>	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			<b>Zone-Change-Required-</b>	
104905102	Downtown	43	Vacant	Yes	MU	0.79	MU-1	25-75	MU-1	25-75	25.1	20	20			<b>Zone-Change-Required-</b>	
104905303	Downtown	44	Vacant Building	No	MU	0.392	MU-1	25-75	MU-1	25-75	25.1	10	10			<b>Zone-Change-Required-</b>	
104905304	Downtown	45	Used Auto Sales	No	MU	0.387	MU-1	25-75	MU-1	25-75	25.1	10	10			<b>Zone-Change-Required-</b>	
104905501	Downtown	46	Retail	No	MU	0.212	MU-1	25-75	MU-1	25-75	25.1	5	5			<b>Zone-Change-Required-</b>	
104905509	Downtown	47	Auto Repair	No	MU	0.298	MU-1	25-75	MU-1	25-75	25.1	7	7			<b>Zone-Change-Required-</b>	
104905204	Downtown	48	Vacant	Yes	MU	0.696	MU-1	25-75	MU-1	25-75	25.1	17	17			<b>Zone-Change-Required-</b>	
104905406	Downtown	49	Retail	No	MU	0.231	MU-1	25-75	MU-1	25-75	25.1	6	6			<b>Zone-Change-Required-</b>	
104905402	Downtown	50	Vacant	Yes	MU	0.455	MU-1	25-75	MU-1	25-75	25.1	11	11			<b>Zone-Change-Required-</b>	
104905404	Downtown	51	Office	No	MU	0.498	MU-1	25-75	MU-1	25-75	25.1	12	12			<b>Zone-Change-Required-</b>	
104905606	Downtown	52	Parking Lot	Yes	MU	0.35	MU-1	25-75	MU-1	25-75	25.1	9	9			<b>Zone-Change-Required-</b>	
104905605	Downtown	53	Office	Yes	MU	0.354	MU-1	25-75	MU-1	25-75	25.1	9	9			<b>Zone-Change-Required-</b>	
104855112	Downtown	54	Vacant	Yes	MU	0.488	PUD	25-75		25-75	65.0					Approved Town Center PUD C1 Block 153 units	
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						

## 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
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
<del>104743222</del>	<del>Grove Corridor</del>	<del>76</del>	<del>Vacant</del>	<del>No</del>	<del>HDR</del>	<del>0.764</del>	<del>MDR-18</del>		<del>HDR-45</del>	<del>25-45</del>	<del>25.0</del>	<del>0</del>	<del>0</del>			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

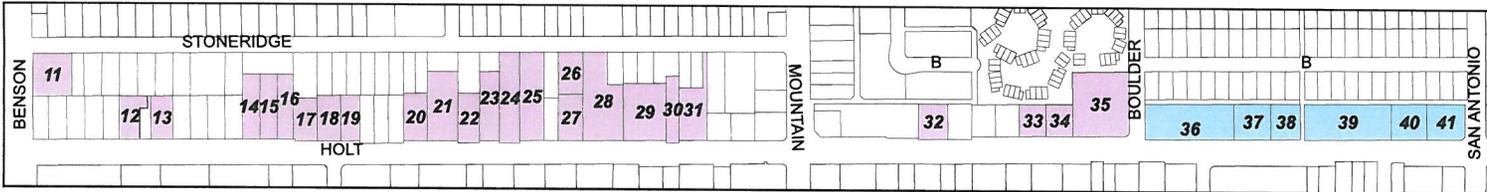
APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate 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			<del>Zone Change Required</del>	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			<del>Zone Change Required</del>	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			<del>Zone Change Required</del>	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			<del>Zone Change Required</del>	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			<del>Zone Change Required</del>	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			<del>Zone Change Required</del>	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			<del>Zone Change Required</del>	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			<del>Zone Change Required</del>	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			<del>Zone Change Required</del>	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			<del>Zone Change Required</del>	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			<del>Zone Change Required</del>	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	

## List of Properties on the Housing Element Land Inventory

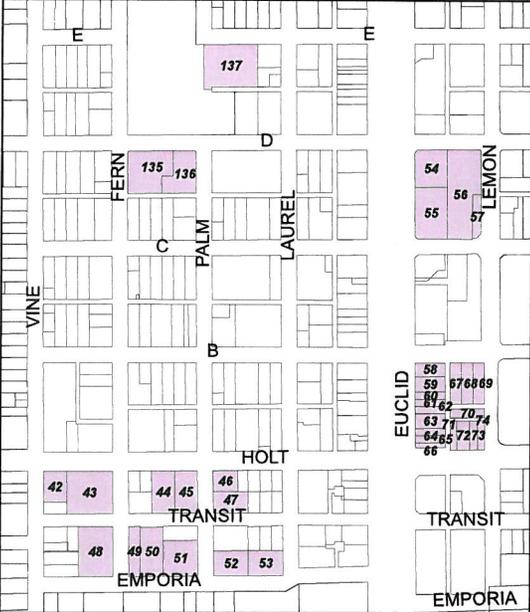
APN	Planning Area	Map ID No.	Land Use Category	City Owned Property	General Plan Land Use Designation	Acreage	Existing Zone	Existing Density Range	Proposed Zone Change	Proposed Density Range	Assumed Density	Total Unit Count	Low Income Units (>25 DU/AC)	Moderate Income Units (10-24 DU/AC)	Above Moderate Income Units (0-9 DU/AC)	Notes	Current Status
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 struck through are to be eliminated from the inventory.

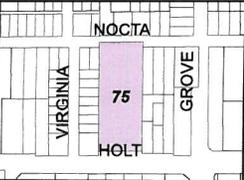
**WEST HOLT BLVD**



**DOWNTOWN**



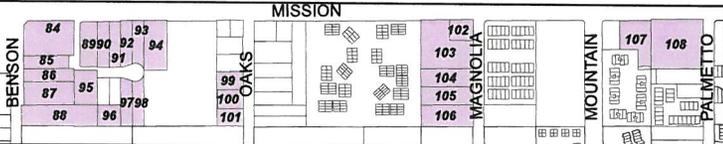
**EAST HOLT BLVD.**



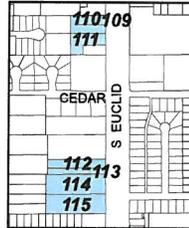
**CAMPUS SITE**



**WEST MISSION BLVD**



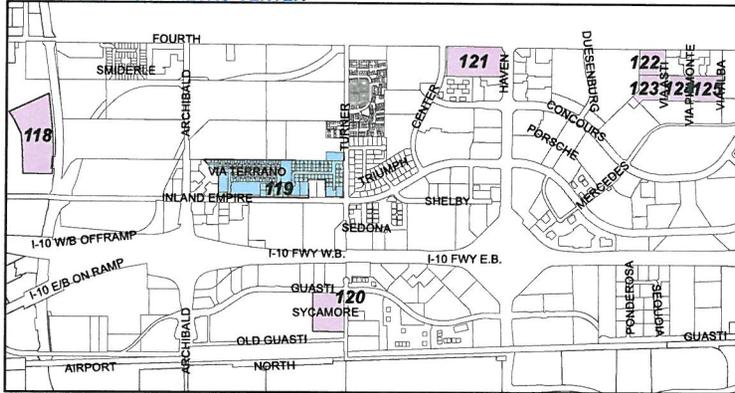
**SOUTH EUCLID**



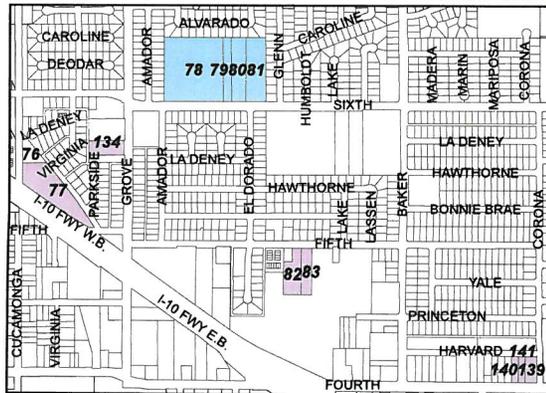
**PHILADELPHIA & CUCAMONGA**



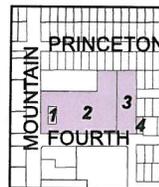
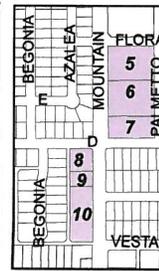
**ONTARIO AIRPORT METRO CENTER**



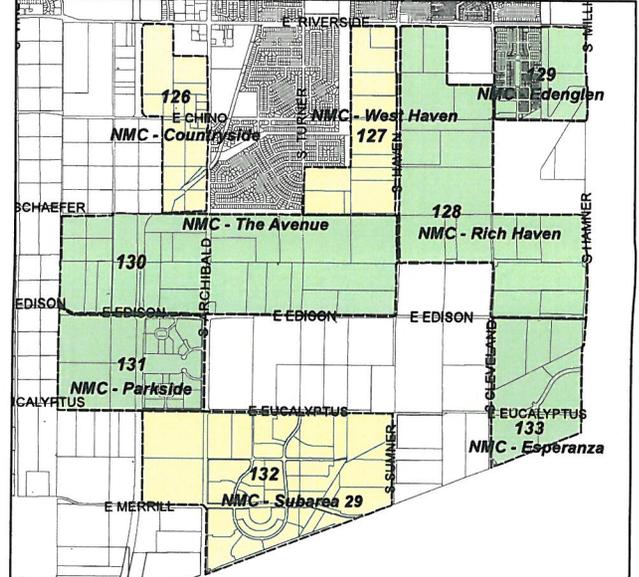
**I-10 AND GROVE**



**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: \_\_\_\_\_

27

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 21<sup>st</sup> 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)