

**CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
SEPTEMBER 6, 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 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *Floyd E. Clark vs. City of Ontario; City of Ontario Fire Department; Al Boling, and does 1 through 100, inclusive; Case Number CIVDS1611306.*

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

PLEDGE OF ALLEGIANCE

Council Member Wapner

INVOCATION

Pastor Mike Urciuoli, Calvary Chapel Ontario

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 August 16, 2016, and the special meeting of the City Council and Housing Authority of August 11, 2016, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills June 26, 2016 through July 23, 2016 and **Payroll** June 26, 2016 through July 23, 2016, when audited by the Finance Committee.

3. A PROFESSIONAL SERVICES AGREEMENT FOR PRINTING SERVICES RELATED TO THE ONTARIO LIVING MAGAZINE/AMERICAN WEB, INC.

That the City Council authorize the City Manager to execute a three-year professional services agreement, with the option to extend for one additional year (on file in the Records Management Department), with American Web, Inc. of Yorba Linda, California, in the amount of \$66,206 for printing services related to the Ontario Living Magazine, a quarterly publication distributed citywide.

4. A RESOLUTION ADOPTING THE MEASURE I FIVE-YEAR CAPITAL PROJECT NEEDS ANALYSIS FOR FISCAL YEARS 2017/2018 TO 2021/2022

That the City Council adopt a resolution approving the 2017/2018 through 2021/2022 Measure I Five-Year Capital Project Needs Analysis (CPNA) and authorize the City Manager to approve changes to the plan as may be required by the City and/or San Bernardino Associated Governments (SANBAG).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, ADOPTING THE MEASURE I FIVE-YEAR
CAPITAL PROJECT NEEDS ANALYSIS FOR FISCAL YEARS
2017/2018 TO 2021/2022

5. ORDINANCES LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B) AND DISSOLVING COMMUNITY FACILITIES DISTRICT NO. 29 (NEW HAVEN FACILITIES - AREA B)

That the City Council:

- (A) Adopt an ordinance levying special taxes within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B); and
- (B) Adopt an ordinance dissolving City of Ontario Community Facilities District No. 29 (New Haven Facilities - Area B).

ORDINANCE NO. _____

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

ORDINANCE NO. _____

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

6. AN AGREEMENT FOR THE ACQUISITION AND INSTALLATION OF A MAPPING SYSTEM FOR THE REGIONAL AVIATION VIDEO DOWNLINK SYSTEM UNDER THE URBAN AREA SECURITY INITIATIVE GRANT/HANGAR ONE AVIONICS

That the City Council authorize the City Manager to negotiate and execute an agreement with Hangar One Avionics of Carlsbad, California, for the acquisition and installation of a mapping system in an amount of approximately \$440,000; and authorize any future amendments to the agreement to expend excess funds up to the approved grant award amount.

7. A RESOLUTION APPROVING A MITIGATED NEGATIVE DECLARATION FOR ALL PHASES OF THE EUCLID AVENUE AND RIVERSIDE DRIVE RECYCLED WATER DISTRIBUTION SYSTEM PROJECT, AND AWARD A CONSTRUCTION CONTRACT FOR THE EUCLID AVENUE MEDIAN RECYCLED WATER IRRIGATION PROJECT (PHASE 1)

That the City Council:

- (A) Adopt a resolution approving a Mitigated Negative Declaration for the Euclid Avenue and Riverside Drive Recycled Water Distribution System Project; and
- (B) Approve the plans and specifications, and award Contract No. UT 1617-03 (on file with the Records Management Department) to Weka, Inc. of Highland, California, for the construction of the Euclid Avenue Median Recycled Water Irrigation Main and Pump Station (Phase 1) improvements in the amount of \$522,950 plus a 15% contingency of \$78,443, for a total amount of \$601,393; and authorize the City Manager to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM FOR FILE NO OMUC FILE NO. WA1502.

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)
September 6, 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 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Floyd E. Clark vs. City of Ontario; City of Ontario Fire Department; Al Boling, and does 1 through 100, inclusive; Case Number CIVDS1611306.

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

Reported by:

City Attorney / City Manager / Executive Director

CITY OF ONTARIO

Agenda Report
September 6, 2016

SECTION: CONSENT CALENDAR

**SUBJECT: A PROFESSIONAL SERVICES AGREEMENT FOR PRINTING SERVICES
RELATED TO THE ONTARIO LIVING MAGAZINE**

RECOMMENDATION: That the City Council authorize the City Manager to execute a three-year professional services agreement, with the option to extend for one additional year (on file in the Records Management Department), with American Web, Inc. of Yorba Linda, California, in the amount of \$66,206 for printing services related to the Ontario Living Magazine, a quarterly publication distributed citywide.

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

FISCAL IMPACT: The Fiscal Year 2016-17 Budget includes appropriations of \$100,000 for printing services related to the Ontario Living Magazine. The proposed agreement provides for 60,000 copies printed and mailed per year at an estimated cost of \$79,000. As residential units are developed throughout the City, additional appropriations will be included in future years' budgets for distribution to these new residences.

BACKGROUND: The Ontario Living Magazine ("OLM") provides the residential community with the latest news, programs, and community events listings that occur within the City of Ontario on a quarterly basis. The Fall 2015 issue of the OLM presented a new graphic design, which provided a modern look and feel to the magazine. To coincide with this new graphic design, a request for proposals ("RFP") for printing services for the OLM was issued in July 2015. Staff received proposals from the following firms:

<u>Vendor</u>	<u>Location</u>	<u>Pricing</u>
American Web, Inc.	Yorba Linda, CA	\$66,206
Novak & Normal, Inc.	Lake Forest, CA	\$77,352
ImageOne Creative Services, Inc.	Corona, CA	\$78,060

STAFF MEMBER PRESENTING: John P. Andrews, Economic Development Director

Prepared by: Nicholas Gonzalez
Department: Economic Development

City Manager
Approval: 

Submitted to Council/O.H.A. 09/06/2016

Approved: _____

Continued to: _____

Denied: _____

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Each proposal was screened and scored by City staff according to the scoring criteria outlined in the RFP. The criteria consisted of the firm's profile, staffing, project experience and references. After reviewing and rating each of the responses, staff interviewed each firm.

American Web, Inc. ("American Web") came in as the lowest responsive bidder as compared to the other RFPs received, and their years of experience and quality of products made them the most qualified bidder. Upon this decision, staff offered American Web a one-year agreement to test out their ability to provide printing services of the OLM.

After four successful publications of the OLM, staff now recommends that a three-year agreement, with an option to extend for one additional year, be awarded to American Web for printing services related to the OLM. The proposed agreement includes a 56 page count publication for the Autumn, Fall and Spring issues and a 60 page count publication for the Summer issue. All printing will be saddle-stitched and will be delivered to the USPS Facility located in Ontario ready for mailing distribution. Additional copies will be delivered to City facilities for distribution to patrons and visitors.

CITY OF ONTARIO

Agenda Report
September 6, 2016

SECTION: CONSENT CALENDAR

SUBJECT: A RESOLUTION ADOPTING THE MEASURE I FIVE-YEAR CAPITAL PROJECT NEEDS ANALYSIS FOR FISCAL YEARS 2017/2018 TO 2021/2022

RECOMMENDATION: That the City Council adopt a resolution approving the 2017/2018 through 2021/2022 Measure I Five-Year Capital Project Needs Analysis (CPNA) and authorize the City Manager to approve changes to the plan as may be required by the City and/or San Bernardino Associated Governments (SANBAG).

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

FISCAL IMPACT: The Measure I Five-Year CPNA is a tool to assist the SANBAG Board of Directors and SANBAG staff in programming available and projected Measure I Fund revenues. The CPNA is not a budget commitment. The individual projects listed in the CPNA are either currently identified or will be identified in the City of Ontario Capital Improvement Program Budget at the time that the local fund share is needed and approved by the City Council.

BACKGROUND: The Five-Year CPNA covers projects in the Measure I Major Street Arterial Sub-program. This year's Five-Year CPNA includes: Grove Avenue Widening from Fourth Street to Airport Drive, Grove Avenue and Holt Boulevard Intersection Widening, and Mountain Avenue and Holt Boulevard Intersection Widening projects. Freeway interchange and grade separation projects are not included in the CPNA as they are accounted for in separate agreements.

San Bernardino County voters approved passage of the 2010 through 2040, thirty-year Measure I program in November 2004 authorizing San Bernardino Associated Governments, acting as the San Bernardino County Transportation Authority, to impose a one-half percent retail transactions and use tax in the incorporated and unincorporated territory of the County of San Bernardino. Revenue from the tax can only be used for transportation improvements and traffic management programs authorized in the 2010-2040 Measure I Expenditure Plan set forth in Ordinance No. 04-1 of the Authority. The

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

Prepared by: Jay Bautista
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 09/06/2016

Approved: _____

Continued to: _____

Denied: _____

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Expenditure Plan for the San Bernardino Valley Subarea requires that Measure I revenue be applied to the following programs.

Freeways	29%
Freeway Interchanges	11%
Major Streets (including Railroad Grade Separations)	20%
Local Streets (per capita pass through)	20%
Metrolink/Passenger Rail	8%
Senior/Disabled Transit Service	8%
Express Bus/Bus Rapid Transit Service	2%
Traffic Management Systems	2%

The 2010-2040 Measure I Strategic Plan requires each local jurisdiction applying for revenue from the Valley Major Street and Freeway Interchange Programs to annually adopt and update a Five-Year CPNA. The Five-Year CPNA is not a funding commitment by either SANBAG or the City, but a tool to assist SANBAG staff and their Board of Directors in programming available Measure I Fund revenues. The CPNA is not a wish list but a financially constrained, realistic schedule of the projects for which the agency intends to use Measure I dollars. "Financially constrained" means that the required local development impact fee (DIF) match contribution will be available before the project begins or the DIF match requirement has been met by an internal Measure I loan arranged with SANBAG in accordance with the Measure I Strategic Plan. Historically CPNA's for the Valley jurisdictions have included projects for both the Valley Freeway Interchange and Major Streets Programs. However, for FY 2017/2018, the CPNA will only apply to the Major Streets Program.

The CPNA process requires that the City Council approve the CPNA by resolution. City staff anticipates that there may need to be changes to the CPNA during the fiscal year. Therefore, staff is recommending that the City Manager be given the authority to approve changes to the CPNA as requested by SANBAG and/or City staff, provided the changes do not conflict with the approved budget.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, ADOPTING THE MEASURE I FIVE-YEAR CAPITAL
PROJECT NEEDS ANALYSIS FOR FISCAL YEARS 2017/2018 TO
2021/2022

WHEREAS, San Bernardino County voters approved passage of Measure I in November 2004, authorizing the San Bernardino County Transportation Authority to impose a one-half of one percent retail transactions and use tax applicable in the incorporated and unincorporated territory of the County of San Bernardino; and

WHEREAS, revenue from the tax can only be used for transportation improvement and traffic management programs authorized in the Expenditure Plans set forth in Ordinance No. 04-1 of the Authority; and

WHEREAS, the Strategic Plan requires each local jurisdiction applying for revenue from certain Measure I Programs to annually adopt and update a Five-Year Capital Project Needs Analysis.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ontario, State of California that the Measure I Five-Year Capital Project Needs Analysis, attached to this resolution as Exhibit A, is hereby adopted.

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

PASSED, APPROVED, AND ADOPTED this 6th day of September 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 September 6, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

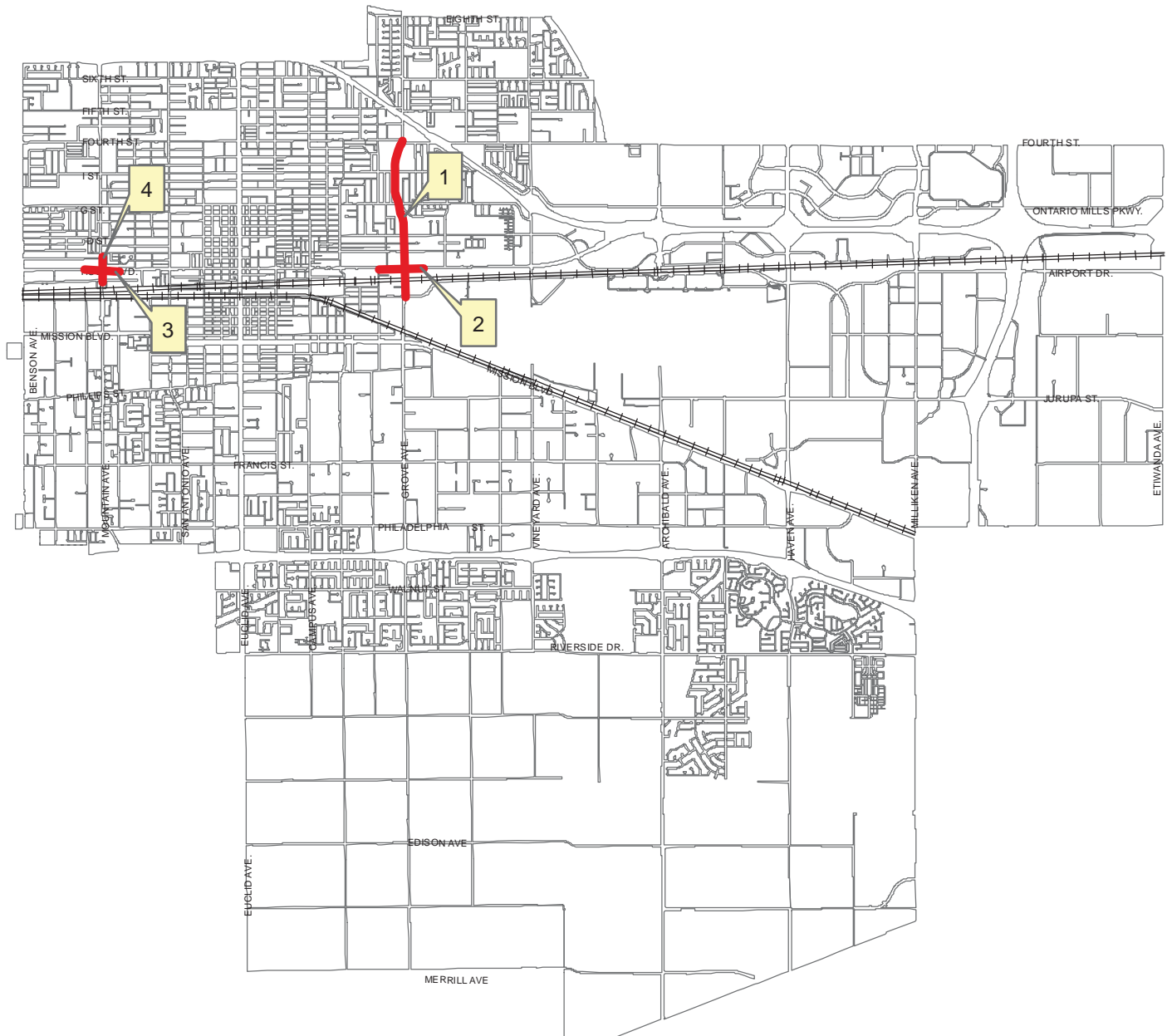
The foregoing is the original of Resolution No. 2016- duly passed and adopted by the Ontario City Council at their regular meeting held September 6, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

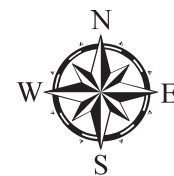
Five-Year Capital Project Needs Analysis

2017/2018 - 2021/2022



Project Description

- 1 Widen Grove Ave. from Fourth St. to Airport Dr. from 4 to 6 lanes.
- 2 Widen Holt Blvd. from 750 ft. west of to 750 ft. east of Grove Ave. from 4 to 6 lanes.
- 3 Widen Holt Blvd. from 750 ft. west of to 750 Ft. east of Mountain Ave. from 4 to 6 lanes.
- 4 Widen Mountain Ave. between Brooks St. and Vesta St. from 4 to 6 lanes.



0 2,500 5,000 10,000
Feet

Capital Project Needs Analysis

Agency: Ontario

Program: Valley Arterial Sub-Program

Project Name: Widen Grove Ave from I-10 to Holt Blvd from 4 to 6 lanes, Including W. Cuc. Creek Bridge

City Description: Grove Corridor Widening (Fourth St to Airport Dr) and Holt Blvd/Grove Ave Intersection Widening

(Actual Fiscal Year 2016/2017 dollars - SANBAG will apply escalation factors, by year)

Public Share: 55.60% | Dev. Share: 44.40%

		Funding	Prior	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22	Future	Total
Total Project Cost (All phases): 0	PA&ED	MI MAJ ST	270,611	10,271	0	0	0	0	0	280,882
		DEMO	1,105,228	73,889	0	0	0	0	0	1,179,117
		DEV FEE	216,100	8,202	0	0	0	0	0	224,302
		Total	270,611	92,362	0	0	0	0	0	1,684,301
Total Presented Funding (FY 17/18 -21/22): 2,277,939	PS&E	MI MAJ ST	117,178	103,181	0	0	0	0	0	220,359
		DEV FEE	93,574	82,396	0	0	0	0	0	175,970
		Total	117,178	185,577	0	0	0	0	0	396,329
Total Measure I Request (FY 17/18 -21/22): 1,225,452	ROW	MI MAJ ST	0	139,000	0	0	0	0	0	139,000
		DEV FEE	0	111,000	0	0	0	0	0	111,000
		Total	0	250,000	0	0	0	0	0	250,000
	CONST	MI MAJ ST	0	0	973,000	0	0	0	0	973,000
		DEV FEE	0	0	777,000	0	0	0	0	777,000
		Total	0	0	1,750,000	0	0	0	0	1,750,000
	Total		1,802,691	527,939	1,750,000	0	0	0	0	

*Prior should identify any expenses incurred in prior years that have not yet been reimbursed by SANBAG including FY 15/16 expenses.

Project Comments: Costs include PA&ED of the Grove Corridor project; and PS&E, ROW and CON for the Grove portion of the Holt/Grove intersection project.

Last Update: 8/8/2016 2:58:16 PM

Reference: Measure I Policy 40006

Capital Project Needs Analysis

Agency: Ontario

Program: Valley Arterial Sub-Program

Project Name: Widen Holt Blvd from Benson Ave to Vineyard Ave from 4 to 6 lanes

City Description: Widen Holt Blvd. from 750 ft. west to 750 ft. east of Grove Ave. from 4 to 6 lanes

(Actual Fiscal Year 2016/2017 dollars - SANBAG will apply escalation factors, by year)

Public Share: 55.60% | Dev. Share: 44.40%

		Funding	Prior	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22	Future	Total
Total Project Cost (All phases): 17,933,000	PA&ED	Total								
Total Presented Funding (FY 17/18 -21/22): 2,185,577	PS&E	MI MAJ ST	117,178	103,181	0	0	0	0	0	220,359
		DEV FEE	93,574	82,396	0	0	0	0	0	175,970
		Total	117,178	185,577	0	0	0	0	0	396,329
Total Measure I Request (FY 17/18 -21/22): 1,215,181	ROW	MI MAJ ST	0	139,000	0	0	0	0	0	139,000
		DEV FEE	0	111,000	0	0	0	0	0	111,000
		Total	0	250,000	0	0	0	0	0	250,000
	CONST	MI MAJ ST	0	0	973,000	0	0	0	0	973,000
		DEV FEE	0	0	777,000	0	0	0	0	777,000
		Total	0	0	1,750,000	0	0	0	0	1,750,000
	Total		210,752	435,577	1,750,000	0	0	0	0	

*Prior should identify any expenses incurred in prior years that have not yet been reimbursed by SANBAG including FY 15/16 expenses.

Project Comments: This is a portion of Nexus Project "Widen Holt Blvd from Benson Ave to Vineyard Ave from 4 to 6 lanes". Costs include the PS&E, ROW and CON for the Holt portion of the Holt/Grove intersection project.

Last Update: 8/8/2016 2:56:08 PM

Capital Project Needs Analysis

Agency: Ontario

Program: Valley Arterial Sub-Program

Project Name: Widen Holt Blvd from Benson Ave to Vineyard Ave from 4 to 6 lanes

City Description: Widen Holt Blvd. from 750 ft. west of to 750 ft. east of Mountain Ave. from 4 to 6 lanes

(Actual Fiscal Year 2016/2017 dollars - SANBAG will apply escalation factors, by year)

Public Share: 55.60% | Dev. Share: 44.40%

		Funding	Prior	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22	Future	Total
Total Project Cost (All phases): 17,933,000	PA&ED	Total								
Total Presented Funding (FY 17/18 -21/22): 3,175,544	PS&E	MI MAJ ST	98,662	97,602	0	0	0	0	0	196,264
		DEV FEE	78,788	77,942	0	0	0	0	0	156,730
		Total	98,662	175,544	0	0	0	0	0	352,994
Total Measure I Request (FY 17/18 -21/22): 1,765,602	ROW	MI MAJ ST	0	389,200	0	0	0	0	0	389,200
		DEV FEE	0	310,800	0	0	0	0	0	310,800
		Total	0	700,000	0	0	0	0	0	700,000
	CONST	MI MAJ ST	0	0	1,278,800	0	0	0	0	1,278,800
		DEV FEE	0	0	1,021,200	0	0	0	0	1,021,200
		Total	0	0	2,300,000	0	0	0	0	2,300,000
	Total		177,450	875,544	2,300,000	0	0	0	0	

*Prior should identify any expenses incurred in prior years that have not yet been reimbursed by SANBAG including FY 15/16 expenses.

Project Comments: This is a portion of Nexus Project "Widen Holt Blvd from Benson Ave to Vineyard Ave from 4 to 6 lanes". Costs include PS&E, ROW and CON for the Holt portion of the Holt/Mountain intersection project.

Last Update: 8/8/2016 2:56:33 PM

Capital Project Needs Analysis

Agency: Ontario

Program: Valley Arterial Sub-Program

Project Name: Widen Mountain Ave from Sixth Street to s/o Holt Blvd

City Description: Widen Mountain Ave. between Brooks and Vesta Streets from 4 to 6 lanes

(Actual Fiscal Year 2016/2017 dollars - SANBAG will apply escalation factors, by year)

Public Share: 55.60% | Dev. Share: 44.40%

		Funding	Prior	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22	Future	Total
Total Project Cost (All phases): 7,467,000	PA&ED	Total								
Total Presented Funding (FY 17/18 -21/22): 3,175,544	PS&E	MI MAJ ST	98,662	97,602	0	0	0	0	0	196,264
		DEV FEE	78,788	77,942	0	0	0	0	0	156,730
		Total	98,662	175,544	0	0	0	0	0	352,994
Total Measure I Request (FY 17/18 -21/22): 1,765,602	ROW	MI MAJ ST	0	389,200	0	0	0	0	0	389,200
		DEV FEE	0	310,800	0	0	0	0	0	310,800
		Total	0	700,000	0	0	0	0	0	700,000
	CONST	MI MAJ ST	0	0	1,278,800	0	0	0	0	1,278,800
		DEV FEE	0	0	1,021,200	0	0	0	0	1,021,200
		Total	0	0	2,300,000	0	0	0	0	2,300,000
	Total		177,450	875,544	2,300,000	0	0	0	0	

*Prior should identify any expenses incurred in prior years that have not yet been reimbursed by SANBAG including FY 15/16 expenses.

Project Comments: This is a portion of Nexus Project "Widen Mountain Ave from Sixth Street to s/o Holt Blvd". Costs include the PS&E, ROW and CON for the Mountain portion of the Holt/Mountain intersection project.

Last Update: 8/8/2016 2:55:10 PM

CITY OF ONTARIO

Agenda Report
September 6, 2016

**SECTION:
CONSENT CALENDAR**

SUBJECT: ORDINANCES LEVYING SPECIAL TAXES WITHIN CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B) AND DISSOLVING COMMUNITY FACILITIES DISTRICT NO. 29 (NEW HAVEN FACILITIES - AREA B)

RECOMMENDATION: That the City Council:

- (A) Adopt an ordinance levying special taxes within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B); and
- (B) Adopt an ordinance dissolving City of Ontario Community Facilities District No. 29 (New Haven Facilities - Area B).

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

FISCAL IMPACT: The use of Mello-Roos financing for facilities in the residential development of the New Haven Facilities - Area B project is estimated to generate approximately \$11.9 million, which will be used to help fund a portion of the public infrastructure improvements that will serve the project. Since Mello-Roos bonds are not a direct obligation of the City, and are paid from special taxes levied on each taxable parcel in the district, there is no general fund impact from the issuance of Mello-Roos bonds.

BACKGROUND: At the public hearing conducted by the City Council on August 16, 2016, the Council adopted the resolutions of formation for Community Facilities District No. 30 (New Haven Facilities - Area B) and introduced and waived further reading of ordinances levying special taxes within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) 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. 09/06/2016

Approved: _____

Continued to: _____

Denied: _____

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dissolving City of Ontario Community Facilities District No. 29 (New Haven Facilities - Area B). Adoption of the ordinances will conclude the formation process for City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) and the dissolution of City of Ontario Community Facilities District No. 29 (New Haven Facilities - Area B).

The Mello-Roos Community Facilities Act of 1982 provided local government, with the consent from a majority of the property owners, the authority to establish community facilities districts for the purpose of levying special taxes to fund governmental services and to finance various kinds of public infrastructure facilities. Under the Mello-Roos Act, the initial steps in the formation of a community facilities district to finance public improvements are adopting resolutions declaring the City's intention to establish a community facilities district and levy special taxes, and to issue bonds. On October 20, 2015, the City Council adopted Resolution of Formation No. 2015-115, and associated resolutions, establishing Community Facilities District No. 29 (New Haven Facilities - Area B). Subsequently, to capitalize on market conditions, the developer requested the annexation of an additional 100 detached units and 56 attached units into Community Facilities District No. 29 (New Haven Facilities - Area B), along with an expansion of the District's acreage by 21 acres. The process of annexing in the additional units and acreage consists of forming a new district and dissolving the existing district. Towards that end, on May 17, 2016, the City Council approved Resolution No. 2016-034, a Resolution of Intention to establish City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) and authorize the levy of special taxes, and Resolution No. 2016-035, declaring its intention to issue bonds for the district. The Resolution of Intention set the public hearing date for the regularly scheduled City Council meeting of June 21, 2016 to consider formation matters. City Council opened said hearing and continued the hearing to July 5, 2016. On July 5, 2016, the City Council reopened the hearing and continued it to July 19, 2016 and, on July 19, 2016, the City Council reopened the hearing and continued the hearing to August 16, 2016.

The New Haven Facilities - Area B project addresses the development of approximately 58 acres located generally east of Archibald Avenue, west of Haven Avenue, south of Schaefer Avenue and north of Ontario Ranch Road (formerly Edison Avenue). At build out, the development is projected to include 444 units - 346 detached units and 98 attached units. The Community Facilities District is being formed pursuant to the provisions of the Brookcal Development Agreement, and the First Amended and Restated Construction Agreement between the City and NMC Builders.

ORDINANCE NO. 3057

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

WHEREAS, on May 17, 2016, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District, Proposed to be Named City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), and to Authorize the Levy of Special Taxes" stating its intention to establish City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) (the "Community Facilities District") and to finance certain public facilities (the "Facilities") and services (the "Services"); and

WHEREAS, on August 16, 2016, the City Council held said hearing on the establishment of the Community Facilities District, as required by the Act; and

WHEREAS, subsequent to the close of said hearing, the City Council adopted resolutions entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" (the "Resolution of Formation"), "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B)" and "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B)", which resolutions established the Community Facilities District, authorized the levy of a special tax within the Community Facilities District and called an election within the Community Facilities District on the proposition of incurring indebtedness, levying a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District, respectively; and

WHEREAS, on August 16, 2016, an election was held in which the qualified electors of the Community Facilities District approved said proposition by more than the two-thirds vote required by the Act.

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby authorizes and levies special taxes within the Community Facilities District pursuant to Sections 53328 and 53340 of the Act, at the rate and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the "Rate and Method of Apportionment").

The special taxes are hereby levied commencing in fiscal year 2016-17 and in each fiscal year thereafter until the last fiscal year in which such special taxes are authorized to be levied pursuant to the Rate and Method of Apportionment.

SECTION 2. The City Council may, in accordance with subdivision (b) of Section 53340 of the Act, provide, by resolution, for the levy of the special tax in future tax years at the same rate or at a lower rate than the rate provided by this Ordinance. In no event shall the special tax be levied on any parcel within the Community Facilities District in excess of the maximum tax specified therefor in the Rate and Method of Apportionment.

SECTION 3. The special tax shall be levied on all of the parcels in the Community Facilities District, unless exempted by law or by the Rate and Method of Apportionment.

SECTION 4. The proceeds of the special tax shall only be used to pay, in whole or in part, the cost of providing the Facilities and Services and incidental expenses pursuant to the Act.

SECTION 5. The special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes, unless another procedure is adopted by the City Council.

SECTION 6. If for any reason any portion of this Ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the Community Facilities District, by a court of competent jurisdiction, the balance of this Ordinance and the application of the special tax to the remaining parcels within the Community Facilities District shall not be affected.

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

PASSED, APPROVED, AND ADOPTED this 6th day of September 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3057 was duly introduced at a regular meeting of the City Council of the City of Ontario held August 16, 2016 and adopted at the regular meeting held September 6, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3057 duly passed and adopted by the Ontario City Council at their regular meeting held September 6, 2016 and that Summaries of the Ordinance were published on August 23, 2016 and September 13, 2016, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

ORDINANCE NO. _____

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

WHEREAS, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), previously established City of Ontario Community Facilities District No. 29 (New Haven Facilities - Area B) (the "Community Facilities District") and to finance certain public facilities (the "Facilities") and services (the "Services"); and

WHEREAS, the qualified electors of the Community Facilities District authorized the levy of special taxes (the "Special Taxes") within the Community Facilities District to finance certain public facilities (the "Facilities") and certain public services (the "Services"); and

WHEREAS, pursuant to the Act, a Notice of Special Tax Lien with respect to the Community Facilities District was recorded in the Office of the County Recorder of the County of San Bernardino on October 22, 2015, as Instrument No. 2015-0458716 (the "Notice of Special Tax Lien"); and

WHEREAS, no debt has been incurred by the Community Facilities District; and

WHEREAS, the City Council has determined that no Facilities are to be financed by the Community Facilities District; and

WHEREAS, the City Council has determined that no Services are to be financed by the Community Facilities District; and

WHEREAS, as no Facilities and no Services are to be financed, the Community Facilities District has no authorization to levy the Special Taxes; and

WHEREAS, the City Council desires to dissolve the Community Facilities District pursuant to Section 53338.5 of the Act.

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that the Community Facilities District is not obligated to pay any outstanding debt.

SECTION 2. The City Council hereby finds and determines that the Community Facilities District has no authorization to levy the Special Taxes.

SECTION 3. The Community Facilities District is hereby dissolved.

SECTION 4. The City Clerk of the City is hereby directed to cause to be recorded with the County Recorder of the County of San Bernardino an addendum to the Notice of Special Tax Lien, which shall state that the Community Facilities District and all associated liens, if any, have been dissolved.

SECTION 5. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Ordinance and not inconsistent with the provisions hereof.

SECTION 6. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 6th day of September 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3058 was duly introduced at a regular meeting of the City Council of the City of Ontario held August 16, 2016 and adopted at the regular meeting held September 6, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3058 duly passed and adopted by the Ontario City Council at their regular meeting held September 6, 2016 and that Summaries of the Ordinance were published on August 23, 2016 and September 13, 2016, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
September 6, 2016

**SECTION:
CONSENT CALENDAR**

SUBJECT: AN AGREEMENT FOR THE ACQUISITION AND INSTALLATION OF A MAPPING SYSTEM FOR THE REGIONAL AVIATION VIDEO DOWNLINK SYSTEM UNDER THE URBAN AREA SECURITY INITIATIVE GRANT

RECOMMENDATION: That the City Council authorize the City Manager to negotiate and execute an agreement with Hangar One Avionics of Carlsbad, California, for the acquisition and installation of a mapping system in an amount of approximately \$440,000; and authorize any future amendments to the agreement to expend excess funds up to the approved grant award amount.

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: On November 3, 2015, the City Council approved the acceptance of a grant award of \$440,000 provided through the Urban Area Security Initiative (UASI) Grant Program. The grant spending plan allocated funds towards the acquisition and installation of a mapping system for the Regional Aviation Video Downlink Project.

BACKGROUND: The City Council approved the spending plan for the FY 2015 UASI Grant Program which includes the purchase of a mapping system including installation for the Ontario Police Department's Aviation Unit, the San Bernardino and Riverside County's Sheriff Departments' Aviation Divisions. Hangar One Avionics is a pre-authorized vendor and service provider for aviation equipment and has agreed to sub-GSA pricing for this specific equipment. The use of such HD camera components has dramatically increased the intelligence gathering capabilities for both the downlink system and the onboard Tactical Flight Officer, improving situational awareness and safety for first responders in accordance with the UASI Grant Program objectives.

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Donna Bailey
Department: Police

Submitted to Council/O.H.A.

09/06/2016

Approved: _____

Continued to: _____

Denied: _____

City Manager
Approval: _____



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CITY OF ONTARIO

Agenda Report
September 6, 2016

SECTION: CONSENT CALENDAR

SUBJECT: A RESOLUTION APPROVING A MITIGATED NEGATIVE DECLARATION FOR ALL PHASES OF THE EUCLID AVENUE AND RIVERSIDE DRIVE RECYCLED WATER DISTRIBUTION SYSTEM PROJECT, AND AWARD A CONSTRUCTION CONTRACT FOR THE EUCLID AVENUE MEDIAN RECYCLED WATER IRRIGATION PROJECT (PHASE 1)

RECOMMENDATION: That the City Council:

- (A) Adopt a resolution approving a Mitigated Negative Declaration for the Euclid Avenue and Riverside Drive Recycled Water Distribution System Project; and
- (B) Approve the plans and specifications, and award Contract No. UT 1617-03 (on file with the Records Management Department) to Weka, Inc. of Highland, California, for the construction of the Euclid Avenue Median Recycled Water Irrigation Main and Pump Station (Phase 1) improvements in the amount of \$522,950 plus a 15% contingency of \$78,443, for a total amount of \$601,393; and authorize the City Manager to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project.

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 Fiscal Year 2016-17 Budget includes appropriations from the Water Capital Fund for this project. The recommended construction contract award to Weka, Inc. is for \$522,950 plus a 15% contingency of \$78,443, for a total amount of \$601,393. There is no impact to the General Fund.

BACKGROUND: The City's 2015 Urban Water Management Plan identifies the use of recycled water as a critical element of the City's supply to meet its future demand for water. As a result of statewide severe drought conditions and water use restrictions, the use of potable (drinking) water for irrigation of ornamental landscapes or turf on medians is prohibited. Expanding the use of recycled water provides a long-term sustainable water source that is not subject to the same limitations under drought conditions as

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Fernando Cobos
Department: MU/Engineering

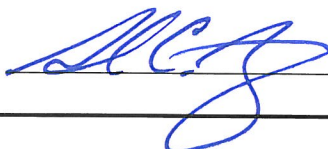
Submitted to Council/O.H.A. 09/06/2016

Approved: _____

Continued to: _____

Denied: _____

City Manager
Approval: _____



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potable water supplies. Recycled water is used for irrigation and industrial applications as approved by the California Division of Drinking Water and will result in significant reductions in the City's long-term reliance on more expensive and increasingly less reliable imported potable water supplies.

The Euclid Avenue and Riverside Drive Recycled Water Distribution System Project is an integral part of the City's plan to increase the use of recycled water. It will establish a network of transmission and distribution main lines that will deliver recycled water to two regions consisting of several phases of construction (Exhibit 1). The region along Euclid Avenue is bounded by Baker Avenue to the East, James Bryant Park and D Street to the North, Oaks Street to the West, and Centennial Park to the South. The region along Riverside Drive is bounded by Mill Creek Road to the East, Archibald Avenue to the West, and extends North along Haven Avenue extending into the eastern (Lytle Creek Loop) and western (Deer Creek Loop) portions of the Creekside residential development.

Phase 1 of the project will provide recycled water for irrigation of the northern portion of the Euclid Avenue Median from the I-10 Freeway to G Street from a direct connection to the Inland Empire Utilities Agency (IEUA) recycled water transmission main on Fourth Street and Euclid Avenue (Exhibit 2). The project will construct an underground vault (6'x6') and irrigation pump placed within the median just north of Fourth Street and install approximately 4,200 linear feet of 6-inch recycled water irrigation pipeline in the median from the I-10 Freeway to G Street. The new irrigation pipeline will utilize the existing abandoned water mains as sleeves in order to minimize impact to the Historic Euclid Median. The project will also install an irrigation communications antenna, co-located on a traffic signal or street light, within the median that is compatible with the new irrigation pump and irrigation system controllers.

On July 18, 2016, seven (7) bids were received for construction of the Euclid Avenue Median Recycled Water Irrigation Project. The bids ranged from \$522,950 to \$1,153,445 as summarized below.

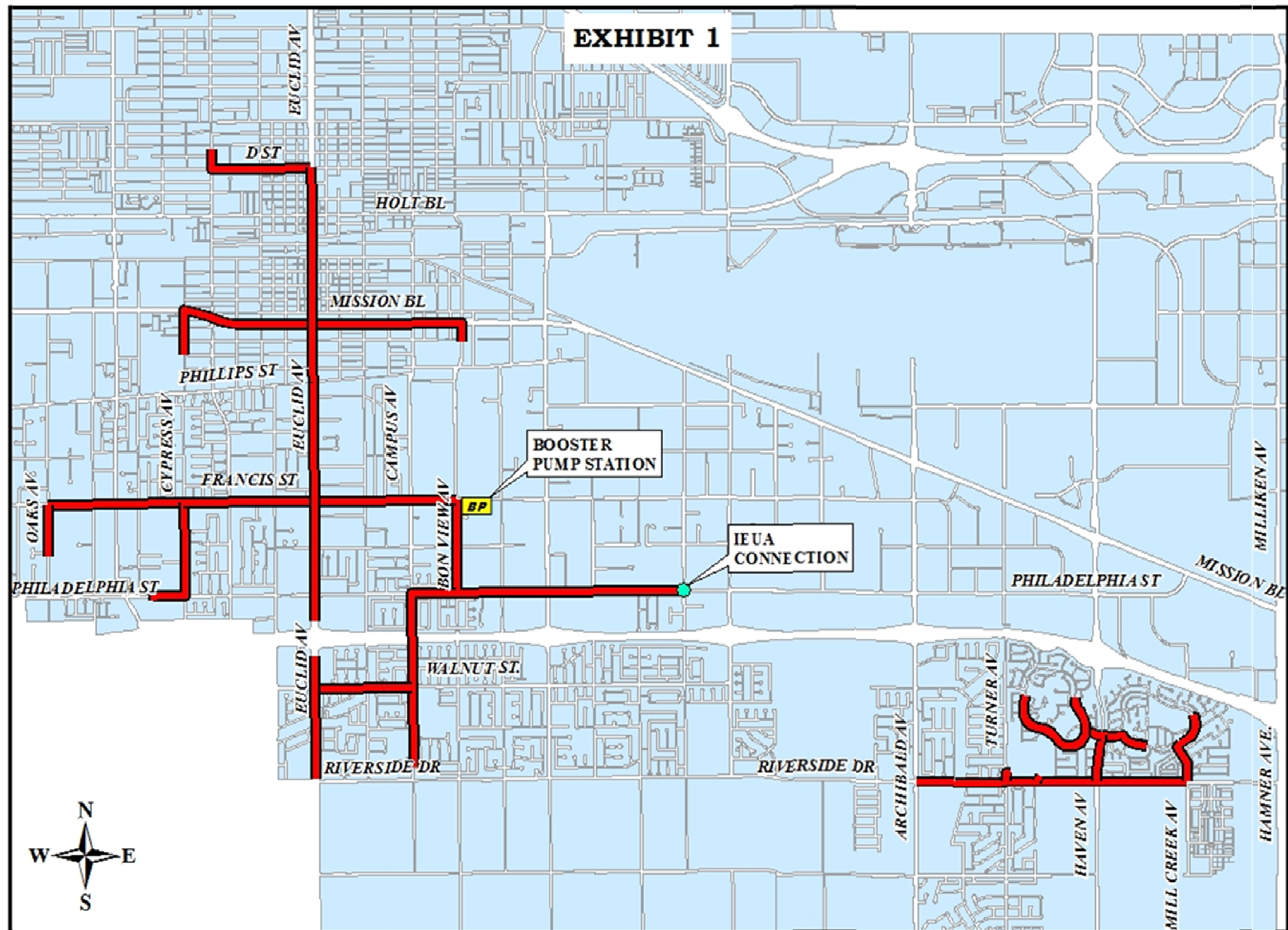
<u>Bidder</u>	<u>Location</u>	<u>Amount</u>
Weka, Inc.	Highland, CA	\$522,950
Hemet Mfg.	Hemet, CA	\$537,063
California Construction	Anaheim, CA	\$545,143
Borden Excavation	Calimesa, CA	\$577,222
TK Construction	San Bernardino, CA	\$705,391
Pyramid Building & Engineering	Hesperia, CA	\$752,036
Norstar Plumbing & Engineering	Alta Loma, CA	\$1,153,445

Staff recommends award to Weka, Inc. of Highland, California, based on their expertise, ability to perform the work in a timely manner, and their successful completion of this type of work in the past.

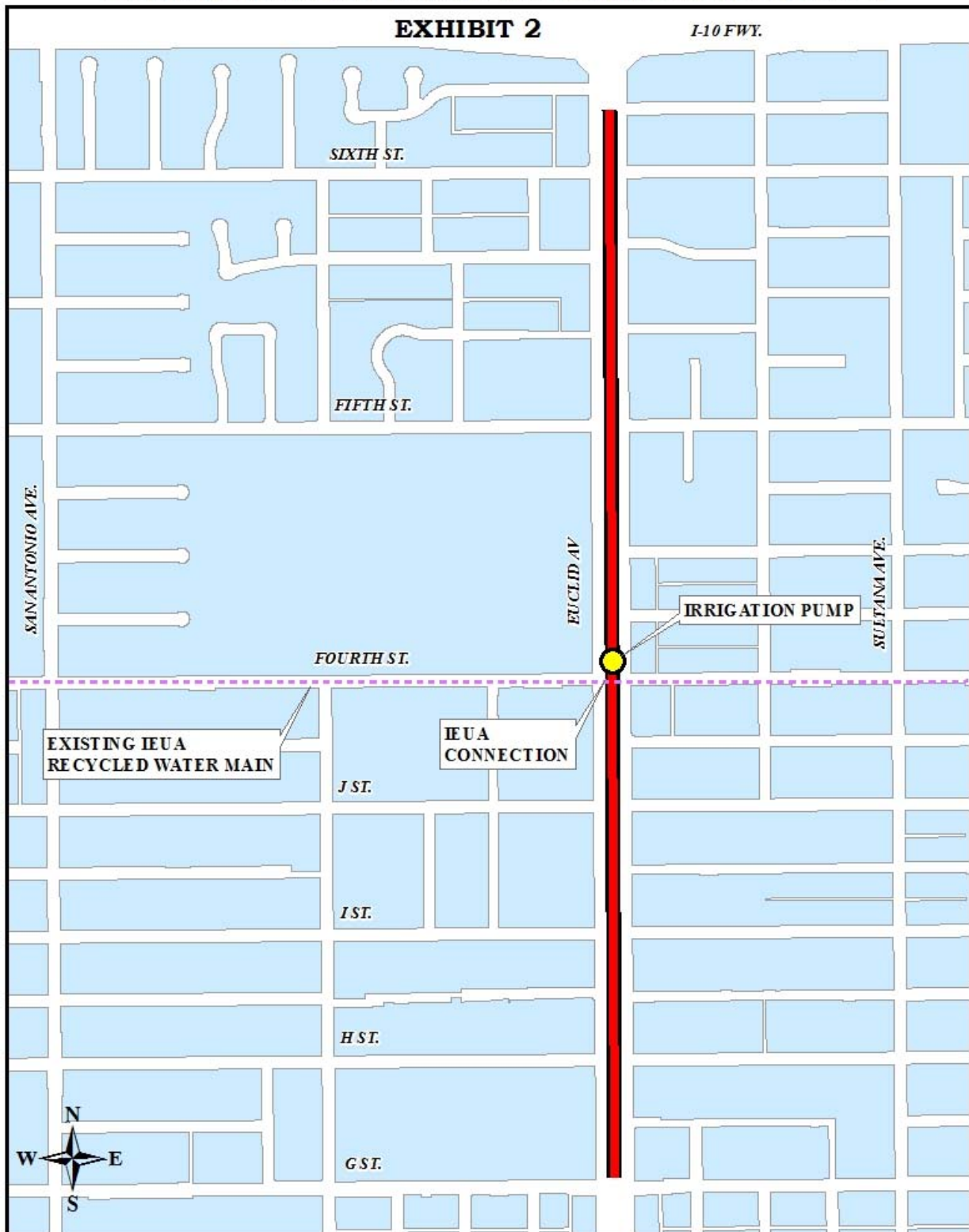
ENVIRONMENTAL REVIEW:

The Euclid Avenue and Riverside Drive Recycled Water Distribution System Project is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and an initial study has been prepared to determine possible environmental impacts. On the basis of the initial study, which indicated that all potential environmental impacts from the project were less than significant or could be mitigated to a level of insignificance, a Mitigated Monitoring and Reporting Program has been prepared for the project pursuant to CEQA Guidelines Section 15907 that specifies responsible agencies/departments, monitoring frequency, timing and method of verification and possible sanctions for non-compliance with mitigation measures. The environmental documentation for this project is available for review at the Planning Department public counter.

Euclid Avenue and Riverside Drive Recycled Water Distribution System



Euclid Avenue Median Recycled Water Irrigation Project (Phase 1)



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM FOR FILE NO OMUC FILE NO. WA1502.

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study and approved for circulation a Mitigated Negative Declaration for OMUC File No. WA1502 (the “Initial Study/Mitigated Negative Declaration”), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively “CEQA”); and

WHEREAS, OMUC File No. WA1502 (the “Project”) analyzed under the Initial Study/Mitigated Negative Declaration consists of the Recycled Water Pipeline Design Project to reduce its use of potable water, specifically for landscape irrigation applications. The proposed recycled water pipeline will provide a connection point to the existing recycled water pipeline within Euclid Avenue —between the I-10 and Riverside Drive— and the parks surrounding the Euclid Avenue corridor with recycled water to be used for irrigation. In addition, a pipeline will be installed to connect two existing OMUC recycled water lines in Riverside Drive to provide recycled water to the service area north of Riverside Drive including the Deer Creek Loop, Lytle Creek Loop, and their surrounding common landscaping. The proposed Project will also construct a booster pump station within the Euclid Avenue median at Fourth Street and another at one of three proposed alternative pump station locations on South Bon View Avenue, in Ontario, California; and

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an initial study/mitigated negative declaration that identifies one or more significant environmental effects, CEQA requires the decision-making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environmental effects to a less-than-significant level; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a mitigation monitoring and reporting program to ensure compliance with the mitigation measures during project implementation, and such a mitigation monitoring and reporting program has been prepared for the Project for consideration by the decision-maker of the City of Ontario as lead agency for the Project (the “Mitigation Monitoring and Reporting Program”); and

WHEREAS, the City of Ontario is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the City Council has reviewed and considered the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project and intends to take actions on the Project in compliance with CEQA, and state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ONTARIO AS FOLLOWS:

THAT THE CITY COUNCIL does hereby make the following findings: (1) it has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project, (2) the Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA, and (3) the Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project. The City Council designates the Planning Department at 303 East B Street, Ontario, CA 91764, as the custodian of documents and records of proceedings on which this decision is based.

THAT THE CITY COUNCIL does hereby find that based upon the entire record of proceedings before it and all information received that there is no substantial evidence that the Project will have a significant effect on the environment and does hereby adopt the Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program prepared for the Project (OMUC File No. WA1502). The Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are: (1) on file in the Planning Department at 303 East B Street, Ontario, CA 91764 and (2) available for inspection by any interested person.

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

PASSED, APPROVED, AND ADOPTED this 6th day of September 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 September 6, 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 September 6, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)